



**NOTICE OF  
AMENDED  
PLANNING COMMISSION MEETING  
Tuesday, October 23, 2018 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 Tuesday, October 23, 2018 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 minutes from the September 25, 2018 Planning Commission Meeting
4. Review/Recommendation on Amendments to Lakeshore Trails Subdivision Plat
5. Discussion on Carports and Land/Sea Cargo Containers as Accessory Structures
6. Discussion on Driveways
7. Discussion on Moderate Income Housing Plan and Amending the General Plan

**ADJOURNMENT**

8. Adjourn

Posted this 22nd day of October, 2018

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Website at [www.cedarhills.org](http://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

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	10/23/2018

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Review/Recommendation on Amendments to Lakeshore Trails Subdivision Plat
<b>APPLICANT PRESENTATION:</b>	Mike Geddes
<b>STAFF PRESENTATION:</b>	Chandler Goodwin
<b>BACKGROUND AND FINDINGS:</b> The current proposal seeks to join two of the petitioner fee owner's contiguous lots. The proposal incorporates additional land on the hillside into the Lakeshore Trails subdivision as part of an existing lot. No new density is being granted by approving the proposal, although any future owner may subdivide the portion that is being incorporated following a slope study on the parcel, as well as complying with street and utility regulations.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> Lakeshore Trails Subdivision was approved in 2015	
<b>FISCAL IMPACT:</b> N/A	
<b>SUPPORTING DOCUMENTS:</b> Redlined Lakeshore plat showing areas to be incorporated.	
<b>RECOMMENDATION:</b> To review the proposal and make any necessary recommendations to staff and City Council	
<b>MOTION:</b> To recommend/not recommend the proposed amended Lakeshore Trails subdivision plat to the City Council for approval, subject to the following conditions {LIST ANY CONDITIONS}.	





# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	10/23/2018

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Discussion on Carports, Land Sea Cargo Containers, and Accessory Structures, Cedar Hills City Code §10-5-29
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Jenny Peay, Planning Associate

### BACKGROUND AND FINDINGS:

Staff recognizes that there are currently carports within the City; however property owners do not have permits for these carports/metal accessory structures.

This past year, staff has received several requests from residents for these pre-fab metal carport types of structures. Requests for these carports failed to meet the code, and zoning had to deny these permits. 10-5-29 states:

3. Prior to construction, a building permit shall be obtained for all structures.

a. Prior to issuing a building permit, the chief building official shall make a finding whether the materials and finish of the proposed structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding.

B. Temporary Structures: The temporary version of any structure listed in subsection A of this section shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted.

Code has a definition only of carport, but has not addressed it anywhere else in the code.

Additionally, the proposed code will regulate land sea containers. Staff has entertained a number of requests to use these containers as storage units or accessory structures. The proposed code would prohibit the use of land sea containers as a permanent structure.

### PREVIOUS LEGISLATIVE ACTION:

### FISCAL IMPACT:

N/A

### SUPPORTING DOCUMENTS:

Draft Code 10-5-29 Related to Carports

### RECOMMENDATION:

Provide feedback on how to draft a revision of code that would allow for carport type structures in code

### MOTION:

No motion necessary, discussion item only.

## 10-2-1: TERMS DEFINED:

~~CARPORT: A structure not completely enclosed by walls for the shelter of automobiles.~~

**Carport.:** A structure that is open on a minimum of two sides and designed or used to shelter not more than three vehicles and not to exceed 24 feet on its longest dimension.

~~BUILDING, ACCESSORY: A subordinate building, the use of which is incidental to that of the main building, including, but not limited to, detached garages and storage sheds greater than one hundred twenty (120) square feet.~~

~~CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE: A structure constructed on the same zoning lot as a dwelling and that is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, swimming pools, tennis courts, and greenhouses.~~

**CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE: A building or other structure which is incidental to and which is constructed on the same zoning lot as the dwelling for the exclusive use of the residents of such dwelling, including, but not limited to, a detached garage or carport, swimming pools, hot tubs, pergolas, tennis courts, and private green houses.**

## 10-4B-8: DWELLING REQUIREMENTS:

### C. Height Of Building:

1. The maximum height of any dwelling shall be thirty five feet (35') in height as measured to the ridgeline of the roof. The maximum height of any accessory building shall be twenty feet (20') to the ridgeline of the roof, an additional five feet (5') in building height may be granted by the Zoning Administrator for lots exceeding the minimum square footage requirement by a factor of two (2), should the proposed accessory building comply with the building setback requirements of a main dwelling in the underlying zone. At no time shall an accessory structure exceed twenty five feet (25') in height. Both the dwelling and the accessory building height shall be measured from the highest finished grade of the ground surface adjacent to the foundation of the structure from the front elevation to the ridgeline.

## 10-5-29: DECKS, PORCHES, PATIOS, PERGOLAS, AWNINGS, **CARPORT**, **HOT TUBS**, AND SIMILAR STRUCTURES:

A. Structures Permitted: Decks, porches, patios, pergolas, awnings, **carport**, hot tubs and similar structures are permitted in the rear and side setback areas subject to the following conditions: (Ord. 07-19-2016B, 7-19-2016)

1. All sides of the portion of the structure located within a designated setback area shall remain open.
2. No structure within a setback area shall be converted into livable space, nor shall it be constructed as to appear as though it could be easily converted into livable space.
3. Prior to construction, a building permit shall be obtained for all structures.
  - a. Prior to issuing a building permit, the chief building official shall make a finding whether the materials, ~~and~~ finish, **and design** of the proposed structure are ~~in harmony~~ **harmonious** with the primary structure and the surrounding **neighborhood** as a whole and issue a permit with a positive finding.
  - b. The structure shall not be located closer than five feet (5') to the property line, except those structures that comply with subsection A3b(1) or A3b(2) of this section, notwithstanding that no structure shall be constructed within a clear view area nor on a corner lot beyond the optional enclosure area. Additionally, structures in the rear setback area shall not cover over fifty percent (50%) of the rear setback area.
    - (1) Structures located entirely at ground level shall be permitted to be located no closer than one foot (1') of the property line.
    - (2) Special exception for awnings located in the side setback area and immediately adjacent to a garage. A permanent awning located in the side setback area may be constructed immediately adjacent to the outside wall of an attached garage provided that:
      - (A) The front, rear, and sides shall remain open, except that an approved fence may be constructed independent of the structure.
      - (B) The awning shall be constructed over a "hard surface" area as defined in [chapter 2](#), "Definitions", of this title.
      - (C) The awning shall be no closer than one foot (1') from the property line and no higher than seven feet (7') at the point nearest the property line. The roof pitch cannot be greater than four to twelve (4:12) and must slope away from the main building and toward the property line.
      - (D) Three feet (3') is the fire separation distance. Any portion of the awning structure projecting within three feet (3') of the property line shall be one hour fire resistance rated construction per building code.

- (E) The awning shall include a system or method for retaining rainwater on the property owner's own property.
- (F) Detached Carports are permitted in the side and rear setbacks of property and must comply with all Building and /or Residential Code.
- (G) Number Allowed: No more than one carport shall be permitted for each dwelling unit.
- (H) Materials Prohibited: Carports constructed of corrugated metal, fiberglass panels, and fabric materials are expressly prohibited.
4. The finished level of any deck shall be not more than six feet (6') above the finished grade at any location within ten feet (10') from the property line.
5. The height for the structure shall not be greater than the height allowed for an accessory building at the same location.
6. The location, setbacks, and height requirements are subject to zoning regulations within each zone for accessory structures.
7. Land/Sea Cargo Containers are not permitted as accessory structures in residential zones. Containers may be used temporarily to store personal property in conjunction with a move to or from said property, not to exceed 2 weeks; or for the storage of construction equipment with an active building permit. In no case shall any containers be placed in the public right of way.
- B. Temporary Structures: The temporary version of any structure listed in subsection A of this section shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted.
- C. Additional Requirements: The determination that a structure is allowed by this code shall not be interpreted as to meaning that the structure meets the requirements of any private CC&Rs applicable to the parcel. (Ord. 10-20-2009C, 10-20-2009)

#### **10-5-\_\_\_Private Swimming Pools, Spas, Tennis Courts, And Basketball Standards or Courts.**

1. Swimming Pool (private). No such pool shall be allowed in any zoning district except as an accessory use and unless it complies with the following conditions and requirements:
- a. It is intended and is to be used solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located;

- b. Private swimming pools, spas, tennis courts and similar uses shall be allowed in a rear yard setbacks, provided they are located at least thirty feet (30') from any dwelling on an adjoining lot and at least ten feet (10') from any property line. Corner lots where the rear lot line is coterminous with a side lot line of an adjoining lot, the accessory structure shall be set back not less than thirty feet (30') from the side lot line that abuts on a street;
  
- c. Swimming pool and spas, or the entire property on which it is located, shall be walled or fenced to a minimum height of six feet (6'). The fence shall be constructed to limit any individual from accessing the pool area. The fence shall comply with all current ICC building codes for swimming pool and spa;

**10-5-5: DEVELOPMENT IN REQUIRED SETBACK AREA (REQUIRED YARD AREA):**

All required setback area (required yard area) of a lot shall be open and unobstructed, except for the following uses and projections:

A. Side Setback Areas (Side Yard Areas):

1. The ordinary projections of windowsills, belt courses, cornices and other ornamental features to the extent of not more than twelve inches (12").
2. The projection of eaves not more than two feet (2').
3. The projection of a step not over two feet (2'). (Ord. 7-7-98A, 7-7-1998)
4. Awnings projecting from side of dwelling. (Ord. 10-20-2009C, 10-20-2009)
5. A bay window or chimney not over ten feet (10') long projecting not more than two feet (2'), providing such extension maintains the minimum side yard allowable for the smallest side yard in the zone.
6. A fence or wall constructed in accordance with the provisions of section [10-5-18](#) of this chapter.
7. An open area used for the temporary storage of recreational vehicles, boats, etc., but only when said area is located immediately adjacent to the outside wall of an attached garage. (Ord. 7-7-98A, 7-7-1998)

8. Hot tubs, patios or similar uses at ground level shall be allowed in accordance with the provisions of section [10-5-29](#) of this chapter. (Ord. 5-19-2009A, 5-19-2009)
9. Accessory buildings and portable sheds located in conformance with the applicable setback requirements. (Ord. 10-20-2009C, 10-20-2009)
10. Customary vegetative landscaping. (Ord. 7-7-98A, 7-7-1998)
11. Decks, pergolas, covers, **carports**, and awnings shall be allowed in accordance with the provisions of section [10-5-29](#) of this chapter. (Ord. 5-19-2009A, 5-19-2009)
12. Parking of recreational vehicles, boats, trailers, etc., is permitted within the optional enclosure area, in a private driveway or directly adjacent to the garage/driveway on an approved surface. (Ord. 10-20-2009C, 10-20-2009)
13. A driveway leading to a properly located garage or parking area, providing for or making possible the parking of automobiles. The city shall not allow any curb cuts or approve any driveways except for entrance and exit driveways leading to properly located parking areas.
14. Circular driveways may be permitted in required side yard areas of single-family dwellings leading to and from a properly located garage on the property subject to the following conditions:
  - a. Such drives shall be hard surfaced.
  - b. Such drives shall not be over twenty feet (20') in width.
  - c. There shall be a landscaped area at least fifteen feet (15') in depth from the front property line to the inside of the drive.
  - d. Circular driveway areas are not to be used for the parking or storage of any trailer, camper, motor home, boat, or other equipment at any time, nor is the area to be used for permanent parking of any vehicle.
  - e. Passenger automobiles may be parked on driveways serving private residences, provided the automobile is parked completely on private property.
  - f. The forty five foot (45') line of sight as measured from the point of curvature on circular driveways shall remain open, and free from visual obstructions. (Ord. 10-20-2015B, 10-20-2015)

**B. Rear Setback Areas (Rear Yard Areas):**

1. A bay window or chimney not over ten feet (10') long projecting not more than two feet (2').

2. The projection of eaves or cornices not more than two feet (2').
3. Private swimming pools, **spas**, tennis courts and similar uses shall be allowed in a rear yard, provided they are located at least thirty feet (30') from any dwelling on an adjoining lot and at least ten feet (10') from any property line.
4. Garages, **carports**, and other accessory buildings as hereinafter provided. Such structures shall not cover over fifty percent (50%) of the rear yard area.
5. Hard surfaced parking areas subject to the same location requirements of a garage.
6. Air conditioners.
7. A fence or wall constructed in accordance with the provisions of section [10-5-18](#) of this chapter. (Ord. 7-7-98A, 7-7-1998)
8. Hot tubs, patios or similar uses at ground level shall be allowed in accordance with the provisions of section [10-5-29](#) of this chapter.
9. Accessory buildings and portable sheds located in conformance with the applicable setback requirements. (Ord. 10-20-2009C, 10-20-2009)
10. Customary vegetative landscaping. (Ord. 7-7-98A, 7-7-1998; amd. Ord. 5-19-2009A, 5-19-2009; Ord. 10-20-2009C, 10-20-2009)



# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	10/23/2018

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Discussion on Second Driveway Access
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Jenny Peay, Planning Associate
<b>BACKGROUND AND FINDINGS:</b> With the approval of new ordinance of ADU's, staff has indicated the existence of possible restrictions for some property owners. This is preventing them to meet the allowable off-street parking requirements. Staff is seeking direction and recommendations for allowing second driveway access for ADU parking. Possible issues are maintaining the 50% landscaping requirement for front yards, and having the additional drive access lead to an approved parking area.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> ADU code was approved by the City Council in July 2017	
<b>FISCAL IMPACT:</b> N/A	
<b>SUPPORTING DOCUMENTS:</b> Proposed code related to driveways	
<b>RECOMMENDATION:</b> Provide staff direction/feedback on drafting code in order to amend code to allow for second driveways.	
<b>MOTION:</b> No motion necessary, discussion item only	

### 6-3-2: PERMIT REQUIRED:

#### B. Application Requirements:

1. Application for a permit shall be filed with the city public works director on a form or forms to be furnished by the city. Property owners and/or tenants for whom work is being done shall be responsible for obtaining the permits, provided, however, contractors may obtain the permit in the contractor's name.
2. A person shall not be eligible to apply for or receive permits to do work within the public ways of the city, save and except the following:
  - a. Contractors licensed by the state as general contractors;
  - b. Providers;
  - c. Property owners installing, replacing or maintaining less than five hundred (500) square feet or one hundred ten (110) linear feet of sidewalk, curb and gutter, or driveway approach, or other work approved by the city public works director, upon a portion of the public way adjacent to their residence; or
  - d. Persons offering a service that requires occupation of the public way, such as scaffold or staging, staging of a crane, installation or maintenance of electric signs, glass, awnings and painting or cleaning of buildings or sign boards or other structures.
  - e. Curbs, gutters, and sidewalks shall be installed on all existing and proposed streets and along the frontage of any lot within a subdivision in conformance with the City standards, unless exempt by the City Public Work Director. Inspections by the City are required for the installation of all curbs, gutters, sidewalks, and drive approaches. If the developer/builder fails to notify the City for inspection prior to installation, the City Public Works Director may require remedial action, including but not limited to, the removal and replacement of the improvements in question. It is unlawful for any person to curb cut or change the construction of sidewalk, curb, or gutter without first making written application and obtaining proper permits from the city public works director.

### 10-5-5: DEVELOPMENT IN REQUIRED SETBACK AREA (REQUIRED YARD AREA):

#### A. Side Setback Areas (Side Yard Areas):

13. A driveway leading to a properly located garage or parking area, providing for or making possible the parking of automobiles. The city shall not allow; any curb cuts **without first making written application and approval to public work director** or approve any driveways except for entrance and exit driveways leading to properly located parking areas. **Driveways must extend to legal parking areas in side or rear setbacks of home. Parking areas are not permitted in front setbacks areas.**

#### C. Front Setback Areas (Front Yard Areas):

5. A driveway leading to a properly located garage or parking area; providing for or making possible the parking of automobiles. The city shall not allow any curb cuts or approve any driveways except for entrance and exit driveways leading to properly located parking areas. (Ord. 10-20-2015B, 10-20-2015) **Parking areas & driveways must be hardsurfaced, i.e. concrete, asphalt, brick pavers, turf block, etc. Certain sizes and restrictions apply to driveways, parking areas and residential garages. Driveways must extend to a legal parking area. Additionally, driveways shall not cover over fifty percent (50%) of front setback areas.**



# CITY OF CEDAR HILLS

<b>TO:</b>	Planning Commission
<b>FROM:</b>	Chandler Goodwin, City Manager
<b>DATE:</b>	10/23/2018

## Planning Commission Agenda Item

<b>SUBJECT:</b>	Discussion on Moderate Income Housing Plan, and Amending General Plan
<b>APPLICANT PRESENTATION:</b>	N/A
<b>STAFF PRESENTATION:</b>	Chandler Goodwin, City Manager
<b>BACKGROUND AND FINDINGS:</b>  The City staff has been working with the Mountainland Association of Governments on drafting a Moderate Income Housing Plan (MIH) for the City of Cedar Hills. By Utah State Code, Cedar Hills is required to have a MIH, and develop a plan for how to promote affordable housing in the City. Cedar Hills has a number of unique challenges as it relates to housing, namely demographics and land availability. Cities are required to have a MIH as part of their General Plan; Cedar Hills has never adopted a MIH. Staff will be presenting on the MIH and how it relates to Cedar Hills, and will be looking for recommendations from the Planning Commission on how to improve it and to begin to develop goals to promote affordable housing in our community. This will be noticed as a Public Hearing and action item in the November Planning Commission meeting.	
<b>PREVIOUS LEGISLATIVE ACTION:</b> N/A	
<b>FISCAL IMPACT:</b> N/A	
<b>SUPPORTING DOCUMENTS:</b> Draft Moderate Income Housing Plan	
<b>RECOMMENDATION:</b> Provide feedback on draft and begin to set goals for affordable housing	
<b>MOTION:</b> No motion necessary, discussion item only.	