

PLANNING COMMISSION MEETING
Thursday, March 26, 2009 7:00 p.m.
Public Safety Building
3925 W Cedar Hills Drive, Cedar Hills, Utah

NOTICE is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold their Regular Planning Commission Meeting on Thursday, March 26, 2009, beginning at 7:00 p.m.

PLANNING COMMISSION MEETING

1. Call to Order
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments on agenda items. (Comments limited to 3 minutes per person with a total of 30 minutes for this item).

PUBLIC HEARINGS

3. Amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane.
4. Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area).

SCHEDULED ITEMS

5. Approval of Minutes from the February 26, 2009, Regular Planning Commission Meeting
6. Review/Recommendation on Preliminary/Final for Forest Creek Subdivision, Phase 7, Located at Approximately 4670 West Fieldcrest Drive and Carriage Lane.
7. Review/Recommendation on Amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane.
8. Review/Recommendation on Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area).
9. Discussion on the Guidelines for the Design and Review of Planned Commercial Development
10. Committee Assignments and Reports

ADJOURNMENT

11. Adjourn

Posted this 25th day of March, 2009.

Kim E. Holindrake, City Recorder

- Supporting documentation for this agenda is posted on the City's Web Site at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at least 48 hours in advance of the meeting to be held.
- The order of agenda items may change to accommodate the needs of the Planning Commission and the staff.



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Greg Robinson, Assistant to the City Manager
DATE:	3/26/2009

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Preliminary/Final for Forest Creek Subdivision, Phase 7, Located at Approximately 4670 West Fieldcrest Drive and Carriage Lane.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Greg Robinson, Assistant to the City Manager, Planning
BACKGROUND AND FINDINGS: This is the next step towards the creation of the Fieldcrest pocket park.	
PREVIOUS LEGISLATIVE ACTION: 2-26-2009 – Forest Creek Plat Vacation	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Forest Creek Subdivision, Phase 7	
RECOMMENDATION: There are no new issues or anticipated problems with the creation of the new plat. Staff's recommendation is to recommend approval of the new plat.	
MOTION: To recommend/not recommend the Forest Creek Subdivision, Phase 7 to the City Council.	



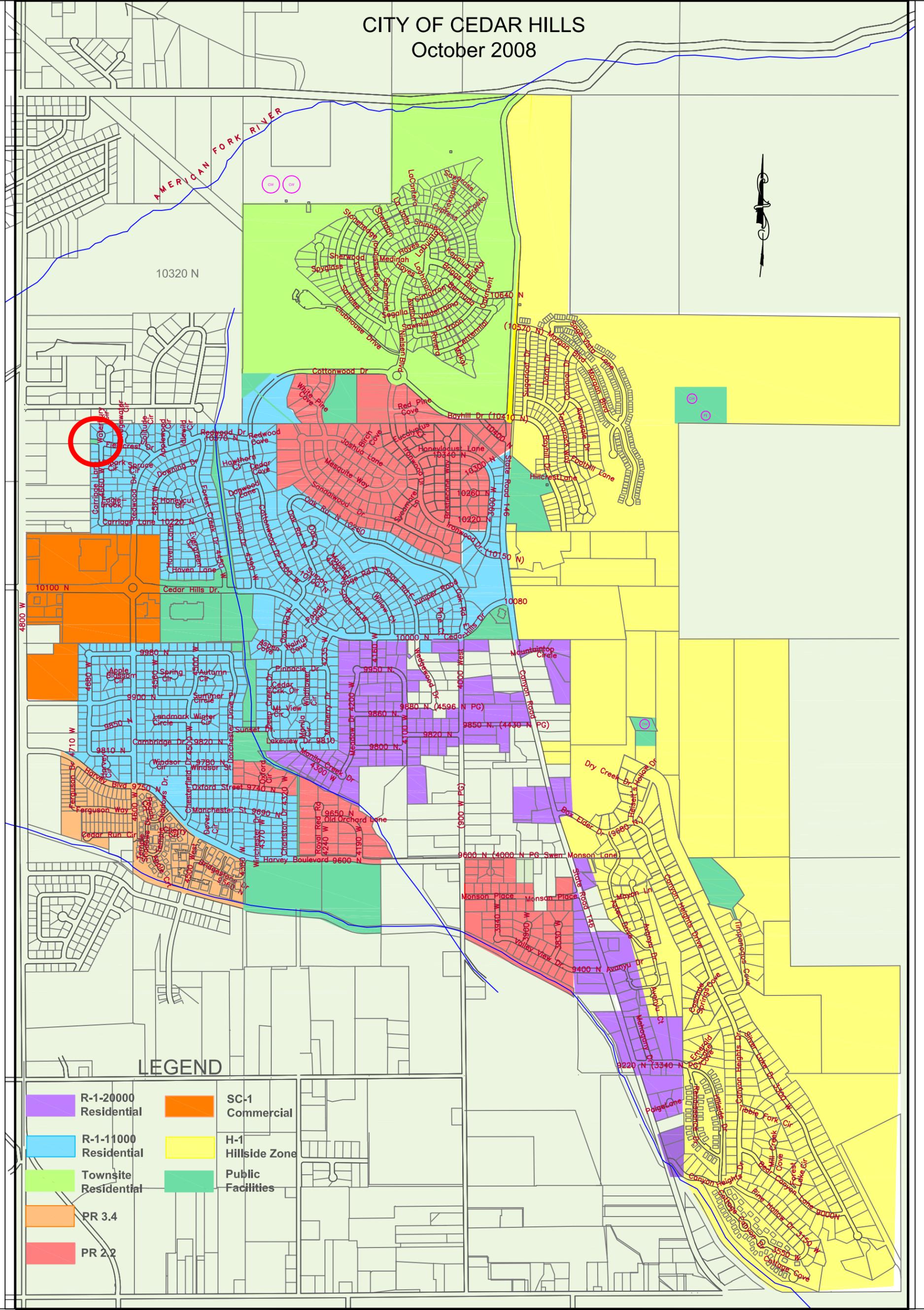
CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Greg Robinson, Assistant to the City Manager
DATE:	3/26/2009

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Greg Robinson, Assistant to the City Manager, Planning
BACKGROUND AND FINDINGS:	A straight forward rezone, in order to create a Fieldcrest Park.
PREVIOUS LEGISLATIVE ACTION:	2-26-2009 – Forest Creek Plat Vacation
FISCAL IMPACT:	N/A
SUPPORTING DOCUMENTS:	Proposed Zone Map
RECOMMENDATION:	Staff recommends a rezoning of this area to the Public Facilities Zone
MOTION:	To recommend/not recommend amendments to the Zone Map to change a portion of street in the Forest Creek Subdivision, Phase 5, from the R-1-11,000 Residential Zone to the PF Public Facilities Zone. This street portion is located at approximately 4670 West Fieldcrest Drive and Carriage Lane.

CITY OF CEDAR HILLS October 2008



LEGEND

- | | |
|---|---|
|  R-1-20000 Residential |  SC-1 Commercial |
|  R-1-11000 Residential |  H-1 Hillside Zone |
|  Townsite Residential |  Public Facilities |
|  PR 3.4 | |
|  PR 2.2 | |



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Greg Robinson, Assistant to the City Manager
DATE:	3/26/2009

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area).
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Greg Robinson, Assistant to the City Manager, Planning
BACKGROUND AND FINDINGS: This is the item continued from the February 28 Planning Commission Meeting. Attached are Councilman Richardson's proposed changes. This item has been noticed so the commission can recommend this item to the Council, or continue this item if there are further changes that you would like to make.	
PREVIOUS LEGISLATIVE ACTION: 2-28-2009 – Continued to the March Planning Commission Meeting.	
FISCAL IMPACT: Click here to enter text.	
SUPPORTING DOCUMENTS: Councilman Richarson's recommended changes to Title 10-5-5	
RECOMMENDATION: Review the recommendation, staff will have further comments at the meeting.	
MOTION: To recommend/not recommend/continue the Amendments to the City Code, Title 10-5-5, Development in Required Setback Area (required yard area).	

10-2-1: DEFINITIONS:

For purpose of this title, certain words and phrases require specific definition of meaning. Words and phrases used in the present tense include the future, the singular word or number, includes the plural and the singular.

AGRICULTURE: The growing of soil crops in the customary manner in the open. It shall not include livestock raising activities; nor shall it include retailing of products on the premises.

ANIMAL UNIT: One animal unit shall be any of the following: two (2) cows, horses, donkeys or similar large animals; or eight (8) adult sheep; or sixteen (16) feeder lambs, or eight (8) goats, or two (2) pigs, or an equivalent combination of the above, together with the suckling offspring thereof.

BED AND BREAKFAST FACILITY: A one-family dwelling, occupied by a residing family and containing one or more sleeping rooms intended for the occupancy by persons unrelated to the residing family on a short term basis (overnight and up to 2 weeks).

BUILDABLE AREA: A lot or portion thereof possessing all of the following physical characteristics:

- A. The area contains no territory having a slope of thirty percent (30%) or greater.

- B. The area contains no territory that is located in any identified floodplain or within any recognized inundation zone, mudflow zone or zone of deformation, or lands subject to earth slippage, landslide or rockfall.

- C. The engineering properties of the soil provide adequate structural support for the intended use.

- D. The area does not possess any other recognized natural condition that renders it unsafe for building purposes.

BUILDING: Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING, ACCESSORY: A subordinate building, the use of which is incidental to that of the main building.

BUILDING, MAIN: One or more of the principal buildings upon a lot. Garages, carports and other buildings that are attached to a dwelling or other main building or that are situated within twelve feet (12') of a main building shall be considered as part of the main building.

CARPORT: A structure not completely enclosed by walls for the shelter of automobiles.

CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE: A structure constructed on the same zoning lot as a dwelling and that is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, detached garages, carports, swimming pools, tennis courts, ~~and~~ greenhouses ~~and pergolas~~.

DECK: An exterior floor supported on at least two (2) opposing sides by an adjacent structure and/or post, piers or other independent supports.

[DECK COVER: Any exterior roof structure open on at least two sides and covering a deck, porch or patio.](#)

DENSITY: The number of dwelling units per acre of land.

DWELLING, CONVENTIONAL CONSTRUCTION: A dwelling that is constructed and placed on a lot in compliance with the provisions of the building, construction and fire codes as mandated by the state and as approved by the city.

DWELLING, MULTIPLE-FAMILY: A building containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A detached residence designed for or occupied by one family.

DWELLING, TWO-FAMILY: A building containing two (2) dwelling units.

DWELLING UNIT: One or more rooms in a building designed for living purposes (bathing, eating and sleeping), and occupied by one family.

FAMILY: An individual or two (2) or more persons related by blood, marriage or adoption, living together in a single-dwelling unit and maintaining a common household. A family may include two (2), but not more than two (2), nonrelated persons living with the residing family. The term "family" shall not be construed to mean a group of nonrelated individuals, a fraternity, club or institutional group.

GARAGE: A structure completely enclosed on all sides by walls and doors that is designed and intended for the shelter or storage of automobiles.

GRADING: Any excavating or filling, or combination thereof.

LIVESTOCK MANAGEMENT AREA: All portions of a lot devoted exclusively to the care and keeping of livestock and fowl, including, but not limited to, barns, sheds, coops, corrals and pastures, but not including any portion of a parcel devoted to a dwelling, yard area, garden, parking area or unutilized open space.

LIVING AREA: Those portions of a dwelling having a headroom height of not less than seven feet (7') and used for customary living activities. For purposes of this title, the term "living area" shall not include portions of the structure intended for parking of vehicles, unenclosed porches, storage rooms having only outside access, and rooms devoted exclusively to the housing of heating, ventilating or similar mechanical equipment.

LOT, CORNER: A lot abutting on two (2) intersecting or intercepting streets where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°).

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE, FRONT: The front boundary line of a lot bordering on the street.

LOT LINE, REAR: A lot line that is opposite and most distant from the front lot line.

LOT LINE, SIDE: Any lot boundary line not a front lot line or a rear lot line.

LOT OF RECORD: A parcel of land that is shown as a separate and independent parcel on the records of the county recorder.

MAIN FLOOR LIVING AREA: The area within a dwelling, measured from the outside wall line on a horizontal plane, that, when viewed from above, contains living area on one or more floors that are located at an elevation entirely above the finished ground level surrounding the dwelling.

NATURAL STATE: That portion of any lot or parcel that cannot be subjected to grading, removal of vegetation or building development.

NONCONFORMING LOT OF RECORD: A parcel of land that does not conform to the area and/or width requirements of the zone classification in which said parcel is now situated, but that was legally created as a conforming lot of record prior to the effective date of the now controlling provision.

PLANNED UNIT DEVELOPMENT (PLANNED RESIDENTIAL DEVELOPMENT): A development project containing a combination of clustered residences and common areas that has been planned, approved and developed in conformance with the applicable provisions of this title.

PREMISES OCCUPATION: Any use or activity consisting of the providing of a service,

or the fabrication of a product (including the storage of materials or equipment in connection therewith), which service or activity is conducted on a lot in a residential zone, but in a building other than the residential dwelling.

SETBACK: The shortest distance between the property line and outside surface of the foundation, wall or main frame of the main building. Main building includes overhangs, porches and decks.

SETBACK AREA, REQUIRED (REQUIRED YARD AREA): That portion of a lot between the lot boundary and the required setback lines.

SETBACK, REQUIRED (REQUIRED YARD): The minimum required space between a lot boundary line and the foundation wall of the main building. The depth of the required setback shall be as set forth under the zone requirements as measured at right angle to the applicable lot boundary line. Main building includes overhangs, porches and decks.

YARD AREA: That portion of a lot between the lot boundary and the outside surface of the foundation wall of the main building.

ZONING LOT: A parcel of land that:

- A. Complies with all existing area, frontage, width, setback and supplementary requirements of the zone in which it is located.

- B. Has frontage on a city street, which street has been accepted by the city council, has been improved in accordance with city standards and is in use by the public or has frontage on a private right of way within an approved large scale development.

- C. Is shown as a separate lot in an approved subdivision plat or large scale development plan, which plat or plan has been approved in accordance with the applicable ordinance or that is exempted from compliance with said ordinance.

- D. Contains an area sufficient in size to accommodate a conforming structure, which area meets or exceeds all setback, slope, access, soil capability or other applicable criteria of the zone and/or is not subject to any easement or other encumbrance prohibiting its use for building purposes. (Ord. 6-20-78A, 6-20-1978; amd. Ord. 4-23-80A, 4-23-1980; Ord. 5-11-83A, 5-11-1983; Ord. 5-13-92A, 5-13-1992; Ord. 1-13-93A, 1-13-1993; Ord. 7-7-

98A, 7-7-1998; Ord. 1-20-2004B, 1-20-2004; Ord. 4-6-2004A, 4-6-2004; 2004 Code; Ord. 12-7-2004D, 12-7-2004)

10-5-5: DEVELOPMENT IN REQUIRED SETBACK AREA (REQUIRED YARD AREA):

All required setback area (required yard area) of a lot shall be open and unobstructed, except for the following uses and projections:

A. Side Setback Areas (Side Yard Areas):

1. The ordinary projections of windowsills, belt courses, cornices and other ornamental features to the extent of not more than twelve inches (12").
2. The projection of an eave not more than two feet (2').
3. The projection of a step not over two feet (2').
4. Awnings projecting over doorways and windows not more than three feet (3').
5. A bay window or chimney not over ten feet (10') long projecting not more than two feet (2'), providing such extension maintains the minimum side yard allowable for the smallest side yard in the zone.
6. A fence or wall constructed in accordance with the provisions of section [10-5-18](#) of this chapter.
7. An open area used for the temporary storage of recreational vehicles, boats, etc., but only when said area is located immediately adjacent to the outside wall of an attached garage. (Ord. 7-7-98A, 7-7-1998)
8. Hot tubs, patios or similar uses at ground level shall be allowed in ~~a side yard, provided they are located at least five feet (5') from the property line. (Ord. 1-20-2004B, 1-20-2004)~~accordance with the provision of section 10-5-xx of this chapter.
9. Accessory buildings located in conformance with the applicable setback requirements.
10. Customary vegetative landscaping. (Ord. 7-7-98A, 7-7-1998)
11. ~~Decks, pergolas, covers and awnings shall be allowed in accordance with the provisions of section 10-5-xx of this chapter, having a height of thirty inches (30") or less above ground level (not requiring a handrail) shall be permitted in the side setback area, provided they are located no closer than ten feet (10') from the property line. Decks~~

~~higher than thirty inches (30") in height above ground level are not permitted in the side setback area. (Ord. 1-20-2004B, 1-20-2004)~~

B. Rear Setback Areas (Rear Yard Areas):

1. A bay window or chimney not over ten feet (10') long projecting not more than two feet (2').
2. The projection of an eave or cornice not more than two feet (2').
3. Private swimming pools, tennis courts and similar uses shall be allowed in a rear yard, provided they are located at least thirty feet (30') from any dwelling on an adjoining lot and at least ten feet (10') from any property line.
4. Garages and other accessory buildings as hereinafter provided. Such structures shall not cover over fifty percent (50%) of the rear yard area.
5. Hard surfaced parking areas subject to the same location requirements of a garage.
6. Air conditioners.
7. A fence or wall constructed in accordance with the provisions of section [10-5-18](#) of this chapter. (Ord. 7-7-98A, 7-7-1998)
8. Hot tubs, patios or similar uses at ground level shall be allowed in ~~a rear yard setback area, provided they are located at least five feet (5') from the property line. (Ord. 1-20-2004B, 1-20-2004)~~accordance with the provisions of section 10-5-xx of this chapter.
9. Accessory buildings located in conformance with the applicable setback requirements.
10. Customary vegetative landscaping. (Ord. 7-7-98A, 7-7-1998)
11. ~~Decks, pergolas, covers and awnings shall be allowed in accordance with the provisions of section 10-5-xx of this chapter. having a height of thirty inches (30") or less above ground level (not requiring a handrail) shall be permitted in the rear setback area, provided they are located no closer than ten feet (10') from the property line. Decks higher than thirty inches (30") in height above grade or extending from upper floors of the main structure shall comply with the setback requirements of the zone. (Ord. 1-20-2004B, 1-20-2004)~~

C. Front Setback Areas (Front Yard Areas):

1. A fence or wall constructed in accordance with the provisions of sections [10-5-17](#) and [10-5-18](#) of this chapter.
2. Uncovered steps leading to the main building; provided, however, that they are not more than four feet (4') in height and do not cause any danger or hazard to traffic by obstructing the view of the street or intersection. Any portion of any steps, covered or uncovered, that are more than four feet (4') above grade must maintain the required setback line.
3. Eaves or cornices projecting not more than two feet (2').
4. A bay window or chimney not over ten feet (10') long projecting not more than two feet (2').
5. A driveway leading to a properly located garage or parking area; provided, however, no portion of a front yard as required in this title, except for approved driveways, encourage or make possible the parking of automobiles, nor shall the city allow any curb cuts or approve any driveways except for entrance and exit driveways leading to properly located parking areas. (Ord. 7-7-98A, 7-7-1998)
6. Circular driveways shall be permitted in required front yard areas of single-family dwellings leading to and from a properly located garage on the property subject to the following conditions: (Ord. 7-7-98A, 7-7-1998; amd. 2004 Code)
 - a. Such drives shall be hard surfaced.
 - b. Such drives shall not be over sixteen feet (16') in width.
 - c. There shall be a landscaped area at least fifteen feet (15') in depth from the front property line to the inside of the drive.
 - d. Driveway areas are not to be used for the parking or storage of any trailer, camper, motor home, boat, or other equipment at any time, nor is the area to be used for permanent parking of any vehicle.
 - e. Passenger automobiles may be parked on driveways serving private residences, provided the automobile is parked completely on private property.
7. Customary vegetative landscaping. (Ord. 7-7-98A, 7-7-1998)

[10-5-xx: DECKS, PORCHES, PATIOS, PERGOLAS, AWNING, HOT TUBS AND SIMILILAR STRUCTURES:](#)

A. Decks, porches, patios, pergolas, awnings, recreational equipment, hot tubs and similar structures are permitted in the rear and side setback areas subject to the following conditions:

- a. All sides of the portion of the structure located within a designated setback area shall remain open.
- b. No structure within a setback area shall be converted into livable space, nor shall it be constructed as to appear as though it could be easily converted into livable space.
- c. A building permit shall be obtained for all structures
 - i. Prior to issuing a building permit, the Chief Building Official shall make a finding that the materials and finish of the proposed structure are in harmony with the primary structure, and the surroundings as a whole.
 - ii. The structure shall not be located closer than 5 feet to the property line, except those structures that comply with items 1 or 2 below, notwithstanding that no structure shall be constructed within a Clear View Area nor on a corner lot beyond the Optional Enclosure Area.
 1. Structures located entirely at ground level shall be permitted to be located no closer than 1 foot of the property line
 2. Special exception for awnings located in the side setback area and immediately adjacent to a garage:
 - a. A permanent awning may be constructed immediately adjacent to the outside wall of an attached garage provided that:
 - i. The front, rear and sides shall remain open, except that an approved fence may be constructed independent of the structure
 - ii. The awning shall be constructed over a hard surface area (e.g. concrete, asphalt, roadbase, gravel, etc.).
 - iii. The awning shall not be more than 7 feet tall at the property line, nor a roof pitch greater than 4:12.
 - iv. The awning shall include a system or method for retaining rain water on the property owner's own property.
- d. The finished level of any deck shall be not more than 8 feet above the finished grade at any location within 10 feet from the property line.
- e. The height for the structure shall not be greater than the height allowed for an accessory building at the same location.

B. Temporary structures

- a. The temporary version of any structure listed in section A above shall be subject to the same provisions as that of a permanent structure.

C. The determination that a structure is allowed by city code shall not be interpreted as to meaning that the structure meets the requirements of any private CC&Rs applicable to the parcel.



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Greg Robinson, Assistant to the City Manager
DATE:	3/26/2009

Planning Commission Agenda Item

SUBJECT:	Discussion on the Guidelines for the Design and Review of Planned Commercial Development
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Greg Robinson, Assistant to the City Manager, Planning
BACKGROUND AND FINDINGS: This is a discussion item that the City Council and Planning Commission wished to discuss at the March 26 Planning Commission Meeting, regarding limiting businesses in the commercial zone along 4800 West to sales tax generating businesses.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Please refer to the Design Guidelines	
RECOMMENDATION: Direct Staff to make changes to the design guidelines.	
MOTION: Click here to enter text.	