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2 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
3 **ADMINISTRATIVE HEARING**

4
5 **Wednesday, July 5, 2023**
6 **12:00 p.m.**
7 **City Council Chambers**
8 **2277 East Bengal Boulevard**
9

10 ***ATTENDANCE***

11
12 **Present:** Michael Johnson, Community and Economic Development Director/Hearing Officer
13 Maverick Yeh, Assistant Planner
14 Maria Devereux, Deputy City Recorder
15

16 **ADMINISTRATIVE HEARING**

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18 **1.0 Business Items**

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20 Community and Economic Development Director/Hearing Officer, Michael Johnson called the
21 meeting to order at 12:01 p.m. and welcomed those present.
22

23 **1.1 (Project CUP-23-008) Request from Paz Ortiz for Conditional Use Approval of**
24 **Short-Term Rental at 3551 East Wasatch Grove Lane.**
25

26 Assistant Planner, Maverick Yeh presented the Staff Report and stated that the request is from Paz
27 Ortiz for Conditional Use Approval of a Short-Term Rental at 3551 East Wasatch Grove Lane located
28 in an R-2-8 Zone. The property owners were identified as Mark and Elaine Quinn. Proper public
29 notice was sent and no public comment had been received by Staff.
30

31 Hearing Officer Johnson opened the public hearing. There were no public comments. The public
32 hearing was closed.
33

34 **Hearing Officer Johnson moved to APPROVE item CUP-23-008 pursuant to the following**
35 **Conditions and Findings of Approval outlined in the Staff Report:**
36

37 **Conditions:**

- 38
39 **1. The applicant must complete the necessary steps to obtain a Business License**
40 **through the City of Cottonwood Heights. Obtaining a Business License will**
41 **indicate final approval of the short-term rental application. The short-term**
42 **rental property will not be considered legal until a Business License is obtained.**
43
44 **2. The short-term rental property is required to maintain compliance with all**
45 **sections and subsections of Chapters 19.89 and 5.85 of the Cottonwood Heights**
46 **Municipal Code, as hereafter amended from time to time, and all other legal**
47 **requirements and applicable laws.**

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3. **The Operators shall provide a 24/7 hotline to resolve issues. Operators shall respond (in person, if appropriate) to telephonic complaints within one hour after such complaint is made. Inappropriate and/or non-response to such complaints shall constitute a violation.**
4. **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 to increase the available occupancy of an otherwise standard dwelling unit.**
5. **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 resting on a bed.**
6. **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:

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. **The proposed project will continue to meet the applicable provisions of Chapter 19.84, "Conditional Uses," of the zoning code:**
 - a. **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. **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. **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 that 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.**

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- 2 g. That the use will comply with the City’s General Plan.
- 3
- 4 h. That the property will be required to comply with all conditions of
- 5 approval in perpetuity, in accordance with Sections 19.89.160 –
- 6 Inspections and 19.89.190 – Violations and penalties of the Cottonwood
- 7 Heights Municipal Code.
- 8

9 **1.2 (Project CUP-23-009) Request from Drew Rothkopf for Conditional Use**

10 **Approval of Short-Term Rental at 8126 South Clover Spring Lane.**

11

12 Mr. Yeh presented the Staff Report and stated that the request is from Drew Rothkopf for Conditional

13 Use Approval of a Short-Term Rental at 8126 South Clover Spring Lane located in an R-2-8 Zone.

14 The property owner was identified as Jared Garrett. Proper public notice was sent and no public

15 comment was received by Staff.

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17 Hearing Officer Johnson opened the public hearing. There were no public comments. The public

18 hearing was closed.

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20 **Hearing Officer Johnson moved to APPROVE item CUP-23-009 pursuant to the following**

21 **Conditions and Findings of Approval outlined in the Staff Report:**

22

23 **Conditions:**

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- 25 **1. The applicant must complete the necessary steps to obtain a Business License**
- 26 **through the city of Cottonwood Heights. Obtaining a business license will indicate**
- 27 **final approval of the short-term rental application. The short-term rental**
- 28 **property will not be considered legal until a Business License is obtained.**
- 29
- 30 **2. The short-term rental property is required to maintain compliance with all**
- 31 **sections and subsections of Chapter 19.89 and Chapter 5.85 of the Cottonwood**
- 32 **Heights Municipal Code, as hereafter amended from time to time, and all other**
- 33 **legal requirements and applicable laws.**
- 34
- 35 **3. The Operators shall provide a 24/7 hotline to resolve issues. Operators shall**
- 36 **respond (in person, if appropriate) to telephonic complaints within one hour after**
- 37 **such complaint is made. Inappropriate and/or non-response to such complaints**
- 38 **shall constitute a violation.**
- 39
- 40 **4. Occupancy in any short-term rental property shall not exceed the lesser of (a) up**
- 41 **to two adults (persons aged 18 and above) and two related children (persons**
- 42 **under age 18) per bedroom, or (b) a total occupancy (adults and children) of no**
- 43 **more than 12 persons in the entire short-term rental property. It is prohibited to**
- 44 **create artificial divisions or partitions to increase the available occupancy of an**
- 45 **otherwise standard dwelling unit.**
- 46

1 **5. This short-term rental property will be approved for no more than four (4)**
2 **bedrooms. The term "bedroom" means a room designated and used primarily**
3 **for sleeping and resting on a bed.**

4
5 **6. Upon issuance of a Business License and Conditional Use Permit, the applicant**
6 **must display a copy of the Business License inside the main entry of the property.**

7
8 **Findings:**

9
10 **1. The proposed short-term rental meets the applicable provisions of Chapter 19.89**
11 **and Chapter 5.85 of the Cottonwood Heights Municipal Code.**

12
13 **2. The proposed project will continue to meet the applicable provisions of Chapter**
14 **19.84, "Conditional Uses," of the zoning code:**

15
16 **a. The proposed use is one of the conditional uses specifically listed in the**
17 **zoning district in which it is to be located (19.89.050).**

18
19 **b. Such use will not, under the circumstances of the particular case, be**
20 **detrimental to the health, safety, comfort, order, or general welfare of**
21 **persons residing or working in the vicinity.**

22
23 **c. The use will comply with the intent, spirit, and regulations of this title and**
24 **will be compatible with and implement the planning goals and objectives**
25 **of the City.**

26
27 **d. That the use will be harmonious with the neighboring uses in the zoning**
28 **district in which it is to be located.**

29
30 **e. That nuisances that would not be in harmony with the neighboring uses**
31 **will be abated by the conditions imposed.**

32
33 **f. That protection of property values, the environment, and the tax base for**
34 **the City will be assured.**

35
36 **g. That the use will comply with the City's General Plan.**

37
38 **h. That the property will be required to comply with all conditions of**
39 **approval in perpetuity, in accordance with Sections 19.89.160 –**
40 **Inspections and 19.89.190 – Violations and penalties of the Cottonwood**
41 **Heights Municipal Code.**

1 **2.0 Consent Agenda**

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3 **2.1 Approval of Minutes for July 5, 2023.**

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5 **The Administrative Hearing Officer will approve the minutes of the July 5, 2023 meeting after**
6 **the following process is met. The City Recorder will prepare the minutes and email them 18 to**
7 **the Hearing Officer. The Hearing Officer will have five days to review the minutes and 19**
8 **provide any changes to the Recorder. If, after five days there are no changes, the minutes will**
9 **20 stand approved. If there are changes, the process will be followed until the changes are made**
10 **21 and the Hearing Officer is in agreement, at which time the minutes shall be deemed**
11 **approved.**

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13 **3.0 Adjournment**

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15 **The Administrative Hearing adjourned at approximately 12:06 p.m.**

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Administrative Hearing held Wednesday, July 5, 2023.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

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9 Minutes Approved: _____