



PLANNING COMMISSION MEETING AGENDA

May 1, 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 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, May 1, 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. 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-19-001)

A public hearing on a request from Douglas C. Terry to amend lots 1, 2, and 3 of the Cottonwood Cove subdivision by consolidating three lots into two amended lots. The subject properties are located at 2248, 2256, and 2260 E. Cottonwood Cove Ln. (parcel nos. 22-34-128-007, 22-34-128-008, and 22-34-128-009).

3.2 (Project ZTA-18-002)

A public hearing on a request from Cottonwood Heights City for a proposed ordinance adopting Chapter 19.77 – “Outdoor Lighting,” and amending various other provisions in Title 19 – “Zoning” and Section 12.24.190 – “Street Lighting” relative to outdoor lighting standards.

4.0 Consent Agenda

4.1. Minutes

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, April 26, 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 26th Day of April, 2019

Paula Melgar, City Recorder

Planning Commission Staff Report

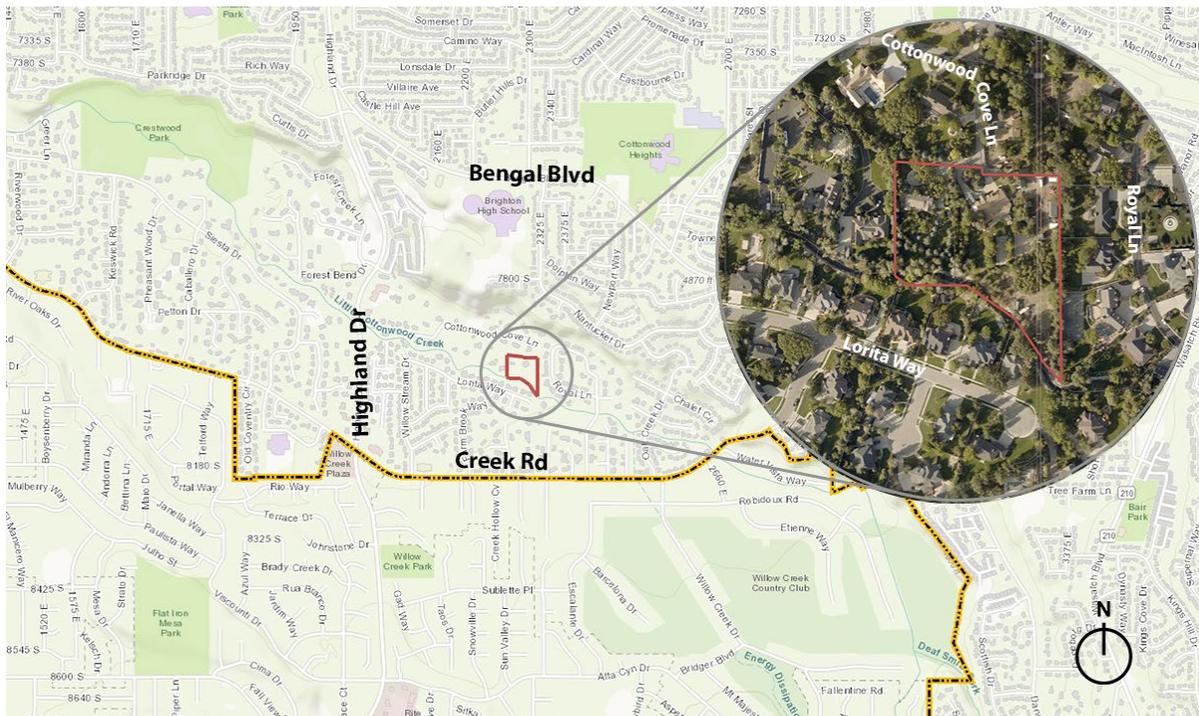


MEETING DATE: May 1, 2019
PROJECT NAME: LOT-19-001
LOCATION: 2248, 2256, & 2260 E. Cottonwood Cove Ln.
(parcel nos. 22-34-128-007, 22-34-128-008, and 22-34-128-009)
REQUEST: Subdivision Plat Amendment/Lot Consolidation
(Lots 1, 2, & 3 Cottonwood Cove subdivision)
APPLICANT: Douglas C. Terry

SUMMARY

Request

The applicant is requesting approval to amend lots 1, 2, and 3 of the Cottonwood Cove subdivision by consolidating three lots into two amended lots. This request constitutes an amendment to the Cottonwood Cove subdivision, which requires a public hearing and approval by the Planning Commission.



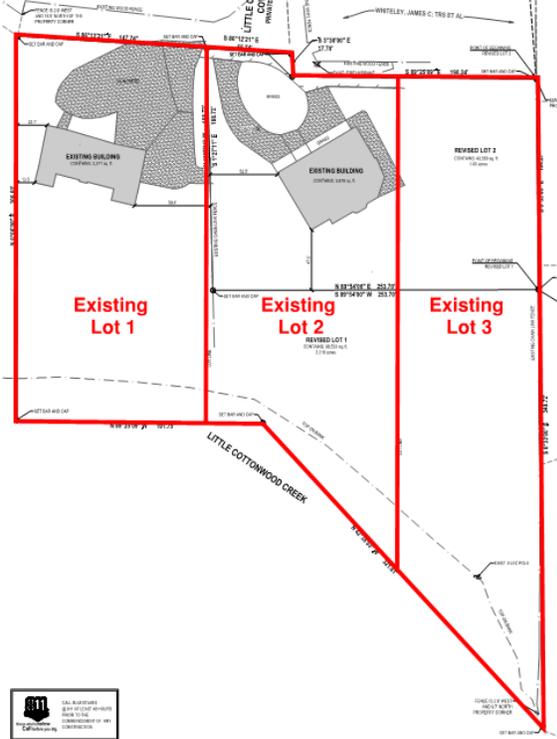
Recommendation

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

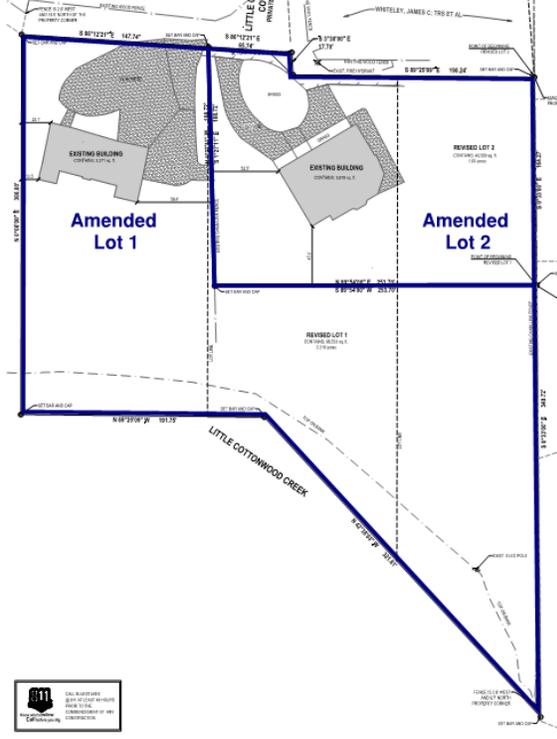
CONTEXT & ANALYSIS

Proposal

Existing



Proposed



Existing		Required
Lot 1		
Lot Width	147'	100'
Lot Area	43,560 sq. ft. (1 acre)	43,560 sq. ft. (1 acre)
Lot 2		
Lot Width	149'	100'
Lot Area	47,567 sq. ft. (1.092 acres)	43,560 sq. ft. (1 acre)
Lot 3		
Lot Width	108'	100'
Lot Area	49,135 sq. ft. (1.128 acres)	43,560 sq. ft. (1 acre)

Proposed		Required
Lot 1		
Lot Width	147'	100'
Lot Area	96,533 sq. ft. (2.216 acres)	43,560 sq. ft. (1 acre)
Lot 2		
Lot Width	256'	100'
Lot Area	43,560 sq. ft. (1 acre)	43,560 sq. ft. (1 acre)

Zoning

The current zoning designation of the subject property is RR-1-43 (Rural Residential Zone). This zoning allows for the construction of one single-family dwelling on a property, together with limited agricultural uses. The RR-1-43 zone requires a minimum lot size of 43,560 square feet and a minimum lot width of

100 feet. The proposed lots will meet the minimum lot standards required in the RR-1-43 zone. No change is proposed to any existing easements. The existing structures will conform to the required setbacks after the lots are amended.

Staff Analysis: The applicant's proposal meets the provisions of the RR-1-43 zone.

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 (Cottonwood Cove 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 ensure the property is in compliance with sections 9.05.030 (Nuisance) and 11.20.060 (Parking of agricultural vehicles, commercial vehicles, recreational vehicles, trailers and trucks) of the Municipal Code;
2. 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-19-001 based on the conditions and findings in the staff report dated May 1st, 2019...

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

Denial

I move to deny project LOT-19-001.

- List findings for denial...

DRAFT – For Discussion Purposes Only

Chapter 19.77

OUTDOOR LIGHTING

Sections:

19.77.010 Purpose

19.77.020 Applicability

19.77.030 Lighting Standards

19.77.040 Exceptions

19.77.050 Prohibitions

19.77.060 Street Lighting

19.77.070 Lighting Plan Requirements

19.77.080 Definitions

19.77.010 Purpose

Adequate nighttime lighting is important to allow human activity to safely continue after the sun goes down, but inappropriate lighting practices can result in light trespass, glare, poor lighting color, poor energy conservation, impact wildlife and natural ecosystems, and skyglow. These issues can reduce full enjoyment of private property rights, human health and safety, wasted energy, and poor nighttime ambiance. This ordinance provides regulations that seek to mitigate the above note issues. The means required by these regulations will:

- Improve the enjoyment of personal property,
- Increase the health and safety and residents and others,
- Improve nighttime ambiance and aesthetics,
- Lessen impacts on natural wildlife and ecosystems, and
- Conserve natural resources.

19.77.020 Definitions

The following definitions shall apply to this chapter:

Accent architectural or landscaping lighting. Lighting of building surfaces, landscape features, statues and similar items for decoration or ornamentation.

Activity Area. Walkways and open spaces where people walk or congregate.

Correlated color temperature (CCT). A metric characterizing the color content of the light output of a lamp expressed in units of kelvins (K). CCT information is available on data sheets and product packaging for all lighting sold in the United States.

Flood Light. A fixture or lamp designed to "flood" an area with light.

Foot-candle. A unit of measurement for the total amount of light cast on a surface (illumination). One foot-candle is equivalent to the illumination produced by a source of one candle at a distance of one-foot.

Full Cutoff Light Fixture. A light fixture that restricts a lamp from radiating any illumination above a horizontal plane running through the lowest point on the fixture where light is emitted.

Glare. The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on such factors as size, position, brightness of the source, and on the brightness level to which the eyes are adapted.

Hotspot. Hotspot is an isolated pool of bright downlight that creates unneeded contrast resulting in dark areas immediately outside the hotspot area and may also increase glare.

Incandescent lamp or light bulb. An electric light with a wire filament heated to such a high temperature that it glows with visible light (incandescence).

Hot spot. An area of light that exceeds allowed illumination thresholds or produces conditions related to glare.

Illumination or illuminated: A measurement of light expressed in foot-candles (fc) on a given surface resulting from light emitted from a lamp.

Kelvin. Kelvin is a unit of measurement used to measure the correlated color temperature (hue) of a specific light source.

Lamp: Any light source in a self-contained package composed of an envelope (containing gas, filaments, etc.), filament or electrodes, base, contacts, gas and any support structures. The source can be of the incandescent, fluorescent, quartz halogen, LED or arc type. Quite often this term is used interchangeably with light source and is sometimes commonly referred to as the light bulb.

Light Fixture. The assembly that holds a lamp, or lamps. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

Light trespass. A nuisance condition created when a lamp provides illumination beyond that allowed by this chapter on any property other than the property on which the light is installed.

Lumen. A unit of measurement used to describe the actual amount of visible light which is produced by a lamp as specified by its manufacturer.

Net Acre. The area devoted to outdoor lighting, excluding building footprint of any site.

Qualified lighting professional. Qualified lighting professionals have a professional certification from a legitimate professional organization that requires recertification, current industry involvement and demonstrated knowledge in specific aspects of lighting.

Skyglow. The overhead glow from light emitted sideways and upwards.

Spectrum. See Correlated Color Temperature.

Visual acuity: Sharpness of vision, measured by the ability to discern letters or numbers at a given distance according to a fixed standard.

19.77.030 Applicability

A. **Conformance Required.** Any new outdoor lighting shall be installed in conformance with the provisions of this chapter. In any situation where there is a conflict with Federal or State regulations, and/or applicable sections of adopted building code, the more restrictive provisions shall apply.

B. **Modifications to Existing Structures and Approved Land Uses.** All outdoor lighting fixtures shall be replaced or modified to meet the requirements of this chapter for an entire building and/or site if the cumulative gross floor area or land use increases by 25% or more.

C. **Routine maintenance.** Repairing any component of a light fixture, except the lamp, is permitted for all existing outdoor lighting fixtures. When a lamp needs repair, it shall be replaced in accordance with the provisions of this chapter, unless a manufacture no longer produces lamps for a .

19.77.040 Single-Family Residential Zone Lighting Standards

The following regulations shall apply to all single family residential structures:

A. **Permitted Light Fixture Types.** All outdoor light fixtures that house lamps radiating more than 760 lumens shall be full cutoff and oriented as intended per manufacturing instructions.

B. **Height.** Light fixtures shall not exceed 12 feet in height.

C. **Illumination.**

1. **Total site illumination shall not exceed:**

a. **5,000 lumens per net acre in the F-20 zone.**

b. **15,000 lumens per net acre for any single-family residential property east of Wasatch Boulevard.**

c. 25,000 lumens per acre for any single-family residential property, regardless of zoning, or any property within the RO zone.

D. **Spectrum.** The correlated color temperature of all lamps shall not exceed 3,000 kelvins.

E. **Automatic Switching Controls.** Outdoor lighting shall have controls that automatically extinguish all outdoor lighting when daylight is available and by 11:00 pm, except for essential security lighting which shall be to a maximum of 25% of the total light fixtures used. Security lighting is encouraged to utilize motion activated sensors and be extinguished within two-minutes after motion has ceased.

1. **Exceptions.** Automatic lighting controls are not required for the lighting for steps, stairs, walkways, and building entrances when required by the building code.

19.77.050 Lighting Standards for All Other Zones

The following regulations shall apply to all zones, except single-family residential zones.

A. **Permitted Light Fixture Types.** All outdoor light fixtures that house lamps radiating more than 760 lumens shall be full cutoff and oriented as intended per manufacturing instructions.

B. **Height.** Light fixtures shall not exceed 18 feet in height and shall not exceed 12 feet in activity areas.

C. **Illumination.**

1. The average illumination at finished grade level shall be between 0.5 and 1.5 foot-candles.

No point on the property shall be illuminated greater than 10.0 foot-candles.

2. At the property boundary, the illumination at grade level not exceed 0.5 foot-candle.

3. Lighting shall increase its illumination by an even gradient toward activity and driveway entrances to the site. Lighting shall be designed to avoid hotspots that reduce visual acuity.

4. To avoid light trespass, illumination shall not exceed 0.25 foot-candle at five-feet beyond the property boundary measured five-feet above grade level.

5. Total site illumination shall not exceed:

a. 25,000 lumens per net acre for any multi-family residential zone, or within the RO zone.

b. 50,000 lumens per net acre for any property in the NC zones.

c. 100,000 lumens per net acre for all other properties in any other zone.

F. **Spectrum.** The correlated color temperature of all lamps shall not exceed 3,000 kelvins.

D. **Walkways.** Pedestrian walkways shall be lighted with bollards or light fixtures.

E. **Automatic Switching Controls.** Outdoor lighting shall have controls that automatically extinguish all outdoor lighting when daylight is available and within one hour after business hours or by 11:00 pm, whichever is sooner, except for essential security lighting which shall be to a maximum of 25% of the total luminaries used, unless the planning commission approves a higher percentage. Security lighting is encouraged to utilize motion activated sensors and be extinguished within two-minutes after motion has ceased.

1. **Exceptions.** Automatic lighting controls are not required for the following:

a. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

b. Lighting for steps, stairs, walkways, and building entrances required by the building code.

c. When the Community and Economic Development Director determines that a specific public safety hazard exists that can only be mitigated using outdoor light.

19.77.050 Exceptions

Exceptions to the lighting standards outlined in section 19.77.030 are permitted for land uses and light fixtures as identified in this section.

A. **Signs:** Signs are regulated by Chapter 19.82 – Signs.

B. Outdoor Athletic and Recreational Facilities: Upon time of application, applicant shall submit a plan by a qualified lighting engineer that certifies by written statement that every reasonable effort has been undertaken to mitigate the effects of light on surrounding properties; and

C. Gasoline Station and Convenience Store Canopies: Gasoline station and convenience store canopies shall provide adequate lighting for customers, but lighting shall not be so intense as to be as an attention device for the business, as provided in this section.

1. Lighting fixtures in the ceiling of canopies shall be fully recessed in the canopy.
2. Light fixtures shall not be mounted on the top or fascia of such canopies.
3. The fascia of such canopies shall not be illuminated, except for approved signage.
4. Areas around gasoline pump islands and under canopies shall have a minimum illumination at grade level between one (1) and five and one-half (5 1/2) foot-candles. The ratio of average illumination to the minimum illumination at grade in the areas around the gasoline pumps shall not exceed four to one (4:1).

D. Car-wash Lighting. See Section 19.76.040.H.

E. Accent Architectural or Landscaping Lighting. Buildings light fixtures may illuminate a structure's vertical surfaces and shall be directed downward. Uplighting of vertical surfaces of a building is prohibited. Illumination of vertical surfaces shall not exceed an illumination of five (5) foot-candles. Government and civic buildings, church buildings, public art, and flag poles for national, state and local government flags shall be exempt from this requirement.

F. Flood Lights. Full cutoff flood lights shall be angled provided that no light escapes above a twenty-five (25) degree angle measured from the vertical line from the center of the light extended to the ground, and only if the light does not cause glare or light to shine on adjacent property or public rights-of-way. All wall pack light fixtures shall be full cutoff light fixtures.

G. Swimming Pool Lighting. Underwater light fixtures are not regulated by this chapter.

H. Seasonal Lighting. Temporary exterior lighting intended as holiday/seasonal decorations may be displayed between November 15 and the following January 15, provided that individual lamps do not cause unreasonable light trespass or glare as determined by the Community and Economic Development Director.

I. Public safety. Illumination and kelvin thresholds may be exceeded in situations where the Community and Economic Development Director finds that an increased level is crucial to public safety or the activities of law enforcement. In no case shall kelvin levels exceed 5,000.

19.77.060 Prohibited Lighting

The following lighting shall be prohibited:

- A. Blinking, flashing, moving, revolving, flickering, changing intensity of illumination, and changing color lights;
- B. Uplighting of building and illumination of roofs and internal illumination of awnings;
- C. Mercury vapor lights;
- D. Search lights, laser source lights, or any similar high-intensity light except in emergencies by police, fire, and other emergency service personnel or at their direction.

19.77.070 Street Lighting

Street lighting shall be governed by Section 12.24.190.

19.77.080 Lighting Plan Requirements

A. Lighting Plans. Lighting plans shall be required whenever the applicability provisions apply as described in Section 19.77.20, and shall include the following:

1. A site plan indicating the location of all light fixtures, both proposed and any already existing on the site.

2. A description of each light fixture, lamp, support and shield, both proposed and existing. The description shall include, but is not limited to, manufacturer's catalog cuts and illustrations; lighting fixture lamp types, wattages and initial lumen outputs.
 3. Except for single-family residential properties, a photometric plan prepared by a qualified lighting professional.
- B. Lamp or Light Fixture Alteration.** Should any lamp or light fixture be altered after the permit has been issued, a change request must be submitted to the Community and Economic Development Director or designee for approval, together with adequate information to assure compliance with this code, which must be received prior to alteration.
- C. Certification of Installation.** For all projects where the total initial output of the proposed lighting equals or exceeds 75,000 lumens per acre, certification that the lighting, as installed, conforms to the approved plans shall be provided by a qualified lighting professional before any certificate of occupancy or business license is issued. Until this certification is submitted, approval for use of a certificate of occupancy shall not be issued for the project.

12.24.190 Street lighting.

- A. The subdivider shall install street lights. The street lighting shall be 5600 lumens equivalent light-emitting diode (LED) or induction lighting as approved by the city engineer. A 9500 lumens equivalent light-emitting diode (LED) or induction lighting shall be used at intersections as approved by the city engineer. Lighting shall not exceed 3500 kelvins.
- B. Street lights shall be on an average no more than 275 feet apart. Placement shall alternate from one side of the street to the other and shall be placed on side property lines. At intersections the street light shall be located near the intersection.
- C. ~~The street light fixtures shall be "town and country" or similar lighting fixture with power underground.~~ All lighting fixtures shall be designed and installed in accordance with the city's official street light policy with power underground (see Appendix ##).
- D. The lights shall be installed in the space between the curb and sidewalks. In situations where the sidewalk is integral, the street light shall be placed within two feet of the sidewalk.
- E. Final placement of street lights shall be approved in writing by the City Engineer or its designee.