



**NOTICE OF
PLANNING COMMISSION MEETING
Tuesday, August 23, 2016 7:00 p.m.
Community Recreation Center, 10640 N Clubhouse Drive**

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a **Planning Commission Meeting on Tuesday, August 23, 2016 beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

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 (comments limited to 3 minutes per person with a total of 30 minutes for this item)

SCHEDULED ITEMS

3. Approval of Minutes from the June 28, 2016 Planning Commission Meeting
4. Review/Action on Lakeshore Trails PUD Subdivision Fencing
5. Discussion on Renewable Energy Systems/Solar Panels
6. Discussion on Allowing Short Term Rentals and Airbnb's
7. Discussion on Violations for Non-Compliance with Terms of Conditional Use Permits

ADJOURNMENT

8. Adjourn

Posted this 22nd day of August, 2016

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Website 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 801-785-9668 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, the staff, and the public.
- This meeting may be held electronically via telephone to permit one or more of the commission members to participate.

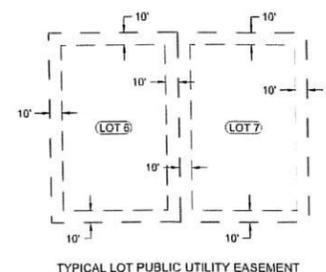
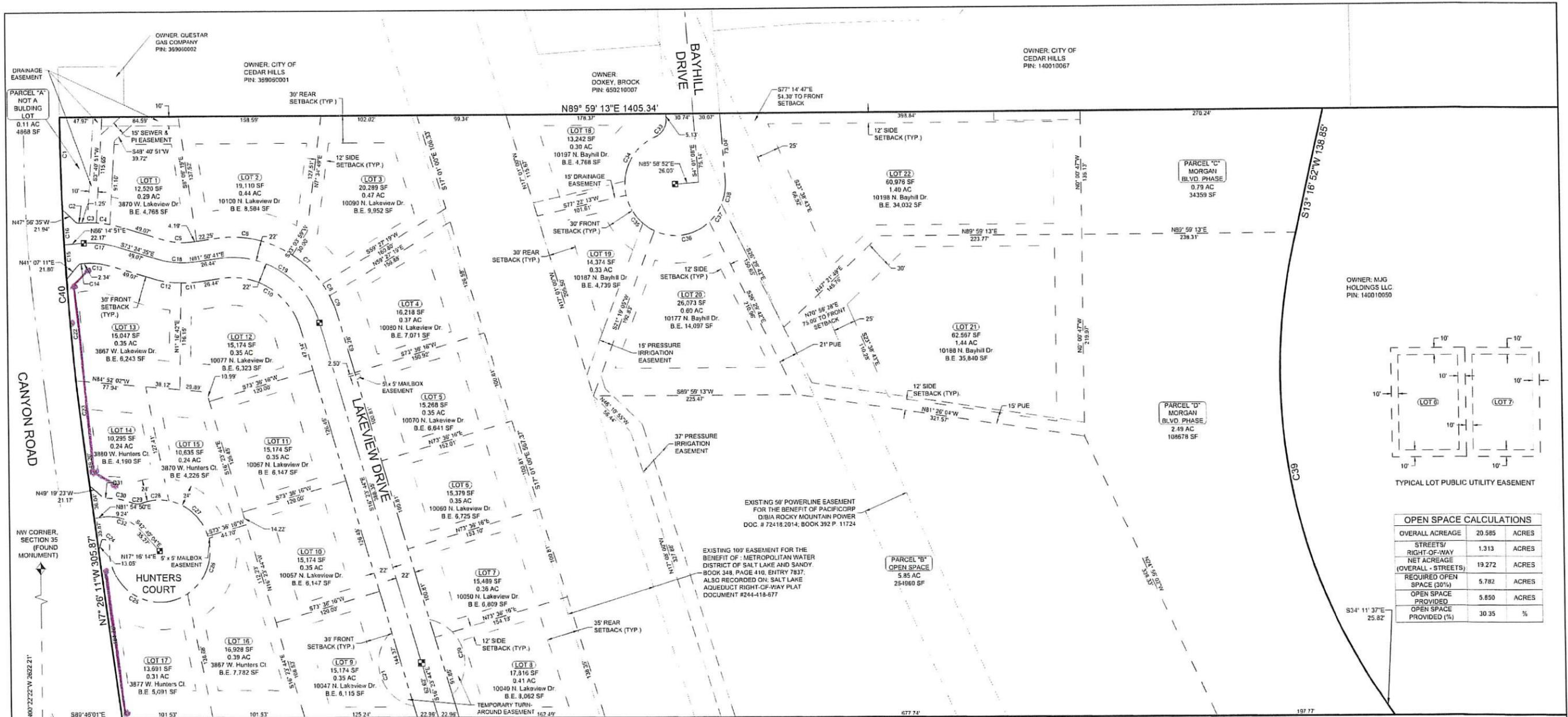


CITY OF CEDAR HILLS

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| TO: | Planning Commission |
| FROM: | Chandler Goodwin, Assistant City Manager |
| DATE: | 8/23/2016 |

Planning Commission Agenda Item

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| SUBJECT: | Review/Recommendation on Lakeshore Trails PUD Subdivision Fencing |
| APPLICANT PRESENTATION: | Dan Wilson |
| STAFF PRESENTATION: | Chandler Goodwin |
| BACKGROUND AND FINDINGS: As per City Code 10-5-18G, Lakeshore Trails must seek Planning Commission and City Council approval for the proposed subdivision fencing along Canyon Road. Please see the provided Plat and diagram for fencing proposal. Per staff's recommendation, the fence shall not exceed 6' in height, fence must remain 3' from any power pole, access to manholes to be approved by the City Engineer and Building Official, landscaping wall to remain less than 40" in height, and the slope is not to exceed 3:1. | |
| PREVIOUS LEGISLATIVE ACTION: n/a | |
| FISCAL IMPACT: n/a | |
| SUPPORTING DOCUMENTS: Plat map with fencing location, fencing profile | |
| RECOMMENDATION: Make recommendation for the City Council | |
| MOTION: To approve/not approve the proposed fencing along Lakeshore Trails subdivision to the City Council, subject to the following conditions: <ul style="list-style-type: none">- Fence shall not exceed 6' in height- Fence must remain 3' from any power pole- Access to manholes to be approved by the City Engineer and Building Official- Landscaping wall to remain less than 40" in height- Slope is not to exceed 3:1 | |



| OPEN SPACE CALCULATIONS | |
|---|--------------|
| OVERALL ACREAGE | 20.585 ACRES |
| STREETS/ RIGHT-OF-WAY NET ACREAGE (OVERALL - STREETS) | 1.313 ACRES |
| REQUIRED OPEN SPACE (30%) | 5.782 ACRES |
| OPEN SPACE PROVIDED | 5.850 ACRES |
| OPEN SPACE PROVIDED (%) | 30.35 % |

LOTS 13 & 17: MONUMENT SIGNS FOR DEVELOPMENT TO BE PLACED WITHIN PUBLIC UTILITY EASEMENTS NEAR CANYON ROAD

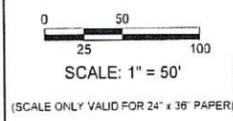
| CURVE TABLE | | | | | CURVE TABLE | | | | | CURVE TABLE | | | | | CURVE TABLE | | | | | CURVE TABLE | | | | | | | | | |
|-------------|---------|----------|-----------|---------------|--------------|---------|---------|----------|-----------|---------------|--------------|---------|---------|----------|-------------|---------------|--------------|---------|---------|-------------|------------|---------------|--------------|---------|---------|----------|-----------|---------------|--------------|
| CURVE # | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | CURVE # | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | CURVE # | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | CURVE # | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH | CURVE # | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C1 | 100.64' | 2831.90' | 2'02'10" | N 01°17'02" W | 100.63 | C9 | 25.13' | 122.00' | 11°48'00" | N 22°17'45" W | 25.08 | C17 | 35.51' | 100.00' | 20°20'35" | S 83°34'52" E | 35.32 | C25 | 125.71' | 56.00' | 128°36'57" | S 58°52'30" E | 100.93 | C33 | 24.99' | 20.00' | 71°35'29" | N 31°46'37" E | 23.40 |
| C2 | 4.95' | 24.00' | 11°50'32" | N 87°49'53" W | 4.95 | C10 | 111.30' | 78.00' | 81°45'35" | S 57°18'32" E | 102.10 | C18 | 43.19' | 100.00' | 24°44'45" | S 85°46'57" E | 42.85 | C26 | 71.56' | 56.00' | 73°12'46" | N 20°12'38" E | 66.79 | C34 | 77.79' | 56.00' | 79°35'22" | N 27°46'40" E | 71.68 |
| C3 | 15.83' | 122.00' | 7°26'00" | S 89°57'51" W | 15.82 | C11 | 20.09' | 122.00' | 9°26'01" | N 86°33'41" E | 20.06 | C19 | 142.70' | 100.00' | 81°45'35" | S 57°10'32" E | 130.89 | C27 | 61.24' | 56.00' | 62°39'34" | N 47°43'32" W | 58.24 | C35 | 51.77' | 56.00' | 52°57'49" | N 38°29'55" W | 49.94 |
| C4 | 27.49' | 122.00' | 12°54'34" | N 79°51'52" W | 27.43 | C12 | 32.60' | 122.00' | 15°18'44" | S 81°03'58" E | 32.51 | C20 | 102.01' | 48.00' | 121°46'14" | N 14°33'36" W | 83.87 | C28 | 30.58' | 56.00' | 31°17'09" | S 85°18'07" W | 30.20 | C36 | 65.84' | 56.00' | 67°09'40" | S 81°26'20" W | 61.95 |
| C5 | 33.89' | 78.00' | 24°44'45" | N 85°46'57" W | 33.43 | C13 | 27.89' | 78.00' | 20°20'35" | S 83°34'52" E | 27.55 | C21 | 102.01' | 48.00' | 121°46'14" | S 16°13'51" E | 83.87 | C29 | 10.47' | 14.00' | 42°51'51" | N 88°54'32" W | 10.23 | C37 | 23.94' | 56.00' | 24°29'49" | S 35°36'35" W | 23.76 |
| C6 | 87.77' | 122.00' | 41°13'19" | N 77°32'40" W | 85.89 | C14 | 4.67' | 24.00' | 11°09'38" | N 80°40'02" E | 4.67 | C22 | 110.97' | 2831.90' | 2°14'42" | N 04°57'54" W | 110.96 | C30 | 28.00' | 70.00' | 23°43'59" | N 79°20'35" W | 28.79 | C38 | 26.76' | 56.00' | 27°22'49" | S 09°40'17" W | 26.51 |
| C7 | 46.18' | 122.00' | 21°41'14" | N 46°05'24" W | 45.90 | C15 | 37.90' | 2831.90' | 0°46'01" | S 03°27'33" E | 37.90 | C23 | 66.67' | 2831.90' | 1°20'56" | N 00°45'43" W | 66.66 | C31 | 3.32' | 24.00' | 7°55'09" | N 87°15'00" W | 3.31 | C39 | 529.60' | 622.89' | 48°42'53" | S 09°49'09" E | 513.79 |
| C8 | 15.01' | 122.00' | 7°03'02" | N 31°43'16" W | 15.00 | C16 | 38.25' | 2831.90' | 0°46'26" | S 02°41'19" E | 38.25 | C24 | 13.29' | 7.25' | 105°00'16" | S 47°04'10" E | 11.50 | C32 | 42.58' | 49.93' | 48°51'43" | S 73°40'31" E | 41.30 | C40 | 354.42' | 2831.90' | 7°10'15" | N 03°51'04" W | 354.19 |

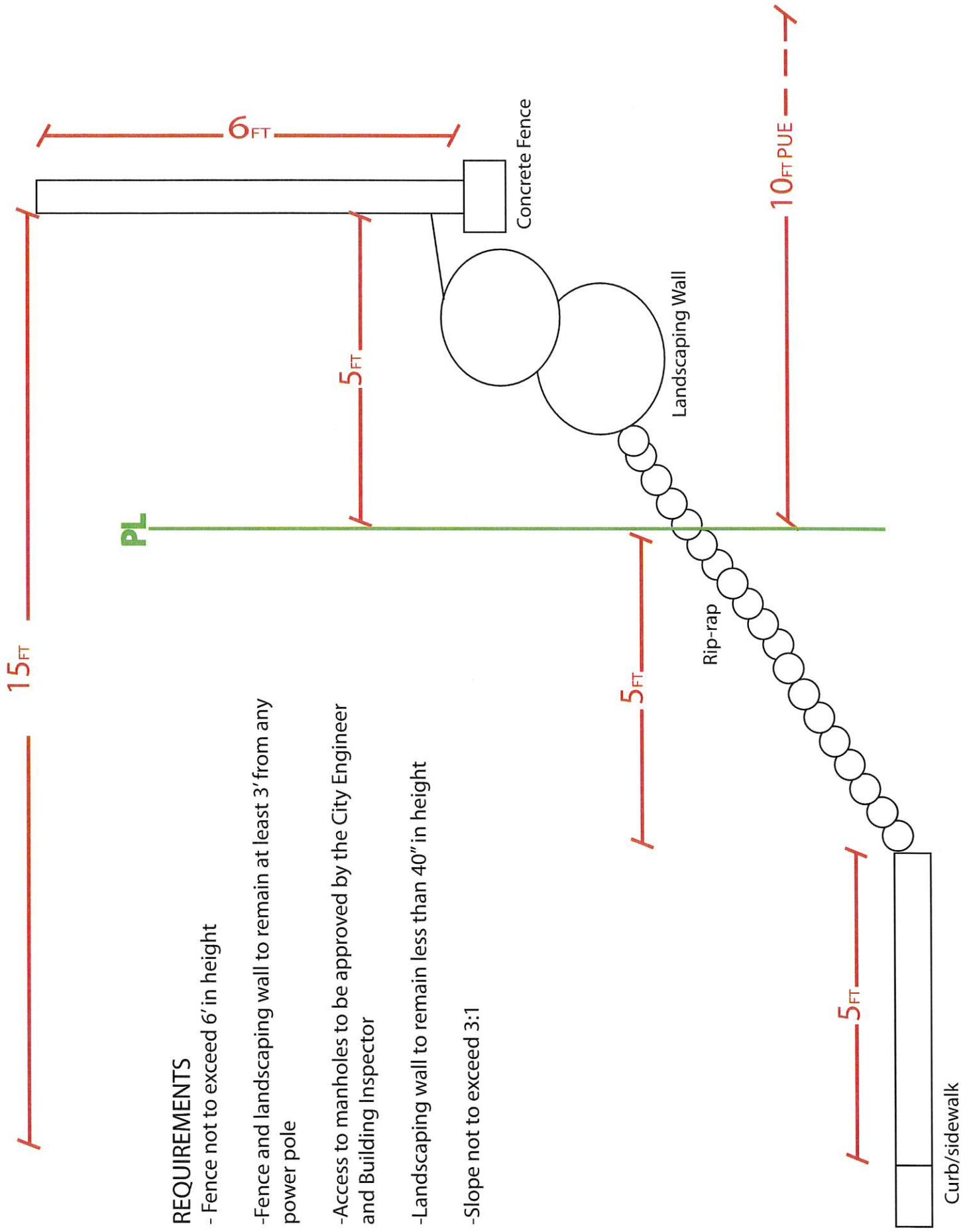
| LEGEND | |
|--------|------------------------|
| — | BOUNDARY LINE |
| --- | ADJACENT PROPERTY LINE |
| --- | EASEMENT LINE |
| --- | SECTION LINE |
| --- | LOT LINE |
| --- | RIGHT-OF-WAY LINE |
| --- | CENTER LINE |
| --- | BUILDING SETBACK LINE |
| ▲ | STREET MONUMENT |
| ▲ | SECTION CORNER |
| B.E. | BUILDING ENVELOPE |



PLAT "A"
LAKEVIEW TRAILS
 LOCATED IN THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 5 SOUTH, RANGE 2 EAST OF THE SALT LAKE BASE AND MERIDIAN; CITY OF CEDAR HILLS, UTAH COUNTY, UTAH

| | | | |
|--|----------------------|---------------------|-----------------|
| | CITY ENGINEER'S SEAL | CLERK-RECORDER SEAL | COUNTY RECORDER |
|--|----------------------|---------------------|-----------------|





REQUIREMENTS

- Fence not to exceed 6' in height
- Fence and landscaping wall to remain at least 3' from any power pole
- Access to manholes to be approved by the City Engineer and Building Inspector
- Landscaping wall to remain less than 40" in height
- Slope not to exceed 3:1



CITY OF CEDAR HILLS

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| TO: | Planning Commission |
| FROM: | Chandler Goodwin, Assistant City Manager |
| DATE: | 8/23/2016 |

Planning Commission Agenda Item

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| SUBJECT: | Discussion on Renewable Energy Systems |
| APPLICANT PRESENTATION: | n/a |
| STAFF PRESENTATION: | Chandler Goodwin |
| BACKGROUND AND FINDINGS: Based on City Council recommendation and the current desire for residents to have renewable energy systems installed at their homes, there is a need to regulate these systems so as to mitigate any negative impacts that may occur to the surrounding property owners. The example code comes from West Jordan and covers wind and solar systems. | |
| PREVIOUS LEGISLATIVE ACTION: n/a | |
| FISCAL IMPACT: n/a | |
| SUPPORTING DOCUMENTS: West Jordan City Code 13-8-22 | |
| RECOMMENDATION: Make recommendations for adoption of code for Cedar Hills | |
| MOTION: Discussion item only | |

13-8-22: RENEWABLE ENERGY SYSTEMS:

- A. Purpose: The purpose of this section is to allow renewable energy systems such as wind and solar within the city while protecting residential areas and other land uses from potential adverse impacts of these systems.
- B. Submittal Requirements For All Wind And Solar Energy Systems:
1. Review Criteria: When a conditional use permit is required, the zoning administrator or planning commission shall consider the following criteria in determining whether to approve a conditional use permit for any wind and/or solar energy system:
 - a. Proximity of the system to residential structures and residential district boundaries;
 - b. Possible negative impacts on surrounding properties, including, but not limited to, noise, shadow flicker, low frequency vibrations and the disruption of scenic views or other visual impacts;
 - c. Aesthetics of the system, including, but not limited to, height, wind vanes, color, type, size and the visibility of the system.
 2. Utility Notification: All applicants shall submit evidence to the city that the relevant electric utility company has been informed of the customer's intent to install an interconnected customer owned wind and/or solar energy system. Off grid systems shall be exempt from this requirement.
 3. Cables: Any cable connected to the wind and/or solar energy system must be undergrounded except for properties which obtain electric power service from aboveground lines and who are not otherwise required to underground.
- C. Wind Energy Systems:
1. Design Standard For All Wind Energy Systems:
 - a. Sound: Sound produced by the turbine under normal operating conditions shall meet all applicable noise regulations from the Salt Lake Valley health department, except during naturally occurring short term events like severe storms.
 - b. Shadow Flicker: The tower shall be located so as to reduce the occurrence of shadow flicker on inhabited structures located on adjacent properties.
 - c. Wildlife And Habitat Impacts:
 - (1) Due to potential wildlife conflicts, any wind energy system proposed to be located west of the Bonneville Shoreline Trail, as depicted on the West Jordan land use map or east of the North Jordan Canal shall consult with the Utah division of wildlife resources. Proof of such consultation shall be submitted to the city and shall be a requirement of conditional use permit application or building permit application if a conditional use permit is not required. The planning commission or zoning administrator may require any recommended modifications proposed by the Utah division of wildlife resources during permit review.

(2) Clearing of natural vegetation shall be limited to that which is necessary for the safe construction, operation, and maintenance of the wind energy system. Any land that has been disturbed and is not necessary for the functioning of the system shall be reclaimed with natural vegetation within sixty (60) days of the system becoming operational.

- d. Signage: Signage is prohibited on the tower, blades, or accessory structures except for appropriate warning signs. Manufacturer identification may be placed on the turbine; however, advertising signs of any kind are prohibited.
- e. Lighting: No illumination of the turbine or tower shall be allowed unless required by the federal aviation administration. When lighting is required, it shall be done in such a way as to reduce the effects on birds.
- f. Signal Interference: The owner or operator shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television, internet or similar wireless signals, and shall mitigate any harm caused by the wind energy system. Such owners may be subject to a notice of violation and administrative penalties if violation occurs.
- g. Accessory Buildings And Support Equipment: Buildings and support equipment associated with the tower shall be defined as accessory structures and must comply with section [13-8-3](#) of this chapter.

2. Small Wind Energy Systems:

a. Tower Height:

(1) Commercial, office, manufacturing and public facility zones: The maximum tower height for small wind energy systems, including the blade, shall not exceed forty feet (40') measuring from the adjacent finished grade to the tip of the blades at their highest point.

b. Blade Height: The minimum height of the lowest point of a turbine blade shall be fifteen feet (15') above the ground.

c. Setback:

(1) The base of the tower shall be set back from all property lines, public rights of way, and aboveground public utility lines a distance equal to the tower height plus the length of one blade.

(2) The base of the tower shall not be located within any required front, side, or corner side yard area.

(3) The base of the tower and turbine blades shall be set back from all structures on the same property a minimum of ten feet (10').

d. Access:

(1) Freestanding Tower: No climbing apparatus including foot pegs or rungs shall be within twenty feet (20') of the ground on a freestanding tower.

(2) Lattice Tower: The towers shall be wrapped by a protective cover, including sheets of metal, wood or similar barrier on the bottom twenty feet (20') of the lattice tower so that it cannot readily be climbed.

3. Rooftop Mounted Wind Energy Systems:

- a. Height: The proposed system is restricted to the same maximum height requirements as found in the applicable zoning district, or up to eight feet (8') above the roofline of the structure on which it is located, whichever is less.
- b. Setback: The proposed rooftop mounted wind energy system must be set back from all property lines at a distance equal to the total height of the system, including blades and tower.
- c. R-1 Zones: In R-1 zones only one roof mounted wind energy system is allowed as an accessory use per parcel and must meet all the requirements as an accessory use.

4. Micromodel Wind Energy Systems:

- a. Height: The proposed system is restricted to the same maximum height requirements as the structure on which the micromodel system is installed or up to eight feet (8') above the highest point of the structure on which is it located, whichever is less.
- b. Setback: The proposed micromodel wind energy system must be set back from all property lines at a distance equal to the total height of the structure and system, including blades and tower.
- c. R-1 Zones: In R-1 zones only one roof mounted micromodel wind energy system is allowed as an accessory use per parcel and must meet all the requirements as an accessory use.

D. Solar Energy System:

1. Design Standards For All Solar Energy Systems:

- a. Reflection: Steps shall be taken to minimize the amount of reflected sunlight onto neighboring structures and rights of way in order to reduce safety hazards. This includes, but is not limited to, altering system angles and locations, utilizing antireflective coatings, etc.
- b. Screening: All ground mounted solar energy systems shall screen utility and mechanical equipment as required in subsection [13-14-3C](#) of this title.

2. Building Mounted Solar Energy System:

- a. Setback: Building mounted solar energy systems shall meet the same setbacks as are required for the building the system is mounted to, but are not allowed to extend beyond the surface to which they are attached.
- b. Height: Building mounted solar energy systems are allowed to extend to the peak of any existing roof, regardless of height, subject to the restrictions of subsection D2b(1) of this section.
 - (1) Building mounted solar energy systems that are not visible from the public right of way may be bracket mounted or tilted on a roof to a maximum of not more than seven feet (7') above the surface of the roof at the highest finished pitch of the system but shall maintain one side of the array within twelve inches (12") of the roof surface. Roof mount systems that are visible from the street frontage right of way shall not have a highest finished pitch more than five percent (5%) steeper than the roof pitch on which the system is mounted, and shall be mounted no higher than twelve inches (12") above the roof.

3. Ground Mounted Solar Energy System:

- a. **Setback:** Setbacks for ground mounted solar energy systems shall be the same as accessory structures found in subsection [13-8-3C](#) of this chapter and are prohibited within the front yard area.
 - b. **Height:** The maximum height allowed for ground mounted solar energy systems is twenty feet (20') measured from the surrounding natural grade to the highest point of the system.
4. **Solar Easement:** Solar easements are not a requirement for city approval; nonetheless, a property owner who has installed or intends to install a solar energy system may negotiate a solar easement with adjacent property owners to ensure perpetual sun on the property. Any easement agreed upon must be recorded by the county recorder, with a copy provided to the city.

E. General Provisions:

1. **Abandonment:**
 - a. An inoperable system must be dismantled and removed promptly. If a system is not operated for twenty four (24) consecutive months it will be presumed that the system is inoperable.
 - b. The owner is responsible for reclaiming the land using natural vegetation and to the greatest extent possible the land shall be fully restored within sixty (60) days of the removal and decommissioning of the system.
2. **Small Decorative Systems:** Small systems less than three feet (3') in diameter or width that use direct current solely for decorative or yard lighting are exempt from permit requirements and restrictions of this section.
3. **Prohibited:** This section does not permit large scale projects which include multiple wind and/or solar energy systems designed to produce energy for wholesale purposes. (Ord. 14-09, 5-14-2014)



CITY OF CEDAR HILLS

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| TO: | Planning Commission |
| FROM: | Chandler Goodwin, Assistant City Manager |
| DATE: | 8/23/2016 |

Planning Commission Agenda Item

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|---|---|
| SUBJECT: | Discussion on Airbnb and Short Term Rentals |
| APPLICANT PRESENTATION: | n/a |
| STAFF PRESENTATION: | Chandler Goodwin |
| BACKGROUND AND FINDINGS: Cedar Hills currently has two listings for Airbnb's within the City. Cities are passing regulations on short term rentals in an effort to control nuisance complaints as well as the impacts on affordable housing (mostly in major metropolitan areas). The City has received a few complaints related to people leaving trash and parking issues. The discussion should be centered on what, if anything Cedar Hills should be doing to regulate short term rentals. | |
| PREVIOUS LEGISLATIVE ACTION: n/a | |
| FISCAL IMPACT: n/a | |
| SUPPORTING DOCUMENTS: n/a | |
| RECOMMENDATION: Make recommendations for adoption of code for Cedar Hills | |
| MOTION: Discussion item only | |



CITY OF CEDAR HILLS

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|--------------|--|
| TO: | Planning Commission |
| FROM: | Chandler Goodwin, Assistant City Manager |
| DATE: | 8/23/2016 |

Planning Commission Agenda Item

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|--------------------------------|---|
| SUBJECT: | Discussion on Violations for Non-Compliance with Terms of Conditional Use Permits |
| APPLICANT PRESENTATION: | n/a |
| STAFF PRESENTATION: | Chandler Goodwin |

BACKGROUND AND FINDINGS:

Cedar Hills recently adopted conditional use permit code 10-5-37, the penalty clause is as follows:
J. Revocation:

1. Written Complaint: Upon receiving a written complaint alleging a violation or failure to comply with any condition prescribed in a conditional use permit, the planning department shall investigate the complaint. If the complaint has merit, and attempts to remedy the complaint fail, the planning department may place the complaint on the agenda of the regular meeting of the appeal authority, provided, that the permittee shall have at least fourteen (14) days' notice of the meeting.
2. Hearing Procedure: Permittee shall be given written notice of the exact nature of the complaint and the date and time of the hearing before the appeal authority. The hearing shall be held in accordance with customary administrative hearings procedures.
3. Action; Complaint Dismissal: The appeal authority, after hearing the evidence presented regarding the complaint, may continue the hearing from time to time, modify or rescind any condition or requirement of the conditional use permit as it deems necessary, revoke the conditional use permit, or take no action and dismiss the complaint.
4. Notices: All notices required herein shall be provided by personal service or by certified mail.
5. Effective Date And Scope: This section shall apply to all conditional use permits issued after the effective date hereof, regardless of change in ownership or occupancy.
6. Revocation: A conditional use permit may be revoked if the land use authority finds, by a preponderance of the evidence that one or more of the following exist:
 - a. The conditional use permit was obtained in a fraudulent manner.
 - b. The use for which the conditional use permit was granted has now ceased for at least six (6) consecutive calendar months.
 - c. One or more of the conditions of the conditional use permit have not been substantially met.

PREVIOUS LEGISLATIVE ACTION:

Conditional Use Code adopted on 5/17/2016

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

n/a

RECOMMENDATION:

Make recommendations for any changes to the code for City Council to review

MOTION:

Discussion item only