COTTONWOOD HEIGHTS PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a **Work Session Meeting** (suite 250, City Council Conference Room) beginning at **5:00 p.m.** and a **Business Meeting** (suite 300, Council chambers) beginning at **6:00 p.m. on Wednesday, April 20, 2016**, located at 1265 E. Fort Union Blvd., Cottonwood Heights, Utah.

5:00 p.m.

WORK SESSION (suite 250)

1.0 **Review Business Meeting Agenda**
(The Commission will review and discuss agenda items.)

2.0 **Discussion Items**
(The Commission will review and discuss the current agenda items as well as a future amendment to Chapter 19.04 "Definitions" of the Land Development Code.
The Commission may also discuss the status of other pending applications and matters before the Commission and new applications and matters that may be considered by the Commission in the future.)

6:00 p.m.

BUSINESS MEETING (suite 300)

1.0 **WELCOME/ACKNOWLEDGEMENTS** – Commissioner Guymon

1.1 **ELECTION OF A VICE-CHAIR**

2.0 **CITIZEN COMMENTS**
(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group that is present to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Planner prior to noon the day before the meeting.)

3.0 **PUBLIC HEARINGS**

3.1 **(Project #SUB-16-002) Public comment on a request from Hamlet Development for a two-lot subdivision that affects lot 304 of the Honeywood Hills 3 Subdivision, located at 7824 S Honeycomb Road.**
(Public comment will be taken on a request from Hamlet Development for a two-lot subdivision at 7824 S Honeycomb Road.)

3.2 **(Project #SP-16-001) Public Comment on a request from Rick Campbell/Willow Creek Pet Center for a Program for Signs located at 2055 East Creek Road.**
(Public comment on a request from Rick Campbell for a Program for Signs at 2055 E Creek Road)

4.0 ACTION ITEMS

4.1 (Project #SUB-16-002) Action on a request from Hamlet Development for a two-lot subdivision that affects lot 304 of the Honeywood Hills 3 Subdivision, located at 7824 S Honeycomb Road.

(Action will be taken on a request from Hamlet Development for a two-lot subdivision at 7824 S Honeycomb Road.)

4.2 (Project #HOC-16-001) Action on a request from Jonathan and Dana Middlemiss for a conditional use permit to operate a home preschool at 3571 East Summer Hill Drive.

(Action will be taken on a request for a conditional use permit for a home preschool)

4.3 (Project #ZMA-15-003) Action on a request from Grant Kesler for a general plan amendment, zone map amendment and development agreement on approximately 15 acres of land located at 9361 South North Little Cottonwood Canyon Road.

(The Commission will take action on a request from Grant Kesler for a general plan amendment, zone map amendment and development agreement on approximately 15 acres of land located at 9361 South North Little Cottonwood Canyon Road.)

4.4 (Project #ZMA-15-004) Action on a request from Rola V, LLC for a general plan amendment, zone map amendment and development agreement on approximately 11.54 acres of land located at 3801 East North Little Cottonwood Canyon Road.

(The Commission will take action on a request from Rola V, LC for a general plan amendment, zone map amendment and development agreement on approximately 11.54 acres of land located at 3801 East North Little Cottonwood Canyon Road.)

4.5 (Project #ZTA-15-003) Action on a City-initiated text amendment to Chapter 19.36 (Mixed Use Zone) of the Cottonwood Heights Municipal Code.

Action will be taken on a proposed amendment to Chapter 19.36 of the Cottonwood Heights Municipal Code to revise and update various portions of the City's Mixed Use zoning ordinance)

4.6 Approval of Minutes for April 6, 2016

5.0 ADJOURNMENT

On Friday, April 15, 2016, at 2:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was emailed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at http://pmn.utah.gov

DATED THIS 15TH DAY OF APRIL 2016 *Linda Dunlavy, City Recorder*

Planning Commissioners may participate in the meeting via telephonic communication. If a Commissioner does participate via telephonic communication, the Commissioner will be on speakerphone. The speakerphone will be amplified so that the other Commissioners and all other persons present in the room will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at 801)944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the Planning Division no later than Tuesday at noon. Comments can be emailed to bberndt@ch.utah.gov.

Planning Commission Staff Report
Meeting Date: April 20th, 2016

FILE NUMBER/
PROJECT NAME: SUB-16-002; Honeycomb Lot Split

LOCATION: 7824 South Honeycomb Road

REQUEST: Lot Split amending lot 304 of the Honeywood Hills 3 Subdivision

APPLICANT: Hamlet Development

ENGINEER: Redcon, Inc.

RECOMMENDATION: APPROVE subject to attached conditions of approval

APPLICANT'S PROPOSAL

The applicant is request approval of a lot split of an existing lot located at 7824 S Honeycomb Road, otherwise known as lot 304 of the Honeywood Hills 3 subdivision. This request, therefore, also constitutes an amendment to the Honeywood Hills 3 subdivision.

BACKGROUND

The current zoning designation of the subject property is R-2-8 (Residential Multi-Family Zone). This zoning allows for the construction of a two-family dwelling on a single property. The applicant's proposal is only to construct one two-family dwelling. However, the applicant desires for each half of the two-family dwelling to have ownership of one-half of the property.

Chapter 19.76.020(C) allows for the division of a two-family dwelling by a property line:

> *"Upon certification by the director, a legal, or legal non-conforming, existing or proposed two-family dwelling may be divided into attached single-family dwellings by dividing the lot. Each dwelling shall have a minimum lot area equal to one-half of the minimum lot area required in the zone for a two-family dwelling, which in no case shall be less than 4,000 square feet, and must meet all building, fire, health, parking and other requirements for a single-family dwelling. An application for lot division certification must be accompanied by a site plan showing buildings, landscaping, parking, and any other information deemed necessary by the director. The director may attach conditions to certification consistent with the purpose of the zoning ordinance. Any sale (prior to certification herein) dividing a lot occupied by a two-family dwelling shall be a misdemeanor."*

Staff Analysis: The applicant's proposal meets the provision of the R-2-8 zone, and the requirements of 19.76.020(C).

Subdivision Ordinance
Title 12 of the Cottonwood Heights Municipal Code dictates the Planning Commission's role in subdivision plat approval. In particular, Planning Commission approval is necessary for amendments to existing subdivisions. Chapter 12.26.010 defines the approval process:

> *The planning commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.*

Analysis: Because the proposed lot split will affect a lot in an existing subdivision (Honeywood Hills 3), a public hearing before the planning commission is required.

Noticing
In accordance with the Cottonwood Heights subdivision ordinance chapter 12.26.010(A), notice is required to be sent to property owners within 400 feet of the property that is subject of the proposed plat change.

Analysis: Hearing notices were sent to property owners within 400' of the subject property, as required by ordinance.

CONTEXT

Adjacent Land Use
The property is adjacent to multi-family residential property (R-2-8) to the north, east, and west, and single-family residential (R-1-8) to the south.

Roads / Infrastructure
The property is located along an existing public road, Honeycomb Road. Right-of-way improvements (curb, gutter, sidewalk, park strip, etc.) may be required if current conditions are deficient.

Attachments
1. Conditions of Approval
2. Sample Motions
3. Proposed Plat Amendment
4. Existing Subdivision Plat

Staff: Mike Johnson, Planner, (801) 944-7060

CONDITIONS OF APPROVAL

1. The applicant shall work with staff to address all technical corrections on the preliminary plat, in compliance with all applicable city ordinance regulations;
2. The applicant shall obtain all necessary permits prior to constructing any new structure on the proposed lots;

Findings for approval:

- The proposed subdivision meets the applicable provisions of the Cottonwood Heights subdivision ordinance and the Cottonwood Heights zoning ordinance;
- Proper notice was given in accordance with local and state requirements;
- A public hearing was held in accordance with local and state requirements;

SAMPLE MOTIONS

Approval

I move that we approve project SUB-16-002, an application by Hamlet Development, for approval of a subdivision plat amendment of Lot 304 of the Honeywood Hills 3 subdivision, affecting the property located at 7824 S Honeycomb Road, including all conditions and findings found in the staff report dated April 20, 2016.

- List any additional conditions…
- List findings for additional conditions…

Denial

I move that we deny project SUB-16-002, and application by Hamlet Development, for approval of a subdivision plat amendment of Lot 304 of the Honeywood Hills 3 subdivision, affecting the property located at 7824 S Honeycomb Road, including all conditions and findings found in the staff report dated April 20, 2016.

- List findings for denial…

HONEYCOMB SUBDIVISION

AMENDING ALL OF LOT 304, PER THAT CERTAIN PLAT MAP TITLED "HONEYWOOD HILLS NO. 3", RECORDED IN BOOK 74, AT PAGE 2, ON FILE AT THE SALT LAKE COUNTY, UTAH RECORDER'S OFFICE.
LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE

I, BRYAN YATES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO.8589857, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

HONEYCOMB SUBDIVISION

AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

3-10-2016
BRYAN YATES
No. 8589857

BRYAN YATES
P.L.S. NO. 8589857

LEGAL DESCRIPTION SUBJECT PARCEL - RECORD

LOT 304, HONEYWOOD HILLS NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BASIS OF BEARING

SOUTH 00°10'23" WEST, BEING THE BEARING OF THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW THAT ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS: HONEYCOMB SUBDIVISION

DO HEREBY GRANT UNTO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREON TO INSTALL, USE, KEEP, MAINTAIN, REPAIR AND REPLACE, AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THERETO SERVING THIS PROJECT.

OWNER'S:

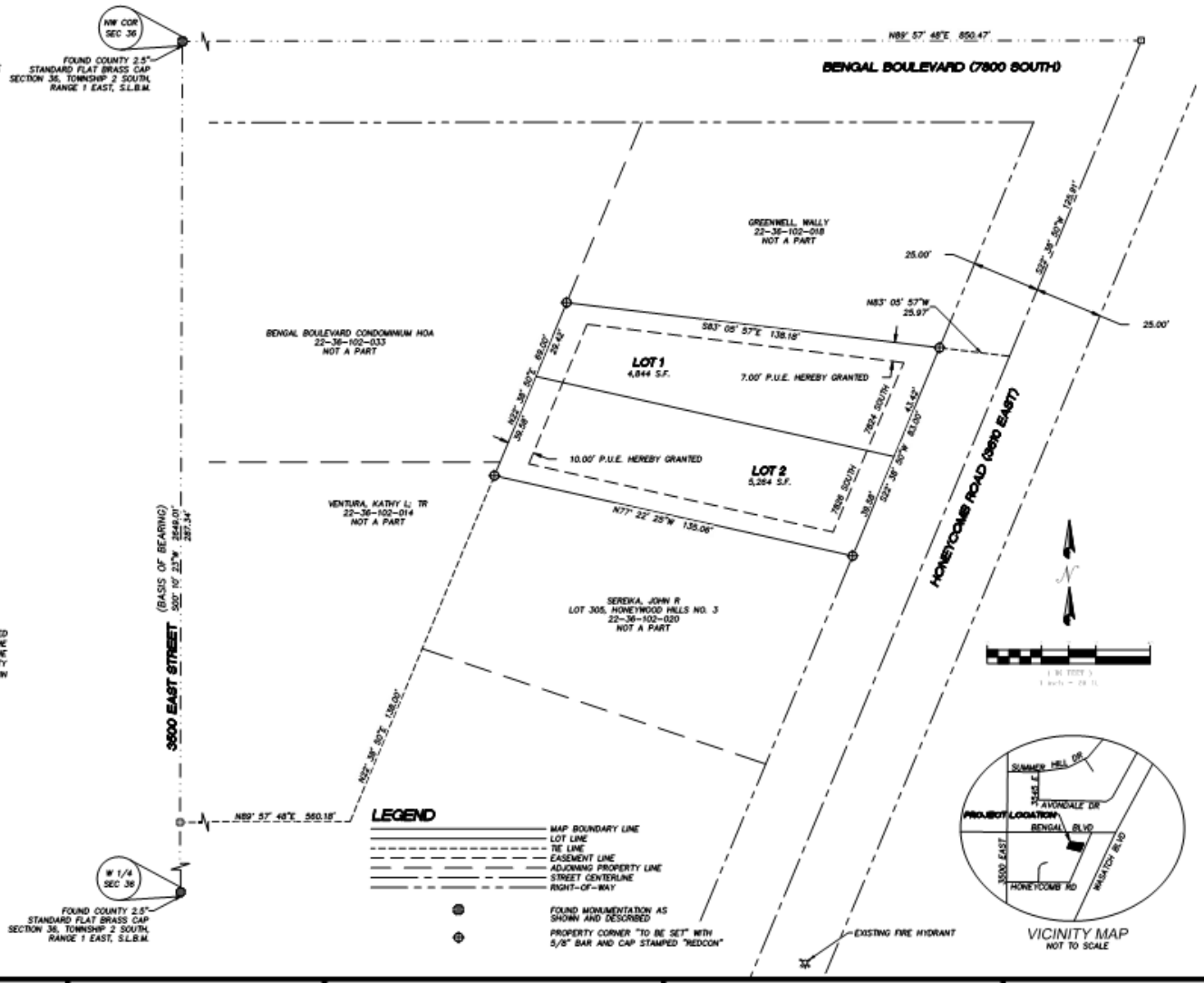
HORATIO HOMES, LLC

BY: _____
NAME: MICHAEL BRODSKY
TITLE: CHAIRMAN OF HAMLET HOMES, A MANAGING MEMBER OF HORATIO HOMES, LLC.
FOR: HORATIO HOMES, LLC

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

ON THE _____ DAY OF _____ A.D., 2016, MICHAEL BRODSKY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE CHAIRMAN OF HAMLET HOMES, A MANAGER OF HORATIO HOMES, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY



COMMUNITY DEVELOPMENT

APPROVAL AS TO FORM THIS_____ DAY OF_____ 2016.

DIRECTOR, BRIAN BERNDT DATE

SALT LAKE COUNTY HEALTH DEPARTMENT

APPROVED THIS_____ DAY OF_____ 2016, BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.

SALT LAKE COUNTY HEALTH DEPARTMENT

PLANNING COMMISSION

APPROVED THIS_____ DAY OF_____ 2016, BY THE COTTONWOOD HEIGHTS CITY PLANNING COMMISSION.

CHAIRMAN

CITY ATTORNEY

APPROVAL AS TO FORM THIS_____ DAY OF_____ 2016.

WM. SHANE TOPHAM, CITY ATTORNEY

CITY ENGINEER

APPROVED THIS_____ DAY OF_____ 2016.

CITY ENGINEER, BRAD GILSON, P.E.

CITY COUNCIL

PRESENTED TO THE COTTONWOOD HEIGHTS CITY COUNCIL THIS_____ DAY OF_____ 2016.

KELVIN H. CULLIMORE, JR., MAYOR

ATTEST: KORY SOLORIO, CITY RECORDER

RECORDED NO:_____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT REQUEST OF:_____

DATE_____ TIME_____ BOOK_____ PAGE_____

FEES SALT LAKE COUNTY RECORDER

SCALE 8x9	1"=50'
DRAWN BY	S. SYTSMA
CHECKED BY	
FILE NO.	20-36-102-018

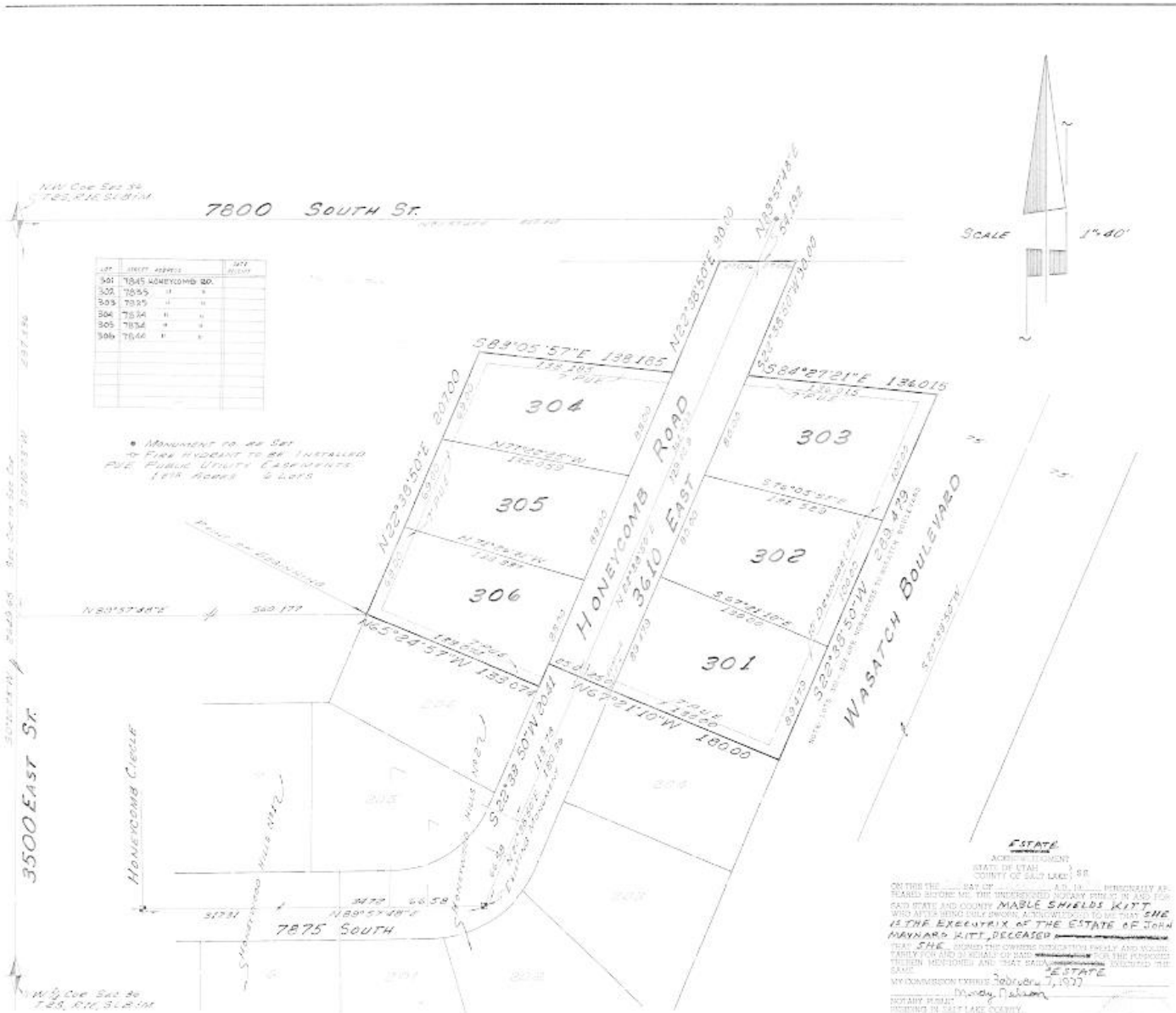
HONEYCOMB SUBDIVISION
AMENDING ALL OF LOT 304
HONEYWOOD HILLS NO. 3
(NW1/4) SEC. 36, T. 2 S., R. 1 E., S.L.B.M.
COTTONWOOD HEIGHTS SALT LAKE COUNTY UTAH

REDCON, INC.
LAND SURVEYORS
150 NORTH MAIN STREET, SUITE 101
BOUNTIFUL, UTAH 84010
(801) 298-2424 FAX (801) 298-2434
REDCON.COM

JOB NUMBER
-16000-10

DWG: -16000-10 FL
DATE: 5/10/2016

SHEET 1 OF 1



LOT	STREET ADDRESS	DATE REVISED
301	7845 HONEYCOMB RD.	
302	7855 " "	
303	7835 " "	
304	7834 " "	
305	7834 " "	
306	7844 " "	

SURVEYOR'S CERTIFICATE

I, WRENF BROWN, do hereby certify that I am a Registered Civil Engineer and or Land Surveyor, and that I hold certificate No. 3261 as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as HONEYWOOD HILLS No 3 and that same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

COURSE	DIST.	REMARKS
		BEGINNING AT THE S W COR. OF LOT 202 HONEYWOOD HILLS No 2 A RECORDED SUBDIVISION AND POINT LYING SECTIONALLY BEING S0°10'23"W 287.336 FEET AND N89°57'48"E 560.177 FEET FROM THE NW COR. OF SEC 36 T2S, R1E, SLB&M AND
		RUNNING THENCE:
N22°38'50"E	207.00	FEET THENCE
S89°05'57"E	138.185	" "
N22°38'50"E	30.00	" "
N89°57'48"E	54.192	" "
S22°38'50"W	52.00	" "
S84°27'21"E	136.015	" "
S22°38'50"W	180.00	" "
N65°24'57"W	133.074	" "
S0°10'23"W	60.41	" "
N65°24'57"W	109.516	FEET TO THE POINT OF BEGINNING

APRIL 7, 1972
DATE

GARDNER ENGINEERING

OWNER'S DEDICATION

Know all men by these presents that I, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

HONEYWOOD HILLS No 3

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof I have hereunto set MY HAND this day of A.D., 19 73.

Executrix

MABLE SHIELDS KITT,
EXECUTRIX OF THE
ESTATE OF JOHN
MAYNARD KITT, DECEASED

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of Salt Lake }

On the 12 day of March A.D., 19 73 personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer( ) of the above Owner's dedication, in number, who duly acknowledged to me that signed it freely and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: 2-20-75
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY

ESTATE

ACKNOWLEDGMENT
STATE OF UTAH }
COUNTY OF SALT LAKE } SS

ON THIS THE ____ DAY OF ____ A.D. 19____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY MABLE SHIELDS KITT WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT SHE IS THE EXECUTRIX OF THE ESTATE OF JOHN MAYNARD KITT, DECEASED

THAT SHE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID ESTATE FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID ESTATE EXECUTED THE SAME.

MY COMMISSION EXPIRES February 7, 1977
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY.

HONEYWOOD HILLS No 3

A SUBDIVISION

BEING A PART OF THE NW¼ OF SEC 36 T2S, R1E, SALT LAKE BASE & MERIDIAN

PLANNING COMMISSION	BOARD OF HEALTH	BOARD COUNTY CLERK	SURVEYOR'S CERTIFICATE	APPROVAL AS TO FORM	COUNTY COMMISSION	RECORDED # 2591782
APPROVED THIS 13th DAY OF March A.D. 19 73 BY THE SALT LAKE COUNTY PLANNING COMMISSION. Frank Brunetto CHAIRMAN, SALT LAKE COUNTY PLANNING COMMISSION	APPROVED THIS 8th DAY OF January A.D. 19 73. Leland H. Hodgson SALT LAKE COUNTY HEALTH DEPARTMENT	APPROVED THIS 12th DAY OF January A.D. 19 73. Lo Dell Lund SALT LAKE COUNTY CLERK	I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. 2-12-73 Dale A. Holt SALT LAKE COUNTY SURVEYOR	APPROVED AS TO FORM THIS ____ DAY OF ____ A.D. 19 ____ SALT LAKE COUNTY ATTORNEY	PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS THE 2nd DAY OF April A.D. 19 73 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. ATTEST: SALT LAKE CO. CLERK CHAIRMAN, BD. OF CO. COMMS.	STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF Mable S. Kitt DATE 2 Jan 1974 TIME 5:00 P.M. BOOK 74-1 PAGE 2 $13.00 FEE Chief Deputy SALT LAKE COUNTY RECORDER

Planning Commission Staff Report
MEETING DATE: April 20, 2016

FILE NUMBER/
PROJECT NAME: SP-16-001; Willow Creek Pet Center Program for Signs

LOCATION: 2055 East Creek Road; Willow Creek Pet Center

REQUEST: Approval of a site-wide Program for Signs that includes two electronic-display monument signs

APPLICANT: Rick Campbell

RECOMMENDATION: DENIAL based on attached findings

APPLICANT'S PROPOSAL

The application is a request for the Planning Commission's approval of a Program for Signs. Section 19.82.100 (Programs for Signs) of the Zoning Ordinance states, a Program for Signs is a creative incentive for a unified visual statement that integrates the design of signs with the design of the building on which they will be displayed and with the surrounding area. The applicant is requesting approval to install two electronic display signs via the Program for Signs provision. The two signs are proposed on the west side of the subject property. There are two existing non-digital monument signs on the property, which the applicant is seeking to convert to digital signage for the purpose of easier visibility and the opportunity to advertise lost pets, or pets to be adopted, and other public announcements.

BACKGROUND

Zoning
The current zoning designation of the property is RR-1-43 (Residential Rural Density). The existing use on the property is Willow Creek Pet Center, which was legally approved under the jurisdiction of Salt Lake County. The use of a veterinary clinic on the subject property is not allowed under the current zoning designation, and is therefore a legal-nonconforming use.

In the RR-1-43 zone, no signage is allowed under the Cottonwood Heights Sign ordinance. There are two existing monument signs on the property, both of which were also approved under Salt Lake County's jurisdiction and are also legal nonconforming. The applicant, as owner of the property, has also allowed the city to place a non-digital monument sign on the property that serves as a Cottonwood Heights entry sign.

Staff Analysis: Both the current use on the property and the current signage on the property are allowed as legal nonconforming uses. The code currently prohibits electronic display signs in this zone.

Sign Ordinance

The applicant's proposal to convert two existing monument signs to electronic display signs was made under the Program for Signs provision, found in chapter 19.82.100 of the Cottonwood Heights zoning ordinance. The Program for Signs provision is as follows:

A. *Purpose.* A Program for Signs is a creative incentive for a unified visual statement that integrates the design of signs with the design of the building on which they will be displayed and with the surrounding area.
B. *When allowed.* The owners of one or more adjacent premises, or one or more occupants of a shopping center or multi-use building, not located in an Area of Special Character, may submit a Program for Signs to the planning commission that need not comply with some or all of the requirements of this ordinance. The Program for Signs shall contain a visual representation of the lettering, illumination, color, size, height, placement, and location of the signs proposed for display.
C. *Standards for approval.* The planning commission may approve a Program for Signs if the signs visually represented in the program are:
    1. Consistent with the purposes of this chapter; and
    2. Compatible with the theme, visual quality, and overall character of the surrounding area or an Area of Special Character, if the signs included in the Program for Signs are located in such an area; and;
    3. Appropriately related in size, shape, materials, lettering, color, illumination, and character to the function and architectural character of the building or premises on which they will be displayed, and are compatible with existing adjacent activities.
D. *Display of signs.* A premises or occupancy for which a Program of Signs has been approved by the planning commission may only display signs that comply with the approved program, which shall supersede and replace the regulations for signs in this ordinance.

PROGRAM FOR SIGNS ANALYSIS

Analysis of 19.82.100.A - Purpose
The purpose of the Program for Signs is to establish a unified visual plan that integrates the building design and signage design in context of the property's surroundings.

Chapter 19.82.110 contains a list of prohibited signs in Cottonwood Heights. Subsection H prohibits "Any signs (whether a monument sign, wall sign, projecting sign, or any other type of sign) which flashes, blinks, uses chaser lights or has animation, movement, changeable copy or other moveable images or lettering (via LED lighting or any other technology)." The only electronic display signs allowed in the ordinance are off-premise display signs (i.e. digital billboards), subject to conditional use approval.

Staff finds that the applicant is not using the Program for Signs provision of the ordinance to establish a unified visual statement relating signs and buildings to the surrounding area. Rather, the provision is seemingly being used to avoid the underlying prohibition of electronic display signs. The applicant has failed to prove how the proposed conversion to digital signage establishes a unified visual plan between signage, building, and surrounding area.

The zoning of the subject property is residential. Within the Cottonwood Heights city boundaries (north of Creek Road), all adjacent properties are also located in single-family residential zones. Based on this

finding, the digital sign proposal does not fit the residential context of the surrounding area within Cottonwood Heights.

Analysis of 19.82.100.B – When Allowed
The subject property meets the requirements of subsection B in giving the applicant the right to apply for a Program for Signs. However, every property in the city has the right to apply for a Program for Signs under this subsection, and this fact alone is not enough for staff to recommend approval.

Subsection B states that the applicant "may submit a Program for Signs to the planning commission that need not comply with some or all of the requirements of this ordinance." The proposed conversion of monument signs to electronic display signs qualifies under this provision, as electronic signage generally does not comply with the requirements of the sign ordinance.

In staff's review of the application, it finds that while the applicant has the right to request digital signage that doesn't comply with the ordinance, the application fails to meet the purpose of the Program for Signs provision. The sole purpose of the applicant's proposal is to convert existing monument signs to electronic display signs.

Staff finds the request for a Program for Signs for this purpose is a misapplication of the ordinance. If approved, this Program for Signs' primary purpose is to allow signage that is not normally allowed, thus avoiding the underlying prohibition on electronic monument signs, especially in an area consisting of low-density residential zoning sets a dangerous precedent for future property owners to this provision for the same purpose.

Analysis of 19.82.100.C – Standards for Approval
The ordinance gives the planning commission the ability to approve a Program for Signs if it meets three requirements.

The first standard of approval is that the proposal must be consistent with the purposes of chapter 19.82. As detailed above, staff finds that the proposal is not consistent with the purpose of the Program for Signs provision.

The second standard of approval is that the proposal is compatible with the theme, visual quality, and overall character of the surrounding area. Staff's findings are that the proposal is not compatible with the overall character of the surrounding area, which is comprised of low-density residential, and in a few instances low-impact, nonconforming commercial uses (e.g. Journey Healing Center, A-1 Driving School). An electronic monument sign is not compatible with the area's character and the change in context, theme, and visual quality that it creates.

The third standard of approval is that the signage is appropriately related in size, shape, materials, lettering, color, illumination, and character to the function and architectural character of the building or premises on which they will be displayed, and are compatible with the existing adjacent activities. The proposed digital signage fails to meet this standard. While the size, shape, materials, lettering, and color would match or be compatible with the existing monument signs, the illumination would not. An electronic sign does not match the low-density character of the subject property or adjacent properties. A digital monument sign does not match the character of any residential area, especially that of a property located in the RR-1-43 single-family residential zone.

NOTICING

Noticing was sent to all property owners within 300 feet of the subject property, pursuant with city and state noticing requirements, and city courtesy noticing policy.

Attachments

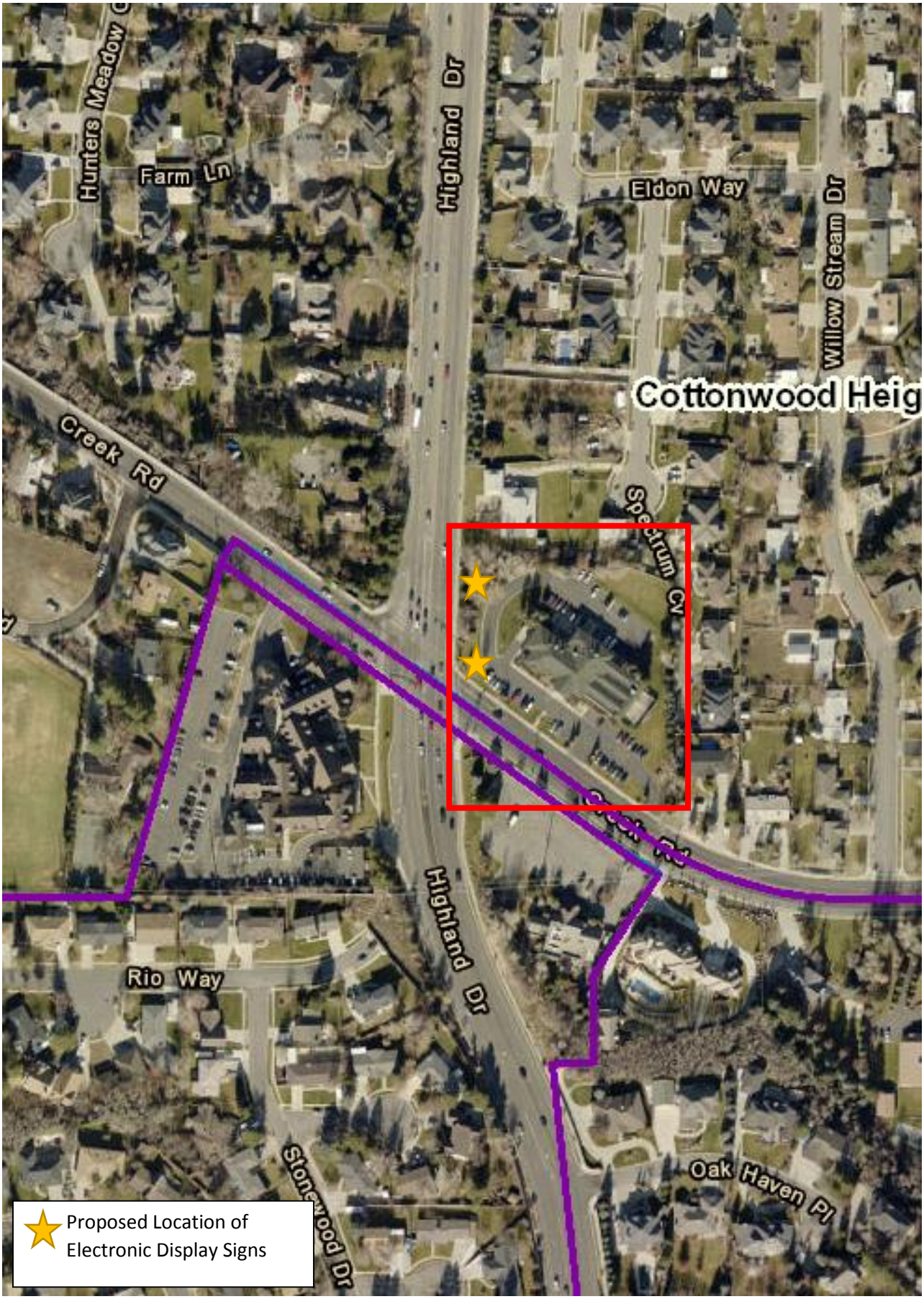
1. Findings
2. Context Aerial
3. Context Zoning
4. Proposed Signage
5. Potential Animal Control Contract
6. Model Motions

FINDINGS FOR DENIAL

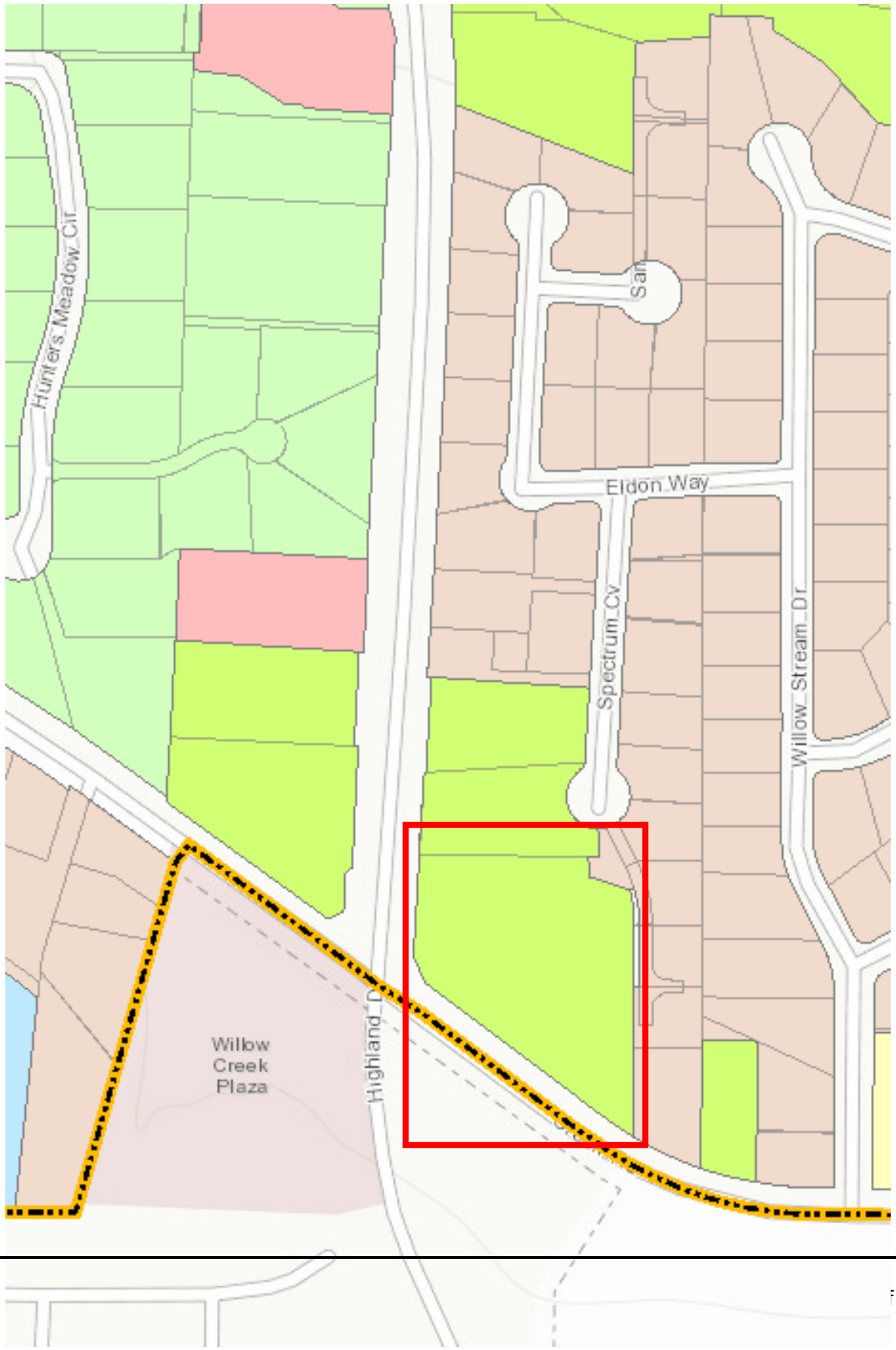
Staff's recommendation of denial of the Program for Signs application is based on the following findings:

1. The Program for Signs application is not consistent with the purposes of chapter 19.82 and 19.82.100 in the Cottonwood Heights zoning ordinance;
2. The Program for Signs application is not compatible with the theme, visual quality, and overall character of the surrounding area, based on the current zoning and land use of the surrounding area, and based on the types of signage allowed and prohibited chapter 19.82 of the Cottonwood Heights zoning ordinance;
3. The Program for Signs is not appropriately related in illumination or character to the architectural character of the building or premises on which the signage will be displayed, and is not compatible with existing adjacent activities.

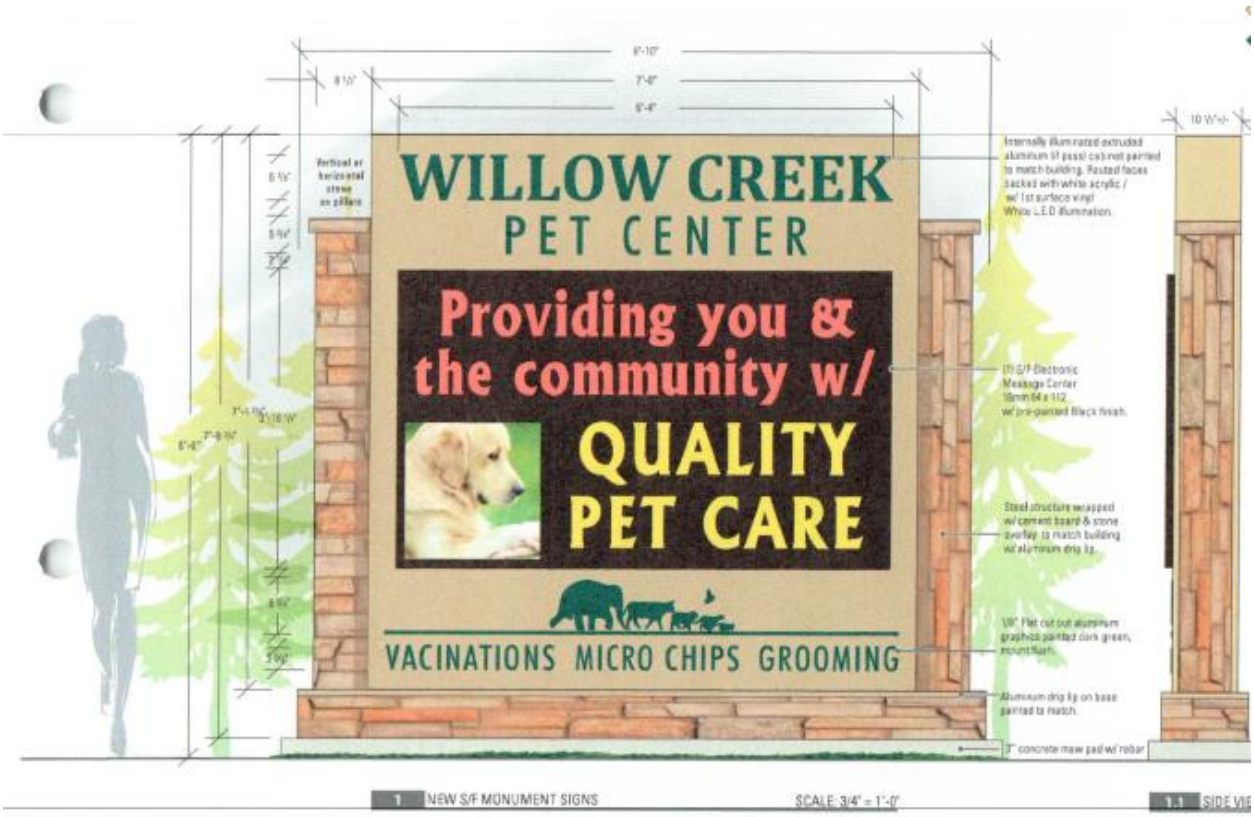
CONTEXT AERIAL



CONTEXT ZONING



PROPOSED SIGNAGE CONCEPTS



POTENTIAL ANIMAL CONTROL CONTRACT

The applicant states in a written narrative that Willow Creek Pet Center was asked by Cottonwood Heights Animal Control to assist with the city's animal control services by acting as an animal shelter for lost or abandoned pets found in Cottonwood Heights. The applicant stated that the digital signage would be used to advertise lost animals by posting pictures of them and thereby minimizing the animal control cost for Cottonwood Heights.

Staff received an update on this contract from the Cottonwood Heights animal control officers and its police department representatives. As of the writing of this staff report, the city submitted a contract offer to the applicant to provide animal control services. The applicant has, of yet, declined the city's offer due to the cost of insurance that the city requires a contract of this type to carry.

Staff's findings in this report do not change based on the pending contract with the applicant. Staff views this Program for Signs application as separate and unrelated to the potential contract, and the recommendation of denial of the applicant's current submittal does not change based on the contract's status.

Additionally, the applicant allowed the city to install a city monument sign on his property to identify the entrance of the city. Staff has reviewed this application objectively, and the applicant's willingness to allow the city's sign on his property, while appreciated, does not factor into staff's findings in this report.

SAMPLE MOTIONS

Approval
I motion that we approval project #SP-16-001, an application from Rick Campbell / Willow Creek Pet Center, for a site-wide Program for Signs located at 2055 East Creek Road.

- Add any conditions of approval…
- Add findings for any conditions imposed…

Denial
I motion that we deny project #SP-16-001, an application from Rick Campbell / Willow Creek Pet Center, for a site-wide Program for Signs located at 2055 East Creek Road, incorporating the staff report and its attachments as findings for denial.

- Add any additional findings for denial…

Planning Commission
Meeting Date: April 6th, 2016

FILE NUMBER/
PROJECT NAME: HOC 16-001 Mrs. Dana's Preschool

LOCATION: 3571 East Summer Hill Drive

REQUEST: Conditional use approval to operate a home preschool

OWNER: Jonathan and Dana Middlemiss; 801-450-1547

APPLICANT: Dana Middlemiss; 801-450-1547

STAFF
RECOMMENDATION: APPROVE, pursuant to attached conditions of approval

APPLICANT'S PROPOSAL

The applicant is proposing to operate a home-based preschool for children ages 3 to 5, with no more than 12 children per class sessions. The applicant's proposed hours of operation are as follows:

- Session 1: Mondays, Wednesdays and Fridays from 9:00 a.m. to 11:45 a.m.
- Sessions 2 & 3: Tuesdays and Thursdays, either 9:00 a.m. to 11:45 a.m. or 12:15 p.m. to 3:00 p.m.

BACKGROUND

Zoning

The zoning designation of the property is R-1-8 (Single-Family Residential). Home occupations are listed as a conditional use in the R-1-8 zone, as referenced in 19.26.030.E. Home occupations are allowed if the proposed business is clearly secondary and incidental to the primary use of the property as a single-family residence.

Further requirements for home preschools are set forth in chapter 19.76 ("Supplementary and Qualifying Rules and Regulations"). 19.76.040(E) states the following:

> *E. Home Day care/preschool. "Home day care/preschool" means the keeping for care and/or preschool instruction of 12 or fewer children including the caregiver's own children age six or under and not yet in full day school within an occupied dwelling and yard. A home day care/preschool may be approved by the planning commission if it meets all of the following standards:*
> *1. There may be a maximum of 12 children on premises at any time, including the caregiver's own children under the age of six and not yet in full day school.*
> *2. There shall be no more than one employee present at any one time who does not reside in the dwelling.*

3. The home day care/preschool caregiver shall comply with all applicable licensing requirements under title 5 of this code.
4. The use shall comply with all applicable noise regulations.
5. The play yard shall not be located in the front yard and only shall be used between 8:00 a.m. and 7:00 p.m.
6. The lot shall contain one available on-site parking space not required for use of the dwelling, and an additional available on-site parking space not required for use of the dwelling for any employee not residing in the dwelling. The location of the parking shall be approved by the director to insure that the parking is functional and does not change the residential character of the lot.
7. No signs shall be allowed on the dwelling or lot except a nameplate sign.
8. The use shall comply with all local, state and federal laws and regulations.
9. Upon complaint that any of the requirements of this section or any other city ordinance are being violated by a home day care/preschool caregiver, the city shall review the complaint and, if substantiated, may
(a) Set a hearing before the planning commission to revoke any conditional use permit, and/or
(b) Institute a license revocation proceeding under title 5 of this code.
10. All property owners within a 500 foot radius of the caregiver's property shall be mailed notice of any hearing to grant or revoke any conditional use permit at least ten days prior to the date of the hearing; provided, however, that provision of such notice shall not be a conditional precedent to the legality of any such hearing, and no hearing or action taken thereon shall be deemed invalid or illegal because of any failure to mail such notice.

Staff Analysis: The proposed residential preschool conforms to the requirements (listed above) in the zoning ordinance. Further, the above criteria will be incorporated as conditions requisite for approval and are required to be followed in perpetuity.

Noticing
Property owners within 1000 feet of the subject property have been mailed notices. Notices were sent on March 24th, 2016.

Public Comment
At the time the staff report was written, staff has received inquiries from approximately 20 residents. These inquiries have ranged from general questions about the application to expressed concern over the traffic impact this proposal will have on the neighborhood, to positive support for the application. Any subsequent written comments received will be presented to the planning commission at the April 6th meeting.

IMPACT ANALYSIS

Off-Site Parking

The applicant's driveway is able to accommodate up to four vehicles to be used as off-street parking. The applicant's narrative states that any volunteers, as well as the one allowed non-resident employee will be required to park on the driveway.

Drop Off / Pick Up

The applicant is proposing for drop-off and pick-up to occur in a 15-minute window before and after each preschool session. The applicant's proposal is to require parents to line up only on the side of the road directly adjacent to the subject property, and requires that each child enter and exit the vehicle from the right rear passenger side of each parent or guardian's vehicle. Further, the applicant's proposal will prohibit parents and guardians from blocking the driveway of any adjacent property.

Staff Analysis: The curb-to-curb distance of Summer Hill Drive was measured to be approximately 28'. Summer Hill Drive is a public right of way in Cottonwood Heights. Staff has incorporated the applicant's drop-off and pick-up regulations as proposed conditions of approval in an attempt to mitigate traffic concerns, limiting such activity to the applicant's side of the street and requiring students to load and unload from the right rear passenger door of each vehicle.

Play Area

The applicant is proposing to use her rear yard as the preschool's outdoor play area. The rear yard is fenced on all sides, preventing children from accessing the front yard or public street in front of the subject property.

Staff Analysis: The proposal for the play area meets all city requirements.

ATTACHMENTS

1. **Conditions of Approval & Findings**
2. **Context Aerial**
3. **Context Zoning**
4. **Applicant's Narrative**
5. **Sample Motions**

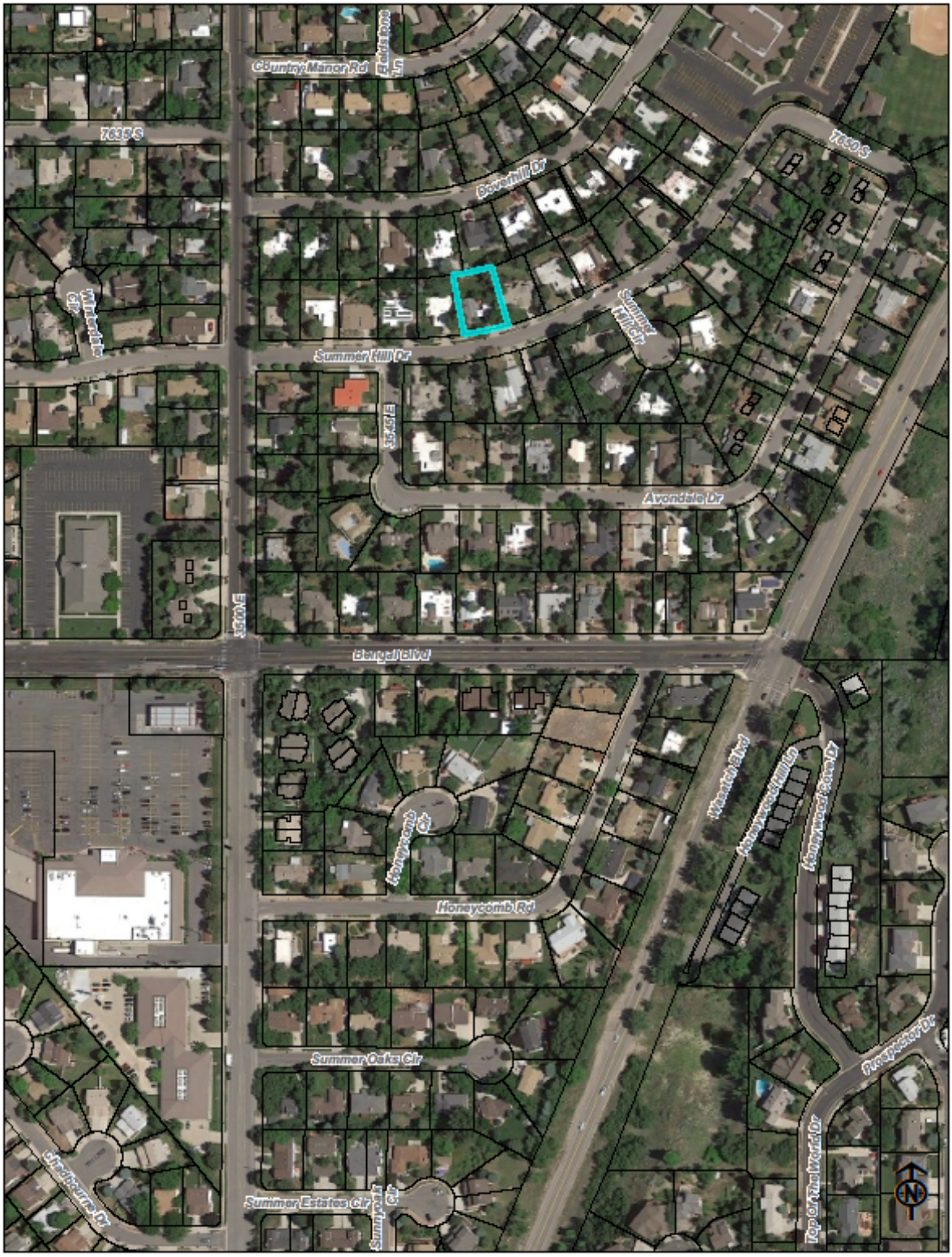
CONDITIONS OF APPROVAL

1. There shall be a maximum of 12 children on the premises at any time, including the caregiver's own children under the age of six and not yet in full day school (19.76.040.E.1);
2. There shall be no more than one employee present at any one time who does not reside in the dwelling (19.76.040.E.2);
3. The home preschool caregiver shall comply with all applicable licensing requirements under Title 5 ("Business Licensing") of the Cottonwood Heights Municipal Code (19.76.404.E.3);
4. The use shall comply with all applicable noise regulations (19.76.040.E.4);
5. The play yard shall not be located in the front yard and only shall be used between 8:00 a.m. and 7:00 p.m. (19.76.040.E.5);
6. The lot shall contain one available on-site parking space not required for use of the dwelling for any employee not residing in the dwelling (19.76.040.E.6);
7. No signs shall be allowed on the dwelling or lot except a nameplate sign (19.76.040.E.7);
8. The use shall comply with all local, state and federal laws and regulations (19.76.040.E.8) including but not limited to all applicable requirements of the Utah Department of Health's Bureau of Child Development;
9. The applicant and all employees shall provide a copy of all licenses and permits required by the State of Utah;
10. The applicant shall adhere to the hours and days of operation as described in the written narrative submitted as part of the project application;
11. The applicant shall adhere to the drop-off and pick-up times and methods as described in the written narrative submitted as part of the project application.

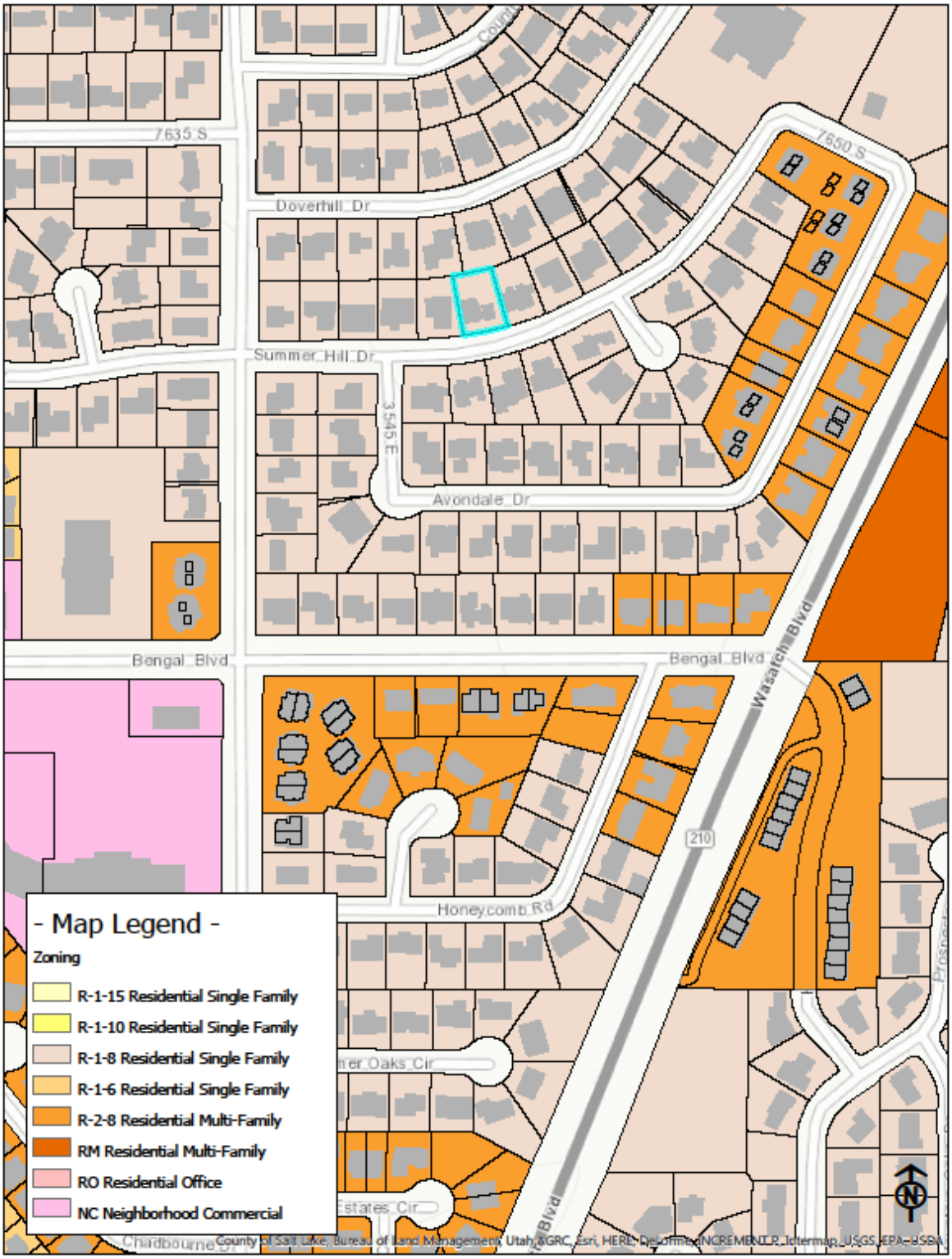
FINDINGS FOR APPROVAL

1. The proposed home preschool conforms to applicable home occupation and home preschool requirements, as found in the Cottonwood Heights Zoning Ordinance (Title 19) and Business License Ordinance (Title 5);
2. The proposed home preschool is clearly secondary and incidental to the primary use of the property as a single-family residence;
3. The proposed conditions of approval act to mitigate any perceived negative impacts created by the applicant's proposal.

CONTEXT AERIAL



CONTEXT ZONING



APPLICANT'S NARRATIVE

Business Description for

Mrs. Dana's Preschool

Objective: To Teach Preschool to children ages, 3 to 4 and 4 to 5. The children will learn the letters of the alphabet, the numbers 1-20, colors, shapes, words and more through using Language Arts, Science, Music, Math, Art, Health and much more.

My Business Plan:

Number of Students in each session:

My goal is to have no more than 12 children in each preschool session.

Hours of Operation:

Each session will be 2 ¾ hours in length. My hope is to work toward doing morning and afternoon sessions. But to start out with I will hope and plan to do (that is if I get enough children signed up):

Session 1: Monday, Wednesday, Friday—9:00am -11:45am or Tuesday, Wednesday, Thursday

Session 2 & 3: Tuesday, Thursday—Either 9:00am-11:45am or 12:15pm-3:00pm

Recess/Free time: The children will have either recess (outside play) or free time (inside) for 15 minutes, depending on the schedule of that day or bad weather.

Traffic Flow:

Drop Off/Pick Up—Parents/guardians will drop off and pick up their children one at a time. There will be a 15-minute window prior to the start and after the ending of preschool that parents can drop off and pick up their child. Each Parent needs to be on the right side of the road (if they are in a vehicle) and line up and wait their turn to be in the front and drop off/pick up their child. Additionally, when parents are waiting in the line of cars they cannot block any person's driveway. The child will need to exit and enter into their parent's/guardian's vehicle on the back passenger side to avoid the dangers of the road and also to give me a peace of mind.

Parking Spaces:

There are 4 parking spaces on the driveway, which will be used for any person(s)/individual who is volunteering his or her time during the preschool session and the individual who will be my helper.

Entering and Exiting the preschool:

Children will enter/exit the preschool through the front door.

MODEL MOTIONS

Model Motion for Approval

"I move that we approve HOC-16-001, a request from Dana Middlemiss, for a conditional use permit to operate a home preschool on the property located at 3571 East Summer Hill Drive, subject to the conditions of approval and based on the findings listed in the staff report dated April 6th, 2016.

- List any additional conditions of approval…
- List any additional findings…

Model Motion for Denial

"I move that we deny application HOC-16-001, a request from Dana Middlemiss, for a conditional use permit to operate a home preschool on the property located at 3571 East Summer Hill Drive, based on the following findings:

- List findings for denial…

Planning Commission

MEETING DATE: March 2, 2016
MEETING TYPE: Public Hearing

STAFF REPORT

FILE NUMBER/
PROJECT NAME: **ZMA 15-003 Kesler General Plan and Zone Map Amendment**

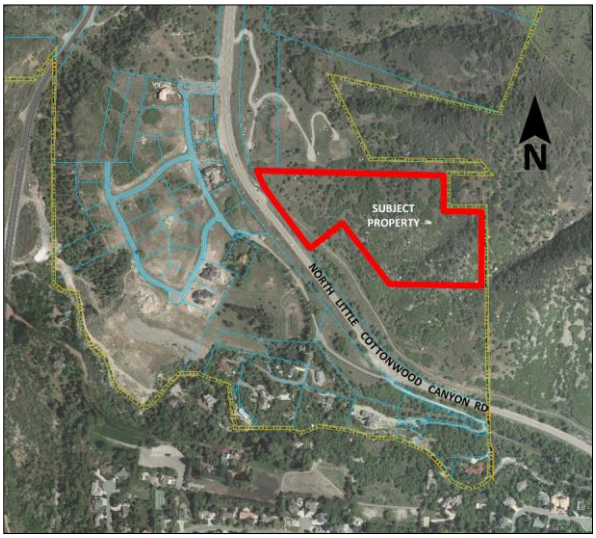
LOCATION: 9361 South North Little Cottonwood Canyon Road

REQUEST: General Plan Amendment to Rural Residential and Rezone of 15 acres from F-20 to RR-1-21

APPLICANT: **Grant Kesler**

STAFF RECOMMENDATION: Recommend approval to the City Council finding that:

1. **The zone map/change is consistent with the Granite Community General Plan; and**
2. **The required public hearing has been held.**



APPLICANT'S PROPOSAL

The proposal is to amend the general plan from Foothill Recreation to Rural Residential and to rezone 15 acres from F-20 to RR-1-21 on the east side of North Little Cottonwood Canyon Road at 9361 South, and have approved a development agreement limiting the potential development to a specified number of lots on a certain portion of the property.

BACKGROUND

General Plan

The subject property was part of an annexation by Cottonwood Heights that was part of unincorporated Salt Lake County that took effect on January 1, 2015. Upon annexation, the City adopted land use and zoning commensurate with the zoning designation applied by Salt Lake County, of F-20, Foothill Recreation. Because the General Plan was adopted based on the County Zoning, and not the County Land Use Plan for this area, the land use for this property, which includes consideration of the county land use plan, is being considered with this application. The Salt Lake County designation for this property was "Residential – Primarily Low Density Estates (less than 2 units per acre)," and "Forest Service / Open Space (possible limited residential)." The proposal is to amend the plan to show this property as "Rural Residential" which is a "very-low

density" designation that calls for "no more than 2 units per acre." The proposed land use is the closest match that the city has to the county designation.

Zoning
The proposed zoning of Rural Residential, one-half acre is commensurate with the general plan designation that was assigned to this property for years prior to annexation in 2015. Of the total 15 acres, approximately 4.3 acres is less than 30% slope. This would limit the amount of developable land to the 4.3 acres plus 30% of the undevelopable area could be considered for the density calculation. The request is for the entire 15 acres to be rezoned, and not to bisect the property where no property lines exist into two zoning categories.

Development Agreement
This application was previously considered by the planning commission and a negative recommendation was made, citing concern for the future potential of a Planned Unit Development being proposed which could request to utilize up to 30% of the non-buildable area (areas with 30% slope or greater) to calculate density. The commission opposed the use of any portion of that steeply-sloped property being used for density. The applicants indicated that they did not intend to use the property for that purpose and asked to pursue a means whereby the use of steeply-sloped areas for additional density calculation was prohibited. The means by which this can be achieved is through the use of a development agreement. The city attorney, working with the applicant has drafted a development agreement which describes a set number of maximum lots which can be developed. In this case, seven lots. Meaning that if through the development process limitations on development are discovered, such as sensitive lands, seismic, traffic or other issues which limit approvable lots to less than seven, that limited amount could only be approved. The agreement also delineates the general location of the development area. Because the proposed concept plan shows lots which all meet minimum lot standards of the RR-1-21 zone, a future application for a PUD becomes unnecessary, and the agreement eliminates the ability for a PUD to be applied for. The agreement runs with the land, so any future owners, successors or assigns will be subject to the stipulations of the agreement. The agreement also has a sunset clause, providing that, if in two years' time, no development has begun as detailed in the concept plan, the city can choose to rezone the property, reverting back to the F-20 zone. Staff finds this development agreement offers adequate protections for the surrounding residents, as well as the predictability of a concept plan which must be adhered to.

Traffic
As determined by the city engineer, the road servicing this property has sufficient capacity to handle the potential number of homes associated with this site. A traffic analysis will be required with future development proposal.

Adjacent Zoning:
- North: F-20 (Forestry Recreation)
- South: F-20 (Forestry Recreation) – (also proposed for RR-1-21)
- East: Forest Service Property
- West: R-1-15 Residential

Process

19.90.010 Amendment procedure.

A. *The city council may, from time to time, amend the number, shape, boundaries or area of any zone or any regulation within any zone or any other provisions of the zoning ordinance. The city council may not make any amendment authorized by this section unless the amendment was proposed by the planning commission or was first submitted to the planning commission for its recommendation. To become effective, zoning amendment applications which have received the positive recommendation of the planning commission must first receive the favorable vote of not less than a majority of the entire membership of the city council.*
B. *Zoning amendment applications which receive a recommendation of denial by the planning commission shall thereafter be considered by the city council as provided in section 19.90.030.*

19.90.030 Determination of city council.

The city council, after review of the recommendation of the planning commission, may affirm, reverse, alter or remand for further review and consideration any recommendation made by the planning commission.

Notice

Noticing procedure for zone amendments in Cottonwood Heights defers to state law. The public hearing was noticed as required. In addition property owners within 1,000 feet were mailed individual notices of the time and date of the public hearing. See Utah Code Ann. 10-9a-205.

Possible Motions

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Kesler General Plan and Zone Map Amendment Request by Grant Kesler, application ZMA 15-003, based on the findings listed in the Staff Report dated August 31, 2015 and as modified by the conditions below:"

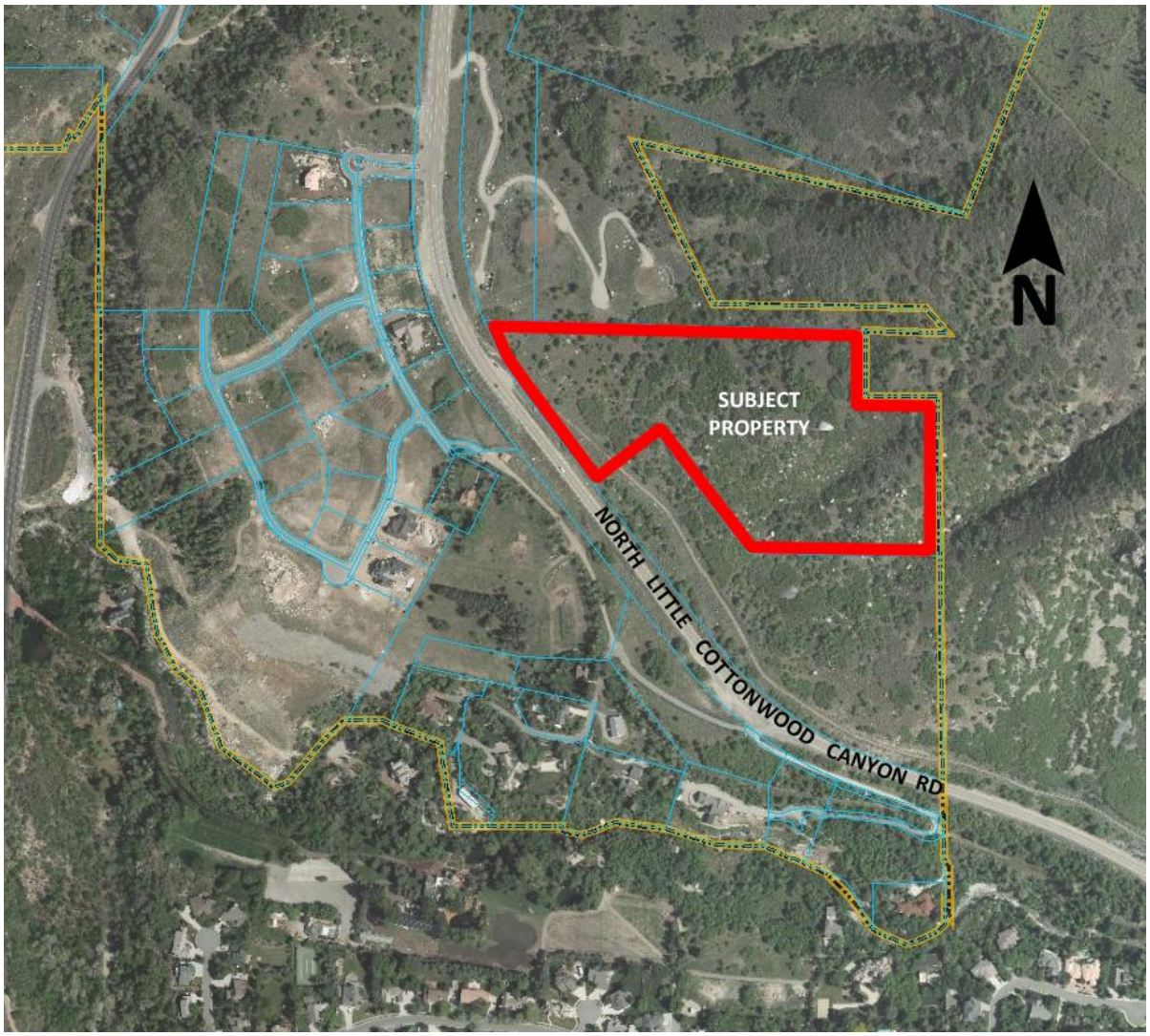
1. List any additional findings…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Kesler General Plan and Zone Map Amendment Request by Grant Kesler, application ZMA 15-003, based on the findings listed in the Staff Report dated April 8, 2014 and as modified by the conditions below:"

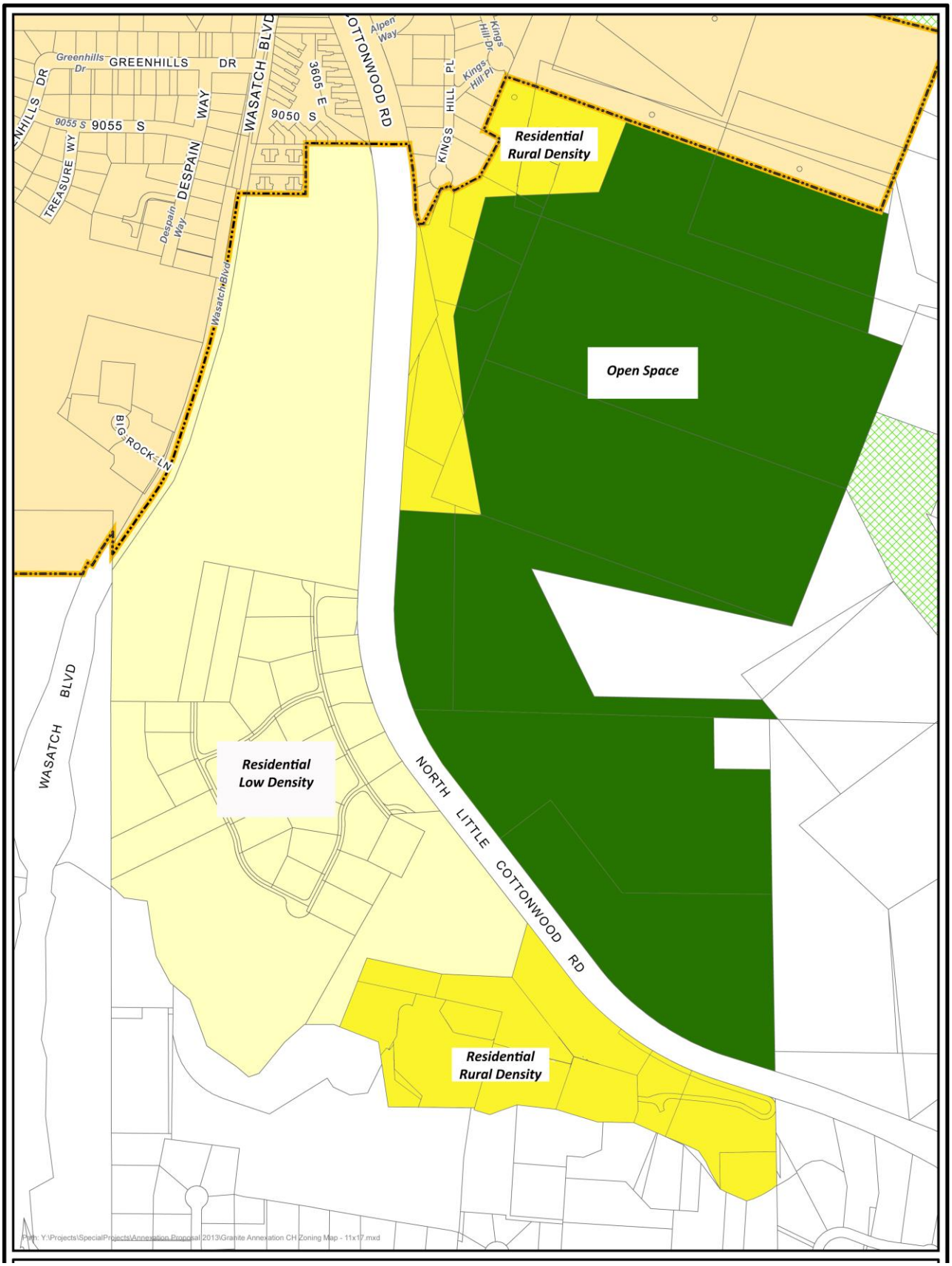
1. List any additional findings…

Staff:
Glen Goins
Community and Economic Development Department
801-944-7065

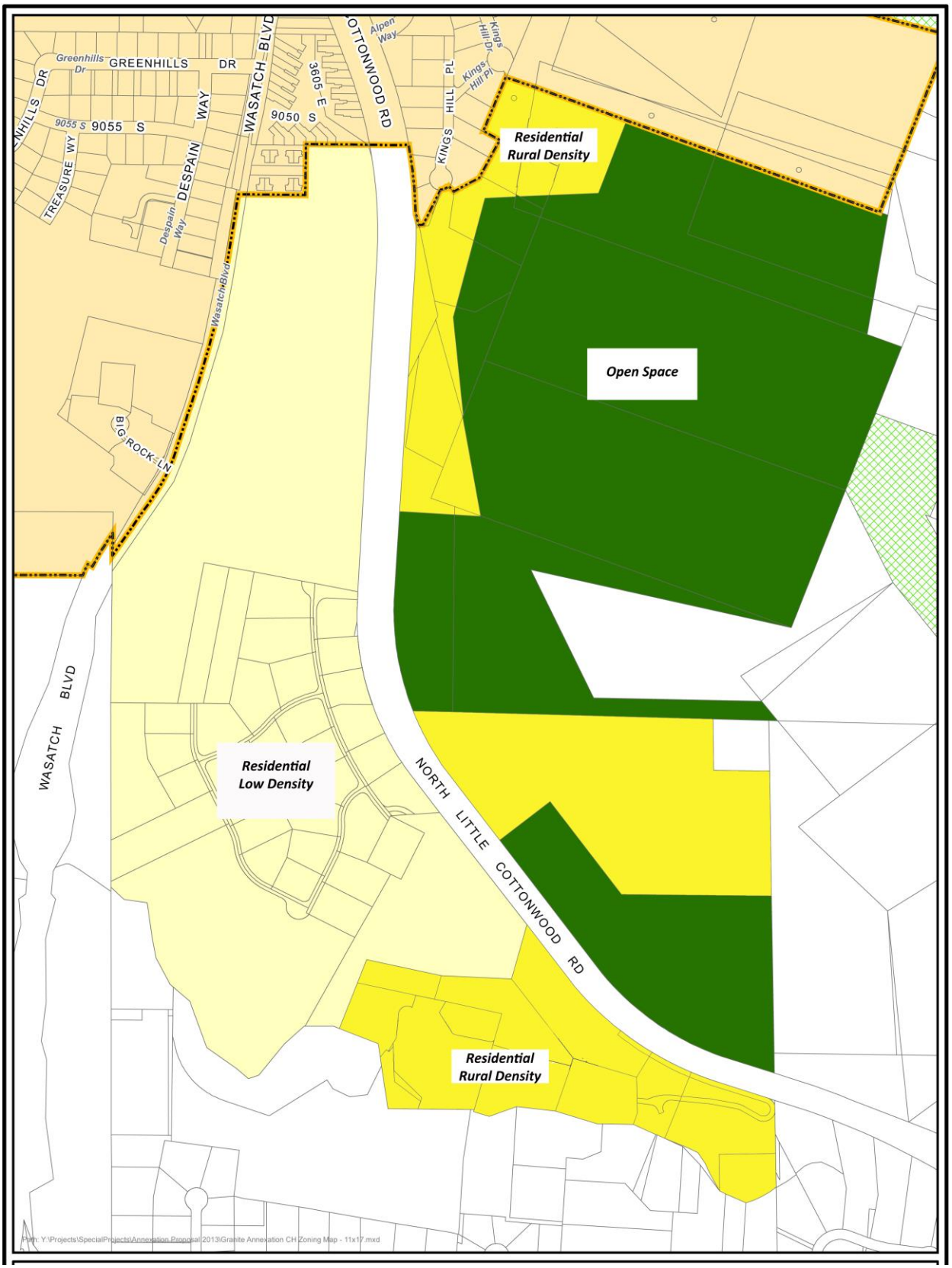
Context Aerial



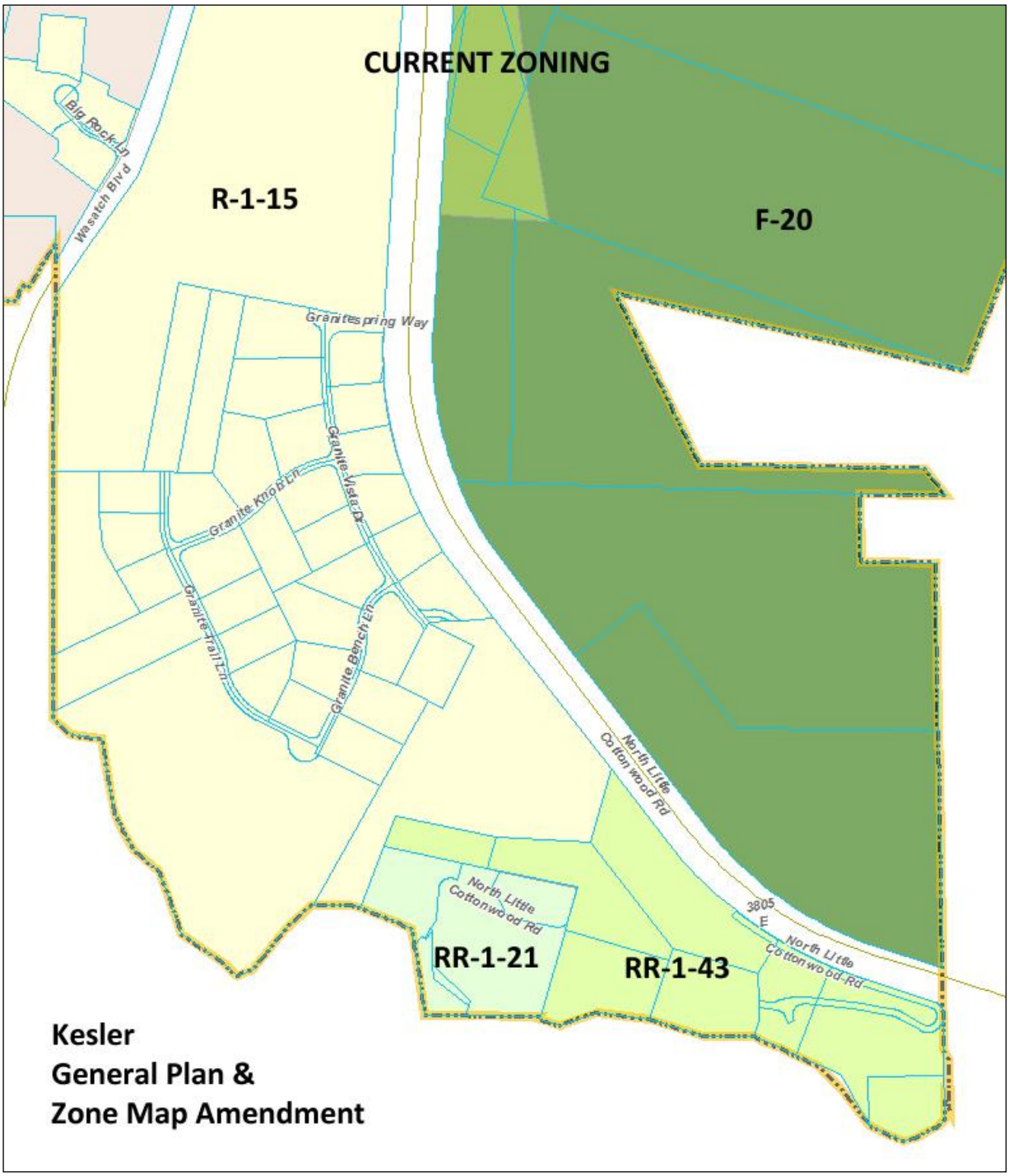
Current Land Use Plan



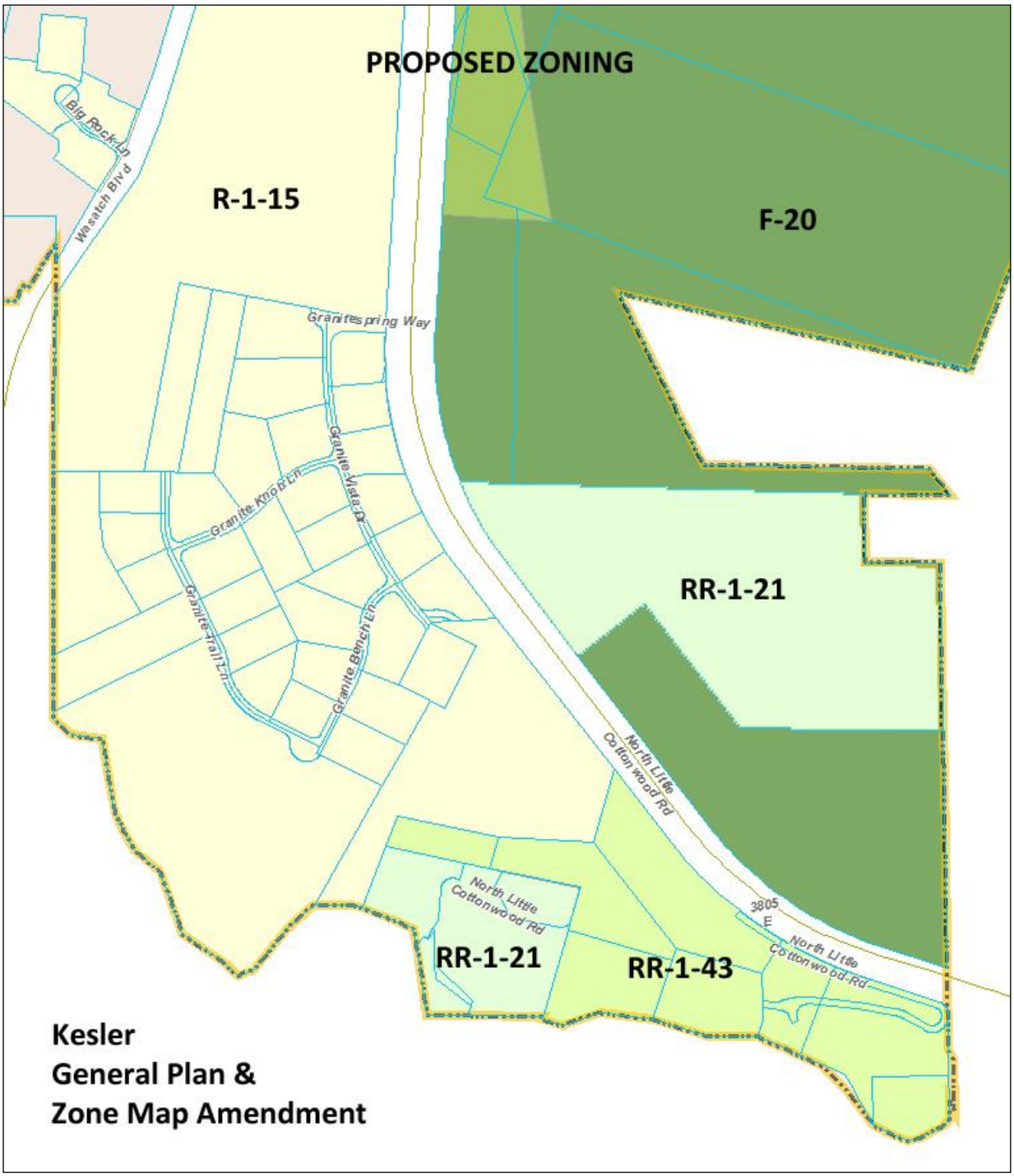
Proposed Land Use Plan



Current Zoning Map



Proposed Zoning



WHEN RECORDED RETURN TO:

COTTONWOOD HEIGHTS
Attn: Linda Dunlavy, City Recorder
1265 East Fort Union Blvd., Suite 250
Cottonwood Heights, UT 84047

Development Agreement
(15.365 Acres--9361 South North Little Cottonwood Canyon Road)

THIS DEVELOPMENT AGREEMENT (this "*Agreement*") is entered into effective __ _____ 2016 by and among **LC CANYON PARTNERS, LLC**, a Utah limited liability company whose address is 3739 Brighton Point Drive, Cottonwood Heights, UT 84121 ("*Developer*"); and the city of **COTTONWOOD HEIGHTS**, a municipality and political subdivision of the State of Utah whose address until 1 September 2016 is 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, UT 84047, and whose address after 1 September 2016 is 2277 East Bengal Blvd., Cottonwood Heights, UT 84121 ("*City*"). Developer and City are hereinafter sometimes referred to individually as a "*Party*" or collectively as the "*Parties*."

R E C I T A L S:

A. Developer owns approximately 15.365 acres of real property located near 9361 South North Little Cottonwood Canyon Road within City's boundaries (the "*Property*"). The legal description of the Property is set forth on Exhibit "A" annexed hereto.

B. The Property currently is zoned F-20, which allows as a conditional use one residence per 20 acres of land. Further, the Property is located on a hillside and most of the Property consists of slopes exceeding 30% (collectively, the "*30% Slope*"), which are deemed undevelopable under Title 19 of City's code of ordinances (the "*Code*").

C. Developer has made application to City for a general plan map amendment and rezone or map amendment necessary to assign an RR-1-21 zoning designation to the Property in anticipation of developing the Property as residential subdivision (the "*Project*") containing seven buildable lots ("*Lots*") comprising approximately 4.428 acres and two undevelopable parcels comprising approximately 10.937 acres and containing most of the 30% Slope ("*30% Slope Parcels*").

D. The intent of this Agreement is to facilitate development of the Project in accordance with the Code and the site-specific land uses and development standards specified in this Agreement in order to provide for a creative development with unique and unusual characteristics for the benefit of all Parties.

E. City, acting pursuant to its authority under UTAH CODE ANN. §§ 10-9a-101, *et seq.* ("*LUDMA*") has made certain determinations with respect to the Property and the proposed Project, and, in the exercise of its legislative discretion, has elected to process and approve this Agreement after all necessary public hearings and procedures have been conducted.

A G R E E M E N T:

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Incorporation of Recitals; Entire Agreement**. The above recitals and the exhibits referenced in this Agreement are hereby incorporated by reference as part of this Agreement. This Agreement integrates and constitutes all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements, or previous agreements between the Parties hereto with respect to such subject matter.

2. **Condition Precedent**. This Agreement is contingent upon and shall only become effective at such time, and in the event that, the Cottonwood Heights City Council (the "*Council*"), in the independent, unfettered exercise of its legislative discretion, elects to approve the proposed rezoning of the Property to the RR-1-21 zoning designation. This Agreement is not intended to and does not affect or in any way bind or supersede the independent exercise of legislative discretion by the Council in deciding whether to approve or deny the application for the rezoning of the Property. If any such rezoning occurs by legislative action of the Council but subsequently is reversed or revoked by any means other than legislative action of the Council, then this Agreement shall be deemed void *ab initio*.

3. **Plan**. Subject to Section 4.2, below, a plan (the "*Plan*") depicting the permissible lots, building envelopes, street(s) and certain other dimensions and physical attributes of the Project is attached hereto as Exhibit B and is incorporated herein by this reference. The Project shall be limited to a maximum of seven Lots, which shall be exclusively used for single family residential purposes and shall be configured and located substantially as shown on the Plan. The approval of the Plan as part of this Agreement satisfies any Code requirement for a site plan, development plan or similar for the Project, provided that the Plan shall not constitute a preliminary or final subdivision plat for the Project.

4. **Project-Specific Development Standards.**

4.1. *Site Standards*. By this Agreement, the Parties intend to limit the uses, development standards and other regulations otherwise applicable to the Property under the RR-1-21 zoning designation as described in Code Chapter 19.20 in order to promote the efficient and creative development of the Property, which has unique or unusual characteristics. The specific allowed land uses, development standards and regulations for the Project that are to be used in substitution for the uses, development standards and other regulations contained in Code Chapter 19.20 are attached hereto as Exhibit C (the "*Site Standards*") and incorporated herein by this reference. Developer shall develop the Project in accordance with the Plan (subject to Section 4.2) and in full compliance with the Site Standards and the Code.

4.2. *Amendments to Plan*. The Plan is a general depiction of locations and dimensions of Lots, building envelopes, streets, and certain other dimensional development attributes of the proposed Project. If required by the Code or the Site Standards, more detailed and specific site plans, subdivision plats and similar shall be submitted for approval before any actual construction may begin on any portion of the Property. Actual development of the Project

may deviate or vary slightly or in ways that are irrelevant to planning considerations from what is depicted on the Plan or which represent logical development of the details depicted on the Plan, provided that:

4.2.1. City reserves the right to require modifications of the Plan as reasonably necessary to assure Code compliance, including reducing the number of Lots to fewer than seven based on geotechnical considerations or other Code requirements.

4.2.2. The number of Lots on the Property may not exceed seven absent a subsequent legislative decision to the contrary by the Council in its sole, unfettered discretion. Developer otherwise irrevocably waives any right to seek to increase the number of Lots on the Property, including, without limitation, pursuant to any "density credit" applicable to the 30% Slope portion of the Property under Code Section 19.72.040(A), as amended.

4.2.3. Except as provided below in this subsection 4.2.3, Developer irrevocably waives any right to seek, through a conditional use or other administrative (non-legislative) process, to modify the size or location of Lots, building envelopes, streets, or other development attributes of the Property as shown on the Plan except as follows:

(a) If Developer desires to reduce the number of Lots to fewer than seven, Developer may administratively seek related increases in the size of, and the location of building envelopes on, the remaining Lots; and

(b) If Developer desires to seek modifications to the Plan which neither increase the number of Lots; cause any of the Lots to further impinge on the 30% Slope portion of the Property; materially change the road alignment or the sizes or locations of Lots or building envelopes, setbacks or other dimensional attributes of the Plan; nor change the Site Standards, then Developer shall submit a detailed request to City's community development director (the "*Director*"), who may administratively approve minor modifications to the Plan under the foregoing standards.

Any other modifications to the Plan or the Site Standards desired by Developer are subject to approval or disapproval by the Council in the independent, unfettered exercise of its legislative discretion following public hearing before, and recommendation by, the Commission.

4.3. *Appeals*. Any decision of the Director (a) approving or denying a request for a minor modification to the Plan, or (b) as to whether a proposed modification is a major amendment to the Plan that requires Council approval, is an administrative decision of City staff that may be appealed to City's appeal authority as provided in the Code. Any decision of the Council concerning a proposed major amendment to the Plan, or any amendment to the Site Standards, is a legislative decision that may be appealed to court as provided in LUDMA.

5. **Approval Process for Development Applications**. City shall process applications for development of the Project in accordance with the Code. Nothing in this Agreement shall be deemed to relieve Developer of the obligation to comply with all of the applicable requirements for approval of preliminary and final subdivision plats, or preliminary and final site plans, as applicable, for the proposed development of the Project consistent with the terms and conditions of this Agreement and the applicable provisions of the Code.

6. **Phasing**. Developer shall proceed with construction of the Project with reasonable diligence once construction commences. Developer may develop the Project in several phases as market conditions dictate so long as each phase provides for the logical extension of infrastructure and utilities as approved by City and in compliance with the terms of this Agreement and the applicable provisions of the Code. All phasing decisions for the Project shall constitute minor modifications subject to approval by the Director.

7. **Payment of Fees**.

7.1. *Development Application and Review Fees*. Developer shall pay to City all fees imposed by City (including, without limitation, application fees, impact fees and connection fees) for review and approval of development of any and all phases of the Project in the amounts set forth in City's Consolidated Fee Schedule from time to time. The Council hereby determines that there is a prevailing public interest in allowing deferral of the payment of fees for final subdivision and final site plan approval on a phase by phase basis for the Project.

7.2. *Other Fees*. City may charge other fees in existence from time to time during development of the Project, including, without limitation, standard building permit review and inspection fees for improvements to be constructed on the Property that are generally applicable to other developments within City.

7.3. *Reservation of Right to Challenge Fees*. Notwithstanding any provision of this Agreement, the Developer does not waive Developer's rights under any applicable law to challenge the reasonableness or legality of the amount or imposition of any fees.

8. **Vested Rights**.

8.1. *Vested Rights*. Developer shall have the vested right to have preliminary and final subdivision plats, or preliminary and final site plans, as applicable, approved and to develop and construct the Project, all in accordance with and subject to compliance with the terms and conditions of this Agreement and applicable provisions of the Code. If no substantial construction has been initiated as part of the Project within three years from the date of this Agreement plus any period of force majeure, City may rezone the Property back to the F-20 zoning district that existed prior to the Council's approval of the RR-1-21 zoning designation, in which event this Agreement shall be deemed terminated. To the extent that there is any conflict between the main body (text portion) of this Agreement and the exhibits to this Agreement, the more specific language or description, as the case may be, shall control. Where any conflict or ambiguity exists between the provisions of the Code and this Agreement (including the exhibits to this Agreement), this Agreement shall govern. Notwithstanding the foregoing, however, the rights vested as provided in this Agreement are not exempt from the application of the Code and to subsequently enacted ordinances to the extent such exemption would impair City's reserved legislative powers under Section 8.2, below.

8.2. *Reserved Legislative Powers*. The Parties acknowledge that City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to City those police powers that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify any development standards that are applicable to the Project under the terms of this Agreement based upon the

policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine of the State of Utah. Any such proposed legislative changes shall be of general application to all development activity in City. Unless City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to any proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

9. **Infrastructure and the Provision of Municipal Services.**

9.1. *Construction of Necessary Infrastructure*. Developer shall have the obligation to construct or cause to be constructed and installed all of the public or private infrastructure which are located on and/or necessary to service any portion of the Property, including, without limitation, roads, utilities and any off-site improvements necessary to connect to existing utilities.

9.2. *Third Party Service Providers*. City will only be the service provider of the public roads and public storm drainage facilities to service the Project. Developer shall be responsible to obtain the approval and incur the costs of constructing any off-site and on-site infrastructure and improvements from third party service providers (including, but not limited to, Rocky Mountain Power, Questar Gas and the Cottonwood Improvement District) that are necessary to service any portion of the Property. City shall reasonably cooperate, as necessary, in seeking approval and permits from such third party service providers.

9.3. *Maintenance of Private Roads and Improvements*. Developer shall have the duty to maintain all private roads and areas designated as such on subdivision plats that are located on the Property; provided, however, that responsibility for such maintenance may be assigned to an association of Lot owners (the "*HOA*") pursuant to covenants, conditions and restrictions recorded against the Property.

10. **Term of Agreement**. The term of this Agreement (the "*Term*") shall be for a period of 20 years following the effective date specified above, unless it is terminated earlier or its Term is modified by written amendment to this Agreement; provided that this Agreement shall continue to be effective perpetually as to applications that have been submitted and development that has occurred within the Project notwithstanding the termination of this Agreement.

11. **Assignment**. Subject to Section 13 below, Developer may not assign its rights or delegate its duties under this Agreement to any third party without City's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed; provided, however, that no such assignment shall relieve Developer from the obligation to assure the full and timely payment and performance of all of its duties under this Agreement.

12. **Default.**

12.1. *Notice*. If a Party fails to timely perform its obligations hereunder or to comply with the terms hereof, the Party believing that a default has occurred shall provide written notice (a "*Notice of Default*") to the defaulting Party as provided herein.

12.2. *Contents of the Notice of Default*. The Notice of Default shall:

12.2.1. Claim of Default. Specify the claimed event of default;

12.2.2. Identification of Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in default;

12.2.3. Specify Materiality. Identify why the default is claimed to be material; and

12.2.4. Optional Proposed Cure. In connection with an alleged default by Developer, a Notice of Default from City may also propose a method and time for Developer to cure the default.

12.3. *Meet and Confer*. Upon the issuance of a Notice of Default, the Parties shall meet within ten business days and confer in an attempt to resolve the issues that are the subject matter of the Notice of Default.

12.4. *Remedies*. If, after meeting and conferring, the Parties are not able to resolve the default, then the Parties shall have the following remedies:

12.4.1. Legal Remedies. The rights and remedies available at law and in equity including, without limitation, injunctive relief, specific performance and termination, but not including compensatory damages, punitive damages or attorney's fees.

12.4.2. Enforcement of Security. City shall have the right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular default.

12.4.3. Withholding Further Development Approvals. City shall have the right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Property; provided, however, that City shall not have such right with respect to any Lot that is not the subject of the Notice of Default but has been previously sold to an unrelated third party for purposes of construction of a single-family residence thereon.

12.5. *Public Meeting*. Before any remedy in Section 12.4 may be imposed by City, the party allegedly in default shall be afforded the right to attend a public meeting before the Council and address the Council regarding the claimed default.

12.6. *Emergency Defaults*. Anything in this Agreement notwithstanding, if the Council finds on the record that a default materially impairs a compelling, countervailing interest of City and that any delays in imposing such a default would also impair a compelling, countervailing interest of City, then City may impose the remedies of Section 12.4 without meeting the requirements of Section 12.5. City shall give written notice to the defaulting party of any public meeting at which an emergency default is to be considered and the defaulting party may address the Council at that meeting regarding the claimed emergency default.

12.7. *Extended Cure Period*. Any applicable cure period may be extended as needed by agreement of the Parties for good cause shown, so long as the defaulting party is pursuing a cure with reasonable diligence.

12.8. *Cumulative Rights*. The rights and remedies set forth herein shall be cumulative.

12.9. *Waiver of Jury Trial*. **Each of the Parties hereby irrevocably waives, to the fullest extent possible under applicable law, the right to request or obtain a trial by jury in connection with any lawsuit between the Parties arising from or related to this Agreement.**

13. **Covenants Run with Land; Recording**. This Agreement shall (a) create an equitable servitude on the Property in favor of City; (b) constitute a covenant running with the land; (c) bind every person having any fee, leasehold or other interest in any portion of the Property at any time or from time to time; and (d) inure to the benefit of and be binding upon Developer, City and their respective successors and assigns. City may record this Agreement in the office of the Salt Lake County Recorder so long as City records a termination of this Agreement contemporaneously with any termination of this Agreement due to failure of a condition precedent under Section 2, above.

14. **Dedication/Conservation of 30% Slope Parcels**. Developer believes that preservation and conservation of the 30% Slope Parcels as unbuildable open space will enhance the desirability and market value of the Lots, and City believes that such preservation and conservation of the 30% Slope Parcels will constitute a public benefit. Consequently, pursuant to the final subdivision plat for the Project, Developer shall (a) dedicate the 30% Slope Parcels to City for open space purposes; (b) create an open space or conservation easement on the 30% Slope Parcels in favor of City; or (c) otherwise act in similar fashion to perpetually preserve and conserve the 30% Slope Parcels as undevelopable open space, all as reasonably directed by City and utilizing such documents, instruments and agreements as City reasonably may require, such as, for example, a recordable general warranty deed effecting or affirming conveyance to City of unencumbered legal title to the 30% Slope Parcels for open space purposes; provided that such title may be subject to easements, rights of way, the lien of current year taxes (which shall be prorated as of the date of conveyance) and similar non-financial encumbrances acceptable to City in its reasonable judgment. City shall cooperate, without cost or liability, with Developer's reasonable efforts under applicable tax law to structure such conveyance as a donation to City.

15. **General Provisions**. The following provisions are also integral parts of this Agreement:

15.1. *Binding Agreement*. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.

15.2. *Captions*. The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent hereof.

15.3. *Counterparts*. This Agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original.

15.4. *Severability*. The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable or invalid provision shall not affect the other provisions of this Agreement.

15.5. *Waiver of Breach*. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement.

15.6. *Cumulative Remedies*. The rights and remedies of the parties hereto shall be construed cumulatively, and none of such rights and remedies shall be exclusive of, or in lieu or limitation of, any other right, remedy or priority allowed by law.

15.7. *Amendment*. This Agreement may not be modified except by an instrument in writing signed by the parties hereto.

15.8. *Time of Essence*. Time is the essence of this Agreement.

15.9. *Interpretation*. This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah.

15.10 *Notice*. Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received (a) upon personal delivery or actual receipt thereof or (b) within three (3) days after such notice is deposited in the United States mail, postage prepaid and certified and addressed to the parties at their respective addresses set forth above. Any Party may change its address or notice by giving written notice to the other Parties in accordance with the provisions of this Subsection.

15.11. *Force Majeure*. Neither party shall be responsible for delays or failure in performance resulting from acts beyond the control of such party, including without limitation, acts of God, strikes, lockouts, riots, acts of war, epidemics, fire, communication line failures, power surges or failures, earthquakes, unseasonably severe weather conditions, or any other disasters or unusual and reasonably unforeseeable events beyond the reasonable control of the party required to perform, so long as the party charged with performance in that situation diligently pursues such performance. Force majeure events exclude, however, those arising from the financial condition of Developer or its successors.

15.12. *Non-Liability of City Officials or Employees*. No officer, representative, agent, or employee of City shall be personally liable to Developer, or any owner, officer, representative, agent, employee, successor-in-interest or assignee of Developer, in the event of any default or breach by City or for any amount which may become due to Developer or such related parties of Developer for any obligation arising pursuant to this Agreement.

15.13. *No Third-Party Rights*. The obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to City, Developer and their permitted successors and assigns. City and Developer, and their permitted successors and assigns, alone shall be entitled to enforce or waive any provisions of this Agreement to the extent that such provisions are for their benefit.

15.14. *Survival*. All agreements, covenants, representations, and warranties contained herein shall survive the execution and delivery of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

15.15. *Public Information*. The Parties acknowledge that this Agreement and all documents and instruments related to this Agreement will be public records as provided in the Utah Government Records Access and Management Act, UTAH CODE ANN. § 63G-2-101, *et seq.*

[*Signature pages follow*]

DATED effective the date first-above written.

CITY:

ATTEST:

COTTONWOOD HEIGHTS, a Utah municipality

By:_____
Linda W. Dunlavy, Recorder

By:_____
Kelvyn H. Cullimore, Jr., Mayor

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On __ _____ 2016, personally appeared before me **Kelvyn H. Cullimore, Jr.** and **Linda W. Dunlavy**, who duly acknowledged to me that they executed the foregoing document as the mayor and the recorder, respectively, of **COTTONWOOD HEIGHTS**, a Utah municipality.

_____
Notary Public

DEVELOPER:

LC CANYON PARTNERS, LLC,
a Utah limited liability company

By:_____
Grant S. Kesler, Managing Member

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On __ _____ 2016, personally appeared before me **Grant S. Kesler**, who duly acknowledged to me that he executed the foregoing document as the managing member of **LC CANYON PARTNERS, LLC**, a Utah limited liability company.

_____
Notary Public

Exhibit “A” to
Development Agreement

LEGAL DESCRIPTION OF THE PROPERTY:

(Insert legal description of Property)

Exhibit “B” to
Development Agreement

(Attach Plan Showing Project with Lot Lines, Building Envelopes, Roads, Etc.)

Exhibit “C” to
Development Agreement

To be used in substitution for Code Chapter 19.20 (RR-1-21, Rural Residential Zone), as amended:

Section 1. **Purpose**. The purpose of this project (this "*Project*") is to provide for low density rural residential development.

Section 2. **Permitted uses**. Permitted uses in the Project are limited to the following:

(a) Single family detached dwellings; and

(b) Accessory buildings customarily incidental to permitted uses.

Section 3. **Conditional uses**. There are no conditional uses in the Project except home occupations without customers/visitors.

Section 4. **Lot area**. The minimum lot size for any use in the Project is 21,780 square feet.

Section 5. **Lot width**. The minimum width of any lot in the Project is 80 feet measured 20 feet from the front lot line.

Section 6. **Front yard**. The minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of eight feet shall be 30 feet. All accessory buildings, other than private garages which have a side yard of at least eight feet, shall be located at least six feet in the rear of the main building.

Section 7. **Side yard**.

(a) The minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall be not less than 20 feet.

(b) The minimum side yard for a private garage shall be eight feet, except that detached private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.

(c) On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than 20 feet.

Section 8. **Rear yard**. The minimum depth of the rear yard for any main building shall be 30 feet, and for accessory buildings five feet; provided, that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

Section 9. **Maximum height of structures**. The maximum structure height shall be 30 feet.

Section 10. **Accessory buildings**.

(a) Accessory buildings in the Project shall maintain a minimum distance from property lines as follows:

(i) Front. Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

(ii) Sides. Five feet on interior lots; 20 feet on the street side of corner lots.

(iii) Rear. Five feet on interior lots; 20 feet on the street side of corner lots;

(b) Attached garages shall conform to the rear and side yard requirements of main buildings.

(c) No detached accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, a detached accessory structure shall be set back from property lines an additional foot from the minimum setback.

Section 11. **Maximum lot coverage**. The maximum lot coverage in the Project is 30%, which includes all structures.

Section 12. **Open space requirement**. The minimum open space requirement is 10% for a standard subdivision.

Planning Commission

MEETING DATE: April 6, 2016
MEETING TYPE: Public Hearing

STAFF REPORT

FILE NUMBER/
PROJECT NAME: **ZMA 15-004 ROLA V LLC General Plan and Zone Map Amendment**

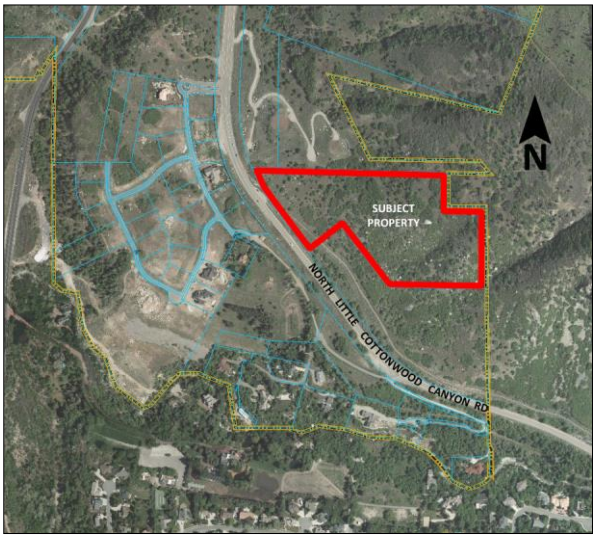
LOCATION: 3801 East North Little Cottonwood Canyon Road

REQUEST: General Plan Amendment to Rural Residential and Rezone of 11.54 acres from F-20 to RR-1-21

APPLICANT: **ROLA V LLC**

STAFF RECOMMENDATION: Recommend approval to the City Council finding that:

1. **The zone map/change is consistent with the Granite Community General Plan; and**
2. **The required public hearing has been held.**



APPLICANT'S PROPOSAL

The proposal is to amend the general plan from Foothill Recreation to Rural Residential and to rezone 15 acres from F-20 to RR-1-21 on the east side of North Little Cottonwood Canyon Road at 3801 East, and have approved a development agreement limiting the potential development to a specified number of lots on a certain portion of the property.

BACKGROUND

General Plan

The subject property was part of an annexation by Cottonwood Heights that was part of unincorporated Salt Lake County that took effect on January 1, 2015. Upon annexation, the City adopted land use and zoning commensurate with the zoning designation applied by Salt Lake County, of F-20, Foothill Recreation. Because the General Plan was adopted based on the County Zoning, and not the County Land Use Plan for this area, the land use for this property, which includes consideration of the county land use plan, is being considered with this application. The Salt Lake County designation for this property was "Residential – Primarily Low Density Estates (less than 2 units per acre)," and "Forest Service / Open Space (possible limited residential)." The proposal is to amend the plan to show this property as "Rural Residential" which is a "very-low

density" designation that calls for "no more than 2 units per acre." The proposed land use is the closest match that the city has to the county designation.

Zoning
The proposed zoning of Rural Residential, one-half acre is commensurate with the general plan designation that was assigned to this property for years prior to annexation in 2015. Of the total 11.54 acres, approximately 3.1 acres is less than 30% slope. This would limit the amount of developable land to the 3.1 acres, plus 30% of the undevelopable area could normally be considered for the density calculation in conjunction with a PUD. The proposed development agreement however, restricts the use of 30% slope are for density calculation. The request is for the entire 11.54 acres to be rezoned to RR-1-21.

Development Agreement
This application was previously considered by the planning commission and a negative recommendation was made, citing concern for the future potential of a Planned Unit Development being proposed which could request to utilize up to 30% of the non-buildable area (areas with 30% slope or greater) to calculate density, as mentioned above. The commission opposed the use of any portion of that steeply-sloped property being used for density. The applicants indicated that they did not intend to use the property for that purpose and asked to pursue a means whereby the use of steeply-sloped areas for additional density calculation was prohibited. The means by which this can be achieved is through the use of a development agreement. The city attorney, working with the applicant has drafted a development agreement which describes a set number of maximum lots which can be developed. In this case, six lots. Meaning that if through the development process limitations on development are discovered, such as sensitive lands, seismic, traffic or other issues which limit approvable lots to less than six, that limited amount could only be approved. The agreement also delineates the general location of the development area. Because the proposed concept plan shows lots which all meet minimum lot standards of the RR-1-21 zone, a future application for a PUD becomes unnecessary, and the agreement eliminates the ability for a PUD to be applied for. The agreement runs with the land, so any future owners, successors or assigns will be subject to the stipulations of the agreement. The agreement also has a sunset clause, providing that, if in two years' time, no development has begun as detailed in the concept plan, the city can choose to rezone the property, reverting back to the F-20 zone. Staff finds this development agreement offers adequate protections for the surrounding residents, as well as the predictability of a concept plan which must be adhered to.

Traffic
As determined by the city engineer, the road servicing this property has sufficient capacity to handle the potential number of homes associated with this site. A traffic analysis will be required with future development proposal.

Adjacent Zoning:
- North: F-20 (Forestry Recreation) – (also proposed for RR-1-21)
- South: RR-1-43 (Rural Residential)
- East: Forest Service Property
- West: R-1-15 Residential

Process

19.90.010 Amendment procedure.

A. *The city council may, from time to time, amend the number, shape, boundaries or area of any zone or any regulation within any zone or any other provisions of the zoning ordinance. The city council may not make any amendment authorized by this section unless the amendment was proposed by the planning commission or was first submitted to the planning commission for its recommendation. To become effective, zoning amendment applications which have received the positive recommendation of the planning commission must first receive the favorable vote of not less than a majority of the entire membership of the city council.*
B. *Zoning amendment applications which receive a recommendation of denial by the planning commission shall thereafter be considered by the city council as provided in section 19.90.030.*

19.90.030 Determination of city council.

The city council, after review of the recommendation of the planning commission, may affirm, reverse, alter or remand for further review and consideration any recommendation made by the planning commission.

Notice

Noticing procedure for zone amendments in Cottonwood Heights defers to state law. The public hearing was noticed as required. In addition property owners within 1,000 feet were mailed individual notices of the time and date of the public hearing. See Utah Code Ann. 10-9a-205.

Possible Motions

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Kesler General Plan and Zone Map Amendment Request by ROLA V LLC, application ZMA 15-004, based on the findings listed in the Staff Report dated April 6, 2016 and as modified by the conditions below:"

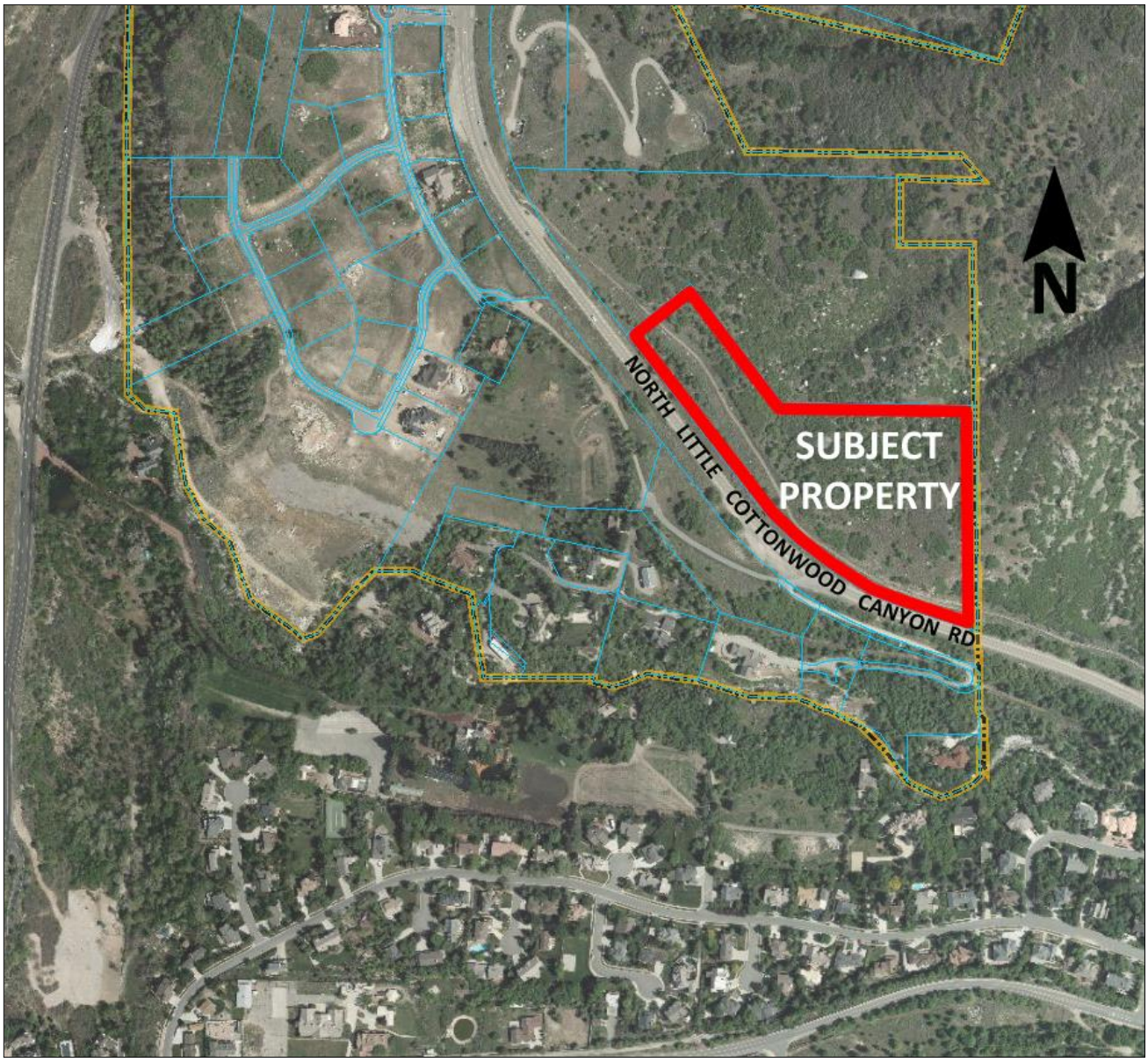
1. List any additional findings…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Kesler General Plan and Zone Map Amendment Request by ROLA V LLC, application ZMA 15-004, based on the findings listed in the Staff Report dated April 6, 2016 and as modified by the conditions below:"

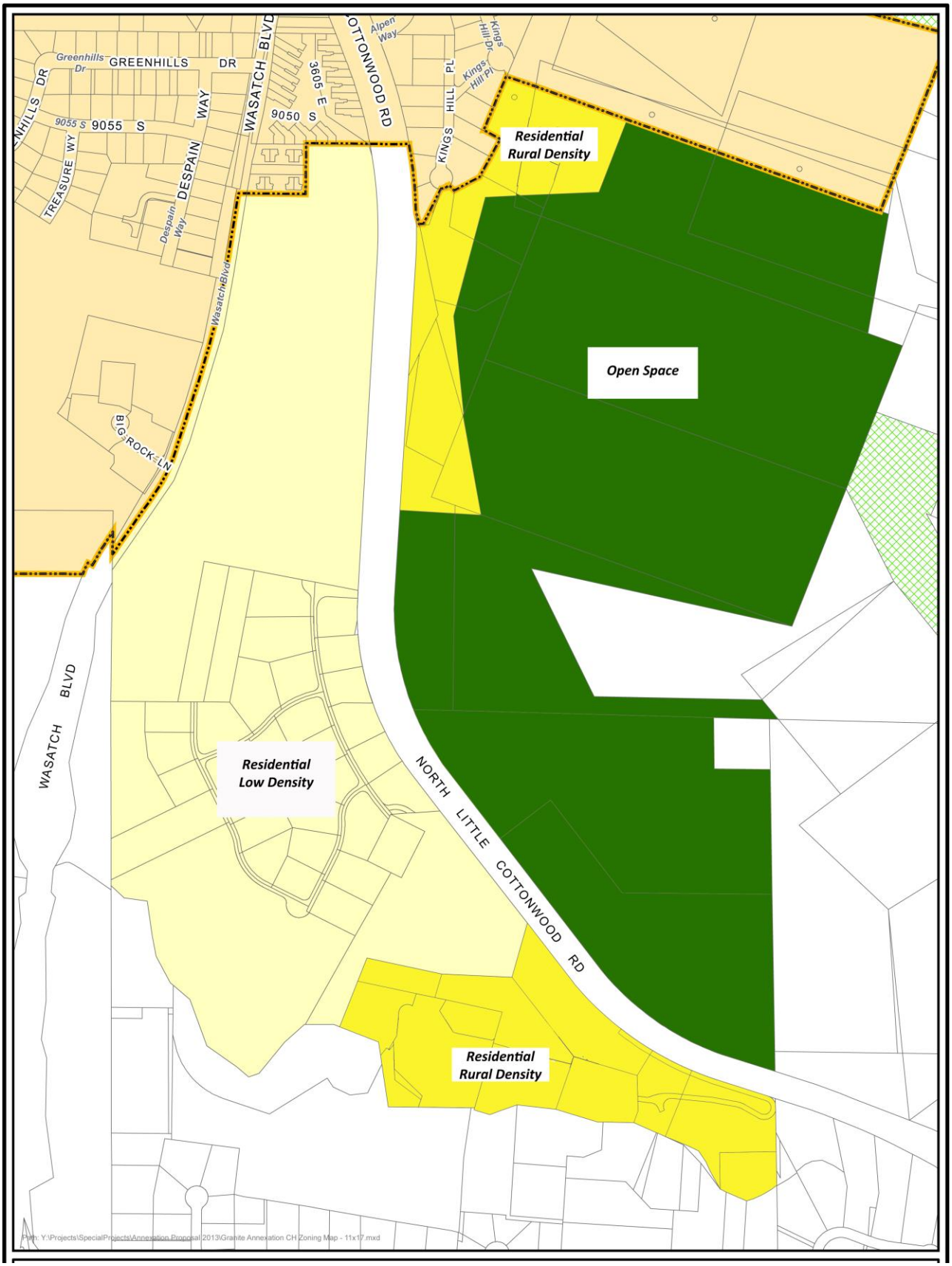
1. List any additional findings…

Staff:
Glen Goins
Community and Economic Development Department
801-944-7065

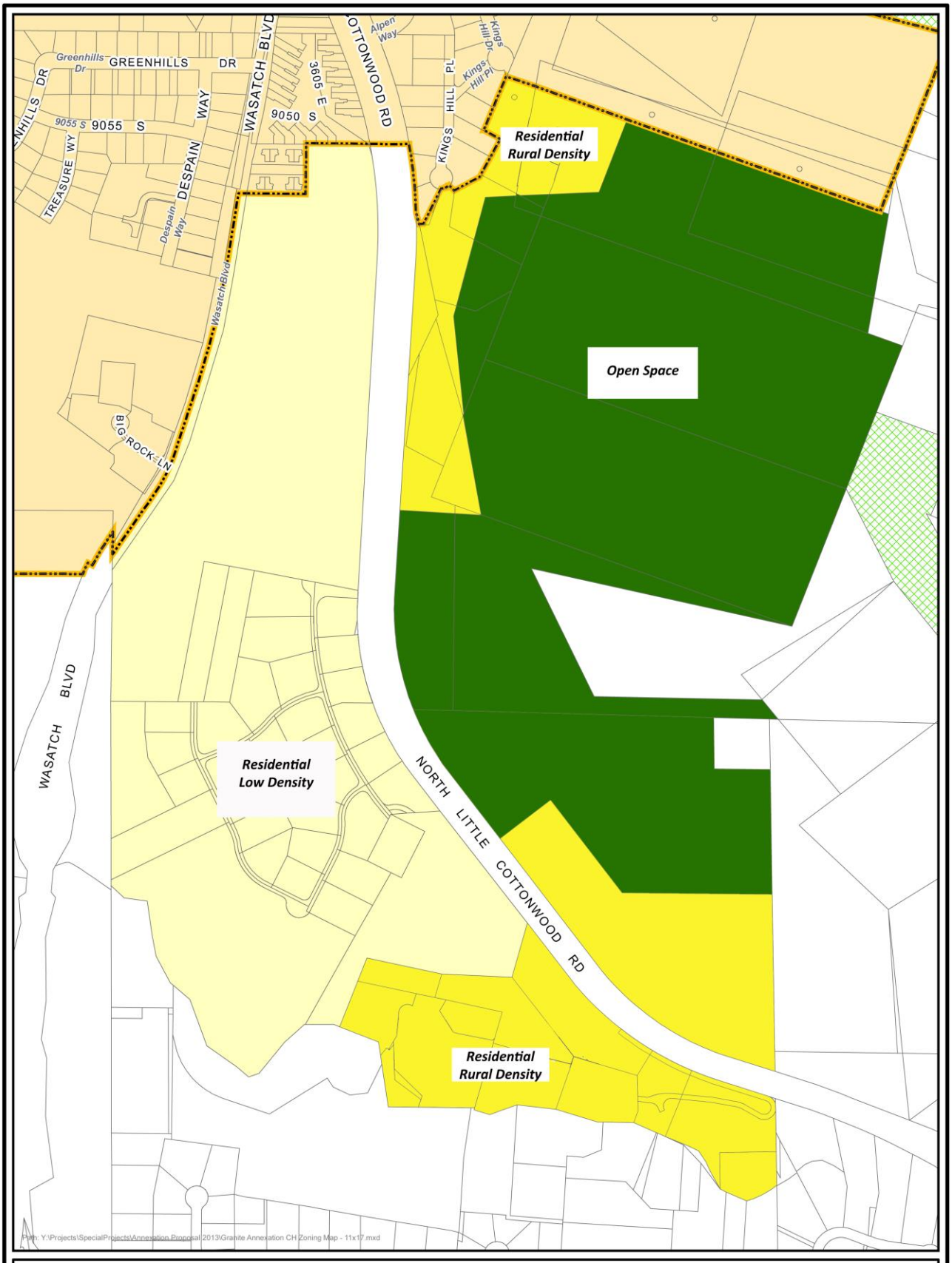
Context Aerial



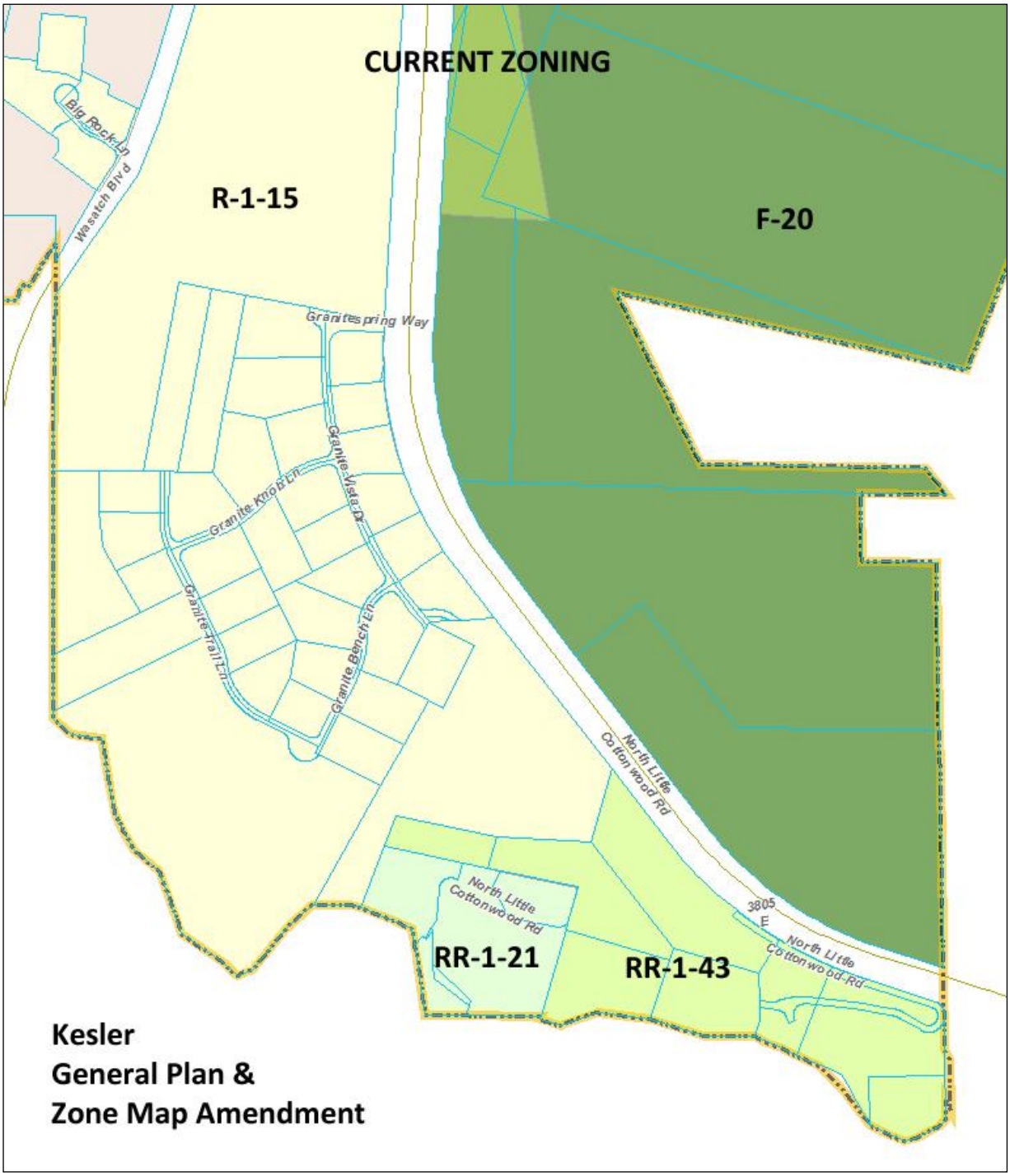
Current Land Use Plan



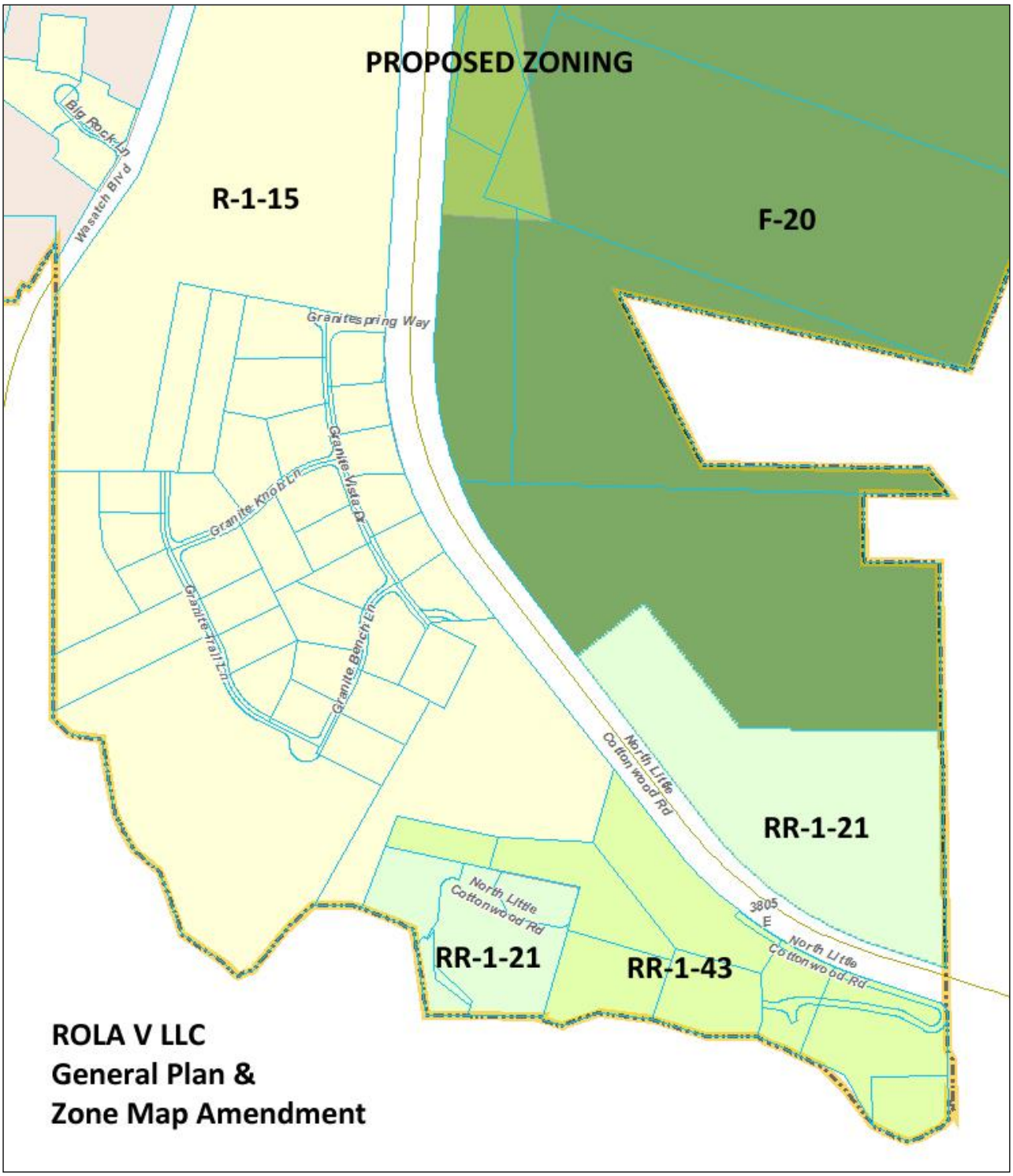
Proposed Land Use Plan



Current Zoning Map



Proposed Cottonwood Heights Zoning Map



WHEN RECORDED RETURN TO:

COTTONWOOD HEIGHTS
Attn: Linda Dunlavy, City Recorder
1265 East Fort Union Blvd., Suite 250
Cottonwood Heights, UT 84047

Development Agreement
(11.54 Acres--3801 East North Little Cottonwood Canyon Road)

THIS DEVELOPMENT AGREEMENT (this "*Agreement*") is entered into effective __ _____ 2016 by and among **ROLA V, LLC**, a Utah limited liability company f/k/a **ROLA V, LTD.**, **DAVID L. DESPAIN** and **OLSON FAMILY LIMITED PARTNERSHIP**, an Idaho limited partnership, whose joint address is c/o 3802 East North Little Cottonwood Canyon Road, Sandy, UT 84092 (collectively, "*Developer*"); and the city of **COTTONWOOD HEIGHTS**, a municipality and political subdivision of the State of Utah whose address until 1 September 2016 is 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, UT 84047, and whose address after 1 September 2016 is 2277 East Bengal Blvd., Cottonwood Heights, UT 84121 ("*City*"). Developer and City are hereinafter sometimes referred to individually as a "*Party*" or collectively as the "*Parties*."

R E C I T A L S:

A. Developer owns approximately 11.54 acres of real property located near 3801 East North Little Cottonwood Canyon Road within City's boundaries (the "*Property*"). The legal description of the Property is set forth on Exhibit "A" annexed hereto.

B. The Property currently is zoned F-20, which allows as a conditional use one residence per 20 acres of land. Further, the Property is located on a hillside and most of the Property consists of slopes exceeding 30% (collectively, the "*30% Slope*"), which are deemed undevelopable under Title 19 of City's code of ordinances (the "*Code*").

C. Developer has made application to City for a general plan map amendment and rezone or map amendment necessary to assign an RR-1-21 zoning designation to the Property in anticipation of developing the Property as residential subdivision (the "*Project*") containing six buildable lots ("*Lots*") comprising approximately 3.11 acres and three undevelopable parcels comprising approximately 8.43 acres and containing most of the 30% Slope ("*30% Slope Parcels*").

D. The intent of this Agreement is to facilitate development of the Project in accordance with the Code and the site-specific land uses and development standards specified in this Agreement in order to provide for a creative development with unique and unusual characteristics for the benefit of all Parties.

E. City, acting pursuant to its authority under UTAH CODE ANN. §§ 10-9a-101, *et seq.* ("*LUDMA*") has made certain determinations with respect to the Property and the proposed Project, and, in the exercise of its legislative discretion, has elected to process and approve this Agreement after all necessary public hearings and procedures have been conducted.

A G R E E M E N T:

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Incorporation of Recitals; Entire Agreement**. The above recitals and the exhibits referenced in this Agreement are hereby incorporated by reference as part of this Agreement. This Agreement integrates and constitutes all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements, or previous agreements between the Parties hereto with respect to such subject matter.

2. **Condition Precedent**. This Agreement is contingent upon and shall only become effective at such time, and in the event that, the Cottonwood Heights City Council (the "*Council*"), in the independent, unfettered exercise of its legislative discretion, elects to approve the proposed rezoning of the Property to the RR-1-21 zoning designation. This Agreement is not intended to and does not affect or in any way bind or supersede the independent exercise of legislative discretion by the Council in deciding whether to approve or deny the application for the rezoning of the Property. If any such rezoning occurs by legislative action of the Council but subsequently is reversed or revoked by any means other than legislative action of the Council, then this Agreement shall be deemed void *ab initio*.

3. **Plan**. Subject to Section 4.2, below, a plan (the "*Plan*") depicting the permissible lots, building envelopes, street(s) and certain other dimensions and physical attributes of the Project is attached hereto as Exhibit B and is incorporated herein by this reference. The Project shall be limited to a maximum of six Lots, which shall be exclusively used for single family residential purposes and shall be configured and located substantially as shown on the Plan. The approval of the Plan as part of this Agreement satisfies any Code requirement for a site plan, development plan or similar for the Project, provided that the Plan shall not constitute a preliminary or final subdivision plat for the Project.

4. **Project-Specific Development Standards.**

4.1. *Site Standards*. By this Agreement, the Parties intend to limit the uses, development standards and other regulations otherwise applicable to the Property under the RR-1-21 zoning designation as described in Code Chapter 19.20 in order to promote the efficient and creative development of the Property, which has unique or unusual characteristics. The specific allowed land uses, development standards and regulations for the Project that are to be used in substitution for the uses, development standards and other regulations contained in Code Chapter 19.20 are attached hereto as Exhibit C (the "*Site Standards*") and incorporated herein by this reference. Developer shall develop the Project in accordance with the Plan (subject to Section 4.2) and in full compliance with the Site Standards and the Code.

4.2. *Amendments to Plan*. The Plan is a general depiction of locations and dimensions of Lots, building envelopes, streets, and certain other dimensional development attributes of the proposed Project. If required by the Code or the Site Standards, more detailed and specific site plans, subdivision plats and similar shall be submitted for approval before any actual construction may begin on any portion of the Property. Actual development of the Project

may deviate or vary slightly or in ways that are irrelevant to planning considerations from what is depicted on the Plan or which represent logical development of the details depicted on the Plan, provided that:

4.2.1. City reserves the right to require modifications of the Plan as reasonably necessary to assure Code compliance, including reducing the number of Lots to fewer than six based on geotechnical considerations or other Code requirements.

4.2.2. The number of Lots on the Property may not exceed six absent a subsequent legislative decision to the contrary by the Council in its sole, unfettered discretion. Developer otherwise irrevocably waives any right to seek to increase the number of Lots on the Property, including, without limitation, pursuant to any "density credit" applicable to the 30% Slope portion of the Property under Code Section 19.72.040(A), as amended.

4.2.3. Except as provided below in this subsection 4.2.3, Developer irrevocably waives any right to seek, through a conditional use or other administrative (non-legislative) process, to modify the size or location of Lots, building envelopes, streets, or other development attributes of the Property as shown on the Plan except as follows:

(a) If Developer desires to reduce the number of Lots to fewer than six, Developer may administratively seek related increases in the size of, and the location of building envelopes on, the remaining Lots; and

(b) If Developer desires to seek minor modifications to the Plan which neither increase the number of Lots; cause any of the Lots to further impinge on the 30% Slope portion of the Property; materially change the road alignment or the sizes or locations of Lots or building envelopes, setbacks and other dimensional attributes of the Plan; nor change the Site Standards, then Developer shall submit a detailed request to City's community development director (the "*Director*"), who may administratively approve minor modifications to the Plan under the foregoing standards.

Any other modifications to the Plan or the Site Standards desired by Developer are subject to approval or disapproval by the Council in the independent, unfettered exercise of its legislative discretion following public hearing before, and recommendation by, the Commission.

4.3. *Appeals*. Any decision of the Director (a) approving or denying a request for a minor modification to the Plan, or (b) as to whether a proposed modification is a major amendment to the Plan that requires Council approval, is an administrative decision of City staff that may be appealed to City's appeal authority as provided in the Code. Any decision of the Council concerning a proposed major amendment to the Plan, or any amendment to the Site Standards, is a legislative decision that may be appealed to court as provided in LUDMA.

5. **Approval Process for Development Applications**. City shall process applications for development of the Project in accordance with the Code. Nothing in this Agreement shall be deemed to relieve Developer of the obligation to comply with all of the applicable requirements for approval of preliminary and final subdivision plats, or preliminary and final site plans, as applicable, for the proposed development of the Project consistent with the terms and conditions of this Agreement and the applicable provisions of the Code.

6. **Phasing**. Developer shall proceed with construction of the Project with reasonable diligence once construction commences. Developer may develop the Project in several phases as market conditions dictate so long as each phase provides for the logical extension of infrastructure and utilities as approved by City and in compliance with the terms of this Agreement and the applicable provisions of the Code. All phasing decisions for the Project shall constitute minor modifications subject to approval by the Director.

7. **Payment of Fees**.

7.1. *Development Application and Review Fees*. Developer shall pay to City all fees imposed by City (including, without limitation, application fees, impact fees and connection fees) for review and approval of development of any and all phases of the Project in the amounts set forth in City's Consolidated Fee Schedule from time to time. The Council hereby determines that there is a prevailing public interest in allowing deferral of the payment of fees for final subdivision and final site plan approval on a phase by phase basis for the Project.

7.2. *Other Fees*. City may charge other fees in existence from time to time during development of the Project, including, without limitation, standard building permit review and inspection fees for improvements to be constructed on the Property that are generally applicable to other developments within City.

7.3. *Reservation of Right to Challenge Fees*. Notwithstanding any provision of this Agreement, the Developer does not waive Developer's rights under any applicable law to challenge the reasonableness or legality of the amount or imposition of any fees.

8. **Vested Rights**.

8.1. *Vested Rights*. Developer shall have the vested right to have preliminary and final subdivision plats, or preliminary and final site plans, as applicable, approved and to develop and construct the Project in accordance with and subject to compliance with the terms and conditions of this Agreement and applicable provisions of the Code. If no substantial construction has been initiated as part of the Project within three years from the date of this Agreement plus any period of force majeure, City may rezone the Property back to the F-20 zoning district that existed prior to the Council's approval of the RR-1-21 zoning designation, in which event this Agreement shall be deemed terminated. To the extent that there is any conflict between the main body (text portion) of this Agreement and the exhibits to this Agreement, the more specific language or description, as the case may be, shall control. Where any conflict or ambiguity exists between the provisions of the Code and this Agreement (including the exhibits to this Agreement), this Agreement shall govern. Notwithstanding the foregoing, however, the rights vested as provided in this Agreement are not exempt from the application of the Code and to subsequently enacted ordinances to the extent such exemption would impair City's reserved legislative powers under Section 8.2, below.

8.2. *Reserved Legislative Powers*. The Parties acknowledge that City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to City those police powers that cannot be so limited. Notwithstanding the retained power of City to enact such legislation under the police powers, such legislation shall only be applied to modify any development standards that are applicable to the Project under the terms of this Agreement based upon the

policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine of the State of Utah. Any such proposed legislative changes shall be of general application to all development activity in City. Unless City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to any proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

9. **Infrastructure and the Provision of Municipal Services.**

9.1. *Construction of Necessary Infrastructure*. Developer shall have the obligation to construct or cause to be constructed and installed all of the public or private infrastructure which are located on and/or necessary to service any portion of the Property, including, without limitation, roads, utilities and any off-site improvements necessary to connect to existing utilities.

9.2. *Third Party Service Providers*. City will only be the service provider of the public roads and storm drainage facilities to service the Project. Developer shall be responsible to obtain the approval and incur the costs of constructing any off-site and on-site infrastructure and improvements from third party service providers (including, but not limited to, Rocky Mountain Power, Questar Gas and the Cottonwood Improvement District) that are necessary to service any portion of the Property. City shall reasonably cooperate, as necessary, in seeking approval and permits from such third party service providers.

9.3. *Maintenance of Private Roads and Improvements*. Developer shall have the duty to maintain all private roads and areas designated as such on subdivision plats that are located on the Property; provided, however, that responsibility for such maintenance may be assigned to an association of Lot owners (the "*HOA*") pursuant to covenants, conditions and restrictions recorded against the Property.

10. **Term of Agreement**. The term of this Agreement (the "*Term*") shall be for a period of 20 years following the effective date specified above, unless it is terminated earlier or its Term is modified by written amendment to this Agreement; provided that this Agreement shall continue to be effective perpetually as to applications that have been submitted and development that has occurred within the Project notwithstanding the termination of this Agreement.

11. **Assignment**. Subject to Section 13 below, Developer may not assign its rights or delegate its duties under this Agreement to any third party without City's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed; provided, however, that no such assignment shall relieve Developer from the obligation to assure the full and timely payment and performance of all of its duties under this Agreement.

12. **Default.**

12.1. *Notice*. If a Party fails to timely perform its obligations hereunder or to comply with the terms hereof, the Party believing that a default has occurred shall provide written notice (a "*Notice of Default*") to the defaulting Party as provided herein.

12.2. *Contents of the Notice of Default*. The Notice of Default shall:

12.2.1. Claim of Default. Specify the claimed event of default;

12.2.2. Identification of Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this Agreement that is claimed to be in default;

12.2.3. Specify Materiality. Identify why the default is claimed to be material; and

12.2.4. Optional Proposed Cure. In connection with an alleged default by Developer, a Notice of Default from City may also propose a method and time for Developer to cure the default.

12.3. *Meet and Confer*. Upon the issuance of a Notice of Default, the Parties shall meet within ten business days and confer in an attempt to resolve the issues that are the subject matter of the Notice of Default.

12.4. *Remedies*. If, after meeting and conferring, the Parties are not able to resolve the default, then the Parties shall have the following remedies:

12.4.1. Legal Remedies. The rights and remedies available at law and in equity including, without limitation, injunctive relief, specific performance and termination, but not including compensatory damages, punitive damages or attorney's fees.

12.4.2. Enforcement of Security. City shall have the right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular default.

12.4.3. Withholding Further Development Approvals. City shall have the right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Property; provided, however, that City shall not have such right with respect to any Lot that is not the subject of the Notice of Default but has been previously sold to an unrelated third party for purposes of construction of a single-family residence thereon.

12.5. *Public Meeting*. Before any remedy in Section 12.4 may be imposed by City, the party allegedly in default shall be afforded the right to attend a public meeting before the Council and address the Council regarding the claimed default.

12.6. *Emergency Defaults*. Anything in this Agreement notwithstanding, if the Council finds on the record that a default materially impairs a compelling, countervailing interest of City and that any delays in imposing such a default would also impair a compelling, countervailing interest of City, then City may impose the remedies of Section 12.4 without meeting the requirements of Section 12.5. City shall give written notice to the defaulting party of any public meeting at which an emergency default is to be considered and the defaulting party may address the Council at that meeting regarding the claimed emergency default.

12.7. *Extended Cure Period*. Any applicable cure period may be extended as needed by agreement of the Parties for good cause shown, so long as the defaulting party is pursuing a cure with reasonable diligence.

12.8. *Cumulative Rights*. The rights and remedies set forth herein shall be cumulative.

12.9. *Waiver of Jury Trial*. **Each of the Parties hereby irrevocably waives, to the fullest extent possible under applicable law, the right to request or obtain a trial by jury in connection with any lawsuit between the Parties arising from or related to this Agreement.**

13. **Covenants Run with Land; Recording**. This Agreement shall (a) create an equitable servitude on the Property in favor of City; (b) constitute a covenant running with the land; (c) bind every person having any fee, leasehold or other interest in any portion of the Property at any time or from time to time; and (d) inure to the benefit of and be binding upon Developer, City and their respective successors and assigns. City may record this Agreement in the office of the Salt Lake County Recorder so long as City records a termination of this Agreement contemporaneously with any termination of this Agreement due to failure of a condition precedent under Section 2, above.

14. **Dedication/Conservation of 30% Slope Parcels**. Developer believes that preservation and conservation of the 30% Slope Parcels as unbuildable open space will enhance the desirability and market value of the Lots, and City believes that such preservation and conservation of the 30% Slope Parcels will constitute a public benefit. Consequently, pursuant to the final subdivision plat for the Project, Developer shall (a) dedicate the 30% Slope Parcels to City or its designee for open space purposes; (b) create an open space or conservation easement on the 30% Slope Parcels in favor of City or its designee; or (c) otherwise act in a similar fashion to perpetually preserve and conserve the 30% Slope Parcels as undevelopable open space, all as reasonably directed by City and utilizing such documents, instruments and agreements as City reasonably may require, such as, for example, a recordable general warranty deed effecting or affirming conveyance to City or its designee of unencumbered legal title to the 30% Slope Parcels for open space purposes; provided that such title may be subject to easements, rights of way, the lien of current year taxes (which shall be prorated as of the date of conveyance) and similar non-financial encumbrances acceptable to City in its reasonable judgment. City shall cooperate, without cost or liability, with Developer's reasonable efforts under applicable tax law to structure such conveyance as a donation to City. Notwithstanding the foregoing, however, if City desires to be conveyed legal title to the 30% Slope Parcels (designated as Parcels A, B and C on the Plan), Developer may, at its option, elect to not convey legal title to Parcel A and/or Parcel B but instead to retain (or have the HOA retain) title to Parcels A and/or B as landscaped, but otherwise undeveloped, amenities of the Project maintained at Developer's or the HOA's cost, so long as such parcel(s) are perpetually preserved as open space through an express easement or similar legal mechanism as reasonably directed by City utilizing such documents, instruments and agreements as City or its designee may require.

15. **General Provisions**. The following provisions are also integral parts of this Agreement:

15.1. *Binding Agreement*. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.

15.2. *Captions*. The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent hereof.

15.3. *Counterparts*. This Agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original.

15.4. *Severability*. The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable or invalid provision shall not affect the other provisions of this Agreement.

15.5. *Waiver of Breach*. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this Agreement.

15.6. *Cumulative Remedies*. The rights and remedies of the parties hereto shall be construed cumulatively, and none of such rights and remedies shall be exclusive of, or in lieu or limitation of, any other right, remedy or priority allowed by law.

15.7. *Amendment*. This Agreement may not be modified except by an instrument in writing signed by the parties hereto.

15.8. *Time of Essence*. Time is the essence of this Agreement.

15.9. *Interpretation*. This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah.

15.10 *Notice*. Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received (a) upon personal delivery or actual receipt thereof or (b) within three (3) days after such notice is deposited in the United States mail, postage prepaid and certified and addressed to the parties at their respective addresses set forth above. Any Party may change its address or notice by giving written notice to the other Parties in accordance with the provisions of this Subsection.

15.11. *Force Majeure*. Neither party shall be responsible for delays or failure in performance resulting from acts beyond the control of such party, including without limitation, acts of God, strikes, lockouts, riots, acts of war, epidemics, fire, communication line failures, power surges or failures, earthquakes, unseasonably severe weather conditions, or any other disasters or unusual and reasonably unforeseeable events beyond the reasonable control of the party required to perform, so long as the party charged with performance in that situation diligently pursues such performance. Force majeure events exclude, however, those arising from the financial condition of Developer or its successors.

15.12. *Non-Liability of City Officials or Employees*. No officer, representative, agent, or employee of City shall be personally liable to Developer, or any owner, officer, representative, agent, employee, successor-in-interest or assignee of Developer, in the event of

any default or breach by City or for any amount which may become due to Developer or such related parties of Developer for any obligation arising pursuant to this Agreement.

15.13. *No Third-Party Rights*. The obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to City, Developer and their permitted successors and assigns. City and Developer, and their permitted successors and assigns, alone shall be entitled to enforce or waive any provisions of this Agreement to the extent that such provisions are for their benefit.

15.14. *Survival*. All agreements, covenants, representations, and warranties contained herein shall survive the execution and delivery of this Agreement and shall continue in full force and effect throughout the term of this Agreement.

15.15. *Public Information*. The Parties acknowledge that this Agreement and all documents and instruments related to this Agreement will be public records as provided in the Utah Government Records Access and Management Act, UTAH CODE ANN. § 63G-2-101, *et seq.*

[*Signature pages follow*]

DATED effective the date first-above written.

CITY:

ATTEST:

COTTONWOOD HEIGHTS, a Utah municipality

By:_____
Linda W. Dunlavy, Recorder

By:_____
Kelvyn H. Cullimore, Jr., Mayor

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On __ _____ 2016, personally appeared before me **Kelvyn H. Cullimore, Jr.** and **Linda W. Dunlavy**, who duly acknowledged to me that they executed the foregoing document as the mayor and the recorder, respectively, of **COTTONWOOD HEIGHTS**, a Utah municipality.

_____
Notary Public

DEVELOPER:

OLSON FAMILY LIMITED PARTNERSHIP,
an Idaho limited partnership

By:_____
_____, General Partner

_____
DAVID L. DESPAIN

ROLA V, LLC, a Utah limited liability company
f/k/a **ROLA V, LTD.**, a Utah limited partnership

By:_____
Susan Despain, Manager

By:_____
Shane P. Nielsen, Manager

By:_____
Eric M. Despain, Manager

STATE OF _____)
: ss.
COUNTY OF _____)

On __ _____ 2016, personally appeared before me _____, who duly acknowledged to me that _he executed the foregoing document as the general partner of **OLSON FAMILY LIMITED PARTNERSHIP**, an Idaho limited partnership.

_____
Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On __ _____ 2016, personally appeared before me **DAVID L. DESPAIN**, who duly acknowledged to me that he executed the foregoing document.

_____
Notary Public

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On __ _____ 2016, personally appeared before me **Susan Despain**, **Shane P. Nielsen** and **Eric M. Despain**, who duly acknowledged to me that they executed the foregoing document as the managers of **ROLA V, LLC**, a Utah limited liability company.

_____
Notary Public

Exhibit “A” to
Development Agreement

LEGAL DESCRIPTION OF THE PROPERTY:

Beginning at a point which is South 1°27'58" East 690 feet from the North 1/4 corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 1°27'58" East 696.41 feet to the Northeasterly line of North Little Cottonwood Road; thence North 73°05'42" West 220.72 feet; thence Northwesterly along the arc of a 956.60 foot radius curve to the right (center bears North 16°54'18" East and long chord bears North 55°36'42" West 574.78 feet) along the Northeasterly line of said road; thence North 38°07'42" West 655.84 feet along the Northeasterly line of said road; thence North 51°52'18" East 250 feet; thence South 38°07'42" East 461.33 feet; thence East 591.13 feet to the point of beginning.

Exhibit “B” to
Development Agreement

(Attach Plan Showing Project with Lot Lines, Building Envelopes, Roads, Etc.)

Exhibit "C" to
Development Agreement

To be used in substitution for Code Chapter 19.20 (RR-1-21, Rural Residential Zone), as amended:

Section 1. **Purpose**. The purpose of this project (this "*Project*") is to provide for low density rural residential development.

Section 2. **Permitted uses**. Permitted uses in the Project are limited to the following:

(a) Single family detached dwellings; and

(b) Accessory buildings customarily incidental to permitted uses.

Section 3. **Conditional uses**. There are no conditional uses in the Project except home occupations without customers/visitors.

Section 4. **Lot area**. The minimum lot size for any use in the Project is 21,780 square feet.

Section 5. **Lot width**. The minimum width of any lot in the Project is 80 feet measured 20 feet from the front lot line.

Section 6. **Front yard**. The minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of eight feet shall be 30 feet. All accessory buildings, other than private garages which have a side yard of at least eight feet, shall be located at least six feet in the rear of the main building.

Section 7. **Side yard**.

(a) The minimum side yard for any dwelling shall be ten feet, and the total width of the two required side yards shall be not less than 20 feet.

(b) The minimum side yard for a private garage shall be eight feet, except that detached private garages and other accessory buildings located in the rear yard and at least six feet away from the main building shall maintain a minimum side yard of not less than five feet.

(c) On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than 20 feet.

Section 8. **Rear yard**. The minimum depth of the rear yard for any main building shall be 30 feet, and for accessory buildings five feet; provided, that on corner lots which rear upon the side yard of another lot, accessory buildings shall be located not closer than ten feet to such side yard.

Section 9. **Maximum height of structures**. The maximum structure height shall be 30 feet.

Section 10. **Accessory buildings**.

(a) Accessory buildings in the Project shall maintain a minimum distance from property lines as follows:

(i) Front. Accessory buildings, including detached garages, shall maintain a setback of at least six feet from the main building in the rear yard of the particular property.

(ii) Sides. Five feet on interior lots; 20 feet on the street side of corner lots.

(iii) Rear. Five feet on interior lots; 20 feet on the street side of corner lots;

(b) Attached garages shall conform to the rear and side yard requirements of main buildings.

(c) No detached accessory structure shall exceed 20 feet in height. For each foot of height over 14 feet, a detached accessory structure shall be set back from property lines an additional foot from the minimum setback.

Section 11. **Maximum lot coverage**. The maximum lot coverage in the Project is 30%, which includes all structures.

Section 12. **Open space requirement**. The minimum open space requirement is 10% for a standard subdivision.

1.

GRANITE COMMUNITY COUNCIL

April 07, 2015

Cottonwood Heights Planning Commission
Paxton Guyman, Chair
1265 E. Fort Union Boulevard
Cottonwood Heights, UT 84047

Re: Project No.: ZMA-15-003 and ZMA-15-004 Rezone of Property

Chair Guyman/The City of Cottonwood Heights Planning Commission (CCHPC):

The Granite Community Council (GCC) respects the past decision of Cottonwood Heights to deny a rezone of the above parcels in October 2015. The GCC discussed the above CCHPC Planning projects during the convened GCC meeting April 06, 2015. The Granite Community Council's position on this proposed re-zone remains unchanged from our October 2015 opposition (refer to our 10/2015 letter to the CCHPC). We oppose re-zone of the parcels from FR-20 to RR-1-21.

A re-zone of the subject properties would significantly re-shape the entrance to Little Cottonwood Canyon, the Granite Community and the Salt Lake Valley as a whole. The foothill location of the proposed re-zones is the gateway to the Little Cottonwood Canyon. The current FR-20 zone should remain as is because of the buffer quality that this zone holds to the National Forest boundary and the view-shed, watershed, wildlife feed and migration habitat of these and all other foothill FR-20 zoned parcels. A property owner does not have an unfettered right to re-zone.

The citizens of Cottonwood Heights, Granite and Sandy City reside in the surrounding area because of the open foothills and FR-20 zoning. We implore CCHPC to protect the surrounding citizens consistent with all area Master and general Plans, including those of Salt Lake County. Our valley's (human) carrying capacity will soon be reached. The CCHPC can protect the significant environmental, visual aesthetic and recreational uses of this land, and protect citizen lifestyles by retaining the FR-20 zone of the two parcels and all other surrounding FR-20 land.

The parcel owners currently do not own equal to 20 acres. Therefore no re-zone is mandated. Such would be a giveaway to development profits. As mentioned during the Cottonwood Heights public hearing on these parcels, 420 acres of land within Cottonwood Heights' jurisdiction surround these

parcels. A rezone of the Kesler and Rola V, LLC, parcels from FR-20 to RR-1-21 would in fact set a precedent to jump-start every other parcel to be re-zoned to higher density.

We implore the CCHPC to follow lead of other County and municipal Planning Commissions (County and FCOZ/Sandy City with Dimple Dell Park borders) in protecting our last viable open spaces from development. A non-recommendation to re-zone sets no legal liability. The land zone FR-20 was known by the owners; the zone ordinance is law, and the CCHPC has no obligation to change the FR-20 zoning.

The GCC Planning and Zoning Coordinator attended all October 2015 and recent CCHPC public hearings on the referenced applications. It is fact that NO public comments in favor of an "up-zone" from FR-20 to Planned Unit Development (Oct. 2015) or FR-20 to RR-1-21 (Mar/April 2016) were presented by the public at any of the five public hearings. Such unanimous vote by the public should not be overridden.

The Granite Community Council opposes any rezone of the referenced parcels. Please preserve the current FR-20 zoning of this entrance to Little Cottonwood Canyon, your community and our community.

Respectfully,

MRBraun # GCC

Michael R. Braun

GCC District 1 and 2 and GCC Planning and Zoning Coordinator

1.

GRANITE COMMUNITY COUNCIL

August 26, 2015

Via Email - BBerndt@cottonwoodheights.utah.gov

City of Cottonwood Heights
Attn: Mr. Brian Berndt
Community & Economic Development Director
1265 East Fort Union Boulevard
Suite 250
Cottonwood Heights, Utah 84047

Re: Proposed Rezone of 9361 S. North Little Cottonwood Road and 3801 E. North Little Cottonwood Road

Ladies & Gentlemen:

The Granite Community Council, together with the undersigned residents of the Granite area, are writing in connection with the proposed rezone of the 15.36 acre parcel of land owned of record by LC Canyon Partners (beneficially owned, we believe, by Irv Easthan and Grant Kesler) (the "LC Canyon Property"), and the 11.52 acre parcel of land owned of record by Rola V Ltd. (beneficially owned, we believe, by Susan Despain) (the "Rola Property"), the addresses of which are, respectively, 9361 S. North Little Cottonwood Road and 3801 E. North Little Cottonwood Road (together, the "Properties").

We wish to state that we acknowledge and understand the right of all property owners to profit from their land within the scope of regulations under which they have owned that land. We write, however, to express our objection to what we understand to be a proposal to rezone these properties from a FR-20 use to a R-1-15 use, a rezone that would allow a significant increase in the development density of the Properties.

Our objection is based on the following concerns, among others:

1. Existing Zone & Private Property Rights

   It is our understanding that the existing zoning for these properties is "FR-20" zoning, allowing one residence to be built for each 20 acres. It has been represented to us that the LC Canyon

Property has been previously approved for one home despite the fact that the LC Canyon Property comprises less than 20 acres. If this is true, whether taken by itself or together with the Rola Property, the Properties, together, would qualify for only one home under the FR-20 zone.

We note, as well, that this is not just a change regarding density but is a fundamental change from a Forestry zone to a Residential zone, representing a significant change to the character of development of the area and to the existing zoning and master plan. Such a change is not compatible with the protection of the existing natural scenic beauty of the area, nor the geologic/seismic concerns of the area around the Wasatch fault which directly impacts these properties.

While we believe that the land owners have the right to develop their properties within the existing zoning, we do not believe that any landowner has an unfettered right to obtain a zoning change simply because it will increase the value of their property. In fact, the logical conclusion of the existence of any such right would simply be to eliminate compliance with any zoning restrictions as a practical matter.

2. Zone Creep

It has been argued that this rezone request is consistent with neighboring properties and area standards. We believe that this is untrue. While there have been many rezoning requests in the area that have been approved and there are other areas nearby with R-1-15 zoning, we believe that much of this has occurred because of "zone creep" where successive property owners and developers have successfully argued that a property adjacent to a property in question has a lower zoning, thus justifying the rezone request. The result of this has been a "creeping" of rezoning to higher densities property by property in the area.

Further, we would note that many residents in the area have individually worked to reverse the impact of this "zone creep" by acquiring larger tracts of land and reducing development rather than attempting to increase it. As such, it is critical to examine the actual lot sizes in the area at the mouth of Little Cottonwood Canyon and not just the permitted zoning to assess the area's actual density.

Thus, while the R-1-15 zone may be consistent with much of the southern portion of Cottonwood Heights' existing borders, and even other portions of Granite and Sandy, we believe it is incompatible with the zoning, and more importantly, the use, of the properties to its south and east, along North Little Cottonwood Canyon Road approaching the entrance to Little Cottonwood Canyon and along South Little Cottonwood Road receding from the entrance to Little Cottonwood Canyon.

We believe that this entire area, consisting of a part of Historic Granite, whether falling within the jurisdiction of Cottonwood Heights, Unincorporated Salt Lake County, or Sandy City, should be maintained with its intended rural character as evidenced by the existing master plan for the Granite area, which generally calls for low-density, single-family residential development.

3. Gateway to the Canyon

Finally, we note that the Properties are uniquely positioned as having a "gateway" presence and visibility as residents and visitors alike arrive at the entrance of Little Cottonwood Canyon from the north. We are of the understanding that Cottonwood Heights, Sandy City and Salt Lake County are all in agreement regarding protection of the entrance to Little Cottonwood Canyon and preserving the low-density, low-development and scenic, rural qualities of the area. Allowing a reduction in zoning from one home per 20 acres to one home per third acre on these gateway properties would clearly indicate that the preservation of these qualities is not a priority to those very jurisdictions which have publicly stated otherwise.

While the undersigned recognize and understand that we have no ability to stop the proposed rezone beyond raising our objections as done herein, as residents of all of Cottonwood Heights, Sandy City and Salt Lake County, we hope that our views as it relates to this entire community and area will be heard, that any rezoning that allows a housing density in excess of that which is currently permitted will be denied, thereby restricting density to that allowed under the current FR-20 zone, and that these views and concerns will be considered as further development continues to encroach to the southeast in the Granite area toward the mouth of Little Cottonwood Canyon, as described herein, whether that development occurs under the jurisdiction of Cottonwood Heights, Unincorporated Salt Lake County, or Sandy City.

Thank you for your consideration and your service to our communities.

Granite Community Council

By: Josh S Kanter

Joshua S. Kanter, Secretary

This letter is joined by the following listed area residents:

Josh & Catherine Kanter

Michael & Judith Braun

Craig Zimmerman

Robert & Cyndi Douglass

Don & Janeen Halverson

Kent & Farah Crawford

Fernando Rodriguez & Caroline Jansson

Jim & Mary Good

Brady & Vanette Jones

Drew Weaver

Matthew Tobey

Mike Marker

Bob Archibald & Mary Ellen Navas

Grace Perez & John Benfatto

Lori Eversen

Dee, Tami & Ashlee Young

Jorgen & Kerry Moller

Bruce & Vera Wood

Blaine Raddon & Stacie Johnstun

Brett & Kristine Crockett

Nancy Halverson & David Isom

Glen Goins

From: Michael R. Braun <braun@proslc.com>
Sent: Wednesday, April 13, 2016 8:28 AM
To: Glen Goins
Subject: GCC Letter

Mr. Goins: Please accept this email as addendum to the GCC letter sent yesterday. The letter had an incorrect year 2015 date. The date of the letter should be 07 April 2016. Please attach this email correction to the letter. Thank you.

Michael R. Braun
Director
Physicians' Research Options, LLC
"The Clinical Research Company"
10011 So. Centennial Parkway, Suite 310
Sandy, UT 84070
(801) 352-9228
(801) 352-9298 fax

Glen Goins

From: Michael R. Braun <braun@proslc.com>
Sent: Wednesday, April 13, 2016 11:47 AM
To: Glen Goins
Cc: tmayoung@xmission.com
Subject: Granite Community Council Correspondence - ZMA-15-003 and ZMA-15-004
Attachments: Granite Community Council Letter to CHPC ZMA-15-003 and ZMA-15-004.pdf

Mr. Goins:

Thank you for extending the Public Hearing timeline on ZMA-15-003 and ZMA-15-004.

The Granite Community Council provides a letter to Cottonwood Heights Planning Commission on the applications.

Please submit this letter to all CH Planners and to the public hearing file for the applications.

Please also reply email confirm your receipt of the attached.

Thank you again for the timeline extension.

Michael R. Braun
Granite Community Council
District 1 and 2 (alternate)
Planning and Zoning Coordinator
801-671-9395

Glen Goins

From: Gary McGee <garylmcgee@gmail.com>
Sent: Tuesday, April 12, 2016 4:46 PM
To: Glen Goins
Subject: Comments to Planning Commission re- Zone Change
Attachments: Comments to Planning Commission re- Zone Change.pdf; ATT00001.c

Good afternoon Glen,
Attached are comments that we request be added to the record regarding the zone change applications that were discussed at the Planning Commission meeting on April 6, 2016.
If you have any questions, please feel free to contact me.
Thank you.

Gary McGee

April 11, 2016

Gary & Jill McGee
3502 E. Big Rock Lane
Cottonwood Heights, Utah 84093

Cottonwood Heights City
Cottonwood Heights Planning Department
1265 E. Fort Union Boulevard 84047

Attn: Cottonwood Heights Planning Commission
c/o Mr. Glen Goins, Senior Planner
re: Project #ZMA-15-003
re: Project #ZMA-15-004

Dear Planning Commission Members,

As you may recall, last year on September 2, 2015 two Applications for Project #ZMA-15-003 and Project #ZMA-15-004 requesting a general plan and zone map amendments on approximately 15 acres of land located at 9361 South North Little Cottonwood Canyon Road, and on 11 acres of land located at 3801 East North Little Cottonwood Canyon Road, respectively, were brought before the Planning Commission.

Based on previous decisions by the Planning Commission and discussions regarding the possible options of requesting or allowing Conditional Use Permits for the properties, and receiving strong opposition and concern from the community regarding the zone change request from F-20 to RR-1-21, and efforts to maintain the open space along the foothills, as well as other concerns; on October 7, 2015, the applications and requests for the general plan and zone map amendments on both proposed projects were denied unanimously by the Planning Commission. The projects were denied, and I quote from the minutes, "based on the findings listed and the finding that it does not comply with the City's General Plan or the Granite Community Land Use Plan."

In addition, another Planning Commission member commented that "the Cottonwood Heights General Plan is the comprehensive guide that the Planning Commission looks to. This guide places a priority on open spaces, view sheds, environmentally sensitive lands, foothills, hillsides, and the natural environment. He further noted that residents placed a high emphasis on open lands".

So, Here we go again. Fast forward to this year; same applicants, same applications, same zone change requests, but this time the applicants claim they won't apply for Conditional Use Permits. However, the city doesn't have an ordinance to disallow the PUD option in a Residential zone.

So the city offered up "a solution", a Development Agreement between the city and the applicants. An agreement that they claim will be "binding and will run with the land forever and ever and ever". Yes, until it is challenged in court and overturned in favor of the developer to do whatever they want to do. (We have learned that the applicants are not necessarily the developers.)

A proponent and associate of one of the applicants spoke before the Planning Commission on Wednesday evening, April 6, 2016 and commented that "they didn't do as well as they had hoped for on a previous development" and that "they really need this to be approved so they can make up for some of their losses".

Comments were also made about the previous difficulties they encountered in working with Salt Lake County and that they could not get a re-zone approved through Salt Lake County; and that is why they pushed to be annexed into Cottonwood Heights. Doesn't this strategy sound eerily familiar? (Perhaps a previous development near the mouth of Big Cottonwood Canyon comes to mind.)

It is not the responsibility of the City to "make sure that the developer makes money on the deal or not". Developers take risks. They know what is involved. Sometimes you make money and sometimes you don't.

Furthermore, where in the City Code of Ordinances does it address the issues concerning "Development Agreements"? What are the conditions of such an agreement. Who drafts the agreement? Their attorney? Or the city attorney? If it is the city attorney , who pays that bill? The Citizens? Is it legal? Probably not. Can it be challenged? Probably so.

Therefore, We are opposed to another zone change and especially one that wants to change the zoning from F-20 to something so much smaller, in fact a small fraction of that; not to mention, adding to the already overwhelming traffic issues and safety concerns in the area.

If this zone change were to be approved, you will open Pandora's Box. You will essentially open the door to zone changes from F-20 to who knows what; all along the foothills between Big Cottonwood and Little Cottonwood Canyons. How will you say no to the next applicants that want the same favors from the City. That decision would set a bad precedent that will have long lasting negative effects on this community.

We respectfully request that this new Planning Commission listen carefully to the comments and concerns of the residents and deny these applications, and protect our scenic mountain corridor, and do what is in the best interests of the community and our city in general.

Respectfully,

Gary & JIll McGee

Glen Goins

From: Justin Braun <justinbraun17@yahoo.com>
Sent: Monday, April 11, 2016 5:09 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-0

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Justin Braun
3020 apple hollow cv
Sandy, UT 84092

Sent from my iPhone

Glen Goins

From: Samantha braun <samanthabraun4@gmail.com>
Sent: Monday, April 11, 2016 5:16 PM
To: Glen Goins
Subject: Foothill development

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Samantha Braun
3020 e apple hollow cove
Sandy. Utah 84093

Glen Goins

From: Richards, Jeff @ Salt Lake City <Jeff.Richards@cbre.com>
Sent: Monday, April 11, 2016 5:35 PM
To: Glen Goins
Subject: Planning application zma-15-003 and 004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.
Jeff Richards
3103 hiddenwood drive, sandy, UT 84092

Glen Goins

From: Gabriella Braun <ga.zaplata@gmail.com>
Sent: Monday, April 11, 2016 6:11 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Gabriella N. Braun

Gabriella Braun
8232 S. 865 E.
Sandy, UT. 84094

Glen Goins

From: John Fontenot <jafontenot819@gmail.com>
Sent: Monday, April 11, 2016 8:15 PM
To: Glen Goins
Subject: Foothills Development Petition

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.

Thank you,
John Anderson Fontenot
3020 east apple hollow cove
Sandy, Utah 84092

Glen Goins

From: Jeff.Olpin@koakea.com
Sent: Monday, April 11, 2016 9:45 PM
To: Glen Goins
Subject: Houses in LCC

Good Afternoon,

I understand there is a housing plan for LCC. Would you be able to share with me information on this project?

Mahalo,

Jeff

Jeffrey Olpin | General Manager | **Koa Kea Hotel and Resort**
2251 poipu road | koloa, kauai, hawaii 96756 | ✉ jeff.olpin@koakea.com
Direct 808 742 4208 fax 808 742 4216 | hotel main ☎ 808 828 8888
www.koakea.com

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Glen Goins

From: Anita Schoeff <Anita.Schoeff@hsc.utah.edu>
Sent: Monday, April 11, 2016 9:53 PM
To: Glen Goins
Subject: Application ZMA-15-003 and ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Anita Schoeff
3157 Bell Canyon Road
Sandy, UT 84092

Glen Goins

From: Dennis Cigana <ciganas@comcast.net>
Sent: Tuesday, April 12, 2016 9:26 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Glen E. Goins, AICP, Senior Planner a
Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Dennis and Sherri Cigana
9872 Alta Ridge Circle
Sandy, UT 84092

This is email is sent as personal email any mention of a corporation or institution is due to a tag applied when sending the email due to remote and limited access to a sever.

Sent from my iPhone

Glen Goins

From: Laura Edlund <LEdlund@snowbird.com>
Sent: Tuesday, April 12, 2016 9:33 AM
To: Glen Goins
Subject: Foothill zoning

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.
Thank you.

Laura Edlund
8722 Sugarloaf Drive
Cottonwood Heights, Utah 84093

Glen Goins

From: Bryson Winebrenner <bryson.winebrenner@live.com>
Sent: Tuesday, April 12, 2016 9:36 AM
To: Glen Goins
Subject: Do not develop little cottonwood canyon

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Bryson Winebrenner
1766 e horizon or circle draper UT 84020

Glen Goins

From: Ailsa Client Services <clientservices@ailsacapital.com>
Sent: Tuesday, April 12, 2016 9:48 AM
To: Glen Goins
Subject: Application ZMA-15-003 and ZMA -15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Respectfully,

Ian Martindale | Property Manager
Ailsa **CAPITAL**, Inc.
272 E. 12200 S. Ste 100 | Draper, UT 84020
O: 801-501-0302 x5119 | F: 801-501-0313
clientservices@ailsacapital.com

Glen Goins

From: Monique Mezo <mmezo@aol.com>
Sent: Tuesday, April 12, 2016 9:59 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Monique Mezo
9675 Carriagehouse Lane
Sandy, UT 84092

Glen Goins

From: Monique Mezo <mmezo@aol.com>
Sent: Tuesday, April 12, 2016 9:59 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Monique Mezo
9675 Carriagehouse Lane
Sandy, UT 84092

Glen Goins

From:	Michael R. Braun <braun@proslc.com>
Sent:	Tuesday, April 12, 2016 10:14 AM
To:	Glen Goins
Cc:	tmayoung@xmission.com
Subject:	Granite Community Council - Letter to Applications ZMA-15-003 and ZMA-15-004
Attachments:	Granite Community Council Letter ZMA-15-003 and ZMA-15-004.pdf

Mr. Goins:

The Granite Community Council cordially thanks the City of Cottonwood Heights for extending the public hearing on Planning Applications ZMA-15-003 and ZMA-15-004 through close of business, Wednesday, April 13, 2016.

Our letter to the applications is attached.

Please reply email to Michael Braun that Cottonwood Heights has received our attached letter and that such will be added to the public hearing file for the applications. Do also provide the attached to all Planning Commissioners.

Please update me to the date/time that these applications will be decided upon by the CHPC. Thank you.

Michael R. Braun
Granite Community Council, District 1 and 2, alternate
Planning and Zoning Coordinator
801-671-9395

Glen Goins

From: Richard Schutt <nrschutt@aol.com>
Sent: Tuesday, April 12, 2016 10:27 AM
To: Glen Goins
Subject: Fwd: Zoning change apllications ZMA 15-003 & ZMA 15-004

-----Original Message-----
From: Richard Schutt <nrschutt@aol.com>
Sent: Tue, Apr 12, 2016 12:09 am
Subject: Zoning change apllications ZMA 15-003 & ZMA 15-004

TO: COTTONWOOD HEIGHTS PLANNING COMMISSION

Thank you for the opportunity to present some sensible opposing views on the subject proposals.

To begin with, the applicants engineered getting the areas in question annexed into Cottonwood Heights with the expressed aim of finding Cottonwood Heights "easier to work with than the county". A definite form of zone shopping. This was accomplished simply because at the time they controlled more land, not because of public approval. This should tell us that all the promises regarding zoning, traffic etc. are suspect so far as their intentions are concerned.

In addition, they were aware of the zoning conditions when they acquired this land (inheritance not withstanding) so in they are not entitled to have changes made.

Their track records indicate that while they can talk about how the area will be developed neither has done so when they have had the opportunity in the past In this, they certainly will have no regard for the community as has been proven in the past. Therefore, the city is most likely subject to dealing with a developer who has even less concern with the needs of the area in question. Also, the actual building of eleven (11) houses given the road conditions is in itself a danger to the traveling public.

As was pointed out at the meeting, there are numerous areas of our city zoned F-20 which if this passes will invariably be in jeopardy. This principle was pointed out when the HOA at Wasatch Haven asked for a zoning change in order to be able to sell its' vacant building lot. They were told that it couldn't be done because other PUDs in the same position would ask to follow suit. That principle certainly applies here as well.

Traffic is another major issue. While one the of applicants boasts about the way they handled traffic going south into Granite Oaks by creating an exit lane off the main road. This is not applicable for the flow of traffic on the opposite side of Little Cottonwood Canyon Road because traffic coning south would first have to cross a very busy road and face oncoming traffic coming north around a blind corner. This part of the decision process should not be left up to UDOT because it is our city's problem.

In addition to its' being questionable whether there is enough land to build even one house in an F-20 zone, the question of potential fencing was raised. Given the nature of the terrain there can be no doubt that one house with fencing around it is preferable to 11 houses with a wall around them.

We feel confident that the Planning Commission is aware of the importance of the pending decision(s) The negative impact to our city and environs of allowing the proposed zoning to go forward would be felt for generations.

We thank you in advance for doing the right thing and voting no on this issue.

Granite Oaks HOA.
Richard Schutt, President

Glen Goins

From: Stella Day <stellacday@gmail.com>
Sent: Tuesday, April 12, 2016 11:27 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Stella Day
3671 E Willow Canyon Drive
Cottonwood Heights, UT 84121

Glen Goins

From: John Curtis <jcurtis@cpa.com>
Sent: Tuesday, April 12, 2016 11:28 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests. Little Cottonwood Canyon is unlike any other, comparable in beauty to Yosemite and other wonders of the world. Changing the zoning would significantly diminish the beauty of the bottom of this wonderful canyon.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,
John Curtis

John Curtis
1893 Summer Meadow Dr
Sandy, UT 84093

Glen Goins

From: Keith Eagan <keagan@utah.gov>
Sent: Tuesday, April 12, 2016 11:33 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Keith Eagan
7893 S Titian Way
Cottonwood Heights, UT 84121

Glen Goins

From: Meade MacKay <mr.mackay@gmail.com>
Sent: Tuesday, April 12, 2016 11:35 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Meade MacKay
2597 E CANTERBURY LN
COTTONWOOD HEIGHTS, UT 84121

Glen Goins

From: Nick Harrison <nick.harrison.801@gmail.com>
Sent: Tuesday, April 12, 2016 11:43 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Nick Harrison
8896 Tracy Drive
Sandy, UT 84093

Glen Goins

From: Geoffrey Scowcroft <gmscowcroft@comcast.net>
Sent: Tuesday, April 12, 2016 11:44 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Geoffrey Scowcroft
6775 Olivet Dr
Cottonwood Hts, UT 84121

Glen Goins

From: Justin Martin <ju5tinmartin@me.com>
Sent: Tuesday, April 12, 2016 12:01 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Justin Martin
2360 E Campus Drive
Cottonwood Heights, UT 84121

Glen Goins

From: Ann McMullen <atpm@comcast.net>
Sent: Tuesday, April 12, 2016 12:04 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Ann McMullen
9339 Silvercrest Dr
Sandy, UT 84093

Glen Goins

From: Lori Flygare <Loriflygare@gmail.com>
Sent: Tuesday, April 12, 2016 12:12 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Lori Flygare
7085 S Cherry Tree Lane
Cottowood Heights, UT 84121

Glen Goins

From: Kara Yates <Thebrewhurr@gmail.com>
Sent: Tuesday, April 12, 2016 12:14 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Kara Yates
7315 s 2700 e
Cottonwood heights, UT 84121

Glen Goins

From: Kathy Howell <drkathyhowell@yahoo.com>
Sent: Tuesday, April 12, 2016 12:18 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Kathy Howell
8501 S Top of the World Dr
Salt lake City, UT 84121

Glen Goins

From: Richard Erney <rjerney@gmail.com>
Sent: Tuesday, April 12, 2016 12:23 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Richard Erney
7515 South 2135 East
Cottonwood Heights,, UT 84121

Glen Goins

From: Bob Mutz <mutzbob@gmail.com>
Sent: Tuesday, April 12, 2016 12:46 PM
To: Glen Goins
Subject: Opposition to rezone for #ZMA-15-003 and #ZMA-15-004

Dear Cottonwood Heights Planning Commissioners:

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of our community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please don't allow the wishes of a few residents/developers in our city take precedence over the wishes of our community as outlined in the General Plan.

Don't let Cottonwood Heights become known as a great place for "zone shopping". We need to be mindful of our role as stewards of our precious canyons.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Bob Mutz
District 2

Bob Mutz
2407 E 7745 S
Cottonwood Heights, UT 84121

Glen Goins

From: Ginger Mckenna <gmw727@gmail.com>
Sent: Tuesday, April 12, 2016 12:49 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Ginger Mckenna
4504 w kestrel ridge road
South jordan, UT 84009

Glen Goins

From: Venessa DeOllos <fun2run22@gmail.com>
Sent: Tuesday, April 12, 2016 12:25 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Venessa DeOllos
7515 South 2135 East
Cottonwood Heights,, UT 84121

Glen Goins

From: Bruce Meisenheimer <bbm4@comcast.net>
Sent: Tuesday, April 12, 2016 12:50 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Bruce Meisenheimer
1914 E. 9400 S. #409
#409
Sandy, UT 84092

Glen Goins

From: Joe Moslander <joemoslander@comcast.net>
Sent: Tuesday, April 12, 2016 12:52 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Joe Moslander
6096 South 2230 East
Salt Lake City, UT 84121

Glen Goins

From: Mary Ellen Navas <maryellen.navas@gmail.com>
Sent: Tuesday, April 12, 2016 1:03 PM
To: Glen Goins
Cc: Bob Archibald
Subject: NO to re-zone requests ZMA-15-003 and ZMA-15-004

Glen E. Goins, AICP, Senior Planner at ggoins@ch.utah.gov
Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat.
The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels.
The visual aesthetics of this pristine open land canyon gateway should not be altered.
Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone.
Help protect our Foothills.
Please provide my letter to the Public Hearing file for these applications.
I oppose any rezone of the FR-20 zoning.
Thank you.

Mary Ellen Navas & Bob Archibald
4115 East Quarry Dr
Sandy, UT 84092

Glen Goins

From: Julie Daily <juliedaily@xmission.com>
Sent: Tuesday, April 12, 2016 1:09 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To Glen,

I live in Cottonwood Heights. I choose to live her because it is the gateway to the mountains with open space and habitat for the animals with which we share the land. Our canyons are an irreplaceable asset. Zoning is a key tool to ensure the canyons are protected for our children. Being good stewards of the land for our children is the right thing to do. As a resident I vote to maintain the integrity of the land as it is today.

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Julie Daily
8805 Blue Jay Ln
(3650 East)
Salt Lake City, UT 84121

Glen Goins

From: Jessica Wishnie <jesstokes@gmail.com>
Sent: Tuesday, April 12, 2016 1:22 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Jessica Wishnie
6335 Cobblecrest Rd.
Holladay, UT 84121

Glen Goins

From: Paul Harmer <derkharmer@msn.com>
Sent: Tuesday, April 12, 2016 1:33 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Paul Harmer
2581 E Golden eye Dr.
Sandy, UT 84093

Glen Goins

From: Melanie Soelberg <Mtsoelberg@aol.com>
Sent: Tuesday, April 12, 2016 1:46 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

Dear Sir or Madam,

Please keep Little Cottonwood beautiful. The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Melanie Soelberg
4592 S Gilead Way
SLC, UT 84124

Glen Goins

From: James Yates <jr8fish@yahoo.com>
Sent: Tuesday, April 12, 2016 1:53 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

My wife and I exclusively house hunted in Cottonwood Heights for its access to the canyons and trails along the face of the Wasatch Front. We found the house of our dreams here. We love the access to trails. Where current developments have already gone higher up the mountain they have cut off access to public trails. These trails are still considered public with public right's of way but take one drive up to the trailhead of Deaf Smith Canyon and you will see hoards of no tresspassing signs and Keep Out signs from new homes that are trying to block public access. The same thing can be seen further to the north at the mouth of Heughs Canyon. The new homes and their owners are trying to block public access even though these are public trails with public right of way.

The same thing will happen if more land is rezoned for more dense housing developments. It will cut off our access to trails. The housing developer will counter saying that public trails will get a public right of way... but we can see from the examples of the trailhead at Deaf Smith Canyon and Heughs Canyon that the homeowners will do everything in their power to post signs trying to keep the public off of the trails despite the public right of way.

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

James Yates
7315 south 2700 east
Cottonwood Heights, UT 84121

Glen Goins

From: matthew parsons <parsonsmatthew@hotmail.com>
Sent: Tuesday, April 12, 2016 1:59 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

matthew parsons
7369 South Viscayne Drive
Cottonwood Heights, 84121
Cottonwood Heights, UT 84121

Glen Goins

From: William and Melaine Good <billmelcatherine@msn.com>
Sent: Tuesday, April 12, 2016 2:23 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

A major reason I live in Cottonwood Heights is the mountain background. Put some value in what we have by voting against this request. More sprawl and the current Cotton Heights administration, "We haven't seen land we don't want to build on", policy stinks.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

William and Melaine Good
3012 E. Danish Ridge Way
Salt Lakecity, UT 84121

Glen Goins

From: jeffrey mikell <rayandwats@comcast.net>
Sent: Tuesday, April 12, 2016 2:34 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to vehemently and respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

My wife and I as well as the residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered. In addition, there is a historic trail in this area that has been used/hiked/biked by thousands of people for many decades. I think preservation of this area is critically important.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

jeffrey mikell
3658 Golden oaks drive
Cottonwood heights, UT 84121

Glen Goins

From: Grant Hockin <Grant.hockin@gmail.com>
Sent: Tuesday, April 12, 2016 2:36 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Grant Hockin
1984 brady Creek dr
Sandy, UT 84093

Glen Goins

From: Hanna Hard <hrh7soccer@msn.com>
Sent: Tuesday, April 12, 2016 2:38 PM
To: Glen Goins
Subject: Canyons

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Hanna Hard
1357 E Logan Ave
SLC UT, 84105

Glen Goins

From: Carson Lyness <carsonlyness@gmail.com>
Sent: Tuesday, April 12, 2016 2:39 PM
To: Glen Goins

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Carson Lyness
12408 lupine ridge road
Brighton, UT
84121

Glen Goins

From: jeffrey mikell <rayandwats@comcast.net>
Sent: Tuesday, April 12, 2016 2:41 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

jeffrey mikell
3658 Golden oaks drive
Cottonwood heights, UT 84121

Glen Goins

From: Samantha Braun <samanthabraun4@gmail.com>
Sent: Tuesday, April 12, 2016 2:53 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Samantha Braun
3020 E Apple Hollow Cove
sandy, UT 84092

Glen Goins

From: Anthony Coulam <anthony@coulamfamily.com>
Sent: Tuesday, April 12, 2016 3:03 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Anthony Coulam
833 W 2100 S
Woods Cross, UT 84087

Glen Goins

From: mmarkr@aol.com
Sent: Tuesday, April 12, 2016 3:16 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Mike Marker
3892 E. Little Cottonwood Ln
Sandy

Glen Goins

From: Connor Hansell <landrovie@yahoo.com>
Sent: Tuesday, April 12, 2016 3:27 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Connor Hansell
1780 E 5600 S
Salt Lake City, UT 84121

Glen Goins

From: jason gabler <jpg_1234@yahoo.com>
Sent: Tuesday, April 12, 2016 3:30 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat.

One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. The same land owners/same parcels were defeated in a re zone request in October 2015. The Cottonwood Heights Planning Commission should deny this zone change for the same reasons. Help protect our Foothills.

Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Jason Gabler
3702 E. Quiet Ridge Circle
Sandy, Utah 84092

Glen Goins

From: Terri Bowers <terri_bowers@msn.com>
Sent: Tuesday, April 12, 2016 3:38 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Terri Bowers
8086 Meadowview Dr
Park City, UT 84098

Glen Goins

From: DeeTamiAshlee YOUNG <dashtyoung@msn.com>
Sent: Tuesday, April 12, 2016 3:44 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Importance: High

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.

Thank you.

Tami Young
9785 Deer Brook Circle
Sandy, Utah 84092

Glen Goins

From: David Grobstein <Grobstein@hotmail.com>
Sent: Tuesday, April 12, 2016 4:19 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

David Grobstein
2517 e solar dr
Slc, UT 84124

Glen Goins

From: gjwski <gjwski@yahoo.com>
Sent: Tuesday, April 12, 2016 4:24 PM
To: Glen Goins
Subject: Foothill development

Please do not allow development on our beautiful foothills! It would be a tragic thing to do. We must be able to keep this beautiful place so we all can enjoy and our wild life can thrive.
Do not take this place away!
Judy Webb
4169 e wildcreek rd
sandy, UT 84092

Sent from my Verizon, Samsung Galaxy smartphone

Glen Goins

From: donna kramer <dontkramer@yahoo.com>
Sent: Tuesday, April 12, 2016 4:41 PM
To: Glen Goins
Subject: Opposed to rezone of foothills

Dear sir:
I thought this matter was settled months ago when the Planning Commission denied two rezone requests. I was in attendance at the meeting at which the decision was made. I was quite surprised - and dismayed - today to find out that

yet again a rezone is before the Commission.

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone

by Cottonwood Heights Planning Commission. The foothills at the entrance to

Little Cottonwood Canyon are zoned FR-20 for many good reasons: to protect our watershed and viewshed; to buffer the mountains from the impact of development;

and to protect habitat for wildlife.
The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction

over 420 acres of foothill. One zone change will set precedence to all other parcels.

The visual aesthetics of this pristine open land canyon gateway should not be altered.

Neither landowner owns the minimum number of acres to develop pursuant to the

current FR-20 zone. Help protect our Foothills.

Please provide my letter to the Public Hearing file for these applications.
I oppose any rezone of the FR-20 zoning. Thank you.
- Donna Kramer
9724 Granite Hills Drive
Sandy UT 84092

801-272-0418

Glen Goins

From: Warwick Hansell <warwick.hansell@gmail.com>
Sent: Tuesday, April 12, 2016 4:47 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely, Warwick Hansell (801) 278-1094 This is a major Wasatch gateway and deserves protection. Thanks

Warwick Hansell
1780 E. 5600 South
SLC, UT 84121

Glen Goins

From: Steve Blair <blair@xmission.com>
Sent: Tuesday, April 12, 2016 4:54 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests. My family lives near this area and would like to preserve what's left of the natural setting.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Steve Blair
8150 Stonehill Ln
Cottonwood Heights, UT 84121

Glen Goins

From: Cindie Fair <cfair01@gmail.com>
Sent: Tuesday, April 12, 2016 5:05 PM
To: Glen Goins
Subject: Planning Application ZMA-15-003 and ZMA -15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Cindie Fair,
2431 Summerfield Lane Sandy, Utah 84092

Glen Goins

From: Dwight Janerich <dwightjanerich@earthlink.net>
Sent: Tuesday, April 12, 2016 5:07 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Dwight Janerich
7631 South 2325 East
Cottonwood Heights, UT 84121

Glen Goins

From: Martha Redeker <mredeker@aol.com>
Sent: Tuesday, April 12, 2016 5:14 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

The traffic in this area is already congested and allowing so many more homes is another problem with this proposal.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Martha Redeker
3041 S Sequoia Ave
SLC, UT 84109

Glen Goins

From: Baumann <leebaumann@comcast.net>
Sent: Tuesday, April 12, 2016 5:24 PM
To: Glen Goins
Subject: Rezoning

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed
and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon
gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Kathy Baumann
10310 Loridan Lane
Sandy, Utah 84092

Glen Goins

From: Kevin L. Cornwell <kcornwell@utahmed.com>
Sent: Tuesday, April 12, 2016 5:36 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission

Dear Mr. Goins:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, we oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land.

Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Please help protect our Foothills.

Please provide my letter to the Public Hearing file for these applications. We oppose any rezone of the FR-20 zoning. Thank you.

Sincerely,
Kevin & Criss Cornwell
9815 South Bell Oaks Drive
Sandy, UT 84092

Glen Goins

From: Bean <jimlbean@msn.com>
Sent: Tuesday, April 12, 2016 6:05 PM
To: Glen Goins
Subject: FR-20 zoning

Mr. Goins / Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

James Bean
9049 S 2100 E
Sandy, UT 84093

801-943-5617

Glen Goins

From: JL Bean <jimlbean@live.com>
Sent: Tuesday, April 12, 2016 6:10 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins / Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Lynette Bean
9049 S 2100 E
Sandy, UT 84093

801-943-5617

Glen Goins

From: Nancy Hanson <nch_akh@msn.com>
Sent: Tuesday, April 12, 2016 6:11 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Nancy Hanson
8268 Maio Dr
Sandy, UT 84093

Glen Goins

From: Cameron Soelberg <cjsoelberg@aol.com>
Sent: Tuesday, April 12, 2016 6:19 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

Hi Glen,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,
Cameron Soelberg

Cameron Soelberg
4502 S Gilead Way
Salt Lake City, UT 84124

Glen Goins

From: Chris Mikell <Chris_mikell@msn.com>
Sent: Tuesday, April 12, 2016 6:23 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Chris Mikell
12251 Hidden Valley Club Drive
Sandy, UT 84092

Glen Goins

From: Kathleen Schmidt <kathleen.schmidt@jetblue.com>
Sent: Tuesday, April 12, 2016 6:29 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Kathleen Schmidt
8056 S Overhill Cir
Cottonwood Heights, UT 84121

Glen Goins

From: Cy Schmidt <cy@utah-inter.net>
Sent: Tuesday, April 12, 2016 6:38 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Cy Schmidt
8056 S Overhill Cir
Cott Hts, UT 84121

Glen Goins

From: tracy remus <tremus@comcast.net>
Sent: Tuesday, April 12, 2016 7:05 PM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Tracy Remus
10016 Rockview Circle
Sandy, UT 84092

Glen Goins

From: Michael Tate <miketate@xmission.com>
Sent: Tuesday, April 12, 2016 7:09 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

I have lived in the area of the rezone request 27 years. I lived in the cabins Directly across the street on Little Cottonwood Creek from 1989 to 1992 and have lived nearby on Kings Hill Drive from 1992 to the present. I am very familiar with this area.

I remember the days when the park and ride lot was located on the canyon road just east of this lot. That parking lot was removed because it was a safety hazard. I believe that putting more houses and another set of driveways would present a safety hazard, would be an eye sore, and would further degrade our beautiful neighborhood.

I my children and I ride our mountain bikes through here often. The old road grade which runs through this property provides a short protected section on the hazardous walk/bike between the neighborhoods to the north. My son describes the road part of that route as "terrifying". Add more driveways to the mix. No Thanks!

There is a clear reason why this property is not yet developed. It is not suitable tor residential development. If this property is to be developed in any way, it should be in away which supports canyon recreation, not in a way which impedes it. It should be a park or a trail head for the Bonneville shoreline trail.

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,
Michael Tate

Michael Tate
1713 Kings Hill Drive
Cottonwood heights, UT 84121

Glen Goins

From: Charles Katz <Ckatzent@gmail.com>
Sent: Tuesday, April 12, 2016 8:02 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Charles Katz
6450 Crest Mount Dr
Holladay, UT 84121

Glen Goins

From: Jonathan Santoro <sven_hoek@hotmail.com>
Sent: Tuesday, April 12, 2016 8:11 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Jonathan Santoro
3217 Deer Creek Circle
Cottonwood Heights, UT 84121

Glen Goins

From: Heidi Sullivan <Hbsullivan@icloud.com>
Sent: Tuesday, April 12, 2016 8:18 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshaope the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Heidi Sullivan
9674 Carriagehouse Lane
Sandy, UT 84092

Glen Goins

From: John Kennington <jrksolar@gmail.com>
Sent: Tuesday, April 12, 2016 9:12 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

John Kennington
7251 Pippen Dr,
Cottonwood Heights, UT 84121

Glen Goins

From: James Bonham <Jbsneaks@yahoo.com>
Sent: Tuesday, April 12, 2016 9:14 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

James Bonham
13436 Cutler Cove
Draper, UT 84020

Glen Goins

From: Grace Perez <giperez@earthlink.net>
Sent: Tuesday, April 12, 2016 9:15 PM
To: Glen Goins
Subject: Comments on Planning Applications ZMA-15-003 and ZMA-15-004

Dear Mr. Goins/Cottonwood Heights Planning Commission:

We understand that applications ZMA-15-003 and ZMA-15-004 call for a rezoning of the foothills at the entrance to Little Cottonwood Canyon that would increase development density. We are writing to state our strong opposition to any such rezone.

The current FR-20 zoning exists to protect our drinking watershed; buffer the mountains from nearby development; protect wildlife, and; maintain scenic viewsheds as well as dark night skies. The parcels in question border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothills. One zone change will set an unacceptable precedent for all other parcels.

The foothills at the entrance to Little Cottonwood Canyon are an irreplaceable resource for the entire community and must be protected. A change of zoning from FR-20 is a step in the wrong direction.

Please include this letter in the Public Hearing file for these applications.

Respectfully,

Grace Perez and John Benfatto
4086 E Quarry Dr
Sandy, UT 84092

Glen Goins

From: Shauna Bona <sbona@mckinnon-mulherin.com>
Sent: Tuesday, April 12, 2016 9:17 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Shauna Bona
2622 Willow Wick Drive
Sandy, UT 84093

Glen Goins

From: Tad Turgeon <Tadthedad@gmail.com>
Sent: Tuesday, April 12, 2016 9:19 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Tad Turgeon
2882 e ft. Union blvd
Cottonwood heights, UT 84121

Glen Goins

From: Suzie Ellison <Suzielevaellison@gmail.com>
Sent: Tuesday, April 12, 2016 9:21 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

The traffic in this area last winter was the worst it's ever been and this proposed change would make it so much worse. We as homeowners in the area want to maintain the quality of life as it currently exists and we live here for the beauty of the mountains in our back yards. Don't take that away from us all!!!!!

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Suzie Ellison
7859 so. Nantucket drive
Cottonwood, UT 84121

Glen Goins

From: Steve Hunt <stevejhunt@comcast.net>
Sent: Tuesday, April 12, 2016 9:33 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Steve Hunt
8775 Oak Valley Dr
Sandy, UT 84093

Glen Goins

From: James Lambert <Jimmyjet16@gmail.com>
Sent: Tuesday, April 12, 2016 9:40 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

James Lambert
3334 West 12130 South
Riverton, UT 84065

Glen Goins

From: Martin McGregor <mdmcgregor@gmail.com>
Sent: Tuesday, April 12, 2016 9:55 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.
This hassle is decades old and the desired resolution is still the same
which is in favor of open space, especially on the side hills. Keep the F-20 and if possible and feasible, acquire the property for a much needed Park and Ride.
Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely, Martin McGregor

Martin McGregor
779 E Lyndy Drive
Midvale, UT 84047

Glen Goins

From: Marybeth Janerich <Mbjanerich@comcast.net>
Sent: Tuesday, April 12, 2016 10:38 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Marybeth Janerich
7631 south 2325 east
Cottonwood heights, UT 84121

Glen Goins

From: Lea Berry <wildgear@aol.com>
Sent: Tuesday, April 12, 2016 11:16 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Lea Berry
2295 Lorita Way
Cottonwood Heights, UT 84093

Glen Goins

From: Karen Perkins <karenperkins1349@gmail.com>
Sent: Wednesday, April 13, 2016 7:04 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Karen Perkins
2225 E Fardown Avenue
Holladay, UT 84121

Glen Goins

From: Ralph Warner <rcwarner@xmission.com>
Sent: Wednesday, April 13, 2016 7:33 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Ralph Warner
3384 Marinda Way
Cottonwood Heights, UT 84121

Glen Goins

From: Robyn Topham <Jeftnet3@aol.com>
Sent: Wednesday, April 13, 2016 7:55 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Robyn Topham
2051 sycamore lane
Holladay, UT 84117

Glen Goins

From: Caroline Jansson <swedishwakeboarder@yahoo.com>
Sent: Wednesday, April 13, 2016 7:58 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.

Thank you,
Fernando Rodriguez

4137 Wildcreek Rd.

Sandy, UT 84092

Glen Goins

From: Caroline Jansson <smurfancarro@hotmail.com>
Sent: Wednesday, April 13, 2016 8:01 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.

Thank you,
Caroline Jansson

4137 Wildcreek Rd.
Sandy, UT 84092

Glen Goins

From: cody powell <trailmakrs@hotmail.com>
Sent: Wednesday, April 13, 2016 9:16 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

cody powell
414 east 1560 north
pleasant grove, UT 84062

Glen Goins

From: Brady Jones CWS VI <brady@waterspecialties.net>
Sent: Wednesday, April 13, 2016 11:41 AM
To: Glen Goins
Subject: Application ZMA-15-003 and ZMA -15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.
Land buyers accept zoning and land use conditions at the time of purchase. Unless rezoning is in the best interests of all residents in the area these applications and others of their kind should be declined.

Sincerely,

Brady & Vanette Jones
3637 East Alta Ridge Lane
Sandy UT 84092

Glen Goins

From: Paula Bond <paulabondcmi@gmail.com>
Sent: Wednesday, April 13, 2016 9:33 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

--
Paula M. Bond
9100 Daybreak Drive
Sandy, Utah 84093

Glen Goins

From: Brad Barlage <brad@ascensionsalesgroup.com>
Sent: Wednesday, April 13, 2016 9:44 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

Cottonwood Heights planning commission.

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Brad Barlage

Brad Barlage
3274 Bengal Blvd
Cottonwood Heights, UT 84121

Glen Goins

From: Breanne Mansell <breanne.mansellut@gmail.com>
Sent: Wednesday, April 13, 2016 10:08 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins, AICP, Senior Planner /Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, **I oppose any re-zone by Cottonwood Heights Planning Commission.** The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land **canyon gateway should not be altered**. **Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone**. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. **I oppose any rezone of the FR-20 zoning.**

Thank you,

BreAnne Mansell
2533 E Granite Pass Ct
Sandy, Utah 84092

Glen Goins

From: Stephen Smith <herkyp@yahoo.com>
Sent: Wednesday, April 13, 2016 10:14 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Stephen Smith
3062 E Dimple Dell Circle
Sandy, UT 84092

Glen Goins

From: Bob McCormick <bmccormick@stevensonschool.org>
Sent: Wednesday, April 13, 2016 10:17 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Bob McCormick

Bob McCormick
8661 Kings Hill Dr
Salt Lake City, UT 84092

Glen Goins

From: Ellie Ienatsch <elliei@q.com>
Sent: Wednesday, April 13, 2016 10:36 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Ellie Ienatsch
8335 Via Riviera WAy
Cottonwood Heights, UT 84093

Glen Goins

From: Elise Barrett-Caston <barrettelise@hotmail.com>
Sent: Wednesday, April 13, 2016 10:38 AM
To: Glen Goins
Subject: I OPPOSE further development of FOOTHILLS

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.
Thank you. Thank you.
Elise Barrett-Caston
9714 s 2720 e
Sandy, UT 84092

Elise Barrett-Caston
9714 s 2720 e . Sandy . Utah . 84092

Glen Goins

From: Nancy B <hogartybaker@yahoo.com>
Sent: Wednesday, April 13, 2016 10:46 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Nancy B
2819 Palma Way
Salt Lake City, UT 84121

Glen Goins

From: Wendi DeHoop <wen.dehoop@gmail.com>
Sent: Wednesday, April 13, 2016 10:48 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Wendi DeHoop
9714 Cortina Place
Sandy, UT 84092

Glen Goins

From: Robert Douglass <robert@douglass.com>
Sent: Wednesday, April 13, 2016 10:51 AM
To: Glen Goins
Cc: *Cyndi
Subject: We Oppose Rezone: Applications: ZMA-15-003, ZMA-15-004

Glen E. Goins, AICP, Senior Planner at ggoins@ch.utah.gov
Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, we oppose any re-zone by the Cottonwood Heights Planning Commission.

While we are not residents of Cottonwood Heights, rather residents of unincorporated Salt Lake County, our house and property directly face the land under consideration for rezoning. We travel past the land being considered for rezoning on Little Cottonwood Rd and Wasatch Blvd every day and we along with our neighbors within Cottonwood Heights would be directly and adversely affected in our quality of life and property values if this rezoning initiative is passed.

Increasing potential residential density by 40 fold with a change from FR-20 to RR-1-21 will further degrade air quality at a time when winter inversions across Cottonwood Heights and the Salt Lake Valley have become a key health concern. It also more generally lowers the quality of life for existing residents of Cottonwood Heights by increasing traffic in the mouth of the Canyon (a key contributor to inversions in the area of the increased traffic). A rezoning action that substantially increases traffic and human density at the mouth of Little Cottonwood Canyon seems to run directly counter to the objectives of lowering Canyon access traffic — an objective at the core of several County-wide initiatives, such as the Mountain Accord, of which Cottonwood Heights is a participant. The Mountain Accord in particular is advancing traffic reduction plans along this very section of land that could cost County municipalities several hundred million dollars; a cost that will fall in part on Cottonwood Heights residents. Substantial density increases, as proposed, will only hasten the need for Cottonwood Heights residents to help subsidize the cost of remediation actions such as the Mountain Accord's plan.

The intimate proximity of the Wasatch Mountains with Cottonwood Heights is at the heart of why many of us have chosen to live here. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 to buffer the mountain from development. They form an essential element in maintaining the environment we have chosen. This buffer protects our watershed, the wildlife and the scenic view both day and night. Maintaining a lower density of housing in the forest boundary also reduces the longterm risks of loss of

property and loss of life from wildfires at a time when increasingly warmer and drier years are increasing wildfire fires across the West in the spreading urban/wildland interface of which these parcels form a key part.

Beyond the impact of this particular rezoning request, an even greater long-term impact exists from the potential precedent it sets for rezoning the addition 420 acres of foothill parcels over which Cottonwood Heights has planning jurisdiction.

Help protect our Foothills. Please provide our letter to the Public Hearing file for these applications. We oppose any rezoning of the FR-20 zoning.

Thank you.

Robert Douglass,
3907 E. Alta Approach,
Sandy, UT 84092
703.725.5007
Robert@douglass.com
Cyndi@douglass.com

Glen Goins

From: John Hellstrom <jhellstrom@comcast.net>
Sent: Wednesday, April 13, 2016 10:59 AM
To: Glen Goins
Subject: Little Cottonwood Canyon Re-zone Application

Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Dear Madam/Sirs,
Regarding Planning Application ZMA-15-003 and ZMA -15-004, We oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. ***Neither*** landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. *Please* help protect our Foothills. *Please* provide our letter to the Public Hearing file for these applications. We oppose any rezone of the FR-20 zoning.
Thank you.
John and Vickey Hellstrom
3269 Bell Oaks Circle
Sandy, Utah 84092
801-942-7446

Glen Goins

From: Michael Baker <bakefield.manor@gmail.com>
Sent: Wednesday, April 13, 2016 11:15 AM
To: Glen Goins
Subject: Please DO NOT rezone #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Michael Baker
2819 Palma Way
Cottonwood Heights, UT 84121

Glen Goins

From: Brenda Moore <brendam0@gmail.com>
Sent: Wednesday, April 13, 2016 11:28 AM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Brenda Moore
8144 Oak Creek Drive
Cottonwood Heights, UT 84093

Glen Goins

From: darryl neider <dneider@gmail.com>
Sent: Wednesday, April 13, 2016 11:32 AM
To: Glen Goins
Cc: Anna Marie Neider
Subject: Opposition to Rezoning Applications ZMA-15-003 and ZMA -15-004

To: Mr. Glen E. Goins, AICP and Senior Planner, and the Cottonwood Heights Planning Commission:

We are informed that the subject applications are before the Cottonwood Heights Planning Commission and/or Cottonwood City Council for consideration. Please be advised that we oppose these rezoning applications.

We treasure the foothills at the entrance to Little Cottonwood Canyon. The current zoning protects our foothills and mountains from development scarring and provides an important buffer for the mountainous area and its scenic beauties, watershed and wildlife habitat.

Kindly convey our opposition to these applications in any committee, commission or public hearings or other forums for deliberation.

Thank you.

Darryl Neider, and

Anna Marie Neider

4166 E Wildcreek Rd.

Granite, Utah 84121

801/918-3404

Glen Goins

From: Ed Chauner <ed.chauner@gmail.com>
Sent: Wednesday, April 13, 2016 11:54 AM
To: Glen Goins
Subject: Applications: ZMA-15-003, ZMA-15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Ed Chauner
8659 Grand Oak Dr.
CWH, UT 84121

Live Life Today!

Glen Goins

From: Mat and Micki Harris <matandmic@gmail.com>
Sent: Wednesday, April 13, 2016 12:42 PM
To: Glen Goins
Subject: ZMA-15-003 and ZMA -15-004

Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning. Thank you.

Micki Harris
8738 S Grand Oak Drive
Salt Lake City, UT 84121

Glen Goins

From: Robin Bateman <r.bateman3@hotmail.com>
Sent: Wednesday, April 13, 2016 12:59 PM
To: Glen Goins
Subject: Re-zone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

I'm writing to ask that the Planning Commission firmly reject the adoption of the above re-zone requests. The City of Cottonwood Heights states that it supports the maintenance of open- and green-space, and these re-zones would harm thnatural, forested land which so many people value highly in this city, in addition to setting a dangerous precedence for further deforestation.

As a citizen of Cottonwood Heights whose life has previously been negatively affected by City re-zones, I respectfully request that you do the right thing in this and future cases by opposing further development which would destroy the natural beauty of the incredible surroundings we enjoy here.

Thank you for demonstrating that you, too, value and want to preserve our wonderful foothills and green space, by voting against this proposal. Once this land is gone, we can never get it back.

Sincerely,

Robin Bateman
2807 Palma Way
Cottonwood Heights, UT 84121

Glen Goins

From: Andy White <mrandywhite@msn.com>
Sent: Wednesday, April 13, 2016 1:20 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Andy White
5690 Pheasant Lane
Holladay, UT 84121

Glen Goins

From: edward chillington <ecinut@yahoo.com>
Sent: Wednesday, April 13, 2016 1:27 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

edward chillington
8731 Sugarloaf Dr
Cottonwood Heights, UT 84093

Glen Goins

From: Eric Strohacker <estrohacker@gmail.com>
Sent: Wednesday, April 13, 2016 1:38 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Eric Strohacker
7515 South Monterey circle
Sandy, UT 84093

Glen Goins

From: Sharon Gibbons <sgibbons@westminstercollege.edu>
Sent: Wednesday, April 13, 2016 1:44 PM
To: Glen Goins
Subject: Help protect our Foothills. Applications: ZMA-15-003, ZMA-15-004

Dear Mr. Goins/Cottonwood Heights Planning Commission:

Regarding Planning Application ZMA-15-003 and ZMA -15-004, I oppose any re-zone by Cottonwood Heights Planning Commission. The foothills at the entrance to Little Cottonwood Canyon are zoned FR-20 for reason; to buffer the mountain from development; to protect our watershed and to protect the scenic, wildlife, view and night sky habitat. The parcels border Forest Service Land. Cottonwood Heights has planning jurisdiction over 420 acres of foothill. One zone change will set precedence to all other parcels. The visual aesthetics of this pristine open land canyon gateway should not be altered. Neither landowner owns the minimum number of acres to develop pursuant to the current FR-20 zone. Help protect our Foothills. Please provide my letter to the Public Hearing file for these applications. I oppose any rezone of the FR-20 zoning.

Thank you.

Sharon Gibbons
2398 E Falcon Way
Sandy, UT 84093
801-832-2740

Glen Goins

From: Arthur Hanson <akh.nch@gmail.com>
Sent: Wednesday, April 13, 2016 2:41 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Arthur Hanson
8268 Maio Drive
Sandy, UT 84093

Glen Goins

From: Lew Baker <bakefield@gmail.com>
Sent: Wednesday, April 13, 2016 3:11 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Lew Baker
2819 E. Palma Way
Cottonwood Heights, UT 84121

Glen Goins

From: Thomas Fuller <tfuller6@gmail.com>
Sent: Wednesday, April 13, 2016 3:27 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

I'm writing to respectfully request that the Cottonwood Heights planning commission vote AGAINST these rezone requests.

Granting this rezone request would significantly reshape the character of this community, degrade the gateway to Little Cottonwood Canyon and set a dangerous precedent for the rezoning of other F-20 parcels in the community.

Residents of this community value open space, wildlife habitat and access to the foothills and canyons. The current zone of F-20 protects these values and ensures that the character of our community which has retained so many of us as residents is not compromised or altered.

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

Thomas Fuller
3598 Supernal Circle
Cottonwood Heights, UT 84121

Glen Goins

From: Nancy Hardy <nancy_hardy@hotmail.com>
Sent: Wednesday, April 13, 2016 4:04 PM
To: Glen Goins
Subject: letter to CH Planning Commission

Dear Glen,

Could you please forward this letter to the members of the CH Planning Commission:

Dear Cottonwood Heights Planning Commission,

Project #ZMA-15-003
Project #ZMA-15-004

Cottonwood Heights should not approve a general plan amendment, zone map amendment or development agreement with the above referenced projects. Cottonwood Heights has an obligation to keep and preserve the forest land for the city, the state, and visitors to enjoy. It's sad that CH is even entertaining the idea of this change, and not something that the city would be proud of.

Please listen to the educated reasoning from the many letters and voices opposing this, rather than the few in favor of self interest. Changes like this cannot be reversed.

Thank you,
Nancy Hardy

Glen Goins

From: James Yates <jr8fish@yahoo.com>
Sent: Wednesday, April 13, 2016 4:04 PM
To: Glen Goins
Subject: No rezone for #ZMA-15-003 and #ZMA-15-004

To whom it may concern,

I had previously sent an email with my disapproval for this rezoning because of it inhibiting trail access. I also want to point out that if this rezoning is approved that it will have a dramatic impact on mule deer wintering habitat. The city of Cottonwood Heights already infringes on the mule deer wintering habitat being juxtaposed to the mountain. Building any higher up the mountain will continue to stress these animals and decrease their already minimal wintering habitat. I find it funny that cities like Draper, Bountiful, and Alpine all have had to resort to inner city controlled mule deer hunts to reduce the number of deer within the city. Well, what do you expect when you allow developers to develop land so high up the face of the mountain. You are eating away at the mule deer wintering habitat and forcing them to live among the houses... Then homeowners get upset that the deer are eating their spring flowers. So they want an inner city mule deer hunt to "take care of the problem." THE ROOT OF THE PROBLEM IS THESE CITIES HAVE DEVELOPED TOO HIGH UP ON THE MOUNTAIN AND THE MULE DEER HAVE NO WHERE ELSE TO GO! THE PROBLEM ISN'T THE PESKY MULE DEER, ITS THE GREEDY PEOPLE WHO INSIST ON BEING HIGHER UP THE MOUNTAIN THAN THE LAST GUY.

ENOUGH IS ENOUGH. NO MORE DEVELOPING THE LAST BIT OF OPEN SPACE IN THE CITY... NO MORE BUILDING HIGHER UP THE MOUNTAIN!

THE DEVELOPER BOUGHT THE LAND WITH THE UNDERSTANDING THAT IT WAS ZONED AS F-20, HE SHOULD NOT BE ABLE TO CHANGE THAT NOW, JUST SO HE CAN MAKE MORE MONEY!

The rezone request of projects #ZMA-15-003 and #ZMA-15-004 takes an area that is currently zoned at F-20 (Foothill Recreation Zone) and proposes significantly weakening that zoning to RR-1-21 (Rural Residential Zone).

Please, vote against the proposed rezoning of these and future F-20 parcels.

Sincerely,

James Yates
7315 south 2700 east
cottonwood heights, UT 84121

Glen Goins

From: Robert Grow <rgrow@growlaw.com>
Sent: Wednesday, April 13, 2016 4:50 PM
To: Glen Goins
Cc: Robert Grow
Subject: Foothill Rezone Requests

Please consider the mess at the mouth of big cottonwood on the north slope. Let's not make that mistake again. We need a trail to connect the Bonneville Shoreline and not a scarred up hillside. This should be treated as sensitive under FCOZ. It's part of the currently I disturbed watershed. There is no reasonable expectation of development or getting rich off this land. There is no equity or fairness argument on the developer side of this debate. It has been treated as forestry and sensitive and exempt from development since zoning began is this valley nearly a century ago. I would like to discuss this with you personally if you can find time. 801-694-4271. Thanks, Robert Grow

Sent from my iPhone

MEMORANDUM

To:	Cottonwood Heights Planning Commission
From:	Glen Goins, Senior Planner
Date:	April 13, 2016
Subject:	Proposed Text Amendment to Chapter 19.36, Mixed Use

REQUEST

Staff is proposing a text amendment to chapter 19.36 (Mixed Use) of the city's zoning ordinance. Changes are being proposed to modify certain sections of the code which would render certain uses as "permitted" that are currently conditional uses. The language also corrects certain discrepancies.

BACKGROUND

Currently in the city's Mixed Use code, there are a significant number of conditional uses, and relatively fewer permitted uses. Staff examined those uses to determine which, if any, could be considered as permitted uses, based on scale and impacts. The code also listed specific commercial uses, while omitting other certain types. These uses were generalized, and included benchmarks, such as square footage, which would determine when those uses would be placed in either the permitted or conditional use classification.

RECOMMENDATION

Staff recommends that the planning commission review the proposed mixed use code revision and forward a recommendation to the City Council.

MODEL MOTIONS

Sample Motion for Approval – "I move that we forward a positive recommendation to the City Council for project ZTA-15-003, a city initiated request to amend chapter 19.36 (Mixed Use) of the Cottonwood Heights zoning ordinance, based on the findings found in the Staff Memo dated January 12, 2016:"

- List any proposed additions or changes….
- List any additional findings…..

Sample Motion for Denial – "I move that we forward a negative recommendation to the City Council for project ZTA-15-003, a city initiated request to amend chapter 19.36 (Mixed Use) of the Cottonwood Heights zoning ordinance, based on the findings found in the Staff Memo dated January 12, 2016:"

- List findings for negative recommendation….

Glen Goins

From: Lynne_Kraus@Dell.com
Sent: Monday, February 01, 2016 10:34 AM
To: Brian Berndt; Glen Goins
Subject: Proposed Text Amendment to Chapter 19.36, Mixed Use

Dear Community & Economic Development Staff:

I am writing to voice my objection to the changes outlined in the city initiated text amendment to Chapter 19.36 (Mixed Use Zone) of the Cottonwood Heights Municipal Code. In particular, I am opposed to the changes to 19.36.050 Maximum height of structures which allows for increased building heights and to 19.36.070 Development standards which increases density from 12 to 35 units per acre. Both changes could detrimentally impact surrounding residential neighborhoods.

Please ensure my objections are voiced to the planning commission and city council when asked. Once again, I am disappointed the city is trying to bypass the will of the citizens by increasing the height and density of buildings and properties within the city.

Respectfully,

Lynne Kraus
Dell | Services
office +1 801 943 0299

Chapter 19.36
MU -- MIXED USE ZONE

Sections:

19.36.010 Purposes.
19.36.020 Permitted uses.
19.36.030 Conditional uses.
19.36.040 Mixed use building.
19.36.050 Maximum height of structures.
19.36.060 Maximum lot coverage.
19.36.070 Development standards.
19.36.080 Minimum lot size.
19.36.090 Setbacks, yards and other requirements.
19.36.100 Use of existing structures.
19.36.110 Master development plan required.
19.36.120 Lighting.
19.36.130 Screening.
19.36.140 Landscaping requirements.
19.36.150 Mixed-use self-storage.

19.36.010 Purposes.

A. The purposes of the MU zone are to provide areas in the city ~~primarily~~ for ~~medium to high density residential~~ a mix of uses, including mixed-use developments, with commercial, institutional, office and service uses apportioned on-site in a manner sensitive to the street environment and adjacent ~~residential areas~~ uses; to support an urban village where amenities are focused on a local main street; to encourage and support transit-oriented development by allowing transit supportive density, where desired; and to enhance the accessibility of the Fort Union area and the Gateway Overlay District.

B. The MU zone is intended to achieve cohabitation of uses, while ensuring that negative impacts on residents are minimized. The spaces created in the MU zone are intended to encourage a diminished need for motorized travel and shall possess characteristics (accomplished through roads, passages and sidewalks) that serve the needs of pedestrians, bicyclists and motor vehicle users while still allowing casual encounters of human beings at an intimate, or pedestrian, scale.

19.36.020 Permitted uses.

A. Permitted uses include the following:

1. Mixed-use residential buildings as defined in this chapter;

2. Bed and breakfast;

~~2.~~3. Churches

~~3.~~4. Commercial recreation;

5. Convenience store without gasoline or convenience store/fast food combination without gasoline;

6. Home occupations;

7. Home daycare/preschool (less than six children);

8. Retail, gross square footage less than 25,000 square feet;

9. Financial institutions;

~~4.~~

~~5.~~10. Community recreation services;

11. Convenience retail stores;

12. Restaurant, under 25,000 gross floor area;

~~6.~~13. Shop for the manufacture of retail articles sold primarily on the premises;

~~7.~~14. Government services;

~~8.~~15. ~~Retail;~~

16. Public libraries and cultural exhibits;

~~9.~~17. Open food stand/market, temporary;

~~10.~~18. Professional ~~Office~~ office, administrative and medical buildings ~~professional~~ with a maximum of ~~two stories, and a maximum of 10~~25,000 gross square feet; and

~~11.~~19. Grocery store, foodstuffs, retailing, or delicatessen with a maximum ~~gross floor area~~ of ~~10~~25,000 gross square feet.

~~B. Any use with an individual gross~~

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~~floor area greater than 10,000 square feet, or more than two stories in height, shall be considered a conditional use regardless of its possible classification here as a permitted use.~~

19.36.030 Conditional uses.

A. Conditional uses in the MU zone include the following:

~~1. Churches;~~

~~2. Home occupations;~~

~~3.~~1.Home pre-schools, more than 6 students;

2. Child daycare/preschool;

~~4.~~3.Convenience store with gas

~~5.~~4.Parks, playgrounds or community recreation;

~~6. Planned unit developments;~~

~~7.~~5.Public and private utility buildings or facilities;

~~8.~~6.Residential facilities for persons with disabilities;

~~9.~~7.Residential facilities for elderly persons;

8. Schools;

~~10.~~9. Grocery store, foodstuffs, retailing, or delicatessen greater than 25,000 gross square feet;

~~11.~~10. Hotels;

~~12.~~11. Class D private clubs;

~~13.~~12. Retail ~~with~~, gross square footage greater than ~~10~~25,000 square feet;

13. Commercial schools;

14. Professional office, administrative and medical buildings greater than 25,000 gross square feet;

~~15. Supermarkets (groceries, meats and baked goods);~~

~~16.~~15. ~~Hardware, lawn and garden supply stores;~~

~~17.~~16. ~~Administration or professional offices with a floor area greater than 10,000 square feet;~~

~~18.~~17. Restaurant, over 25,000 gross square feet;

~~19.~~18. Indoor theatre;

~~20.~~19. ~~Shop for making articles sold primarily at retail on the premises;~~

~~21. Commercial recreation;~~

~~22.~~20. ~~Banks, savings, loan, and finance offices;~~

~~23.~~21. ~~Department stores, furniture and variety stores;~~

~~24.~~22. Open stands or markets;

~~25.~~23. Garages (public); and

~~26.~~24. Mixed-use self-storage.

B. Unlike the NC zone, which is intended for smaller mixed-use developments potentially within established communities, the MU zone does not have a maximum allowed floor area for most uses. Such deregulation is intended to encourage those proposing larger commercial and residential developments to consider creating a mixed-use development rather than a regional commercial type development.

C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted planning commission approval under this chapter, shall be considered a conditional use.

19.36.040 Mixed-use building.

A mixed-use building is a single building containing more than one type of land use, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. An example of a mixed-use residential building with a retail storefront on the main floor and two floors of residential living above the main floor is below ~~(three story buildings are a conditional use)~~:

Commented [KCJ1]: Why is this deleted and not included in Permitted Uses?

Commented [BB2R1]: We will add this to the permitted uses section.

Commented [KCJ3]: Why is this conditional when other retail or food establishments under 25,000 square feet are now permitted?

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19.36.050 Maximum height of structures.

Structures in an MU zone shall not exceed a height of 45 feet~~two stories, or 35 feet, whichever is less.~~unless the building is immediately adjacent to a residential zone. In that case, the structure shall be set back one (1) additional foot for every foot above 35 feet. ~~The planning commission, after receiving favorable recommendation from the DRC, may increase the maximum height of a structure in an MU zone to no more than three stories, upon a finding that such increased height will not adversely affect the public health, safety or welfare~~.

19.36.060 Maximum lot coverage.

In an MU zone, buildings shall not occupy more than ~~65~~ sixty-five percent (65%) of the lot area.

19.36.070 Development standards.

Any development in the MU zone shall conform to the city's general plan, the standards of the city's Gateway Overlay District ~~(established under chapter 19.49 of this title)~~(if applicable), and the standards of this chapter. The maximum density of any development in the MU zone ~~is 12~~shall not exceed 35 units per acre. ~~If a developer clearly shows that a proposed development meets, or exceeds, the guidelines, goals, objectives and standards of the city's Gateway Overlay District, and conditioned on the planning commission's receipt of a favorable recommendation of the DRC, the planning commission may authorize density of no greater than 16 residential units per acre upon a finding that such increased density will not adversely affect the public health, safety or welfare.~~

19.36.080 Minimum lot size.

Except as may be required to meet minimum setbacks and any requirements providing for a minimum square footage of a building or structure, there are no minimum lot size requirements, provided that the density requirements of this chapter are met.

19.36.090 Setbacks, yards and other requirements.

A. *Yards and setbacks*.

1. The minimum front or side yard along a street shall be twenty (20) feet; however, the planning commission may reduce or eliminate ~~that~~ the setback if it finds that the reduction or elimination helps create a better designed development, and that the reduction or elimination will not adversely affect the public health, safety or welfare.

2. Minimum side and rear yards of twenty-five (25) feet shall be required for side or rear yards of a lot in an MU zone abutting a residential zone. For lots adjacent to a non-residential zone, the minimum setback shall be ten (10) feet for side and rear yards not on a street; however, the planning commission may reduce the setback if it finds that the reduction helps to create a better designed development, and that the reduction will not adversely affect the public health, safety or welfare.

B. *Building orientation*.

1. All single-family attached homes and multi-family residential complexes

Commented [KCJ4]: Jumping from 12 to 35? That is a big increase..

Commented [BB5R4]: The primary areas for any proposed Mixed Use is along Fort Union and the gravel pit. The increase lends itself to a greater potential for mixing of uses.

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shall have their primary orientation to the street. Entrances to multi-family buildings may include entrances to individual units or breezeway/ courtyard entrances; or

2. All single-family attached homes and multi-family residential complexes may have their primary orientation to a side yard when a direct pedestrian walkway is provided between the main entrance and the street, with at least one entrance located not more than twenty 20 feet from the curb line of the street.

C. *Design guidelines and standards*. ~~If multi-family residential design guidelines, standards, or a review process are not indicated by a location in the Gateway Overlay District, all multi-family residential d~~All mixed use developments shall comply with the provisions of the City's Design Guidelines.~~meet, and shall be reviewed and approved by the ARC under, the standards contained in the city's Gateway Design Guidelines, which shall be in addition to the development standards specified in this chapter~~.

~~D. *Parking*. The provisions of chapter 19.80 of this title regarding off-street parking, loading and driveway standards shall apply to all residential developments in the MU zone.~~

~~E. *Landscaping*. All applications for development in the MU zone shall provide landscaping in compliance with the standards of this chapter and the Gateway Overlay District.~~

19.36.100 Use of existing structures.

The continued use of an existing structure in the MU zone is permitted, provided that the structure meets the requirements of this chapter and any other applicable ordinances.

19.36.110 ~~Master development~~Site plan required.

Developments ~~of three or more acres~~ in the MU zone must submit a ~~master development~~site plan, which is subject to planning commission approval.

19.36.120 Lighting.

A. Uniformity of lighting is desirable to achieve an overall objective of continuity, and to avoid objectionable glare.

B. The maximum height of luminaries shall be eighteen (18) feet unless the planning commission requires a lower height as part of conditional use approval. The light shall be low intensity, shielded from uses on adjoining lots, and directed away from adjacent property in a residential or agricultural zone or an adjacent residential or agricultural use.

C. Pedestrian walkways shall be lighted.

D. All lighting next to residential ~~uses~~zones, or where the planning commission requires, shall be ~~full cut-off lighting~~directional, contain hoods or other measures to hide the light source, and be generally at a lower height to reduce light pollution and light spillage to the adjacent residential zone, and may require a photometric study to be provided, as determined by staff.

19.36.130 Screening.

A. All trash or refuse receptacle areas shall be completely screened from surrounding properties by a masonry wall or screening that is a minimum of six feet high with visually obscuring painted metal gates or shall be enclosed within a building. Any trash or refuse receptacle area shall be a minimum of fifty (50) feet from any residential or agricultural zone boundary or property containing a residential or agricultural use.

Commented [KCJ6]: Do we need to define what the site plan must include? If it is multiple parcels owned or under common control or being developed through a joint venture or joint agreement, the entire area should be included in the site plan, not just a segment for Phase 1 development.

Commented [BB7R6]: That is already done in Section 19.87 Site Plan Review of the Zoning Ordinance.

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B. All ground-mounted mechanical equipment (including, without limitation, heating and air conditioning units) shall be completely screened from surrounding properties by a masonry wall or shall be enclosed within a building.

C. The use of roof appurtenances is discouraged. If roof appurtenances (including, without limitation, air conditioning units and mechanical equipment) are used, they shall be placed within an enclosure at least as high as such roof appurtenances that reflects the architectural design scheme of the project and complies with the requirements for penthouses and roof structures of the city's building code. Such enclosures require planning commission approval, and shall minimize visibility from on-site parking areas, adjacent public streets, and residential or rural residential zoned property. Landscaping and/or rooftop patio equipment and screening may be used to screen mechanical and other rooftop equipment, as approved as part of a site plan. The landscaped area may not be enclosed or screened in such a way so as to create permanent occupancy space.

D. All utility connections shall be compatible with the architectural elements of the site and not be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment. Power lines and other utility cables shall be installed underground where possible.

E. Loading areas and docks shall be screened by landscaping and/or visual barriers from adjacent properties and public streets.

F. All development located in a Gateway Overlay District shall comply with the stated goals and standards of ~~such~~ that district.

19.36.140 Landscaping requirements.

All developments 1 acre or more in size shall dedicate fifteen percent (15%) of the lot to landscaping, including, without limitation, landscape buffers, seating areas, natural walking paths separate from sidewalks, and so on. Drought resistant plants are encouraged. Further,

A. All developments in the MU zone shall provide a landscaped buffer between any commercial development and any adjoining residential zone. The landscaped buffer shall be at least eight (8) feet wide, and shall include trees planted at least every thirty (30) feet on center. This requirement may be included within the side and rear setbacks of the MU zone.

B. Developments in the MU zone are intended to blend with the surrounding land uses, whether they are residential or non-residential. For that reason, the landscaped buffer should not be used as an obstructing barrier between land uses, but instead should provide a landscaped transition between uses and pedestrian walkways and trails.

19.36.150 ~~Mixed use self-storage~~Site Plans.

In this title, "~~*mixed use self-storage*~~*site plans*" means a plan or set of plans for a single building or series of buildings containing ~~more than~~ the primary land use~~ of self-storage~~, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. ~~A mixed-use self-storage facility is~~Uses in the Mixed Use zone are intended to ~~be used for~~contain a mix of uses, ~~between the~~

Commented [KCJ8]: Why was self-storage addressed specifically in the past and why are we eliminating it now in favor of the Site Plan discussion?

Commented [BB9R8]: We are not sure and couldn't find anything that helped define the reason for the specificity of self-storage uses.

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~~primary use of a private non-commercial, non-industrial storage facility and~~including general, professional office, medical or dental offices, retail and/or residential dwelling units uses.

A. ~~Mixed-use self-storage~~Uses in the Mixed Use zone over 25,000 square feet of Gross Leasable Area shall be reviewed for building design, scale and architectural compatibility with established design principles by the architecture review commission (the "*ARC*"). The ARC shall make a recommendation regarding the proposed ~~mixed-use self-storage facility~~use to the planning commission.

B. The following criteria shall be considered by the ARC and the planning commission when reviewing ~~conditional use requests~~a site plan(s) for uses over 25,000 square feet~~ for mixed-use self-storage facilities~~:

~~1. The second (and any additional) principal use shall be distinct from, unrelated to and not an accessory of the self-storage use of the facility.~~

~~2. A minimum of 1,500 square feet or 10% of the ground floor area of the self-storage principal use of the facility, whichever is greater, shall be devoted to at least one additional principal use in each building housing a self-storage use. The additional principal use may be either general, professional office, medical or dental offices, retail or residential dwelling units uses or an appropriate mix of any or all of the above uses.~~

~~3.~~1. Detailed building elevations and color/material boards shall be submitted to and reviewed by the ARC prior to any consideration by the planning commission of an application for ~~conditional use permit for a mixed-use self-storage facility~~site plan approval.

~~4.~~2. Exterior building materials must be approved by the ARC, and shall match the quality, texture and architectural intent of surrounding buildings, if applicable and the intent and regulations of ~~the gateway~~any applicable overlay zone design guidelines.

~~5.~~3. All buildings shall have a minimum of fifteen percent (15%) transparency on all floors, which shall consist of ~~functioning~~ windows that provide visibility ~~into a room~~ from the public right-of-way or adjacent property ~~and out of a room from the interior~~.

~~6. All building facades shall have the appearance of an office, residential and/or retail building through the use of doors, windows, awnings, and other appropriate building elements as approved by the ARC.~~

~~7.~~4. Buildings with more than one story shall be designed to have the appearance and function of a multi-story building through the use of windows, doors, awnings, canopies and other appropriate building and architectural elements.

~~8.~~5. The front façade of ~~the~~ buildings, visible from the public right of way, shall be designed to have ample bulk and massing and design quality to adequately ~~mitigate the potential aesthetic impact of the self-storage primary use, as approved by the ARC~~establish a prominent, pedestrian-oriented streetscape.

~~9.~~6. External unit doors must be screened from neighboring land uses to an extent determined appropriate by the ARC based on the potential impact to surrounding land uses.

C. *Signage*. Approval of signage is subject to the applicant meeting the regulations contained herein and in other pertinent chapters of this title. Signage in mixed-use self-storage facilities shall be

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limited to wall, monument and projecting signs as outlined below.

1. Wall signs for ~~mixed-use self-storage facilities~~uses in the Mixed Use zone are:

(a) Limited to one sign for each separate principal use for each unit, suite or other division of the building whose business facade fronts on a public street.

(b) Limited to no more than ten percent (10%) of the business façade frontage for each associated principal use.

(c) No sign shall exceed six (6) feet in overall height.

(d) Signage is limited to individual pan-channel lettering only. Cabinet signs are not permitted.

2. Monument signs for the uses in the ~~mixed-use~~Mixed Use ~~self-storage facilities~~zone are:

(a) Limited to one sign along an adjacent public street for each building façade which fronts that street.

(b) Limited to a total of forty-eight (48) square feet of signable area.

(c) Limited to a maximum height of six (6) feet, including the pedestal.

3. Projecting signs for mixed-use self-storage facilities may be used in lieu of wall signs and:

(a) Are limited to no more than ten percent (10%) of the business façade frontage for each associated principal use.

(b) Shall maintain a vertical clearance of at least eight (8) feet, and no more than eighteen (18) feet, from the adjacent sidewalk, drive area or other adjacent ground.

~~4. The ARC shall review proposed signage plans for mixed-use self-storage facilities and shall make a recommendation to the planning commission on the design compliance of the signage as it relates to:~~

~~(a) Consistency with existing signage in the district where the facility is located.~~

~~(b) Consistency with the design intent of the facility as it relates to materials, colors and placement on buildings and in landscaped areas.~~

D. No resident manager apartment shall be allowed in mixed-use self-storage facilities unless at least fifty percent (50%) of secondary uses are residential.

E. No outside storage of vehicles, boats, motor homes, RVs or any other materials or equipment shall be allowed at or around any mixed-use ~~self-storage~~ facility.

F. Commercial moving truck rentals shall be prohibited at mixed-use self-storage facilities. A mixed-use self-storage facility shall be allowed to have no more than two private moving trucks owned and operated by the facility and available to the renters of units within the facility only. Moving trucks meeting the above regulation shall be stored out of sight of the public way.

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Chapter 19.36
MU -- MIXED USE ZONE

Sections:

19.36.010 Purposes.
19.36.020 Permitted uses.
19.36.030 Conditional uses.
19.36.040 Mixed use building.
19.36.050 Maximum height of structures.
19.36.060 Maximum lot coverage.
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19.36.110 Master development plan required.
19.36.120 Lighting.
19.36.130 Screening.
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19.36.150 Mixed-use self-storage.

19.36.010 Purposes.

A. The purposes of the MU zone are to provide areas in the city for a mix of uses, including mixed-use developments, with commercial, institutional, office and service uses apportioned on-site in a manner sensitive to the street environment and adjacent uses; to support an urban village where amenities are focused on a local main street; to encourage and support transit-oriented development by allowing transit supportive density, where desired; and to enhance the accessibility of the Fort Union area and the Gateway Overlay District.

B. The MU zone is intended to achieve cohabitation of uses, while ensuring that negative impacts on residents are minimized. The spaces created in the MU zone are intended to encourage a diminished need for motorized travel and shall possess characteristics (accomplished through roads, passages and sidewalks) that serve the needs of pedestrians, bicyclists and motor vehicle users while still allowing casual encounters of human beings at an intimate, or pedestrian, scale.

19.36.020 Permitted uses.

A. Permitted uses include the following:

1. Mixed-use residential buildings as defined in this chapter;
2. Bed and breakfast;
3. Commercial recreation;
4. Convenience store without gasoline or convenience store/fast food combination without gasoline;
5. Home occupations;
6. Home daycare/preschool (less than six children);
7. Retail, gross square footage less than 25,000 square feet;
8. Financial institutions;
9. Community recreation services;
10. Convenience retail stores;
11. Restaurant, under 25,000 gross floor area;
12. Shop for the manufacture of retail articles sold primarily on the premises;
13. Government services;
14.
15. Public libraries and cultural exhibits;
16. Open food stand/market, temporary;
17. Professional office, administrative and medical buildings with a maximum of 25,000 gross square feet; and
18. Grocery store, foodstuffs, retailing, or delicatessen with a maximum of 25,000 gross square feet.

19.36.030 Conditional uses.

A. Conditional uses in the MU zone include the following:

1. Home pre-schools, more than 6 students;

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2. Child daycare/preschool;
3. Convenience store with gas
4. Parks, playgrounds or community recreation;
5. Public and private utility buildings or facilities;
6. Residential facilities for persons with disabilities;
7. Residential facilities for elderly persons;
8. Schools;
9. Grocery store, foodstuffs, retailing, or delicatessen with a maximum of 25,000 gross square feet;
10. Hotels;
11. Class D private clubs;
12. Retail, gross square footage greater than 25,000 square feet;
13. Commercial schools;
14. Professional office, administrative and medical buildings with greater 25,000 gross square feet;
15.
16.
17. Restaurant, over 25,000 gross square feet;
18. Indoor theatre;
19.
20.
21.
22. Open stands or markets;
23. Garages (public); and
24. Mixed-use self-storage.

B. Unlike the NC zone, which is intended for smaller mixed-use developments potentially within established communities, the MU zone does not have a maximum allowed floor area for most uses. Such deregulation is intended to encourage those proposing larger commercial and residential developments to consider creating a mixed-use development rather than a regional commercial type development.

C. Any applicant requesting an increase in height or decrease in setbacks which are standard in the MU zone, or any other variation based on permitted planning commission approval under this chapter, shall be considered a conditional use.

19.36.040 Mixed-use building.

A mixed-use building is a single building containing more than one type of land use, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. An example of a mixed-use residential building with a retail storefront on the main floor and two floors of residential living above the main floor is below:

19.36.050 Maximum height of structures.

Structures in an MU zone shall not exceed a height of 45 feet unless the building is immediately adjacent to a residential zone. In that case, the structure shall be set back one (1) additional foot for every foot above 35 feet.

19.36.060 Maximum lot coverage.

In an MU zone, buildings shall not occupy more than sixty-five percent (65%) of the lot area.

19.36.070 Development standards.

Any development in the MU zone shall conform to the city's general plan, the standards of the city's Gateway

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Overlay District (if applicable), and the standards of this chapter. The maximum density of any development in the MU zone shall not exceed 35 units per acre.

19.36.080 Minimum lot size.

Except as may be required to meet minimum setbacks and any requirements providing for a minimum square footage of a building or structure, there are no minimum lot size requirements, provided that the density requirements of this chapter are met.

19.36.090 Setbacks, yards and other requirements.

A. *Yards and setbacks*.

1. The minimum front or side yard along a street shall be twenty (20) feet; however, the planning commission may reduce or eliminate the setback if it finds that the reduction or elimination helps create a better designed development, and that the reduction or elimination will not adversely affect the public health, safety or welfare.

2. Minimum side and rear yards of twenty-five (25) feet shall be required for side or rear yards of a lot in an MU zone abutting a residential zone. For lots adjacent to a non-residential zone, the minimum setback shall be ten (10) feet for side and rear yards not on a street; however, the planning commission may reduce the setback if it finds that the reduction helps to create a better designed development, and that the reduction will not adversely affect the public health, safety or welfare.

B. *Building orientation*.

1. All single-family attached homes and multi-family residential complexes shall have their primary orientation to the street. Entrances to multi-family buildings may include entrances to individual units or breezeway/ courtyard entrances; or

2. All single-family attached homes and multi-family residential complexes may have their primary orientation to a side yard when a direct pedestrian walkway is provided between the main entrance and the street, with at least one entrance located not more than twenty 20 feet from the curb line of the street.

C. *Design guidelines and standards*. All mixed use developments shall comply with the provisions of the City's Design Guidelines.

19.36.100 Use of existing structures.

The continued use of an existing structure in the MU zone is permitted, provided that the structure meets the requirements of this chapter and any other applicable ordinances.

19.36.110 Site plan required.

Developments in the MU zone must submit a site plan, which is subject to planning commission approval.

19.36.120 Lighting.

A. Uniformity of lighting is desirable to achieve an overall objective of continuity, and to avoid objectionable glare.

B. The maximum height of luminaries shall be eighteen (18) feet unless the planning commission requires a lower height as part of conditional use approval. The light shall be low intensity, shielded from uses on adjoining lots, and directed away from adjacent property in a residential or agricultural zone or an adjacent residential or agricultural use.

C. Pedestrian walkways shall be lighted.

D. All lighting next to residential zones, or where the planning commission requires, shall be directional, contain hoods or other

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measures to hide the light source, and be generally at a lower height to reduce light pollution and light spillage to the adjacent residential zone, and may require a photometric study to be provided, as determined by staff.

19.36.130 Screening.

A. All trash or refuse receptacle areas shall be completely screened from surrounding properties by a masonry wall or screening that is a minimum of six feet high with visually obscuring painted metal gates or shall be enclosed within a building. Any trash or refuse receptacle area shall be a minimum of fifty (50) feet from any residential or agricultural zone boundary or property containing a residential or agricultural use.

B. All ground-mounted mechanical equipment (including, without limitation, heating and air conditioning units) shall be completely screened from surrounding properties by a masonry wall or shall be enclosed within a building.

C. The use of roof appurtenances is discouraged. If roof appurtenances (including, without limitation, air conditioning units and mechanical equipment) are used, they shall be placed within an enclosure at least as high as such roof appurtenances that reflects the architectural design scheme of the project and complies with the requirements for penthouses and roof structures of the city's building code. Such enclosures require planning commission approval, and shall minimize visibility from on-site parking areas, adjacent public streets, and residential or rural residential zoned property. Landscaping and/or rooftop patio equipment and screening may be used to screen mechanical and other rooftop equipment, as approved as part of a site plan. The landscaped area may not be enclosed or screened in such a way so as to create permanent occupancy space.

D. All utility connections shall be compatible with the architectural elements of the site and not be exposed except where necessary. Pad-mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment. Power lines and other utility cables shall be installed underground where possible.

E. Loading areas and docks shall be screened by landscaping and/or visual barriers from adjacent properties and public streets.

F. All development located in a Gateway Overlay District shall comply with the stated goals and standards of that district.

19.36.140 Landscaping requirements.

All developments 1 acre or more in size shall dedicate fifteen percent (15%) of the lot to landscaping, including, without limitation, landscape buffers, seating areas, natural walking paths separate from sidewalks, and so on. Drought resistant plants are encouraged. Further,

A. All developments in the MU zone shall provide a landscaped buffer between any commercial development and any adjoining residential zone. The landscaped buffer shall be at least eight (8) feet wide, and shall include trees planted at least every thirty (30) feet on center. This requirement may be included within the side and rear setbacks of the MU zone.

B. Developments in the MU zone are intended to blend with the surrounding land uses, whether they are residential or non-residential. For that

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reason, the landscaped buffer should not be used as an obstructing barrier between land uses, but instead should provide a landscaped transition between uses and pedestrian walkways and trails.

19.36.150 Site Plans.

In this title, "*site plans*" means a plan or set of plans for a single building or series of buildings containing the primary land use, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. Uses in the Mixed Use zone are intended to contain a mix of uses, including general, professional office, medical or dental offices, retail and/or residential dwelling unit uses.

A. Uses in the Mixed Use zone over 25,000 square feet of Gross Leasable Area shall be reviewed for building design, scale and architectural compatibility with established design principles by the architecture review commission (the "*ARC*"). The ARC shall make a recommendation regarding the proposed use to the planning commission.

B. The following criteria shall be considered by the ARC and the planning commission when reviewing a site plan(s) for uses over 25,000 square feet:

1. Detailed building elevations and color/material boards shall be submitted to and reviewed by the ARC prior to any consideration by the planning commission of an application for site plan approval.

2. Exterior building materials must be approved by the ARC, and shall match the quality, texture and architectural intent of surrounding buildings, if applicable and the intent and regulations of any applicable overlay zone design guidelines.

3. All buildings shall have a minimum of fifteen percent (15%) transparency on all floors, which shall consist of windows that provide visibility from the public right-of-way or adjacent property.

4. Buildings with more than one story shall be designed to have the appearance and function of a multi-story building through the use of windows, doors, awnings, canopies and other appropriate building and architectural elements.

5. The front façade of buildings, visible from the public right of way, shall be designed to have ample bulk and massing and design quality to adequately establish a prominent, pedestrian-oriented streetscape.

6. External unit doors must be screened from neighboring land uses to an extent determined appropriate by the ARC based on the potential impact to surrounding land uses.

C. *Signage*. Approval of signage is subject to the applicant meeting the regulations contained herein and in other pertinent chapters of this title. Signage in mixed-use self-storage facilities shall be limited to wall, monument and projecting signs as outlined below.

1. Wall signs for uses in the Mixed Use zone are:

(a) Limited to one sign for each separate principal use for each unit, suite or other division of the building whose business facade fronts on a public street.

(b) Limited to no more than ten percent (10%) of the business façade frontage for each associated principal use.

(c) No sign shall exceed six (6) feet in overall height.

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(d) Signage is limited to individual pan-channel lettering only. Cabinet signs are not permitted.

2. Monument signs for the uses in the Mixed Use zone are:

(a) Limited to one sign along an adjacent public street for each building façade which fronts that street.

(b) Limited to a total of forty-eight (48) square feet of signable area.

(c) Limited to a maximum height of six (6) feet, including the pedestal.

3. Projecting signs for mixed-use self-storage facilities may be used in lieu of wall signs and:

(a) Are limited to no more than ten percent (10%) of the business façade frontage for each associated principal use.

(b) Shall maintain a vertical clearance of at least eight (8) feet, and no more than eighteen (18) feet, from the adjacent sidewalk, drive area or other adjacent ground.

D. No resident manager apartment shall be allowed in mixed-use self-storage facilities unless at least fifty percent (50%) of secondary uses are residential.

E. No outside storage of vehicles, boats, motor homes, RVs or any other materials or equipment shall be allowed at or around any mixed-use facility.

F. Commercial moving truck rentals shall be prohibited at mixed-use self-storage facilities. A mixed-use self-storage facility shall be allowed to have no more than two private moving trucks owned and operated by the facility and available to the renters of units within the facility only. Moving trucks meeting the above regulation shall be stored out of sight of the public way.

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