

**PLANNING COMMISSION MEETING**  
Tuesday, September 26, 2017      7:00 p.m.  
Community Recreation Center  
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: David Driggs, Chair, Presiding  
Commissioners: Brian Miller, LoriAnne Spear, John Dredge,  
Craig Clement, Jeff Dodge, Steven Thomas  
Absent/Excused: Jared Anderson  
Chandler Goodwin, City Manager/City Planner  
Denise Andersen, City Council Representative  
Gretchen Gordon, Deputy City Recorder

1. Call to Order

This meeting of the Planning Commission of the City of Cedar Hills having been properly noticed was called to order at 7:09 p.m. by David Driggs. C. Thomas was recognized as a voting member of the Commission.

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

Kelly Smith, 9037 North Silver Lake Drive, addressed the solar panel discussion and said that she had emailed some photographs to Mr. Goodwin of the solar panels her neighbor had recently installed. The 12-foot panels were directly on the property line and the neighbor's property was higher in altitude, so the view from the Smith property was completely obstructed. Although Mrs. Smith knew that nothing could be done retroactively for her situation, she wanted to be sure that the Planning Commission discussed how ground-mounted solar panels would affect other residents.

PUBLIC HEARING

- Amendments to the City Code Title 10, Chapter 5, Section 27: Landscaping, Relating to Artificial Turf

There were no comments.

- Amendments to the City Code Title 10, Chapter 5, Section 38, Relating to Ground Mounted Renewable Energy Systems

There were no comments.

**MOTION: John Dredge – To close the Public Hearing.** Seconded by Jeff Dodge.

Aye   -   C. Clement  
C. Dredge  
C. Dodge  
C. Driggs

C. Miller  
C. Spear  
C. Thomas     Motion passes

SCHEDULED ITEMS

3. Approval of Minutes from the August 31, 2017 Planning Commission Meeting

**MOTION: C. Thomas—To approve the minutes from the August 31, 2017 Planning Commission Meeting.** Seconded by C. Dredge.

Aye     -     C. Clement  
                  C. Dredge  
                  C. Dodge  
                  C. Driggs  
                  C. Miller  
                  C. Spear  
                  C. Thomas     Motion passes

**MOTION: C. Thomas – To address Item #4 after #5.** Seconded by C. Dredge.

Aye     -     C. Clement  
                  C. Dredge  
                  C. Dodge  
                  C. Driggs  
                  C. Miller  
                  C. Spear  
                  C. Thomas     Motion passes

4. Review/Recommendation on Amendments to the City Code Title 10, Chapter 5, Section 27: Landscaping, relating to Artificial Turf

*NOTE: Item 4 was discussed after Item 5.*

Mr. Goodwin presented the staff report and reported that he had not yet made any of the changes that were recommended at the previous meeting, he noted that the phrase "shall consist of green grass-like individual blades" would be reflected in the next draft. C. Dredge said the current code language would be sufficient, based on his research of artificial turf.

C. Miller had several concerns with maintenance, replacement schedules, and enforcement. He asked if the City would be determining when turf needed to be replaced. Mr. Goodwin noted there are good artificial turf options available, but they were expensive. There was some discussion on how to measure discoloration and other installation concerns.

C. Dodge stated that the proposed amendment would allow the installation of artificial turf on the front and side yards, subject to all code requirements. Mr. Goodwin confirmed and noted that it was already legal to have artificial turf in backyards. C. Dodge commented that he understood the desire to preserve water, but he preferred xeriscaping. He was opposed to allowing artificial turf in the front yard.

C. Dredge felt that the ordinance was acceptable, and he did not feel that artificial turf yards were unsightly. Artificial turf was a low-maintenance option, used less water, and it would not be any hotter than asphalt. There was a brief discussion on environmental impact. C. Dredge mentioned there was a home on Bayhill Drive that had artificial turf in the front yard, but he could not distinguish it from the other grass lawns.

The Planning Commission compared the existing code to the proposed language. After some discussion, most of the Commissioners determined that artificial turf should be disallowed.

**MOTION: C. Dodge – To recommend to the City Council that artificial turf be a prohibited landscaping method for front and side yards, with the language which reads “artificial turf is not an acceptable type of ground cover and does meet the intents or provisions of this section. The installation of artificial turf shall be prohibited in the front and side of any resident or commercial lot”.** Seconded C. Spear.

Aye - C. Clement  
C. Dodge  
C. Driggs  
C. Miller  
C. Spear  
C. Thomas

Nay - C. Dredge Motion passes.

5. Review/Recommendation on Amendments to the City Code Title 10, Chapter 5, Section 38, Relating to Ground Mounted Renewable Energy Systems

*NOTE: Item 5 was discussed prior to Item 4.*

Mr. Goodwin first explained that the City was not considering disallowing ground-mounted solar panels, but they wanted to create a building envelope that would mitigate impacts to the surrounding areas. Rather than allowing installation of ground mounts right on the property line as in Ms. Smith's case, the code would require a minimum setback of 15 feet from any property line. In addition, for every foot above 10 feet in height, the setback requirement would increase another two feet. The maximum height would be 20 feet high, which would require a setback of 45 feet from the property line. Mr. Goodwin noted that the measurement would be taken from the edge of the panel rather than the mount. C. Clement noted it would be more feasible on a flat lot than a hillside area.

Mr. Goodwin mentioned that glare restriction was considered in another section of the code. C. Thomas commented that the electric code requires that the equipment be inaccessible to the public. Mr. Goodwin noted the existing code required fencing around the ground-mounted solar panels.

C. Driggs said his opinion had not changed since they discussed the issue previously. He felt that ground-mounted solar panels should be prohibited altogether. He commented that most homes would have ample space for panels on the roof, which would not create a safety hazard or block views.

C. Thomas disclosed he worked for a power company.

C. Clement said that there were many neighborhoods in the City that had a lot of one acre or larger and ground-mounted solar panels would not affect neighbors in the slightest in these areas.

Mr. Goodwin asked the Planning Commission if they wanted to adjust the proposed language in any way.

C. Dodge said that 20 feet tall seemed high and he would feel more comfortable with a limit of 15 feet. He mentioned that having fencing should be a non-negotiable item. Mr. Goodwin explained that the existing code treats solar panels like accessory buildings, which was why the height limit was set to 20 feet. The solar panels would also have to meet all building, electrical, and fire codes adopted by the City, and a building permit was required in order to install them. If someone's solar panels violated any of the City's adopted codes, the City could take action.

The Planning Commission briefly discussed the Smith's circumstances and how a fence would be constructed in that instance. The neighbor had been told that the panel was not to hang over onto the Smith property, but the panels were so close to the property line that a fence could not be constructed there.

The Planning Commission requested that the maximum height be changed to 15 feet and that staff include language stating that the panels would be subject to all adopted building codes. There was some discussion regarding the building and electrical codes that had already been adopted by the City. C. Thomas suggested that the item be tabled to allow for further research. He felt that the Planning Commission was inexperienced on the building and electrical codes and he did not want anything to be overlooked. C. Driggs was concerned about other applications that could come in while this item was being researched. Mr. Goodwin reminded the Commission that the City could deny an application while this was being processed.

Kelly Smith asked if there could be a requirement to notify neighbors and a caveat included for elevation. Mr. Goodwin said there was not currently a requirement for notification.

There was some discussion about natural elevations and how that could be included in the amendment.

**MOTION: C. Dredge – to table the proposed changes to the City Code Title 10, Chapter 5, Section 38, Relating to Ground Mounted Renewable Energy Systems while we do further research.** Seconded by C. Dodge.

Aye - C. Clement  
C. Dodge  
C. Driggs  
C. Miller  
C. Spear  
C. Thomas

ADJOURNMENT

This meeting was adjourned at 7:51 p.m. on a motion by C. Dredge, seconded by C. Dodge and unanimously approved.

Approved:  
October 24, 2017

/s/ Colleen A. Mulvey, MMC  
City Recorder