

PLANNING COMMISSION

Thursday, November 14, 2013 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: Glenn Dodge, Chair, Presiding
Commission Members: Donald Steele, David Driggs, Brad Weber
Chandler Goodwin, Assistant City Manager
Courtney Hammond, Transcriptionist
Trent Augustus, City Council Liaison

PLANNING COMMISSION MEETING

1. This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 7:01 p.m. by C. Dodge.
2. Public Comment
No comments.

SCHEDULED ITEMS

3. Approval of Minutes from the October 24, 2013 Planning Commission Meeting

C. Weber raised the question of who the voting members are, and when alternate members' votes count.

C. Dodge stated that he remembers passing a motion in a Planning Commission meeting establishing that C. Weber had become a full voting member.

Chandler Goodwin stated that Emily Cox, Michael Geddes and Bradley Weber were all sworn into office on the same day to fill the three alternate spots. As full voting positions become available they move into those spots based on alphabetical order, according to Roberts Rules of Order. He will further investigate the matter.

C. Steele, C. Dodge, C. Driggs, C. Weber are voting members tonight.

MOTION: C. Driggs—To not approve the minutes from October 24, 2013 until we clarify who was voting in that meeting. Seconded by C. Weber.

Yes	-	C. Dodge	
		C. Driggs	
		C. Weber	
Abstain	-	C. Steele	Motion passes.

4. Review/Action on Portable Utility Sheds

Chandler Goodwin stated that he proposes taking language for a portable utility shed and adding language so that it applies to larger utility sheds from 120 square feet to 200 square feet. The modifications are to size and the fact that it can't be built in the setback because the size makes in unmovable. One issue is the pitch of the roof. Current code allows for up to 10 foot maximum height. The proposal is to modify the language to state that the height requirement is from grade to eaves for flexibility in designing sheds. The issue is that there is nothing in the code that describes what can be done with a shed between 120 and 200 square feet.

MOTION: C. Weber—To recommend to the City Council that Municipal Code 10-5-30 be modified to include the language regarding sheds greater than 120 square feet up to 200 square feet in size, and to modify the current height requirements on portable utility sheds.

Seconded by C. Driggs.

Yes	-	C. Dodge	
		C. Driggs	
		C. Steele	
		C. Weber	Motion passes.

5. Discussion on the 2014 Meeting Schedule

C. Steele would like to see the November 13th meeting to be changed to November 20th or the early part of December.

Chandler Goodwin stated that this was mistakenly noticed as a discussion rather than an action item. It will be an action item at either a special meeting in December or in January.

6. Discussion on Public Noticing Procedures on items Recommended to the City Council

Chandler Goodwin stated that noticing requirements are mandated by state law. State law mandates that it be noticed in three locations, in a newspaper and on the state website. Typically on new developments the city goes through additional steps, such as notifying nearby residents or posting signs on the property. In the case of Bridgestone, there were signs and noticing to neighbors when it was first developed, but not for amendments to the plat. Mailings to residents carry an additional cost. All public hearings in relation to the commercial property will be posted on signs at the property. Additional effort is being made because it is a sensitive issue for many. The city also makes efforts to reach out to residents and keep them informed through Facebook, Twitter, blogs, website, etc. The city can always do a better job, but he is interested in doing it in a cost effective way.

C. Driggs stated that when he walked the Bridgestone property several months back, nearby residents didn't know what was going on. He was curious about the noticing requirements; particularly as he has seen other cities post signage on affected properties

and sending letters out to residents within a certain radius. Sometimes the city hears comments from residents that it is moving too quickly on something, when in actuality the item has been under consideration for months; nearby residents just weren't aware. He suggested considering a city ordinance defining "affected residents" for when the city opts to notify affected resident in lieu of or in addition to meeting the other public hearing requirements. He would also like to see affected property owners notified when developments are up for preliminary or final approval. He feels that the city just does the minimal noticing requirements and it could do more to inform residents.

C. Dodge noted that for the recent public hearing, affected parties were notified and many came to voice their concerns, but other residents in the city, who are also affected by a commercial development didn't get noticed. As a result the comments were one sided.

C. Steele stated that there is plenty of information available, but people are uninterested until it affects them. All cities in Utah struggle with notification. He feels that the requirements are sufficient. There is a reporter assigned to Cedar Hills' issues. One option is to let that reporter know about upcoming issues. It is one way to get it into the newspapers.

C. Weber suggested looking into low cost noticing efforts such as hiring high school students to deliver flyers or using a robo-call system for high profile or controversial issues.

7. Discussion on Setbacks

Chandler Goodwin stated that a resident came in wanting to build a pergola on the back of the home. In reviewing the ordinance, there were some requirements that were based on an outdated building code, specifically the 12-foot setback from the main building to an accessory building. He suggested that the setback be changed to reflect the change in building code and in line with current fire code and burn times. Decks are considered part of the main building yet can be built into the setback up to one foot of the property line. That is problematic in that technically the main building extends right up to the property line.

C. Driggs stated that one way to tackle this is to add language that specifically states that decks, hot tubs, etc are not to be considered part of the main building. He would like to encourage property rights and let people do what they want in their backyards.

C. Steele stated that he wants to keep permanent structures out of the setbacks. He believes in property rights, but the Planning Commission's primary concerns are the health, safety and well being of residents. Ordinances need to protect neighborhood safety.

C. Weber stated that structures such as trampolines and moveable structures shouldn't be classified in the same category as more permanent structures.

Break 8:15 p.m.
Reconvened at 8:22 p.m.

8. Discussion on Accessory Apartments

Chandler Goodwin stated that the real issue here, upon discussion with staff, council and residents, is parking and zoning violations. The number of people inside a house isn't much of an issue until it leads to zoning violations, specifically parking. Defining a family is problematic. Another potential issue is that each zone is allowed a certain density. Homes with accessory apartments may be considered as two units.

C. Driggs stated that it is hard to define how many people are allowed in a home by the number of cars allowed. He sees issues beyond cars and parking. He sees problems with people renting out rooms because it leads to a more transient neighborhood which raises issues such as quality of life and public safety. For him the definition of family that allows for four unrelated individuals is a problem. He likes the definition in the federal register which is "any individual related by blood or affinity." He would like to strike the definition of family that includes four unrelated individuals. He suggested the city consider defining an area of the city where no accessory apartments are allowed.

C. Steele stated that the problems in the city are not with owner occupied rentals.

C. Weber personally prefers the federal register definition, but worries it would open a whole set of other issues. It is less defined, and he likes that. He doesn't like having the four unrelated individuals in the definition of the family, because that is not the definition of a family.

C. Dodge stated that his feeling is that single-family residence should remain so. He wants to define as a family the traditional way.

9. Committee Assignments and Reports

Trent Augustus: He stated that he has a few ideas to encourage better communication between Council and Planning Commission. He suggested moving the Committee Assignments and Reports item to the beginning of the meeting where the City Council liaison and Chandler can give a report on what is happening with the City Council. He also suggested a rotating schedule to have a Commissioner attend Council meetings. C. Steele would like to see the approved council minutes and agenda packets prior to council meetings.

Chandler Goodwin: He suggested meeting with the Planning Commission chair the week before the monthly Planning Commission meeting to set the agenda.

ADJOURNMENT

10. This meeting was adjourned at 8:59 p.m. on a motion by C. Weber, seconded by C. Driggs and unanimously approved.

Approved: January 23, 2014

/s/ Colleen A. Mulvey
Colleen A. Mulvey, CMC
City Recorder