



**NOTICE OF
PLANNING COMMISSION MEETING
Thursday, October 24, 2013 7:00 p.m.
PLEASE NOTE CHANGE OF MEETING LOCATION
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 regular **Planning Commission Meeting on Thursday, October 24 2013, 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)

PUBLIC HEARING

3. Preliminary Plan for a Development in the SC-1 Commercial Zone, located at approximately 4600 West and Cedar Hills Drive

SCHEDULED ITEMS:

4. Approval of Minutes from the August 22 and September 26, 2013 Planning Commission meetings
5. Discussion on Preliminary Plan for a Development in the SC-1 Commercial Zone, located at approximately 4600 West and Cedar Hills Drive
6. Review/Action on Portable Utility Sheds
7. Review/Action on Granting "Waffle Luv" a Conditional Use Permit
8. Discussion on the 2014 Meeting Schedule
9. Discussion on Public Noticing Procedures on items Recommended to the City Council
10. Discussion on Setbacks
11. Discussion on the Definition of "Family"
12. Committee Assignments and Reports

ADJOURNMENT

13. Adjourn

Posted this 18th day of October, 2013

Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site 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.

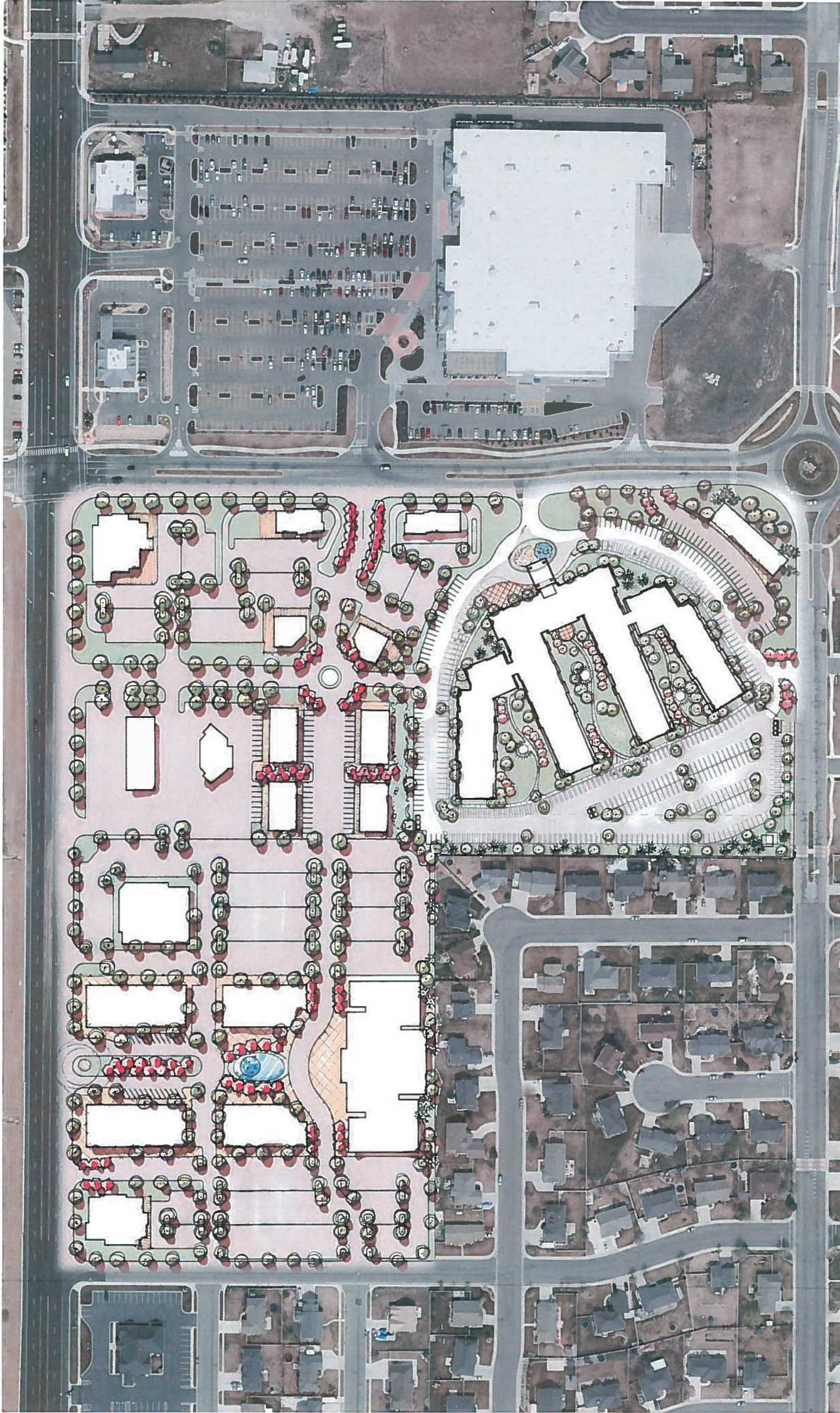


CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Public hearing and discussion on preliminary approval for Blu Line Designs proposed project located at 4600 W Cedar Hills Dr.
APPLICANT PRESENTATION:	Cory Shupe, Doug Young
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS: As part of the approval process a public hearing is required to take place in the Planning Commission. The purpose of the public hearing is to allow residents and concerned parties to give feedback and comments on the proposed project. After getting feedback from staff, City Council, Planning Commission, and residents; Blu Line has incorporated many new elements into the proposed plan. These elements increase the walkability, and reduce the impact on the local residents. Two wings of the building have been dropped to four stories, and the building has been rotated to increase the setback, and reduce the impact on the residents to the south. Also, a ½ mile path has been proposed to circle the facility, this path would be similar to a circuit training course for residents to come and use. Staff has made a list of all required documents that the PC and the CC need to review before any approval is given.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Proposed Site Plan	
RECOMMENDATION: Discussion item only	
MOTION: Discussion item only, no motion necessary.	





CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Review Recommendation Regarding City Code 10-5-30 Portable Utility Sheds.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager

BACKGROUND AND FINDINGS:

The City Council has requested that the Planning Commission review the ordinance regarding sheds. Currently we have code regarding sheds that are considered Portable, meaning they are under 120 square feet, they can be built in a setback and can be easily moved. Sheds over 200 square feet are considered accessory buildings as they need footings, inspections and permits. However, our code does not address sheds from 120'-200' SF. Please see the proposed code regarding this size of shed.

Additionally, clarification is needed concerning shed height. Current code allows for a shed to be a maximum of 10' high. Modifying the language to state that the height requirement is from grade to eaves may allow for more flexibility in designing sheds.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

See proposed code

RECOMMENDATION:

Recommend that the Planning Commission clarify the current City Code with language relating to sheds greater than 120 square feet in size, and modify the height requirement to allow more flexibility in designs.

MOTION:

To recommend to the City Council that Municipal Code 10-5-30 be modified to include the language regarding sheds greater than 120 square feet in size, and to modify the current height requirements on portable utility sheds.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10 OF THE CITY CODE OF THE CITY OF CEDAR HILLS, UTAH, RELATING TO ZONING REGULATION.

WHEREAS, the City Council of the City of Cedar Hills has determined that it is in the best interest of the City of Cedar Hills and the residents thereof to enact certain amendments to Title 10 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY CEDAR HILLS, UTAH, UTAH COUNTY, STATE OF UTAH:

**PART I
AMENDMENTS**

10-5-30: PORTABLE UTILITY SHEDS AND UTILITY SHEDS

- A. PORTABLE UTILITY SHED:** Portable utility sheds are permitted in the rear and side setback areas subject to the following conditions:
- a. No portion of the shed's structure is permitted to cross the property line or to drain onto a neighboring property.
 - b. Where the property is located on a corner lot, the portable utility shed may be located within the optional enclosure area.
 - c. Portable sheds will be limited to one hundred twenty (120) square feet floor area, maximum eave height of 10' as measured from the finished floor surface to the bottom edge of the main roof eave, a roof pitch not to exceed 8/12 (8" of rise per 12" of run) and will not have a traditional type footing or foundation. They shall be built upon a hard surface. (Ord. 11-10-2009B, 11-10-2009)
- B. UTILITY SHED:**
- a. No portion of the shed's structure is permitted to cross the property line or to drain onto a neighboring property.
 - b. Utility sheds may be located on the rear or side lot area, no shed over one hundred twenty (120) square feet may be built in a setback area.
 - c. Utility sheds will be limited to two hundred (200) square feet floor area, maximum eave height of 10' as measured from the finished floor surface to the bottom edge of the main roof eave, a roof pitch not to exceed 8/12 (8" of rise per 12" of run) and will not have a traditional type footing or foundation. They shall be built upon a hard surface.

PART II

PENALTY AND ADOPTION

A. CONFLICTING PROVISIONS

Whenever the provisions of this Ordinance conflict with the provisions of any other Ordinance, resolution or part thereof, the more stringent shall prevail.

B. PROVISIONS SEVERABLE

This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

C. AMENDMENT TO BE ADDED TO CITY CODE

The City Council hereby authorizes and directs that insert pages reflecting the provisions enacted hereby shall be made and placed in the City Code, Title 3.

D. PENALTY

Hereafter these amendments shall be construed as part of the City Code of the City of Cedar Hills, Utah, to the same effect as if originally a part thereof, and all provisions of said regulations shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

E. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication as required by law.

PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, THIS 17TH DAY OF SEPTEMBER, 2013.

APPROVED:

Gary R. Gygi, Mayor

ATTEST:

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Review Recommendation on granting "Waffle Luv" a Conditional Use Permit to operate in Lexington Heights Office parking lot.
APPLICANT PRESENTATION:	Adam and Melissa Terry, Brent
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager
BACKGROUND AND FINDINGS: Waffle Luv is a local food truck and would like to obtain a CUP in order to locate their business periodically in the Lexington Heights Office parking lot. They have operated there before, but when contacted by the City that they would need to get a CUP to operate in the SC-1 zone, they were very gracious to be willing to come in and discuss the matter with the Planning Commission. They have obtained permission from the tenants in Lexington Heights, and they remit sales tax at the POS so Cedar Hills does get sales tax revenue from them locating within the City. The City would ask that Waffle Luv send a schedule to the business license official so that we know when they will be in the City.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: Increase in sales tax revenue from point of sale tax revenue	
SUPPORTING DOCUMENTS: N/A	
RECOMMENDATION: Staff recommends that the Planning Commission grants Waffle Luv a CUP to operate within the Lexington Heights Offices parking lot.	
MOTION: To approve a conditional use permit for Waffle Luv to operate within the Lexington Heights Office parking lot, pending approval from the Lexington Heights tenants, and informing the City Business License Official of any times they will be operating.	



PUBLIC NOTICE OF REGULAR MEETINGS FOR THE PLANNING COMMISSION 2014

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 City Office Building, 10246 N Canyon Road, on Thursdays according to the following schedule:

MONTH	DATES	TIME
January	23	7:00 p.m.
February	27	7:00 p.m.
March	27	7:00 p.m.
April	24	7:00 p.m.
May	22	7:00 p.m.
June	26	7:00 p.m.
July	31	7:00 p.m.
August	28	7:00 p.m.
September	25	7:00 p.m.
October	23	7:00 p.m.
November	13	7:00 p.m.
December	No Meeting	7:00 p.m.

Posted this 10th day of December, 2013

Colleen A. Mulvey, City Recorder



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Discussion on public noticing procedures on items recommended to the City Council by the Planning Commission
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager; David Driggs, Planning Commissioner
BACKGROUND AND FINDINGS:	
<p>Commissioner Driggs has requested that the Planning Commission have a discussion on the public noticing procedures on items recommended by the Planning Commission to the City Council for approval.</p> <p>Current state law mandates that certain actions be taken by the cities with regards to public noticing. UCA § 10-9a-502, and UCA § 10-9a-505 mandate that notice is posted in three public places within the city or on the city's official website, notice is published in a newspaper of general circulation (Cedar Hills has used the Daily Herald), and that notice is published on the Utah Public Notice Website *OR* mail all affected property owners within the parameters specified by city ordinance.</p> <p>Further notification may be required by City Code.</p>	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
N/A	
RECOMMENDATION:	
Discussion item only	
MOTION:	
Discussion item only, no motion necessary.	



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Discussion on Structures in Setbacks
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager

BACKGROUND AND FINDINGS:

Recent discussions with residents have brought to light a few inconsistencies in City Code regarding structures being built in a lots setback area. In our City Code many of the zones have a provision that says any accessory building set back less than 12' to the main building shall be considered as part of the main building (see 10-4B-6B1 for further information). This was originally created because of fire code restrictions, staff would like to explore changing this regulation to be updated to current International Fire Code standards. This would make the distance depend on the burn time and materials used in construction.

Additionally, staff would like input on code 10-5-29, code regarding decks, porches, patios, pergolas, awnings, hot tubs, and similar structures. Staff is seeking input from the Planning Commission on building these types of structures in the setback area, as they are in many cases permanent structures.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

N/A

RECOMMENDATION:

Staff would like input from the Planning Commission on updates to the City Code regarding setbacks and fire code.

MOTION:

No motion necessary at this time, discussion item only



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, Assistant City Manager
DATE:	10/24/2013

Planning Commission Agenda Item

SUBJECT:	Discussion on accessory apartments
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, Assistant City Manager

BACKGROUND AND FINDINGS:

Staff has been asked to clarify City Code regarding the definition of a family. From our current Code 10-2-1:

Family: One of the following groups of individuals, but not more than one at the same time:

- a) an individual living alone; or
- b) two (2) or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two (2) other unrelated persons who do not pay rent or give other consideration for the privilege of staying with the family; or
- c) up to four (4) unrelated individuals who live together as a single housekeeping unit; or
- d) two (2) unrelated individuals and any children of either of them living as a single housekeeping unit. A "guest" under this section is defined as a person who stays with a family or a period of less than thirty (30) days within any rolling one year period and does not utilize the dwelling as a legal address for any purpose.

For purposes of the definition of family, the term "related" shall mean a spouse, parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, great-grandparent, and great-grandchild. The term "related" does not include other, more distant relationships such as cousins.

There are inconsistencies and certain situations could arise that could be problematic legally and as a matter of enforcement; such as our definition of what constitutes being related. Staff would like to receive input from the Planning Commission to help update the code in order to make compliance understandable for residents/property owners, and enforcement consistent for the Zoning Department.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

N/A

RECOMMENDATION:

Staff would like input from the Planning Commission on any changes needed to the code.

MOTION:

Discussion item only, no motion necessary.