

PUBLIC HEARING AND PLANNING COMMISSION MEETING

Thursday, September 30, 2010 7:00 p.m.

Public Safety Building

3925 W Cedar Hills Drive, Cedar Hills, Utah

Present: Cliff Chandler, Chair, Presiding
Commission Members: Craig Clement, Glenn Dodge, Donald Steele, Trent Augustus,
Daniel Zappala (7:04 p.m.), Gary Maxwell (7:09 p.m.)
Greg Robinson, Assistant City Manager
Brad Kearl, Building and Zoning Official
Courtney Hammond, City Meeting Transcriber

PLANNING COMMISSION MEETING

1. This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 7:03 p.m. by C. Chandler.

Trent Augustus was recognized as a voting member.

2. Public Comment (7:03 p.m.)

No comments.

PUBLIC HEARINGS

3. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Animal Units, Small (7:03 p.m.)

No comments.

4. Amendments to the City Code, Title 10, Chapter 5, Supplementary Development Standards, Regarding Signs and Campaign Signs (7:04 p.m.)

No comments.

5. Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Accessory Apartment (7:04 p.m.)

No comments.

SCHEDULED ITEMS

6. Approval of Minutes from the August 26, 2010, Public Hearing and Regular Planning Commission Meeting (7:05 p.m.)

MOTION: C. Dodge - To approve the minutes from the August 26, 2010, Public Hearing and Regular Planning Commission Meeting. Seconded by C. Clement.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Steele Motion passes.

MOTION: C. Chandler - To move item 10 below item 7. Seconded by C. Clement.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Steele Motion passes.

7. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of a Family (7:06 p.m.)

See handouts.

Staff Presentation:

Greg Robinson stated that this item was continued from the previous meeting in order to see and compare it with the definition and ordinance for accessory apartments. Municipalities cannot be more restrictive than the state code with which this amendment complies.

MOTION: C. Steele - To table this item until we have a chance to discuss the next item on the agenda related to apartments. Seconded by C. Augustus.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell
C. Steele Motion passes.

10. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Accessory Apartment (7:11 p.m.)

See handouts.

Staff Presentation:

Brad Kearn stated that this amendment defines accessory apartments. Basement rentals are permitted in the City to comply with HUD's affordable housing requirement. Previously, basement apartments were allowed under the definition of family. This amendment defines an accessory apartment and limits it to two people per bedroom with a maximum of six people. Off-street parking must be provided for tenants.

Commission Discussion:

- C. Clement stated that definitions are supposed to define areas of the code that addresses certain issues such as accessory apartments. There should be a section of the code on accessory apartments. Accessory apartments should be a conditional use for all residential zones.
- Brad Kearl stated that if the Commission would like a separate section in the code for accessory apartments the first sentence of the definition can serve as the definition with the second sentence regarding restrictions as the code section on accessory apartments.
- C. Steele stated that he does not think it is true that accessory apartments are needed to meet HUDs requirements for affordable housing. The exact calculations have not been done, and the City may well meet the requirements without accessory apartments.
- C. Maxwell stated that with this amendment the off street parking requirement will limit the numbers of possible accessory apartments. The definition looks good and is worded appropriately. He suggested passing it along to the City Council with the recommendation of including accessory apartments in both the definitions and a section of the code.
- Greg Robinson suggested the change be placed in one section of the code and be referenced whenever it applies. That way if it is ever changed, it only has to be changed in one place.

MOTION: C. Clement - To add section 10-4-2, titled Regulations within Residential Zones and include within that residential zones allow single family homes to have an accessory apartment limited to two persons per bedroom with a maximum of six people and providing off-street parking for the additional occupants include all residential zones including H-1. In addition adding to the definitions section of Title 10 the term “accessory apartment” defined as, “shall mean a subordinate dwelling which has its own eating, sleeping, and sanitation facilities within a main residential building and having no separate address or utilities. Seconded by C. Augustus.

Further Discussion:

- C. Steele stated that he would like to see the agenda item memo changed to delete the phrase “in order to comply.” He does not want to imply that this change was made to comply with HUD requirements.

AMEND MOTION: C. Clement - To delete the sentence from the background and findings on the agenda item stating, “In order to comply with HUD’s affordable housing requirements for each jurisdiction, basement rentals are permitted, in all Zones, under certain conditions.” Accepted and seconded by C. Augustus.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell
C. Steele

Motion passes.

7. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of a Family (CONTINUED) (7:51 p.m.)

MOTION: C. Augustus - To recommend to the City Council the proposed definition as amended by staff. Seconded by C. Clement.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell
C. Steele Motion passes.

8. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 2, Definitions, Regarding the Definition of Animal Units, Small (7:52 p.m.)

See handouts.

Staff Presentation:

Brad Kearl stated that the current definition does not include a stipulation on roosters or geese. This amendment would prohibit roosters or geese.

MOTION: C. Clement - To add to the definition of small animal unit that no roosters or geese shall be permitted. Seconded by C. Maxwell.

- C. Steele stated that he knows a man with a coop of pigeons that violates the four square feet per pigeon because pigeons are roosting animals.
- Brad Kearl stated that the intention of the definition in the code was cubic feet.

AMEND MOTION: C. Clement - To change in the definition, four square feet to four cubic feet. Seconded by C. Maxwell.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell
C. Steele Motion passes.

9. Review/Recommendation on Amendments to the City Code, Title 10, Chapter 5, Supplementary Development Standards, Regarding Signs and Campaign Signs (7:58 p.m.)

See handouts.

Greg Robinson stated that staff anticipated comments from the city attorney on this issue but no comments have been received. He recommended tabling the item.

MOTION: C. Chandler - To table this item until we receive comments from city attorney regarding signs and campaign signs. Seconded by C. Clement.

Yes - C. Augustus
C. Chandler
C. Clement
C. Dodge
C. Maxwell
C. Steele

Motion passes.

11. Committee Assignments and Reports (8:00 p.m.)

No reports.

ADJOURNMENT

12. Adjourn

This meeting was adjourned at 8:00 p.m. on a motion by C. Maxwell, seconded by C. Dodge, and unanimously approved.

Approved by Commission:
November 18, 2010

/s/ Kim E. Holindrake
Kim E. Holindrake, City Recorder