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

4  
5 **Wednesday, April 17, 2019**

6 **5:00 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, Craig Bevan, Chris Coutts, Jesse Allen, Doug Rhodes,  
14 Sue Ryser, Alternate Bob Wilde

15  
16 **Staff Present:** Community and Economic Development Director Mike Johnson, Senior  
17 Planner Matt Taylor, Records Culture and Human Resource Director Paula  
18 Melgar, City Attorney Shane Topham

19  
20 **WORK SESSION**

21  
22 Chair Graig Griffin called the meeting to order at 5:08 p.m. and welcomed those in attendance.

23  
24 **1.0 Planning Commission Business**

25  
26 **1.1 Review Business Meeting Agenda**

27  
28 Chair Griffin reviewed the Business Meeting agenda.

29  
30 **1.2 Additional Discussion Items**

31  
32 Senior Planner, Matt Taylor, presented Project ZMA-19-003 and stated that the request is for a  
33 General Plan Map Amendment from Residential Rural Density to Residential Low Density and a  
34 Zone Map Amendment from RR-1-43 to R-1-15 for approximately 5.2 acres of property located  
35 at 3662, 3742 and 3804 East North Little Cottonwood Road. A detailed map of surrounding  
36 properties was reviewed. Mr. Taylor stated that the proposed zoning would potentially allow up  
37 to 10 lots. If the applicant's rezone is approved, they could lay the project out in a more efficient  
38 manner and the overall density would increase from 22 to 26 lots. He confirmed that the applicant  
39 already has zoning that is higher than what the General Plan map suggests.

40  
41 Commissioner Ryser asked if the streets could be counted as part of the lot line if the property is  
42 rezoned and the applicant decides to put in a PUD. Density issues were discussed at length.

43  
44 Mr. Taylor reviewed the Canyon Gateway Zone and understood this would increase density and  
45 development but explained that it is an opportunity to have an open space network and trails, which  
46 create balance in the density.

1  
2 Community and Economic Development Director, Mike Johnson, confirmed that developments  
3 over five acres require 10% open space. The Sensitive Lands Ordinance would also apply due to  
4 the geologic and geographic nature of the site. He noted that the concerns have been expressed by  
5 Granite Oaks residents regarding access. It was confirmed that the issue has been dealt with at the  
6 subdivision development level and easements are in place that will address those concerns.  
7 Mr. Johnson explained that they are not currently proposing any ingress or egress and should they  
8 wish to take further public comment, they would need a motion to do so.  
9

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

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

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

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

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

30 Mr. Taylor next reviewed the surrounding community lighting regulations.  
31

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

## 35 **2.0 Adjournment.**

36  
37 *Commissioner Wilde moved to adjourn the work session. Commissioner Bevan seconded the*  
38 *motion. The motion passed with the unanimous consent of the Commission.*  
39

40 The work session adjourned at 5:50 p.m.  
41

## 42 **BUSINESS MEETING**

### 43 44 **1.0 WELCOME/ACKNOWLEDGEMENTS**

45

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

3  
4 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

5  
6 Chair Graig Griffin reviewed Business Meeting procedures.

7  
8 **2.0 Public Comment.**

9  
10 Nancy Hardy commented that the City seems to be being attacked from all sides and losing its  
11 character. She asked who from the City is giving the gravel pit developer direction and if plans  
12 include a transportation hub. She was opposed to widening Wasatch Boulevard.

13  
14 Mr. Taylor confirmed that staff received an incomplete application three months ago that was  
15 lacking several documents. As a result, it was considered incomplete. An ordinance mechanism  
16 was being considered as well.

17  
18 **3.0 BUSINESS ITEMS**

19  
20 **3.1 Project ZMA-19-003 A Public Meeting on a Request from Eric Despain,**  
21 **Representing Robert V Despain Trust and Rola V LLC, for a General Plan**  
22 **Map Amendment from Residential Rural Density to Residential Low-Density**  
23 **and a Zone Map Amendment from RR-1-43 (Residential Single-Family) to R-**  
24 **1-15 for approximately 5.2 Acres of Property located at 3662, 3742 and 3804**  
25 **East North Little Cottonwood Road.**

26  
27 Mr. Taylor presented the staff report and stated that there are two separate requests. The first is  
28 for a General Plan Amendment from Residential Rural Density to Residential Low-Density. The  
29 second is a request for a Zone Map Amendment from RR-1-43 with a minimum one-acre lot size  
30 to R-1-15 with a minimum 15,000 square-foot lot size. He clarified that they are independent of  
31 each other and the General Plan is a policy that guides future decision making. The zoning is the  
32 ordinance or law for how development can occur. The reason for the General Plan change was to  
33 provide support for a rezone.

34  
35 *Commissioner Rhodes moved to forward a recommendation of approval to the City Council for*  
36 *Project ZMA-19-003 based on the following:*

37  
38 ***Findings:***

- 39  
40 ***1. The proposed General Plan Land Use and Zoning Map amendment, and the purposes***  
41 ***of the R-1-15 zone are consistent with the principles, goals, and objectives of the General***  
42 ***Plan;***  
43  
44 ***2. The proposed amendment fits in context with the land use and zoning in the area,***  
45 ***especially the developed and underdeveloped land north of the subject properties;***  
46

- 1       3. *The proposed amendment is consistent with previous actions taken by Salt Lake County*  
2       *prior to incorporation;*
- 3
- 4       4. *The proposed zoning map amendment will be completed in accordance with the*  
5       *procedure as outlined in 19.90.010 “Amendment Procedure” of the Cottonwood Heights*  
6       *Municipal Code;*
- 7
- 8       5. *Proper notice was given in accordance with all local and state noticing requirements.*  
9
- 10      6. *The proposed zone map amendment is fiscally more sustainable for the city and taxpayer*  
11      *than that rural low-density zones;*
- 12
- 13      7. *Future development impacts of the proposed zone will be appropriately mitigated*  
14      *through requisite site plan and permit review, including sensitive lands ordinance*  
15      *provisions;*
- 16
- 17      8. *The zone map amendment is done in accordance with the procedure outlined in*  
18      *19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code;*
- 19
- 20      9. *Proper notice was given in accordance with all local and state noticing requirements.*

21  
22 *Commissioner Wilde seconded the motion. Vote on motion: Commissioner Coutts-Nay,*  
23 *Commissioner Ryser-Nay, Commissioner Allen-Aye, Commissioner Rhodes-Aye,*  
24 *Commissioner Wilde-Aye, Commissioner Bevan-Aye, Chair Griffin-Aye. The motion passed*  
25 *5-to-2.*

26  
27       **3.2     Project ZTA-18-002 A Public Hearing on a Request from Cottonwood Heights**  
28       **City for a Proposed Ordinance Adopting Chapter 19.77 – “Outdoor Lighting,”**  
29       **and Amending Various Other Provisions in Title 19 – “Zoning” and Section**  
30       **12.24.190 – “Street Lighting” Relative to Outdoor Lighting Standards.**

31  
32 Chair Griffin opened the public comment.

33  
34 Nancy Hardy asked if the proposed ordinance includes standards for outdoor electronic lighting.  
35 Mr. Taylor noted that the proposed ordinance does not address any of the sign standards.

36  
37 There were no further public comments.

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

40  
41 Commissioner Coutts stated that the Sign Lighting Ordinance is still in place and is a stand-alone  
42 item.

43  
44 Further discussion on the matter was continued to a future Work Session.  
45

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

5  
6 Commissioner Wilde suggested language in Section 19.77.10 be changed to include “improve the  
7 enjoyment of real and personal property.”

8  
9 Commissioner Allen suggested that Public Safety staff be included in addressing lighting issues  
10 as they relate to public safety.

11  
12 Mr. Taylor explained that in the context of a single-family home, a 25% remodel would trigger  
13 additional permit plan review and require an additional plan for lighting. The provision is intended  
14 to show that once the plan is approved and they intend to install lighting, that complies with all  
15 regulations. Should they change their mind, they would need to obtain an amended building  
16 permit.

17  
18 Commissioner Coutts pointed out that Section 19.77.030(b) would be better understood if it  
19 specified alterations of 25% of the property and/or building rather than an increase of 25%.

20  
21 Commissioner Wilde asked if prohibited blinking, flashing, and moving lighting includes  
22 Christmas lights.

23  
24 The official street lighting policy was discussed.

25  
26 **4.0 CONSENT AGENDA**

27  
28 **4.1 Approval of the Minutes for January 23, 2019 with Corrections.**

29  
30 *Commissioner Coutts moved to approve the minutes of the January 23, 2019, meeting as*  
31 *corrected. The motion was seconded by Commissioner Rhodes. The motion passed with the*  
32 *unanimous consent of the Commission with an abstention by Commissioner Ryser.*

33  
34 **4.2 Approval of the Minutes of February 6, 2019.**

35  
36 *Commissioner Coutts moved to approve the minutes of February 6, 2019. The motion was*  
37 *seconded by Commissioner Ryser. The motion passed with the unanimous consent of the*  
38 *Commission.*

39  
40 **5.0 ADJOURNMENT**

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

44  
45 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: June 6, 2019