

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION MEETING AGENDA



March 6, 2024

Notice is hereby given that the **Cottonwood Heights Planning Commission** will convene on **Wednesday, March 6, 2024** at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for its **Work Session** and **Business Session** meetings.

1. Work Session – **5:00 p.m.** – City Council Work Room
2. Business Session – **6:00 p.m.** – City Council Chambers

Both sessions will also be broadcast electronically on Zoom. **For those who wish to attend virtually, please register in advance** for these meetings by visiting: www.ch.utah.gov/planningcommission, and clicking on **“Planning Commission Zoom Links.”** Alternatively, the public can also hear audio of the open portions of the meeting by connecting to the live broadcast at <https://www.youtube.com/@CottonwoodHeights/streams>

5:00 p.m. Work Session

1.0 Review Business Session Agenda

The Commission will review and discuss agenda items.

2.0 Adjourn

6:00 p.m. Business Session

1.0 Welcome and Acknowledgements

- 1.1 Ex parte communications or conflicts of interest to disclose

2.0 General Public Comment

This is an opportunity for individuals to make general public comments that do not relate to any projects scheduled for public hearing under the “Business Session” section of this agenda. Please see the Public Comment Policy on the reverse side of this agenda for more information.

3.0 Business Items

- 3.1 Project SUB-24-001

A public hearing and possible action on a request from Justin Jones, on behalf of Kade and Kalli Huntsman, for a subdivision amendment to consolidate three lots within the Golden Hills Canyon Subdivision, located at 3874 E. Golden Hills Canyon Rd.

4.0 Consent Agenda

- 4.1 Approval of Planning Commission Minutes from January 3, 2024 Meeting

5.0 Adjourn

Next Planning Commission Meeting: April 3, 2024

Public Comment Policy

Verbal public comments are accepted during the “General Public Comment” component of the 6:00 p.m. Business Session (but not during the 5:00 p.m. Work Session). Please note that public comment periods are an opportunity for individuals to share public comments as they see fit but are not an opportunity for “question and answer” dialogue. Questions should be directed to city staff at planning@ch.utah.gov.

Verbal comments provided during the public comment period will be limited to three minutes per individual, or five minutes per a spokesperson who has been asked by a group that is present to summarize their concerns.

Alternatively, written comments submitted to staff via email at planning@ch.utah.gov. For written comments to be entered into the record and distributed to the Planning Commission prior to the meeting, they must be submitted to staff by 12:00 p.m. MST on Tuesday, March 5, 2024, the day prior to the meeting. Comments received after this deadline will be distributed to the Planning Commission after the meeting.

Meeting Procedures

Items will generally be heard in the following order:

1. Commission Chair Introduces Item
2. Staff Presentation
3. Applicant Presentation (If applicable)
4. Commission Chair Opens Public Hearing (If item has been noticed for public hearing)
5. Commission Chair Closes Public Hearing
6. Planning Commission Deliberates
7. Planning Commission Motions and Votes on Item

Planning Commission applications may be tabled if:

1. Additional information is needed in order to act on the item; or
2. The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion.

No agenda item will begin after 9:00 pm without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7021 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Friday, March 1, 2024, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City’s website at www.cottonwoodheights.utah.gov and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 1ST DAY OF MARCH, 2024

Attest: Paula Melgar, City Recorder

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION STAFF REPORT



March 6, 2023

Summary

Project Number:
SUB-24-001

Subject Property:
3874 E., 3892 E.,
3889 E. Golden
Hills Canyon Rd.

Action Requested:
Subdivision
Amendment to
Combine Three
Parcels

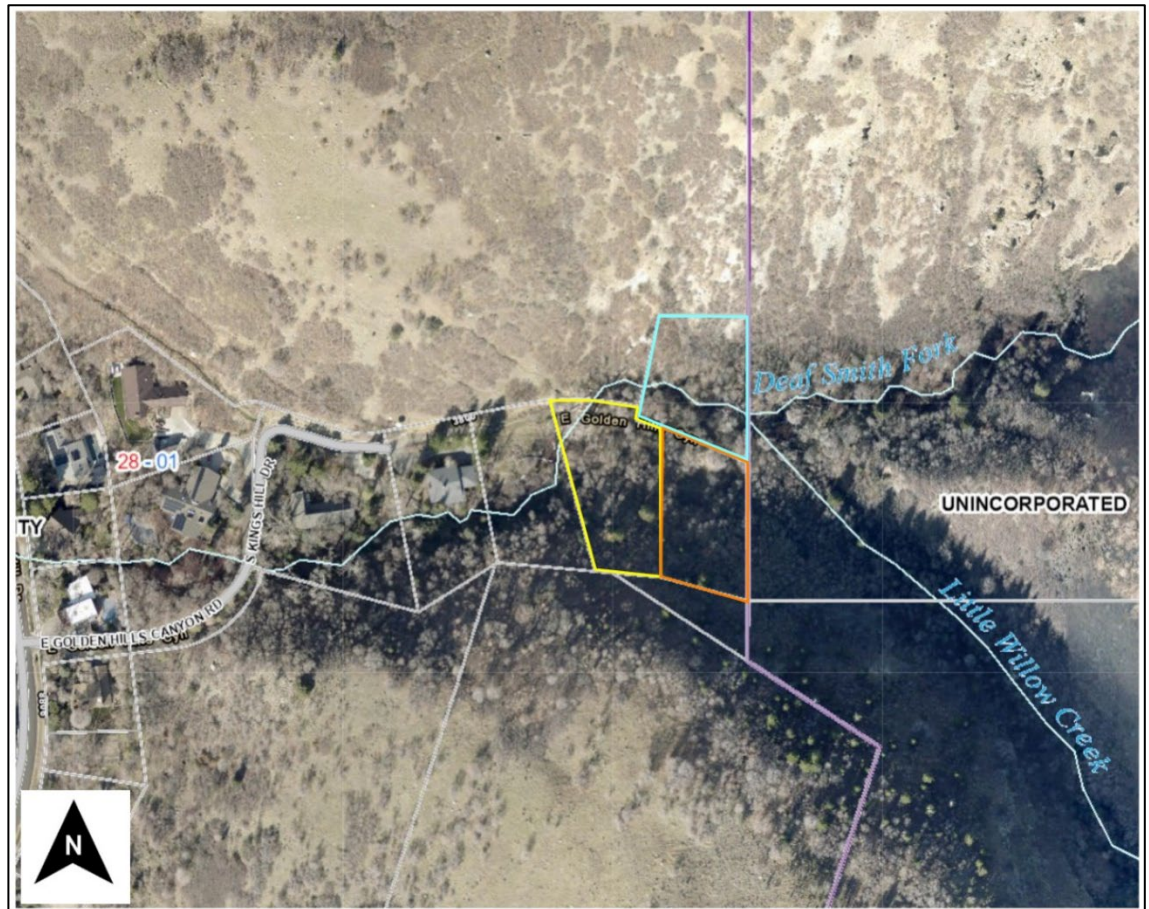
Applicant:
Justin Jones

Recommendation:
APPROVE

Context

Property Owner:
Kade and Kalli
Huntsman (BCM CB
Enterprises LLC)

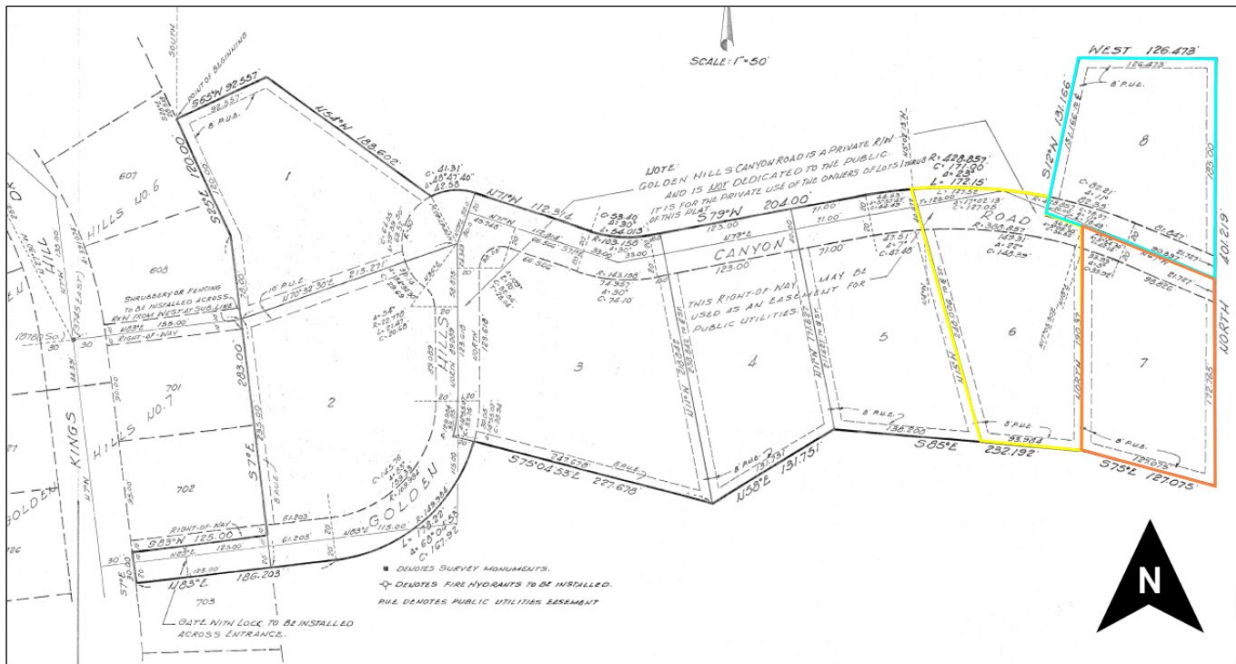
Acreage:
Yellow Parcel: 0.60
Orange Parcel: 0.51
Blue Parcel: 0.57
Total Area: 1.68



Request

Project SUB-24-001 proposes to combine three separate lots into a single lot. All properties have the same owners, who ultimately desire to construct one single-family dwelling on the consolidated lot.

The three lots are part of the existing Golden Hills Canyon subdivision, an 8-lot subdivision originally approved in 1970. The proposed subdivision amendment requires Planning Commission approval as it modifies the total number of lots within the existing subdivision (reduces total subdivision lots from eight to six).



Existing Golden Hills Canyon Subdivision Plat

The subject properties are lots 6, 7, and 8 of this plat.

Analysis & Findings

Staff has conducted a preliminary review of the project and provided the applicant with a list of numerous technical correction items. None of these items seems to impact the ability to consolidate the lots, and staff recommends that they all be satisfactorily addressed prior to approval of the final plat and final construction plans/building permit. The key themes of review comments to date include:

1. The applicant is required to show all slope areas, natural hazards, waterways, and other natural conditions on the preliminary plat.
2. The applicant is required to show a trail easement (or dedication) through the subject property, as the area is near Deaf Smith Canyon. This trail easement/dedication must be found by staff to be feasible for access, construction, and long-term maintenance, and insurmountable physical obstructions shall be avoided.
3. The applicant is required to submit approval from water and sewer districts.
4. The applicant must show and label the buildable areas (i.e., areas clear of identified and studied natural hazards) on the subdivision plat.
5. The submittal has been reviewed by the fire department, which requires (among other items) a minimum 15-foot-wide driveway access with no parking allowed, and a residential sprinkler system to be installed in any future home on the property.
6. The applicant has previously completed numerous sensitive lands studies, including slope stability, debris flow, rockfall, etc. The city engineer requires that all mitigations recommended in these reports be designed and shown on the subdivision plat and/or in final construction

plans, with final plans reviewed by the city’s geologic hazard consultant (GeoStrata) before final approval.

7. Impacts and mitigations around existing waterways and irrigation lines must be demonstrated and approved.
8. A bridge will be required across Deaf Smith Creek to access the suspected buildable area of the lot. This bridge shall be fully engineered, designed, and permitted prior to construction.
9. A flood control plan, and stream alteration permit (issued by SLCO and the State of Utah, respectively) will be required prior to final approval.

In addition to technical corrections required by city ordinance, staff has also analyzed the impact of the proposed lot consolidation. The subject properties are located in the F-1-21 (Foothill Residential) zoning district. The stated purpose of the zone is “...to provide residential development opportunities for property owners within steep slopes and hillsides in the city while providing preservation of the natural landscape of hillsides.” The subject lots are currently undeveloped, but as they lots are located in a platted subdivision, they are considered to be entitled for development (subject to compliance with all applicable local ordinances). The consolidation of three lots into one results in future development that is more in harmony with the purpose of the F-1-21 zone, and the opportunity to disturb less natural and hillside area, as only one home can be constructed on the consolidated lot, as opposed to a potential of three separate homes.

All development in the F-1-21 zone requires specific approval by the health department certifying that development will not damage any natural watershed. Setbacks in the zone are determined on a case-by-case basis, evaluated and determined by the Community and Economic Development Director, with an emphasis on preservation of natural hillsides to the greatest extent possible.

Public access to Deaf Smith Canyon has been a long-time priority of the city, and the desire for public access to foothill recreation areas is included in the city’s 2005 General Plan. Specific recommendations to seek public access to Deaf Smith Canyon is referenced in the city’s Bicycle and Trails Master Plan (2016), Wasatch Boulevard Master Plan (2019), Bonneville Shoreline Trail Access Master Plan (2020), and Parks, Trails, & Open Space Master Plan (2021). The city’s subdivision ordinance requires subdivision applications to provide easements/dedications for trail systems that are identified on city master plans. The city cannot require the current applicant to provide full trail access through adjacent private properties, but procurement of future trail access through the subject properties represents significant progress towards this goal.

If approved by the Planning Commission, **this project will continue its technical review process** until all review items are completed and final plat and construction plans are found to comply with all city standards. Since the applicant will not receive final approval until all requirements are met, staff recommends approval of the proposed lot consolidation and finds the consolidation to positively contribute to the stated purposes and goals of the F-1-21 zoning district and city master plans when compared to the current three-lot configuration.

Subdivision Amendment Procedure

12.26.010 Plat Vacation Process

- A. The planning commission may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.
- B. If a petition is filed, the planning commission shall hold a public hearing within 45 days after receipt of a petition.

12.26.020 Notice Of Hearing For Plat Change

- A. The planning commission shall cause notice of the proposed plat change to be mailed to each owner of real property located within 400 feet of the property that is the subject of the proposed plat change, addressed to the owner’s mailing address appearing on the most recent assessment rolls of the Salt Lake County Assessor.
- B. The notice shall include the date, place, and time when the hearing will be held to consider such proposed plat change.
- C. If the proposed change involves the vacation, alteration, or amendment of a street, the planning commission shall also cause notice of the date, place, and time of the hearing regarding the matter to be given as required by UTAH CODE ANN. § 10-9a-609.5, as amended.

Recommendation & Model Motions

Based on the findings and analysis presented herein, staff recommends that the Planning Commission approve SUB-24-001.

Findings of fact include:

1. The proposed zoning and land use designations are compatible with the goals of the Cottonwood Heights General Plan
2. The proposed consolidation positively contribute to the stated purposes and goals of the F-1-21 zoning district and city master plans referenced herein.
3. The application was made pursuant to 19.90 of the Cottonwood Heights City Code
4. A public hearing was held in accordance with the local and state requirements.

Approval

I move to approve project SUB-24-001 based on the findings and recommendations listed in the staff report dated March 6, 2024

Denial

I move to deny project SUB-24-001 based on the following findings:

- *List findings for denial...*

Attachments

- Golden Hills Canyon Subdivision
- Preliminary Plat (First Submittal)

SURVEYOR'S CERTIFICATE

I, HOOPER KNOWLTON, JR., do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 2761, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as GOLDEN HILLS CANYON, and that same has been correctly surveyed and staked on the ground as shown on this plat.

COURSE	DIST.	BOUNDARY DESCRIPTION	REMARKS
		BEGINNING AT A POINT THAT IS S 85° E 20.510 FEET FROM THE NORTHEAST CORNER OF LOT 607, GOLDEN HILLS NO. 6.	
		FULL POINT BEING	
EAST	1677.721	FEET	
SOUTH	963.553	FEET FROM THE N.W. COR. OF SEC. 1, T.35. N.16. S. 6. A. 111.	
S 25° E	120.00	FEET, THENCE	
S 74° E	893.00	FEET TO THE SOUTHEAST CORNER OF LOT 708, GOLDEN HILLS NO. 7; THENCE S 63° N 125.00 FEET, THENCE	
S 72° E	30.00	FEET, THENCE N 85° E 161.00 FEET, THENCE S 63° N 125.00 FEET, THENCE S 72° E 179.27 FEET, THENCE	
S 70° W 53° E	207.678	FEET, THENCE N 50° W 131.251 FEET, THENCE	
S 65° E	132.192	FEET, THENCE S 25° E 127.025 FEET, THENCE	
N 60° W	101.511	FEET, THENCE WEST 126.473 FEET, THENCE	
S 12° N	148.166	FEET TO A POINT ON A 400.00 FEET RADIUS CURVE	
		THE CENTER OF WHICH BEARS S 12° N, THENCE WESTERLY	
		ALONG SAID CURVE TO THE LEFT 176.12 FEET, THENCE S 70° N 80.00 FEET,	
		THENCE WESTERLY ALONG A 100.00 FEET RADIUS CURVE TO THE RIGHT	
		54.013 FEET, THENCE N 71° N 134.12 FEET, THENCE WESTERLY ALONG	
		A 30.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF	
		104° 44' 40" DISTANCE OF 42.50 FEET, THENCE	
		WESTERLY 108.402 FEET, THENCE	
		S 6° N 92.551 FEET TO THE POINT OF BEGINNING.	

DATE JUNE 24, 1969
 Hooper Knowlton, Jr.
 STATE OF UTAH
 No. 2761

OWNER'S DEDICATION

Know all men by these presents that I, the undersigned owner of the above described tract of land, having caused same to be subdivided into lots to be hereafter known as GOLDEN HILLS CANYON, do hereby dedicate for perpetual use of the owners all parcels of land shown on this plat as intended for private use, as a roadway. In witness whereof I have hereunto set my hand and seal this 15 day of JULY, A.D., 1969.

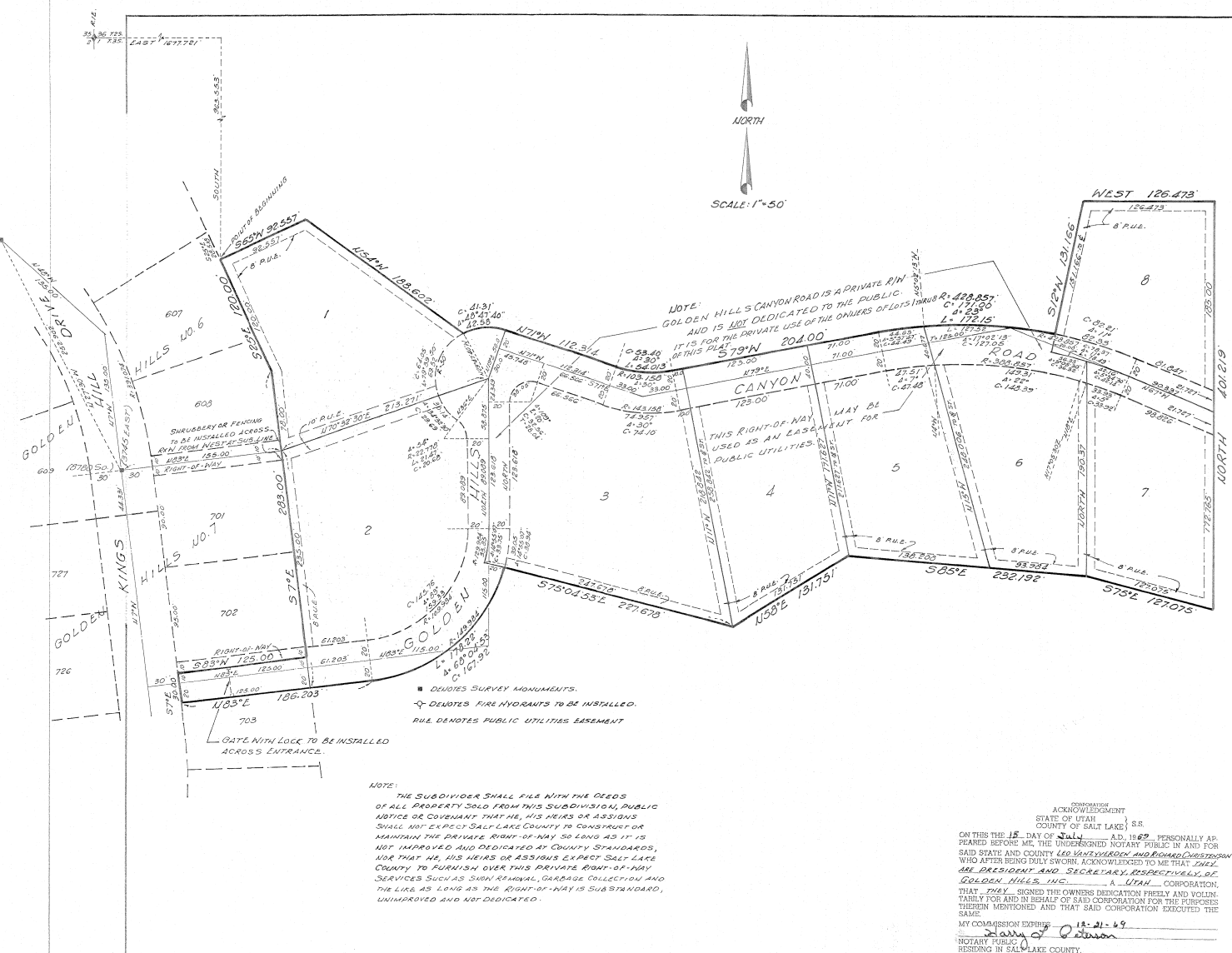
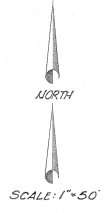
Leo Van Zaverden President
Richard Christensen Secretary
 GOLDEN HILLS, INC.
 154 VAN DYKE BLVD.
 SALT LAKE CITY, UTAH

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
 County of Salt Lake }
 On this 15 day of JULY, A.D., 1969, personally appeared before me, the undersigned Notary Public, in and for said County of Salt Lake in said State of Utah, the signer(s) of the above Owner's dedication, 1 in number, who duly acknowledged to me that they signed it freely and voluntarily and for the uses and purposes therein mentioned.
 MY COMMISSION EXPIRES: 12-21-69
Harriet Peterson
 NOTARY PUBLIC
 RESIDING IN SALT LAKE COUNTY

GOLDEN HILLS CANYON
 (8 LOTS)
 A SUBDIVISION IN THE N1/4 OF SEC. 1, T.35. N.16. S. 6. A. 111.
 SALT LAKE BASE & MERIDIAN
 RECORDED # 2329666

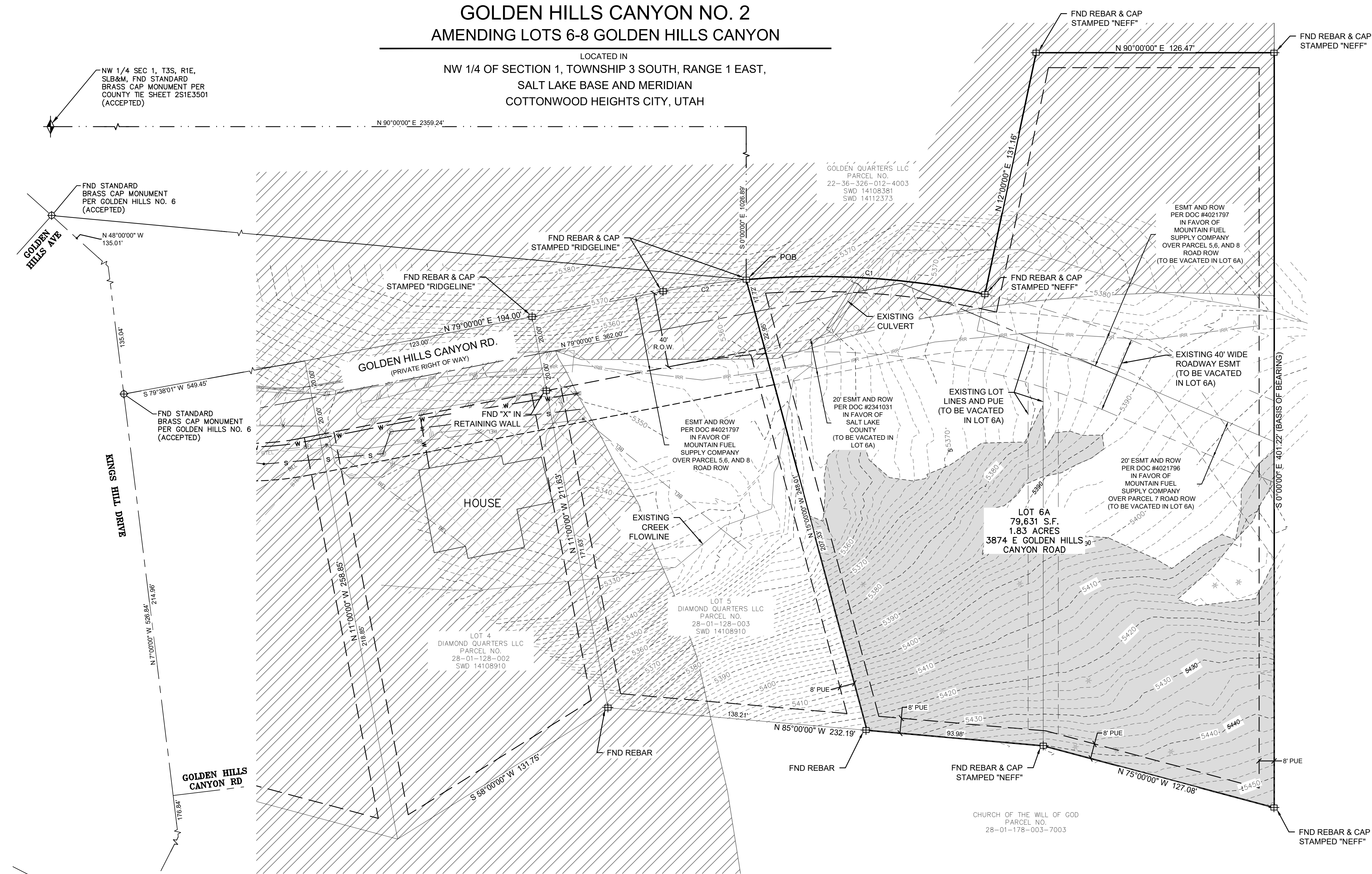
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF
Leo Van Zaverden
 DATE 13 April 1972 TIME 4:44 PM BOOK HH PAGE 56
8/12 22
8/12 22
 SALT LAKE COUNTY RECORDER



<p>PLANNING COMMISSION APPROVED THIS <u>10TH</u> DAY OF <u>MAR</u>, A.D. 19<u>69</u>, BY THE SALT LAKE COUNTY PLANNING COMMISSION. CHAIRMAN: <u>Stanley J. ...</u></p>	<p>BOARD OF HEALTH APPROVED THIS <u>19</u> DAY OF <u>March</u>, A.D. 19<u>69</u>. <u>Richard ...</u> S. L. CO. BOARD OF HEALTH</p>	<p>FLOOD CONTROL DEPT. APPROVED THIS <u>26</u> DAY OF <u>March</u>, A.D. 19<u>69</u>. <u>J. R. ...</u> FLOOD CONTROL COORDINATOR</p>	<p>SURVEYOR'S CERTIFICATE I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. DATE <u>4-23-70</u> SALT LAKE COUNTY SURVEYOR</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>21st</u> DAY OF <u>April</u>, A.D. 19<u>69</u>. <u>Stanley B. Christensen</u> SALT LAKE COUNTY ATTORNEY</p>	<p>COUNTY COMMISSION PRESENTED TO THE BOARD OF SALT LAKE COUNTY COMMISSIONERS THIS <u>22</u> DAY OF <u>April</u>, A.D. 19<u>69</u>, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED. ATTEST: SALT LAKE CO. CLERK CHAIRMAN, BE. OF CO. COMM.</p>
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GOLDEN HILLS CANYON NO. 2 AMENDING LOTS 6-8 GOLDEN HILLS CANYON

LOCATED IN
NW 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
COTTONWOOD HEIGHTS CITY, UTAH



SURVEYOR'S CERTIFICATE

I, DAVID MORTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6436557 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS GOLDEN HILLS CANYON NO. 2, AMENDING LOTS 6-8 GOLDEN HILLS CANYON, AND THAT SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.


 DAVID T. MORTENSEN, P.L.S.
 01/08/2024
 DATE

BOUNDARY DESCRIPTION

ALL OF LOTS 6, 7 AND 8, GOLDEN HILLS CANYON, RECORDED APRIL 23, 1970, AS ENTRY NO. 2329666, IN BOOK HH, AT PAGE 56, OFFICIAL RECORDS, SALT LAKE COUNTY RECORDER.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED OWNER (S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS:

GOLDEN HILLS CANYON NO. 2 AMENDING LOTS 6-8 GOLDEN HILLS CANYON

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON THE DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET ASIDE OUR HAND (S) THIS _____ DAY OF _____, 20____.

LIMITED LIABILITY ACKNOWLEDGEMENT

STATE OF UTAH }
 COUNTY OF SALT LAKE } (SS.)
 ON THE _____ DAY OF _____ A.D. 20____
 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF **BCMCB ENTERPRISES, LLC**, A LIMITED LIABILITY COMPANY AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY AND IN BEHALF OF SAID LIMITED COMPANY FOR THE PURPOSES THEREIN MENTIONED AND ACKNOWLEDGED TO ME THAT SAID LIMITED COMPANY EXECUTED THE SAME.

COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____
 NAME, NOTARY PUBLIC COMMISSIONED IN UTAH _____

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO AMEND LOTS 6, 7, & 8 OF GOLDEN HILLS CANYON INTO A ONE LOT RESIDENTIAL SUBDIVISION. THE SURVEY WAS PERFORMED AT THE REQUEST OF OUR CLIENT. THE BASIS OF BEARING FOR THIS SURVEY IS S 0°0'00" E ALONG EAST PROPERTY LINE OF SAID GOLDEN HILLS CANYON PLAT, BETWEEN TWO FOUND MONUMENTS TYPE AND LOCATIONS OF WHICH ARE SHOWN ON THIS PLAT.

THE FOLLOWING DOCUMENTS OF RECORD WERE REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY. THERE MAY BE OTHER DOCUMENTS EITHER PRIVATE OR OF RECORD THAT WOULD AFFECT THIS SURVEY. ANY NEW EVIDENCE CONTRADICTORY TO THIS SURVEY SHOULD BE PRESENTED TO CIVIL SCIENCE FOR REVIEW AND CONSIDERATION.

GOLDEN HILLS CANYON PLAT DOCUMENT, RECORDED 4-23-70 AS ENTRY NO. 2329666, IN BOOK HH, AT PAGE 56, DATED 7-15-69, SIGNED BY HOOPER KNOWLTON JR.
 GOLDEN HILLS NO. 6, RECORDED 8-20-68 AS ENTRY NO. 2256723, IN BOOK FF, AT PAGE 83, SIGNED BY HOOPER KNOWLTON JR.
 GOLDEN HILLS NO. 7, RECORDED 4-29-69 AS ENTRY NO. 2285648, IN BOOK GG, AT PAGE 53, SIGNED BY HOOPER KNOWLTON JR.
 GOLDEN HILLS NO. 14, RECORDED 9-10-74 AS ENTRY NO. 2649913, IN BOOK 74-9, AT PAGE 142, SIGNED BY RICHARD P SORENSEN
 RECORD OF SURVEY FILE NO. 162107ROS, PERFORMED BY BUSH & GUDGELL, INC. DATED 8-28-16
 RECORD OF SURVEY FILE NO. S2014-05-0219, PERFORMED BY RIDGELINE LAND SURVEYING, DATED 5-20-14
 RECORD OF SURVEY FILE NO. S2018-08-0543, PERFORMED BY HORROCKS ENGINEERS, DATED 7-6-17

NOTES

- NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES OR OTHER.
- SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- THE FIELD WORK WAS PERFORMED ON SEPTEMBER 20, 2023.

GOLDEN HILLS CANYON 2 AMENDING LOTS 6-8 GOLDEN HILLS CANYON SUBDIVISION

LOCATED IN
NW 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
COTTONWOOD HEIGHTS, UTAH
SHEET 1 OF 1

COUNTY RECORDER

RECORDED # _____
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT _____
 THE REQUEST OF : _____
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 FEE \$ _____
 SALT LAKE COUNTY RECORDER

Curve Table				
Curve Number	Length	Radius	Delta	Tangent
C1	127.52	428.86	17°02'13"	64.23
C2	44.63	428.86	5°57'48"	22.34

PLAT AMENDMENT NOTES:






CHANGES TO THE ORIGINAL PLAT, GOLDEN HILLS CANYON, RECORDED APRIL 23, 1970 AS ENTRY NO. 2329666, IN BOOK HH, AT PAGE 56. AMENDING LOTS 6, 7, & 8 INTO A ONE LOT RESIDENTIAL SUBDIVISION



UTILITY NOTE

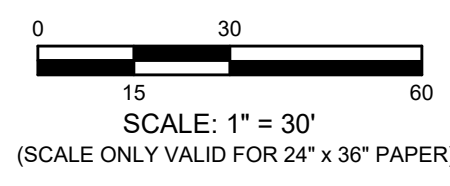
ROCKY MOUNTAIN POWER NOTE:
 UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

DOMINION ENERGY NOTE:
 DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

LEGEND

-  SECTIONAL MONUMENTATION (FOUND: TYPE, DATE, AGENCY AND LOCATION ETC. AS SHOWN ON THE PLAT)
-  SPECIFIES SURVEY CONTROL MONUMENT TO BE SET (CLASS 1, RING & LID SET TO CITY STANDARD)
-  ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED CIVIL SCIENCE, UNLESS OTHERWISE SPECIFIED ON THE PLAT
-  SPECIFIES FOUND SURVEY CONTROL MONUMENT AS SHOWN
-  SPECIFIES FOUND SURVEY CONTROL MONUMENT (CLASS II, REBAR & ALLUM. CAP)

 NON-BUILDABLE AREA
 SENSITIVE LANDS OVERLAY ZONE



PROJ. #: FF22185
 DRAWN BY: DBA
 CHECKED BY: DTM
 DATE: 1-09-24
 SHEET 1 OF 1

OWNER: BCMCB ENTERPRISES, LLC
 3874 E GOLDEN HILLS CANYON RD
 3892 E GOLDEN HILLS CANYON RD
 3899 E GOLDEN HILLS CANYON RD

FND STANDARD BRASS CAP MONUMENT PER GOLDEN HILLS NO. 14 (ACCEPTED)



COMMUNITY DEVELOPMENT

APPROVED THIS _____ DAY OF _____, 20____
 DIRECTOR: _____

CITY ENGINEER

APPROVED THIS _____ DAY OF _____, 20____
 CITY ENGINEER: _____

SALT LAKE COUNTY BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____, 20____
 BY: _____

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____, BY THE COTTONWOOD HEIGHTS CITY PLANNING COMMISSION
 CHAIRMAN: _____

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____
 COTTONWOOD HEIGHTS CITY ATTORNEY: _____

CITY COUNCIL

PRESENTED TO COTTONWOOD HEIGHTS CITY THIS _____ DAY OF _____, 20____
 MIKE WEICHERS, MAYOR
 ATTEST: PAULA MELGAR, CITY RECORDER

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

**Wednesday, January 3, 2024
5:00 p.m.
2277 East Bengal Boulevard
City Council Work Room**

ATTENDANCE

Members Present: Vice Chair Lucy Anderson, Commissioner Mike Smith, Commissioner Sean Steinman, Commissioner Jessica Chappell, Commissioner Jonathan Ebbeler (via Zoom), Youth City Council Member Alayna Dazley

Staff Present: Deputy City Recorder Maria Devereux, Associate City Planner and Sustainability Analyst Ian Harris, Community and Economic Development Director Michael Johnson, Senior City Planner Samantha DeSeelhorst, System Administrator Alex Earl

Excused: Chair Dan Mills and Commissioner Dan Poulson

WORK SESSION

In the absence of Chair Dan Mills, Vice Chair Lucy Anderson assumed the Chair and called the Work Meeting to order at 5:01 p.m.

1.0 Review Business Session Agenda.

The Business Session Agenda was reviewed.

Senior City Planner, Samantha DeSeelhorst provided an overview of Project ZTA-23-005. She stated that a public hearing will be conducted and possible action taken on a City-initiated Zoning Text Amendment to make administrative updates to portions of Title 2, Title 3, Title 12, and Title 19 of City Code. The purpose of the Text Amendment was to clarify ambiguous definitions and procedures along with conflicting provisions as part of ongoing City Code maintenance. Staff proposed the following changes:

Proposed Change #1 - Pet Boarding Establishments:

In April 2023, a first batch of Zoning Ordinance edits were brought to the Planning Commission as part of ongoing City Code maintenance. Updated regulatory language on dog kennels was included but was removed from the final adopted version, following direction from the Planning Commission to reassess which zones kennels would be allowed in. Following the Commission's direction, Staff drafted an updated Ordinance for the establishment of this type, which broadens the scope to "pet boarding establishments" rather than kennels only for dogs. Clearer regulations were also included for boarding as part of a home business.

Commercial Pet Boarding:

Added as a Conditional Use in the Regional Commercial Zone and required to go through Planning Commission for Business License approval. It will be defined as a commercial establishment with indoor and outdoor space where domestic and licensable pets, as detailed in 8.16 of City Code, are housed on a daytime and/or overnight basis. Establishments may also include grooming, training, and associated retail elements. Regulatory language was reviewed. An overnight and emergency plan will also be required to be submitted for review as part of the Conditional Use.

Home Pet Boarding:

Home pet boarding is a type of home occupation that includes the daytime boarding of domestic and licensable pets, as detailed in 8.16 of City Code, in an eligible residential zone. Overnight pet boarding is prohibited as part of a home pet boarding operation. A home pet boarding establishment may also include pet grooming and training and be divided into the following two categories:

- **Minor Home Pet Boarding:**

Minor home pet boarding constitutes the daytime boarding of up to four pets at any single point. Standards include the following:

- Number of employees;
- Signage; and
- Parking

- **Standard Home Pet Boarding:**

Standard home pet boarding constitutes the daytime boarding of above four and below six pets at any single point. Overnight boarding would not be permitted as most appropriate for residential properties.

Community and Economic Development Director, Mike Johnson reported that home pet boarding is a type of home occupation where it is not specified with specific regulations. With previous cases where a certain type of home occupation is proposed and if the use is allowed in the City, they are entitled to a home occupation. Language may be added to provide standards for their use.

Chair Anderson asked if home pet boarding hours are defined. Ms. DeSeelhorst reported that daytime hours are not specified but overnight stays are not permitted. Standard business hours were suggested. With the restriction of overnight hours, Staff felt that the character of the neighborhood will remain more residential in nature. With regard to noise, pets should always be accompanied outside by a caregiver. Mr. Johnson clarified that Minor Home Pet Boarding allows all pets that are being boarded, groomed, or trained at any given point and will be included in the maximum of four pets allowed, as will any pets which permanently reside in the home. Standard home pet boarding allows for a maximum of six pets, including those that reside in the home.

Proposed Change #2 - Fuel price signs:

The City Code allows electronic signage for time and temperature signs but does not explicitly allow it for fuel price signs, although they are typically included at fuel stations. A zoning interpretation allowed the City to permit electronic fuel price signage, but this approach should be formalized in the Code.

Proposed Change #3 - Bond Adjustments:

Bond procedures have historically been included in multiple sections of City Code, including Title 3, Title 12, and Title 19. However, the provisions outlined in each title were conflicting, which prompted the need for a single procedure. All bond information has since been moved to Title 3.

Proposed Change #4 - F-1-21 Accessory Buildings Permitted:

Accessory buildings, such as sheds and detached garages, are currently allowed in all residential zones except the Foothill Residential Zone. For an unknown reason, most likely an administrative error, this zone allows single-family homes but does not list accessory buildings. The draft updates this to provide consistency across all residential zones.

Proposed Change #5 - Lot Coverage and SLEDS:

Each zone in Cottonwood Heights lists the lot coverage maximum, which signifies that the maximum percentage of the lot that can be covered by structures. However, for properties within the Sensitive Lands Overlay Zone, lot coverage includes not only structures, but also all impervious surfaces such as driveways, patios, decks, etc. Currently, each zone's individual ordinance only lists the underlying lot coverage maximum, without mention of the more restrictive standard for properties also in the overlay zone. This has created confusion for residents who read these ordinances, without knowing how to also check the Sensitive Lands Overlay Zone standards. As such, the draft incorporates information about this more restrictive standard within each zone's ordinance, as means of providing better information to the public.

(audio dropped)

Proposed Change #6 - Definition of Street:

Although there are both public and private streets in Cottonwood Heights, the current definition of "street," only specifies public rights-of-way. The draft has been updated to also include private rights-of-way.

Proposed Change #7 - Height Measurements and SLEDS:

Each zone in the City lists the maximum height for structures. However, the height limit is reduced for many properties in the City if they are located in the Sensitive Lands Overlay Zone, due to

hazards that may exist in this overlay zone. Currently, the restriction is listed inconsistently in individual zones, with some listing the particular hazard (slope stability) that necessitates the reduced height restriction, and some listing a blanket reduced height for all structures if a property is located in the overlay zone. In addition, several zones fail to mention this restriction altogether. This has created confusion for property owners and staff. As such, the draft incorporates clarification about this more restrictive standard and cleans up formatting inconsistencies within each zone's Ordinance.

(Audio resumed)

Associate City Planner and Sustainability Analyst, Ian Harris reviewed the following changes:

Proposed Change #8 - Board of Adjustment Fixes:

When Cottonwood Heights was first incorporated, the City utilized a Board of Adjustment to review appeals, including things such as nonconforming expansions and variances. Since then, the City has moved to a single Appeals Hearing Officer to replace the Board of Adjustment. Fixes to Title 19, removing mention of a Board of Adjustment were adopted last year. Since that time, Staff has become aware of other instances where a Board of Adjustment is mentioned in Title 2. It recommends that it be replaced with mention of the Appeals Hearing Officer, as this is the current procedure utilized by the City.

Proposed Change #9 - Zoning Map Location Fixes:

When Cottonwood Heights was first incorporated, City maps were printed and maintained on file at City Hall for residents to view. As Staff capabilities have evolved technologically, many City resources have moved to the City's website. This Code Amendment clarifies that zoning maps are in the custody of the Community and Economic Development Department (which includes planning and GIS mapping staff), and that they can be found both on the City's website and in-person at City Hall.

Proposed Change #10 - Rural Residential Zones Accessory Building Fixes:

Compared to other residential zones, Rural Residential Zones (RR-1-43, RR-1-29, and RR-1-21) contain distinct setback requirements for Accessory Buildings and "Private Garages." This is due to the rural nature of the zone as well as a desire not to create a large number of nonconformities, given that many of these properties were developed prior to the City's adoption of its current Zoning Code. Upon staff's review of zoning Ordinances, it was discovered that contradictory information regarding accessory building setbacks exists in the Maximum Height subsection of each Rural Residential Zone section. Staff is proposing a fix of these inconsistencies, as well as a relabeling of "private garages" as "detached garages" for clarity.

Proposed Change #11 - Fencing Clarifications:

Currently, City Code is ambiguous with regard to fencing in the case of key lots, where one the front yard of on lot abuts another lot's rear yard. In this case, fencing standards conflict, fences

along property lines in the front yard may be constructed up to a height of four feet, while fences along property lines in the rear yard may be constructed up to six feet (with extensions allowed as a Conditional Use). A recent neighbor dispute brought this to Staff's attention. Upon investigation, Staff found that the definition of a key lot to be incorrect, and also found a loophole in the wall height extension process, which would have allowed extensions in front yards. Staff was proposing supplanting the definition of a key lot with the definition found in the Planner's Dictionary, adding a provision for fences to be constructed up to six feet in the case of key lots, and clarifying that no wall height extensions are allowed in the front yard of lots, including key lots. Ms. DeSeelhorst reported that there was unclear language whereby someone may interpret a wall height extension where there may be a unique circumstance where additional height is needed. These are only intended to be a possible avenue for side yards and rear yards. Language would state explicitly that a wall height extension cannot be granted in the case of a key lot.

The next agenda item was Project ZTA-23-004. Mr. Johnson reported that this item involved consideration of a public hearing and action on a City-Initiated Zoning Text Amendment to establish standards and permitting requirements for Outdoor Sport Courts in residential areas. Mr. Johnson reported that Staff does not have additional details as this Ordinance is in the same position as last discussed. The Planning Commission took initial public comment with a motion to continue the item. One additional public comment was received from Mike Shelton with two additional comments received after the deadline. He recommended discussion continue and that the public hearing be held. The moratorium was issued in September 2023 and runs a maximum of six months. Should the March deadline be met, and the moratorium lifted, the Ordinance cannot be further restricted.

Chair Anderson stated that productive discussions have taken place regarding the Sports Court Ordinance. She questioned whether the Commission wishes to reengage in those discussions.

Commissioner Steinman questioned similar uses as a City, County, or State where such activities are regulated on private property. Mr. Johnson explained that without going through the Conditional Use process, the mechanism regulates uses. The idea was to begin with a minimum and comply with current setback regulations creating distance between the hazard and the structure. Should the applicant desire to reduce the setback, a noise analysis and sound mitigation may be conducted confirming the mitigation. Commissioner Steinman suggested exercising caution in overstepping land use as there is already an Ordinance Officer who manages noise. If there are similarities in residential uses, he felt that many will breach the regulations and it will be costly for the City to work through those issues.

Ms. DeSeelhorst reported that from a Staff perspective, the struggle comes from allowing a resident to construct something that has a high likelihood of violating the noise Ordinance or getting ahead of the potential issue and imposing regulations from being built in a way to mitigate potential violations. Staff has tried to create flexibility with the noise study requirement. They went to great effort to find a middle ground that allows the right to use and construct sports courts but establishes a reasonable permitting process to head off potential impacts before they happen.

Chair Anderson felt that the concern lies with finding a balance between the construction of sports courts while ensuring that the construction and use does not infringe on the rights of neighbors to enjoy their property.

Council Member Shelton commented that an interesting thought would be to consider all of the places where the use is not regulated. He asked if a home-based business, such as dog boarding, is highly likely to exceed 70 decibels (“dB”). If a resident were to construct a concrete slab for a dog kennel, it would not require the same approval process. Mr. Johnson pointed out the Sports Courts Ordinance is only applicable to spaces over 500 square feet and assumes that the court is large. A small landscaping pad is generally not as impactful as a large patio. Staff discussion has also taken a different direction regarding providing more education when a resident is warned of potential implications. There have been unique concerns shared with the impact of specifically noise related to pickleball. He confirmed that complaints of dogs greatly outnumber pickleball. There are regulations that dog owners are required to abide by, and an enforcement process is in place.

Commissioner Steinman reported that there are ways to mitigate noise without having to tear up the court. Similar to that of taking a barking dog inside, a different paddle and ball can be used to bring noise levels down below the 65 dB requirement. Ms. DeSeelhorst noted that additional information is needed to determine if muffling the noise will reduce the impact. The frequency of the noise was also a shared concern.

Chair Anderson reiterated the need to find a balance with regulations of anything creating a noise impact and having guardrails in place. Staff was of the understanding that there are still concerns that may require further discussion.

Commissioner Smith asked if it is the role of the Planning Commission to act as an advisor to the City Council who ultimately makes the final determination. Mr. Johnson confirmed that the Commission’s role is advisory in nature. He reported that legislative items will be forwarded to the City Council with a recommendation from the Planning Commission. If during the Business Meeting, the vote does not reflect a consensus, it would be helpful to offer findings as to their decision. This is a unique item and having as much rationale and findings as possible will be beneficial. Model motions were reviewed.

2.0 Adjournment.

Commissioner Ebbeler moved to ADJOURN. Commissioner Smith seconded the motion. The motion passed with the unanimous consent of the Commission.

The Work Meeting adjourned at 5:58 p.m.

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

Wednesday, January 3, 2024

6:00 p.m.

**2277 East Bengal Boulevard
City Council Chambers**

Members Present: Vice Chair Lucy Anderson, Commissioner Mike Smith, Commissioner Sean Steinman, Commissioner Jessica Chappell, Commissioner Jonathan Ebbeler (via Zoom), Youth City Council Member Alayna Dazley

Staff Present: Deputy City Recorder Maria Devereux, Associate City Planner and Sustainability Analyst Ian Harris, Community and Economic Development Director Michael Johnson, Senior City Planner Samantha DeSeelhorst, System Administrator Alex Earl

Excused: Chair Dan Mills and Commissioner Dan Poulson

BUSINESS SESSION

In the absence of Chair Dan Mills, Vice Chair Lucy Anderson called the Business Meeting to order at 6:00 p.m.

1.0 Welcome and Acknowledgements.

Chair Anderson welcomed those in attendance.

2.0 General Public Comment.

Audrey Pines stated that she previously submitted questions to the City and would appreciate a response addressing those concerns. She was strongly opposed to the potential for a dog kennel in her neighborhood.

There was no further public comment. Chair Anderson closed the public comment.

3.0 Business Items.

3.1 Project ZTA-23-005 – A Public Hearing and Possible Action on a City-Initiated Zoning Text Amendment to Make Administrative Updates to Portions of Title 2, Title 3, Title 12, and Title 19 of City Code. The Purpose of this Text Amendment is to Clarify Ambiguous Definitions and Procedures and Rectify Conflicting Provisions as Part of Ongoing City Code Maintenance.

Senior City Planner, Samantha DeSeelhorst presented the Staff Report and stated that a full disclosure of updates to portions of Title 2, Title 3, Title 12, and Title 19 of the City Code are

available on the City’s website. She reported that this is an effort to improve the City Code’s accuracy while making it more user-friendly. The proposed updates were described as minor. Per the discussion that took place during the Work Session, clarification regarding hours of daytime operation was requested. She stated that the Home Pet Boarding Establishment Section specifies that overnight boarding is not permitted but lacks specific metrics on daytime hours.

The addition of language regarding the Salt Lake County Noise Ordinance was next reviewed. Ms. DeSeelhorst stated that it was suggested that pets be accompanied outdoors by a caregiver and that reference be made to an allowable threshold. Commission input was welcomed.

Chair Anderson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Ebbeler moved to forward a recommendation of APPROVAL to the City Council for Project ZTA-23-005 based on findings listed in the Staff Report and attachments dated January 3, 2024, with the additional changes:

- 1. Clarification of daytime hours.***
- 2. Reference to the Salt Lake County Noise Ordinance.***

Commissioner Steinman seconded the motion. Vote on motion: Commissioner Chappell-Yes, Commissioner Smith-Yes, Commissioner Shelton-Yes, Commissioner Steinman-Yes, Commissioner Ebbeler-Yes, Chair Anderson-Yes. The motion passed unanimously.

3.2 Project ZTA-23-004 – A Public Hearing and Possible Action on a City-Initiated Zoning Text Amendment to Establish Standards and Permitting Requirements for Outdoor Sports Courts in Residential Areas.

Chair Anderson reported that the above item is a public hearing and possible action on a City-initiated Zoning Text Amendment for Project ZTA-23-004 to establish Standards and permitting requirements for Outdoor Sports Courts in residential areas. This item has been discussed in several meetings with details presented by Staff.

Chair Anderson opened the public hearing.

Rena Cundick identified herself as a lifelong resident of Cottonwood Heights. She felt that pickleball courts are vastly different than sports courts with three located within .25 miles of her home. She stated that sports courts are used for occasional basketball games or for children to play on. The three courts near her home are used for recreational purposes and rented out hourly. She reported that she can hear the noise from the courts inside her home while working. In the spring, the third will be located three feet from her property line and greatly impact her family and neighbors. She appreciated the Planning Commission discussion and implored them to conduct further research with online documentation to differentiate between the two courts. She submitted a public comment via email and welcomed City officials to visit her property to see the 10-foot fence and the view of the pickleball court from her porch.

Ms. DeSeelhorst noted that Ms. Cundick's comment was received by Staff and will be forwarded to the Planning Commission.

There were no additional public comments. The public hearing was closed.

Commissioner Ebbeler asked for clarification regarding the process should a citizen wish to submit a comment based upon the actual sound of a pickleball court from their property. Mr. Johnson confirmed that multi-media comments are permitted and may be submitted through the same means as a written comment.

Commissioner Chappell moved to CONTINUE Project ZTA-23-004 to the January 17, 2024, Planning Commission Meeting, including Public Comment. Commissioner Shelton seconded the motion.

Commissioner Smith appreciated the comments received and the interest shown by residents. He tends to think in terms of property owners' rights but felt persuaded by the concerns expressed. He had heard several comments regarding the adverse effects of having a nearby pickleball court and not many advocating in favor.

Vote on motion: Commissioner Chappell-Yes, Commissioner Smith-Yes, Commissioner Shelton-Yes, Commissioner Steinman-Yes, Commissioner Ebbeler-Yes, Chair Anderson-Yes. The motion passed unanimously.

4.0 Consent Agenda.

4.1 Approval of Planning Commission Minutes from December 6, 2023.

Commissioner Ebbeler moved to APPROVE the Consent Agenda. Commissioner Shelton seconded the motion. The motion passed with the unanimous consent of the Commission.

5.0 Adjournment.

Commissioner Ebbeler moved to ADJOURN the Business Meeting. Chair Anderson seconded the motion. The motion passed with the unanimous consent of the Commission.

The Business Meeting adjourned at 6:25 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Planning Commission Work Session and Regular Meeting held on Wednesday, January 3, 2024.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____