



**CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, September 1, 2020 7:00 p.m.**

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a **City Council Meeting on Tuesday, September 1, 2020, 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.

COUNCIL MEETING

1. Call to Order. Pledge led by Mayor Rees and Invocation given by C. Smith
2. Approval of Meeting's Agenda
3. 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)

CITY REPORTS AND BUSINESS

4. City Manager
5. Mayor and Council

SCHEDULED ITEMS & PUBLIC HEARINGS

6. Review/Action and Public Hearing on an Ordinance amending City Code Title 10-6A related to Conditional and Permitted Uses in the SC-1 Commercial Zone
7. Discussion on Short Term Rental Properties

ADJOURNMENT

8. Adjourn

Posted this 28th day of August, 2020

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city 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.
- A Closed Session may be called to order pursuant to Utah State Code 52-4-204 & 52-4-205.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.
- This meeting may be held electronically to permit one or more of the council members or staff to participate.



CITY OF CEDAR HILLS

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| TO: | Mayor and City Council |
| FROM: | Chandler Goodwin, City Manager |
| DATE: | September 1, 2020 |

City Council Agenda Item

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| SUBJECT: | Review/Action and Public Hearing on Amendments to the City of Cedar Hills Code 10-6A-3, Related to Permitted and Conditional Uses in the SC-1 Zone |
| APPLICANT PRESENTATION: | N/A |
| STAFF PRESENTATION: | Chandler Goodwin, City Manager |

BACKGROUND AND FINDINGS:

The City has received an application to occupy a building that was constructed in 2015 as part of the Amsource development. The building in question has remained vacant since it's construction. The proposed use, the first application the City has ever received for this property, does not comply with the permitted/conditional use list in the retail district of the SC-1 Zone. The proposed amendment to the code would allow the Planning Commission and the City Council to approve applications for projects that may not be listed under the permitted/conditional use table under two conditions:

- The building has been vacant for a period of four years
- The proposed use is listed as either a conditional or permitted use in an adjacent district

The Planning Commission did not recommend that they City Council adopt the proposed code. The reasons for not making a recommendation were multifaceted, ranging from what they felt would lead to subjectivity in applications, and possible unintended consequences related to the proposed code. Instead, the Planning Commission recommended that the City Council adopt land use 6550 Data Centers, as a conditional use in the Retail District.

PREVIOUS LEGISLATIVE ACTION:

Planning Commission made a recommendation to change land use code 6550 to a conditional use in the Retail District

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Proposed code amendments

RECOMMENDATION:

Review the proposed code that the Planning Commission did not recommend, as well as the proposed change that was recommended. Each code needs to be evaluated based on the possible long-term issues that may be created.

MOTION:

To approve/not approve Ordinance _____ Amending Cedar Hills City Code 10-6A related to permitted and conditional uses in the SC-1 Commercial Zone by adopting the following language (read any adopted language),subject to the following changes {LIST ANY CONDITIONS}.

OPTION #1 (This option was not recommended by the planning commission)

10-6A-3: PERMITTED AND CONDITIONAL USES:

All uses shall be consistent with the character and purpose of the district within which they are located. No building, structure or land shall be used and no building or structure shall be hereafter erected, except as allowed in the districts as shown in the SC-1 land use table below. Uses listed in the Cedar Hills Land Use Code Numbers document that are not listed in the SC-1 land use table are prohibited.

The SC-1 land use table lists permitted, conditional, and exceptional uses. The numbers in the use column and the description of the use are listed in the Cedar Hills Land Use Code Numbers document. The most specific match for a given number shall be used. If a use is not specifically designated, or if the cell for a use and district is blank, that use is prohibited in that district. "P" means the use is permitted, "C" means the use is conditional, and "E" means the use is exceptional, meaning not permitted except for existing approved uses or those that have been approved prior to the year 2016.

Regardless of the entries in the SC-1 land use table, all uses for land within one hundred feet (100') of residential uses in adjoining zones shall be conditional.

Conditional uses listed in the Retail District in the SC-1 land use table shall only be permitted if they predominantly generate on-site sales, unless approved by the City Council after a recommendation by the Planning Commission. Public facilities are excepted from this requirement.

In the event that an approved commercial building in the SC-1 Zone has been constructed but remains vacant for a period greater than four (4) years from the time of receiving a certificate of occupancy, the City Council may grant a conditional use permit, with the Planning Commission's recommendation, to allow for uses not listed in the specific district. However, the proposed use must be listed as either a conditional or permitted use in an adjacent district.

For the process and standards used in the granting of conditional uses see section [10-5-37](#) of this title.

OPTION #2 (This option was recommended by the planning commission)

| Use | Description | Retail | Mixed-Use | Office |
|------|--------------------------|--------|-----------|--------|
| 6550 | Data processing services | C | P | P |



CITY OF CEDAR HILLS

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| TO: | Mayor and City Council |
| FROM: | Chandler Goodwin, City Manager |
| DATE: | September 1, 2020 |

City Council Agenda Item

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| SUBJECT: | Discussion on Short-term Rentals |
| APPLICANT PRESENTATION: | N/A |
| STAFF PRESENTATION: | Chandler Goodwin, City Manager |

BACKGROUND AND FINDINGS:

Councilmember Smith requested that the City Council hold a discussion on short-term rentals. Some of the main questions needing to be discussed were as follows:

1. Why does the City require owners to occupy a dwelling for ADU's, but that same requirement is not in place for short-term rentals?
2. How do you address resident (and future resident) concerns surrounding the issues related to the problems that short-term rentals may bring?
3. Should short-term rentals and rental units be treated like a business and be required to be licensed?
4. Should short-term rentals be allowed in Cedar Hills?

Staff will prepare a response to these items but will look for City Council feedback on how to proceed.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Please see Utah State Code 10-8-S85.4, 10-2-203 (7), Cedar Hills City Code 3-1H

RECOMMENDATION:

Staff will prepare a response to these items but will look for City Council feedback on how to proceed.

MOTION:

No motion necessary, discussion item only.