COTTONWOOD HEIGHTS

ORDINANCE NO. 217-A

AN ORDINANCE APPROVING THE RE-ZONE OF REAL PROPERTY
LOCATED AT 7900 SOUTH HIGHLAND DRIVE FROM
RR-1-21 (RURAL RESIDENTIAL) TO RO (RESIDENTIAL OFFICE)
AND AMENDING THE ZONING MAP

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 et seq., as amended (the “Act”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt or amend the land use ordinance and zoning map for the city; and

WHEREAS, on 14 July 2005, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “Code”); and

WHEREAS, pursuant to its Ordinance No. 25, the Council also adopted a zoning map for the City (the “Zoning Map”); and

WHEREAS, on 19 February 2014, the City’s planning commission (the “Planning Commission”) held a public hearing on a zone change application by Michael Wright (Predico Properties) requesting the re-zone of a parcel of real property located at 7900 South Highland Drive in the City (the “Property”) from RR-1-21 (Rural Residential) to RO (Residential Office), at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed re-zone; and

WHEREAS, such public hearing before the Planning Commission was preceded by all required legal notices; and

WHEREAS, on 5 March 2014, the Planning Commission recommended approval of such proposed re-zone of the Property, and forwarded such recommendation to the Council for final action; and

WHEREAS, on 25 March 2014, the Council met in regular meeting to consider, among other things, such proposed re-zone of the Property; and

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed re-zone was discussed, and recommendations of City staff, the Council has determined that it is in the
best interest of the health, safety and welfare of the citizens of the City to approve the re-zone of the Property as specified below;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. Approval of Re-zone. The Council hereby re-zones the Property from RR-1-21 (Rural Residential) to RO (Residential Office).

Section 2. Adoption of Amended Zoning Map. The Council hereby amends the City’s zoning map to reflect the re-zone of the Property effected by this ordinance (this “Ordinance”), and hereby adopts the amended zoning map that is attached as an exhibit hereto as the City’s current zoning map.

Section 3. Action of Officers. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. Severability. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. Repealer. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. This Ordinance, assigned no. 217-A, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 25th day of March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________________________
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

______________________________________________
Kory Solorio, Recorder
VOTING:

Kelvyn H. Cullimore, Jr.       Yea ___ Nay ___
Michael L. Shelton            Yea ___ Nay ___
J. Scott Bracken              Yea ___ Nay ___
Michael J. Peterson           Yea ___ Nay ___
Tee W. Tyler                  Yea ___ Nay ___

DEPOSITED in the Recorder’s office this 25th day of March 2014.

POSTED this ___ day of March 2014.
COTTONWOOD HEIGHTS

ORDINANCE NO. 217-D

AN ORDINANCE DENYING THE RE-ZONE OF REAL PROPERTY
LOCATED AT 7900 SOUTH HIGHLAND DRIVE FROM
RR-1-21 (RURAL RESIDENTIAL) TO RO (RESIDENTIAL
OFFICE) AND AMENDING THE ZONING MAP

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH
CODE ANN. §10-9a-101 et seq., as amended (the “Act”), provides that each municipality may
enact a land use ordinance and a zoning map establishing regulations for land use and
development; and

WHEREAS, pursuant to the Act, the municipality’s planning commission shall prepare
and recommend to the municipality’s legislative body, following a public hearing, a proposed
land use ordinance and a zoning map, or amendments thereto, that represents the planning
commission’s recommendations for zoning the area within the municipality; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative
body to adopt or amend the land use ordinance and zoning map for the city; and

WHEREAS, on 14 July 2005, the city council (the “Council”) of the city of Cottonwood
Heights (the “City”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and
codifying such ordinance as Title 19 of the City’s code of ordinances (the “Code”); and

WHEREAS, pursuant to its Ordinance No. 25, the Council also adopted a zoning map
for the City (the “Zoning Map”); and

WHEREAS, on 19 February 2014, the City’s planning commission (the “Planning
Commission”) held a public hearing on a zone change application (the “Application”) by
Michael Wright (Predico Properties) requesting the re-zone of a parcel of real property located at
7900 South Highland Drive in the City (the “Property”) from RR-1-21 (Rural Residential) to RO
(Residential Office), at which time all interested parties were given the opportunity to provide
written or oral comment concerning the proposed re-zone; and

WHEREAS, such public hearing before the Planning Commission was preceded by all
required legal notices; and

WHEREAS, on 5 March 2014, the Planning Commission recommended approval of
such proposed re-zone of the Property, and forwarded such recommendation to the Council for
final action; and

WHEREAS, on 25 March 2014, the Council met in regular meeting to consider, among
other things, such proposed re-zone of the Property; and

WHEREAS, after careful consideration of the recommendation of the Planning
Commission, comments at the public hearing and other public meetings where such proposed re-
zone was discussed, and recommendations of City staff, the Council has determined that it is in
the best interest of the health, safety and welfare of the citizens of the City to deny such re-zone of the Property, notwithstanding the Planning Commission’s recommendation of approval, based on the Council’s finding, *inter alia*, that such re-zone would be incompatible with the surrounding residentially-zoned properties and neighborhood;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Denial of Re-zone.** The Council hereby denies the Application to re-zone the Property from RR-1-21 (Rural Residential) to RO (Residential Office).

Section 2. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date.** This Ordinance, assigned no. 217-D, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 25th day of March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By

Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solorio, Recorder
VOTING:

Kelvyn H. Cullimore, Jr.       Yea ___ Nay ___
Michael L. Shelton            Yea ___ Nay ___
J. Scott Bracken              Yea ___ Nay ___
Michael J. Peterson           Yea ___ Nay ___
Tee W. Tyler                  Yea ___ Nay ___

DEPOSITED in the Recorder’s office this 25th day of March 2014.

POSTED this ___ day of March 2014.

617295.1
COTTONWOOD HEIGHTS

ORDINANCE NO. 218-A

AN ORDINANCE APPROVING A GENERAL PLAN AMENDMENT
FOR REALTY AT 2489-2495 EAST CREEK ROAD

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 et seq., as amended (the “Act”), provides that each municipality shall prepare and adopt a comprehensive, long-range general plan; and

WHEREAS, the Act requires the municipality’s planning commission to prepare the general plan and submit it to the municipality’s legislative body; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt and amend the general plan; and

WHEREAS, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in UTAH CODE ANN. §§10-9a-401 through -404, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted its Ordinance No. 24 adopting a general plan (with all previous amendments, the “Plan”) for the City; and

WHEREAS, as authorized by statute, the Plan includes a land use element and an official map (collectively, the “Land Use Element”) allocating to each parcel of land in the City a specific land use designation authorized by the Plan; and

WHEREAS, in response to an application (the “Application”) by Paul Shaw Building Group to amend (the “Amendment”) the Land Use Element affecting certain realty located at approximately 2489-2495 East Creek Road in the City from Rural Residential to Low Density Residential, on 19 February 2014, following all required notices, a public hearing was held before the Planning Commission concerning the proposed Amendment, where citizens were given the opportunity to provide written or oral comment concerning the Amendment; and

WHEREAS, a photocopy of the Amendment to the Land Use Element of the Plan proposed by the Application is attached as an exhibit to this ordinance and is incorporated herein by this reference; and

WHEREAS, on 5 March 2014, following the public hearing on the Amendment, the Planning Commission voted to recommend the Amendment to the Council for adoption, and thereafter recommended that the Council approve the Amendment; and

WHEREAS, the Council met in regular meeting on 25 March 2014 to consider, among other things, approving and adopting the Amendment to the Land Use Element of the Plan; and

WHEREAS, at such public meeting, the Council accepted additional public comment concerning the Amendment; and
WHEREAS, after careful consideration of the recommendations of the Planning Commission, the comments at the public hearings and public meetings, and other pertinent information, and otherwise being fully advised, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to amend the Plan by adopting the Amendment to the Land Use Element as proposed by the Application, and to ratify the Plan, as so amended, as the City’s general plan;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1.  Adoption of New Plan. The Council hereby adopts the attached Amendment to the Land Use Element, and hereby ratifies the Plan, as so amended, as the City’s general plan. From and after the effective date of this ordinance (this “Ordinance”), the Plan shall be deemed amended as specified by the Amendment for all purposes.

Section 2.  Future Amendment of General Plan. Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Plan at any time or from time to time hereafter for any purpose upon recommendation by the Planning Commission following all appropriate public notices and hearings required by the Act.

Section 3.  Action of Officers. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4.  Severability. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5.  Repealer. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6.  Effective Date. This Ordinance, assigned no. 218-A, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.

PASHED AND APPROVED this 25th day of March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________

Kelvyn H. Cullimore, Jr., Mayor
ATTEST:

Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr. Yea ___ Nay ___
Michael L. Shelton Yea ___ Nay ___
J. Scott Bracken Yea ___ Nay ___
Michael J. Peterson Yea ___ Nay ___
Tee W. Tyler Yea ___ Nay ___

DEPOSITED in the Recorder’s office this 25th day of March 2014.

POSTED this ___ day of March 2014.
COTTONWOOD HEIGHTS

ORDINANCE NO. 218-D

AN ORDINANCE DENYING A GENERAL PLAN AMENDMENT
FOR REALTY AT 2489-2495 EAST CREEK ROAD

WHEREAS, the “Municipal Land Use, Development, and Management Act,” Utah Code Ann. §10-9a-101 et seq., as amended (the “Act”), provides that each municipality shall prepare and adopt a comprehensive, long-range general plan; and

WHEREAS, the Act requires the municipality’s planning commission to prepare the general plan and submit it to the municipality’s legislative body; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt and amend the general plan; and

WHEREAS, on 26 July 2005, following full compliance with the procedures for formulation, public hearing and recommendation specified in Utah Code Ann. §§10-9a-401 through -404, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted its Ordinance No. 24 adopting a general plan (with all previous amendments, the “Plan”) for the City; and

WHEREAS, as authorized by statute, the Plan includes a land use element and an official map (collectively, the “Land Use Element”) allocating to each parcel of land in the City a specific land use designation authorized by the Plan; and

WHEREAS, in response to an application (the “Application”) by Paul Shaw Building Group to amend (the “Amendment”) the Land Use Element affecting certain realty located at approximately 2489-2495 East Creek Road in the City from Rural Residential to Low Density Residential, on 19 February 2014, following all required notices, a public hearing was held before the Planning Commission concerning the proposed Amendment, where citizens were given the opportunity to provide written or oral comment concerning the Amendment; and

WHEREAS, a photocopy of the Amendment to the Land Use Element of the Plan proposed by the Application is attached as an exhibit to this ordinance and is incorporated herein by this reference; and

WHEREAS, on 5 March 2014, following the public hearing on the Amendment, the Planning Commission voted to recommend the Amendment to the Council for adoption, and thereafter recommended that the Council approve the Amendment; and

WHEREAS, the Council met in regular meeting on 25 March 2014 to consider, among other things, approving and adopting the Amendment to the Land Use Element of the Plan; and

WHEREAS, at such public meeting, the Council accepted additional public comment concerning the Amendment; and
WHEREAS, after careful consideration of the recommendations of the Planning Commission, the comments at the public hearings and public meetings, and other pertinent information, and otherwise being fully advised, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to deny the proposed Amendment to the Land Use Element, notwithstanding the Planning Commission’s recommendation for the Council to approve the Amendment;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. Denial of Amendment. The Council hereby denies the attached Amendment to the Land Use Element.

Section 2. Future Amendment of General Plan. Pursuant to the authority granted in the Act, the Council shall have, and hereby expressly reserves, the right to hereafter further amend the Plan at any time or from time to time hereafter for any purpose upon recommendation by the Planning Commission following all appropriate public notices and hearings required by the Act.

Section 3. Action of Officers. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. Severability. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. Repealer. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. This Ordinance, assigned no. 218-D, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 25th day of March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ______________
Kelvyn H. Cullimore, Jr., Mayor
ATTEST:

__________________________
Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.        Yea ___ Nay ___
Michael L. Shelton             Yea ___ Nay ___
J. Scott Bracken               Yea ___ Nay ___
Michael J. Peterson            Yea ___ Nay ___
Tee W. Tyler                   Yea ___ Nay ___

DEPOSITED in the Recorder’s office this 25th day of March 2013.

POSTED this ___ day of March 2013.

617297.1
COTTONWOOD HEIGHTS

RESOLUTION NO. 2014-10

A RESOLUTION CONSENTING TO APPOINTMENTS
TO THE COTTONWOOD HEIGHTS ARTS COUNCIL

WHEREAS, section 2.140.401 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes the “Cottonwood Heights Arts Council” (the “Arts Council”) for the city of Cottonwood Heights (the “City”); and

WHEREAS, Code §2.140.403(B) provides that the Arts Council shall consist of up to 13 members who are City residents, who may be from geographically diverse parts of the City, and who may be selected to assure adequate representation of each of the various artistic disciplines; and

WHEREAS, Code §2.140.104 provides that members of the Arts Council shall be appointed and removed by the city manager (the “Manager”) with advice and consent of the city council (the “Council”) to staggered three-year terms, so that the terms of office of approximately one-third of the members expire each year; and

WHEREAS, the Manager has (a) re-appointed Shaun Davis, Wendy Merrell and Christi Jones to new three year terms due to the expiration of their prior terms of office; and (b) appointed Richard Randolph and Sarah Ricketts to fill the vacancies on the Council arising from the resignations from the Council of Emmacee Josephson and Maradon Nettleship; and

WHEREAS, the Manager has requested that the Council give its advice and consent to such appointments; and

WHEREAS, the Council met on 25 March 2014 to, among other things, (a) consider the re-appointment or appointment, as applicable, of Shaun Davis, Wendy Merrell, Christi Jones, Richard Randolph and Sarah Ricketts to fill the vacancies on the Arts Council as specified above; and (b) ratify and consent to the current composition of membership of the Arts Council; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the foregoing re-appointments and appointments to the Arts Council as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby (a) consents to the re-appointment or appointment, as applicable, of Shaun Davis, Wendy Merrell, Christi Jones, Richard Randolph and Sarah Ricketts to fill the vacancies on the Arts Council as specified above; and (b) ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Arts Council as of the date of this resolution for the terms of office set forth opposite each name:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rebecca Kitchen</td>
<td>1 February 2016</td>
</tr>
<tr>
<td>John Russell</td>
<td>1 February 2016</td>
</tr>
</tbody>
</table>
This Resolution, assigned no. 2014-10, shall take effect immediately upon passage.

PASSED AND APPROVED effective 25 March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________

Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

______________________________

Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr  Yea ___ Nay ___
Michael L. Shelton  Yea ___ Nay ___
J. Scott Bracken  Yea ___ Nay ___
Michael J. Peterson  Yea ___ Nay ___
Tee W. Tyler  Yea ___ Nay ___

DEPOSITED in the office of the City Recorder this 25th day of March 2014.

RECORDED this ___ day of March 2014.
COTTONWOOD HEIGHTS
RESOLUTION NO. 2014-11
A RESOLUTION CONSENTING TO APPOINTMENTS TO
THE COTTONWOOD HEIGHTS HISTORIC COMMITTEE

WHEREAS, section 2.140.602 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the "Code") establishes the “Cottonwood Heights Historic Committee” (the “Historic Committee”) for the city of Cottonwood Heights (the “City”); and

WHEREAS, Code §2.140.602(A) provides that the Historic Committee shall consist of a minimum of five members and a maximum of eleven members who are City residents with a demonstrated interest, competence or knowledge in history or historic preservation, and who are appointed for staggered three-year terms; and

WHEREAS, Code §2.140.104 provides that members of the Historic Committee shall be appointed and removed by the city manager (the “Manager”) with advice and consent of the city council (the “Council”), and that the terms of office of the initial members shall be staggered as necessary so that the terms of office of approximately one-third of the members expire each year; and

WHEREAS, the Council met on 25 March 2014 to, among other things, (a) consider the re-appointment of John Glauser and Dean Smart to the Historic Committee, due to the expiration of their prior terms of office, and (b) ratify and consent to the current composition of membership of the Historic Committee; and

WHEREAS, the Manager has nominated John Glauser and Dean Smart to so serve on the Historic Committee; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to give advice and consent to such re-appointments to the Historic Committee as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the Council hereby gives advice and consents to the re-appointment of John Glauser and Dean Smart to the Historic Committee, and hereby ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Historic Committee for the terms of office set forth opposite each name:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Glauser (Vice-Chairman)</td>
<td>1 January 2017</td>
</tr>
<tr>
<td></td>
<td>1 January 2017</td>
</tr>
<tr>
<td>Dean F. Smart</td>
<td>1 January 2017</td>
</tr>
<tr>
<td>Don Antczak</td>
<td>1 January 2015</td>
</tr>
<tr>
<td>Jerry Christensen</td>
<td>1 January 2015</td>
</tr>
</tbody>
</table>
Gayle Conger 1 January 2015
Jerri Harwell 1 January 2015
Carol Woodside 1 January 2015
Beverly S. Lund 1 January 2016
Sylvia Orton 1 January 2016
M. Tom Shimizu (Chairman) 1 January 2016

This Resolution, assigned no. 2014-11, shall take effect immediately upon passage.

PASSED AND APPROVED effective 25 March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

_______________________________
Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr. Yea ___ Nay ___
Michael L. Shelton Yea ___ Nay ___
J. Scott Bracken Yea ___ Nay ___
Michael J. Peterson Yea ___ Nay ___
Tee W. Tyler Yea ___ Nay ___

DEPOSITED in the office of the City Recorder this 25th day of March 2014.

RECORDED this ___ day of March 2014.

617299.1
COTTONWOOD HEIGHTS

RESOLUTION NO. 2014-12

A RESOLUTION CONSENTING TO
APPOINTMENTS TO THE BOARD OF ADJUSTMENT

WHEREAS, on 14 January 2005, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) enacted Ordinance No. 05-13 creating the City’s board of adjustment (the “Board”); and

WHEREAS, thereafter, Ordinance No. 05-13 was codified as chapter 19.92 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “Code”); and

WHEREAS, §19.92.020 of the Code provides that the Board shall consist of five regular members and one or more alternate members appointed by the City’s manager (the “Manager”), with the advice and consent of the Council, for staggered five-year terms, not to exceed two consecutive terms; and

WHEREAS, the policy of the Council in cases involving a Board member who has served one or more partial terms (due to, for example, replacing a Board member who resigns before his/her term of office is completed) is to aggregate such service so that such member serves a maximum of ten consecutive years (which is equivalent to two consecutive five-year terms), thereby requiring a final term of office that is shorter than the normal five-year term; and

WHEREAS, William R. Good, and alternate member of the Board, recently has died; Bob Wilde, a regular member of the Board, recently has resigned to fill an LDS mission; and the term of office of Don Antczak, an alternate member of the Board who has served since 25 May 2010, has expired; and

WHEREAS, the Council met on 25 March 2014 to, among other things, consider (a) appointing Rich Robinson to a five-year term of office to replace Bob Wilde; (b) appointing Don Antczak to a new, five-year, term of office, and (c) ratifying and consenting to the current composition of membership of the Board; and

WHEREAS, the Manager has nominated Messrs. Robinson and Antczak to such terms of office; and

WHEREAS, the Council has given advice for such appointments as proposed by the Manager; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to such appointments as proposed by the Manager;
NOW THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the Council hereby (a) consents to the appointment of Rich Robinson to a five-year term of office as a regular member of the Board, to replace Bob Wilde; (b) consents to the re-appointment of Don Antczak as an alternate member of the Board for a new, five-year term; and (c) ratifies and consents to the status of the following individuals as all of the current members of the Board for the terms of office set forth opposite each name:

<table>
<thead>
<tr>
<th>Name</th>
<th>District</th>
<th>Initial Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>James Adinaro</td>
<td>1</td>
<td>13 January 2016</td>
</tr>
<tr>
<td>James Holtkamp</td>
<td>2</td>
<td>13 January 2015</td>
</tr>
<tr>
<td>Noor Ul-Hasan</td>
<td>2</td>
<td>13 January 2015</td>
</tr>
<tr>
<td>Rich Robinson</td>
<td>3</td>
<td>13 January 2019</td>
</tr>
<tr>
<td>Doug Folsom</td>
<td>4</td>
<td>13 January 2017</td>
</tr>
<tr>
<td>Don J. Antczak</td>
<td>3 (Alternate)</td>
<td>13 January 2019</td>
</tr>
</tbody>
</table>

This Resolution, assigned no. 2014-12, shall take effect immediately upon passage.

PASSED AND APPROVED effective 25 March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

______________________________
Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.      Yea ___ Nay ___
Michael L. Shelton            Yea ___ Nay ___
J. Scott Bracken              Yea ___ Nay ___
Michael J. Peterson           Yea ___ Nay ___
Tee W. Tyler                  Yea ___ Nay ___

DEPOSITED in the office of the City Recorder this 25th day of March 2014.

RECORDED this ___ day of March 2014.
COTTONWOOD HEIGHTS

RESOLUTION NO. 2014-13

A RESOLUTION CONSENTING TO AN
APPOINTMENT TO THE PLANNING COMMISSION

WHEREAS, the city council (the “Council”) of the city of Cottonwood Heights (the “City”) met on 25 March 2014 to consider, among other things, the proposed appointment as a regular member of the City’s planning commission (the “Commission”) of alternate Commission member James S. Jones to fill the vacancy resulting from the resignation of former regular Commission member Lindsay Holt; and

WHEREAS, section 19.05.070 of the COTTONWOOD HEIGHTS CODE OF ORDINANCES (the “Code”) provides that any vacancy occurring on the Commission by reason of expiration of term of office or otherwise shall be filled by the City’s manager (the “Manager”) with the advice and consent of the Council; and

WHEREAS, the Manager has nominated James S. Jones, of District 3, to fill the vacancy on the Commission resulting from the resignation of Ms. Holt, with such appointment to be effective through 30 June 2015 (i.e., for the balance of Ms. Holt’s term of office as a regular Commission member); and

WHEREAS, the Council has given advice for the above-described appointment to the Commission for the term proposed by the Manager; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the appointment to the Commission of Mr. Jones as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby consents to the appointment to the Commission described above, and hereby consents to, confirms and ratifies the status of the following individuals as all of the members of the Commission as of 25 March 2014, for the terms of office set forth opposite each name:

<table>
<thead>
<tr>
<th>Name</th>
<th>District</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Janet Janke</td>
<td>1</td>
<td>30 June 2016</td>
</tr>
<tr>
<td>Jeremy D. Lapin</td>
<td>2</td>
<td>30 June 2015</td>
</tr>
<tr>
<td>James S. Jones</td>
<td>3</td>
<td>30 June 2015</td>
</tr>
<tr>
<td>Paxton Guymon</td>
<td>4</td>
<td>30 June 2016</td>
</tr>
<tr>
<td>Gordon Walker</td>
<td>4 (at large)</td>
<td>30 June 2014</td>
</tr>
<tr>
<td>Dennis Peters</td>
<td>2 (at large)</td>
<td>30 June 2014</td>
</tr>
<tr>
<td>Perry A. Bolyard</td>
<td>1 (at large)</td>
<td>30 June 2015</td>
</tr>
<tr>
<td>Joe Demma</td>
<td>3 (alternate, at large)</td>
<td>30 June 2014</td>
</tr>
</tbody>
</table>

This Resolution, assigned no. 2014-13, shall take effect immediately upon passage.
PASSED AND APPROVED 25 March 2014.

COTTONWOOD HEIGHTS CITY COUNCIL

By ____________________________
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

______________________________
Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr. Yea ___ Nay ___
Michael L. Shelton Yea ___ Nay ___
J. Scott Bracken Yea ___ Nay ___
Michael J. Peterson Yea ___ Nay ___
Tee W. Tyler Yea ___ Nay ___

DEPOSITED in the office of the City Recorder this 25th day of March 2014.

RECORDED this ___ day of March 2014.