

PLANNING COMMISSION MEETING
Thursday, January 28, 2010 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, January 28, 2010, beginning at 7:00 p.m.

PLANNING COMMISSION MEETING

1. Call to Order
2. Appointment of Chair and Vice Chair
3. 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).

SCHEDULED ITEMS

4. Approval of Minutes from the December 1, 2009, Public Hearing and Regular Planning Commission Meeting
5. Review/Recommendation on the Concept/Preliminary/Final Plat for a 1-Lot Subdivision Located at Approximately 3800 West and Box Elder Drive
6. Discussion Regarding Subdivision Requirements
7. Committee Assignments and Reports

ADJOURNMENT

8. Adjourn

Posted this 22nd day of January, 2010.

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 City Manager
DATE:	1/28/2010

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on the Concept/Preliminary/Final Plat for a 1-Lot Subdivision Located at Approximately 3800 West and Box Elder Drive
APPLICANT PRESENTATION:	David Blake
STAFF PRESENTATION:	Greg Robinson, Assistant City Manager

BACKGROUND AND FINDINGS:

This item has been continued from the previous Planning Commission meeting (see previous legislative action). Staff has reviewed the subdivision and feels that it meets all the requirements for a metes and bounds subdivision. Because of the changes the need to dedicate property to the City is no longer necessary, the driveway access grade is allowed, and the developer is working with staff to get the appropriate improvement bonding in place. Because this will not be a recorded document the applicant will need to provide a description and dedication of the utility easement to the City.

Lastly, staff has reviewed City Code and cannot see that there is any way that a phased PRD is possible unless all development is started before the normal 1 year approval expiration date has past.

PREVIOUS LEGISLATIVE ACTION:

12/01/2009 - MOTION: C. Jackman - To continue this item and request to show a building envelope to ensure proposed laterals will service the lot, show proposed drive access and compliance with access grades, make sure dedication of sidewalk is clear and any resulting change keeps the lot at 1 acre, bonding estimates shall be completed by Northern Engineering and shall include road cut, sewer laterals, sidewalk improvements, etc., that the developer is aware how the general plan with future roads affects ability to develop future plans, show slopes as part of the building envelope, instruct staff to verify that there can or can't be other options such as a phased PRD or combine the lot with another existing subdivision.

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

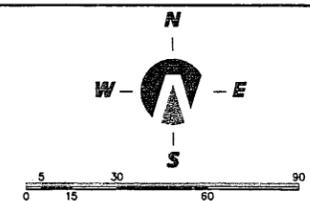
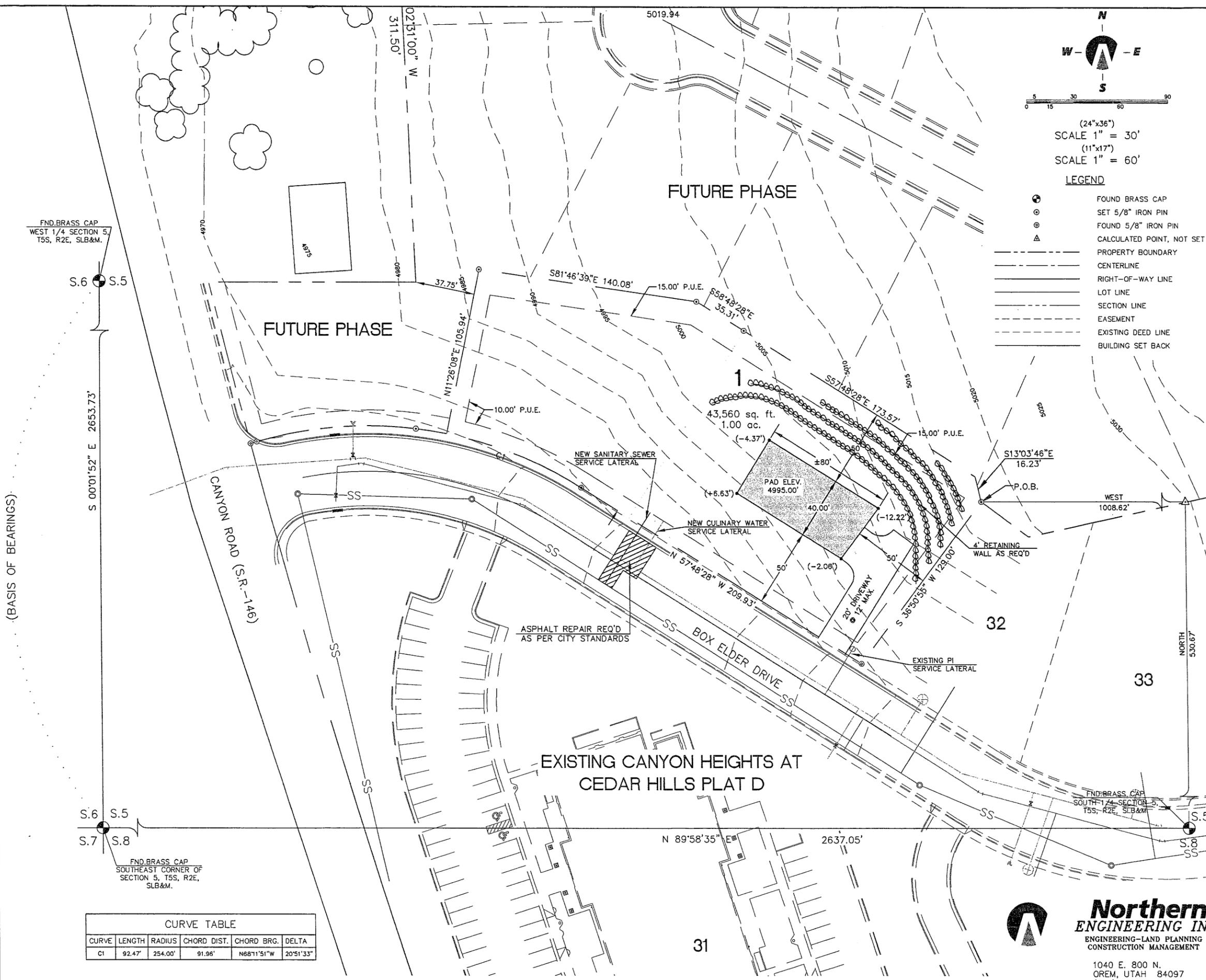
The David Blake Plat

RECOMMENDATION:

Review the plat to ensure that it meets subdivision requirements found in City Code 11-1-3, and verify with staff that the bonding and easements are in place.

MOTION:

Recommend/not recommend approval to the City Council, subject to...



(24"x36")
 SCALE 1" = 30'
 (11"x17")
 SCALE 1" = 60'

LEGEND

- ⊕ FOUND BRASS CAP
- ⊙ SET 5/8" IRON PIN
- ⊗ FOUND 5/8" IRON PIN
- △ CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- LOT LINE
- SECTION LINE
- EASEMENT
- EXISTING DEED LINE
- BUILDING SET BACK

SURVEYOR'S CERTIFICATE

I, ROBBIN J. MULLEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 368356. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN SECTION 54-86-2, UTAH CODE ANNOTATED, 1953 AS AMENDED, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE _____ ROBBIN J. MULLEN, P.L.S.

MEETS & BOUNDS DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT A BRASS CAP MONUMENT MARKING THE SOUTH 1/4 CORNER OF SECTION 5, THENCE NORTH 530.67 FEET; THENCE WEST 1008.62 FEET TO THE REAL POINT OF BEGINNING;
 SAID POINT BEING THE NORTH WEST CORNER OF LOT 32 OF CANYON HEIGHTS AT CEDAR HILLS PLAT D, THENCE S.36°50'55"W ALONG SAID LOT 32, A DISTANCE OF 129.00 FEET TO A POINT ON THE NORTH R.O.W. OF BOX ELDER DRIVE; THENCE N.57°48'28"W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 209.93 FEET; TO A POINT OF CURVATURE OF A 254.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG SAID ARC OF SAID CURVE 92.47 FEET, HAVING A CENTRAL ANGLE OF 20°51'33" AND A CHORD THAT BEARS N.68°11'51"W. A LONG SAID RIGHT-OF-WAY A DISTANCE OF 91.96 FEET; THENCE N.11°26'08"E. A DISTANCE OF 105.94 FEET; THENCE S.81°46'39"E. A DISTANCE OF 140.08 FEET; THENCE S.58°48'28"E. A DISTANCE OF 35.31 FEET; THENCE S.57°48'28"E. A DISTANCE OF 173.57 FEET; THENCE S.13°03'46"E. A DISTANCE OF 16.23 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES OF LAND.

EASEMENTS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF _____, A.D. 20____.

BY: _____

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 COUNTY OF UTAH }
 ON THE _____ DAY OF _____, A.D. 20____,
 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC (SEE SEAL)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE CITY OF CEDAR HILLS PLANNING COMMISSION.
 _____ DIRECTOR - SECRETARY
 _____ CHAIRMAN, PLANNING COMMISSION

11-1-3: SUBDIVISION PLATS REQUIRED, EXCEPTIONS:
 FROM THE EFFECTIVE DATE HEREOF, NO PERSON SHALL SUBDIVIDE ANY TRACT OF LAND THAT IS LOCATED WHOLLY OR IN PART WITHIN THE LIMITS OF THE CITY, NOR SHALL ANY PERSON SELL, EXCHANGE OR OFFER FOR SALE OR PURCHASE, OR OFFER TO PURCHASE ANY PARCEL OF LAND THAT IS ANY PART OF A SUBDIVISION OF A LARGER TRACT OF LAND WITHIN THE CITY, NOR SHALL ANY PERSON OFFER FOR RECORDING ANY DEED CONVEYING SUCH A PARCEL OF LAND OR ANY INTEREST THEREIN UNLESS HE SHALL FIRST MAKE OR CAUSE TO HAVE MADE A FINAL PLAT THEREOF, WHICH PLAT SHALL BE IN ACCORDANCE WITH ALL OF THE REQUIREMENTS OF THIS TITLE AND STATE STATUTE, AND SHALL HAVE BEEN APPROVED BY THE PLANNING COMMISSION AND CITY COUNCIL, AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER; PROVIDED, HOWEVER, THAT LAND MAY BE SOLD BY METES AND BOUNDS WITHOUT THE NECESSITY OF RECORDING A FINAL PLAT IF ALL THE FOLLOWING CONDITIONS ARE MET: (ORD. 4-11-79A, 4-24-1979; AMD. 2004 CODE)

- A. THE SUBDIVISION CONTAINS LESS THAN TEN (10) LOTS;
- B. THE SUBDIVISION LAYOUT, COMPLYING WITH THE REQUIREMENTS FOR A PRELIMINARY PLAN AS SET FORTH IN THIS TITLE, SHALL HAVE BEEN FIRST APPROVED IN WRITING BY THE PLANNING COMMISSION;
- C. THE SUBDIVISION IS NOT TRAVERSED BY THE MAPPED LINES OF A PROPOSED STREET AS SHOWN ON THE OFFICIAL MAP OR MAPS OF THE CITY;
- D. THE SUBDIVISION DOES NOT REQUIRE THE DEDICATION OF ANY LAND FOR STREET OR OTHER PUBLIC PURPOSES;
- E. EACH LOT IN THE SUBDIVISION MEETS THE FRONTAGE, WIDTH AND AREA REQUIREMENTS SET FORTH UNDER THE ZONING PROVISIONS OF THIS CODE, OR HAS BEEN GRANTED A VARIANCE FROM REQUIREMENTS BY THE BOARD OF ADJUSTMENT; AND
- F. ALL IMPROVEMENTS REQUIRED UNDER CHAPTER 7 OF THIS TITLE SHALL HAVE BEEN INSTALLED OR ASSURANCES GIVEN TO THE CITY THAT SAID REQUIRED IMPROVEMENTS WILL BE INSTALLED WITHOUT COST TO THE CITY AS PROVIDED FOR IN CHAPTER 3 OF THIS TITLE. (ORD. 4-11-79A, 4-24-1979)

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	92.47'	254.00'	91.96'	N68°11'51"W	20°51'33"

Northern ENGINEERING INC
 ENGINEERING-LAND PLANNING
 CONSTRUCTION MANAGEMENT
 1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992



(24"x36")
 SCALE 1" = 100'
 (11"x17")
 SCALE 1" = 200'

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:
5				DESIGNED BY:	DATE:
4				DRAWN BY:	DATE:
3				CHECKED BY:	DATE:
2				APPROVED:	DATE:
1				COGO FILE:	DATE:



Northern ENGINEERING INC
 ENGINEERING—LAND PLANNING
 CONSTRUCTION MANAGEMENT

1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992

DAVID BLAKE CEDAR HILLS

AREA MAP

JOB NO.
 3-07-014-01
 SHEET NO.
 1



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Greg Robinson, Assistant City Manager
DATE:	1/28/2010

Planning Commission Agenda Item

SUBJECT:	Discussion Regarding Subdivision Requirements
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Greg Robinson, Assistant City Manager
BACKGROUND AND FINDINGS: Because of the ambiguity in City Code regarding the subdivision and sale of property by metes and bounds; staff feels that there are some changes that may be required in order to make the intent more clear. Currently, the code allows for up to nine lots to be created by metes and bounds. Staff's intent is to allow this process to be used to make a lot, that is unbuildable because of size, into a buildable lot by allowing not more than 10,000 sq. ft. to be sold and attached to an existing lot or parcel. 10,000 sq. ft. was chosen because the City does not allow any lot smaller than this without going through the PRD process. And going through the PRD process will cause the developer to meet other requirements that will require them to record the plat. The attached documents show the recommended changes.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: City Code 11-1-3: SUBDIVISION PLATS REQUIRED; EXCEPTIONS:	
RECOMMENDATION: Review suggested changes to ensure that a buildable lot cannot be created using only metes and bounds, and make any additional changes where needed.	
MOTION: Continue this item to the February Planning Commission meeting to allow for the proper noticing requirements to be met.	

11-1-3: SUBDIVISION PLATS REQUIRED; EXCEPTIONS:

From the effective date hereof, no person shall subdivide any tract of land that is located wholly or in part within the limits of the city, nor shall any person sell, exchange or offer for sale or purchase, or offer to purchase any parcel of land that is any part of a subdivision of a larger tract of land within the city, nor shall any person offer for recording any deed conveying such a parcel of land or any interest therein unless he shall first make or cause to have made a final plat thereof, which plat shall be in accordance with all of the requirements of this title and state statute, and shall have been approved by the planning commission and city council, and recorded in the office of the county recorder; provided, however, that land may be sold by metes and bounds without the necessity of recording a final plat if all the following conditions are met: (Ord. 4-11-79A, 4-24-1979; amd. 2004 Code)

A. ~~The subdivision contains less than ten (10) lots; That the total portion of land being sold and/or exchanged by metes and bounds does not exceed 10,000 square feet~~

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B. The subdivision layout, complying with the requirements for a preliminary plan as set forth in this title, shall have been first approved in writing by the planning commission;

C. The subdivision is not traversed by the mapped lines of a proposed street as shown on the official map or maps of the city;

D. The subdivision does not require the dedication of any land for street or other public purposes;

E. Each lot in the subdivision meets the frontage, width and area requirements set forth under the zoning provisions of this code, or has been granted a variance from requirements by the board of adjustment; and

F. All improvements required under [chapter 7](#) of this title shall have been installed or assurances given to the city that said required improvements will be installed without cost to the city as provided for in [chapter 3](#) of this title. (Ord. 4-11-79A, 4-24-1979)

~~G. A buildable lot or parcel cannot be created by exclusively using metes and bounds.~~

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