NOTICE OF
PLANNING COMMISSION MEETING
Tuesday, November 27, 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, November 27, 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 & PUBLIC HEARINGS

3. Approval of minutes from the October 23, 2018 Planning Commission Meeting
4. Review/Recommendation and Public Hearing on Amendments to the City's General Plan related to Adopting a Moderate Income Housing Element
5. Review/Recommendation and Public Hearing on Amendments to City Code Title 10, Chapter 5-29 related to Carports, Land Sea Cargo Containers, and Accessory Structures
6. Review/Action on approving the 2019 Planning Commission Meeting Schedule

ADJOURNMENT

7. Adjourn

Posted this 20th day of November, 2018 /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, City Manager
DATE:	11/27/2018

Planning Commission
Agenda Item

SUBJECT:	Moderate Income Housing Plan, and Amending General Plan
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

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.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Draft of Moderate Income Housing Plan

RECOMMENDATION:

Review proposed Moderate Income Housing Plan; make any necessary recommendations or modification to the City Council.

MOTION:

To recommend/not recommend the proposed Moderate Income Housing Element for adoption as part of the Cedar Hills General Plan, subject to the following changes {LIST ANY CHANGES NECESSARY}.

Housing Goals Background

Cedar Hills is a bedroom-type community, located at the entrance of American Fork Canyon in Utah County. Due to the City's location and demographics, unique zoning limitations restrict provisions for high-density housing. These limitations include: 1) being almost built out to its borders; 2) having unsuitable development opportunities in the hillside residential areas; and 3) having limited commercial areas. It is not anticipated that the City will use commercial areas as a component to low-income housing developments. However, from a recent settlement agreement, which was reached between the City and a land developer, an 80-home, planned development subdivision will be the City's major building impact in the immediate years to come.

Transportation concerns may also play a factor in the desirability of high-density housing in Cedar Hills. The City is approximately seven miles from the closest Interstate freeway, and the lack of convenient public transit services may also contribute, with services only available in nearby cities. Furthermore, the area is somewhat remote for commuting or having a successful home-based business with clientele on site.

State Code further delineates specific policies and procedures, which may be implemented in order to achieve the requirement for low-to-moderate income housing options:

GOAL 1:
Create and allow for, and reduce regulations related to, accessory dwelling units in residential zones.

OBJECTIVES:

- To provide additional dwelling opportunities by allowing for accessory dwelling units in residential zones throughout the City.
- Streamline approval processes by outlining a clear and concise procedure for residents to follow for ADU approval.

POLICIES:

- To provide updated forms that reflect current zoning standards

- To not require impact fees for accessory dwelling units that have no measurable impact on City infrastructure
- To provide for an amnesty period for existing ADU's to self-report and come into compliance with current building and zoning code

GOAL 2:
Allow for housing in commercial and mixed-use zones

OBJECTIVES:
- Continually re-evaluate City Code related to commercial development by allowing for a limited amount of residential development to be ancillary to any commercial development

POLICIES:
- Staff will annually evaluate programs as they become available

GOAL 3:
Consider utilization of programs made available to municipalities to assist in the promotion and development of moderate income housing.

OBJECTIVES:
- Consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity
- Consider utilization of affordable housing programs that are administered by the Department of Workforce Services

POLICIES:
-

GOAL 4:
Allow for single room occupancy

OBJECTIVES:
- To evaluate, and if necessary, promote single room occupancy as a means to develop more moderate income housing in Cedar Hills

POLICIES:

- To begin discussions with planning commission and city council to allow for single room occupancy

The City of Cedar Hills is committed to pursue all applicable and realistic housing options, which allow for equitable housing choices. On July 17, 2018, the City Council approved and updated an ordinance for accessory dwelling units (ADUs). This (07-17-2018A) reflects the City's intent to provide adequate moderate-income housing options to meet State requirements. In addition to complying with State legislation, this new ordinance simplifies the process and costs for creating and registering accessory apartments in Cedar Hills. Waived impact fees and a one-time registration fee have been put in place to allow for fewer ADU restrictions and to streamline the registration process for property owners. The ordinance also provides an amnesty period of two years for those currently renting unregistered accessory apartments. Certificates of occupancy from the building department will be required for the portions of the homes used for accessory apartments.

Conclusion

Utah State Code requires that municipalities consider the State Legislature's determination that cities shall facilitate a reasonable opportunity for a variety of housing, including moderate-income housing. Due to demographics and limited land availability, the City will facilitate state requirements by allowing ADUs to meet these requirements. Persons or families who desire to live in Cedar Hills will now have moderate-income housing options, allowing full participation in all aspects of the community.

Moderate Income Housing

An element of Cedar Hills' General Plan

What does this element do?

The purpose of this moderate-income housing element of the general plan is to ensure that Cedar Hills provides a reasonable opportunity for a variety of housing, including moderate income housing, to meet the needs of those desiring to live in the City. Utah State Code requires cities to adopt a plan for moderate income housing

According to Utah Code 10-9a-103

"Plan for moderate income housing" means a written document adopted by a city legislative body that includes:

a. An estimate of the existing supply of moderate income housing located within the city
b. An estimate of the need for moderate income housing in the city for the next five years as revised biennially;
c. A survey of total residential land use;
d. An evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
e. A description of the city's program to encourage an adequate supply of moderate income housing

Moderate Income Housing Defined

Moderate income housing is defined as (Utah Annotated Code 10-9a-103-29) "...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." The 2018 Area Median Income (AMI), as provided by HUD office of Community Development (CPD), for Utah County is $74,700. Cedar Hill's median household income level as provided by the 2012-2016 ACS is $107,840.

In order to place the definition of the State Code in real terms, it is helpful to understand that affordable housing is generally deemed to be "Affordable" if the cost of monthly housing expenses is ≤30% of gross household income. The following table defines the income levels, lists affordable monthly housing expenses for each income level, and maximum mortgage amount at each income level based upon the 2018 AMI. Maximum Mortgage Amount calculated on 30-year loan, 4.25% interest rate. Some examples of those making 80% or less of the Area Median Income are law enforcement, teachers, and nurses.

2018 Affordable Housing Calculation

Income Categories Area Median Income (AMI)	Yearly Income	Max. Monthly Income Spent on Housing	Max. Mortgage Amount
≤30%	≤$22,410	≤$560	$114,000
>30% to ≤ 50%	>$22,410 to ≤ $37,349	$934	$190,000
>50% to ≤ 80%	>$37,350 to ≤ $59,759	$1,494	$300,000
>80% to ≤100%	>$59,760 to ≤ $74,700	$1,868	$378,000

Cedar Hills Background

Moderate income housing means "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located." (Utah Code, Section 10-9a-103). In the following analysis, moderate income housing will be divided into three categories: 80%, 50%, and 30% of the median gross income.

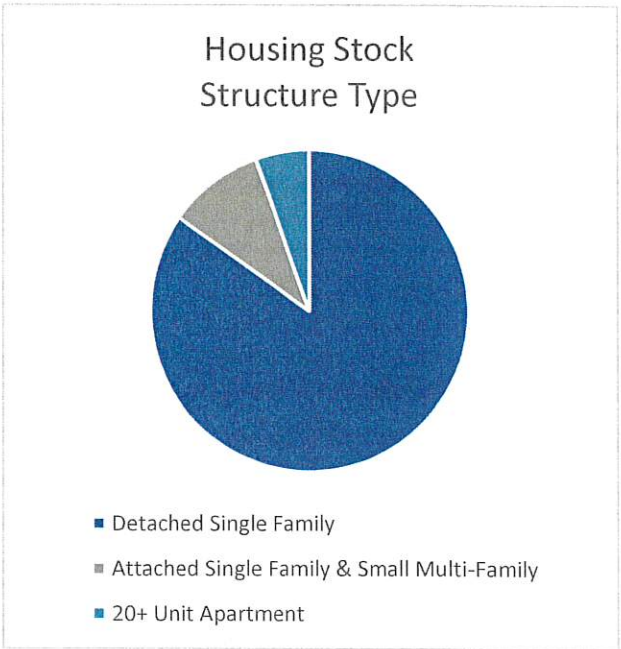
According to the definition, the Utah County moderate income level is recommended to be used in assessing the affordability of housing in Cedar Hills. The average household size for Utah County was 3.6 persons in 2017, rounding to 4.0 for statistical purposes. In 2017 the median gross income for a family of four in Utah County was $64,321. Therefore, an average household earning less than 80% ($51,456), 50% ($32,160), and 30% ($19,296) of the Utah County median income is considered to be the standard by which Cedar Hills should assess the affordability of housing within the community.

However, the use of the Utah County median income level does not adequately reflect current income levels in Cedar Hills. Therefore, various demographic data must be taken into consideration. Based on 2017 census data, Cedar Hills median household income level was about 38% higher than the Utah County level. At the 80% threshold, the median household

income for Cedar Hills is $70,988, a difference of 38%. Naturally, higher levels of median household income reflect in higher average home values and prices on the housing market.

Housing Supply

According to the American Community Survey (2012-2016) Cedar Hills had 2,679 housing units at 96.5% occupancy rate. The housing stock is relatively young, with approximately 66.8% of the housing units being constructed 2000 or later, and a full 93% constructed 1980 or later. Single-family dwellings constituted 84.8% of the housing stock with another 9.7% being attached single family dwellings and small multi-family units. Twenty plus unit apartments made up the remaining 5.5% of housing units.

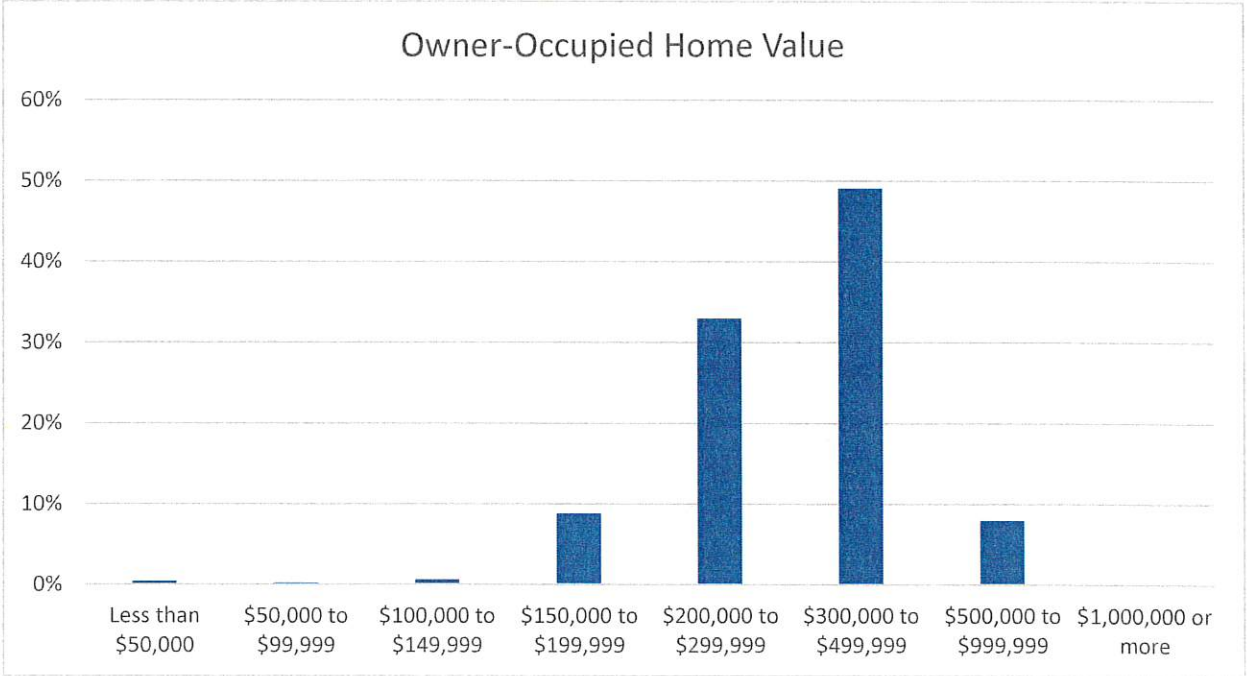


93%

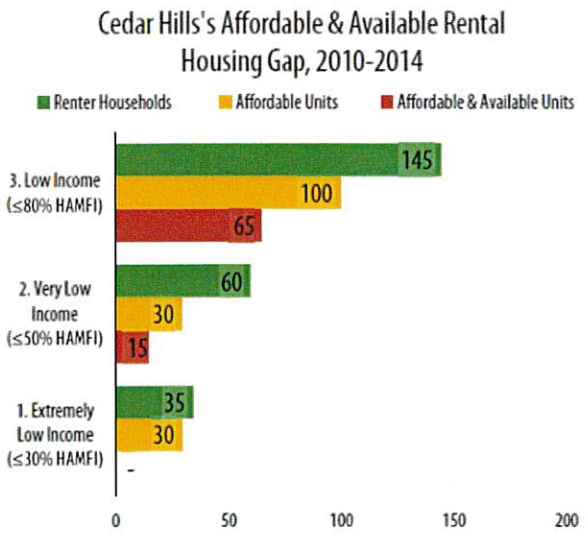
of homes built in or after 1980

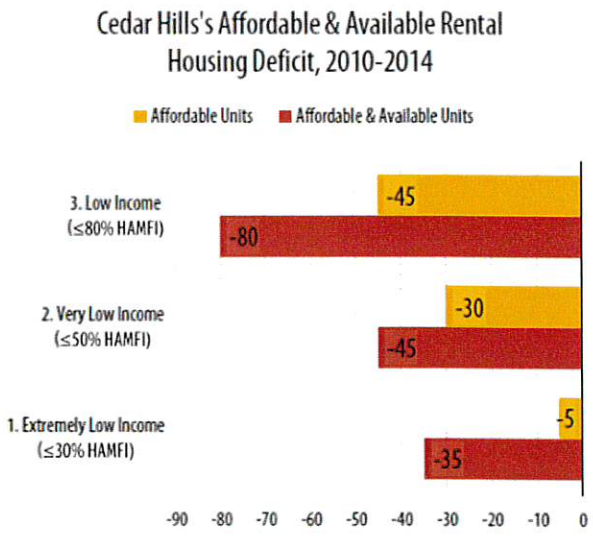
The newer homes in Cedar Hills follow the national trend of an increasing number of square feet per person. More established cities see a greater percentage of older, smaller, and more affordable homes, but Cedar Hills' relatively recent growth in a "bedroom community" area has resulted in larger, costlier homes for larger-than-average families. Cedar Hills is relatively distant from major employment centers and institutions of higher learning and transit routes when compared to other cities in the county, dampening the demand for higher-density housing.

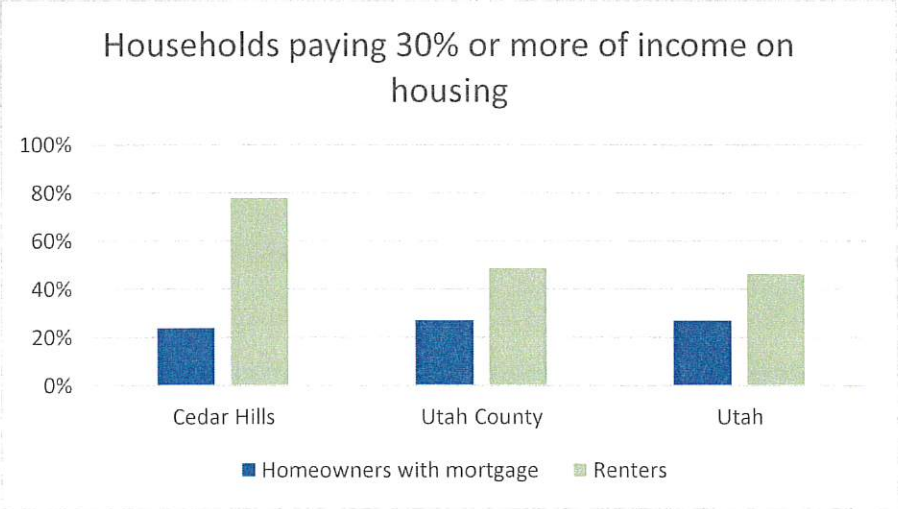
In order for a person making 80% of Area Median Income to purchase an affordable home (one whose costs are less than 30% of income), they would pay less than $1,494 per month on home expenses or a roughly $210k mortgage. This describes about 10% of the current housing stock.



Rental housing shows a large gap between the renter households and affordable and available rental units according the U.S. Dept of Housing & Urban Development's 2017 Comprehensive Housing Affordability Strategy (see figure below). An affordable unit is one which a household at the defined income threshold can rent without paying more than 30% of its gross income on housing and utility costs. A unit is affordable and available only if that unit is both affordable and vacant or is currently occupied by a household at or below the defined income threshold.





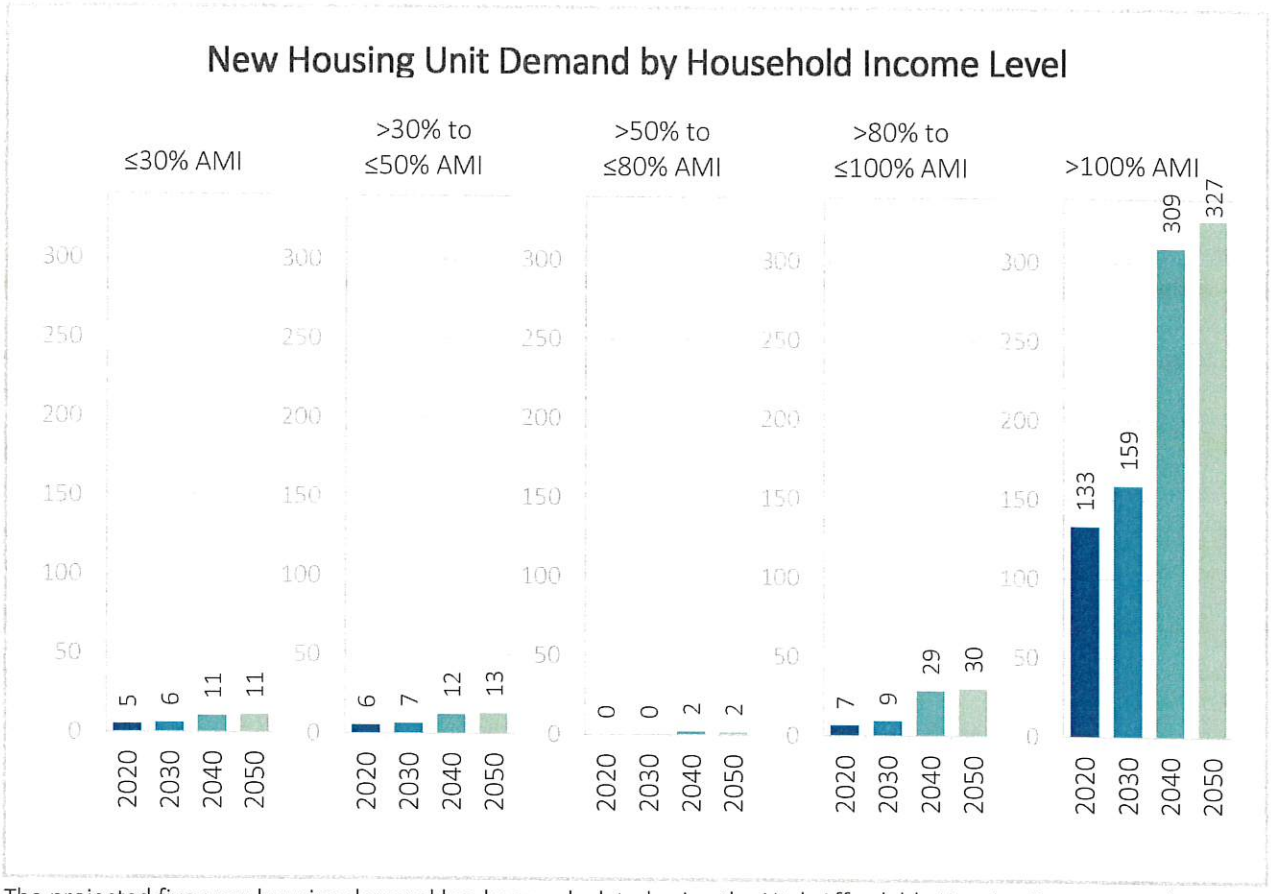


Renters seem disproportionately burdened by housing costs in Cedar Hills according to rental rates from the 2012-2016 American Community Survey.

5 Year Moderate Income Housing Need

By extrapolating from the Utah Affordable Housing Forecast Tool's estimates below, Cedar Hills will need about 20 additional dwellings with monthly payments less than $1,494 by 2023.

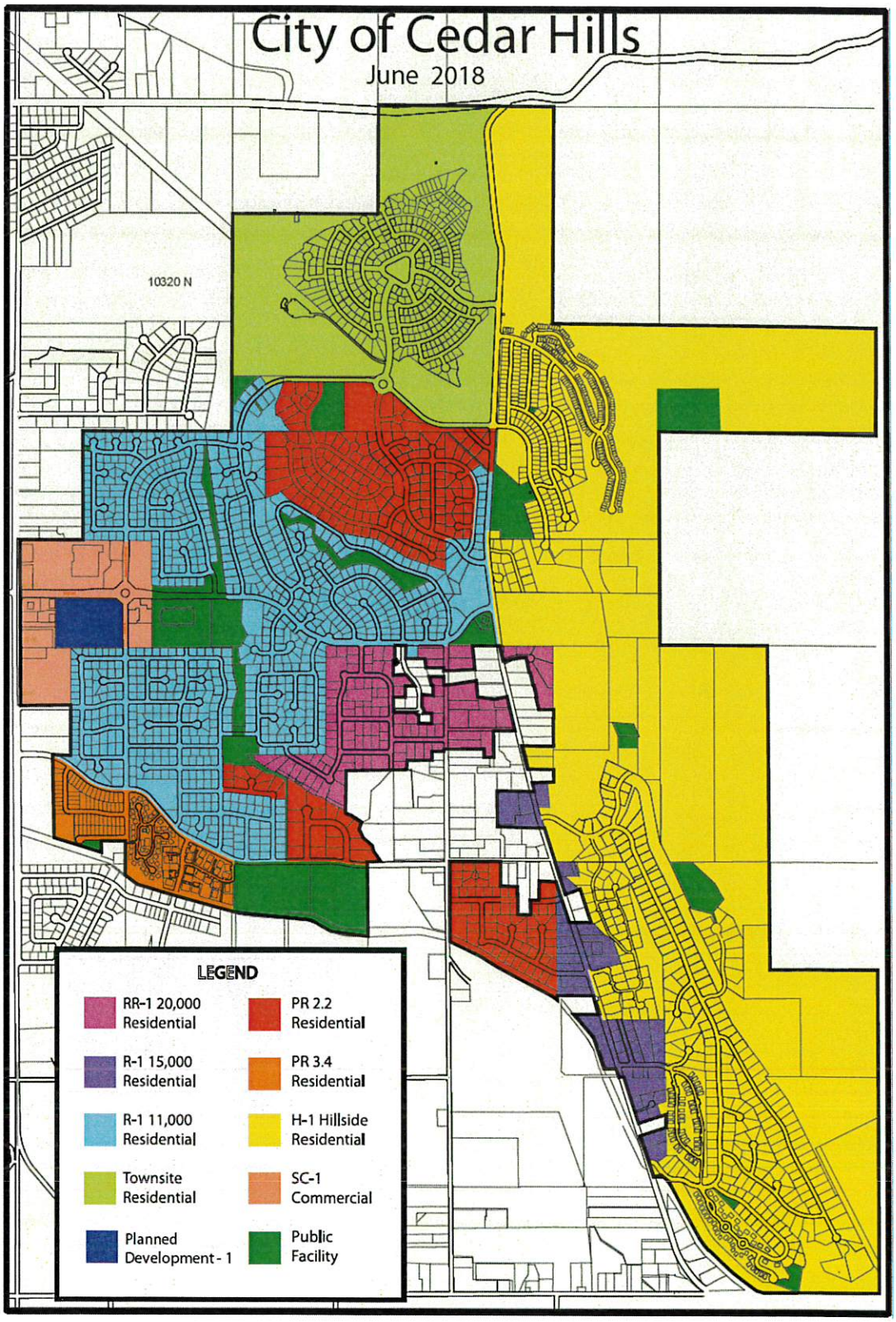
20	additional moderate-income dwellings by 2023



The projected five-year housing demand has been calculated using the Utah Affordable Housing Forecast Tool UAHFT 2.1 developed by the Utah Division of Housing and Community Development. The model uses the population projections by the Governor's Office of Planning and Budget, 2010 Census Data, the American Community Survey 2012 (ACS) economic data, Housing and Income data provided by the Department of Housing and Urban Development Office of Community Planning and Development (CDP), and the available housing inventory.

Survey of Residential Zoning & Impact on Housing Opportunities

The R-1100, R-15,000, R-20,000, H-1, and PR 2.2 zones, which make up the 92% of land area for residential housing zones, require a minimum of 1,200 square feet of living space on .25 acre or greater lots. According to Zillow.com, the average price per square foot for a home in comparable cities is about $205. For a 1,200 sq ft home, a buyer would expect to pay about $246,000. This is not affordable for those making 80% or less of the AMI. Changing requirements for living space, however, would do little to lower costs of building a new home as the sale price of the lot does not necessarily decrease in direct proportion to a reduction in lot size and there are few lots left to sell. The PD 1, PR 3.4 and TR-1 zones, comprising about 8% of land area for residential housing zones, allow more flexibility in both lot size and square footage.



Cedar Hills has few opportunities to build higher-density housing within its city limits as most land is either already built upon, has submitted plans for

development, or is unsuitable for development (hillside). Except for nine acres on the west side of town which will add to the little commercial development Cedar Hills currently has, most additional moderate-income housing would have to be through razing or repurposing existing homes, of which only 7% were built before 1980 (ACS 5-year estimates, 2012-2016).

Cedar Hills allows Accessory Dwelling Units and Assisted Living Facilities in all residential zones and has two senior living centers.

Program to Encourage Moderate Income Housing

According to a 2015 survey conducted by Cedar Hills, 7% of the 449 respondents had ADUs. If this factor were applied to the total number of single family homes, Cedar Hills could currently have about 160 ADUs. City Staff have long suspected that the total number of ADUs is far greater than those known by the city or reported to the Census Bureau (48 in total) due to the difficulty and expense of registering a legal ADU. If these ADUs exist, they would go a long way toward filling the 80-household gap in affordable and available rental units calculated by the U.S. Dept. of Housing & Urban Development in 2017.

Cedar Hills updated their zoning ordinances in 2018 to ease the requirements for creating ADUs and is considering an amnesty period for those who currently rent illegal ADUs. The city recognizes that ADUs are an important way to provide moderate income housing and defray costs for homeowners.

Special Needs

Cedar Hills has a growing number of elderly citizens that desire to stay in the community. Some are finding as they age, their current homes in which they raised their families no longer met their needs. Some desire smaller homes, with little to no yard work, possibly single level living or facilities that provide various social activities or various levels of assistance. Cedar Hills will continue to allow Assisted Living Facilities in all residential zones and recognizes ADUs are a source of supplemental income for those who no longer use their entire square footage.

EXAMPLE

Housing Goals, Objectives, and Policies

Goal 1: Provide reasonable opportunities for moderate income housing to meet the needs of those desiring to live in the City.

Objective: Continue to allow accessory apartments as options for those at every low-moderate income level.

Policies

1. Simplify the process and costs for creating and registering accessory apartments.
2. Provide an amnesty period for those currently renting unregistered accessory apartments.

CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	11/27/2018

Planning Commission
Agenda Item

SUBJECT:	Review/Recommendation on Amendments to Cedar Hill City Code related to Carports, Land Sea Cargo Containers, and Accessory Structures §10-5-29.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	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.

City Code only has a definition 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:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Proposed amendments to code 10-5-29

RECOMMENDATION:

Staff recommends that this item be tabled for further modifications to the proposed code.

MOTION:

To recommend/not recommend the proposed amendments to Cedar Hills Municipal Code §10-5-29, relating to carports, land sea cargo containers, and accessory structures, subject to the following modifications {LIST ANY APPLICABLE CHANGES}.

10-2-1: TERMS DEFINED:

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

CARGO CONTAINER: A large metal box used for the transportation of goods

~~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 STRUCTURES: A structure constructed on the same zoning lot as a dwelling and which is intended for the incidental and exclusive use of the residents of said dwelling. Such structures do not substantially alter the characteristics of the permitted principle use or structure. Accessory structures and uses include, but are not limited to buildings such as: detached garages, carports, swimming pools, tennis courts, green houses, equipment and supply storage buildings which are customarily use in conjunction with and incidental to the principle use or structure within each permitted zone.

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

A. Structures Permitted: Decks, porches, patios, pergolas, awnings, carports, 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. Carports may only be used for the parking and storage of vehicles and/or recreational vehicles.

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 design, materials and finish of the proposed attached structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding. (Staff is seeking additional information and input from Planning Commission)

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.

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. A Carport may be located in side or rear setbacks of property, provided structure is not integrated into the design front of main garage entrance.

(1). Carports shall meet side and rear setback regulations for Accessory structures in each zone.

(2). The total width of the carport located on a side setback shall not exceed twenty-four feet.

(3). Carport may be located on one side set back area of home only. Carports located in side setbacks may not extend beyond side setback areas of property or the outside the existing roofline of the garage whichever is greater.

(4). Carport elevation must not exceed the main dwelling elevation. The extended structure shall not exceed one story, and shall not extend above the roofline of the existing residential structure.

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.~~ Portable garages or canopies are prohibited in all residential zones. Prefabricated carports will be subject to engineering approval.

A. 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)

B. Storage containers, freight/cargo containers, box cars, and similar storage equipment are prohibited as accessory structures or defined as a shed. Temporary storage containers may be used during a move, but may not be present on the property for more than 72 hours.

C. Cargo Containers: Cargo containers may be approved for temporary use by the city under the following standards:

1. Construction or renovations provided a building permit has been issued for construction related activities. The cargo container may be allowed on site with an active building permit. For the purpose of permitted cargo containers, a building permit will be considered inactive after one hundred eighty (180) days after the last inspection that shows substantial progress toward completion of the project.

2. Cargo containers must not be located in fire lanes, required parking spaces, landscaping and must be placed on an improved surface, unless approved with the building permit.

PUBLIC NOTICE OF REGULAR MEETINGS FOR THE PLANNING COMMISSION 2019

The City of Cedar Hills, Utah, hereby gives notice that the Planning Commission will hold its regular meetings beginning at 7:00 p.m. at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah on Tuesdays according to the following schedule:

MONTH	DATES	TIME
January	29	7:00 p.m.
February	26	7:00 p.m.
March	26	7:00 p.m.
April	30	7:00 p.m.
May	28	7:00 p.m.
June	25	7:00 p.m.
July	23	7:00 p.m.
August	20	7:00 p.m.
September	24	7:00 p.m.
October	29	7:00 p.m.
November	26	7:00 p.m.
December	No Meeting	7:00 p.m.