



PLANNING COMMISSION MEETING AGENDA

April 3, 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, April 3, 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 ZMA-19-001)

A request from Nathan Anderson, representing City & Resort Properties, for a zone map amendment from R-1-8 (Residential Single Family) to MU (Mixed Use) for approximately 0.54 acre of property located at 1810 E. Fort Union Blvd.

3.2 (Project ZMA-19-002)

A request from John Prince, representing Prince Assets LLC, for a zone map amendment R-1-8 (Residential Single Family) to MU (Mixed Use) approximately 0.44 acre of property located at 1648 & 1680 E. Fort Union Blvd.

3.3 (Project ZMA-19-003)

A request from Eric Despain, representing Robert V Despain Trust and Rola V LLC, for a general plan map amendment from Residential Rural Density to Residential Low Density and a zone map amendment from RR-1-43 (Residential Single Family) to R-1-15 for approximately 5.2 acres of property located at 3662, 3742 and 3804 E. North Little Cottonwood Rd.

4.0 Consent Agenda

4.1. Approval of Minutes for January 23, 2019

4.2. Approval of Minutes for February 6, 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 Thursday, March 28, 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 29th Day of March 2019
Paula Melgar, City Recorder



Planning Commission Staff Report

MEETING DATE: April 3, 2019
PROJECT NAME: ZMA-19-001
LOCATION: 1810 E. Fort Union Blvd. (22-21-460-005)
REQUEST: Zone Map Amendment
APPLICANT: Nathan Anderson, City & Resort Properties

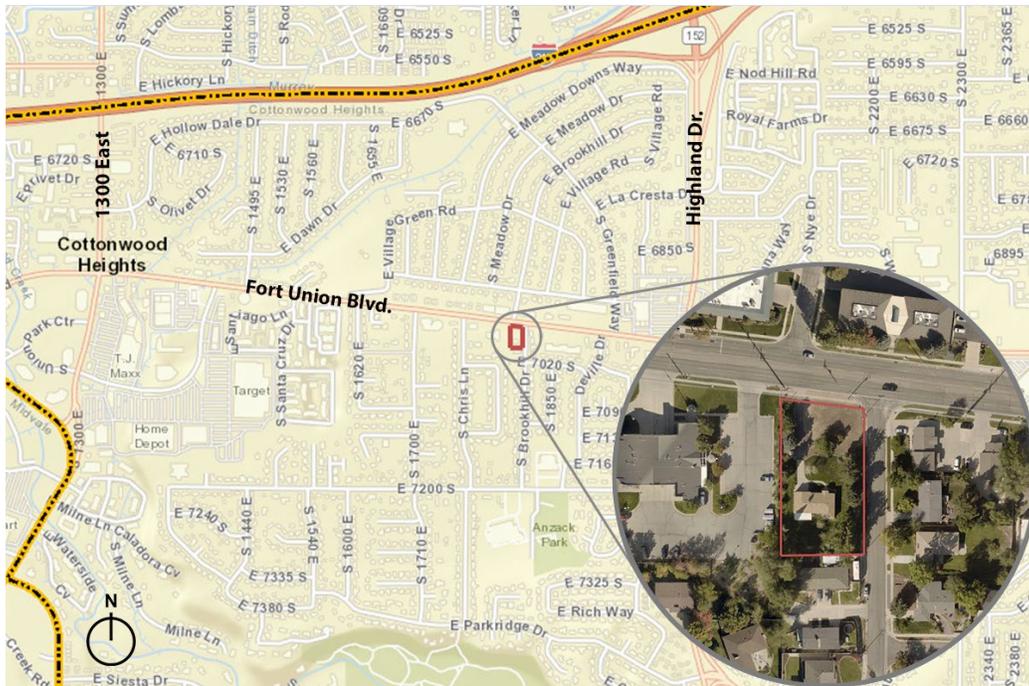
SUMMARY

Request

The applicant is requesting a zone map amendment to the subject parcel, which is 0.54 acres (23,522 square feet).

	Existing	Proposed
Zoning	R-1-8 (Residential Single-Family)	MU (Mixed Use)

The property is currently a single-family residence. The applicant is requesting a rezone to Mixed Use, in accordance with the city's General Plan and Fort Union Plan. The request is consistent with the existing land use designation for this property (Mixed Use).



Recommendation

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the zoning map as requested.

CONTEXT & ANALYSIS

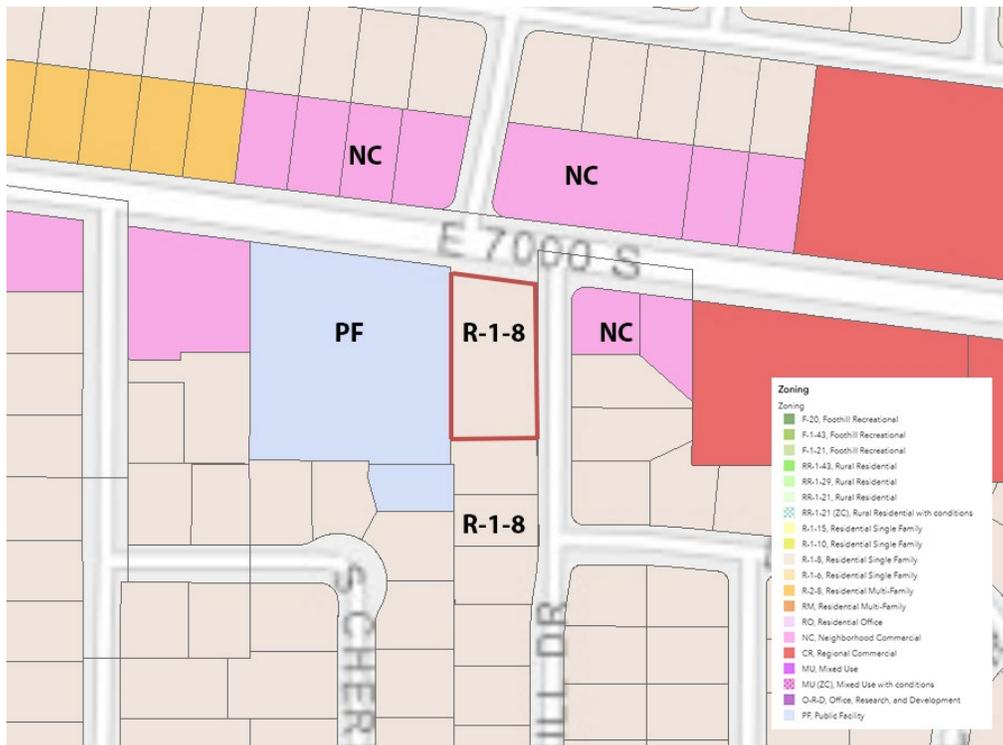
Context

The subject property is located on Fort Union Blvd., just east of fire station (UFA Station 110). The adjacent properties along Fort Union Blvd. are currently zoned PF (Public Facilities) and NC (Neighborhood Commercial), with Utility and Mixed Use land use designations, respectively. To the south and southeast of the subject property is a single-family neighborhood (Brooktree Estates Subdivision).

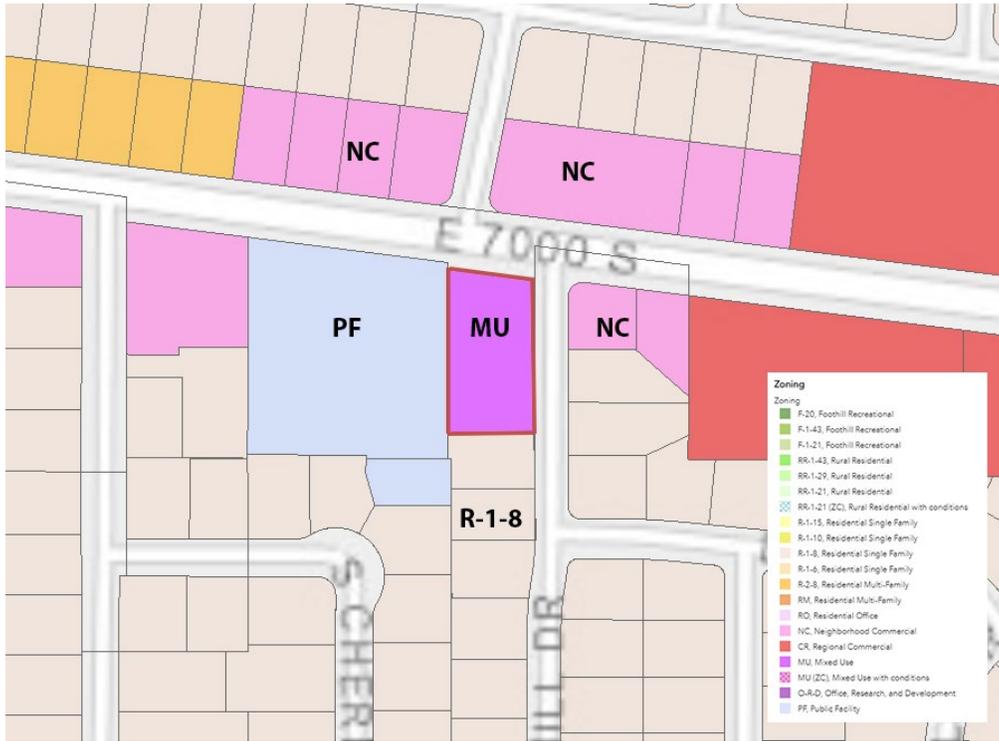
Adjacent Zoning & Land Use

	Current Zoning	Current Land Use
Subject Property	R-1-8 (Residential Single-Family)	Mixed Use
North	NC (Neighborhood Commercial)	Mixed Use
East	NC (Neighborhood Commercial)	Mixed Use
South	R-1-8 (Residential Single-Family)	Residential Low Density
West	PF (Public Facility)	Utility

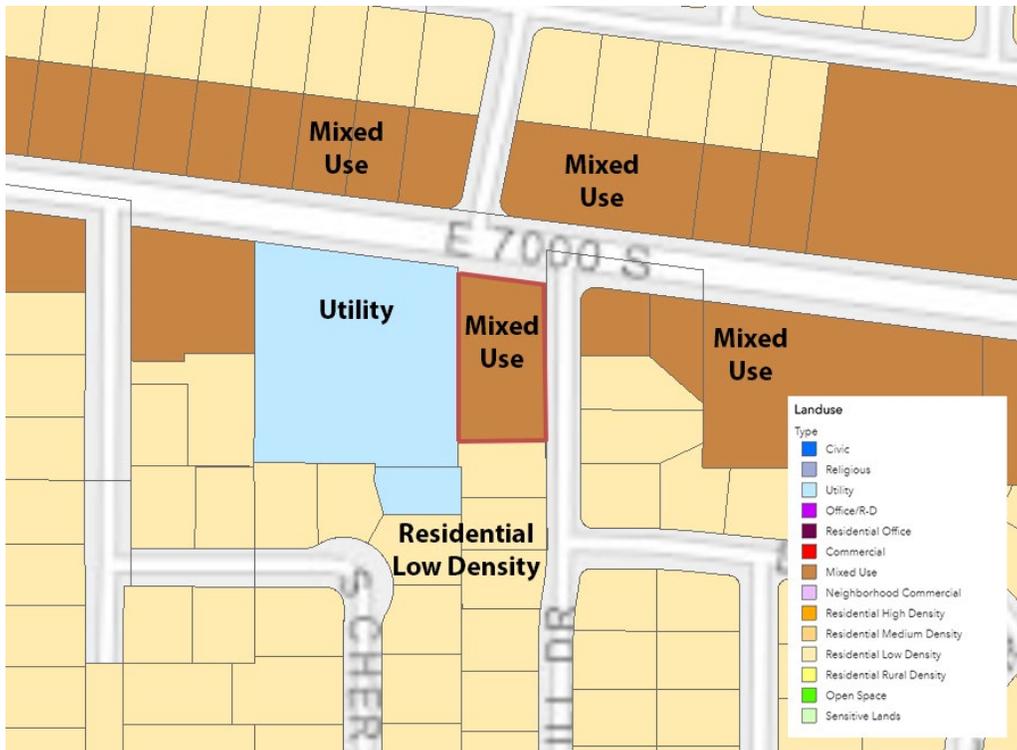
Zoning (Existing)



Zoning (Proposed)



Land Use (No change proposed)



General Plan

The General Plan land use map illustrates preferred land uses throughout the city and is used to guide decision making for rezone applications. The land use map designates the current land use of the subject property as “Mixed Use.” The General Plan states that “this land use allows for a combination of residential and commercial land uses within the same development. Mixed use developments can be designed at a variety of densities and intensities. They are designed to be accessible at the pedestrian scale.” This property has been under the Mixed Use land use designation since the city’s incorporation in 2005.

Fort Union Area Plan

The Fort Union Area Master plan, adopted by the city in 2017, also makes recommendations for future mixed use developments along the corridor. The plan includes a recommendation to “redevelop properties on both sides of Fort Union, east and west of Highland Drive with boutique mixed use hotel/residential/retail/entertainment” and to “encourage a mixture of land uses throughout the Plan area, including mixed uses, retail, office, residential, and open space.” The application to rezone the property to MU (Mixed Use) is consistent with the city’s General Plan and Fort Union Area Plan.

Zoning

The property is currently zoned R-1-8 (Residential Single-Family), which allows single-family detached dwellings as permitted uses. The applicant is requesting a rezone to MU (Mixed Use), which allows a mix of residential and commercial uses, pursuant to Chapter 19.36 of the zoning ordinance and further public review process. This property is in the Gateway Overlay District, which requires design approval from the Architectural Review Commission for new construction and any exterior alterations.

Staff Analysis

The request to amend the zone map from R-1-8 (Residential Single-Family) to MU (Mixed Use) is consistent with the goals of the zoning ordinance. The applicant’s request will not adversely affect the health, safety, convenience, order, prosperity, or welfare of the city. The request has been noticed as required by 19.90.020, and the applicant will be required to meet all relevant portions of chapter 19.90 of the zoning ordinance (Amendments and Rezoning).

FINDINGS FOR RECOMMENDATION

Zone Map Amendment

Staff’s recommendation of approval of the proposed zone map amendment is based on the following findings:

1. The proposed zone map amendment from R-1-8 to MU is consistent with the city’s General Plan land use map;
2. The proposed zone map amendment better accommodates future reinvestment in and redevelopment of the subject properties than the current zone;
3. Future development impacts of the proposed zone will be appropriately mitigated through requisite site plan and permit review;
4. The zone map amendment is done in accordance with the procedure outlined in 19.90.010 “Amendment Procedure” of the Cottonwood Heights Municipal Code;
5. Proper notice was given in accordance with all local and state noticing requirements.

MODEL MOTIONS

Approval

I move that we forward a recommendation of approval to the City Council for project ZMA-19-001 based on the findings listed in the staff report dated April 3rd, 2019...

- List any additional findings...

Denial

I move that we forward a recommendation of denial to the City Council for project ZMA-19-001.

- List findings for negative recommendation...

Planning Commission Staff Report



MEETING DATE: April 3, 2019
PROJECT NAME: ZMA-19-002
LOCATION: 1648 & 1680 E. Fort Union Blvd (2221380007 & 222138000)
REQUEST: Zone Map Amendment
APPLICANT: John Prince, Prince Assets LLC

SUMMARY

Request

The applicant is requesting a zone map amendment for two parcels, totaling 0.45 acre (approximately 19,602 square feet – outlined in red below) located at 1648 & 1680 E. Fort Union Blvd.



	Existing	Proposed
Land Use	Mixed-Use	No Change
Zoning	R-1-8 (Residential Single-Family)	MU (Mixed-Use)

Recommendation

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the zoning map as requested.

CONTEXT & ANALYSIS

Existing Conditions

Subject Properties (Red)

- 1648 E Fort Union: Residence
- 1680 E Fort Union: Vacant

East (Yellow)

- Use: Single-Family Residential
- Zoned: Mixed-Use (put in place on December 20, 2016)
- Land Use Policy: Mixed-Use
- Planned to become a part of a development with the subject property.

South

- Use: Single-Family Residential
- Zoned: R-1-8
- Land Use Policy: Mixed-Use

West

- Use: Single-Family Residential
- Zoned: R-1-8
- Land Use Policy: Mixed-Use

North

- Use: Two-family dwellings / Public Park
- Zoned: R-2-8 / Public Facilities
- Land Use Policy: Mixed-Use / Public Facilities

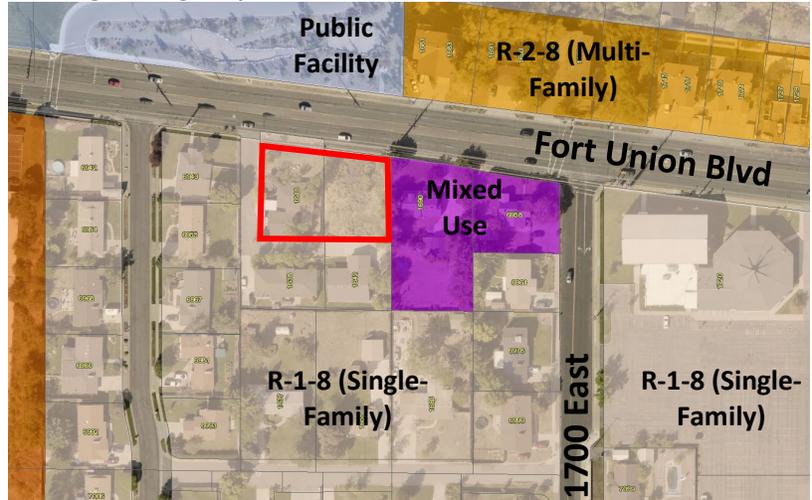
Aerial Photo of Existing Conditions



General Plan Land Use Policy



Existing Zoning Map



General Plan

The General Plan land use map identifies preferred land uses throughout the city and is used to guide decision making for rezone applications.

Land Use Policy

The land use map designates the current land use of the subject properties as “Mixed Use.” The General Plan states:

“Mixed-use areas contain a mix of land uses, such as residential, commercial and office within the same area. Land uses in Mixed-use classification may be varied either vertically (i.e. mix of uses in one building such as an apartment over a retail establishment) or horizontally (i.e. single use buildings with different uses placed next to each other).”

Fort Union Main Street Corridor Area Plan

The Fort Union Area Master plan, adopted by the city in 2017, also makes recommendations for future mixed use developments along the corridor. The plan includes a recommendation to “redevelop properties on both sides of Fort Union, east and west of Highland Drive with boutique mixed use hotel/residential/retail/entertainment” and to “encourage a mixture of land uses throughout the Plan area, including mixed uses, retail, office, residential, and open space.” The application to rezone the property to MU (Mixed Use) is consistent with the city’s General Plan and Fort Union Area Plan.

Zoning Ordinance Goals for the MU Zone

The MU zone purpose statement reads, in part, that its purpose is to:

“...support an urban village where amenities are focused on a local main street; to encourage and support transit-oriented development by allowing transit supportive density, where desired”ⁱ

The MU zone’s purposes are in line with the goals of the above stated General Plan/Area Plan goals. This zoning allows for a mix of residential and commercial uses. This property is in the Gateway Overlay District, which requires design approval from the Architectural Review Commission for new construction and any exterior alterations.

The adjacent east properties were zone MU on December 20, 2016. These properties are expected to be a part of the proposed development.

STAFF ANALYSIS

The request to amend the zone map from R-1-8 (Residential Single-Family) to MU (Mixed-Use) is consistent with the goals of the General Plan, the Fort Union Corridor Plan, and the Zoning ordinance. Additionally, this rezone request is consistent with the MU zoning of the two adjacent parcels (approved on December 20, 2016). The request has been noticed as required by 19.90.020, and the applicant will be required to meet all relevant portions of chapter 19.90 of the zoning ordinance (Amendments and Rezoning).

RECOMMENDATION

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the land use map and zoning map as requested.

FINDINGS FOR RECOMMENDATION

Staff's recommendation of approval of the proposed zone map amendment is based on the following findings:

1. The proposed zoning map amendment, and the purposes of the MU zone, is consistent with the principles, goals, and objectives of the General Plan and Fort Union Corridor Area Plan;
2. The proposed zoning map map amendment will be completed in accordance with the procedure as outlined in 19.90.010 "Amendment Procedure" of the Cottonwood Heights Municipal Code;
3. Proper notice was given in accordance with all local and state noticing requirements.
4. The proposed zone map amendment better accommodates future reinvestment in and redevelopment of the subject properties than the current zone;
5. Future development impacts of the proposed zone will be appropriately mitigated through requisite site plan and permit review;
6. The zone map amendment is done in accordance with the procedure outlined in 19.90.010 "Amendment Procedure" of the Cottonwood Heights Municipal Code;
7. Proper notice was given in accordance with all local and state noticing requirements.

Attachments:

1. Model Motions
2. Applicant Statement

MODEL MOTIONS

- Approval – "I move that we forward a recommendation of approval to the City Council for Project ZMA-19-002 based on the findings listed in the staff report dated April 6, 2019..."
 - List any additional findings...
- Denial – "I move that we forward a recommendation of denial to the City Council for Project ZMA-19-002."
 - List findings for negative recommendation...

END NOTES

ⁱ [19.36.010 Purposes.](#)

A. The purposes of the MU zone are to provide areas in the city for a mix of uses, including mixed-use developments with commercial, institutional, office and service uses apportioned on-site in a manner sensitive to the street environment and adjacent uses; to support an urban village where amenities are focused on a local main street; to encourage and support transit-oriented development by allowing transit supportive density, where desired; and to enhance the accessibility of the Fort Union area and the Gateway Overlay District.

B. The MU zone is intended to achieve cohabitation of uses, while ensuring that negative impacts on residents are minimized. The spaces created in the MU zone are intended to encourage a diminished need for motorized travel and shall possess characteristics (accomplished through roads, passages and sidewalks) that serve the needs of pedestrians, bicyclists and motor vehicle users while still allowing casual encounters of human beings at an intimate, or pedestrian, scale.

Written Narrative

We are proposing to rezone the following parcels along Fort Union Blvd from R-1-8 to Mixed Use: **1648 e Fort Union Blvd** and **1680 e Fort Union Blvd**.

- 1. How will your proposed amendment conform to what is envisioned for the future of the site or area, as expressed in the General Plan?**
 - a. The General Plan designates 1648 and 1680 e Fort Union Blvd as Mixed Use parcels. Changing these parcels to Mixed Use will allow for the future development of Fort Union Blvd as outlined in the General Plan.
- 2. What level and type of development currently exists in the area? If approved, how would development of the property under the new zoning be consistent with the existing development?**
 - a. Currently there is a mix of parks, churches, single family homes, apartments, and businesses in the area surrounding these parcels. If approved, mixed use development of these parcels will be completely consistent with the surrounding area.
- 3. If the amendment is approved, how would subsequent development affect demand on public services and facilities such as utilities, emergency services, schools, etc? Can you insure that any negative impact will be mitigated? How?**
 - a. Subsequent development would have minimal impact on public services as the property count would be no more than 30 units.
- 4. If approved, how would the amendment affect public health, safety, and / or general welfare?**
 - a. Currently there is a vacant lot and a house in disrepair on these two lots. After completed development, this corner of Fort Union Blvd will no longer be a blind spot in the neighborhood / city for illicit activities.
- 5. Disregarding any specific development that might be envisioned for the property following any proposed rezoning, discuss all the various uses that would be allowed under the current zoning; how would the proposed uses fit better with the area than the uses that are allowed under the current zoning?**
 - a. The R-1-8 zone allows for the establishment of single-family homes organized in low-density residential neighborhoods.
 - b. The MU zone provides areas in the city primarily for medium to high density residential mixed-use developments. This zoning is specifically geared for Fort Union Blvd and Gateway areas of the city.
 - c. These two parcels are in the exact zone and overlay for which the Mixed Use zoning is designed. Without a change in zoning, these parcels can't be

developed with the kind of density and uses called for on Fort Union Blvd in the General Plan.

- 6. What has changed since the zoning classification was established that makes this requested amendment necessary?**
 - a. Fort Union Blvd has become a main thoroughfare in Cottonwood Heights. The single family residences directly on Fort Union Blvd require a new zoning to fit the changing and growing landscape.
- 7. Disregarding any benefit to the specific property owner or developer, how will your proposal benefit the community as a whole? How will it outweigh any negative impacts of the change that is proposed?**
 - a. This rezone benefits the community in a variety of ways.
 - i. It allows a rundown section of Fort Union Blvd to be revitalized into new, high-end, mixed use properties
 - ii. It serves as a cornerstone to attract other businesses and developers to an area in need of gentrification.
 - iii. It raises the value of the neighboring real estate.
- 8. How does the proposed amendment further the purposes of the current zoning ordinance as outlined in Title 19.02.020 (“Purpose of Provisions”)?**
 - a. The proposed zoning change fosters the city’s industries, and the protection of urban development. It promotes the prosperity and welfare of the present and future inhabitants of Cottonwood Heights by providing high-end medium density housing in one of the central thoroughfares of the city.
- 9. Which of the following has arisen that is not properly addressed in the current zoning ordinance or General Plan**
 - a. The provisions of the zoning ordinance should be brought into conformity with the General Plan.

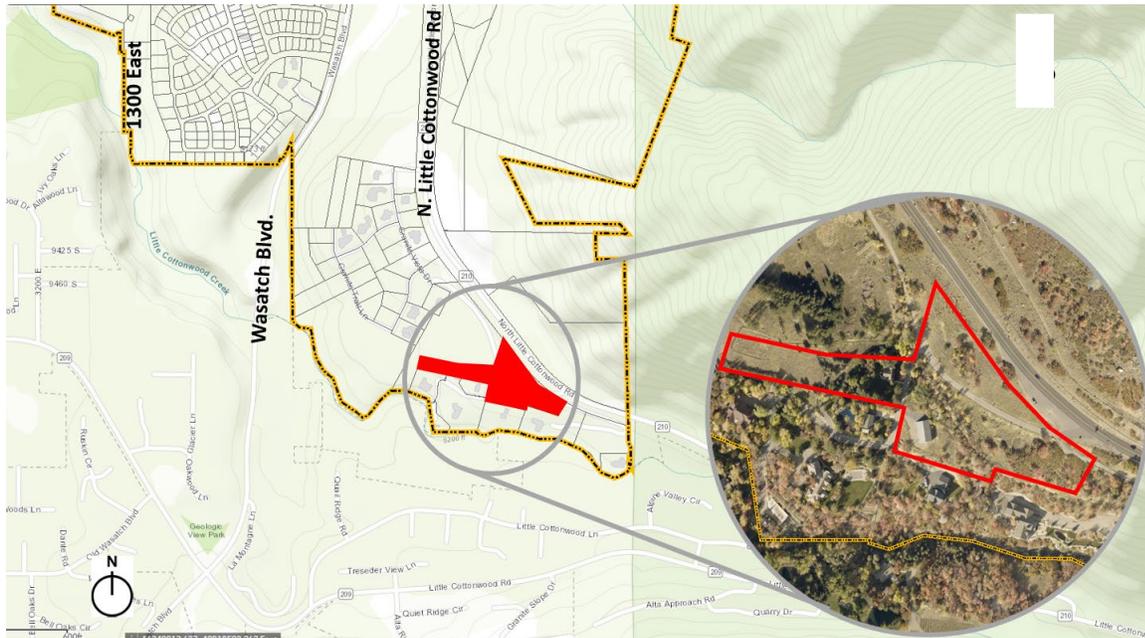
Planning Commission Staff Report

MEETING DATE: April 3, 2019
PROJECT NAME: ZMA-19-003
LOCATION: 3662, 3742 and 3804 E. North Little Cottonwood Rd.
 (Parcels 2812101016, 2812176013, and 2812176014)
REQUEST: General Plan Map Amendment, Zone Map Amendment
APPLICANT: Eric Despain, for Robert V Despain Trust and Rola V LLC

SUMMARY

Request

The applicant is requesting a General Plan Land Use Map amendment and Zone Map amendment for three parcels, totaling 5.2 acres (outlined in red below) located at 3662, 3742 and 3804 E. North Little Cottonwood Rd.



	Existing	Proposed
Land Use	Residential Rural Density	Residential Low Density
Zoning	RR-1-43 (Rural Residential)	R-1-15 (Residential Single Family)

Recommendation

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the General Plan Land Use Map and Zone Map as requested.

CONTEXT & ANALYSIS

Existing Conditions

Subject Properties (Red)

- General Plan: Residential Rural Density
- Zoned: RR-1-43 (Rural Residential – 43,560 min lot size)
- 3662: Vacant
- 3742: Residence/Barn
- 3804: Vacant

West (Yellow)

- General Plan: Residential Low Density
- Zoned: R-1-15 (Residential Single Family – 15,000 sq. ft. min.)
- Use: Residence / Tree Farm
- Planned to become a part of a development with the subject property.

South

- General Plan: Residential Rural Density
- Zoned: RR-1-21 / RR-1-43 (21,000 and 43,560 sq. ft. min lot size)
- Use: Very Low Density - Six Residences

East

- General Plan: Residential Rural Density
- Zoned: RR-1-43 (43,560 sq. ft. min lot size)
- Use: Vacant / 1 Residence

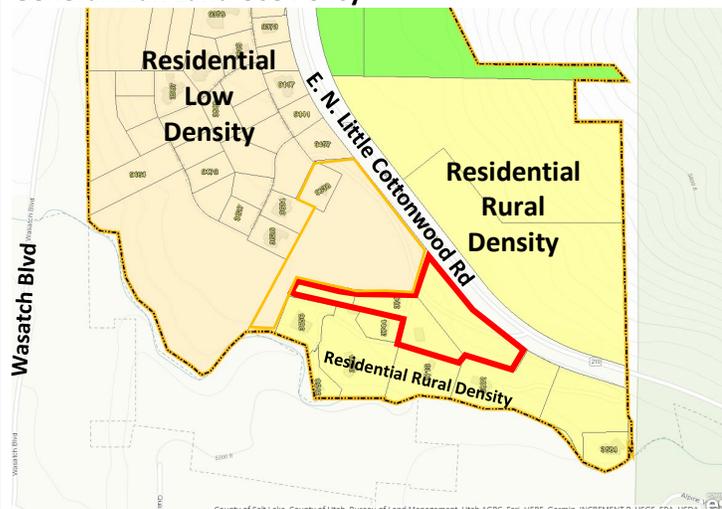
North

- General Plan: Residential Rural Density
- Zoned: RR-1-21 (ZC) (21,000 sq. f.t min lot size)
- Use: Vacant / Hillside

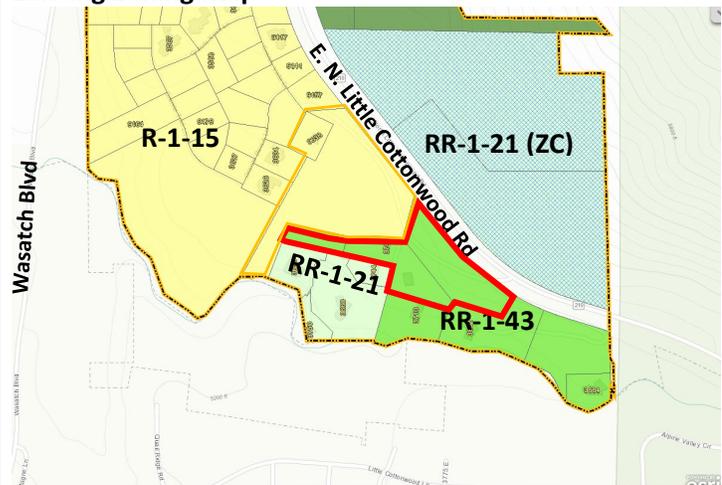
Aerial Photo of Existing Conditions



General Plan Land Use Policy



Existing Zoning Map



GENERAL PLAN LAND USE MAP AMENDMENT

The General Plan land use map identifies preferred land uses throughout the city and is used to guide decision making for rezone applications. The first goal of the General Plan's land use element is to "preserve the quality of life and existing image of the City." One of the objectives of this goal is to "adopt a future land use map that reflects the needs of the community and guides future growth/development, including support of thriving development within existing zoning categories." It further states that the city should "promote a stable economy through a coordinated public land use strategy."

Current Land Use Policy

The land use map designates the current land use of the subject properties as "Residential Rural Density." The General Plan states:

"Residential – Rural Density is a very low-density classification that allows residential and/or limited animal and agricultural uses and no more than 2 units per acre."

"This land use is reserved for large lot (potentially with animal rights) residential development. Clustering may be allowed within this land use to preserve rural character, sensitive open space, or community park space."

Despite the stated policy, current zoning allows up to 1 unit per acre. The applicant is requesting that the land use policy be amended to designate this area as "Residential – Low Density". The General plan describe this land use as follows:

"Residential – Low Density districts are residential areas that contain between 2.5 and five (5) dwelling units per acre. Properties that are assigned the Residential – Low Density classification are generally (but not necessarily limited to) neighborhoods consisting of single-family dwellings."

Staff Analysis

The proposed change is estimated to have the following estimated impact on the total number of additional homes that could be constructed as a result of changing the policy and ordinance:

	Existing Zone	Proposed Zone
R-1-43 area only (5.2 acres)	4 Lots	10 Lots
R-1-43 + adjacent R-1-15 area (12.55 acres)	22 Lots	26 Lots

This estimated lot yield considers the addition of public roads and maximizing lot layouts against existing property lines.

Additional Considerations

In determining appropriate land use policy, the following community goals should be considered.

- Community Character

"Canyon Gateways" The base of... Little Cottonwood Canyons should be considered for gateway enhancements. Preservation of open space should be considered an important part of the gateway experience in these particular areas."

- Although this proposal would slightly increase density in this area, an overall density impact of four lots should not substantially impact the goals for this area. Development of the property will provide opportunities to formally designate open space areas per the sensitive lands ordinance.
- Transportation
“All new developments should include appropriate sidewalk facilities.... Create a network of bicycle facilities throughout the City, to serve transportation and recreation needs.”
 - Development of this property will provide the city an opportunity to increase sidewalk facilities and improve the pedestrian and bicycle network per the streets and sensitive lands ordinances.
- Open Space & Trails
“The City should work with private landowners... to encourage responsible development of private land and protection of open spaces along the foothills and in other important areas of the City. The City should explore the effectiveness and applicability of open space preservation tools such as cluster development.... Effectively manage natural open spaces... through implementation of appropriate zoning policies and working with landowners to achieve development consistent with the area’s natural characteristics.”
 - Regardless of the zoning designation, development of this property will provide an opportunity for the city to increase open space and trail infrastructure available to the city. Development of the property will provide opportunities to formally designate open space areas and trails per the Sensitive Lands ordinance. Their proposed amendment does not significantly affect these opportunities.
- Housing Policies and Affordability
 - Additional housing supply is crucial to keep a growing population housed and suppress unsustainable growth in housing prices and rents.

Conclusion: The overall impact will be an increase of density of approximately 4 units. The request to amend the General Plan Land Use Map to the Residential – Low Density designation is consistent with the principles, goals, and objectives contained in General Plan and other principles of quality growth and governance, and is also consistent with the adjacent properties north of the subject property.

ZONING MAP AMENDMENT

Previous Zoning History

Salt Lake County rezoned this property from R-1-43 to R-1-15 in September 2004 (Salt Lake County Recorder’s Document #9167056). When the property was annexed into the City, the zoning was reverted to the previous designations. Whether this was intentional or an oversight is unknown at this moment.

Zoning Ordinance Goals for the R-1-15 Zone

R-1-15 is the lowest density zone within the Residential Low Density land use designation. The R-1-15 zone purpose statement reads, in part, that its purpose is to:

“The purpose of the R-1-15 zone is to allow for the establishment of single- family homes organized in low-density residential neighborhoods characteristic of traditional suburban residential developments.”

The purpose of the zoning ordinance is to promote the “health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the city.” If the Planning Commission recommends the change to the General Plan Land Use Map, as discussed above, the R-1-15 zone’s purposes are will be in line with the General goals.

STAFF ANALYSIS

The request to amend the zone map from RR-1-43 (Rural Residential Density) to R-1-15 (Residential Single Family) is consistent with the goals of the Zoning Ordinance; and with the zoning of developed and undeveloped land northwest of the subject properites. The request has been noticed as required by 19.90.020, and the applicant will be required to meet all relevant portions of chapter 19.90 of the zoning ordinance (Amendments and Rezoning).

RECOMMENDATION

Based on the findings and analysis in this report, staff recommends that the Planning Commission forward a recommendation of approval to the City Council to amend the land use map and zoning map as requested.

FINDINGS FOR RECOMMENDATION

Staff’s recommendation of approval of the proposed zone map amendment is based on the following findings:

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

Attachments:

1. Model Motions
2. Applicant Statement

MODEL MOTIONS

- Approval – “I move that we forward a recommendation of approval to the City Council for Project ZMA-19-003 based on the findings listed in the staff report dated April 6, 2019...”
 - List any additional findings...

- Denial – “I move that we forward a recommendation of denial to the City Council for Project ZMA-19-003.”
 - List findings for negative recommendation...

Zoning Narrative for Despain Farm Parcels 28-12-176-013-0000, 28-12-176-014-0000 and 28-12-101-016-0000

How will your proposed amendment conform to what is envisioned for the future of the site or area, as expressed in the General Plan?

We own five parcels east of the Granite Oaks subdivision. All these parcels are bordered by single family homes (three of which belong to my sister, brother, and myself). Three of the parcels were rezoned to R1-15 at the time the Granite Oaks subdivision was rezoned (including parcel 28-12-101-016). However, my father did not rezone the parcel on which his house is located, or the parcel east of his house, as he did not plan to re-develop them at that time. My sister and I would like to add these three parcels to the R1-15 zone, so that we can develop an R1-15 subdivision that is well planned and not driven by the current parcel boundaries.

Our 5 parcels are:

28-12-101-007-0000 R1-15 One unit per 15000 square feet

28-12-101-008-0000 R1-15

28-12-176-013-0000 RR 1-43 One unit per acre (43,560 square feet)

28-12-176-014-0000 RR 1-43

28-12-101-016-0000 RR 1-43

To answer this question, I read the entire General Plan. I believe the low density residential single family development aligns with the goals of the plan, specifically section 2.4 describing the desired development of the annexation area in Little Cottonwood. These parcels do not disrupt the viewshed of the foothills or the canyon because they are below the state highway. As we begin to close the tree farm in this area east of Granite Oaks, the need for agricultural uses and animal husbandry will no longer be necessary on these parcels. Parcel 28-12-176-014-0000 could be a good location for an entrance sign to the city, as discussed in section 2.6. In conjunction with a future subdivision development, I think this could be an ideal location for an open space parcel in the subdivision along the highway. Section 2.7 land use map shows these parcels on the boundary of residential low density and rural low density residential. The zoning map (attached) shows these parcels on the boundary of residential low density and rural residential low density. Section 7.2 goals should be well met by low density single family residential owner occupied homes. In section 8.1, I believe we are in annexation area C, which has now completed annexation. Regarding section 8.2 goal number one, I believe that an R1-15 development will enhance the aesthetics of this city gateway and the entrance to Little Cottonwood Canyon better than a development based of mixed zoning or higher density. Section 8.3 recommends area C development of lots ranging from 15000 square feet to one acre, which should be compatible with an R1-15 subdivision.

What level and type of development currently exists in the area?

Low density residential single family homes and a barn consistent with prior agricultural uses.

If approved, how would development of the property under the new zoning be consistent with the existing development?

We want to develop an R1-15 subdivision of low density single family residential homes, similar to the surrounding homes, but with 15,000 square foot lots.

If the amendment is approved, how would subsequent development affect demand on public services and facilities such as utilities, emergency services, schools, etc.? Can you insure that any negative impact will be mitigated? How?

At the time Granite Oaks was developed, all utilities and access from the state highway were improved to handle an R1-15 development of the complete farm. UDOT approved the access to the state highway based on R1-15 development of the entire farm. We have a legal agreement with Granite Oaks to jointly use access points and utilities previously installed during the construction of that subdivision. Completing development of this area will improve the emergency access to the existing homes from the state highway.

If approved, how would the amendment affect public health, safety, and/or general welfare?

An orderly, well planned development will promote the general welfare rather than a development based on inconsistent zoning and arbitrary parcel boundaries. The wildfire risk may be reduced. The access from the state highway to the existing homes will be improved.

Disregarding any specific development that might be envisioned for the property following any proposed rezoning, discuss all the various uses that would be allowed under the current zoning; how would the proposed uses fit better with the area than the uses that are allowed under the current zoning?

The current zoning allows low density single family residential homes, but on a larger lot size than R1-15 (43,560 square feet current zoning versus 15000 square feet with the rezone). With the mixed zone parcels, we can still develop a subdivision, but the lot lines are constrained to the parcel boundaries, which results in a hodge podge subdivision driven by random past decisions, rather than good planning for the area. An initial design by Ensign Engineering resulted in 3 more lots and a clean layout with the rezone. We can share the drawings with you if you would like to see them to get an idea of what the rezone could allow versus the current zoning. The current zoning also allows agriculture and animal husbandry, which were traditional uses on the farm.

What has changed since the zoning classification was established that makes this requested amendment necessary?

After my parents passed away, it now makes sense to include their house in the new development, along with the parcel behind their house.

Disregarding any benefit to the specific property owner or developer, how will your proposal benefit the community as a whole? How will it outweigh any negative impacts of the change that is proposed?

We can develop a beautiful low density residential single family subdivision to complete the area and improve the road access to the existing homes.

How does the proposed amendment further the purposes of the current zoning ordinance as outlined in Title 19.02.020 (“Purpose of provisions”)?

The R1-15 subdivision will finish the roads in this area to comply with the UDOT access agreement that provides good access for the area from the state highway. Currently, the back access to Granite Oaks is impassible for much of the year, and the old dirt road prefers a 4 wheel drive vehicle the rest of the year. Also, the subdivision may reduce the wildfire danger and provide a hydrant system to fight fires.

Which of the following has arisen that is not property addressed in the current zoning ordinance or general plan?

The provisions of the zoning ordinance should be brought into conformity with the General Plan (note specific sections of the zoning ordinance and General Plan)

I believe the R1-15 zone is in compliance with the goals of general plan section 8.2 for area C.

A change has occurred in the land market, or other factors have arisen which requires a new form of development, a new type of land use, or a new procedure to meet said change(s)

As we begin to close the tree farm in the east area of the farm, we will no longer need the agricultural and animal husbandry uses of the rural zoning.

New methods of development or of providing infrastructure make it necessary to alter the zoning ordinance or General Plan to meet these new factors

I don't believe this is the case.

Regarding parcel 28-12-101-016-0000, this parcel was rezoned to R1-15 along with all the other R1-15 property on the farm at the time Granite Oaks applied for rezone with Salt Lake County. The attached documentation shows the public notice of the ordinance change by the county for this parcel and the other parcels. For unknown reason, during the annexation to the city this parcel was brought in as RR1-43, rather than R1-15. We did not realize this discrepancy until we recently met with the city planners who brought this to our attention. We wish to reserve our rights to keep the previous rezoning by the county, but hope this application to rezone will be an expedient and efficient way to resolve the discrepancy.

Thank you for your time and effort in this matter,

Eric Despain
Despain Farm

1 **DRAFT**

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

5
6 **Wednesday, January 23, 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, Craig Bevan, Jesse Allen, Doug Rhodes,
15 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 **Excused:** Sue Ryser and Associate Planner Andrew Hulka

22
23 **WORK SESSION**

24
25 Planning Commission Chair Graig Griffin called the meeting to order at 5:11 p.m. and welcomed
26 those in attendance.

27
28 **1.0 Planning Commission Business.**

29
30 **1.1 Review Business Meeting Agenda.**

31
32 The agenda items were reviewed and discussed.

33
34 **1.2 Additional Discussion Items.**

35
36 Community and Economic Development Director, Michael Johnson, reviewed the staff report and
37 reported that staff received written comments regarding safety and traffic impacts in the area.
38 Acceptable conditions were discussed. The developer was working with UDOT to mitigate site
39 circulation and confirmed that wayfinding signage will be implemented. He noted that there are
40 two separate meetings scheduled between City staff, elected officials, and nearby residents to
41 discuss the issues at a local level.

42
43 Commissioner Coutts reviewed the walkability of the project and the proposed amenities. She
44 expressed concern with the parking proposed in the Master Development Agreement and the
45 condominium agreements and the potential for conflicting depictions. The property layout was
46 discussed at length.

1
2 The developer, Chris McCandless, reported that he has been involved with the project since 2008.
3 The ADU compliant access was reviewed. Mr. McCandless pointed out that the shared parking
4 shows which parking stalls can be used and by whom. He emphasized that all surface parking
5 stalls are for the condominium units. Additional parking details were addressed.
6

7 The applicant, Rebecca Bunya, stated that the hotel is required to comply with what
8 Mr. McCandless has to abide by even though the proposed hotel is not an entirely new
9 development. She was in favor of the symmetry and believed that to allow the windows to have a
10 different proportion than the ones above makes the rooms less custom. Commissioner Allen
11 recommended a trellis element or overhang be placed below to provide more interest at the
12 pedestrian level. Exterior details were discussed.
13

14 **1.3 Adjournment.**

15
16 *Commissioner Rhodes moved to adjourn the Work Session. Commissioner Coutts seconded the*
17 *motion. The motion passed with the unanimous consent of the Commission. Commissioner*
18 *Bevan was not present for the vote.*
19

20 The Work Meeting adjourned at 5:57 p.m.
21

22 **BUSINESS MEETING**

23 24 **1.0 WELCOME/ACKNOWLEDGEMENTS**

25
26 Chair Griffin called the Business Meeting to order at 6:00 p.m. and welcomed those in attendance.
27

28 Commissioner Bevan joined the meeting via teleconference.
29

30 **1.1 Ex Parte Communications or Conflicts of Interest to Disclose.**

31
32 There were no public comments.
33

34 **2.0 CITIZEN COMMENTS**

35
36 There were no citizen comments.
37

38 **3.0 BUSINESS ITEMS**

39 40 **3.1 (CUP-18-012) Action on a Request by YIP Cottonwood, LLC for a 149-Room Hotel** 41 **located at 7365 South Canyon Centre Parkway.** 42

43 Chair Griffin opened the public hearing.
44

45 Jim Rock was present representing the Canyon Racquet Club Condominium Association and
46 identified himself as one of the original residents of the property. Additional comments were

1 submitted regarding the 2014 traffic study and many did not agree that the count was the same
2 then as it is today. The main concern of the residents was with south Wasatch Boulevard.
3 Mr. Rock emphasized that they have been in contact with the HOA's legal counsel who indicated
4 that if a current traffic study is not performed, the City could be potentially liable. The residents
5 were also concerned with the increase in traffic that a third hotel story will bring. Incrementally,
6 the traffic generated will have a greater impact and there is no provision for garbage or recycling
7 within the development. There could potentially be 44 trash and recycling containers either on the
8 sidewalk or in the street on pick up days. He encouraged a meeting between the homeowners and
9 staff in an effort to reach a solution.

10
11 Leslie Kovach reported that she lives along the east side of the property. She expressed concern
12 with the proposed hotel having five stories where it is slated for three. The hotel is a 24/7 operation
13 overlooking private homes. She requested that the lighting requirement be removed as well as any
14 signage along the east side. Ms. Kovach was opposed to the proposed height, noise, and garbage
15 collection, which will have a direct impact on her. She also asked that the height be reduced.

16
17 Charles Keeney, an owner at the Canyon Racquet Club, expressed concern with safety as a result
18 of at least 1,000 vehicle trips per day upon completion of the hotel.

19
20 There were no further comments. The public hearing was closed.

21
22 Mr. Johnson presented the staff report and stated that the hotel application was for a Conditional
23 Use Permit and the conditions imposed mitigate the impacts directly created by the proposed use.
24 City staff and officials agree that there will be safety and traffic concerns as the area grows and
25 develops. There are options the City was interested in exploring to resolve some of the issues apart
26 from the hotel application. They were also working with the developer to implement three
27 mitigation solutions that including (1) striping and 'do not block intersection' signage in front of
28 the Canyon Racquet Club Condominiums; (2) wayfinding signage on the site to emphasize safe
29 traffic movement; and (3) working with UDOT on a Corridor Agreement that takes access
30 management into account to ensure safety. Mr. Johnson emphasized that many of the issues are
31 not the direct result of the hotel. He recommended the issues remain separate.

32
33 Commissioner Coutts confirmed that they discussed the issues raised at the last meeting and have
34 heard back from both the master developer and hotel developer to mitigate those directly impacted.

35
36 Mr. Johnson explained that the project must comply with any relevant conditions from the original
37 Site Master Plan approval, including one that is specific to lighting being full cutoff and shielded
38 from adjacent residences. All standards will apply and be reviewed as part of the building permit
39 application. Wall signage includes standards for lighting in the current City ordinance and will be
40 required to comply as well. Commissioner Allen believed it would be beneficial to specify that
41 there shall be no additional or uplighting of the building on the east side.

42
43 The applicant, Rebecca Bunya, reported that there are prototype requirements that are applied to
44 comply with the legal code. They would request a deviation from Marriott standards to comply
45 with the Code, but not for personal issues. Mr. Johnson clarified that to incorporate that portion

1 into a condition, any east building mounted lighting must be full cut off and shielded from uses
2 across the street. Provisions from the mixed-use ordinance were described.

3
4 The Commissioners discussed appropriate lighting cut off times. Commissioner Wilde believed
5 it should be applied to the east side of the building and did not have an issue with the lighting along
6 the west side.

7
8 ***Commissioner Coutts moved to approve Project CUP-18-012, a request by YIP Cottonwood***
9 ***LLC, for a 149-room hotel located at 7365 South Canyon Centre Parkway with the inclusion of***
10 ***the third story subject to the following:***

11
12 ***Conditions:***

- 13
14 1. ***The applicant shall meet all relevant portions of the Municipal Code.***
- 15
16 2. ***The final plans shall adhere to any relevant conditions of approval for the Master***
17 ***Development Plan as identified in the February 5, 2014, Canyon Centre staff***
18 ***report (CUP-13-011) and shall provide evidence of compliance on the***
19 ***appropriate plans prior to final approval and shall be implemented prior to the***
20 ***issuance of a certificate of occupancy.***
- 21
22 3. ***The development of the parking in front of and adjacent to shown with the hotel***
23 ***includes a continuously accessible pedestrian walkway in front of the hotel that***
24 ***can connect to the future retail and office building.***
- 25
26 4. ***The hotel address the pedestrian level of the east elevation of the building facing***
27 ***Wasatch Boulevard with additional architectural elements attached to the***
28 ***building or landscape structures.***
- 29
30 5. ***Lighting that complies with mixed-use Code 19.36.120 where it faces residential***
31 ***on the east and west face.***

32
33 ***Findings:***

- 34
35 1. ***The proposed project meets the applicable provisions of Chapter 19.36 – Mixed***
36 ***Use Zone.***
- 37
38 2. ***That an increased height to three stories will not adversely affect the public***
39 ***health, safety, or welfare as part of this approval.***
- 40
41 3. ***That the proposed project will continue to meet the applicable provisions of***
42 ***Chapter 19.84, “Conditional Uses,” of the zoning code:***
 - 43
44 a. ***That the proposed use is one of the conditional uses specifically listed in***
45 ***the zoning district in which it is to be located;***

- 1 ***b. That such use will not, under the circumstances of the particular case, be***
2 ***detrimental to the health, safety, comfort, order or general welfare of***
3 ***persons residing or working in the vicinity;***
4
5 ***c. That the use will comply with the intent, spirit, and regulations of this title***
6 ***and will be compatible with and implement the planning goals and***
7 ***objectives of the City;***
8
9 ***d. That the use will be harmonious with the neighboring uses in the zoning***
10 ***district in which it is to be located;***
11
12 ***e. That nuisances which would not be in harmony with the neighboring uses***
13 ***will be abated by the conditions imposed;***
14
15 ***f. That protection of property values, the environment, and the tax base for***
16 ***the city will be assured;***
17
18 ***g. That the use will comply with the city’s General Plan;***
19
20 ***h. That existing and proposed utility services will be adequate for the***
21 ***proposed development;***
22
23 ***i. That appropriate buffers were approved with the existing site plan; and***
24
25 ***j. That operating, and delivery hours will be compatible with adjacent land***
26 ***uses.***
27

28 Chair Griffin addressed concerns with an increase in traffic counts along Wasatch Boulevard and
29 Fort Union/Cottonwood. The City Engineer was asked to review historical traffic patterns and
30 determined there had not been a significant change. The data reflected that changes are negligible.,
31 With respect to traffic outside of the proposed project, the City has no control as they are UDOT-
32 owned roads.

33
34 ***The motion was seconded by Commissioner Rhodes. Vote on motion: Commissioner Coutts-***
35 ***Aye, Commissioner Allen-Aye, Commissioner Bevan-Aye, Commissioner Rhodes-Aye, Chair***
36 ***Griffin-Aye, Bob Wilde-Aye. The motion passed unanimously.***
37

38 **4.0 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 7:15 p.m.

1 *I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood*
2 *Heights City Planning Commission Meeting held Wednesday, January 23, 2019.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____

1 **DRAFT**

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

5
6 **Wednesday, February 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, Craig Bevan, Jesse Allen, Sue Ryser, Dan
15 Mills, Alternate Bob Wilde

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

20
21 **Excused:** Doug Rhodes

22
23 **WORK SESSION**

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

26
27 New Planning Commission Member, Dan Mills, was introduced. Mr. Mills reported that he is a
28 Physical Therapist by profession and lives in the Old Mill area. He loves Cottonwood Heights and
29 expressed interest in guiding development to meet the goals of the City.

30
31 **1.0 Planning Commission Business**

32
33 **1.1 Review Business Meeting Agenda.**

34
35 The agenda items were reviewed and discussed.

36
37 **1.2 Additional Discussion Items.**

38
39 Associate City Planner, Andrew Hulka, presented the staff report for SUB-19-001 and stated that
40 the applicant has applied for an exception. Flag lot requirements were reviewed. The City issued
41 a building permit in 2015 and driveway improvements were completed in 2018 but were not
42 constructed per the requirements. Property photographs were displayed and reviewed. Staff
43 recommended the Planning Commission forward a positive recommendation to the City Council
44 as the request is in compliance with all City requirements.

1 Senior City Planner, Matt Taylor, presented the staff report for ZTA-18-002 and stated that the
2 request is for a proposed ordinance adopting Chapter 19.77-Outdoor Lighting Standards. The
3 action was initiated by the City Council who requested further review of outdoor lighting standards
4 and more comprehensive standards. Light pollution was the initial reason for considering the issue
5 and spillage and dark pockets were identified as concerns. Traditionally, street lights used a yellow
6 colored bulb and were not favorable. The challenge was that the whiter the light, the more the
7 contrast increases, which exacerbated the dark pockets and glare issues. White light tends to
8 scatter and can be intensified with specific weather conditions. It was confirmed that a more
9 yellow bulb was recommended. Staff met with a lighting manufacturer who suggested they adopt
10 a 2700 kelvin level for City streets. They received an initial response from the City Council who
11 came up with a broader alternative. One option was to have all new development, excluding
12 single-family homes, apply the standards.

13
14 Commissioner Coutts believed it was counter-productive to exclude single-family if the goal is to
15 make it a City-wide ordinance.

16
17 Commissioner Allen suggested there be a buffer zone between Forest Service land and include the
18 City in the ordinance. He believed the biggest offenders of the lighting standards are car
19 dealerships. He was in favor of the exception for uplighting on civic buildings.

20
21 Chair Griffin recommended the City reach out to Home Depot's General Manager so that they are
22 able to stock the suggested lighting. Convenience store lighting requirements were also
23 encouraged.

24 25 **1.3 Adjournment.**

26
27 *Commissioner Bevan moved to adjourn the Work Session. Commissioner Coutts seconded the*
28 *motion. The motion passed with the unanimous consent of the Commission.*

29
30 The Work Meeting adjourned at 5:57 p.m.

31 32 **BUSINESS MEETING**

33 34 **1.0 WELCOME/ACKNOWLEDGEMENTS**

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

37
38 New Planning Commissioner, Dan Mills, introduced himself and stated that he is a resident and
39 business owner in Cottonwood Heights. He was excited to see the future of the City and direction
40 it is headed.

41 42 **1.1 Ex-Parte Communications or Conflicts of Interest to Disclose.**

43
44 There were no public comments.

1 **2.0 CITIZEN COMMENTS**

2
3 There were no citizen comments.

4
5 **3.0 BUSINESS ITEMS**

6
7 **3.1 (SUB-19-001) Flag Lot Exception 8095 South Pinecreek Lane.**

8
9 Associate City Planner, Andy Hulka, presented the staff report and stated that the request is for a
10 flag lot exception at 8095 South Pinecreek Lane. The request was for an exception of the
11 subdivision ordinance where they are permitted when unusual topographic, aesthetic, or other
12 exceptional conditions exist. These types of exceptions must be approved by the City Council
13 with a positive recommendation from the Planning Commission. He emphasized the importance
14 of there being no substantial detriment to the public good or impairment to the intent of the zoning
15 ordinance.

16
17 Flag lot requirements were described. It was reported that the applicant received a building permit
18 for new construction in 2015 and full driveway improvements were not completed until 2018. It
19 was brought to the City's attention that the Code requirements had not been met. Staff
20 recommended forwarding a positive recommendation to the City Council.

21
22 The property owner, Trey Turley, expressed appreciation to the City and staff for the manner in
23 which they handled his request and their professionalism. He requested an exception to a
24 landscape barrier from four feet to two feet and to eliminate the visual barrier requirement. The
25 proposed landscape barrier requirements were reviewed. Mr. Turley noted that the surrounding
26 neighbors were in favor of the exception being granted.

27
28 Chair Griffin opened the public hearing.

29
30 Jason Dunn, a neighbor, expressed support for the request and believed it was an improvement to
31 the area.

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

34
35 Commissioner Bevan raised concern with the applicant making the request after completion of the
36 landscaping.

37
38 ***Commissioner Wilde moved to forward a positive recommendation to the City Council of SUB-***
39 ***19-00 for a Flag Lot Exception for property located at 8095 South Pinecreek Lane.***
40 ***Commissioner Bevan seconded the motion.***

41
42 ***Commissioner Coutts amended the motion to include an exception to the four-foot buffer of two***
43 ***feet on either side of the 20-foot drive. Commissioner Bevan seconded the motion. Vote on***
44 ***motion: Commissioner Bevan-Aye, Commissioner Coutts-Aye, Commissioner Ryser-Aye,***
45 ***Commissioner Allen-Aye, Commissioner Mills-Aye, Chair Griffin-Aye. The motion passed***

1 *unanimously. Alternate Planning Commission Member Bob Wilde did not participate in the*
2 *vote.*

3
4 **3.2 Project ZTA-18-002 Proposed Ordinance Adopting Chapter 19.77 Outdoor Lighting**
5 **and Amending Various other Provisions in Title 19 Zoning Relative to Outdoor**
6 **Lighting Standards.**

7
8 Mr. Hulka presented the staff report and stated that the request is an effort to resolve issues with
9 light trespass, glare, over-illumination, color tone, hue of light, energy waste, and sky glow. The
10 request was initiated by the City Council who asked that an ordinance be developed to help
11 mitigate the issues identified.

12
13 Chair Griffin opened the public hearing.

14
15 Dale Chalmers reported that he first got involved with dark skies while employed at Capital Reef
16 National Park. He believed that if Cottonwood Heights created a Dark Sky Ordinance, other cities
17 would follow. A detailed ordinance on the International Dark Sky website was available for cities
18 to duplicate. He believed this was a very small start and should be continued. He encouraged the
19 City to set a timeline for conformity and to adopt a much more detailed ordinance.

20
21 Commissioner Ryser encouraged suggestions to be submitted in writing to staff.

22
23 Chair Griffin expressed concern with the lighting at Butler Middle School and their electric
24 signage. He wanted to see definitive language for reader board signs and no relief lettering.

25
26 Commissioner Mills commented that the electric sign along Wasatch Boulevard and future
27 development of the gravel pit be considered as well.

28
29 Community and Development Director, Mike Johnson, stated that they were consolidating the
30 lighting standards from elsewhere in the Code to one place. When the ordinance is reviewed, it
31 will be available in one location.

32
33 Commissioner Allen asked about public outreach for the request. Mr. Johnson confirmed that they
34 discussed the creation of a dedicated page on the City's website that will contain research and
35 resources.

36
37 Chair Griffin suggested the creation of educational materials or a .pdf document that could be used
38 as a reference for residents purchasing lights.

39
40 **4.0 CONSENT AGENDA**

41
42 **4.1 Approval of Minutes for January 9, 2019.**

43
44 *Commissioner Coutts moved to approve the minutes of the January 9, 2019, Planning*
45 *Commission Meeting, with the corrections noted. The motion was seconded by Commissioner*

1 *Ryser. The motion passed with the unanimous consent of the Commission. Alternate Planning*
2 *Commission Member Bob Wilde did not participate in the vote.*

3

4 **5.0 ADJOURNMENT**

5

6 *Commissioner Ryser moved to adjourn. The motion was seconded by Commissioner Bevan.*
7 *The motion passed with the unanimous consent of the Commission.*

8

9 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 Cottonwood*
2 *Heights City Planning Commission Meeting held Wednesday, February 6, 2019*

3
4

5 Teri Forbes

6 Teri Forbes
7 T Forbes Group
8 Minutes Secretary

9
10 Minutes Approved: _____