



ADMINISTRATIVE HEARING AGENDA

Notice is hereby given that the Cottonwood Heights Community Development Director will hold a meeting beginning at 12:00 p.m. on Wednesday, February 13, 2019, located at 2277 E Bengal Blvd (Room 124, Council Workroom), Cottonwood Heights, Utah.

12:00 p.m. 1.0 PUBLIC HEARINGS

1.1 (Project CUP-19-001)

Public comment on a request from Mike Rogge for a conditional use permit to operate a short-term rental at 3587 E. Lone Brook Lane.

2.0 ACTION ITEMS

2.1 (Project CUP-19-001)

Action on a request from Mike Rogge for a conditional use permit to operate a short-term rental at 3587 E. Lone Brook Lane.

On Tuesday, February 12, 2019 a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was emailed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. 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>

DATED THIS 12th DAY OF FEBRUARY 2019

Paula Melgar, City Recorder

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. If you would like to submit written comments on any agenda item they should be received by the Planning Division no later than Wednesday at noon. Comments can be emailed to ahulka@ch.utah.gov.



Administrative Hearing

MEETING DATE: February 13, 2019

FILE NUMBER: CUP-19-001

LOCATION: 3587 E. Lone Brook Lane, Cottonwood Heights, UT

REQUEST: Approval of conditional use application to obtain a short-term rental license

OWNER: Michael Rogge

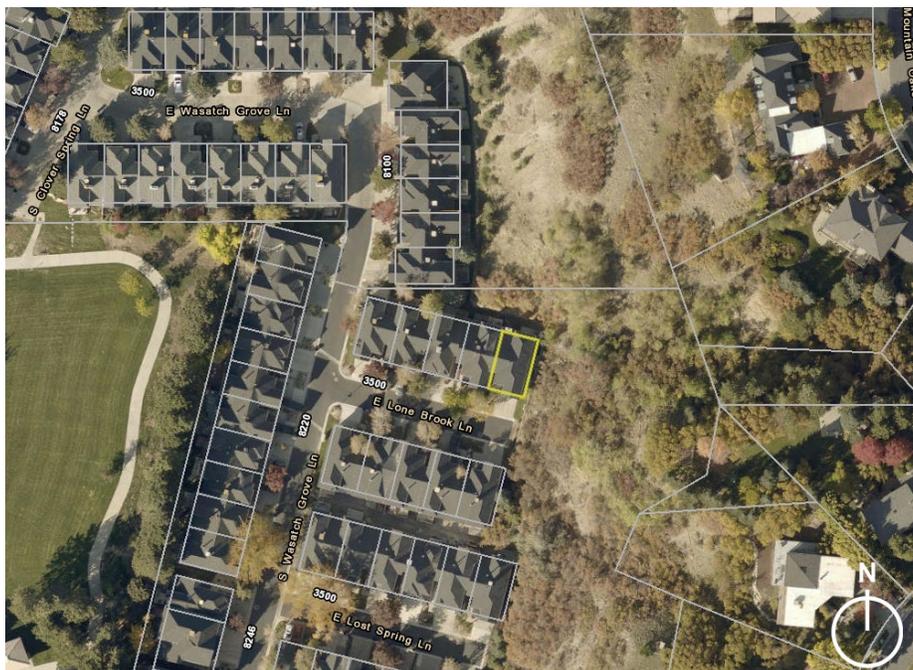
ZONING: R-2-8 Residential Multi-Family

STAFF

RECOMMENDATION: APPROVE pursuant to conditions of approval.

CONTEXT:

The property is located at 3587 E. Lone Brook Lane, in the Oaks at Wasatch PUD just to the east of Wasatch Boulevard and Golden Hills Park.



ADJACENT 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 Multi-family Residential 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 Lone Brook Lane, which is a private street.

CONDITIONS OF APPROVAL:

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.

FINDINGS:

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.