

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

Wednesday, November 1, 2023

5:00 p.m.

**2277 East Bengal Boulevard
City Council Work Room**

ATTENDANCE

Members Present: Chair Dan Mills, Commissioner Mike Smith, Commissioner Lucy Anderson, Commissioner Mike Shelton, Commissioner Dan Poulson, Commissioner Jonathan Ebbeler (via Zoom), Commissioner Jessica Chappel

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

Excused: Commissioner Sean Steinman

WORK SESSION

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

Chair Mills reported that the Town Center Committee held its first meeting. As one of the committee appointees, he believed the involvement of the members would be extremely beneficial to the City. Input was invited.

Senior City Planner, Samantha DeSeelhorst reported that the Wasatch Front Regional Council (“WFRC”) will host a workshop on Monday, November 6, 2023, to discuss long-range planning efforts. The workshop will take place from 4:00 p.m. to 6:00 p.m. Chair Mills emphasized the importance of maintaining a well-functioning relationship with the Council.

1.0 Form-Based Code Discussion.

Ms. DeSeelhorst introduced Mark Morris, Principal Landscape Architect/Founder of VODA Landscape + Design. Mr. Morris presented the Form-Based Code update and stated that it is part of the General Plan update process. Input and questions from the Commission Members were encouraged. He shared the prototype discussed at a previous meeting and stated that the intent is for it to serve as an ongoing resource for new applicants and the Planning Commission. It will act as a primer to clarify what a Form-Based Code is, its focus, and the factors driving the decisions. The corner parcel at 2300 East and Fort Union Boulevard was used as an example. Mr. Morris referenced the Hillside Plaza and stated that the Town Center District is quite large. The corner property was chosen to illustrate that as development occurs, all of the parcels will contribute to

what they hope the Town Center catalytic project will set in motion. He reported that the current setbacks differ with the Form-Based Code with most parameters set by a range that presents a minimum and maximum. Height is also expressed in a similar range. The Town Center Form District has a maximum height of four stories and a minimum height of two stories. He explained that with any redevelopment, they want to progressively increase concentration in those areas. With the addition of other parts of the City to the Form-Based Code, the discussion of appropriate heights will be key.

Community and Development Director, Michael Johnson stated that what they have proposed as a starting point for discussion is the Town Center and an area that is not adjacent to a lot of residential. As more residential areas are considered, heights will change. Chair Mills questioned the safety of potential earthquakes and seismic issues. Commissioner Chappel stated they do not tend to see the same kind of hazards that are present at the gravel pit and along Wasatch Boulevard. Given a normal site, she believed from a seismic safety issue, height is not the biggest factor and suggested a high-quality plan review. Mr. Morris explained that height is established by story with each of the floor heights defined in the Tables and ground floor height is established separately from upper floor heights. The Town Center Form District ground floor height ranges from 12 feet to 24 feet with upper floors ranging from nine to 12 feet. Smaller parcels have a built-in limitation. When considering the Town Center District, the first story height is essential for the catalytic project to work.

Parking was next discussed. Ms. DeSeelhorst stated that the metrics in the Code do an acceptable job of pushing parking to the back of the site and bringing buildings closer up for a more desirable product. The ratios for the different uses should be considered and discussed by the Commission but Staff has done background work to ensure they are in the right area. She believed this resolves frustration with the current Parking Code limitations and will provide clarification for potential developers. Mr. Johnson noted that shared-use parking may also be utilized when there is a mix of uses. Chair Mills stated that there have been instances where developments can do shared parking garages where there are Interlocal Agreements between business entities and buildings. Intentionality in mass parking was recommended.

Mr. Morris reported that he has been involved in conversations with the City of Clearfield and the Millcreek City Planning Director who has been working with a Form-Based Code for the last five years. Both cities encouraged shared parking, which allows for more use and provides flexibility on the site. It was noted that there are national standards available for reference detailing how to calculate shared parking. Millcreek City follows a specific guideline and recommended making it part of the discussion.

Mr. Morris referred to the Tables in the Code pertaining to transparency and blank wall limitations. Transparency is defined by the ground and upper floors and is intended to ensure the ground floor levels are as transparent and open as possible. Use is considered in the Form-Based Code and is secondary to the other form questions.

Commissioner Anderson asked if a developer were to purchase a corner space, what direction the City would provide. Ms. DeSeelhorst explained that the developer would be given a worksheet similar to filling out an application that would guide them through the different requirements.

Mr. Morris stated that every city that adopts a Form-Based Code has a customized process that works for them. The first step would include a Pre-Application Meeting with a checklist that mirrors the prototype specific to the parcel in question and provides flexibility while detailing how it would define the space.

Commissioner Chappel stated that when discussing an increase transparency required at ground level with a potentially taller building, they may be deliberately pushing a structure toward a building type. When these issues come back for a Structural Plan Review, it may add additional cost to the structure. She felt that with all of the requirements, it becomes complex enough and may not always be reviewed by someone with specific knowledge of the building. The Structural Engineer Association of Utah conducted a study that determined that only one in four buildings is getting a real plan review. She believed these issues should not preclude the directives but felt they may heighten an issue. Mr. Morris stated that transparency, like the others, includes a range and may provide clarification when considering building types.

Commissioner Smith questioned the role of the Planning Commission. He asked if they are acting in an advisory role and who is defining what is and is not attractive. Ms. DeSeelhorst explained the role of the Form-Based Code is not to be an architectural guide. It leaves flexibility for different styles of opinion and provides non-negotiable items and how the building should be located on the site. She confirmed that the role of the Planning Commission is to define parameters and then make a recommendation to the City Council. Mr. Johnson stated that the Town Center is owned by the City and ultimately has full control over what goes with the ability to formulate the Form-Based Code around what is decided. He believed some of the principles of the Code are conducive to successful town centers.

Commissioner Anderson felt there needs to be further discussion and understanding of when the Planning Commission gets involved and knowledge of the metric. Chair Mills noted they are still taking part in discussions and figuring out their role.

Commissioner Poulson stated this will be a major mindset change for the City. Fort Union Boulevard has four lanes with a bike path and asked how long it will take before the Form-Based Code is implemented. It was noted the City owns a key site in the area that would act as a catalytic project once the City goes in and redevelops that site. Staff confirmed that would be the catalyst for the reaction.

Mr. Morris stated this is an incremental process and there will be a catalytic project with the Hillside Plaza. Over time, the intention is that the City will have changed the rules for those nodes and will be in keeping them as new development comes along.

In response to a question regarding updates, Mr. Johnson explained that there may be properties that wish to remain as is and other properties that will inherently come in and wish to redevelop. They intend to apply the same mixed-use ordinance to all the properties along the corridor while providing flexibility and options for a successful long-term project while inching closer to the City's vision for those major corridors. Mr. Morris believed these types of city-led projects could bring about positive change.

Commissioner Shelton stated that because the City is going through this process, it changes the perspective of those who are involved in the planning. He believed the pace of change would be determined by the incentive or disincentive created in the Code. He stressed the need to find a balance. Mr. Morris explained they have talked with several cities that have been involved in Form-Based Code to determine what they found to be disincentives. The intent is to provide more flexibility and options but the last thing they want to do is put in so many requirements that it becomes too difficult to make changes.

Chair Mills stated that as this is considered, the Commission was encouraged to think about the process and what it is they are moving away from and working toward. He also asked that they consider the threshold of what may be taken care of by Staff and what would go to the Commission.

2.0 Review Business Session Agenda.

Chair Mills reviewed the Business Session Agenda.

3.0 Adjournment.

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

The Work Meeting adjourned at 6:03 p.m.

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

Wednesday, November 1, 2023

6:00 p.m.

**2277 East Bengal Boulevard
City Council Chambers**

Members Present: Chair Dan Mills, Commissioner Mike Smith, Commissioner Lucy Anderson, Commissioner Mike Shelton, Commissioner Dan Poulson, Commissioner Jonathan Ebbeler (via Zoom), Commissioner Jessica Chappel

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

Excused: Commissioner Sean Steinman

BUSINESS SESSION

1.0 Welcome and Acknowledgements.

Chair Dan Mills called the Business Meeting to order at 6:06 p.m.

1.1 ExParte Communications or Conflicts of Interest to Disclose.

There were no conflicts of interest to disclose.

2.0 General Public Comment.

Chair Mills opened the public comment period.

Community and Economic Development Director, Michael Johnson, stated one hand-delivered public comment was received addressed to the Planning Commission Chair pertaining to the Hillside Plaza Advisory Committee process. The comment was received after the public comment deadline but will be scanned and shared with the Commission. It was noted that Staff has set up a new inbox, Towncenter@chutah.gov, where questions and comments regarding the Town Center can be submitted. Chair Mills reported that there be will multiple interfaces to provide feedback and input as the Town Center moves forward.

There were no public comments. Chair Mills closed the public comment period.

3.0 Consent Agenda.

3.1 Approval of Planning Commission Minutes from July 19, 2023.

Commissioner Ebbeler moved to APPROVE the Consent Agenda.

Commissioner Anderson referenced the Business Meeting Minutes of August 2, 2023, and noted that approval of the Consent Agenda was not seconded. Deputy City Recorder, Maria Devereux, confirmed that the intent was for it to be approved, and although not seconded, all present were in favor and the item received unanimous approval.

Commissioner Shelton seconded the motion. The motion passed with the unanimous consent of the Council.

3.2 Approval of Planning Commission Minutes from August 2, 2023.

3.3 Approval of Planning Commission Minutes from September 6, 2023.

3.4 Approval of Planning Commission Minutes from October 4, 2023.

4.0 Adjournment.

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

The Planning Commission Meeting adjourned at approximately 6:15 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 Business Meeting held Wednesday, November 1, 2023.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: _____