



**Project #25-003
Downtown Blue Cottage Short Term Rental
25 South 200 West**

REPORT SUMMARY...

Project Name: Downtown Blue Cottage Short Term Rental
Proponent/Owner: Bo Johnson / North Park Holdings LLC
Project Address: 25 South 200 West
Request: Conditional Use Permit
Current Zoning: Traditional Neighborhood Residential (NR-6) (HD)
Date of Hearing: January 23 2025
Type of Action: Quasi-Judicial
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **Conditionally Approve** a Conditional Use Permit for Project #25-003 Downtown Blue Cottage Short Term Rental, for the property located at 25 South 200 West, TIN #06-032-0023.

Land use adjoining the subject property:

<i>North:</i>	(NR-6) Residential Uses	<i>East:</i>	(NR-6) Religious Uses
<i>South:</i>	(NR-6) Residential Uses	<i>West:</i>	(NR-6) Residential Uses

Request

The applicant is requesting a Conditional Use Permit (CUP) for a new two (2) bedroom short-term rental (STR) on the main floor of the duplex. The grandfathered duplex will also continue to operate a long-term one-bedroom rental on the lower level. The parking is proposed in the garage and driveway to the south of the home. The 0.08-acre parcel is located in the Traditional Neighborhood Residential (NR-6) zone.



Figure 1 shows the proposed STR at 25 South 200 West

Short Term Rentals

The purpose of the Section 17.37.130 is to regulate short term rentals to ensure compatibility within residential neighborhoods and that they won't unreasonably reduce long-term housing opportunities. The general requirements are:

- Conditional Use Permit and Business License required prior to use.
- Rental contracts limited to 30 days or less.
- The STR cannot be rented to the same party more than twice in a 6 month period.
- The STR is located at least 750' from another STR (owner occupied STR exempted).
- The number of STR's citywide is limited to 2 STR's per every 1,000 of total population.
- Only one STR permitted inside a multi-unit building (duplex, triplex, etc...)
- STR Occupancy limited to two people per bedroom plus two additional.
- One parking stall required per every two bedrooms within the STR.
- Current residential appearance or character cannot change because of the STR.
- STR's subject to City's nuisance ordinances. Repeated failure to comply will result in loss of CUP and Business License.
- STR's shall comply with all applicable building, fire, health, safety, maintenance codes.
- Signage is limited to two square feet and only located on the building wall.

Conditional Use Permit

The CUP process provides a system for discretionary consideration for applications that are not typically associated with the zoning district or considered conditional. CUP approvals should preserve and enhance neighborhood character and provide conditions to mitigate any potential impacts. Land Development Code (LDC) §17.37.130 requires a CUP for STRs in all residential zones. Section 17.42.050 in the LDC governs the approval criteria for Conditional Uses.

§17.42.050 Planning Commission Action

The Commission may approve or conditionally approve a conditional use permit only upon substantiating the following findings:

- A. The maximum established density has not been exceeded, unless a density bonus has been approved in conformance with General Plan policy and City ordinance.*
- B. The proposed use conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.*
- C. The use is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.*
- D. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.*
- E. The proposed use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.*
- F. Access to adjoining streets is designed to be constructed in conformance with City standards and specifications. Where adjoining streets are regulated by the Utah Department of Transportation, access to street(s) shall conform to the requirements of the Cache Access Management Plan.*
- G. The proposed use provides adequate off-street parking in conformance with this Title.*
- H. The project provides open space and landscaping in conformance with this Title.*

When approving a CUP, the Planning Commission must substantiate the above lists of criteria for the specific application. CUP approvals include substantiating the "preservation and enhancement of neighborhood character" and "compatibility and interference with use and enjoyment of neighboring properties". These discretionary issues need to be reviewed to ensure a proposed STR is compatible within the neighborhood.

Neighborhood Compatibility

The location of the proposed short-term rental is in the Ellis Neighborhood. All adjacent properties are zoned NR-6. The residential structures in the area mainly consist of historic single-family homes. A church is located across the street to the east. The proposal does not alter the exterior of the cottage-style single-story structure.

Parking

The LDC requires all parking for the STR to be located off-street and on the same property as the STR. The location of all parking areas shall comply with the parking and setback requirements of the LDC, and the parking areas used for the STR cannot be used by the standard residential use in the remaining areas of the structure. Parking stalls are required to be paved with either concrete, asphalt, or similar approved hardened surfaces. Parking may be accommodated in an existing conforming driveway for the residential property.

Parking spaces shall be provided at one (1) space per two (2) bedrooms within the STR and two (2) stalls per long-term rental units. A total of three (3) parking stalls are required for the STR and the long-term rental in the basement. The attached plan shows enough space for three parking stalls and is in conformance of the LDC as submitted.



Figure 2 shows the proposed parking plan.

Proximity Restrictions

The LDC requires the proximity of a STR to be located at least 750 feet from another STR as measured in the straight line from property edge to edge. The proposed STR is approximately 1,800 feet away from the nearest established STR in a residential zone. The citywide allowance of two (2) STR's per every 1,000 of total population has not been surpassed. As proposed, this application complies with the minimum proximity regulations in the LDC.

Occupancy Limits

The occupancy limitation for a STR is a maximum of two (2) occupants per bedroom plus two (2) additional occupants. The maximum allowable occupancy for the proposed two (2) bedroom STR is a total of six (6) individuals. As conditioned, with a maximum of six (6) occupants in the STR, the project meets the requirements of the LDC. An STR may not be rented to the same individual, group or party for more than two consecutive rental contracts in a 6-month period or have multiple rental contracts by separate individuals, groups or parties for the same night or nights.

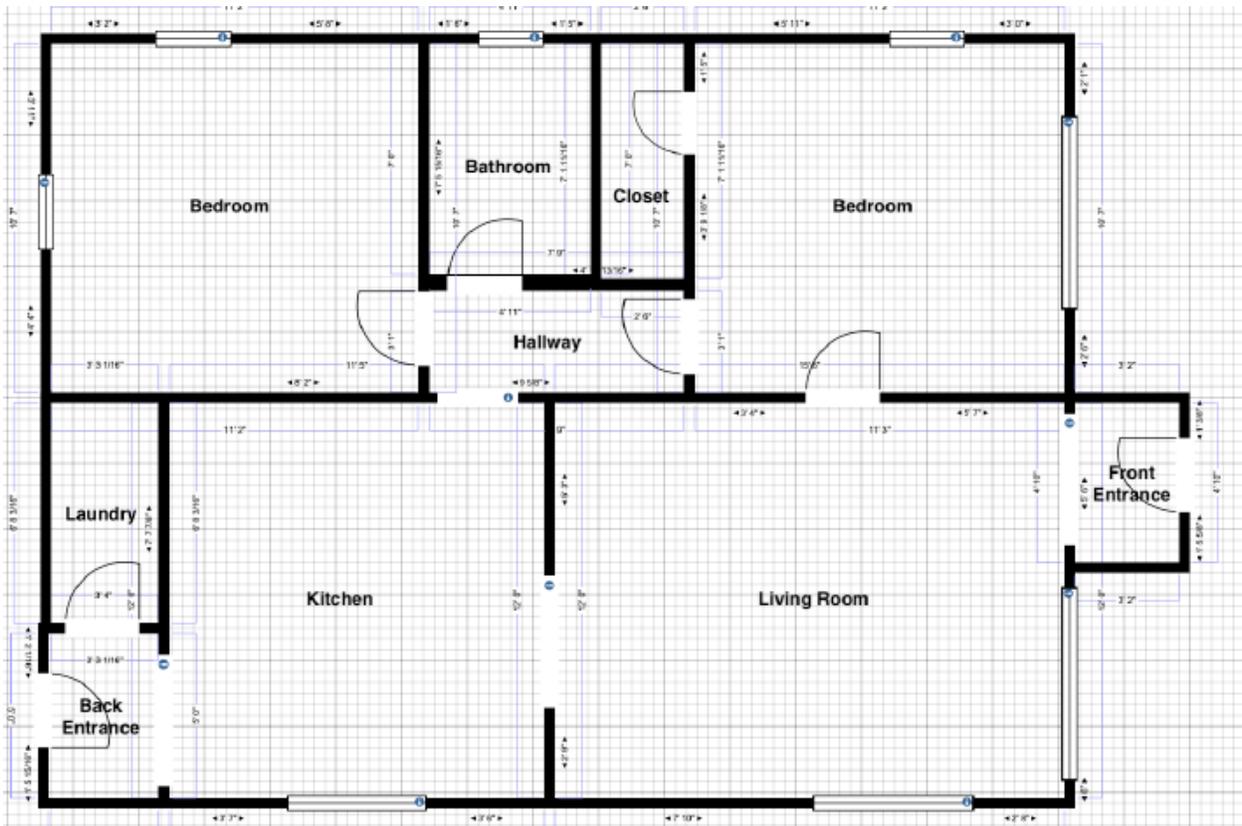


Figure 3 shows the STR floor plan (main floor).

Operational Standards

In addition to site specific requirements reviewed above, the LDC §17.37.130 and Logan Municipal Code provides general standards to ensure smooth and safe operations of STRs. Some of these include business licensing, building safety inspections, mitigation of potential nuisances (regarding noise, garbage, and pets) and neighborhood noticing. Following approval of the CUP, applicants proceed as specified in the City’s business licensing process to ensure these requirements are met.

SUMMARY

The proposed STR maintains neighborhood compatibility because there are no building alterations to the home. As conditioned with full compliance of LDC standards and subsequent licensing and building inspection requirements, the proposed STR meets the requirements of Logan City codes and specifications.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

- | | |
|--------------------------|----------------------|
| • Water/Cross Connection | • Business Licensing |
|--------------------------|----------------------|

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, three comments had been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 1/11/25 and the Utah Public Meeting website on 1/13/25. Public notices were mailed to all property owners within 300 feet of the project site on 1/6/25.

RECOMMENDED CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. This Conditional Use Permit authorizes a two (2) bedroom short term rental occupying the main floor of the structure. Two (2) people maximum per bedroom with two (2) additional individuals for a maximum of six (6) occupants in the STR is approved.
3. Occupancy for the non STR portion of the structure shall comply with LDC regulations.
4. A minimum of three (3) parking stalls are required. Two for the STR and two for the basement apartment.
5. The driveway cannot extend into the front yard directly in front of the home, it must remain to the side of the home and maintain a two-foot setback along the south property line in compliance with LDC site development standards. All parking stalls must be paved and 9'x18' in size.
6. Parking of recreational vehicles, trailers, boats, ATVs or similar vehicles associated with the STR shall be legally parked on-site and are not permitted to be parked on-street.
7. Rental contracts for the STR shall be for 30 days or less.
8. A short-term rental may not be the subject of multiple rental contracts by separate individuals, groups or parties for the same night or nights.
9. Rental contracts shall not be offered to the same individual, group, or party for more than two consecutive rental contracts in a six (6) month period.
10. The owner shall maintain rental records available for review and inspection by Logan City.
11. Quiet times shall comply with the City noise ordinance of 10 pm to 8am.
12. A Logan City building/fire inspection is required which may result in building remodeling and building permits prior to the issuance of a business license.
13. A Logan City business license is required and renewed yearly prior to using the property as a STR.
14. The STR shall comply with local and state Building, Health, Fire, Safety, Maintenance and Nuisance Codes prior to operating.
15. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
16. No signs are approved with this Conditional Use Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
17. No fences are approved with this Conditional Use Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
18. All points of use of water down stream of this properties water meter should meet Utah's current plumbing code and its amendments along with Utah's Administrative Drinking Water rules. This would help minimize the risk of a contamination of the water that would affect the homes occupants or lodger and Logan Cities water system. This also would help minimize liabilities to the owner.

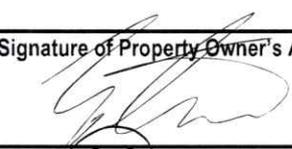
RECOMMENDED FINDINGS FOR APPROVAL

1. The proposed project conforms to the requirements of the Land Development Code and is listed as a conditional use in the Use Table.
2. This STR meets the City's STR density and location parameters as specified in Chapter 17.37.130.
3. As conditioned the use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
4. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
5. The Planning Commission has substantiated the findings for a Conditional Use Permit in Chapter 17.42.050.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW

For Staff Only <input checked="" type="checkbox"/> Planning Commission		<input type="checkbox"/> Land Use Appeal Board	<input type="checkbox"/> Administrative Review
Date Received 12/11/24	Zone/Neighborhood NR-6 Ellis	Scheduled Meeting Date Jan. 23	Application Number PC 25-003
Type of Application (Check all that apply):			
<input type="checkbox"/> Design Review	<input checked="" type="checkbox"/> Conditional Use	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Administrative Design Review
<input type="checkbox"/> Code Amendment	<input type="checkbox"/> Appeal	<input type="checkbox"/> Zone Change	<input type="checkbox"/> Other
PROJECT NAME (Do not use an address) Downtown Blue Cottage			
PROJECT ADDRESS 25 South 200 West		COUNTY PLAT TAX ID # 06-032-0023	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Bo Johnson		PHONE # 435-764-5488	
MAILING ADDRESS 594 South 400 East	CITY River Heights	STATE UT	ZIP 84321
EMAIL ADDRESS bo.johnson@amlutah.com			
PROPERTY OWNER OF RECORD North Park Holdings, LLC		PHONE # 435-740-8184	
MAILING ADDRESS 594 South 400 East	CITY River Heights	STATE UT	ZIP 84321
EMAIL ADDRESS bo.johnson@amlutah.com			
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed)		Total Lot Size (acres) .08	
		Size of Proposed New Building (square feet) None	
		Number of Proposed New Units/Lots None	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permit on behalf of the property owner.		Signature of Property Owner's Authorized Project Representative 	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.		Signature of Property Owner 	

APPLICATION MUST BE ACCURATE AND COMPLETE
NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -

25 S 200 W Short Term Rental Site Plan

Description

- This conditional use permit (CUP) application is to request short term rental (STR) use at 25 South 200 West, parcel tax ID 06-032-0023. Screenshot from the Cache County Parcel Viewer is below.



- The home is roughly 1,250 square feet with two bedrooms and one bathroom. The STR will be advertised on Air BnB for four people and two vehicles maximum.
- Our neighbors' well-being is a top priority. We will be selective in the guests we host; parties will be prohibited and quiet hours will be strictly enforced. A local contact will be available to promptly respond to any issues. We manage several STRs and have positive relationships with all of our neighbors.
- The STR license, contact information, emergency exit plan, location of fire extinguisher, maximum occupancy, and parking information will be posted in the home.
- A business license will be maintained for the STR. Because the home is in a residential zone, a CUP permit will also be maintained.

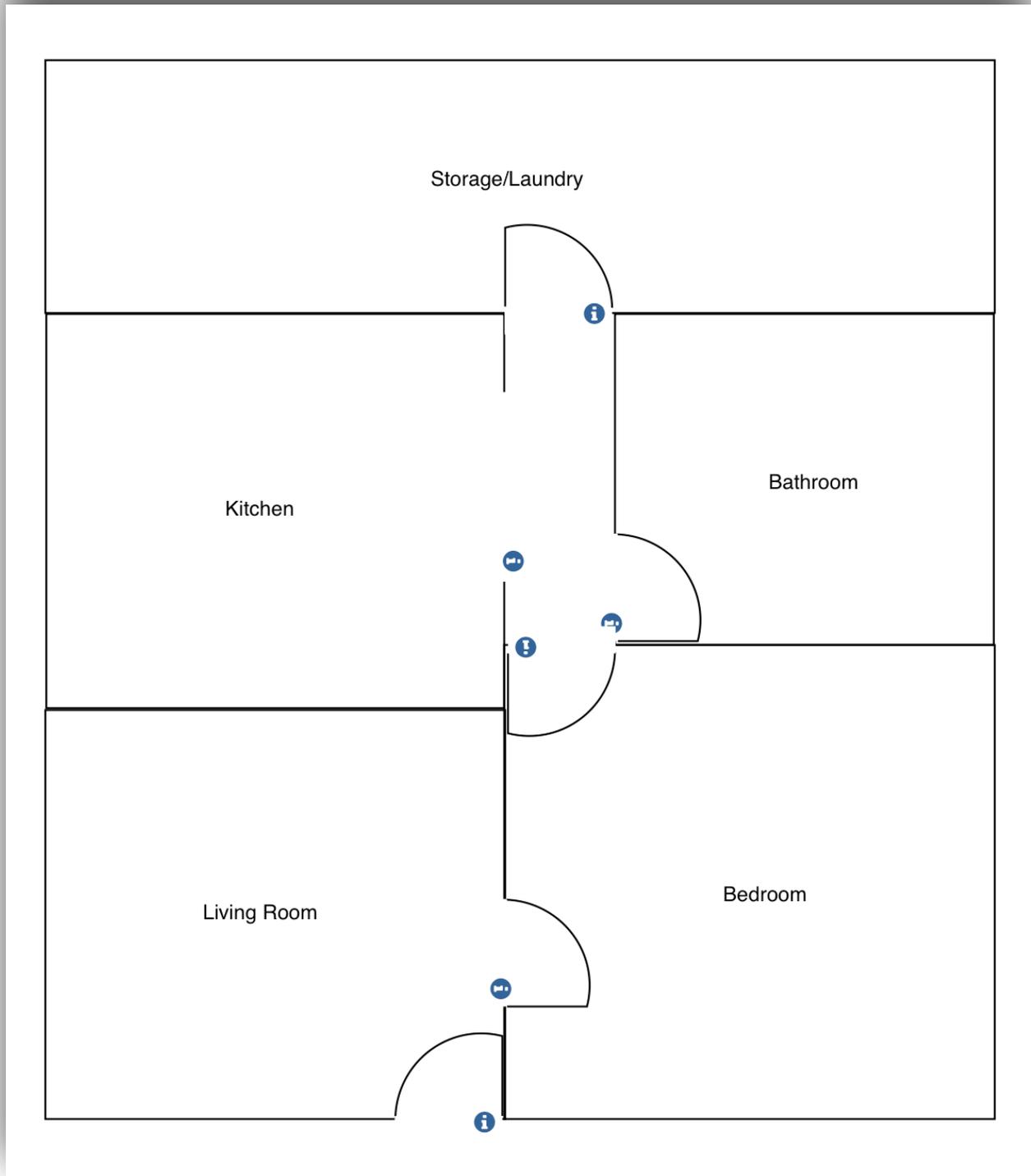
- There is no other STR within 750' of this home.
- Egress windows in bedrooms are compliant with 2015 IRC R310.
- Smoke and CO2 detectors are installed.
- A fire extinguisher rated for type A, B, and C fires (2A:10-B:C) is installed and labeled in the kitchen.
- There will be no signage for this STR.
- The home is ready for a building inspection.
- Within 10 days of receiving an STR license, contact information, CUP, and licenses will be provided to all property owners within 300' of the home. Logan City Business Licensing will be notified within 14 days.
- Payment for the CUP application will be submitted over the phone.

Management Plan

- Several years of experience managing STRs has provided us the opportunity to optimize our management processes. We have dedicated teams that manage property maintenance, guests relations, and cleaning services. While different folks are charged with different responsibilities, we do not operate in silos. We are in constant communication working together to maintain a beautiful home and provide the best experience for our guests.
- As required by Logan City ordinance, a personal phone number (not an office number) will be provided to all property owners within proximity of the home so we can promptly respond to any complaints.
- Our neighbors' well-being is a top priority. We enable 'strict' filtering on all our STRs to eliminate high-risk guests. If troublesome guests happen to bypass Air BnB's algorithm, we have a one-warning policy that is strictly enforced. Guest reservations are terminated if we receive more than one disturbance complaint. (We tend to have pleasant guests in Cache Valley and have not had any issues at our other property.)
- We have at least three individuals at all times with access to guest communications. This ensures prompt response times and resolving any issues that arise.
- Regular property maintenance is performed. In addition, an inspection is performed after each reservation to ensure any property damage, maintenance requirements, or unkept landscaping is resolved timely.
- We install security cameras on the exterior of our STRs to monitor guests and ensure they follow applicable rules, such as parking and quiet hours.
- All lodging and other applicable taxes are automatically collected and remitted by the Air BnB platform.

Basement Floor Plan

- The following floor plan illustrates the layout of the basement, a small one-bedroom unit approximately 600 square feet. This unit will be utilized as a long-term rental.



Parking

- Three parking stalls will be available directly south of the house as depicted by the three red squares in the photo below.
- Dimensions of driveway are listed and depicted below.
 - Driveway width: 17 1/2 feet
 - Driveway length (West property line to the sidewalk): 77 1/2 feet
- Guests will be notified that street parking is not allowed.
- Assigned parking locations will be coordinated with long-term tenants and STR guests.

