



- 1 e. A description of the municipality's program to encourage an adequate supply of moderate-  
2 income housing.” [see UCA 10-9a-103. Definitions.]  
3

4 Mr. Taylor explained that moderate-income housing is defined as housing that is affordable to  
5 households earning 80% of the area median income. There is a specific number for Cottonwood  
6 Heights that is established in coordination with the Federal Department of Housing and Urban  
7 Development and is approximately \$69,000 per year.  
8

9 Additionally, annually the City Council is required to:

- 10  
11 a. Review the Moderate-Income Housing Plan element of the municipality's General Plan and  
12 implementation of that element of the General Plan; and  
13  
14 b. Prepare a report on the findings of the review described in Subsection (1)(a);”  
15

16 This report is to include:

- 17  
18 a. “A revised estimate of the need for moderate-income housing in the municipality for the  
19 next five years;  
20  
21 b. A description of progress made within the municipality to provide moderate-income  
22 housing, demonstrated by analyzing and publishing data on the number of housing units in  
23 the municipality that are at or below:  
24  
25 (i) 80% of the adjusted median family income;  
26 (ii) 50% of the adjusted median family income; and  
27 (iii) 30% of the adjusted median family income;  
28  
29 c. A description of any efforts made by the municipality to utilize a moderate-income housing  
30 set-aside from a community reinvestment agency, redevelopment agency, or community  
31 development and renewal agency; and  
32  
33 d. A description of how the municipality has implemented any of the recommendations  
34 related to moderate-income housing described in Subsection 10-9a-403(2)(b)(iii).” [see  
35 UCA 10-9a-408. Reporting requirements....]  
36

37 Further,

- 38  
39 “(ii) ... municipalities, shall include, an analysis of how the municipality will provide a  
40 realistic opportunity for the development of moderate-income housing within the next five  
41 years;” [see UCA 10-9a-403. General plan preparation,]  
42

43 Mr. Taylor referenced Senate Bill 34, which adjusted State law with respect to what cities are  
44 required to consider for their Moderate-Income Housing Element to the Planning Commission.  
45 They will consider the Legislature’s determination that cities shall facilitate a reasonable  
46 opportunity for a variety of housing, including moderate-income housing to meet the needs of

1 people of various income levels living, working, or desiring to live or work in the community and  
2 to allow people with various incomes the opportunity to participate in all aspects of neighborhood  
3 and community life. The State currently requires that the City implement three or more strategies.  
4 The State has outlined 15 and allows the City to generate others.

5  
6 Cottonwood Heights is focusing on:

- 7
- 8 a. Rezoning for densities necessary to assure the production of moderate-income housing;
- 9
- 10 b. Allowing for high-density or moderate-income residential dwelling units in
- 11 commercial and mixed-use zones, commercial centers, or employment centers;
- 12
- 13 c. Implementing zoning incentives for low or moderate-income units in new
- 14 developments; and
- 15
- 16 d. Utilizing a moderate-income housing element set aside from a community reinvestment
- 17 agency, redevelopment agency, or community development and renewal agency.
- 18

19 It was reported that the Affordable Housing Element of the General Plan has been required but  
20 they have changed the frequency with which the City needs to update the report and provide the  
21 data. In 2017, the City adopted an updated Affordable Housing Element. Under previous State  
22 Legislation that would be good for five years. The data needs to be updated every two years. With  
23 the change in legislation, they are now required to modify the goal slightly, which was why the  
24 matter was before the Commission again. In addition, rather than reporting every two years, they  
25 report annually. A question was raised about how to determine how much affordable housing the  
26 City currently has. Mr. Taylor stated that a consultant has been retained to provide that data.

27  
28 Mr. Taylor explained that zoning incentives will be implemented for low and moderate-income  
29 units. The Planned Development District (“PDD”) is a tool to incentivize redevelopment in  
30 exchange for higher densities, different uses, and building pads, and massing. There are certain  
31 requirements, including the provision of below-market-rate housing. The default ordinance calls  
32 out 10% of the residential units in the project. Mr. Taylor reported that in the PDD, the density  
33 requirements are at the maximum but is based on the site. It was noted that it is expressly stated  
34 as a bonus or incentive that has to be earned. The PDD, by nature, is a legislative action so an  
35 applicant would have to convince the Planning Commission and the City Council that their project  
36 has merit. If the merit includes the types of amenities that warrant additional density, there is  
37 legislative discretion.

38  
39 Community and Economic Development Director, Michael Johnson reported that staff is in the  
40 process of amending the PDD Ordinance. The consultant will make a presentation to the Planning  
41 Commission in November or December and they are looking to expand it. They need three items  
42 but have chosen four. The City Council authorized the preparation of two Community  
43 Reinvestment Areas similar to the Canyon Center where they can create a Community  
44 Reinvestment Area to incentivize redevelopment for the City. Redevelopment can generate  
45 property tax increment beyond the current rate. That increment will go back into the project and  
46 allows the City to invest in projects that meet the City’s visions and goals.

1  
2 The State requirements for creating these reinvestment areas are affordable housing being set  
3 aside. They are proceeding with the creation of two areas currently; one at the gravel pit site and  
4 one at Fort Union Boulevard and 2300 East. If they are created, a portion of the increment  
5 generated will be set aside from moderate-income or low-income housing. A question was raised  
6 about the details of the property tax for either of the areas. Mr. Johnson responded that that is not  
7 yet known. The City's consultant was in the process of preparing the plan, which will provide a  
8 timeframe when the increment will be dedicated to the area as well as an estimate of what the  
9 increase will be.

10  
11 Mr. Taylor commented that every city in the State of Utah is required to adopt an updated  
12 Affordable Housing Plan, which is considered an element of the City's General Plan. Timing  
13 issues were discussed. It was noted that the matter will be subject to public comment at the City  
14 Council level. Action was to be scheduled for the November meeting.

15  
16 Project PDD-19-001 was next addressed regarding property at 6695 South Wasatch Boulevard.  
17 Mr. Johnson explained that this matter was to be discussed during the Work Session. There will  
18 be no discussion or hearing during the Business Meeting. An overview was provided on what has  
19 been received so far. The preliminary review was provided to the property owners and additional  
20 review needed to be conducted. The property was identified on a rendering displayed.

21  
22 Mr. Johnson reported that the property is approximately 22 acres in size. The Wasatch Boulevard  
23 Master Plan addresses this area in detail and calls for its redevelopment into a mixed-use center.  
24 The process was described consisting of pre-application conferences, the receipt of concept plans,  
25 and the required community workshops were held. Currently, staff was in the process of preparing  
26 their complete review and report for the Commission's consideration. Staff did not yet have  
27 enough information to finalize it for a public hearing. When the matter goes forward to a public  
28 hearing, proper public notice will be provided. It was suggested that noticing be extended to 1,000  
29 feet of the property since it is isolated and located on the outskirts of the City. Mr. Taylor explained  
30 that staff will provide substantial notice.

31  
32 Mr. Johnson reviewed some of the more specific policies pertaining to the corridor. The Wasatch  
33 Boulevard Master Plan was adopted July 2019 by the City Council. There are specific goals  
34 including the creation of a connected street network, development of a mix of housing and office  
35 retail uses, the creation of recreational and full-service amenities for that recreation, as well as a  
36 hotel in the general vicinity. They are encouraging development that will include high-density  
37 mixed-use development in the gravel pit area and create a pedestrian-friendly environment. They  
38 are planning to transit access and increase transit mobility throughout the site and extend the  
39 pathways and parks into the larger urban fabric and to the Bonneville Shoreline Trail.

40  
41 A rendering of the cross-section of the corridor envisioned along SR-190 was displayed.  
42 Mr. Johnson reported that there are major constraints associated with the property. He identified  
43 the fault lines and the required buffers from those fault lines. He remarked that the constraints  
44 significantly impact the site plan. Potential uses on the site include condominium units, a  
45 restaurant, retail, a hotel, 274 apartment units, office uses, commercial, and senior housing.  
46 Mr. Johnson commented on the preliminary elevations and stated that many of them need more

1 work. They have not yet been reviewed by the Architectural Review Commission and additional  
2 details will be needed to approve a general sign theme for the buildings and the parameters under  
3 which they would be approved. The intent was to request preliminary approval of the renderings  
4 understanding that modifications will be required as part of the final approval. Mr. Taylor reported  
5 that UDOT has set aside \$13 million for the acquisition of parking in the area. The developers  
6 were exploring the potential of a shared parking pad on the site.

7  
8 Adam Davis from the Rockworth Companies was present representing the applicant. He  
9 introduced their design team and stated that the project is the second PUD that has come through  
10 the City and the first associated with the old gravel pit. They feel they can fulfill what is envisioned  
11 in the overall Master Plan and implement the desired vision in the first phase of the project. A  
12 rendering was displayed to show the perspective of the buildings relative to the existing gravel pit.  
13 Exhibits were also prepared to identify the constraints. The corporate headquarters includes a six-  
14 story 150,000 square-foot office building. From grade, it is just under 100 feet in height.

15  
16 A Commissioner commented that the height allowed is irrelevant since they deal with what will  
17 work on the site. Mr. Davis explained that the ordinance specifies what is allowed under a Tier 1  
18 PUD. The only place that a Tier 1 PUD exists is in the gravel pit so those heights are specific to  
19 this site. It was noted that the building footprints for each of the uses had to be set outside of the  
20 setbacks for the fault lines and the water lines. The constraints they are working with on the site  
21 were described with the intent to create as much of a mixed-use environment as possible. Two  
22 retail pads were proposed along upper Wasatch Boulevard as well as 284 apartment units. The  
23 apartment building will include five-stories with two stories of parking. It was noted that the  
24 parking will be wrapped along the Wasatch Boulevard extension with townhomes. 80  
25 condominium units were also proposed with five levels of parking and 10 levels of condominiums  
26 above. Mr. Davis stated that the building will be tucked into the hill. A balloon will be floated to  
27 show where the upper elevation will be. He stated that it will read as two or three stories.

28  
29 In response to a question raised, it was reported that the lowest level of parking will be at the same  
30 elevation as the road. Mr. Davis explained that the heights are based on the average height of SR-  
31 190. He described the height increases allowed under the current Code. The office building will  
32 be nearly 200 feet off of the road and falls within the 120 feet height requirement. The apartments  
33 are about 600 feet from the road.

34  
35 Mr. Davis commented that the noticing requirement is 300 feet and they volunteered to go to 1,000  
36 feet, which included the Old Mill neighborhood below. At the first neighborhood meeting, there  
37 were about 40 in attendance. At the second meeting, it was advertised City-wide and 60 to 75  
38 were present.

39  
40 **1.2 Adjournment.**

41  
42 *Commissioner Allen moved to adjourn the Work Session. Commissioner Mills seconded the*  
43 *motion. The motion passed with the unanimous consent of the Commission.*

44  
45 The Work Session adjourned at 6:00 p.m.

1  
2 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**  
3 **PLANNING COMMISSION MEETING**

4  
5 **Wednesday, October 16, 2019**

6 **6:00 p.m.**

7 **Cottonwood Heights City Council Room**

8 **2277 East Bengal Boulevard**

9 **Cottonwood Heights, Utah**

10  
11 ***ATTENDANCE***

12  
13 **Members Present:** Chair Graig Griffin, Jesse Allen, Sue Ryser, Christine Coutts, Dan Mills

14  
15 **Staff Present:** Community and Economic Development Director Michael Johnson, City  
16 Attorney W. Shane Topham, Deputy City Recorder/HR Manager Heather  
17 Sundquist, Senior City Planner Matthew Taylor, City Planner Andrew  
18 Hulka, Youth Council Representative Nicholas Johnson

19  
20 **Excused:** Craig Bevan, Bob Wilde, Douglas Rhodes

21  
22  
23 **BUSINESS MEETING**

24  
25 **1.0 WELCOME/ACKNOWLEDGEMENTS**

26  
27 Chair Graig Griffin called the Business Meeting to order at approximately 6:05 p.m. and welcomed  
28 those in attendance.

29  
30 **2.0 General Public Comment**

31  
32 There were no public comments.

33  
34 **3.0 BUSINESS ITEMS**

35  
36 **3.1 (Project GPA-19-001) – A Public Hearing and Possible Action on a Proposed**  
37 **Update and Amendment to the Cottonwood Heights General Plan –**  
38 **Affordable Housing Element.**

39  
40 Senior City Planner, Matthew Taylor presented the staff report and stated that per Utah Code, a  
41 municipality's General Plan must plan for moderate-income housing growth. That means that a  
42 written document shall be adopted by every city that includes a plan for moderate-income housing  
43 that provides for estimates of the supply, need, a survey of total residential land use, and a plan for  
44 moderate-income housing. Senate Bill 34 requires that the plan be adopted before December 1,  
45 2019, and the General Plan amended accordingly. The City is required to update the plan annually  
46 and monitor progress on the goals of the plan. The State has expressed interest in cities providing

1 moderate-income housing and meet the needs of those of various income levels living and working  
2 in the community.

3  
4 Moderate income housing was described as housing that is affordable to those earning 80% of the  
5 area median income or less. Of the State’s identified strategies for accommodating moderate-  
6 income housing, staff identified Goals A, B, F, and J because they already have tools, policies, and  
7 zoning ordinances in place that will continue to facilitate moderate-income housing.

8  
9 A report was prepared by JSBS Consulting who updated the existing 2017 report with current data  
10 and evaluated the current supply and estimated need for future affordable housing. They also  
11 updated the report to include the goals identified and to begin monitoring progress of the goals for  
12 future reports. Staff concluded that the proposed plan meets the requirements of the State Code  
13 for a Moderate-Income Housing Plan and promotes the health, safety, and welfare of those within  
14 and desiring to live within the City. Staff recommended the Planning Commission consider  
15 recommending adoption of the plan to the City Council. It was suggested that care be taken in  
16 terms of where the impact will be felt and potential unintended consequences.

17  
18 Chair Griffin opened the public hearing.

19  
20 Jackie Hibbard, a resident of Old Mill Estates, asked how many units are in the Moderate-Income  
21 Housing Plan. She also asked if the housing will be low-income or moderate-income units.  
22 Mr. Johnson explained that in the gravel pit area, the PDD ordinance requires 10% of the units be  
23 moderate-income at 50% of the area median income. This is a preliminary proposal so that could  
24 change as they move toward the final plan.

25  
26 There were no further public comments. The public hearing was closed.

27  
28 *Commissioner Coutts moved to forward a recommendation of approval for Project GPA-19-001*  
29 *based on the strategies outlined in the staff report and the attached Housing Report.*  
30 *Commissioner Ryser seconded the motion. Vote on motion: Jesse Allen-Aye, Sue Ryser-Aye,*  
31 *Christine Coutts-Aye, Dan Mills-Aye, Chair Graig Griffin-Aye. The motion passed*  
32 *unanimously.*

33  
34 **3.2 (Project ZTA-19-002) – A Public Hearing and Possible Action on a City-**  
35 **Initiated Zoning Text Amendment to Chapter 19.80; (Parking Standards) of**  
36 **the City’s Zoning Ordinance.**

37  
38 Mr. Taylor reported that the Commission originally heard the above item on September 4 at which  
39 time it was considered for continued evaluation and study. The issue originated as a staff proposal  
40 to amend Ordinance 19.80.060 regarding dimensions for parking stalls and directly relates to  
41 tandem parking stalls. A rendering of a tandem parking stall was displayed. The Code does not  
42 prohibit this expressly as a way to provide the minimum required parking. Because it is not  
43 expressly prohibited, it must be allowed with the second stall meeting the parking needs  
44 requirements. A specific request was described and a floor plan was displayed showing how the  
45 stalls would be arranged.

1 Staff's opinion was that in many cases, particularly with commercial and multi-family areas where  
2 there is not high density and not a lot of available street parking, motorists will seek the most  
3 convenient form of parking rather than ask a co-tenant to move their vehicle. Most people would  
4 prefer to walk farther to avoid the inconvenience and park elsewhere such as a public street, an  
5 adjacent parking lot, or in guest parking stalls. That is problematic in most cases.

6  
7 Staff proposed an amendment to add language to specify that tandem parking stalls are defined as  
8 the placement of parking spaces one behind the other so that the space nearest the driveway or  
9 street access serves as the only means of access to the other space. Tandem parking spaces are  
10 allowed but spaces furthest from the driveway or street access shall not count toward meeting the  
11 minimum parking ratio set forth in the minimum parking standard except for single-family  
12 residences.

13  
14 Chair Griffin opened the public hearing.

15  
16 Robert Jacobs gave his address as 8717 Sugarloaf Drive and thanked the Commission for their  
17 service. He liked the idea of defining the tandem parking spaces. The only portion of the  
18 amendment he objected to was the exception of single-family residences. He saw no reason for  
19 single-family residents to not suffer the same inconvenience and issues that anyone else would.  
20 Mr. Jacobs suggested that tandem parking spaces be counted as one stall regardless of the  
21 circumstances and where they are located.

22  
23 There were no further public comments. The public hearing was closed.

24  
25 Mr. Taylor commented that with respect to single-family, the densities involved are much lower  
26 so there is usually not an issue with excessive on-street parking. It would also preclude  
27 opportunities for people building single-family homes if they chose to build a one-car garage. In  
28 that case, two parking spaces would be required. They would not be able to count the parking  
29 space in their driveway as a required parking stall. The same would be true for someone who  
30 chooses to construct a detached single-car garage in the rear yard where none of the stalls in the  
31 driveway could be counted as required parking. Because there is less of an impact due to reduced  
32 densities in single-family zones, it did not seem to create the same type of a nuisance as in  
33 commercial areas surrounding single-family neighborhoods.

34  
35 In response to a question raised, Mr. Taylor stated that tandem parking would be prohibited for  
36 office uses in the commercial zone. The driveway standard width can be 10 to 25 feet. There is  
37 no length requirement. If the City explores an Accessory Dwelling Unit ordinance again, it could  
38 establish more restrictive parking terms that would take precedence over the Code. Mr. Johnson  
39 reported that in Provo City tandem parking has been prohibited for many years except in single-  
40 family neighborhoods. He previously served as the Parking Administrator for Provo City in his  
41 experience tandem parking creates more off-street parking problems.

42  
43 Mr. Taylor explained that they are removing the main incentive for tandem parking by counting it  
44 as one parking stall. For that reason, staff felt that a previous applicant utilized it. They considered  
45 it an opportunity to build narrower units because they can utilize a two-car deep garage as two  
46 parking stalls. By eliminating that, the incentive is removed. Mr. Johnson explained that they

1 provided narrower units but they would still have to provide additional parking elsewhere on the  
2 site, which would likely have reduced the density.

3  
4 *Commissioner Ryser moved to approve Project ZTA-19-002. The motion was seconded by*  
5 *Commissioner Allen. Vote on motion: Jesse Allen-Aye, Sue Ryser-Aye, Christine Coutts-Aye,*  
6 *Dan Mills-Aye, Chair Graig Griffin-Aye. The motion passed unanimously.*

7  
8 **4.0 CONSENT AGENDA**

9  
10 **4.1 Approval of Planning Commission Minutes.**

11  
12 The minutes were not ready for approval.

13  
14 **5.0 ADJOURNMENT**

15  
16 *Commissioner Coutts moved to adjourn. The motion was seconded by Commissioner Ryser.*  
17 *The motion passed with the unanimous consent of the Commission.*

18  
19 The Planning Commission Meeting adjourned at approximately 6:32 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the*  
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, October 16, 2019.*

3  
4

5 Teri Forbes

6 Teri Forbes  
7 T Forbes Group  
8 Minutes Secretary

9  
10 Minutes Approved: November 6, 2019