



COTTONWOOD HEIGHTS CITY
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
ADMINISTRATIVE HEARING AGENDA
September 2, 2020

NOTICE is hereby given that the Cottonwood Heights Community and Economic Development Director or designee will hold an Administrative Hearing Meeting on **Wednesday, September 2, beginning at 12:00 p.m.** electronically. In view of the current COVID-19 pandemic, this meeting will occur only electronically, without a physical location, as authorized by the Governor’s Executive Order dated March 18, 2020 and related legislation enacted by the Utah Legislature since that date. (See the attached written determination of the director or designee that conducting this meeting with a physical anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location). The public may remotely hear the open portions of the meeting through live broadcast by connecting to <http://mixlr.com/chmeetings>.

There are three options for public participation in this meeting:

1. Listen to the meeting online
 - The public may remotely hear the open portions of the meeting through live broadcast by connecting to <http://mixlr.com/chmeetings>.
2. Watch the online Zoom meeting and/or make public comment
 - Each citizen desiring to attend the Zoom meeting must register in advance for the “webinar” (i.e., this Administrative Hearing Meeting) as follows:

<https://cwh.zoom.us/j/93554632744>
 - Each registrant will receive a confirmation email containing information about joining the webinar.
3. Submit written comments to staff by email
 - Public comments may also be submitted to staff by email at sdeseelhorst@ch.utah.gov up to 11:00 a.m. on September 2, 2020.
 - These comments will be sent to the Community and Economic Development Director as part of the written record.

12:00 p.m. ADMINISTRATIVE HEARING MEETING

1.0 Business Items

1.1. (Project CUP-20-015)

Request from Tricia Mulford to operate a short-term rental at 3571 E. Lost Spring Lane, Cottonwood Heights, UT 84121.

2.0 Consent Agenda

2.1. Approval of Minutes for September 2, 2020

(The Director will move to approve the above-mentioned minutes after the following process is met. The recorder will prepare the minutes and email them to the Director and present staff members. The Director and members will have five days to review the minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the Director and members agree, at which time the minutes shall be deemed approved.)

3.0 Adjournment

Meeting Procedures

Items will generally be heard in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Written public comment received prior to the meeting will be read into the record.
4. Close Public Hearing
5. Community and Economic Development Director Deliberation
6. Community and Economic Development Director Decision

Administrative Hearing applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Community and Economic Development Director feels there are unresolved issues that may need further attention before the Director is ready to make a decision. The Community and Economic Development Director may carry over agenda items to the next regularly scheduled meeting.

Submission of Written Public Comment

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department prior to the start of the meeting. Comments should be emailed to sdeseelhorst@ch.utah.gov. Comments received after the start of the meeting will be distributed to the Director after the meeting.

Notice of Compliance with the American Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

A copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DETERMINATION OF THE COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR CONCERNING AN ANCHOR LOCATION

Pursuant to UTAH CODE ANN. 52-4-207(4), the chair (or acting chair) of the Cottonwood Heights Community & Economic Development Director hereby determines that conducting this Administrative Hearing meeting at an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. The World Health Organization, the President of the United States, the Governor of Utah, the Salt Lake County Mayor and Health Department, and the Mayor of this city have all recognized that a global pandemic exists related to the new strain of a coronavirus named SARS-CoV-2. Due to the state of emergency caused by the global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present at the location. According to information from state epidemiology experts, Utah is currently in an acceleration phase, which has the potential to overwhelm the state's healthcare system.

Signature

Date

DATED THIS 21ST DAY of AUGUST 2020
Paula Melgar, City Recorder



ADMINISTRATIVE HEARING STAFF REPORT

Short-Term Rental: 3571 E. Lost Spring Lane

Meeting Date: September 2, 2020

Staff Contact: Samantha DeSeelhorst, Assistant Planner
(801-944-7069, sdeeseelhorst@ch.utah.gov)

Summary

Project #:

CUP-20-015

Subject Property:

3571 E. Lost Spring Lane

Action Requested:

Conditional use approval to obtain a short-term rental license

Owner:

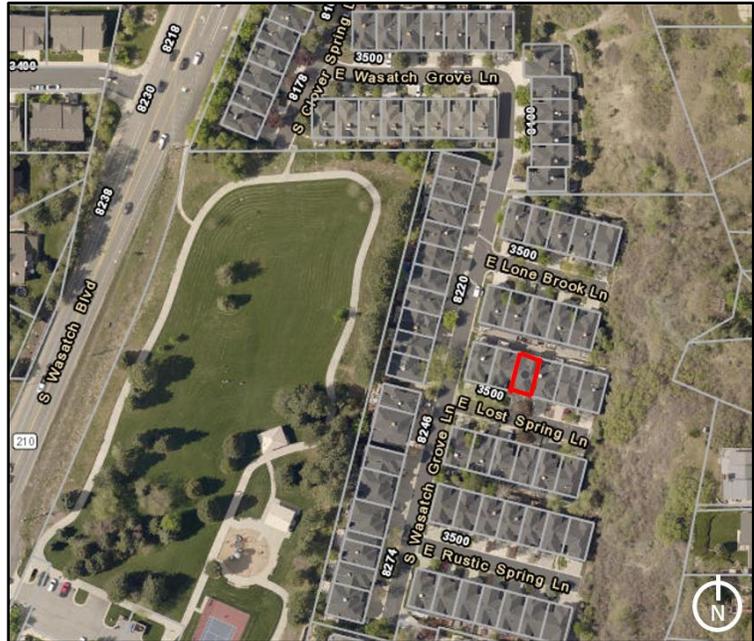
Tricia Mulford

Applicant:

Tricia Mulford

Recommendation:

Approve, with conditions



Aerial View

Analysis

Adjacent Zoning & Land Use

- **NORTH:** R-2-8 Multi-family Residential (The Oaks at Wasatch)
- **SOUTH:** R-2-8 Multi-family Residential (The Oaks at Wasatch)
- **EAST:** R-2-8 Multi-family Residential (The Oaks at Wasatch)
- **WEST:** PF Public Facility (Golden Hills Park)

Staff Analysis

The property is located in the R-2-8 (Residential Multi-family) zone. Short-term rentals may be approved as a conditional use in the R-2-8 zone, provided that the property is part of a planned unit development or condominium project that contains at least eight units and fronts on a private street. The subject property is a part of the Oaks at Wasatch PUD, which contains 107 units. The property fronts on Lost Spring Lane, which is a private street.

Recommended Conditions of Approval

Staff recommends approval, with conditions as outlined below:

1. The applicant must complete necessary steps to obtain a business license through the city of Cottonwood Heights. Obtaining a business license will indicate final approval of the short-term rental application. The short-term rental property will not be considered legal until a business license is obtained.
2. The short-term rental property is required to maintain compliance with all sections and subsections of chapter 19.89 and chapter 5.85 of the Cottonwood Heights Municipal Code, as hereafter amended from time to time, and all other legal requirements and applicable laws.
3. Occupancy in any short-term rental property shall not exceed the lesser of: (a) up to two adults (persons aged 18 and above) and two related children (persons under age 18) per bedroom, or (b) a total occupancy (adults and children) of no more than 12 persons in the entire short-term rental property. It is prohibited to create artificial divisions or partitions for the purpose of increasing available occupancy of an otherwise standard dwelling unit.
4. This short-term rental property will be approved for no more than four (4) bedrooms. The term “bedroom” means a room designated and used primarily for sleeping and rest on a bed.
5. Upon issuance of a business license and conditional use permit, the applicant must display a copy of the business license inside the main entry of the property.
6. The facility and its use shall comply with all applicable laws, rules and regulations, including those instituted by the state, county, county health department or the city to mitigate the impact of the COVID-19 pandemic.

Findings for Approval

This recommendation is based on the following findings:

1. The proposed short-term rental meets the applicable provisions of chapter 19.89 and chapter 5.85 of the Cottonwood Heights Municipal Code.
2. That the proposed project will continue to meet the applicable provisions of Chapter 19.84, “Conditional Uses,” of the zoning code:
 - a. That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located (19.89.050);
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity;
 - c. That the use will comply with the intent, spirit and regulations of this title and will be compatible with and implement the planning goals and objectives of the city;
 - d. That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located;
 - e. That nuisances which would not be in harmony with the neighboring uses will be abated by the conditions imposed;
 - f. That protection of property values, the environment, and the tax base for the city will be assured;
 - g. That the use will comply with the city’s general plan;

- h. That the property will be required to comply with all conditions of approval in perpetuity, in accordance with sections 19.89.160 – Inspections and 19.89.190 – Violations and penalties of the Cottonwood Heights Municipal Code.

Model Motions

- Approval
 - “I move to approve item CUP-20-015 pursuant to the conditions of approval outlined in the item’s staff report.”
 - Add any additional conditions of approval...
- Denial
 - “I move to deny item CUP-20-015 based on the following findings...”
 - List reasons for denial...

Attachments

1. Applicant Statement
2. Floorplan

Written Narrative

Property: 3571 E Lost Spring Lane Cottonwood heights, UT 84121

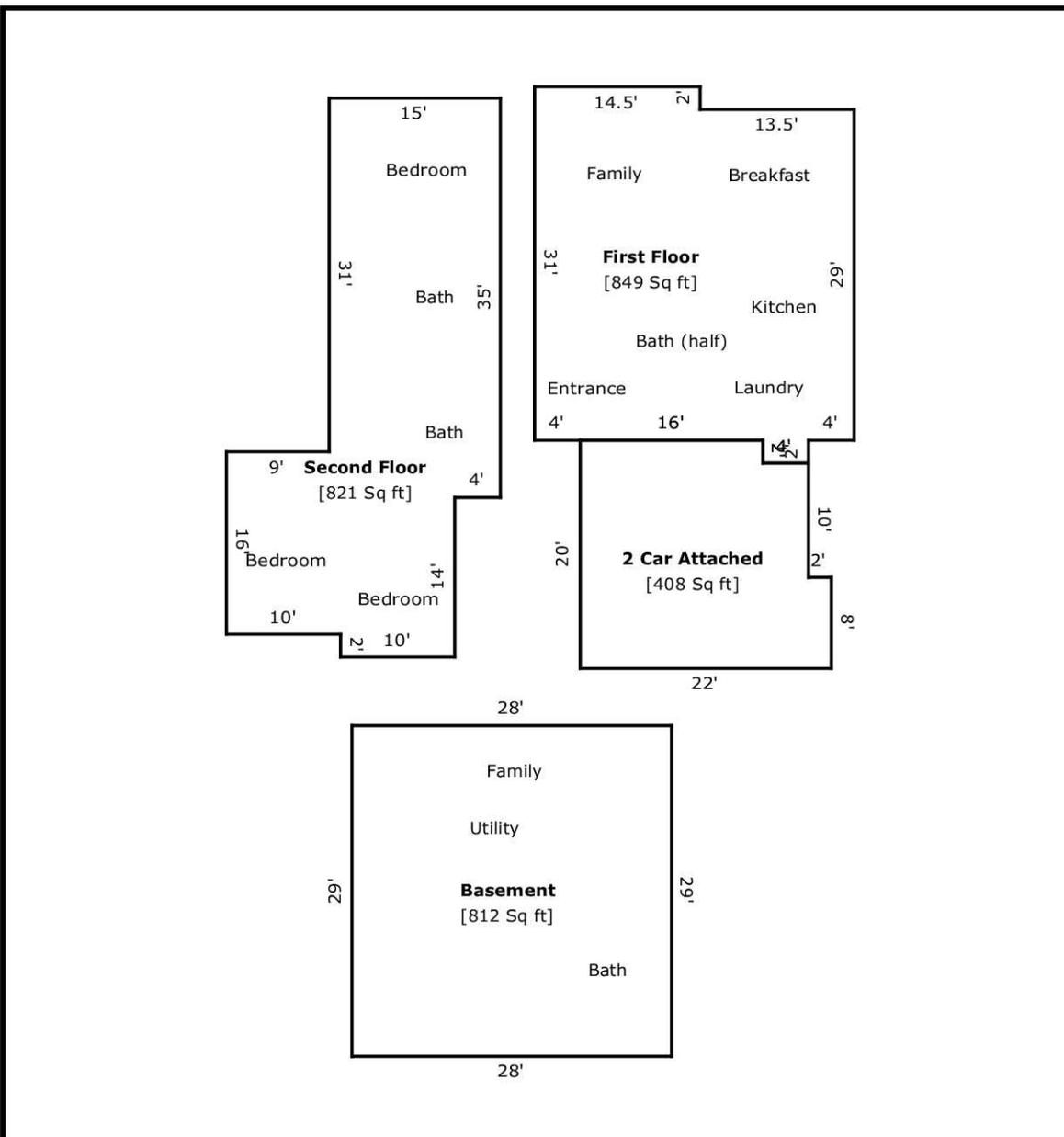
Description: 3 bedroom, 2.5 bath, 2 car garage townhouse.

Proposed use: Short term rental for sleeping up to 9 (although as of 18Aug2020, planned for sleeping up to 7). Parking includes a 2 car garage and space for 2 cars in the driveway. There is overflow parking available as well.

The upstairs consists of a Master bedroom with an attached bath (shower and tub separate). There are 2 guest bedrooms and 1 guest bathroom with a tub/shower. The main floor has outside access from the front door, back patio, and garage. There is a kitchen with stove and gas range, a dishwasher, and refrigerator. There is a living room with TV and fireplace. There is a powder room. There is a laundry room with washer and dryer. The outside patio consists of brick pavers. There is a security system installed that includes the following: front door camera, back patio door camera, wifi controlled thermostat, water leak detector near the water heater, and a fire and carbon monoxide monitor upstairs between bedrooms. There is a ladder for escape from the second floor (located in the upstairs hall closet). The basement will be locked for owner storage only (which contains extra supplies of linens and other various household supplies like light bulbs). There will be a hidden key on site for purpose of emergency access, if needed. Smoke detectors are installed in each room (as of Aug2020). Snow removal from the street is covered by HOA. There are no pools, hot tubs, or other common area use facilities.

Building Sketch

Borrower	Tricia Mulford				
Property Address	3571 E Lost Spring Ln # 64				
City	Cottonwood Heights	County	Salt Lake	State	UT
Zip Code	84121				
Lender/Client	SecurityNational Mortgage				



TOTAL Sketch by a la mode, inc.

Area Calculations Summary			
Living Area		Calculation Details	
First Floor	849 Sq ft		$4 \times 2 = 8$ $28 \times 29 = 812$ $2 \times 14.5 = 29$
Second Floor	821 Sq ft		$16 \times 9 = 144$ $15 \times 35 = 525$ $11 \times 12 = 132$ $2 \times 10 = 20$
Total Living Area (Rounded):	1670 Sq ft		
Non-living Area			
Basement	812 Sq ft		$28 \times 29 = 812$
2 Car Attached	408 Sq ft		$20 \times 16 = 320$ $6 \times 8 = 48$ $4 \times 10 = 40$