

PLANNING COMMISSION MEETING

Tuesday, August 23, 2016 7:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive, Cedar Hills, Utah

Present: David Driggs, Chair, Presiding
Commission Members: Craig Clement, Jeff Dodge, John Dredge, Brian Miller,
LoriAnne Spear, Steven Thomas (7:06 p.m.)
Absent/Excused: Jared Anderson
Chandler Goodwin, Assistant Manager
Daniel Zappala, City Council Liaison (7:06 p.m.)
Courtney Hammond, Transcriptionist
Others: Dan Wilson

PLANNING COMMISSION

1. This meeting of the Planning Commission of the City of Cedar Hills, having been properly noticed, was called to order at 7:00 p.m. by C. Driggs.
2. Public Comment
No comments.

SCHEDULED ITEMS

3. Approval of Minutes from the June 28, 2016 Planning Commission Meeting
MOTION: C. Clement—To approve the minutes from the June 28, 2016 Planning Commission Meeting. Seconded by C. Spear.
Yes - C. Clement
C. Dodge
C. Dredge
C. Driggs
C. Spear

4. Review/Action on Lakeshore Trails PUD Subdivision Fencing

Chandler Goodwin stated that Lakeshore Trails would like to put in a wall/sound barrier along Canyon Road. Any fence in a PUD needs to be approved by the Planning Commission and City Council. There are a few recommended conditions. The fence shall not exceed 6 feet in height. It must remain 3 feet from the power pole. Access to the manhole need to be approved by the city engineer and building official. The landscaping wall must be less than 40 inches in height, and the slope is not to exceed 3:1. The rip rap portion will likely be on the city's weed abatement spray program.

Dan Wilson stated that the style of the fence will match the Questar fence. There will be a weed barrier and rip rap.

MOTION: C. Dredge—To approve the proposed fencing along Lakeshore Trails subdivision to the City Council, subject to the conditions as shown in the attached drawing,

that 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 of the finished area is not to exceed 3:1.

Seconded by C. Clement.

Yes - C. Clement
C. Dodge
C. Dredge
C. Driggs
C. Spear

5. Discussion on Renewable Energy Systems/ Solar Panels

Chandler Goodwin stated that the city gets many requests for permits for solar panels. The solar panels on rooftops are straightforward in the building code. There have been some requests for mounting solar panels in yards. Conditions should include reducing impact on neighbors.

C. Driggs stated that he would like to add language to the code stating that a permit is required to have a solar panel. He would like to reduce the abandonment clause from 24 months to 12 months. It should also state that the homeowner is responsible, because often the homeowner is not the owner of the unit.

C. Miller stated that freestanding solar panels can be unsightly, and there should be conditions placed to prohibit, for instance, front yard freestanding panels.

C. Dodge stated that some of the wind powered roof mounted turbines along the ridgeline look unsightly. The city needs to ensure that all zones are considered and covered.

C. Thomas stated that in addition to photovoltaic units there are other solar paneled water heating units and other renewable energy systems that may need to be mentioned. Ground mounted solar panels can be a safety hazards because they get extremely hot.

6. Discussion on Allowing Short Term Rentals and Airbnb's

Chandler Goodwin stated that there are two Airbnb listings in the city. The city does get some complaints about one of them, some founded, others not. Currently, the city would treat these as a rental business license, though the nuisances created are different.

Daniel Zappala stated that he has seen that short-term rentals, such as Airbnb, are often better maintained than long-term rentals because people want nice rentals for vacations. Long-term rentals, which the city allows, are often more poorly maintained. Provo's code is one worth looking at because of its rental restrictions.

C. Miller stated that the Utah League of Cities and Towns is looking into this issue, and legislation will be presented this session that relates to these short-term rentals. The city may want to wait to do anything. Any complaints can be addressed specifically. He doesn't see this as

a land use issue. The only difference between an Airbnb and houseguests is the exchange of money.

C. Driggs stated that he strongly opposes short-term rentals. The areas are zoned as single family dwellings. People move here under that understanding. It is an issue when you don't know your neighbors. He sees no reason to allow short-term hotels in the residential zones.

C. Dodge stated that he is inclined to limit short-term rentals. He has been disappointed in the number of rentals in his neighborhood, when he thought he was buying in a strong single family community.

C. Spear stated that there may be several reasons to limit short-term rentals, such as crime. She would like to see the reasoning behind any restrictions.

7. Discussion on Violations for Non-Compliance with Terms of Conditional Use Permits

C. Driggs stated that he asked for this to be on the agenda after seeing Walmart not comply with their conditional use permit for outdoor sales, though he doubts the city would ever revoke their license. He thought it might be a good idea to fine them as a middle ground before revocation.

Chandler Goodwin stated that no other cities have financial penalties for violations. He asked the city attorney whether it was legal to financially penalize for non-compliance. The city attorney said that it is legal, but inadvisable, because, in effect, they are then paying to non-comply. Walmart was easy to work with once they realized they were in non-compliance. They met all the restrictions that the city council placed on them.

ADJOURNMENT

8. This meeting was adjourned at 8:22 p.m. on a motion by C. Dodge, seconded by C. Dredge and unanimously approved.

Approved:
September 27, 2016

/s/ Colleen A. Mulvey, MMC
City Recorder