



PLANNING COMMISSION MEETING AGENDA
June 5, 2019

NOTICE is hereby given that the Cottonwood Heights Planning Commission will hold a Work Session Meeting, beginning at 5:00 p.m. in Room 124 (Council Workroom) and a Business Meeting, beginning at 6:00 p.m. in Room 5 (Council Chambers) located at 2277 E. Bengal Blvd., Cottonwood Heights, Utah on **Wednesday, June 5, 2019.**

5:00 p.m. WORK MEETING

1.0 Planning Commission Business

1.1. Review Business Meeting Agenda

The Commission will review and discuss agenda items.

1.2. Annual Online Open Meetings Act Training Discussion

1.3. A presentation on the Open Space Master Plan Process, Survey of Existing Conditions, and Establishment of Plan Objectives

1.4. Additional Discussion Items

The Commission may discuss the status of 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

1.0 Welcome and Acknowledgements

1.1. Ex Parte Communications or Conflicts of Interest to Disclose

2.0 General Public Comment

(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 Senior Planner prior to noon the day before the meeting.)

3.0 Business Items

3.1. (Project LOT-19-002)

A public hearing on a request from Greg Diven to amend lots 101 and 102 of the Gullickson subdivision by consolidating two lots into one lot. The subject properties are located at 7985 and 7987 S. Deercreek Rd. (parcel nos. 22-35-205-069 and 22-35-205-070).

4.0 Consent Agenda

4.1. Approval of Planning Commission Minutes

4.1.1. March 6, 2019

4.1.2. April 3, 2019

4.1.3. April 17, 2019

5.0 Adjournment

Meeting Procedures

Items will generally be heard in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Planning Commission Deliberation
6. Planning Commission Motion and Vote

Planning Commission applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **NO agenda item will begin after 9 pm** without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Submission of Written Public Comment

Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than the Tuesday prior to the meeting at noon. Comments should be emailed to mtaylor@ch.utah.gov. After the public hearing has been closed, the Planning Commission will not accept any additional written or verbal comments on the application.

Notice of Participation by Telephonic/Digital Means

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.

Notice of Compliance with the American Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Friday, May 31, 2019 a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. 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 31st Day of May, 2019

Paula Melgar, City Recorder



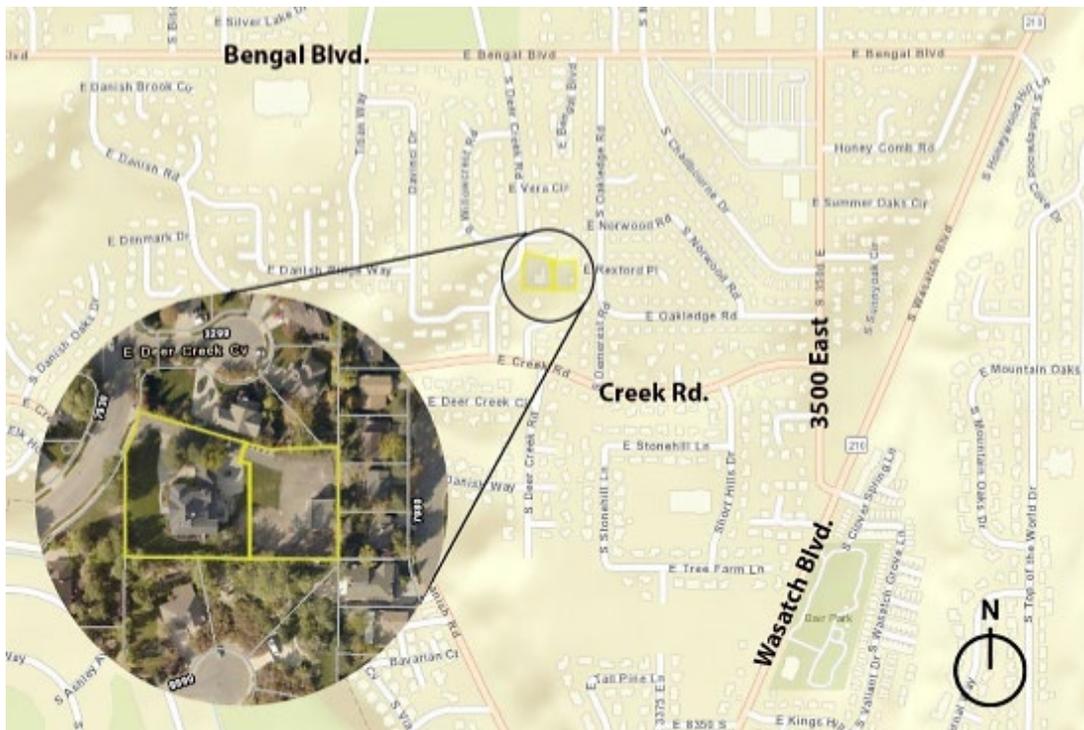
Planning Commission Staff Report

MEETING DATE: June 5, 2019
PROJECT NAME: LOT-19-002
LOCATION: 7985 & 7987 S. Deercreek Rd.
(parcel nos. 22-35-205-069 and 22-35-205-070)
REQUEST: Subdivision Plat Amendment/Lot Consolidation
(Lots 101 & 102 Gullickson subdivision)
APPLICANT: Greg Diven

SUMMARY

Request

The applicant is requesting approval to amend lots 101 and 102 of the Gullickson subdivision by consolidating two lots into one amended lot. This request constitutes an amendment to the Gullickson subdivision, which requires a public hearing and approval by the Planning Commission.



Recommendation

Based on the findings and analysis in this report, staff recommends that the Planning Commission approve the subdivision plat amendment as proposed.

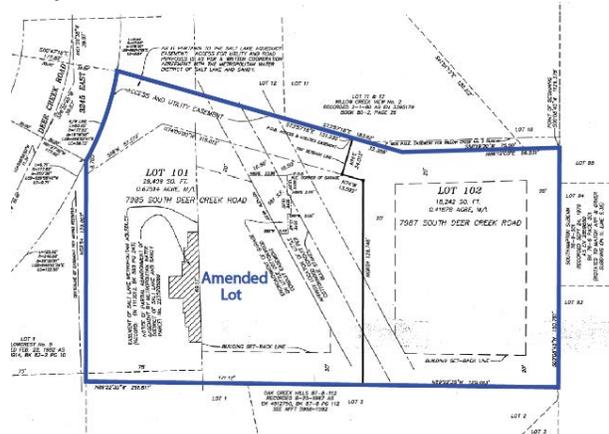
CONTEXT & ANALYSIS

Proposal

Existing



Proposed



Existing		Required
Lot 101		
Lot Width	190'+	70'
Lot Area	29,409 sq. ft. (0.675 acres)	8,000 sq. ft. (0.183 acres)
Lot 102		
Lot Width	120'+	70'
Lot Area	18,242 sq. ft. (0.419 acres)	8,000 sq. ft. (0.183 acres)

Proposed		Required
Lots Combined (Amended Lot 101)		
Lot Width	190' +	70'
Lot Area	47,650 sq. ft. (1.09 acres)	8,000 sq. ft. (0.183 acre)

Background

The property was originally one lot which was subdivided by the previous owner. The city approved the Gullickson subdivision in 2017, which created a flag lot behind the existing home. The current owner's request is to consolidate the lots to bring the property back to its previous configuration.

Zoning

The current zoning designation of the subject property is R-1-8 (Residential Single Family Zone). This zoning allows for the construction of one single-family dwelling on a property. The R-1-8 zone requires a minimum lot size of 8,000 square feet and a minimum lot width of 70 feet. The proposed lots will meet the minimum lot standards required in the R-1-8 zone. No change is proposed to any existing easements. Salt Lake County records show that the existing detached garage was constructed in 1980, prior to the city's incorporation.

Staff Analysis: *The applicant's proposed lot consolidation meets the provisions of the R-1-8 zone. The existing detached garage does not meet current setback requirements, so current and future use of the structure is subject to section 19.88 of the zoning ordinance (Noncomplying Buildings and Nonconforming Uses).*

Adjacent Land Use

The property is adjacent to single-family residential property in all directions.

Subdivision Ordinance

Title 12 of the Cottonwood Heights Municipal Code dictates the Planning Commission's role in subdivision plat approval. Planning Commission approval is necessary for amendments to existing subdivisions. Chapter 12.26 defines the approval process:

12.26.010 Plat vacation process.

A. 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.

12.26.030 Grounds for vacating or changing a plat.

B. If the planning commission is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration, or amendment, and that there is good cause for the vacation, alteration, or amendment, then the planning commission may approve the proposed alteration or amendment to the plat, any portion of the plat, or any street or lot.

Staff Analysis: Because the proposed lot consolidation will affect a lot in an existing subdivision (The Gullickson subdivision), a public hearing before the planning commission is required. Neither the public nor any person will be materially injured by the proposed amendment.

Noticing

Hearing notices were sent to property owners within 400 feet of the subject property, as required by ordinance (12.26.020.A).

CONDITIONS & FINDINGS

Conditions of Approval

1. The applicant shall work with staff to address all technical corrections on the plat amendment, in compliance with all applicable city ordinance regulations;

Findings for approval

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

MODEL MOTIONS

Approval

I move to approve project LOT-19-002 based on the conditions and findings in the staff report dated June 5th, 2019...

- List any additional conditions and/or findings...

Denial

I move to deny project LOT-19-002.

- List findings for denial...

1 **DRAFT**

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

5
6 **Wednesday, March 6, 2019**

7 **5:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Graig Griffin, Chris Coutts, Jesse Allen, Doug Rhodes, Sue Ryser,
15 Dan Mills, Alternate Bob Wilde

16
17 **Staff Present:** Community and Economic Development Director Mike Johnson, Senior
18 Planner Matt Taylor, Associate Planner Andrew Hulka,

19
20 **Excused:** Craig Bevan

21
22 **WORK SESSION**

23
24 Chair Graig Griffin called the meeting to order at 5:00 p.m. and welcomed those in attendance.

25
26 **1.0 Planning Commission Business.**

27
28 **1.1 Review Business Meeting Agenda.**

29
30 Chair Bevan reviewed the Business Meeting agenda.

31
32 **1.2 Additional Discussion Items.**

33
34 Associate City Planner, Andy Hulka, reviewed Project HOC-19-001, a request from Sara Carruth
35 for a large home preschool, which is defined as having more than six children. Pick up and drop
36 off procedures were reviewed. It was reported that the small home preschool has been in operation
37 since 2014 and the applicant has requested an increase from six to eight students. Notices have
38 been sent out and staff had not received any comments or calls regarding the request.

39
40 Commissioner Rhodes suggested a handrail be installed along the side entrance.

41
42 The applicant, Sara Carruth, was present and confirmed that they have had requests for more
43 students.

44
45 Senior Planner, Matt Taylor, next described Project ZTA-18-002 a proposed ordinance adopting
46 Chapter 19.77- "Outdoor Lighting" and provisions in Title 19 – "Zoning" and Title 12 –

1 “Subdivisions”. Lighting fixture replacement issues were described. The interface between
2 wildlife and ecological systems was mentioned specifically as a concern and has been added to the
3 preamble of the ordinance. The allowable percentage of the change was discussed.

4
5 Community and Development Director, Mike Johnson, recommended the Commission focus on
6 the ordinance itself and the education of language outside the ordinance.

7
8 Residential lighting standards were discussed at length.

9
10 Senior Planner, Matt Taylor, described the different ways to measure lighting and cut off
11 requirements. He clarified that a foot-candle is a unit of measurement for the total amount of light
12 cast on a surface or illumination. One foot-candle is equivalent to the illumination produced by
13 the source of one candle at a distance of one foot. Light pollution was described.

14 15 **1.3 Adjournment.**

16
17 *Commissioner Wilde moved to adjourn the Work Session. Commissioner Bevan seconded the*
18 *motion. The motion passed with the unanimous consent of the Commission.*

19
20 The Work Session adjourned at 5:50 pm.

21 22 **BUSINESS MEETING**

23 24 **1.0 WELCOME/ACKNOWLEDGEMENTS**

25
26 Chair Graig Griffin called the Business Meeting to order at 6:07 p.m. and welcomed those in
27 attendance.

28 29 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

30
31 Chair Bevan reviewed the Business Meeting procedures.

32 33 **2.0 Public Comment.**

34
35 There were no public comments.

36 37 **3.0 BUSINESS ITEMS**

38 39 **3.1 Project HOC-19-001 A request from Sara Carruth for a Conditional Use Permit to** 40 **Operate a Home Daycare for up to 12 Children located at 6723 South 2445 East.**

41
42 Associate City Planner, Andy Hulka, presented the staff report and stated that the request is from
43 Sara Carruth for a large home preschool, which is defined as a school with more than six children.
44 The small home preschool has been in operation since 2014 and the applicant has requested an
45 increase from six to eight students. Notices were sent out and staff had received no comments or
46 calls regarding the application. Staff recommended approval and determined that the request

1 meets all of requirements for the zoning ordinance with an additional condition that requires they
2 adhere to the submitted schedule. Pickups and drop offs are to take place 10 minutes prior and
3 after school hours.

4
5 Commissioner Rhodes suggested a handrail be installed along the side entrance.
6

7 The applicant, Sara Carruth, stated that she instructs parents to park and wait while she brings the
8 children to them when they pick up. The children are brought inside by their parents during the
9 morning drop off.

10
11 Chair Griffin opened the public hearing. There were no public comments. The public hearing was
12 closed.

13
14 ***Commissioner Rhodes moved to approve Project HOC-19-001 subject to the following:***

15
16 ***Conditions:***

- 17
18 ***1. The applicant shall adhere to the typical class hours of 9:00-11:30 a.m. and***
19 ***12:30-3:00 p.m. 2 to 3 days per week, as described in the written narrative in the***
20 ***official project file and in the staff report dated 03/06/2019.***
21
22 ***2. The addition of a hand rail going down the stairs.***
23

24 ***Findings:***

- 25
26 ***1. The proposed home preschool, in meeting the above conditions of approval,***
27 ***conforms to applicable home occupation requirements for home preschools as***
28 ***found in the Cottonwood Heights Zoning Ordinance (Title 19) and Business***
29 ***License Ordinance (Title 5), including each of the standards set forth in section***
30 ***19.84.080 (Conditional Uses – Determination).***
31
32 ***2. Because the proposed home preschool use will occur in a designated area within***
33 ***the house and yard area with limited hours of operation, it is found that the***
34 ***preschool use will be clearly incidental and secondary to the primary use of the***
35 ***property as a single-family residence and any perceived negative impacts will be***
36 ***mitigated.***
37

38 ***Commissioner Wilde seconded the motion. Vote on motion: Commissioner Coutts-Aye,***
39 ***Commissioner Ryser-Aye, Commissioner Allen-Aye, Commissioner Rhodes-Aye, Commissioner***
40 ***Wilde-Aye, Commissioner Mills-Aye, Chair Griffin-Aye. The motion passed unanimously.***
41

1 **3.2 Project ZTA-18-002 Proposed Ordinance Adopting Chapter 19.77 “Outdoor**
2 **Lighting” and Amending Various Other Provisions in Title 19 – “Zoning” and Title**
3 **12 – “Subdivisions” Relative to Outdoor Lighting Standards.**
4

5 Chair Griffin reported that the above ordinance details outdoor lighting and provisions in Title 19
6 and Title 12 relative to outdoor lighting standards
7

8 Chair Griffin opened the public hearing. There were no public comments.
9

10 Mr. Johnson reported that staff’s efforts since the last meeting were to take feedback and
11 incorporate them into the ordinance to ensure that they are incorporating the Dark Sky best
12 practices into the ordinance while trying to avoid such a complex ordinance that it is impossible
13 to follow.
14

15 *Commissioner Wilde moved to close the public hearing and continue the balance of the*
16 *discussion to the following meeting. The motion failed for lack of a second.*
17

18 Commissioner Ryser believed the public hearing should remain open as they do not have a final
19 document and changes still to be made.
20

21 *Commissioner Ryser moved to continue Project ZTA-18-002 to the next meeting and leave the*
22 *public hearing open. The motion was seconded by Commissioner Coutts. Vote on motion:*
23 *Commissioner Coutts-Aye, Commissioner Ryser-Aye, Commissioner Allen-Aye, Commissioner*
24 *Rhodes-Aye, Commissioner Wilde-Aye, Commissioner Mills-Aye, Chair Griffin-Aye. The*
25 *motion passed unanimously.*
26

27 Commissioner Allen requested to review the street lighting ordinance at the same time as the
28 outdoor lighting standards.
29

30 Chair Griffin asked for clarification on landscape lighting.
31

32 **4.0 CONSENT AGENDA**
33

34 **4.1 Approval of Minutes.**
35

36 *The above item was postponed.*
37

38 **5.0 ADJOURNMENT**
39

40 *Commissioner Coutts moved to adjourn. The motion was seconded by Commissioner Rhodes.*
41 *The motion passed with the unanimous consent of the Commission.*
42

43 The Planning Commission Meeting adjourned at 6:35 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, March 6, 2019*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____

1 **DRAFT**

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

5
6 **Wednesday, April 3, 2019**

7 **5:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Graig Griffin, Craig Bevan, Dan Mills, Doug Rhodes

15
16 **Staff Present:** Community and Economic Development Director Mike Johnson, Senior
17 Planner Matt Taylor, Associate Planner Andrew Hulka, City Attorney Shane
18 Topham

19
20 **Excused:** Chris Coutts, Jesse Allen, Sue Ryser, Alternate Bob Wilde

21
22 **WORK SESSION**

23
24 Chair Graig Griffin called the meeting to order at 5:08 p.m. and welcomed those in attendance.

25
26 **1.0 Planning Commission Business**

27
28 **1.1 Review Business Meeting Agenda**

29
30 Chair Griffin reviewed the business meeting agenda.

31
32 **1.2 Additional Discussion Items**

33
34 Associate Planner, Andy Hulka, reviewed Project ZMA-19-001 a request from Nathan Anderson for
35 a zone map amendment from R-1-8 (Residential Single-Family) to MU (Mixed Use) for
36 approximately 0.54 acre located at 1810 East Fort Union Boulevard. The surrounding properties were
37 described. He explained that there are constraints on mixed-use but staff felt that anything proposed
38 will have to follow all requirements including setbacks and buffers between adjacent residential
39 communities.

40
41 It was suggested that when they receive the individual requests within the confines of what has already
42 been passed that they do their best to ensure that everything fits within the long-term plan. Chair
43 Griffin remarked that the purpose of mixed-use zoning is to empower property owners to be creative
44 while improving the neighborhood.

45
46 Mr. Hulka explained that when a property is developed, requirements imposed on the property have
47 to be tied to the impact. He confirmed that any new power or utility lines are required to be

1 underground. With mixed uses, there are greater standards when the property is located adjacent to
2 a residential property.

3
4 Senior Planner, Matt Taylor, reviewed ZMA-19-002, a request from John Prince, representing Prince
5 Assets LLC, for a zone map amendment from R-1-8 (Residential Single Family) to MU (Mixed Use)
6 of approximately 0.44 acres of property located at 1648 and 1680 East Fort Union Boulevard. A
7 property map was displayed. He confirmed that the developer is working with the adjacent property
8 owners regarding access. With respect to the Mixed-Use zone, they have expressed interest in
9 residential. Staff thanked the applicant for taking on more property was rezoned, which would create
10 a more unified master development for the property. Grading issues were discussed.

11
12 Mr. Taylor next reviewed Project ZMA-19-003, a request from Eric Despain, representing Robert V
13 Despain Trust and Rola V LLC, for a General Plan Map Amendment from Residential Rural Density
14 to Residential Low Density and a zone map amendment from RR-1-43 (Residential Single-Family)
15 to R-1-15 on approximately 5.2 acres of property located at 3662, 3742, and 3804 East North Little
16 Cottonwood Road. The property is primarily vacant with just an existing barn and home. Mr. Taylor
17 reported that the zoning for the 7.3 acres is already R-1-15 and the area is currently Residential Rural
18 density with a minimum lot size of .50 acre. The applicant was seeking for a General Plan change
19 and a zone change that are both consistent with the property on the northwest. Staff recommended
20 approval and determined that the overall impact is minimum and generally in compliance with the
21 goals and objectives of the General Plan. The various standards were reviewed at length.

22 23 **1.3 Adjournment.**

24
25 *Commissioner Rhodes moved to adjourn the work session. Commissioner Bevan seconded the*
26 *motion. The motion passed with the unanimous consent of the Commission.*

27
28 The work session adjourned at 5:49 pm.

29 30 **BUSINESS MEETING**

31 32 **1.0 WELCOME/ACKNOWLEDGEMENTS**

33
34 Chair Graig Griffin called the Business Meeting to order at 6:00 p.m. and welcomed those in
35 attendance.

36 37 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

38
39 Chair Griffin reviewed the Business Meeting procedures.

40 41 **2.0 Public Comment**

42
43 There were no public comments.

1
2 **3.0 BUSINESS ITEMS**

3
4 **3.1 Project ZMA-19-001 A Request from Nathan Anderson, Representing City and Resort**
5 **Properties, for a Zone Map Amendment from R-1-8 (Residential Single-Family) to MU**
6 **(Mixed Use) of approximately 0.54 acres of Property located at 1810 East Fort Union**
7 **Boulevard.**
8

9 Associate Planner, Andy Hulka, presented the staff report and stated that the request is for a rezone
10 from R-1-8 to MU (Mixed Use) on property located at 1810 East Fort Union Boulevard. The subject
11 property is adjacent to the Fire Station on Fort Union Boulevard and currently houses a single-family
12 residence. The proposal was determined to be in compliance with the General Plan and the Fort
13 Union Area Plan, which recommends the redevelopment of properties along Fort Union east and west
14 of Highland Drive and encourages a mixture of uses throughout the plan area. Mr. Hulka stated that
15 the request conforms with the general and area plans and are focused on determining if it is
16 appropriate for the area. Staff recommended approval.
17

18 The applicant, Nathan Anderson, stated that they do look forward to rezoning and hope to have the
19 opportunity to create something that is not readily available. He noted that it is not their intention to
20 remain at half of the maximum density with a live/work format.
21

22 Commissioner Mills asked how the request will fit in with the City's Fort Union Area Plan.
23 Mr. Anderson confirmed that the front will take on more of a commercial rather than residential look.
24 Due to the overhead power lines, a landscape tree would have to be placed every 13 to 15 feet.
25

26 Chair Griffin opened the public hearing.
27

28 Eric Kraan stated he was in favor of the proposal and recommended additional bike infrastructure be
29 placed along Fort Union.
30

31 There were no further comments. The public hearing was closed.
32

33 *Commissioner Rhodes moved to forward a recommendation of approval to the City Council for*
34 *Project ZMA-19-001 based on the following:*
35

36 ***Findings:***
37

- 38 1. ***The proposed zone map amendment from R-1-8 to MU is consistent with the City's***
39 ***General Plan Land Use Map.***
- 40 2. ***The proposed zone map amendment better accommodates future reinvestment in and***
41 ***redevelopment of the subject properties than the current zone.***
- 42 3. ***Future development impacts of the proposed zone will be appropriately mitigated***
43 ***through requisite site plan and permit review.***
- 44 4. ***The zone map amendment is done in accordance with the procedure outlined in***
45 ***19.90.010 "Amendment Procedure" of the Cottonwood Heights Municipal Code.***
46
47
48

1
2 **5. Proper notice was given in accordance with all local and state noticing requirements.**
3

4 *Commissioner Bevan seconded the motion. Vote on motion: Commissioner Mills-Aye,*
5 *Commissioner Bevan-Aye, Commissioner Rhodes-Aye, Chair Griffin-Aye. The motion passed*
6 *unanimously.*
7

8 **3.2 Project ZMA-19-002 A Request from John Prince, Representing Prince Assets, LLC for**
9 **a Zone Map Amendment R-1-8 (Residential Single-Family) to MU (Mixed Use) on**
10 **approximately 0.44 acres of Property located at 1648 and 1680 East Fort Union**
11 **Boulevard.**
12

13 Mr. Taylor presented the staff report and stated that the request is for two parcels, one vacant and one
14 with a single-family home totaling .50 acres. The properties to the east are also mixed use and were
15 rezoned but no development has occurred since that time. He explained that the proposal conforms
16 to the City’s long-range plan and this is an opportunity to contribute to the walkable mixed-use
17 corridor and could develop with a range of uses. Staff recommended approval.
18

19 The applicant, John Prince, stated that they are not trying to increase density and confirmed that there
20 are some unique aspects of the site with grading and retaining walls. They are working with the
21 engineering team to mitigate the issues and intend to work with the existing sidewalk. He explained
22 that they are planning townhomes with some mixed in commercial buildings.
23

24 Chair Griffin opened the public hearing.
25

26 Alan Blank identified himself as the owner of property along Fort Union Boulevard and asked for
27 clarification of the rezoning from residential to mixed use. Chair Griffin directed Mr. Blank to the
28 City’s website which provides links to all City codes and ordinances.
29

30 Mr. Taylor stated that the Fort Union Master Plan is posted on the City’s website and can provide
31 clarity as what is intended. Googling the Cottonwood Heights City Code would also be a helpful
32 reference.
33

34 Ed Hansen reported that he lives in the Greenfield Village area and expressed frustration with
35 congestion and the difficulty he has experienced exiting his subdivision. He emphasized the need for
36 a traffic light.
37

38 Connie Gunderson reported that she owns the property behind the vacant lot. She commented that
39 the proposed change would increase traffic in addition to her already congested lane. The proposed
40 height was also of concern. Commissioner Bevan emphasized there are Code requirements for height
41 and setbacks and stated that the City will enforce those restrictions.
42

43 Commissioner Mills remarked that the idea of live/work is to pull people back in. The concept with
44 mixed-use is intended to create an empowerment tool that enables developers to be creative.
45

46 *Commissioner Mills moved to forward a recommendation of approval to the City Council for*
47 *Project ZMA-19-002 based on the following:*
48

1 **Findings:**

- 2
- 3 1. *The proposed zoning map amendment, and the purposes of the MU zone, is consistent*
- 4 *with the principles, goals, and objectives of the General Plan and Fort Union Corridor*
- 5 *Area Plan.*
- 6
- 7 2. *The proposed zoning map amendment will be completed in accordance with the*
- 8 *procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood*
- 9 *Heights Municipal Code.*
- 10
- 11 3. *Proper notice was given in accordance with all local and state noticing requirements.*
- 12
- 13 4. *The proposed zone map amendment better accommodates future reinvestment in and*
- 14 *redevelopment of the subject properties than the current zone.*
- 15
- 16 5. *Future development impacts of the proposed zone will be appropriately mitigated*
- 17 *through requisite site plan and permit review.*
- 18
- 19 6. *The zone map amendment is done in accordance with the procedure outlined in*
- 20 *19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code.*
- 21
- 22 7. *Proper notice was given in accordance with all local and state noticing requirements.*
- 23

24 *Commissioner Rhodes seconded the motion. Vote on motion: Commissioner Mills-Aye,*

25 *Commissioner Bevan-Aye, Commissioner Rhodes-Aye, Chair Griffin-Aye. The motion passed*

26 *unanimously.*

27

28 **3.3 Project ZMA-19-003 A Request from Eric Despain, Representing the Robert V Despain**

29 **Trust and Rola V, LLC, for a General Plan Map Amendment from Residential Rural**

30 **Density to Residential Low-Density and a Zone Map Amendment from RR-1-43**

31 **(Residential Single-Family) to R-1-15 on approximately 5.2 acres of Property located at**

32 **3662, 3742, and 3804 East North Little Cottonwood Road.**

33

34 Mr. Taylor presented the staff report and stated that the applicant represents two entities. A property

35 map was displayed. Currently, the General Plan for the area is not a binding or regulatory document,

36 however, the City’s goals for the future were established in 2005. The zoning is RR-1-43, which has

37 a minimum lot size of 43,000 square feet or approximately 1.0 acre. Mr. Taylor explained that they

38 are considering a rezone of the General Plan for approximately 5.0 acres. There are goals for retention

39 of open space and the development of bicycle and trail networks creating a community character into

40 the Canyons. Staff was considering the general development pattern that exists and noted that there

41 is no substantial difference in moving forward and if this action is to occur since the net gain would

42 be only four lots. Staff recommended approval of both the General Plan Map Amendment and the

43 Zoning Map Amendment.

44

45 The applicant, Eric Despain, gave a brief history of the property and stated that their farm was

46 previously rezoned by the county to R-1-15 in preparation for the Granite Oaks Subdivision. At that

47 time, two parcels were held out.

48

1 Commissioner Mills asked if the creek will be preserved and additional trail connections made. Mr.
2 Despain stated that he would like to see the beauty of the area preserved along with the development
3 and make it accessible to bicycles and pedestrians. He noted that he lives on an adjacent property
4 and this is his home too.

5
6 Chair Griffin opened the public hearing.

7
8 Eric Kraan expressed concern with the proposal, which will result in an increase in density and traffic.
9 He commented that the request resembles spot zoning.

10
11 Lois Peterson, a resident of the Granite Oaks Subdivision, believed that the proposed Despain
12 property is currently listed for sale. She reported that the Despains asked for permission to drive
13 through Granite Oaks to access Wasatch Boulevard. She suggested that one of the conditions of
14 approval include another access point in addition to the access through Granite Oaks. Ms. Peterson
15 also recommended a traffic study be conducted.

16
17 Todd Barrett was present speaking on behalf of the Granite Oaks HOA and expressed concern with
18 the access through their subdivision. He reported that he received the public notice 10 days prior to
19 the meeting and requested an extension on the hearing to allow for additional review.

20
21 There were no further comments. The public hearing was closed.

22
23 Mr. Taylor reviewed the site access to the subject property from Little Cottonwood Canyon Road.
24 He confirmed that the issues will be worked out with the Fire Department and UDOT as the
25 development moves forward.

26
27 Commissioner Bevan asked for clarification regarding how many lots can be developed on the site.

28
29 Mr. Taylor explained that the increase from 22 to 26 lots was an estimate and considered all of the
30 area currently zoned with the additional 5.0 acres.

31
32 ***Commissioner Bevan moved to forward a recommendation of approval to the City Council for***
33 ***Project ZMA-19-003 based on the following findings and zone map amendment to R-1-15 a general***
34 ***land map amendment to residential low density.***

35
36 ***Findings:***

- 37
38 1. ***The proposed General Plan Land Use and Zoning Map amendment, and the purposes***
39 ***of the R-1-15 zone, are consistent with the principles, goals, and objectives of the***
40 ***General Plan.***
41
42 2. ***The proposed amendment fits in context with the land use and zoning in the area,***
43 ***especially the developed and underdeveloped land north of the subject properties.***
44
45 3. ***The proposed amendment is consistent with previous actions taken by Salt Lake County***
46 ***prior to incorporation.***
47

- 1 4. *The proposed zoning map amendment will be completed in accordance with the*
2 *procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood*
3 *Heights Municipal Code.*
- 4
- 5 5. *Proper notice was given in accordance with all local and state noticing requirements.*
- 6
- 7 6. *The proposed zone map amendment is fiscally more sustainable for the city and*
8 *taxpayer than that rural low-density zones.*
- 9
- 10 7. *Future development impacts of the proposed zone will be appropriately mitigated*
11 *through requisite site plan and permit review, including sensitive lands ordinance*
12 *provisions.*
- 13
- 14 8. *The zone map amendment is done in accordance with the procedure outlined in*
15 *19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code.*
- 16
- 17 9. *Proper notice was given in accordance with all local and state noticing requirements.*
- 18

19 *Commissioner Rhodes seconded the motion. Vote on motion: Commissioner Mills-Nay,*
20 *Commissioner Bevan-Aye, Commissioner Rhodes-Aye, Chair Griffin-Aye. The motion neither*
21 *passed nor failed. The same proposal was to be made at the next meeting.*

22

23 **4.0 CONSENT AGENDA**

24

25 **4.1 Approval of the Minutes for January 23, 2019.**

26

27 Approval of the minutes was continued to the next meeting.

28

29 **5.0 ADJOURNMENT**

30

31 *Commissioner Bevan moved to adjourn. The motion was seconded by Commissioner Rhodes. The*
32 *motion passed with the unanimous consent of the Commission.*

33

34 The Planning Commission Meeting adjourned at 7:00 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, April 3, 2019*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____

1 **DRAFT**

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

5
6 **Wednesday, April 17, 2019**

7 **5:00 p.m.**

8 **Cottonwood Heights City Council Room**

9 **2277 East Bengal Boulevard**

10 **Cottonwood Heights, Utah**

11
12 ***ATTENDANCE***

13
14 **Members Present:** Chair Graig Griffin, Craig Bevan, Chris Coutts, Jesse Allen, Doug Rhodes,
15 Sue Ryser, Alternate Bob Wilde

16
17 **Staff Present:** City Manager Tim Tingey, Community and Economic Development
18 Director Mike Johnson, Senior Planner Matt Taylor, Records Culture and
19 Human Resource Director Paula Melgar, City Attorney Shane Topham

20
21 **WORK SESSION**

22
23 Chair Graig Griffin called the meeting to order at 5:08 p.m. and welcomed those in attendance.

24
25 **1.0 Planning Commission Business**

26
27 **1.1 Review Business Meeting Agenda**

28
29 Chair Griffin reviewed the Business Meeting agenda.

30
31 **1.2 Additional Discussion Items**

32
33 Senior Planner, Matt Taylor, presented Project ZMA-19-003 and stated that the request is for a
34 General Plan Map Amendment from Residential Rural Density to Residential Low Density and a
35 Zone Map Amendment from RR-1-43 to R-1-15 for approximately 5.2 acres of property located
36 at 3662, 3742 and 3804 East North Little Cottonwood Road. A detailed map of surrounding
37 properties was reviewed. Mr. Taylor stated that the proposed zoning would potentially allow up
38 to 10 lots. If the applicant's rezone is approved, they could lay the project out in a more efficient
39 manner and the overall density would increase from 22 to 26 lots. He confirmed that the applicant
40 already has zoning that is higher than what the General Plan map suggests.

41
42 Commissioner Coutts asked if the streets could be counted as part of the lot line if the property is
43 rezoned and the applicant decides to put in a PUD. Density issues were discussed at length.

1 Mr. Taylor reviewed the Canyon Gateway Zone and understood this would increase density and
2 development but explained that it is an opportunity to have an open space network and trails, which
3 create balance in the density.

4
5 Community and Economic Development Director, Mike Johnson, confirmed that developments
6 over five acres require 10% open space. The Sensitive Lands Ordinance would also apply due to
7 the geologic and geographic nature of the site. He noted that the concerns have been expressed by
8 Granite Oaks residents regarding access. It was confirmed that the issue has been dealt with at the
9 subdivision development level and easements are in place that will address those concerns.
10 Mr. Johnson explained that they are not currently proposing any ingress or egress and should they
11 wish to take further public comment, they would need a motion to do so.

12
13 Mr. Taylor next presented Project ZTA-18-002 and stated that the request is from Cottonwood
14 Heights City for a proposed ordinance adopting Chapter 19.77 regarding outdoor lighting. He
15 explained that they have divided the proposed ordinance into two sections for residential and
16 commercial/multi-family. The goal is to have something that is simple and easy to understand and
17 administer. Fixture types and wattage were discussed at length.

18
19 Concern was expressed about leaving exterior lights on at night for safety and there was some
20 question as to whether the proposed requirements are too lenient. Mr. Taylor pointed out that it is
21 their goal to find the right balance and he encouraged input. Commissioner Coutts asked about
22 the requirements of an outdoor court or swimming area.

23
24 Intermittent recreational use was next discussed. Staff confirmed that the proposed language
25 addressed seasonal lighting between November 15 and January 15.

26
27 Commissioner Bevan believed there cannot be restrictions placed on seasonal lights as he has
28 permanent holiday lights and should be able to use them as he sees fit.

29
30 Commissioner Griffin emphasized the need to make this a reasonable first step to avoid conflict
31 within the community.

32
33 Mr. Taylor next reviewed the surrounding community lighting regulations.

34
35 Commissioner Ryser suggested running the proposal by an electrical contractor to determine if
36 there are any potential issues.

37
38 **2.0 Adjournment.**

39
40 *Commissioner Wilde moved to adjourn the work session. Commissioner Bevan seconded the*
41 *motion. The motion passed with the unanimous consent of the Commission.*

42
43 The work session adjourned at 5:50 p.m.

1
2 **BUSINESS MEETING**

3
4 **1.0 WELCOME/ACKNOWLEDGEMENTS**

5
6 Chair Graig Griffin called the Business Meeting to order at 6:07 p.m. and welcomed those in
7 attendance.

8
9 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

10
11 Chair Bevan reviewed Business Meeting procedures.

12
13 **2.0 Public Comment.**

14
15 Nancy Hardy commented that the City seems to be being attacked from all sides and losing its
16 character. She asked who from the City is giving the gravel pit developer direction and if plans
17 include a transportation hub. She was opposed to widening Wasatch Boulevard.

18
19 Mr. Taylor confirmed that staff received an incomplete application three months ago that was
20 lacking several documents. As a result, it was considered incomplete. An ordinance mechanism
21 was being considered as well.

22
23 **3.0 BUSINESS ITEMS**

24
25 **3.1 Project ZMA-19-003 A Public Meeting on a Request from Eric Despain,**
26 **Representing Robert V Despain Trust and Rola V LLC, for a General Plan**
27 **Map Amendment from Residential Rural Density to Residential Low-Density**
28 **and a Zone Map Amendment from RR-1-43 (Residential Single-Family) to R-**
29 **1-15 for approximately 5.2 Acres of Property located at 3662, 3742 and 3804**
30 **East North Little Cottonwood Road.**

31
32 Mr. Taylor presented the staff report and stated that there are two separate requests. The first is
33 for a General Plan Amendment from Residential Rural Density to Residential Low-Density. The
34 second is a request for a Zone Map Amendment from RR-1-43 with a minimum one-acre lot size
35 to R-1-15 with a minimum 15,000 square-foot lot size. He clarified that they are independent of
36 each other and the General Plan is a policy that guides future decision making. The zoning is the
37 ordinance or law for how development can occur. The reason for the General Plan change was to
38 provide support for a rezone.

39
40 *Commissioner Rhodes moved to forward a recommendation of approval to the City Council for*
41 *Project ZMA-19-003 based on the following:*

1 **Findings:**

- 2
- 3 1. *The proposed General Plan Land Use and Zoning Map amendment, and the purposes*
- 4 *of the R-1-15 zone are consistent with the principles, goals, and objectives of the General*
- 5 *Plan;*
- 6
- 7 2. *The proposed amendment fits in context with the land use and zoning in the area,*
- 8 *especially the developed and underdeveloped land north of the subject properties;*
- 9
- 10 3. *The proposed amendment is consistent with previous actions taken by Salt Lake County*
- 11 *prior to incorporation;*
- 12
- 13 4. *The proposed zoning map amendment will be completed in accordance with the*
- 14 *procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood Heights*
- 15 *Municipal Code;*
- 16
- 17 5. *Proper notice was given in accordance with all local and state noticing requirements.*
- 18
- 19 6. *The proposed zone map amendment is fiscally more sustainable for the city and taxpayer*
- 20 *than that rural low-density zones;*
- 21
- 22 7. *Future development impacts of the proposed zone will be appropriately mitigated*
- 23 *through requisite site plan and permit review, including sensitive lands ordinance*
- 24 *provisions;*
- 25
- 26 8. *The zone map amendment is done in accordance with the procedure outlined in*
- 27 *19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code;*
- 28
- 29 9. *Proper notice was given in accordance with all local and state noticing requirements.*
- 30

31 *Commissioner Wilde seconded the motion. Vote on motion: Commissioner Coutts-Nay,*

32 *Commissioner Ryser-Nay, Commissioner Allen-Aye, Commissioner Rhodes-Aye,*

33 *Commissioner Wilde-Aye, Commissioner Bevan-Aye, Chair Griffin-Aye. The motion passed*

34 *5-to-2.*

35

36 **3.2 Project ZTA-18-002 A Public Hearing on a Request from Cottonwood Heights**

37 **City for a Proposed Ordinance Adopting Chapter 19.77 – “Outdoor Lighting,”**

38 **and Amending Various Other Provisions in Title 19 – “Zoning” and Section**

39 **12.24.190 – “Street Lighting” Relative to Outdoor Lighting Standards.**

40

41 Chair Griffin opened the public comment.

42

43 Nancy Hardy asked if the proposed ordinance includes standards for outdoor electronic lighting.

44 Mr. Taylor noted that the proposed ordinance does not address any of the sign standards.

45

46 There were no further public comments.

1 Chair Griffin confirmed that it is for residential and commercial lighting in general and the public
2 comment will remain open.

3
4 Commissioner Coutts stated that the Sign Lighting Ordinance is still in place and is a stand-alone
5 item.

6
7 Further discussion on the matter was continued to a future Work Session.

8
9 Mr. Taylor reported that he met with members of the Dark Sky Association and will be sending a
10 draft for their review. He will be furthering discussion with industry professionals, as suggested,
11 and encouraged any additional direction to be shared. The allowable measure of Kelvins was
12 described.

13
14 Commissioner Wilde suggested language in Section 19.77.10 be changed to include “improve the
15 enjoyment of real and personal property.”

16
17 Commissioner Allen suggested that Public Safety staff be included in addressing lighting issues
18 as they relate to public safety. With regard to lamp or light fixture alteration, he believed the
19 trigger for residential property is if they are remodeling more than 25% needed to complete the
20 application process and prove they are under the overall number of lumens.

21
22 Mr. Taylor explained that in the context of a single-family home, a 25% remodel would trigger
23 additional permit plan review and require an additional plan for lighting. The provision is intended
24 to show that once the plan is approved and they intend to install lighting, that complies with all
25 regulations. Should they change their mind, they would need to obtain an amended building
26 permit.

27
28 Commissioner Coutts pointed out that Section 19.77.030(b) would be better understood if it
29 specified alterations of 25% of the property and/or building rather than an increase of 25%.

30
31 Commissioner Wilde asked if prohibited blinking, flashing, and moving lighting includes
32 Christmas lights.

33
34 The official street lighting policy was discussed.

35
36 **4.0 CONSENT AGENDA**

37
38 **4.1 Approval of the Minutes for January 23, 2019 with Corrections.**

39
40 *Commissioner Coutts moved to approve the minutes of the January 23, 2019, meeting as*
41 *corrected. The motion was seconded by Commissioner Rhodes. The motion passed with the*
42 *unanimous consent of the Commission with an abstention by Commissioner Ryser.*

1 **4.2 Approval of the Minutes of February 6, 2019.**

2
3 *Commissioner Coutts moved to approve the minutes of February 6, 2019. The motion was*
4 *seconded by Commissioner Ryser. The motion passed with the unanimous consent of the*
5 *Commission.*

6
7 **5.0 ADJOURNMENT**

8
9 *Commissioner Bevan moved to adjourn. The motion was seconded by Commissioner Rhodes.*
10 *The motion passed with the unanimous consent of the Commission.*

11
12 The Planning Commission Meeting adjourned at 6:48 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, April 17, 2019*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____