

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
2 **PLANNING COMMISSION WORK MEETING**

3
4 **Wednesday, July 19, 2023**
5 **5:00 p.m.**
6 **2277 East Bengal Boulevard**
7 **City Council Work Room**
8

9 ***ATTENDANCE***

10
11 **Members Present:** Chair Dan Mills, Commissioner Jessica Chappell, Commissioner Jonathan
12 Ebbeler (via Zoom), Commissioner Mike Shelton, Commissioner Mike
13 Smith, Commissioner Sean Steinman
14

15 **Staff Present:** Community and Economic Development Director Michael Johnson, Staff
16 Engineer Adam Ginsberg, Senior Planner Samantha DeSeelhorst, Deputy
17 City Recorder Maria Devereux, System Administrator Alex Earl
18

19 **Excused:** Commissioner Lucy Anderson
20

21 **Others:** Cris Cowley, Annjanine Etzel, Tom Etzel, Doug Shelby, Roger Bland,
22 Shawna Bland, Brandon Preece, Kim Fisher, Ed Primosic
23

24 **WORK SESSION**

25
26 Chair Dan Mills called the Work Meeting to order at 5:01 p.m.
27

28 **1.0 Form-Based Code Discussion.**
29

30 City Consultant, Mark Morris from VODA Landscape + Planning, updated the Commission on
31 the work performed as well as the purpose and scope. He explained that Form-Based Code is a
32 lengthy document and the existing Code can sometimes be difficult to interpret. The intent is to
33 ensure that the Form-Based Code has clarity and will accomplish what is envisioned. The Form-
34 Based Code Update was funded as part of the City's General Plan Update. It allows them to target
35 redevelopment areas in the City, primarily along Fort Union Boulevard. Currently, there is a
36 mixed-use zoning designation but the same Code applies to property regardless of size. The Form-
37 Based Code provides more control and context sensitivity to establish the vision for the look and
38 feel of buildings based on the area of the City and the surrounding development. It focuses more
39 on the look, feel, design, and aesthetics than strict regulation on uses and setbacks. The goal is to
40 tailor redevelopment in a way that makes sense in any area of the City.
41

42 Currently, the Code focuses more on the purposes and what people do inside a property and not
43 necessarily how it looks. The Form-Based Code will flip that and focus on what it looks like and
44 less on what is being done in the building. It was noted that Form-Based Codes are used across
45 the nation as well as across the Wasatch Front. They are very context-sensitive and must go
46 through a calibration process.

1
2 Mr. Morris reported that the structure of Form-Based Code contains different sections that address
3 the various requirements. There are already Code requirements and the Form-Based Code focuses
4 on where a building is located on a site, how it contributes to the public realm, and certain design
5 elements that are more difficult to change. Staff spent time going through the draft General Plan
6 to establish goals and priorities. The intent is to look at the priorities and vision to determine how
7 to update the Code to reflect that. The development is a reflection of the Code that requires it. If
8 the development is not accomplishing what they want it to, it is merely a sign that the Code is not
9 requiring what the City desires. Mr. Morris explained that the context is what drives the
10 conversation. The establishment of a discernible Cottonwood Heights Downtown City Center
11 involves the development of key nodes along Fort Union Boulevard in particular. All of the areas
12 under consideration for the Form-Based Code are on Fort Union Boulevard and it looks at specific
13 nodes. If in the future the City wants to apply the Form-Based Code to other areas of the City, it
14 is easy to expand.

15
16 A question was raised as to whether there is coordination with other cities. Mr. Morris stated that
17 with Sandy City, for example, it would be beneficial in nodes that are on the City boundaries.
18 Senior City Planner, Samantha DeSeelhorst commented that some of the Form-Based Code
19 boundary is near the border with Midvale which has similar goals for its downtown for commercial
20 redevelopment. It was believed that the proposed direction is compatible with what it abuts in
21 Midvale. Mr. Morris reported that he helped Midvale City a few years ago with the Form-Based
22 Code around their Main Street area. He expected that eventually, they will expand to other areas.

23
24 Mr. Morris explained that other goals include economic development and housing, which will be
25 addressed in the Form-Based Code. They are looking at three nodes in the City where
26 redevelopment is highly likely including non-commercial areas. The priority is to look at the
27 primary commercial route through the City where there are nodes of opportunity consisting of the
28 Town Center and Union Park and make sure that the Code keeps up with the goals of the City.
29 They organized the considerations and Form-Based Code into tiers for form districts, building
30 type, and street type. Use is also part of the equation and is a much broader category. This
31 approach allows for different options in terms of use with more of the focus being on site design
32 and how the building will contribute to the community. Parking is focused on location on the
33 property. Tertiary considerations include landscaping, open space, and signage which are
34 important to implementation but they do not usually drive significant development decisions.

35
36 Mr. Morris addressed form districts and stated that they are the closest corollary to a zone. He
37 stressed the importance of understanding how a form district drives decisions by focusing on the
38 context of a particular location. When an applicant comes in, the first determination is the form
39 district, which will determine the maximum building height and setback requirements. Four form
40 districts have been established. If the Code expands, new form districts will be established.

41
42 In response to a question raised, Mr. Morris explained that most codes focus primarily on
43 commercial areas. They looked at the Fort Union corridor and identified the existing primary
44 commercial nodes. They also established areas that were already zoned mixed-use. In the long
45 term, they can get larger but Form-Based Code does little in terms of single-family neighborhoods,
46 which will not change significantly and are more flexible in terms of use and context. Areas of

1 the City where the Planned Development District (“PDD”) can be applied as well since there are
2 similarities.

3
4 It was reported that the Master Plan Steering Committee discussed community nodes and for Fort
5 Union specifically, there is very little redevelopment opportunity. There was some question as to
6 why they focused on a large area rather than community nodes that were addressed by the Steering
7 Committee. The comment was made that the PDD sits between Form-Based Code and
8 conventional zoning. The result typically works but the process is fairly cumbersome, time-
9 consuming, and frustrating for all parties involved. What is proposed is an effort to move forward.

10
11 Mr. Morris reported on the establishment of form districts and stated the Union Park Center has
12 been developed with ample surface parking and a wide mix of uses. It is seen as one particular
13 form district type. The Town Center is unique and as it develops, the Form-Based Code will ensure
14 that any development is supported by what the Code will require. The General District includes
15 properties that front Fort Union Boulevard. The third is the Edge District, which is a residential
16 transition zone. For areas that abut single-family neighborhoods, the Code will provide a transition
17 between higher intensity nodes and residential areas.

18
19 Mr. Morris explained that the City owns the Town Center area and expands beyond that. It will
20 have control over what the Hillside Plaza looks like but not necessarily the surrounding area. It is
21 important to still have the Town Center designation to ensure that the vision reflects across the
22 entire intersection area. They will need to finalize the details as they get closer to adoption. The
23 intent, however, is to communicate with property owners to see if they would like the City to
24 initiate that for them. The City can educate them on what opportunities it provides. If they choose,
25 they can keep their current zoning designation and have Form-Based Code applied to those
26 properties. With many Form-Based Codes, once adopted, there is typically a grace period where a
27 property owner can choose the category. Sometimes a city will offer an incentive but allow
28 applicants the opportunity to decide what they are comfortable with.

29
30 The comment was made that much of the discussion hinges on a geographic area being influenced
31 positively and making it advantageous for property owners to be part of. Mr. Morris mentioned
32 the expansion of use where someone can choose the use and give property owners more leeway.
33 In the Union Park area, a certain type of development exists. Redevelopment or an addition to that
34 would take a certain form. They could potentially look at how to make it more of a mixed-use
35 area. The Town Center scale is much lower in height and focused on things that will attract
36 residents of Cottonwood Heights as opposed to the Union Park Center, which is a regional
37 employment destination. The scale of the audience for that space is a consideration. Fort Union
38 Boulevard is a busy corridor through the City that is very economically valuable. Development
39 should contribute to walkability in certain nodes as the Boulevard changes. That will differ from
40 the Town Center and Union Park. The Residential Transition District will include things that are
41 far more residentially focused such as row houses and townhomes that act as a transition from
42 commercial to residential.

43
44 Use tables show up in the Form-Based Code and are organized by Form District. The key driver
45 is guiding use choice for property owners for development. For example, residential may not be

1 desired on the ground floor. The preference may be restaurants and other uses that are public-
2 facing.

3
4 Mr. Morris discussed the process and stated that the first step would be a Pre-Submission Meeting
5 with staff where a property owner will review the requirements before making a formal application
6 with the City. If the project meets certain criteria and the requirements of the Form-Based Code,
7 administrative approval will be granted. Developments on less than one acre, structures smaller
8 than 20,000 square feet, and developments in all Residential Transition Zones could qualify for an
9 administrative process that provides a simplified way for staff to approve developments that meet
10 the vision for each node. As part of that process, there will likely be the need for a design
11 exception. The Architectural Review Committee (“ARC”) will conduct a review and come up
12 with a design solution for that exception. The ARC can then take an issue they do not support to
13 the Planning Commission.

14
15 Ms. DeSeelhorst reiterated that not only will the design exceptions have to go through the public
16 meeting process but if a property is greater than one acre, if the structure size is larger than the
17 20,000 square foot threshold, or if it is in the Residential Transition Zone the public process will
18 be more involved.

19
20 A Commissioner commented that the first two criteria will be significant because they will
21 determine how often a project is in the public eye. He recommended that they use caution in terms
22 of where they involve the public. Ms. DeSeelhorst confirmed that it will be important to fine-tune
23 the process. As part of the process, staff has spoken to other cities to better understand their
24 triggers. In Clearfield, for example, it is five acres. Concern was expressed with the current
25 threshold.

26
27 Community and Economic Development Director, Michael Johnson, explained that the Mixed-
28 Use Code includes areas that are permitted and conditional. A retail use is a permitted use until
29 the space the retail use occupies is greater than 25,000 square feet at which time it becomes
30 conditional. The 20,000-square-foot threshold is loosely modeled on that concept.

31
32 Commissioner Chappell sought to confirm the 25,000-square-foot threshold and asked if the
33 footprint is intended to be occupiable floors. Mr. Morris explained that the balance will provide
34 safety from a staff standpoint. It was clarified that there are numerous tools built into the Code
35 and a line will need to be drawn between administrative and issues requiring Planning Commission
36 review.

37
38 Commissioner Ebbeler had a similar concern to Commissioner Chappell and commented that
39 20,000 square feet seems odd. He questioned whether a mechanism could be included that is
40 triggered based on topography. Residents could potentially have the right to petition for it to go
41 through the same process as a residential transition zone. He recognized that they have to provide
42 balance in terms of the rights to developers and residents but was concerned that because of the
43 topography of Cottonwood Heights, there could be certain buildings that satisfy the process but
44 will infringe on existing residents. Mr. Johnson commented that a map analysis could be done to
45 show where the public process would apply and where it would not be based on parcel size and
46 see if there are any sensitive parcels outside of the Residential Transition Zone. Staff offered to

1 continue to revise the requirements to address the concerns expressed. The importance of
2 involving the community in the process was stressed.

3
4 **2.0 Review Business Session Agenda.**

5
6 The Business Meeting agenda was reviewed and discussed.

7
8 There was one potential action item involving Land Use and Zoning Map Amendments for
9 property located at 6851 Big Cottonwood Canyon Road. The full parcel is shown as a nearly 16-
10 acre parcel. The applicants are not proposing to rezone the entire parcel. The subject of the request
11 is for a three-acre portion of the larger 15-acre parcel. A cul-de-sac was constructed in the 1990s
12 as part of Phase 1 of the Canyon Creek Subdivision, which was never completed. Just over three
13 acres will be impacted by the proposed rezone. A lot line adjustment was proposed concurrently
14 by the applicant but is not required to go through any sort of public process.

15
16 The applicants are requesting an amendment to the General Plan Land Use Designation, which is
17 the policy recommendation from the General Plan that staff and the City use as a future planning
18 tool. A change was also requested to the zoning designation that corresponds to the use restrictions
19 and the regulations as they apply to the property currently. When considering a zone change that
20 is not compatible with the existing General Plan Land Use Designation, applicants are required to
21 amend both. The zoning designation involves the laws as they apply to the property. The
22 applicants are proposing to amend the Land Use Designation for the 15-acre mixed-use parcel.
23 They are requesting that the three-acre portion be amended from Mixed-Use to Residential Low-
24 Density.

25
26 Concurrently, they are requesting that the zoning be amended from Foothill Residential (“F-121”)
27 to Residential Single-Family (“R1-8”). The property owner was identified as Walker
28 Development Partnership, LLC and the applicant is Gilson Engineering who is representing the
29 property owner. The cul-de-sac is Big Cottonwood Creek, which serves as a natural boundary
30 between the area requested for rezone and the rest of the 15-acre parcel. The surrounding
31 properties are zoned mixed-use and Residential Low-Density. The current zoning requires a
32 minimum lot size of one-half acre and meets the foothill-oriented landscape preservation
33 requirements and standards that make more sense in the foothills above Wasatch Boulevard. The
34 applicants are proposing the property be rezoned to R1-8. If a new lot is proposed, it must be at
35 least 8,000 square feet in size. The lots in Phase 1 of the Canyon Creek Estates Subdivision have
36 already been developed and are all slightly larger than 8,000 square feet with the same R1-8
37 designation. A Lot Line Adjustment Record of Survey was submitted to adjust the boundary lines.
38 The applicant has indicated that they intend to continue to build out Phase 2 of the single-family
39 subdivision by platting out lots around the cul-de-sac.

40
41 The Old Canyon Creek Estates Subdivision Plat was recorded in 1993 and the subject property
42 was shown as future Phase 2. The intention had always been that it would be Phase 2 of the
43 residential single-family subdivision. Mr. Johnson explained that this is a legislative land use
44 application as it involves changing policy as it applies to the property. As a result, the final
45 decision will be made by the City Council. The Commission should conduct a public hearing and
46 forward a recommendation to the City Council. Staff recommended approval subject to

1 completion of the proposed lot line adjustment and the findings and conditions set forth in the Staff
2 Report. Access issues and locations were discussed.

3
4 Big Cottonwood Creek provides a natural buffer and transition to future adjacent development
5 areas. Staff recommended that two separate motions be made with one for the land use and another
6 for the zoning. Notice was sent to property owners within 1,000 feet and a sign was posted. Staff
7 received a few questions but no formal public comments were submitted.

8
9 A question was raised as to why the parcel will help as mixed-use areas are developed in terms of
10 flow and circulation. Mr. Johnson had heard that it was always planned to be residential and the
11 applicants wanted to wait while heavy equipment operation was taking place in the area. Possible
12 access options were discussed including constructing a bridge over the creek. The applicants must
13 meet all Salt Lake County Flood Control regulations. It was noted that the County standard and
14 the proposed Sensitive Lands and Evaluation Development Standards (“SLEDS”) for riparian
15 setback is the same for single-family residential zoning designations.

16
17 **3.0 Additional Discussion Items.**

18
19 **4.0 Adjournment.**

20
21 *Commissioner Chappell moved to ADJOURN. Commissioner Smith seconded the motion. The*
22 *motion passed with the unanimous consent of the Commission.*

23
24 The Work Meeting adjourned at 5:59 p.m.

1 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
2 **PLANNING COMMISSION BUSINESS MEETING**

3
4 **Wednesday, July 19, 2023**
5 **6:00 p.m.**
6 **2277 East Bengal Boulevard**
7 **City Council Chambers**
8

9 ***ATTENDANCE***

10
11 **Members Present:** Chair Dan Mills, Commissioner Jessica Chappell, Commissioner Jonathan
12 Ebbeler (via Zoom), Commissioner Mike Shelton, Commissioner Mike
13 Smith, Commissioner Sean Steinman
14

15 **Staff Present:** Community and Economic Development Director Michael Johnson, Staff
16 Engineer Adam Ginsberg, Senior Planner Samantha DeSeelhorst, Deputy
17 City Recorder Maria Devereux, System Administrator Alex Earl
18

19 **Excused:** Commissioner Lucy Anderson
20

21 **Others:** Anthony Evans, Bob Evans, Brandon Preece, Roger Bland, Shawna Bland,
22 Kim Fisher, Annejanine Etzel, Tom Etzel, Jackie Hibbard, Rick Stevenson,
23 Ed Primosic
24

25 **BUSINESS SESSION**

26
27 **1.0 Welcome and Acknowledgments.**
28

29 Chair Dan Mills called the Business Meeting to order at 6:05 p.m.
30

31 **1.1 ExParte Communications or Conflicts of Interest to Disclose.**
32

33 There were no disclosures.
34

35 **2.0 General Public Comment.**
36

37 Chair Mills opened the public comment period.
38

39 *Ed Primosic*, a Canyon Creek Circle resident, thanked the City for its efforts this spring to prevent
40 flooding. He was very appreciative of their efforts. He commented on Big Cottonwood Canyon
41 Road and felt strongly that converting it to a historic roadway will benefit everyone. He asked that
42 it remain in its current condition and not widened.
43

44 *Jackie Hibbard* was present representing the Old Mill Estates Homeowners Association (“HOA”)
45 and felt the same about Big Cottonwood Canyon Road being designated as a historic because it
46 will tie in well with the trail system.

1
2 There were no further public comments. The public comment period was closed.

3
4 **3.0 Business Meeting Items**

5
6 **3.1 Project ZMA-23-001 A Public Hearing and Possible Recommendation on a**
7 **General Plan Amendment and Zoning Map Amendment to Modify the Land**
8 **Use Designation of 6851 South Big Cottonwood Canyon Road from Mixed-Use**
9 **to Low-Density Residential, and the Zoning Designation from Foothill**
10 **Residential (F-1-21) to Residential Single-Family.**

11
12 Community and Economic Development Director, Michael Johnson, presented the Staff Report
13 and stated that the request is for both land use and zoning map amendments at 6851 Big
14 Cottonwood Canyon Road. The address corresponds with a parcel that is nearly 16 acres in size.
15 The actual request, however, is being run concurrently with a boundary line adjustment. As a
16 result, the rezone request only applies to approximately three acres of the 16-acre parcel. The three
17 acres surround the constructed cul-de-sac with access through the Canyon Creek Estates
18 Subdivision. The boundary of the three-acre parcel is approximately the alignment of Big
19 Cottonwood Creek. The first request is for a Land Use Map Amendment, which is a policy
20 recommendation out of the City’s General Plan that helps guide the City when making future land
21 use decisions. Every parcel in the City is given a land use designation, which specifies what is
22 desired there in the future. The zoning of a property includes the laws, restrictions, and use
23 requirements as they apply today.

24
25 When considering changes, the intent was to ensure that a new zone corresponds with the General
26 Plan and the two should be as compatible as possible. When a zoning request comes in to change
27 the zoning of a parcel, staff first looks at the General Plan. If the General Plan matches the
28 requested zoning, oftentimes the City will support the zoning change. There are circumstances
29 such as this one, however, where it does not make sense to preserve the land use designation. The
30 current future land use designation is mixed-use, which allows for a wide range of residential and
31 commercial development. The current zoning is Foothill Residential, which is a single-family
32 zone typically reserved for foothill areas. The applicant would like to change the zoning from
33 Foothill Residential to Residential Single-Family (“R1-8”). Uses allowed in the R1-8 zone are
34 predominantly residential single-family detached homes on lots that are a minimum of 8,000
35 square feet in size. For the future land use map to be compatible with the zoning requested, the
36 applicant has also requested a change to the land use designation from mixed-use to residential
37 low-density.

38
39 The property owner is Walker Development Partnership, LLC and the applicant that applied on
40 the owner’s behalf is Gilson Engineering. Concurrent with the rezone request and the land use map
41 amendment request, is a lot line adjustment. The proposed three-acre parcel does not currently
42 exist. One of Staff’s recommendations was if approved, that the lot line adjustment be completed,
43 finalized, and recorded prior to applying that zone change as the intent is not to rezone the entire
44 parcel. The original Canyon Creek Estates Subdivision Plat was recorded and approved in 1993.
45 The subject parcel is listed as future Phase 2. This shows that it was always the intention to develop
46 the property as a two-phase subdivision.

1
2 The Planning Commission's role in this legislative land use application is to hear public comment,
3 discuss the merits and impacts of the proposal, and make a recommendation to the City Council.
4 As it involves a zone change, modifying the use requirements and laws on the property is
5 considered a legislative matter with the City Council being the final authority.
6

7 Staff recommended approval subject to completion of the proposed lot line adjustment prior to the
8 new zoning and land use taking effect. The key findings were listed in the Staff Report. Big
9 Cottonwood Creek provides a natural buffer to future adjacent development areas.
10 Geographically, the three-acre portion is separated from the 16-acre parcel. As a result, any future
11 land use or development plans that could be considered will not be dramatically impacted by
12 approval of the proposed change.
13

14 Access issues were discussed. Mr. Johnson explained that what is proposed is not the only
15 alternative and that the cul-de-sac can be removed, however, a turnaround would still need to be
16 constructed as it is a public road.
17

18 Brandon Preece from Gilson Engineering echoed the staff recommendation and explained that the
19 second phase of the plat was always intended to be the second phase. In 1993, when the plat was
20 recorded, it was labeled as such. When this part of the County was annexed into Cottonwood
21 Heights, it was never developed. All of the utilities, sidewalks, curb and gutter, and water are in.
22 There are power challenges that will have to be addressed, which was one of the reasons the
23 property was never developed. In 1993, the applicant was working with Rocky Mountain Power
24 which required substantial improvement costs to do more than just the subdivision. Costs are
25 much lower today and Rocky Mountain Power will comply with whatever they choose to do.
26 Future plans will be submitted as part of the subdivision portion. The request tonight was approval
27 of the proposed General Plan and zone changes.
28

29 Commissioner Ebbeler was generally not supportive of downzoning but for this specific parcel
30 and its proximity to the established single-family community and the natural buffer, he recognized
31 the merits of the proposal.
32

33 The property owner, Doug Shelby, identified himself as a member of Walker Development
34 Partnership, LLC. He explained that they put in all the improvements as well as an additional
35 \$45,000 into a transformer. Rocky Mountain Power then wanted them to rebuild their entire line
36 system which made it uneconomical to develop at that time. They now have agreed to pay a
37 reasonable amount to move the overhead lines that service the eastern portion. They will be
38 replaced as they are an eyesore and a fire hazard. Commissioner Ebbeler asked if the developer
39 and property owner be amenable to a condition regarding burying the power lines as part of the
40 downzoning. Mr. Shelby explained that it was already buried to the bridge. They will then run it
41 on the northeast side of the river. He commented that at some point it will all be buried.
42

43 Chair Mills opened the public hearing.
44

45 *Jackie Hibbard* commented that they have been waiting for a long time to see this property
46 developed, which will improve the entire community.

1
2 *Anthony Evans* expressed his support. He has lived in the area since 1995 and commented that it
3 would be nice to finish the development and make it a part of the community.

4
5 *Annjanine Etzel* reported that she lives in the Old Mill Subdivision. She stated that she and her
6 neighbors have been waiting for this development to take place since 1993. It is desirable since
7 the cul-de-sac is already in and there has been an empty field and a mess there. She commented
8 that the development will improve the aesthetics of the area.

9
10 *Ed Primosic* was grateful that the developer is moving forward and stated that Mr. Shelby has been
11 a very good neighbor. He was confident that they will develop a quality project. He asked if the
12 riparian setback will affect the setbacks from the stream. Mr. Johnson stated that the matter can
13 be dealt with as part of the Commission deliberations.

14
15 *Rick Stevenson* reported that he lives in the same neighborhood as the subject property. When he
16 purchased the property, they were told that 10 lots would be developed. They proceeded with the
17 purchase based on that assumption. He was in favor of lower density for the ingress and egress.

18
19 There were no further public comments. The public hearing was closed.

20
21 Commissioner Ebbeler asked for clarification on the setback provisions that will apply to this
22 property. Chair Mills indicated that the City has a Sensitive Lands Ordinance, however, it is under
23 review by the City Council. He asked what the standard would be today compared to after the
24 Sensitive Lands Evaluation Development Standards (“SLEDS”) ordinance is passed. Mr. Johnson
25 explained that any sensitive elements of the site will be screened through whatever ordinance is in
26 place at the time the subdivision application is submitted. In 1993, the Old Canyon Creek Estates
27 Plat showed a creek buffer. Salt Lake County Flood Control will have reviewing authority over
28 the final subdivision plat. They typically have a Creek setback standard that they will impose and
29 that will be reflected on the plat. Typically, it is 20 feet. What is proposed in the amended SLEDS
30 ordinance for single-family residential will also be a 20-foot no-build area from the top of the bank,
31 which is consistent with what they expect Salt Lake County Flood Control to impose.

32
33 Ms. DeSeelhorst reported that the proposed riparian standards in the current draft work off a certain
34 distance from the top bank of the Creek. Incidentally, the limit of disturbance for this parcel is the
35 creek. If lots were placed there, there would be a rear setback from the rear lot line. Even if the
36 SLEDS ordinance was not updated and the riparian standards were not adopted prior to application
37 submittal, there is still a rear setback due to where the property line hits the Creek. She noted that
38 there are alternative measures in place that achieve a buffer regardless of whether the update to the
39 SLEDS ordinance is codified.

40
41 Mr. Johnson stated that in response to a question raised by Commissioner Ebbeler regarding
42 burying utilities, the Subdivision Code includes a requirement to bury utilities as feasible. The
43 benefit of having a setback was recognized after this most recent flood season.

44
45 ***Commissioner Steinman moved to recommend APPROVAL to the City Council of the General***
46 ***Plan Land Use Map Amendment portion of Project ZMA-23-001 based on the findings and***

1 *recommendations listed in the staff report dated July 19, 2023. Commissioner Smith seconded*
2 *the motion. Vote on motion: Commissioner Chappell-Aye, Commissioner Steinman-Aye,*
3 *Commissioner Smith-Aye, Commissioner Shelton-Aye, Commissioner Ebbeler-Aye, Chair*
4 *Mills-Aye. The motion passed unanimously.*

5
6 *Commissioner Shelton moved to recommend APPROVAL to the City Council of the Zoning*
7 *Map Amendment portion of Project ZMA-23-001 based on the findings and recommendations*
8 *listed in the staff report dated July 19, 2023. Commissioner Smith seconded the motion. Vote*
9 *on motion: Commissioner Chappell-Aye, Commissioner Steinman-Aye, Commissioner Smith-*
10 *Aye, Commissioner Shelton-Aye, Commissioner Ebbeler-Aye, Chair Mills-Aye. The motion*
11 *passed unanimously.*

12
13 Chair Mills informed Mr. Shelby that historically the Walker Family were the caretakers of nearly
14 the entire mouth of Big Cottonwood Canyon. He appreciated the legacy the family has provided
15 to the community and the City. He recognized this project as another major contribution.

16
17 **4.0 Consent Agenda**

18
19 **4.1 Approval of Planning Commission Meeting Minutes from June 7, 2023.**

20
21 *Commissioner Ebbeler moved to APPROVE the Planning Commission Meeting Minutes from*
22 *June 7, 2023. Commissioner Chappel seconded the motion. The motion passed with the*
23 *unanimous consent of the Commission.*

24
25 **5.0 Adjourn**

26
27 *Commissioner Ebbeler moved to ADJOURN. Commissioner Shelton seconded the motion. The*
28 *motion passed with the unanimous consent of the Commission.*

29
30 The Planning Commission Meeting adjourned at 6:38 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, July 19, 2023.*

3

4 Teri Forbes

5 Teri Forbes

6 T Forbes Group

7 Minutes Secretary

8

9 Minutes Approved: _____