NOTICE OF
SPECIAL PLANNING COMMISSION MEETING
Thursday, March 31, 2016 7:00 p.m.
Community Recreation Center, 10640 N Clubhouse Drive

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a **Special Planning Commission Meeting on Thursday, March 31, 2016 beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

PLANNING COMMISSION MEETING

1. Call to Order

2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

PUBLIC HEARING

- Amendments to Title 10, Chapter 5, Regarding Conditional Use Permits
- Amendments to the Guidelines for the Design and Review of Planned Commercial Development Projects

SCHEDULED ITEMS

3. Approval of Minutes from the January 26, 2016 Planning Commission Meeting
4. Review/Recommendation on Amendments to Title 10, Chapter 5, Regarding Conditional Use Permits
5. Review/Recommendation on the Guidelines for the Design and Review of Planned Commercial Development Projects
6. Review/Action on a Conditional Use Permit for Dollar Tree to Operate in the SC-1 Commercial Zone
7. Discussion on the Land Use Academy of Utah
8. Committee Assignments and Reports

ADJOURNMENT

9. Adjourn

Posted this 28th day of March, 2016 /s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Website at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the Planning Commission, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the commission members to participate.

CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	3/31/2016

Planning Commission
Agenda Item

SUBJECT:	Review/Recommendation on Amendments to Title 10, Chapter 5, Regarding Conditional Use Permits
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

Staff has prepared conditional use code to be adopted as part of Title 10, the City's Land Use Code. The proposed code outlines a process for granting a CUP, as well as the conditions upon which a CUP may be granted.

PREVIOUS LEGISLATIVE ACTION:

n/a

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

Proposed Code for 10-5-36

RECOMMENDATION:

Make any necessary changes and recommend to the City Council

MOTION:

To recommend/not recommend the proposed code, 10-5-36, regarding Conditional Use Permits to the City Council for approval and adoption

Chapter 10-5-36
CONDITIONAL USES AND ZONES

10-5-36 A: PURPOSE OF CONDITIONAL USE PROVISIONS:
10-5-36 B: PERMIT REQUIRED:
10-5-36 C: APPLICATION:
10-5-36 D: FEE:
10-5-36 E: PUBLIC HEARING:
10-5-36 F: STANDARD FOR GRANTING A CONDITIONAL USE:
10-5-36 G: APPEALS OF DECISIONS:
10-5-36 H: INSPECTION:
10-5-36 I: REVOCATION:
10-5-36 J: TIME LIMIT:
10-5-36 K: CONDITIONAL ZONES:
10-5-36 L: REAPPLICATION AFTER DENIAL:
10-5-36 M: CONTINUING EFFECT:
10-5-36 N: REPORTING REQUIREMENTS:

10-5-36 A: PURPOSE OF CONDITIONAL USE PROVISIONS:

An application for a conditional use permit may be granted by the Commission, subject to the provisions of this Code. The purpose of a Conditional Use permit is to allow the proper integration into the City of certain uses which may have a detrimental effect within the City. Certain uses which may be harmonious under special conditions and in specific locations within a zone, but may be improper under general conditions and in other locations, are classed as conditional uses within the various zones and require conditional use permits for approval as authorized by the planning commission.

10-5-36 B: PERMIT REQUIRED:

A conditional use permit shall be required for all uses listed as conditional uses in the zoning regulations or elsewhere in this title. A conditional use permit may be revoked upon failure of the original applicant or any successor, owner, or occupant to comply with conditions precedent to the original approval of the permit.

10-5-36 C: APPLICATION:

1. A conditional use permit application shall be made to the planning department as provided in this title. The completed application shall be submitted to the planning commission at one of their regularly scheduled meetings. The planning commission may authorize members of the planning department to grant or deny conditional use permits, subject to such limitations or qualifications as are deemed necessary.

2. Applications for a conditional use permit shall be accompanied by the names and addresses of persons entitled to notice, maps, drawings, statements, reports, studies or other documents, as required by the planning commission and planning staff.

10-5-36 D: FEE:

The application for any conditional use permit shall be accompanied by an appropriate fee.

10-5-36 E: PUBLIC HEARING:

No public hearing need be held, however, a public hearing may be held when the planning commission shall deem such a hearing to be necessary in the public interest. The planning commission shall schedule and hold a hearing at the nearest available planning commission meeting date upon submission of a properly completed and filed application form. At all times, including at a public hearing, the applicant has the burden of proof, by a preponderance of the evidence, to convince the Commission that the requirements of this Chapter have been satisfied with respect to the applicant's proposed Conditional Use.

10-5-36 F: STANDARD FOR GRANTING A CONDITIONAL USE:

1. The planning commission may permit a conditional use to be located within any zone in which the particular conditional use is permitted by the use regulations of this title. In authorizing any conditional use, the planning commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The planning commission shall not authorize a conditional use permit unless the evidence establishes:

a. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community and the neighborhood

b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;

c. That the proposed use will stress quality development with emphasis toward adequate buffering, landscaping, proper parking and traffic circulation, use of appropriate gradation of building height away from single-family zones and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities and streets;

d. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The planning commission may impose conditions on the issuance of a conditional use permit including, but not limited to, limitations on the size or shape of buildings; dedication, relocation, and/or development of streets; installation and up sizing of utility mains, screening or landscaping to protect adjacent properties; the elimination or relocation of windows or doors to protect the public and adjacent property from the detrimental features of the proposed use; or the requirement of additional parking, or other changes not inconsistent with this subsection.

2. A proposed Conditional Use shall be considered as detrimental or injurious to the health, safety, or general welfare of persons or properties within the vicinity of the proposed Conditional Use if:

a. The proposed Conditional Use will cause unreasonable risks to the safety of persons or properties because of vehicular traffic, parking, or large gatherings of people;

b. The proposed Conditional Use will unreasonably interfere with the lawful use of properties within the vicinity of the proposed Conditional Use;

c. The proposed Conditional Use will create an additional need for essential City or public services (e.g., utilities, law enforcement, fire prevention, etc.) which cannot be met without unreasonable efforts or expenditures of City or public resources;

d. The proposed Conditional Use will otherwise present an unreasonable detriment or injury to the health, safety, or general welfare of persons or properties in the vicinity of the proposed Conditional Use; or

e. The proposed Conditional Use will not be in harmony with the General Plan.

3. Conditions. In granting a Conditional Use permit, the Commission may impose such requirements and conditions which the Commission, in its sole discretion, deems necessary for the protection of persons and properties in the vicinity of the proposed Conditional Use, as well as the preservation of the integrity of the General Plan. Said requirements and conditions may include (but are not limited to) location, construction, size, maintenance, operation, site planning, traffic control and parking, relocations, dedications, installation and upgrading of public services and roads, and time limits for the proposed Conditional Use, in addition to the following non-exclusive list of potential requirements and conditions:

a. That the site will be suitably landscaped and maintained and that the design, setbacks, fences, walls and buffers of all buildings and other structures are adequate to protect property and preserve and/or enhance the appearance and character of the area.

b. That all buildings or other structures are architecturally attractive and add to the quality of the area.

c. Provision of parking facilities, including vehicular ingress and egress and the surfacing of parking areas and driveways to specified standards.

d. Street and highway dedication and improvements, including sidewalk, curbs and gutters.

e. Water supply and fire protection.

f. The mitigation of nuisance factors such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances and radiation.

g. The regulation of operating hours for activities affecting normal neighborhood schedules and functions.

h. Regulation of signs.

i. Provisions for a guarantee, bond or other surety that the proposed conditional use will be maintained and operated in compliance with all approval conditions and requirements.

j. Such other conditions determined necessary by the Commission to allow the establishment and operation of the proposed conditional use in an orderly and efficient manner and in compliance with all elements of the General Plan, and the intent and purpose of this Code.

The Commission may require guarantees, bonds, or other assurances that such requirements and conditions are being

10-5-36 G: APPEALS OF DECISIONS:

Any person for which any application for approval of a conditional use permit has been filed or any person who may be affected by the proposed use shall have the right to appeal the decision of the planning and zoning commission to the appeal authority. An appeal must be presented in writing within thirty (30) days after the date of decision of the planning and zoning commission.

10-5-36 H: INSPECTION:

Following the issuance of a conditional use permit, the planning office shall approve an application for a building permit upon compliance of construction plans meeting such conditions and requirements as established by the planning commission. Representatives of the code enforcement/planning department shall inspect the project to ensure that all required improvements meet the conditions of the conditional use permit and this title before a certificate of occupancy is issued by the building inspection division.

10-5-36 I: REVOCATION:

1. Written Complaint: Upon receiving a written complaint alleging a violation or failure to comply with any condition prescribed in a conditional use permit, the code enforcement/community development division shall investigate the complaint. If the complaint has merit, and attempts to remedy the complaint fail, the community development division may place the complaint on the agenda of the regular meeting of the planning commission, provided, that the permittee shall have at least fourteen (14) days' notice of the meeting.

2. Hearing Procedure: Permittee shall be given written notice of the exact nature of the complaint and the date and time of the hearing before the planning commission. The hearing shall be held in accordance with customary administrative hearings procedures.

3. Action; Complaint Dismissal: The planning commission, after hearing the evidence presented regarding the complaint, may continue the hearing from time to time, modify or rescind any condition or requirement of the conditional use permit as it deems necessary, revoke the conditional use permit, or take no action and dismiss the complaint.

4. Relief From Order: Any permittee aggrieved by an order entered by the planning commission pursuant to this section may maintain an action for relief therefrom in any court of competent jurisdiction. Action for relief must be filed with the court within thirty (30) days after the order from which relief is sought is made.

5. Notices: All notices required herein shall be provided by personal service or by certified mail.

6. Effective Date And Scope: This section shall apply to all conditional use permits issued after the effective date hereof, regardless of change in ownership or occupancy.

7. Revocation: A Conditional Use permit may be revoked if the Commission finds, by a preponderance of the evidence, that one or more of the following exist:

   a. The Conditional Use permit was obtained in a fraudulent manner.

   b. The use for which the Conditional Use permit was granted has now ceased for at least six (6) consecutive calendar months.

   c. One or more of the conditions of the Conditional Use permit have not been substantially me.

10-5-36 J: TIME LIMIT:

1. A temporary conditional use permit may be issued by the planning commission for a period of six (6) months. This permit may be renewed by the planning staff for a total of three (3) successive six (6) month time periods, allowing a total of two (2) years for the temporary conditional use permit. Where hardship or unusual circumstances exist, the planning commission may extend the temporary permit for one additional year. These extensions shall be granted in two (2) separate six (6) month increments. A temporary conditional use permit shall not be issued for a use which is not incidental to or directly related to an intended permanent use on the property.

   Mobile offices, homes or trailers which are used for business purposes shall only be allowed for a six (6) month time period as authorized by the planning commission. The planning commission may extend the time period for the temporary structure up to one additional year providing that plans for a permanent structure have received commission approval.

   Temporary structures shall be removed from the property upon occupancy of the permanent structure. Premanufactured structures which meet all building code regulations and construction trailers shall be exempt from this regulation.

2. A temporary conditional use occupancy permit shall not be issued nor shall the building structure or other facility be occupied until all water, sewer, and electrical permits have been issued and all appropriate inspections performed.

3. Unless there is substantial action under a conditional use permit within a maximum period of two (2) years of its issuance, the conditional use permit shall expire. The planning commission may grant a yearly extension, when deemed in the public interest.

10-5-36 K: CONDITIONAL ZONES:

Upon the recommendation of the planning and zoning commission and after the public hearing, the city may establish conditional zones within existing zoning districts where it is shown that it is in the best interests and general welfare of the community. The planning commission may establish and impose such conditions and requirements that are in keeping with the best interest and general welfare of the community.

10-5-36 L: REAPPLICATION AFTER DENIAL:

Denial of an application for a conditional use permit regarding any parcel of property shall prohibit the filing of another application for a conditional use permit for the same parcel of property or any portion thereof, within one year of the date of the final denial of the previous application unless the planning commission finds that there has been a substantial change in the circumstances or

sufficient new evidence as submitted by the applicant in writing since the denial of the previous application to merit consideration of a second application within the one year time period.

10-5-36 M: CONTINUING EFFECT:

A conditional use permit, once approved, affects real property regardless of change in ownership and all subsequent owners are subject to those conditions so long as that conditional use is being conducted on the property. The conditional use may be conducted either intermittently or continuously, provided, however, that if the conditional use becomes a legal nonconforming use due to a later amendment to this title, the provisions of chapter 10-1-8 of this title relating to nonconforming buildings and uses shall apply.

10-5-36 N: REPORTING REQUIREMENTS:

Before February 1 of every year, the owner or occupant of a property which has been approved for the following land use under a conditional use permit shall provide written evidence to the community development division that the property use complies with this title:

1210.1 Supervised youth group home.

CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	3/31/2016

Planning Commission
Agenda Item

SUBJECT:	Review/Recommendation on amendments to The Requirements for the Design and Review of Planned Commercial Development Projects
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

City Council has made changes to the document known as the "Design Guidelines" by making them requirements for development in the SC-1 Commercial Zone. Many of the changes relate to clearing up certain ambiguities found in the previous document, such as calculations for density and clarifications on residential use in the SC-1 zone. The City Council is seeking the Planning Commissions input on the proposed changes, as well as recommendations on how to proceed with further edits.

PREVIOUS LEGISLATIVE ACTION:

Planning Commission made recommendation to the City Council on the "Design Guidelines" in Nov. of 2015

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

Requirements for the Design and Review of Planned Commercial Development Projects

RECOMMENDATION:

Make any necessary changes and recommend to the City Council

MOTION:

To recommend/not recommend the Requirements for the Design and Review of Planned Commercial Development Projects for approval and adoption

Requirements for the Design and Review of Planned Commercial Development Projects

1. INTRODUCTION

1.1 Purpose and Intent

The purpose of the Requirements for the Design and Review of Planned Commercial Development Projects is to provide prospective developers, retailers and builders with a statement of the design requirements, principles, and criteria for commercial developments. These requirements are intended to implement the General Plan so that commercial development meets the needs of the community. This document lists requirements and standards by which development proposals will be reviewed and approved.

The currently adopted Shopping Center Zone states ". . . that development within the zone shall be characterized by a harmonious grouping of commercial stores and shop s and essential ancillary uses architecturally designed and functioning as an integrated unit." (Cedar Hills code 10-4E-1) Piecemeal development of the commercial center without an overall architectural theme is not consistent with the intent of the zone. This Plan is a conscious attempt by the City to facilitate commercial development by establishing requirements, standards, and an architectural theme.

The City of Cedar Hills values the tranquil environment that currently exists within the community and would like to preserve the small town atmosphere that exists. Design and planning of and operation within the commercial district shall be primarily for the benefits of the residents of Cedar Hills. Culturally accepted restrictions may be placed on development within the community to protect the citizens from noise, light, air, traffic and other forms of pollution while fostering a viable mixed-used, walkable commercial zone. Considerations shall include density, diversity and design.

1.2 SC-1 Zone Description

The SC-1 zone consists of approximately __ acres and is located at the west entrance to the City. The zone has ____ feet of frontage on 4800 West, an arterial class road that is also the west border of the City. The zone is bounded on the north and northeast by low-density

residential development, on the east by the Cedar Ridge Elementary School, on the south by low-density residential development and on the west by 4800 West.

2. COMMUNITY VISION

2.1 Quality of Life Values

The community recognizes the value of having a Neighborhood Commercial shopping center in close proximity to existing housing to reduce vehicle trips and to reduce travel time to commercial facilities in other communities. Additionally, development within the subject property is intended to mix retail, professional office, residential and civic uses in order to reduce automobile dependency.

The City of Cedar Hills has determined that commercial facilities within the City are important for the following reasons:

1. For the convenience of City residents
2. To reduce automobile dependency
3. To expand the City's tax base

2.2 Vision Statement

The Cedar Hills SC-1 zone will develop as an integrated, architecturally harmonious mixed-use development. Particular emphasis shall be placed on creating a pedestrian-friendly atmosphere where residents will desire to shop and gather. Design elements including architecture, landscaping, signs, and lighting shall create a commercial district that is of higher quality and value than the typical suburban "strip" mall. Land development shall be sensitive to adjacent single-family housing.

2.3 Goals

1. To create a commercial city center
2. To create a place where the atmosphere is conducive to community gathering
3. To provide a place for convenient, community services
4. To provide for mixed land uses
5. To augment the City's tax base

3. LAND USES

3.1 Districts

The SC-1 zone is divided into districts that are intended to differentiate between three levels of land-use intensity, where intensity is characterized by average daily automobile trips and building size, height, and density. The most intense land uses are planned along the frontage of 4800 West where there exists the greatest separation from residential uses and where there is the most significant commercial potential. The least intense land uses are intended to be located to the east, adjacent to the elementary school and the neighboring residential area.

The districts in the SC-1 zone are shown on the map below. These include Neighborhood Retail (shown in red), Mixed-Use Office/Retail (shown in blue) and Mixed-Use Office (shown in yellow). The green area is not a part of the SC-1 zone and is zoned Public Facilities.

3.1.1 Neighborhood Retail

The Neighborhood Retail designation is intended to accommodate the most intense land uses. This designation is established to promote retail commercial and service uses for the convenience of surrounding residential neighborhoods. The standard s incorporated within this designation are intended to promote a combination of retail and service facilities that, in character and scale, are necessary to meet the day-to-day needs of area residents.

The neighborhood retail district is intended to be a retail commercial center for the City. The main focus of the neighborhood retail district is to provide an area for those sales tax generating commercial entities that benefit from the frontage of a major collector (i.e. 4800 West, Canyon Road /SR -146, and Cedar Hills Drive). This zone should only include uses that are focused on generating on-site sales.

3.1.2 Mixed-Use Office/Retail

The Mixed Use Office/Retail district shall be of lower intensity than the Neighborhood Retail district. The lower intensity shall be accomplished due to fewer automobile trips and due to the size and scale of the structure.

3.1.3 Mixed-Use Office

The Mixed-Use Office designation is intended to accommodate the least intense land uses and to provide a buffer to existing or future single-family residential areas through landscaping, setbacks, building heights and land uses. Also, any retail uses in this area shall help create a transition from the more intense uses in the other areas to the surrounding residential neighborhoods. The general appearance of buildings within this district shall use rooflines and slopes and window coverage and sizes that are more residential in appearance than commercial in appearance.

3.2 Permitted and Conditional Uses

All uses shall be consistent with the character and purpose of the district within which they are located. No building, structure or land shall be used and no building or structure shall be hereafter erected, except as allowed in the districts as shown in the tables below. Numbers in the use column are listed in the Land Use Code Numbers document. The most specific match for a given number shall be used. If a use is not specifically designated, or if the column for a zone is blank, that use is prohibited. A "P" means the use is Permitted, a "C" means the use is Conditional, and an "E" means the use is Exceptional, meaning not permitted except for existing buildings or those that have been approved prior to the year 2016.

Use	Description	Neighborhood	Office/Retail	Office
1113	Single family dwelling, attached to a commercial use		C	
1293	Congregate Care		C	
1294	Senior Assisted living		C	C
5230	Paint, glass, and wallpaper	C	C	
5240	Electrical supplies and lighting stores	P	C	
5251	Hardware stores	P	C	
5310 – 5312	Shopping centers, department stores, and discount department stores	P	C	
5330	Variety stores (dollar stores)	P	C	
5391 – 5392	Dry goods and general stores (yarn shops, linen shops, boutiques, craft stores, fabric stores)	P	C	
5400	Food (groceries, meat and fish, fruits and vegetables, candy and confectionery, dairy products, bakeries)	C	C	
5520	Tires, batteries and accessories	C		
5530	Gasoline service stations	C		
5600	Apparel and accessories (clothing, shoes, tailoring, cosmetics, leather goods)	P		
5700	Furniture, home furnishings, and equipment (furniture, household appliances, musical instruments, office equipment)	P	C	

5810	Restaurants (food consumed on premises)	P	C	
5813	Drive-through and fast food restaurants	C		
5910	Drug stores and pharmacies	P	C	
5930	Antiques and secondhand merchandise	P	C	
5940	Books, stationery, art and hobby stores	P	C	
5950	Sporting goods, bicycles and toys	P	C	
5969	Farm and garden supplies	C	C	
5970	Jewelry	P	C	
5991	Florists	P	C	C
5992 – 5999	Miscellaneous retail (newspapers, cameras, gifts, optical, paper products, pet supplies)	P	C	
6111	Banks	E		
6121	Savings and loans associations	E		
6122	Credit Unions	E		
6130 – 6190	Security brokers, insurance agents, real estate services		P	P
6221	Portrait photography		P	P
6230	Beauty and barber services	P	P	P
6250	Apparel repair, alteration and cleaning pickup services, shoe repair services	C	C	
6297	Gymnasiums, athletic clubs, body-building studios, spas,	C	C	

	health clubs, aerobic centers, etc.			
6416 – 6417	Auto washing	C		
6511	Physicians' offices and services		P	P
6512	Dental offices and services		P	P
6520	Legal services		P	P
6530	Engineering, architectural, and planning services		P	P
6540	Research services		P	P
6550	Data processing services		P	P
6590	Professional services		P	P
7110	Cultural activities (libraries, museums, art galleries)		P	C
7212	Motion picture theaters (indoors)	C		
7392	Miniature golf	C		
7413	Tennis courts		C	
7414	Ice skating	C	C	
7417	Bowling alleys	C	C	
7424	Recreation and community centers	C	C	
7430	Swimming pools	C	C	
7611	Developed park land, general recreation	C	C	
7621	Developed park land, leisure and ornamental	C	C	
8221	Veterinarian services		C	

3.2.1 Conditions for Residential Uses

Residential use is permitted in the SC-1 zone only as set forth herein. These requirements pertain to uses 1113 (single family), 1293 (congregate care), and 1294 (senior assisted living) listed in the table above.

The purpose of residential development in the SC-1 zone is to provide for mixed-use, which combines residential and commercial uses in order to provide housing opportunities in close proximity to retail, office, civic and related uses. Mixed-use development promotes a pedestrian friendly environment, and more compact development. Mixed-use development projects shall follow the following process, and meet the following requirements:

1. All development projects seeking approval for residential use must be new construction, and must submit a detailed site plan pursuant to section TBD of Cedar Hills City Code showing the entire development project, and showing the added specificity requirements of this section.
2. The entire ground floor of any building in the project shall only have commercial uses (land use codes 5000 through 6000 listed in the table above), except as provided in this section.
3. Residential use shall be located above the ground floor commercial use. Allowed residential density shall be 8 units per acre, with no more than 4 units per building. No more than 50 total units may be built within the entire SC-1 zone.
4. The requirement that the ground floor be limited to only commercial use may be altered to allow residential use only in the Mixed-Use Office/Retail district and only if all of the following conditions are met:
    a. The building is located in the southern half of the district; and
    b. A minimum of fifty percent (50%) of the ground floor area within the project shall be for commercial uses.
5. If the project is built in phases, each phase shall be entirely commercial or may include a mix of commercial and residential use. No phase shall be solely residential, unless fifty percent (50%) of the required commercial area has been built in previous phases.
6. The minimum height of ground level commercial use shall be twelve feet (12') floor to ceiling.
7. Parking lots shall be located in the interior of a project and not adjacent to a public street, except that access driveways with parking spaces on one or both sides, with a maximum width of seventy feet (70'), are permitted. For buildings fronting a public street, all parking shall be located to the rear or side of buildings, or may be located below grade (underneath building). Buildings located in the interior of the project may have the parking area on any side of the building, as per the approved site plan. Underground parking will be permitted provided that such parking is accessible from the side or rear of the development and not from the primary street. All projects must comply with the parking requirements for commercial and residential uses specified in Section 4.1.7.

8. CC&Rs: The applicant (developer) of any residential development in the SC-1 zone shall, prior to the conveyance of any unit, submit to city staff a declaration of covenants, conditions, and restrictions (CC&Rs) relating to the project, which are to be given final plat approval by the city council, and shall be recorded to run with the land. Said covenants, conditions, and restrictions shall include management policies, which shall set forth the quality of maintenance that will be performed, and who is responsible for said maintenance within the development. As a minimum, the said document shall include the following:
    a. The care and maintenance of all common or limited common areas, facilities, and private streets shall be ensured by the developer by establishing a private homeowners' association.
    b. A professional property management company is to be hired by the HOA to govern the responsibility for all maintenance. Maintenance of the common/limited common areas, facilities, and private streets shall be managed by an established property management company where there is adequate expertise and experience in property management, to assure that said maintenance is sustained and accomplished efficiently, and at a high standard of quality. Contact information and a copy of the governing contract for the current property management company shall be submitted to be on file with the office of the Cedar Hills City clerk.
9. HOA Failure: In case of failure or neglect to comply with any and all of the conditions and regulations established herein, and as specifically made applicable to a development, such failure or neglect to comply with the requirements and to maintain the buildings, amenities and premises in accordance with the conditions or approval thereafter, shall also be deemed to be a violation of this article. In the event the common areas and amenities are not properly maintained, or the HOA is dissolved, the property management company is to remain in place to govern the development, and enforce the CC&Rs. The property management company is also to continue to follow all city ordinances, in addition to those regulations specifically assigned to the development in question. Responsibility for payment to the property management company shall lie jointly and severally with the property owners.
10. Provisions Not Listed: For those provisions and regulations not listed, specified or otherwise covered here, persons shall refer to provisions applying to the underlying district.

3.2.2 Conditions for Congregate Care

The following conditions apply to congregate care facilities.

1. The minimum building setback for congregate housing development buildings is twenty five feet (25') from rear and side property lines and forty feet (40') from street frontages.
2. Onsite services shall be provided directly by the management of the congregate care facilities or under contract with qualified third party vendors. These services shall include

an onsite restaurant/cafeteria that provides three meals per day, seven days a week; home health care services from qualified professionals, including help with medications, bathing, dressing, and other resident needs; physical therapy; other routine health care services; fitness classes; regular social activities; and a shuttle to nearby destinations.

3. Each residential unit shall be occupied by at least one resident that is 55 years of age or older, and there shall be no residents younger than 25.
4. Allowable accessory buildings and facilities include garage structures and carports.
5. Congregate care developments shall provide a minimum of thirty percent (30%) of the net developable site area for open space. At least seventy five percent (75%) of that open space must be usable, contiguous open space, available for recreational uses not located within required buffer areas. Open space may include parks, walkways, natural areas, and landscaped areas. Open space may not include leftover space between buildings, or narrow space under ten feet (10') in width that is immediately adjacent to buildings, where the space is between the building and parking areas, drive aisles or inner development roads. Open space shall be visible from streets and sidewalks and shall be open to the public.
6. An application for congregate care development pursuant to this chapter shall be accompanied by a site plan. Site plans for congregate care developments shall be reviewed for approval by the planning commission and the city council. Upon prior recommendation of the planning commission, the city council may set other reasonable conditions for any development which it feels will further the intent of this zone.

3.2.2 Conditions for Senior Assisted Living

The following conditions apply to senior assisted living facilities.

1. The facility shall conform to all applicable standards and requirements of the Utah state department of human services and the owner/operator has obtained all licenses required by the state to operate such a facility.
2. The facility shall conform to all state and local building, safety, health, and zoning requirements applicable to similar structures.
3. The facility shall be occupied only by individuals sixty (60) years of age or older and paid, professional staff members. Occupancy by any staff member shall only be allowed if such occupancy is primarily for the purpose of serving the elderly persons and not primarily a benefit of employment to the staff member.
4. The facility is operated for the primary purpose of providing a living arrangement for senior persons in a group home setting.
5. Residency in the facility shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. An assisted living facility shall not include any persons referred by the Utah state department of corrections or any court.

6. An application for senior assisted living development pursuant to this chapter shall be accompanied by a site plan. Site plans for senior assisted living developments shall be reviewed for approval by the planning commission and the city council. Upon prior recommendation of the planning commission, the city council may set other reasonable conditions for any development which it feels will further the intent of this zone.

3.2.3 Conditions for Retail and Services in the Mixed-Use Office/Retail District

These conditions apply to all uses listed for codes in the 5000 and 6000 series:

1. The site layout shall foster walkability with commercial space immediately fronting streets and parking areas located on the interior or in the underground of the property as is practical.
2. Where existing or proposed adjacent land uses cannot be adequately buffered with plant materials, the city may require inclusion of a wall, fence or other type of screen that mitigates noise and/or unsightly uses.
3. Developments shall provide connectivity to the Neighborhood Retail District by way of a concrete paved trail or path and open space.

3.2.4 Conditions for All Conditional Uses

In granting any conditional use permit, the reviewing authority shall affix those conditions, which it deems necessary in order to safeguard public health, safety and general welfare of the district and to ensure compliance with the general plan. Where the use proposed, the adjacent land uses, environmental significance or limitations, topography, or traffic circulation is found to so require, the reviewing authority may establish more stringent regulations than those otherwise specified for the zone district in which the project is located in order to mitigate the reasonably anticipated detrimental effects of the proposed use.

Non-residential uses operating in proximity to a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.

4. DESIGN REQUIREMENTS AND STANDARDS

4.1 General Provisions

It is intended that these requirements and standards will promote consistent, quality development within the study area.The requirements and standards contained within this document will be the basis of review for individual development applications as submitted to the City of Cedar Hills.

It is recognized that the City of Cedar Hills plans to create a viable, vibrant, mixed-use commercial area that will help give the community a sense of identity and place.

4.1.2 Landscaping

The following requirements shall be followed for landscaping within the SC-1 zone.

All planter areas shall be edged with a concrete mow strip. All planters shall receive and maintain a 3" depth of shredded fir bark. All planter shapes and walks shall be curvilinear. Landscape boulders may be used on site, but must be over 2 feet in size. Each building shall have flowering crab (malus species) trees planted near the building. Trees may be placed on any or all sides of the building. The minimum number of these trees required for each building shall be determined by adding up the length of all building facades (lineal feet), dividing by 40 and rounding up.

Other plants near buildings can be selected by a licensed landscape architect for compatibility to microclimate (north, south, east, west building faces). Select shrubs for color in all seasons, including winter. Trees near buildings are encouraged to have spring and/or fall color. Evergreen trees are encouraged where practical for positive aesthetic affects in winter.

To ensure consistency throughout the project, all materials used within the project area shall be found within the following plant list:

Evergreen Trees		
Abies concolor	White Fir	8' ht. minimum
Abies lasiocarpa	Alpine Fir	8' ht. minimum
Picea engelmannii	Engelmann Spruce	8' ht. minimum
Picea pungens	Colorado Green Spruce	8' ht. minimum
Deciduous Trees		
Acer platanoides	Norway Maple	2-1/2" cal. minimum
Fraxinus pennsylvanica	Patmore Ash	2-1/2" cal. minimum
Koelreuteria paniculata	Golden Rain Tree	2" cal. minimum
Prunus blireana	Blireana Plum	2" cal. minimum

Acer palmatum Bloodgood	Bloodgood Japanese Maple	6-8' ht. minimum
Prunus subhirtella	Weeping Flowering Cherry	2" cal. minimum
Shrubs		
Euonymus alatus compacta	Burning Bush	5 gal. minimum
Potentilla fruticosa	Shrubby Cinquefoil	5 gal. minimum
Prunus glandulosa	Dwarf Flowering Almond	5 gal. minimum
Mahonia Aquifolium	Compact Oregon Grape	5 gal. minimum
Prunus laurocerasus 'Otto Luyken'	English Laurel Otto Luyken	18-24" minimum
Cornus sericea 'Kelseyi'	Kelsey Dwarf Dogwood	5 gal. minimum
Buxus koreana wintergreen	Wintergreen Boxwood	5 gal. minimum
Berberis t.a. nana	Crimson Pygmy Barberry	5 gal. minimum

The following requirements shall apply:

1. No less than 30% of any individual retail/office site shall be landscaped. Individually developed sites must provide the required 30 % landscaping within that individual site. Larger planned developments must provide the required 30% landscaping for the entire site but shall not be required to provide 30% landscaping on individual pads within the planned development. So that all of the building(s) within the proposed development may be seen within a park-like setting by the community, the required 30% landscaping shall be visible and accessible to the public way in its entirety and shall not be concealed by walls, fences, building layout, etc.
2. Planted areas such as yard space, planter boxes, flower beds, shrubbery beds and other traditional landscaped features shall qualify towards the landscaped requirement. Sidewalks shall not count towards the requirement.
3. Proposed fountains, plazas, or splash-pads shall be included in the site design. The city council, with a recommendation from the planning commission, may approve a 5% reduction in landscaping area requirements for these features when designed as a publicly accessible gathering area. Public art features are encouraged.
4. Landscaping shall also be used as a screen, where other means are less appropriate, to shield Cedar Hills Drive and 4600 West from large areas of parking.
5. Landscaped areas shall not be residual in nature but shall create a cohesive network from site to site and throughout the project. Specifically, landscaped areas shall help

create a park-like atmosphere with linked pedestrian corridors designed to promote pedestrian activity.

6. Landscaping materials and details shall contribute to the perpetuation of the established architectural theme.
7. As part of the site plan approval process, landscape plans shall be required. Such plans shall be prepared by a professional landscape architect licensed in the State of Utah. Landscape plans shall provide for landscape treatments that are consistent with the architectural theme. All landscape plans are subject to the approval of the Planning Commission and/or City Council.
8. Storm-drainage shall be detained on-site through landscaping or other approved facilities.
9. Xeriscape may be permitted if the landscape plan presents a viable park-like setting that is still accessible to the public. Xeriscape plans shall be prepared by a qualified landscape architect, and shall not constitute more than one-third (1/3) of the total landscaped area.

4.1.3 Streetscapes

Cedar Hills Drive is the main thoroughfare for the community. As such, special attention and consideration shall be given to creating an attractive, distinct entrance to the City of Cedar Hills. To encourage continuity throughout the site and to provide appropriate ties to the surrounding residential areas, 4600 and 4800 West shall receive the same treatments as Cedar Hills Drive. Landscaped areas adjacent to public streets shall conform to the Cedar Hills Landscape Plan.

1. Sidewalks shall be separated from Cedar Hills Drive 4600 West and 4800 West so as to encourage pedestrian activity. Separations shall include landscaped berms, shrubbery or other elements that convey a sense of protection from the vehicular travel lanes. Streetscapes shall be varied between grass and planter areas and be appropriately maintained year-round.
2. Sufficient planter strips shall be provided so as to allow for the planting of trees as outlined in the plant list.
3. The landscaped areas adjacent to Cedar Hills Drive and 46 00 West shall serve, in part, to screen adjacent parking areas from the view of passing motorists. Trees, berms and shrubbery shall be incorporated to provide the above-described screening.

At street intersections, a clear view of intersecting streets shall be maintained. Clear view of intersecting streets shall be measured as follows: extend lines along each street curb to a point of intersection and measure back 60 feet along each curb. Draw a line between those two points. This triangular area is the area that must have clear view of intersecting streets.

Trees closest to intersections shall be Capitol Flowering Pear with no less than 3 at each intersection. Trees on East-West streets between walks and curbs or within 10 feet of street curbs shall be Burr Oak (Quercus macrocarpa) with all branches pruned to 5 feet from ground. Trees on North-South streets shall be London Plane Trees (Platanus acerifolia) with all branches pruned to 5 feet from ground.

The number of trees along all streets shall be at least 1 tree for every 30 feet of street frontage. Trees shall be 2-1/2" caliper minimum. Additional trees are encouraged. These additional trees shall be selected from the table below. To help with screening and winter aesthetics, evergreen trees are required.

Berming shall be required along streets to screen parking areas and travel lanes. Berms shall not exceed 3:1 in steepness. Curvilinear walks are encouraged where practical. Any planter areas shall have a curvilinear concrete curb between plants and lawn. All planters shall be mulched 3 inches deep and maintained with shredded fir bark. Plants for planters shall be selected from the table below.

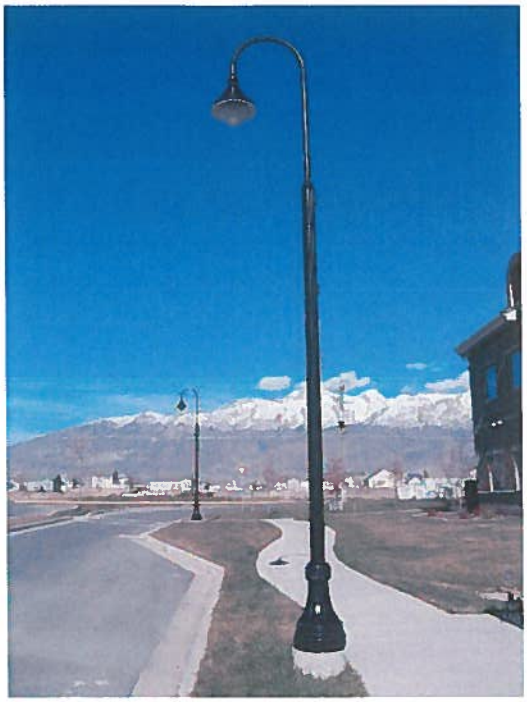
Evergreen Trees		
Abies concolor	White Fir	8' ht. minimum
Abies lasiocarpa	Alpine Fir	8' ht. minimum
Picea engelmannii	Engelmann Spruce	8' ht. minimum
Picea pungens	Colorado Green Spruce	8' ht. minimum
Deciduous Trees		
Acer platanoides	Norway Maple	2-1/2" cal. minimum
Fraxinus pennsylvanica	Patmore Ash	2-1/2" cal. minimum
Shrubs		
Euonymus alatus compacta	Burning Bush	5 gal. minimum
Juniperus tamariscifolia	Tam Juniper	5 gal. minimum
Prunus cistena	Cistena Plum	5 gal. minimum
Pinus mugo 'Mughus'	Dwarf Mugo Pine	18-24" minimum

Add drought tolerant vegetation

4.1.4 Street Lighting

Appropriate, well-designed lighting contributes greatly in the creation of an attractive, crime-free environment. Considerations must also be given to protecting surrounding residents from the light pollution that is commonly associated with commercial developments.

Interior parking light

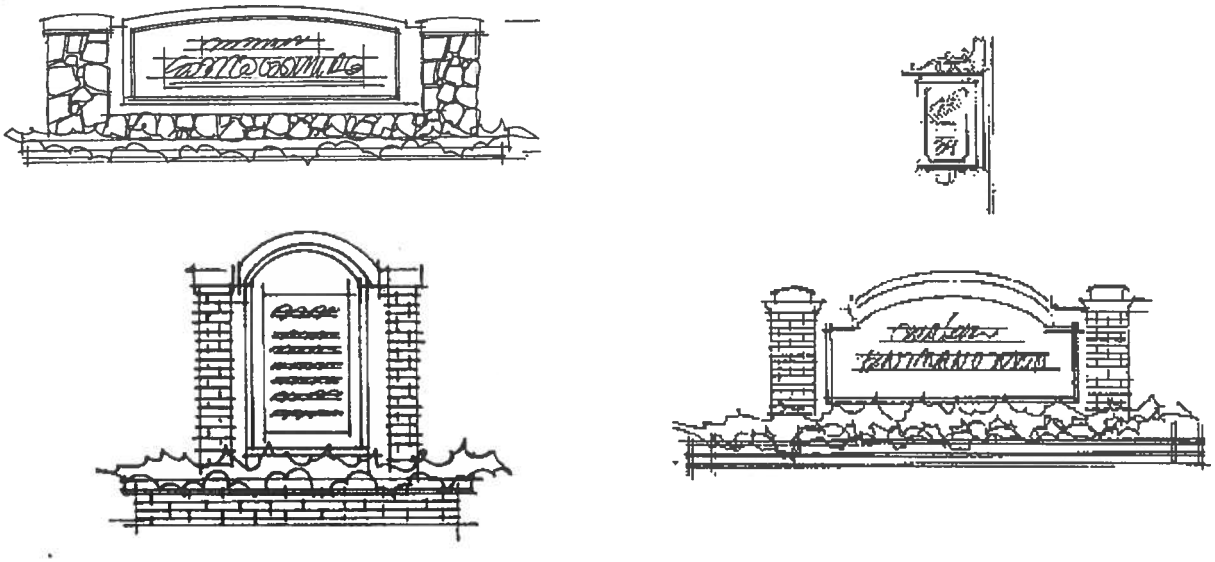


Street light

1. Lighting plans shall be prepared for each individual site. Adequate lighting shall be provided to encourage pedestrian activity and to eliminate shadowed areas that may contribute to poor visibility and the creation of dark areas.
2. Wall mounted lighting shall not be located higher than 20 feet on any structure.
3. Pole mounted lighting along 4800 West and Cedar Hills Drive shall not exceed 30 feet in height.
4. Pole mounted lighting for the interior of the commercial development shall not exceed 20 feet in height. Pole mounted lighting within any residential areas shall not exceed 15 feet in height.
5. Dark-sky lighting fixtures shall be used in all areas of this development. Shields, covers, or other mechanisms shall be incorporated into fixture design so as to prevent light pollution.
6. Cobra-head and shoe box light fixtures are prohibited.

4.1.5 Signs

Signs play an integral role in establishing aesthetic quality. Additionally, signs are an essential element in creating and emphasizing an architectural theme. The below listed standards shall be followed by anyone requesting Site Plan approval. Such incorporation must be consistent and harmonious with the established architectural theme. Signs shall be limited to monument signs and wall-mounted signs.



1. Wall-mounted signs shall include blade signs, pendant signs and signs located on awnings.
2. Earth tones shall be the predominate colors used on signs.
3. Monument signs shall not exceed 48 square feet and shall be multi-tenant signs. Monument signs on the same side of an uninterrupted street shall not be located closer than 200 feet to one another.
4. Monument signs shall not exceed six feet above the top back of curb.
5. Wall-mounted signs shall be limited to 10 percent of the wall area on which the sign is mounted or 75 square feet, whichever is less.
6. Signs on canopies, awnings or similar architectural features may be permitted upon Site Plan review if it can be shown that it will not detract from the architectural theme.
7. Blade signs shall be consistent with the architectural theme of the overall development.
8. Pendant signs shall be consistent with the architectural theme of the overall development.
9. Signs on awnings shall only be located on the valence of the awning. Awnings must be consistent with the architectural theme of the overall development and shall only be located above doors and windows. Awnings must be kept in good repair at all times.

10. Backlit signs may be permitted. Functional awnings shall not be considered backlit signs. Backlit awnings shall not be permitted.
11. Roof signs shall not be permitted.
12. Statuary signs bearing the likeness of any product or logo shall not be permitted.
13. Wind signs shall not be permitted.
14. Temporary signs shall not be permitted.
15. Placing handbills upon, painting or otherwise marking any trees, sidewalks, walls, poles or other surfaces is prohibited.
16. Spotlights projecting into the sky shall not be permitted.
17. Vehicles and trailers shall at no time be used as signs.
18. Flashing, moving or audible signs shall not be permitted.
19. Neon lights shall not be permitted
20. Pole signs shall not be permitted.

4.1.6 Walkability and Active Transportation

The site layout shall foster walkability and active transportation throughout all portions of the site.

1. Commercial space shall immediately front streets and parking areas shall be located on the interior or in the underground of the property, unless a recommendation by the planning commission to deviate from this requirement is accepted by the city council.
2. Site layout shall incorporate pedestrian paths throughout the development, enabling safe and convenient access to and between each building.
3. Pedestrian paths shall be provided through parking areas. These paths shall be separated from vehicular traffic by the incorporation of landscaping, other grade separations and through the use of pavers, cobblestone or stamped concrete.
4. Developments shall include bicycle racks located adjacent to buildings.

4.1.7 Parking

Given that both commercial and office land uses are typically accompanied by significant numbers of parking stalls, special attention shall be given to the design of parking areas within the SC-1 zone.

1. Parking areas shall be situated so as to be screened from Cedar Hills Drive, 4600 West and 4800 West. Appropriate screening would include buildings, landscaped berms, shrubbery and groups of trees. Fencing is not considered an appropriate screen.
2. Landscaping shall be dispersed throughout the parking areas. These landscaped areas will be of sufficient size so as to accommodate landscaped berms, and trees.
3. Parking stalls shall be 9' wide and 18 ' deep if they front onto a landscaped area. Parking stalls that do not front onto a landscaped area shall be 9' wide and 20' deep.
4. For retail uses, a minimum of four (4) parking stalls shall be provided for each 1,000 square feet of gross floor area.

5. For restaurants or other eating establishments, a minimum of one (1) parking space shall be provided for every three (3) seats and a minimum of one (1) additional space shall be provided for each employee at the highest shift.
6. For office uses, a minimum of six (6) parking spaces shall be provided for each 1,000 square feet of floor area.
7. For residential units with two (2) bedrooms or fewer, 2 stalls per unit. For residential units with more than two (2) bedrooms, 1 stall per bedroom (maximum 4). For 55+ or congregate care housing, 2 stalls per unit. For senior assisted living, 1 stall per 2 units. In all cases, there shall be additional stalls for visitor parking computed as 1 per 4 units. No RV parking is allowed.
8. Shared parking for commercial uses is encouraged. When it can be found that adjacent uses, or uses in close proximity to one another, have substantially different peak hours of operation, a minimum number of parking spaces required for the said uses may be reduced. It is intended that shared parking will increase the attractiveness of the area by eliminating excess parking without creating a parking deficiency.
9. Drive aisles shall be twenty-four (24) feet wide unless they provide only one-way access or access to angular parking. In the event that the drive aisle provides access to angular parking or is restricted to one-way travel, it may be twenty (20) feet wide.
10. A separation shall be provided between parking stalls and occupied structures. This separation must include no less than a 4' sidewalk and in most situations shall include a larger sidewalk and landscaping.
11. All parking islands shall be planted with at least one Skyline Honeylocust tree (Gleditsia triacanthos 'Skyline') per 400 square feet of planter. A tree ring of fir bark (3" depth) shall be formed with at least a 2-foot radius around the tree. Trees shall be 3" caliper minimum, having all branches pruned within 7 feet of the ground. Islands shall be bermed slightly and planted with Kentucky Bluegrass (Poa pratensis) sod.
12. No shrubbery shall be allowed in island s as it collects trash; gets trampled by pedestrians; blocks car doors from opening; and when crossed by pedestrians in wet weather, creates over compaction of the growing medium, which inhibits or kills plants.
13. Reciprocal access shall be guaranteed from site to site. Stub locations and cross access easements may be required to ensure the establishment of perpetual reciprocal access.

4.1.8 Deliveries

Loading areas, including, but not limited to, loading spaces, loading docks and service or maintenance areas shall be screened from public view. In addition, loading areas that abut a residential district shall reduce noise associated with such use by providing a sound wall and/or berm with screen plantings around the loading areas or at the property line abutting the residential district. Loading and delivery times shall be restricted to the hours between 7:00 a.m. and 9:30 p.m. on weekdays and 9:00 a.m. and 9:00 p.m. on weekends.

4.2 Building Provisions

The following shall apply to all buildings within the SC-1 zone.

4.2.1 Architecture

Architecture, building materials, color schemes and building location all play critical roles in setting a tone for any development. These same elements are of the utmost importance in creating a sense of place. As a mixed-use commercial area, attention to scale is of particular importance and will be considered throughout the design process.

Buildings in the SC-1 zone shall use the American Colonial style. The American Colonial motif is a symmetrical design (AB A, AB CB A, etc.) style. High-pitched tile or slate roofs, either side gabled or hipped, overhang the front facade and are often capped with a cupola. A central door, often a French door, is sided by large windows on the sides. Buildings may use the classic temple front, or contain pillars, pilasters and the Palladian window. Exterior construction is normally of brick in traditional colors like red and brown, and makes use of substantial exterior moldings. Wrought iron or copper accents are also used. It is expected that this theme will create intimacy and interest by limiting the use of those architectural elements that only cater to the widespread domination of the automobile. That is to say, architectural designs should be kept in such a scale so as to maintain a human, rather than automobile, orientation. The inclusion of street level windows, wide walks and appropriate signs are a few of the elements that must be considered in maintaining consistency with this theme. The appropriate selection of materials and colors are also essential in maintaining consistency with this theme and in meeting the goals of this requirement.

It is expected that the established architectural theme will be used consistently throughout the entire zone. Designers will consider this theme when developing plans for all types of structures that may be found within this development.

1. Earth tones shall dominate the color schemes of individual buildings and all color schemes shall be developed so as to conform to the established architectural theme. Additionally, color schemes shall be consistent with those found in the surrounding areas.
2. Structures shall be situated so as to screen parking areas and to aid in the creation of a park-like atmosphere.
3. Entrances to structures shall orient to parks, plazas or pedestrian-friendly pathways.
4. Structures shall be situated so as to provide appealing vistas at the terminus of drive aisles, pathways or other open areas.
5. Structures shall be massed so as to conform to the established architectural theme and to maintain a human scale.
6. Building facades shall be varied and shall not consist of vast expanses of blank walls.
7. Wherever found, overhead doors shall be positioned so as to not be visible from 4600 West, 4800 West or Cedar Hills Drive.
8. Building materials shall be limited to those materials traditionally associated with the established architectural theme. Structures constructed largely of glass or other reflective materials are not acceptable for this area.

4.2.2 Building Height and Size

One or two story buildings are permitted. Buildings may be erected to a maximum height of thirty-five (35) feet. Height is measured from average finished grade to the top of cornice or parapet for flat roofs, and the midpoint of rake for sloped roofs.

The building size shall be reviewed by the Planning Commission and City Council and potentially approved based on such items as building placement, aesthetics, noise control, lighting design, traffic control, etc. to give the feel consistent with the overall commercial development, as well as the community as a whole. Building size shall be limited by the total building area, meaning the sum of the gross floor area of all floors. In the Mixed-Use Office/Retail and Mixed-Use Office districts building size shall be limited to no more than 25,000 total square feet. In the Neighborhood Retail district building size shall be limited to no more than 50,000 square feet.

Developments composed of strip malls are prohibited. Smaller, individual buildings that tend to break up parking areas and create visual interest are required. Long and monotonous walls and roof planes are prohibited. Building mass and scale shall be minimized by manipulating the building form using offsets and recesses and variations in height.

4.2.3 Building Setbacks

All buildings shall be set back a minimum of thirty feet from any residential zone. The following standards shall apply:

1. There shall be provided a landscaped side yard of at least fifteen feet (15') in width along such property line, containing trees or groupings of trees spaced no more than 25 feet apart.
2. A precast concrete or decorative masonry wall, at least eight feet (8') in height, shall be erected along all property lines which lie adjacent to a residential zone.
3. All lighting is to be arranged so that there will be no glare therefrom to the occupants of adjoining property in a residential zone.
4. Uses will be strictly prohibited next to a residential zone that involve open storage of merchandise or equipment, off premises signs, trade or industry that is noxious or offensive by reason of the emission of odor, smoke, gas, vibration or noise.
5. No loading docks, delivery pick up areas, etc., may be located within fifty feet (50') of a residential area. These areas must be screened from the public's view with an eight foot (8') masonry wall.
6. No trash container shall be located closer than twenty-five feet (25') to a residential property line, and must be located to the rear of the main building.

4.2.4 Impacts

Developments shall blend harmoniously with the neighborhood so the use does not change the characteristics of the district and the impact of the use on surrounding properties is reduced.The following standards must be met to mitigate impacts on surrounding neighborhoods.

1. Noise: Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Developments in the SC-1 zone shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.

   Any mechanical apparatus (i.e., air conditioner, fans, pumps, etc.) capable of producing noise that is located on the outside of the building must have sound barrier mitigation such that sound levels at nearby residences will be reduced to TBD decibels.
2. Dust and Odors: Developments shall comply with all air quality standards, state, federal and local, and use shall not create unusual or obnoxious dust or odors beyond the property line.
3. Trash: No trash, used materials or wrecked or abandoned vehicles or equipment shall be stored in an open area. All trash is to be stored within a dumpster and the dumpster is to be enclosed with a solid metal gate, and walls matching the masonry used for the buildings, or must be stored in a fully enclosed building. The dumpster enclosure shall not have frontage on a public street, and is to be located toward the rear of a development. Outside storage of commercial goods or materials is expressly prohibited. Containers for trash storage of a size, type and quantity approved by the city shall be

screened by a sight obscuring fence at least one foot (1') higher than the dumpster and maintained in a location approved by the planning commission in conjunction with approval of a site plan.

4. Safety: The developer shall take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rockfall, erosion, flooding, fire, hazardous materials, or related problems.
5. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal law.
6. Traffic:
    a. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".
    b. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
    c. Traffic Study: The developer shall be required to submit a comprehensive traffic impact study (CTIS) prepared by a professional transportation engineer licensed to practice in the state of Utah that analyzes the impact of development of the entire property zoned in any particular district at the time of the first site plan application. The CTIS shall evaluate the vehicle, bicycle, and pedestrian traffic both on site and in the general vicinity of the project. The CTIS shall evaluate trip generations, turning movements to and from the property, street geometrics, and traffic safety on and off the site. The CTIS shall also address relevant items including, but not limited to, the following: surrounding street and intersection levels of service (LOS) before and after the project is completed, any mitigation efforts recommended to minimize project traffic impacts, proposed public and private street widths and alignments, site mobility, access management, potential traffic signal locations, street striping, signs, etc. Each site plan shall reflect and incorporate the recommendations of the CTIS and the individual traffic study and any other requirements that the city may deem necessary based upon the CTIS and/or the individual traffic study.
7. Public Health: Use shall comply with all sanitation and solid waste disposal codes and use shall not create public health concerns.

4.2.5 Maintenance

As part of the Site Plan review process, applicants shall provide documentation outlining the establishment and perpetual membership in a Commercial Owners/Tenants Association or other similar body to provide for the ongoing maintenance of all on-site improvements. Said associations should allow for the inclusion of adjacent developments as future phases or association members.

5. APPROVAL PROCEDURES

As set forth in the City Code, Title 10, Section 6-3, Procedure Leading to Approval.

CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	3/31/2016

Planning Commission
Agenda Item

SUBJECT:	Review/Action on a conditional use permit for Dollar Tree to operate in the SC-1 zone, at 4722 W 10040 N
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin

BACKGROUND AND FINDINGS:

Dollar Tree is nearing completion, and upon receiving their certificate of occupancy, want to open for business. As part of the Planning Commission's duties, it is necessary to grant a CUP for operating a business in the SC-1 zone.

PREVIOUS LEGISLATIVE ACTION:

City Council approved the final Amsource development on 10-22-2014

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

n/a

RECOMMENDATION:

Make any necessary changes and recommend to the City Council

MOTION:

To approve/not approve a conditional use permit for Dollar Tree to operate in the SC-1 zone.