

PLANNING COMMISSION MEETING
Thursday, August 31 2017 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 **Planning Commission Meeting on Thursday, August 31, 2017 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)

SCHEDULED ITEMS

3. Approval of the Minutes from the July 25, 2017 Planning Commission Meeting
4. Review/Recommendation on Amendments to the City Code Title 10, Chapter 3 Regarding the Re-zoning of Certain Portions of Area Currently in the PF Public Facilities Zone to the R-1-11,000 Residential Zone, and to Amend the Official Zone Map to Reflect these Zone Changes
5. Review/Recommendation on Amendments to the City Code Title 10, Chapter 5, Section 27: Landscaping, Relating to Artificial Turf
6. Review/Recommendation on Amendments to the City Code title 10, Chapter 5, Section 38, Relating to Ground Mounted Renewable Energy Systems

ADJOURNMENT

7. Adjourn

Posted this 25th day of August, 2017

/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.



PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are recorded

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Council / Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said. Individuals may be limited to three minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing v. Public Meeting:

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	8/31/2017

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation Amendments to the Official Zoning Map of Cedar Hills, Oak Road Open Space Public Facility Zone
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

Applicant and land owner, Alan Parsons, has applied for a zone change for his parcel, Lot 26 of Cedar Hills Subdivision Plat I. The parcel in question has been recorded as open space from the time that Cedar Hills Subdivision Plat I was recorded in 1976. The subdivision was built by the Associated Industrial Developers, who owned the parcel in question from the time the plat was recorded. In 1983 the property changed hands through a tax deed, and Alan Parsons received the property by quitclaim deed in 1993.

From Utah State Code §10-9a-102, "municipalities may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law.

Further, §10-9a-505 states, "The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter."

Authority is granted to the municipality to regulate zoning, open space and density within the municipal boundaries. The current piece is identified as "open space" on the plat, and is zoned as public facility. In order to put density onto the property, the legislative body of Cedar Hills would need to rezone the parcel into the R-1, 11,000 zone, vacate the plat identifying Lot 26 as open space, and re-plat Plat I as Plat I Amended. The owner of Lot 26, or the developer would be responsible for surveying and re-plating Plat I

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Current Zoning Map, map showing areas of proposed changes, Minutes from previous meetings, Letters to the Planning Commission, Cedar Hills Plat I

RECOMMENDATION:

Staff recommends that the Planning Commission make a recommendation to the City Council either amend the zoning map, and recommend to the City Council to vacate the open space provision, thereby allowing the land owner to pursue development on the parcel; or to recommend to the City

Council that the proposed zone change be denied, and the open space provision be left intact.

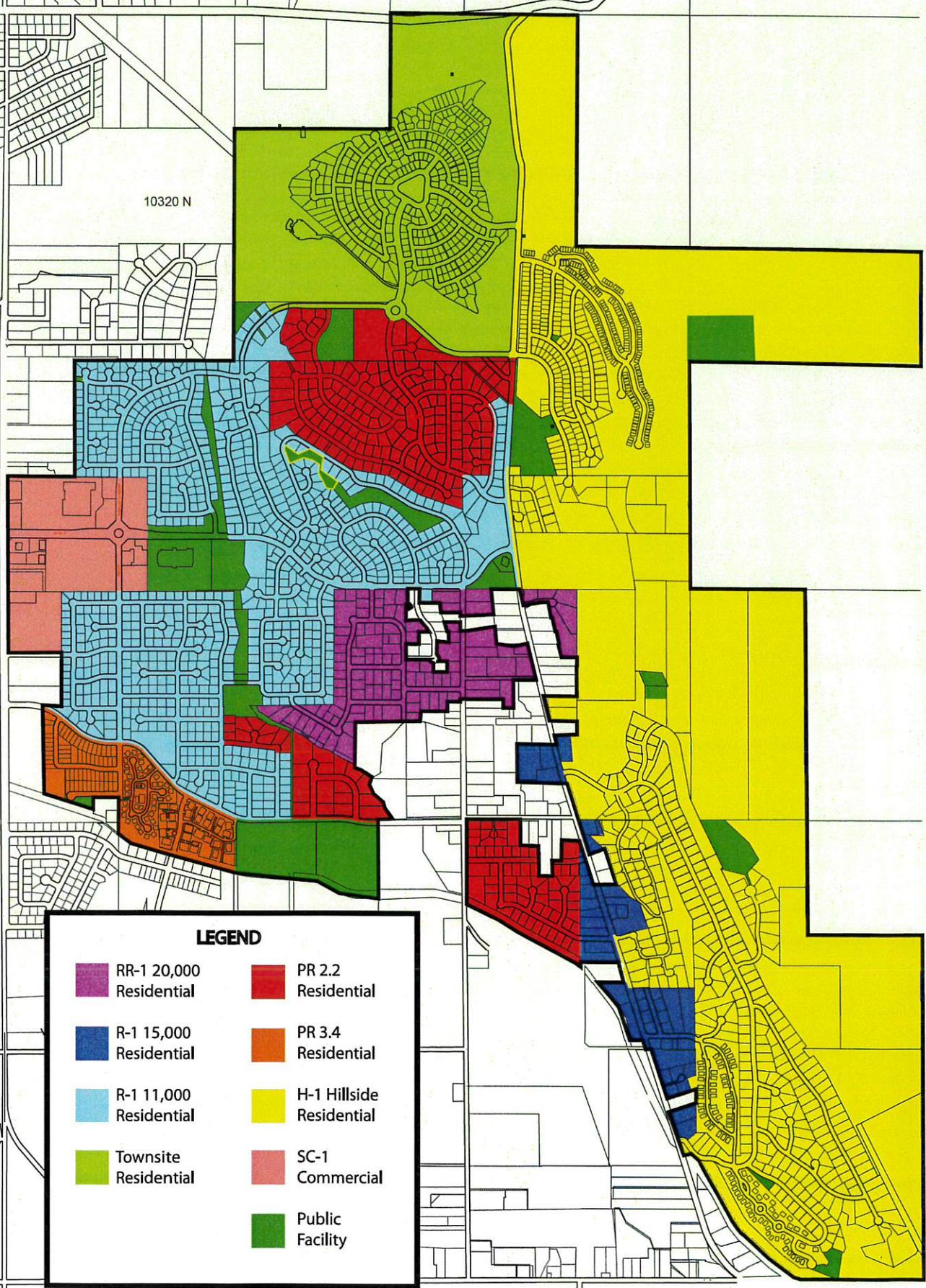
MOTION:

To recommend/not recommend the proposed changes to the official zoning Cedar Hills Zoning Map, amending portions of the Public Facility zone, and recommending/not recommending that the City Council vacate the open space provision of Cedar Hills Subdivision, Plat I, Lot 26.

City of Cedar Hills

October 2016

10320 N

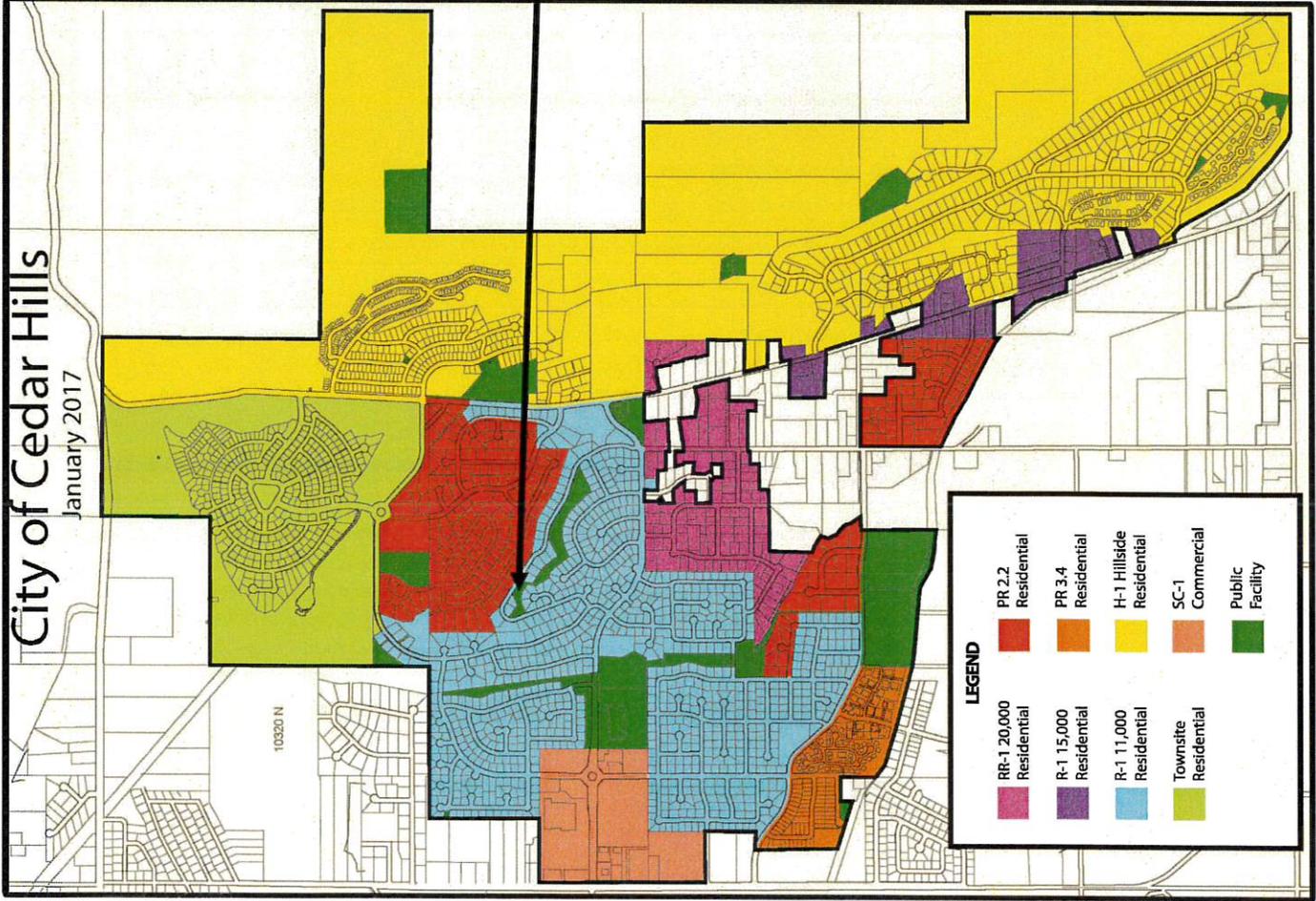


LEGEND

- | | |
|---|--|
|  RR-1 20,000 Residential |  PR 2.2 Residential |
|  R-1 15,000 Residential |  PR 3.4 Residential |
|  R-1 11,000 Residential |  H-1 Hillside Residential |
|  Townsite Residential |  SC-1 Commercial |
| |  Public Facility |

City of Cedar Hills
January 2017

10320 N



Parcel # 36:145:0026



Re-Zoning of Certain Portion of Area
Currently in the
PF Public Facilities Zone
to the
R-1-11,000 Residential Zone

LEGEND

RR-1 20,000 Residential	PR 2.2 Residential
R-1 15,000 Residential	PR 3.4 Residential
R-1 11,000 Residential	H-1 Hillside Residential
Townsite Residential	SC-1 Commercial
	Public Facility

TOWN OF CEDAR HILLS

Regular Town Council Meeting
Wednesday, May 12, 1993 7:00 p.m.
Manila Elementary Media Center

NOTICE is hereby given that the Regular Town Council Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, May 12, 1993, at the Manila Elementary Media Center at 7:00 p.m.

COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
 2. Approval of Minutes and Agenda
 3. Finances
 4. Department Reports
 5. Attorney Reports - Tony Schofield & Craig Carlile
 - A. Northstar Cablevision Status Report
 - B. Pretreatment of Industrial Waste Ordinance Amendment
 - C. Herrera Status Report
 - D. Other Issues
 6. Adjourn to Executive Session
 - 14.
7. East Cove
 8. Cedar Cove - Reestablishment of Performance Guarantee
 9. Park Maintenance Sealed Bids
 - 3,
10. Hullinger Annexation
 - ~~11.~~ Street Between Prestwich & Olson (Cedar Hills Dr & 4280 West)
 - ~~12.~~ Extend Meter Reading Period *184 billed 120 credits*
 - ~~13.~~ Fine for Contractors for Taking Out or Bypassing Meters
 - 4.
14. **Lots 26 and 19 (Greenbelt) - Mr. Parsons**
 15. Other Business
 16. Adjournment
-

MOTION: C. Johnson - That we will agree to meet with Carl Warnick in one last effort in two weeks to see site proposals and a cost breakdown of moving the reception station and that Carl, the attorneys and two Council members will be present and that we will then discuss the outcome at the next Council meeting. Seconded by C. Peaslee and unanimously approved.

14. Lots 26 and 19 (Greenbelt) - Mr. Parsons (9:00 p.m.)

Mayor Memmott - Written letter that the open space be removed from plats I and D.
Allen Parsons - I would like to build on the North end and would need the open space designation removed.

Jeff Lindstrom - I bought a lot that states that it is not a buildable lot.

Allen Parsons - Mine does not say this.

Rodney Despain - Lot numbers were given to convey the property but the Town did not claim the property and let it go to tax sale. The position is that this is privately held but not buildable because of the open space on it. We must amend the plat and remove the open space. Petition before the Town Council and a plat made. There is no guarantee that it will be further divided. My comments to Mr. Parson is that you keep it as a single lot or sell portions to adjoining lots.

Cindy Huntbach - I check plats when I buy them and if someone bought it then that is how it is.

Tony Schofield - I believe that open space means that it is not buildable but that is my opinion.

Steve Kesler - Could we put this in writing to the Council. Mr. Hansen does not plan to divide Lot 19 at the present time but may in the future.

Tony Schofield - We may sue. He does have legal council advising as well.

R.L. Peay - You have the ability to tell me what fence I can put in, etc. I talked to Mr. Hansen and he will put 9 lots in Lot 19 if he is to sue the Town.

C. Peaslee - If the Town keeps this as open space then the Town ~~has~~^{should} buy it. This information comes from Utah League of Cities and Towns one year ago.

Tony Schofield - It comes down to what open space means on the plat. Ordinances are upheld.

Rodney Despain - Any property that is divided two or more times, they become a subdivider and must go through process of plat amendment. Lot 26 meets frontage and area requirements but the lot is open space. Our ordinance states that it is then not buildable.

Paul Massicotte - We won't address that this area is causing flooding? A home could cause more problems.

MOTION: C. Peaslee - That we firm up the term "open space" and what we require that it be and address this issue at our next meeting. No second, motion dies.

Rodney Despain - If you say that it is not buildable then Mr. Parsons will try to get a judge to change that definition. The Town in the past has said that it appears that the portion fronting Oak Road W could be built upon. I believe that Mr. Parsons has a strong right to a building permit but not without limitations. We have some strong feelings to just say "no".

Mayor Memmott - If this is the way we want to go, do we keep it that way or do we give it up.

Citizens - NO!

(Kim Holindrake excused at 10:45 p.m. and remaining minutes taken by Rodney Despain)

MOTION: C. Snively - Table Consideration to get an opinion as to the meaning of open space and put on next agenda. Seconded by C. Peaslee and unanimously approved.

MOTION: C. Peaslee - Extend meeting for 25 minutes. Seconded by C. Howard and unanimously approved.

7. East Cove (10:16 p.m.)

Verl Hebertson inquired as whether the Town wanted all of the property or just the portion previously negotiated. The Mayor indicated that he discussed this with other Council members and the Town was interested in at least part of the property. Two alternatives were discussed.

1. \$30,000 plus a tax credit letter for the drainage basin and properties fronting the Canyon Road.

2. Entire parcel at a cost of approximately \$125,000 plus the tax credit letter on the 4 lots facing Canyon Road.

TOWN OF CEDAR HILLS

Public Hearing and Regular Town Council Meeting
Wednesday, June 9, 1993 7:00 p.m.
Manila Elementary Media Center

NOTICE is hereby given that a Public Hearing will be held on the 1993-94 Tentative Budget followed by the Regular Town Council Meeting of the Town of Cedar Hills, Utah, beginning at 7:00 p.m.

PUBLIC HEARING

1. Call to Order
2. 1993-94 Tentative Budget
3. Adjournment

TOWN COUNCIL MEETING

1. Call to Order and Pledge of Allegiance
 2. Approval of Minutes and Agenda
 3. Finances
 4. 1993-94 Budget Adoption
 5. Department Reports
 6. Street Between Prestwich & Olson (Cedar Hills Dr & 4280 W)
 7. Extend Meter Reading Period
 - ~~8.~~ Fine Contractors for Taking Out or Bypassing Meters
 9. Lot 26 (Open Space)
 10. Park Maintenance Bids
 11. Park Street Light
 12. High Meadows Streets - Tom Harward
 13. Other Business
 14. Adjournment
-

up rocks on the ball field. Steve Kesler donated some redwood for picnic tables. I may chain them down. If I catch kids doing vandalism, they do work in the park for free. The Town celebration is July 30 and 31. BBQ and dance on 30th and rest on the 31st.

C. Snively - Mr. Haily is going to paint the street lines.

C. Peaslee - Also the water company has done a good job keeping the weeds down on their pump station.

6. Street Between Prestwich and Olson (Cedar Hills Dr & 4280 W) (8:07 p.m.)

Mayor Memmott - I propose that we make an offer to the owners to buy the piece.
Rodney Despain - Property owners to amend the plat. Then set terms of dividing. The Town could vacate interest but you then don't have a say in requiring improvements.
Mayor Memmott - Should the Town improve this or give it up? If the beautification offsets giving it to the citizens then that's what we should do.
C. Howard - First step is to find out if the property owners want it and then go from there.
Rodney Despain - You don't have much alternative uses.
C. Peaslee - I will talk to the property owners.

7. Extend Meter Reading Period (8:20 p.m.)

C. Peaslee - I get a lot of calls every Spring about big bills.
C. Snively - There were no big water checks. This was talked about before and people pay extra if they feel they need to.
Kim Holindrake - I billed 184 people for water last month and 120 of them received a credit for their winter use.

MOTION: C. Peaslee - That we read the meters at the end of April instead of the end of May. (Resolution to be changed) Seconded by C. Howard.

Aye C. Howard
C. Peaslee
Nay Mayor Memmott
C. Snively

Motion dies.

9. Lot 26 (Open Space) (8:29 p.m.)

Allen Parsons - I talked to Hansen and he agreed to sell to the adjoining lot owners. The upper lots feel it is too low and the others are giving me a counter offer. R.L. Peay is interested in the lower 1/3.
Mayor Memmott - First item of business is to remove the open space.
Rodney Despain - Discussed open space with the attorney. Best definition is from the dictionary. The Town has maintained that this was not to be built upon. A judge may say differently but this has been the Town's intent. The shape of the lot and statement of open space was the intent not to be buildable.
R.L. Peay - Has any one looked at this to see if it meets the criteria to be built upon?
Rodney Despain - Western edge of Oak Road gives area for a building to be built. There must be a petition to amend the plat to remove the designation of open space. The citizens have a strong feeling to not let that occur. Mr. Parsons wants a building permit but needs to comply with the plat standards. The Town needs the name and address of everyone in the plat.
Allen Parsons - The above owners are not against it.
Dawn Cattermole - That's not true.
Rodney Despain - You need the signature of each owner. This would be all in Plat I. If all consent, then there is no need for a hearing. All owners are notified and a public hearing held. We need a plat to remove the open space and a list of the adjoining owners. This gives the right to move forward. Then the Town Council decides to go forward or not. Then you have a replacement plat. If you do remain with one lot then I suggest that the eastern 2/3 still be labeled as open space so that it remains unbuildable.

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting
Wednesday, July 27, 1994 6:30 p.m.
Alpine City Council Building
20 North Main, Alpine, Utah

NOTICE is hereby given that the Regular Planning Commission Meeting of the Town of Cedar Hills, Utah, will be held Wednesday, July 27, 1994, at the Alpine City Council Building at 6:30 p.m.

PLANNING COMMISSION MEETING

- | | | |
|--------|----|---|
| 2 min | 1. | Call to Order |
| 2 min | 2. | Swearing in of new Planning Commission Member -
Jim Howe |
| 2 min | 3. | Approval of Minutes - July 25, 1994, Regular
Meeting |
| 30 min | 4. | Preliminary Plan Review of 16 Acres - Vilmar
Gaertner |
| 30 min | 5. | Review of Lot 26 (Open Space) - Allen Parsons |
| 15 min | 6. | Impact Fees |
| 15 min | 7. | Zoning Ordinance Amendments
A. Commercial Zone
B. Other |
| | 8. | Adjournment |
-

TOWN OF CEDAR HILLS

Regular Planning Commission Meeting
Wednesday, July 27, 1994 6:30 p.m.
Alpine City Council Building
20 North Main, Alpine, Utah

NOTICE of this meeting was properly posted throughout the Town and the press notified.

Present: Chairperson Meredith Simpson
Planning Commissioners Priscilla Leek, Dolores Gardiner, Lori Martin,
Jim Howe, Doug LeDoux
Councilmembers Elizabeth Johnson and Mike Robertson
Kim Holindrake, Town Clerk
Rodney Despain, Town Planner
Citizens: Alan Parsons

This meeting of the Planning Commission was called to order by Chairperson Meredith Simpson at 6:42 p.m.

2. Swearing in of New Planning Commission Member - Jim Howe

Jim Howe was sworn in as a member of the Planning Commission by Kim Holindrake, Town Clerk, with a term through December, 1996.

3. Approval of Minutes - July 25, 1994, Regular Meeting

MOTION: C. Gardiner - To accept the minutes from May 25, 1994, with changes on page 2. Seconded by C. Leek and unanimously approved.

4. Preliminary Plan Review of 16 Acres - Vilmar Gaertner (6:45 p.m.)

C. Simpson - I received a call and apparently Mr. Scow has taken a second offer on the property and Vilmar Gaertner and Robert Mount are going to take him to court. Apparently they had a meeting with Mr. Scow Monday. He is planning to sell it for one home. He does not have frontage and he needs this in order to build.

Rodney Despain - Lot 1 does not conform to our ordinance. That could move a couple of property lines to have it conform. Part of the discussion last time was do we need a collector class road going through. A road with a sewer under would probably not have enough slope to run. So we may shift up to 9600 North for the collector class road and then to the west where the LDS Church is planning a building. I have talked to them about a collector class road there.

C. Simpson - What will happen to this piece with the sewer?

Rodney Despain - They were planning to run a line to 4000 West and then pick it up when the sewer came down that road. The Mayor and I have talked with Pleasant Grove about putting the sewer down at their line but she said that meeting did not go well. Much of it is uncertain at this time.

5. Review of Lot 26 (Open Space) - Allen Parsons (6:51 p.m.)

Alan Parsons - **See map handout** Scott Oldroyd has bought the property. We have been negotiating with the neighbors to buy 2/3 of the property.

C. Howe - My position and others is that we do not want to buy anything. If it is broken up then we might consider it.

Alan Parsons - Then maybe I should sell the whole thing to Scott Oldroyd. Mr. Swenson's house was open space and now has a house.

Rodney Despain - Lot 26 is an open space lot and the question of erasing

and making it a building lot has been the issue for some time. There is nothing that says he can't sell the property. It was acquired with that indication on it. The Town has continued that this be required to go through the plat amendment process to get rid of the open space designation. This is a determination of the Council. The Planning Commission is responsible for recommending to the Council what the replacement plat would be. Question, is this a suitable alignment of the property for those who have expressed interest. For the sake of discussion, let's say the Council will approve the plat vacation and the removal of the open space. I believe that the property that Scott Oldroyd wants could accommodate a lot. The question comes, what happens to the rest of the property. He has discussed it with many property owners. Ray Layne, Jim Howe, Mark Grant, R.L. Peay, A.J. Michaels and Paul Massicotte would all have a portion. We need a subdivision plat that includes all those lots with the portion of their lot. All these people would become co-subdividers. The question really before us is assuming that this alignment would be acceptable.

C. LeDoux - How does this affect those people who bought lots to be along open space. Can we do that?

Rodney Despain - The Planning Commission does not make that call. The Council will make the determination after a public hearing. The public or any individual can not be harmed. The Planning Commission recommends to the Council. We are trying to flush out the issues that are here. Everyone will sign this plat, if they are in it. All the citizens will have an opportunity to express their issue about if this will affect them. The issues are do we feel strongly about the open space. There are a lot of political issues. It will be and always be a weed patch.

Michael Robertson - Do we not have a weed ordinance?

Alan Parsons - I don't know that you want to cut what is holding that side up.

C. Howe - Some owners have said that they would like it to be open space. A.J. Michaels said she was concerned about the fire problem and the weeds.

Rodney Despain - If the amendment process takes the open space off and you want it on then you would put it back on at that time of the new plat.

C. Leek - Have you entertained an offer from one person to buy it?

Alan Parsons - Scott Oldroyd is interested in buying the whole thing. Open space has only been applied to public property and not private property.

C. LeDoux - What are we deciding here? This will set a precedence for the other lot.

Rodney Despain - 1. That the Scott Oldroyd piece is buildable. 2. Other parcels would be divided off and title given. These people would know that it would be open space.

C. LeDoux - Is there a building envelope there?

Rodney Despain - Yes. I believe a building could be placed in that piece.

C. Howe - You have a frontage between Laynes and Howes. If we allow one for Scott Oldroyd, could others come and put houses there?

Rodney Despain - Yes, but Laynes will put the property to his lot. There is no guarantee that people won't ask but will they receive this?

C. Martin - What are we here to decide without the proper presentation?

C. Leek - You have talked to these people but we don't have anything before us from these people that they want the property.

Rodney Despain - It has been represented to me that these people do want this. This is a concept review. Everything will have to be resolved.

Elizabeth Johnson - What if the one building lot is given and the rest turned to the Town as it was in the past?

C. Martin - Mr. Sears called me and he says that this will affect his building lot value.

Elizabeth Johnson - Mr. Sears and Mr. Layne will not be happy with a building lot there.

C. LeDoux - Our leverage is if we give one lot then others will want the same.

Rodney Despain - In some way we need a distribution of the property and Mr. Parsons wants a building lot out of this. Until Lot 26 is owned by someone adjacent to it then it will always be a fire hazard. It is a possibility that the Town gets it but they may not be financially set to maintain it. Is the lot between Laynes and Howes buildable?

C. Howe - It is not as steep as some areas on Lot 19. In Salt Lake on the east bench, there are homes built like this.

Rodney Despain - You put the open space back on this area and then the Town has control.

C. Martin - Do the people intend to keep it open space or do they plan to use it how they want to? We need to determine what they plan to do. One gentleman intends to put his heavy equipment on it.

Rodney Despain - You can be more definitive and restrictive. The property owners need to be involved early on. To some degree, if Gardners get it, do they want to remove their fence. I don't think so. Most would want to enlarge their own lot if they got the property.

C. Howe - A number of us would prefer that it remains as it is; but if it is parceled, then we would be forced to buy this.

C. LeDoux - It is not the concept that is our concern. It is other issues.

Rodney Despain - Nothing vests at a concept. You have to go through preliminary approval. You have to go through the process.

Alan Parsons - My original intent was to sell the whole thing to Mr. Oldroyd. We do not want to build a home that would antagonize the neighbors. The people there wanted to have it pieced or sold in whole. The other 2/3 is worth \$65,000.

Rodney Despain - The question I raise again is if all came to pass would the Planning Commission be willing to approve a plat?

C. Simpson - We are looking to have a lot for Mr. Oldroyd and the rest being open space.

****Discussion of Open Space designation****

Rodney Despain - I discussed the open space with legal council and one argument is that it is there and you treat this as a request. I don't know what a judge would do because this one area meets building requirements. The Town has addressed the issue of allowing a building lot.

C. Simpson - We could then put restrictions on the rest so this does not happen again.

Rodney Despain - I believe that Lot 19 will come with a similar request. Mr. Hansen has said in the past that it is good for 8 lots, but it is one lot and was bought as onelot. The owners think differently. The Council will make the call.

Michael Robertson - If the Planning Commission gives concept then it goes to the Council for public hearing and a decision?

Rodney Despain - The Council decides if it burdens others after the public hearing is held. The history is clear. It was intended to be dedicated to the Town. For whatever reason, it did not happen and was sold for taxes. I suggest that you express your point of view and not have a motion.

Elizabeth Johnson - 1. Leave as open space. 2. Make one lot and allow a building permit on the west side. 3. Allow one lot and divide remaining to neighbors. 4. Have a building lot and negotiate with the Town to take the remainder. You need to decide and let the Council know.

Rodney Despain - If this is done, these people will have to come and be a definite part of the process.

Alan Parsons - If I sold it to one neighbor and Mr. Oldroyd?

C. Simpson - They have to be here.

C. Howe - Some of the neighbors would want to know what the plans are.

Alan Parsons - Can I ask for the open space to be erased?

Rodney Despain - You are asking this now. You did that in the past. If you want to do this it is the same process. It has a high probability of denial.

C. Martin - If Mr. Oldroyd gets his permit, then there is no access for a brush truck.

****Priscilla Leek excused at 7:50 p.m.****

Elizabeth Johnson - The point we are getting hung up on is that these other people are co-developers and need to be here.

Alan Parsons - To simplify this then I will sell the entire thing to Mr. Oldroyd.

C. Simpson - There is no conclusion.

6. Impact Fees (7:55 p.m.)

C. Simpson - Roger Zundel did a study of other towns.

Elizabeth Johnson - He came up with just throwing in a number. That is not the process that holds up in the courts. We have to have a specific study of our Town.

C. Simpson - The Council is addressing this issue.

7. Zoning Ordinance Amendments (7:58 p.m.)

Elizabeth Johnson - Issues we had. Change from a shopping zone to a professional zone. Part of the deal was Lyle Smart giving the property for the road and making it a SC-1 Zone. We need to make sure that he agrees with this. I have been told that it is a very staff intensive ordinance and we don't have any staff. I feel we need to go back and look at our goals for this area. List the businesses we want and don't want and then go from there.

C. Howe - I think a shopping center is a horrible idea. People raised \$75,000 to fight a shopping center.

****Discussion of road property being given to Town for zoning property to SC-1****

C. Gardiner - We do need revenue.

Elizabeth Johnson - We might want a professional area, medium retail and then Walkers would be on the corner. Get the lowest impact to the residential and the highest at the Training School Road.

C. Simpson - The State has set the plans for the Training School Road.

Elizabeth Johnson - We need a feel of what we want before we talk to Lyle Smart. We need to plan carefully. We could say that we will allow only one convenience store. Do you like the idea of a progressive commercial area? The area is 41 acres.

C. LeDoux - I would like to see it as small as we can.

C. Simpson - We need to find out the specifics from the road property and Lyle Smart's deal.

Elizabeth Johnson - I want to know how you want it to look. Do you want a strip mall or small house type businesses?

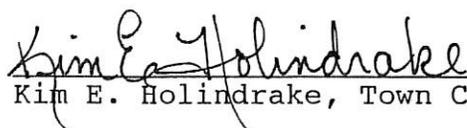
C. Howe - I would like a "James Town Square" type look with trees, bike trails and such. I will see if I can get a copy of their requirements.

Elizabeth Johnson - We could say that we are predominantly residential and we want our commercial zone to fit in.

****Discussion of building types and SC-1 Zone Ordinance****

8. Adjournment

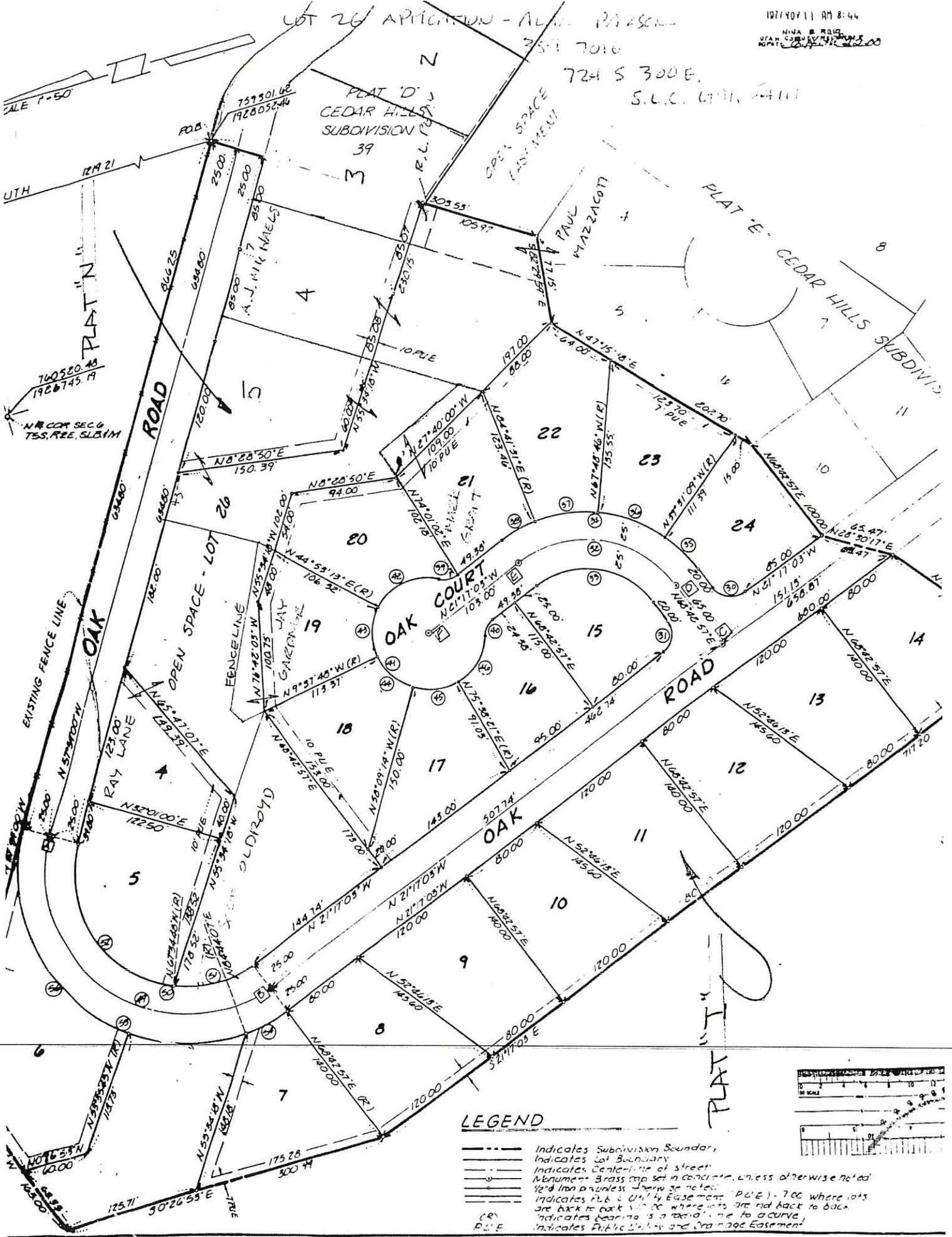
This meeting was adjourned at 8:35 p.m. on a motion by C. Gardiner and seconded by C. LeDoux.


Kim E. Holindrake, Town Clerk

LOT 26 APPLICANT - ALVIN PARSONS

759 7016

724 S 300 E.
 S.L.C. 0711, 07111



LEGEND

- Indicates Subdivision Boundary
- Indicates Lot Boundary
- Indicates Centerline of street
- Monument - Brass cap set in concrete, unless otherwise noted
- 1/2" Iron pinless - when so noted
- Indicates Pub. Utility Easement (P.U.E.) - 7.00 where lots are back to back with one where lots are not back to back
- (R) Indicates bearing is a radial line to a curve
- P.U.E. Indicates Public Utility and Drained Easement



Cedar Hills Planning Commission
via Colleen Mulvey, City Recorder

July 20, 2017

Re: Amendment to City Code, Rezoning Parcel #36:145:0026

Honorable Commissioners:

I urge you to deny your approval of the proposed zone change.

I moved here from Idaho last year. We lived in a small community that was kind of out in the middle of nowhere. I appreciate that Cedar Hills is a nice place because it has both the charm of a little town and the access to large city attractions. I came here because this new neighborhood of ours has open space right in our back yards. Open space makes me feel good. Open space is a good treatment for stress. It's a break from too much crammed development and asphalt. It's a rest for the eyes and the mind. I voted for the CARE tax last year and was happy to do it.

Communities that value and protect passive open space recreational areas are helping to advocate for biodiversity. The cedar trees here in their natural environment attract local birds, helping us to connect to the other creatures that share this space on earth with us. I'm totally delighted to see deer. To me, this is a public good. To me, the deer and trees have a right to be protected. You can do good to your residents through the preservation of natural features.

There are detailed studies about the health benefits of open space to our community. Depression and other mental illness seem to get worse the more urbanized our living spaces become. The aesthetics of parkland provide recovery from stress and fatigue. The serenity of space elevates mood and self-esteem. Passive recreation sites are needed for aged residents who are not involved in team-sports and need a place for quiet contemplation. But restful awareness of natural features is appreciated by old and young alike. Passive recreational space is more than just a secondary little nicety — it is a key aspect of urban planning.

As much as I like this parcel just as it is, it could be improved for walking. Along W. Oak Road North, one must traverse the street back and forth to

find a sidewalk to walk on, dodge weeds and face ugly non-matching retaining walls. How much better would it be to be able to walk through a small nature park to get to our friends across the way? It would be so much more pleasant! The availability of parkland is first and foremost a key requirement for any city's plan to update their park inventory. Access is another. In the case you will be discussing now, you already have both. Don't give up your rights to future parkland.

Please deny the petitioner's request for a rezone.

Respectfully,
Cheri Condie
4221 W. Oak Road North
208-358-1166

Cedar Hills Planning Commission
via Colleen Mulvey, City Recorder

July 20, 2017

John Condie
4221 W. Oak Road North
Cedar Hills, Utah 84062

208-293-4971

Honorable Commissioners:

I just want to relay some of my thoughts concerning the proposed rezoning of the parcel of open space of land that runs below West Oak Road North.

I purchased my home here after checking with the city office and being told it was designated for a park. Since then, I've found out that being designated doesn't mean it will happen. I was also told by the previous owner that it could never be developed for housing and would remain open space. However, it proved to be that neither information was official as to what could really happen if it ever got rezoned.

So here I sit sometimes wondering about the fire hazard in the summer next to the homes that border it. I would like to see it remain open space; even if we don't get a passive park established there, what we've got now is far and away better than some homes jammed in there (assuming they could be). I know there are a lot of issues and facts that you weigh, besides the surrounding homeowners' wishes and concerns, in making your recommendations. I am asking you to value what the land means to our community as it sits and to deny your recommendation to rezone it for residential.

Thanks,

John Condie



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	8/31/2017

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Artificial Turf, Amending Requirements of §10-5-27 Landscaping Development Standards
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

A resident has requested that the City consider allowing artificial turf as an acceptable form of landscaping. Other municipalities have considered and adopted provisions allowing artificial turf within a set of guidelines. Ogden has adopted an ordinance allowing artificial turf. Cedar Hills City Code §10-5-27 would need to be amended to allow for the installation of artificial turf. Currently, §10-5-27 (B) states, "The front yard area of any existing lot containing a dwelling shall be landscaped. It shall be unlawful for the owner of any residential lot within the city to refuse to install and maintain landscaping within the front yard area of any existing residential lot containing a dwelling. The front yard area shall consist of the entire lot area from the front lot line to the face of the dwelling, or the front setback area, whichever is greater (except for approved designated parking areas). Corner lots have two (2) front setback areas. Landscaping shall be properly maintained including removing weeds and mowing turf areas. Turf grass shall not exceed six inches (6") in height. (Ord. 10-20-2009C, 10-20-2009) This provision is exclusively for the front yard.

The proposed code would either allow or prohibit the use of artificial turf as a method of landscaping in the front and side yard areas.

PREVIOUS LEGISLATIVE ACTION:

Xeriscape was added as an approved landscaping option in May 2015

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

Cedar Hills City Code §10-5-27, Artificial Turf Code (Acceptable), Artificial Turf Code (Prohibited)

RECOMMENDATION:

Make recommendations for any proposed changes to §10-5-27

MOTION:

To recommend to the City Council the Artificial Turf Code as a/an prohibited/acceptable landscaping method for the front and side yard areas, pending the following changes {LIST ANY APPLICABLE CHANGES}.

10-5-27 Landscaping

(C) (3) Artificial Turf

If artificial turf is used as ground cover:

- a. It shall consist of green lifelike individual blades of grass that:
 1. Emulate natural turf in look and color
 2. Have a minimum pile height of 1.5 inches, except in rear yards where shorter pile height may be installed for planned recreational surfaces; and
 3. Have a minimum tufted weight of 56 ounces per square yard.
- b. In no case shall it be installed within:
 1. Permanent drainage features (e.g. ponds, swales, and retention and detention basins); or
 2. Any public right-of-way;
- c. It shall have a minimum eight year manufacturer's warranty protecting against color fading and decrease in pile height;
- d. The use of indoor or outdoor plastic or nylon carpeting as a substitute or replacement for artificial turf or natural turf is prohibited;
- e. It shall be properly anchored to ensure that the turf will withstand the effects of wind;
- f. All seams shall be nailed and glued, not sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look;
- g. Proper grading, compaction and drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water and artificial turf installations shall have a minimum permeability of thirty inches (30") per hour per square yard;
- h. It shall be visually level, with the grain pointing in a single direction;
- i. An appropriate solid barrier device (e.g., concrete mow strip, bender board) is required to separate the artificial turf from planters and live vegetation;
- j. A minimum four foot (4') separation between artificial turf and tree trunks and two foot (2') separation between artificial turf and shrubs shall be maintained to ensure roots are not damaged with the installation of artificial turf and that the overall health of the living plant material is not compromised;
- k. It shall be cleaned regularly and maintained in an appropriate and neat manner;
- l. It shall be replaced if it is worn, uneven, discolored, or damaged;
- m. It shall comply with subsection C of this section if it is proposed to be used, either solely or in combination with other nonliving ground cover, for more than ten percent (10%) of the ground area required to be landscaped; and
- n. Artificial turf is limited to not more than fifty percent (50%) of the total landscaping area, unless it is installed and used in the construction of public or private athletic fields, or on playgrounds associated with a:
 - i. Public or private community center;
 - ii. Park; or
 - iii. School.

(C) (3) Artificial Turf

Artificial Turf is not an acceptable type of ground cover and does not meet the intent or provisions of this section. The installation of artificial turf shall be prohibited in the front and side setback of any residential or commercial lot.



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	8/31/2017

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Renewable Energy Systems, Ground Mounted Solar
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: Based on City Council recommendation and the current desire for residents to have renewable energy systems installed at their homes, there is a need to regulate these systems so as to mitigate any negative impacts that may occur to the surrounding property owners. The proposed code provides a method for calculating the setback for a ground mounted solar system by having a minimum setback, plus an additional requirement based on the height of the system. Additionally, each mount is limited to 100 square feet.	
PREVIOUS LEGISLATIVE ACTION: Nov. 2016, City Council adopted §10-5-38	
FISCAL IMPACT: n/a	
SUPPORTING DOCUMENTS: Cedar Hills City Code §10-5-38, Ground Mounted Solar Code	
RECOMMENDATION: Make recommendations for any proposed changes to §10-5-38	
MOTION: To recommend/not recommend the proposed changes to §10-5-38 renewable energy systems to the City Council subject to the following conditions {LIST ANY CONDITIONS}.	

10-5-38: Renewable Energy Systems

3. Ground Mounted Solar Energy Systems:

- a. Setback: Setbacks for ground mounted solar energy systems shall be ~~the same as accessory structures found in [chapter 4](#) of this title~~ **fifteen feet (15')**. **For systems exceeding ten feet (10') in height, an additional two feet (2') of setback shall be required for each foot past 10'. Setback shall be measured from nearest property line to the edge of panel or base, whichever is nearest to the property line.** **And Ground mounted systems** are prohibited within the front yard area and street side yard enclosure areas.
 - b. Height: The maximum height allowed for ground mounted solar energy systems is twenty feet (20') measured from the surrounding natural grade to the highest point of the system.
 - c. **Square Footage: Ground mounted solar energy systems shall not exceed one hundred square feet (100' SF) per mount.**
 - d. e. Fencing: Ground mounted solar energy systems shall be enclosed by a fence according to the provisions of section [10-5-18](#) of this chapter.
4. Solar Easement: Solar easements are not a requirement for city approval; nonetheless, a property owner who has installed or intends to install a solar energy system may negotiate a solar easement with adjacent property owners to ensure perpetual sun on the property. Any easement agreed upon must be recorded by the county recorder, with a copy provided to the city.