

PLANNING COMMISSION MEETING
Tuesday, July 30, 2024 – 6:00 p.m.
Community Recreation Center
10640 North Clubhouse Drive, Cedar Hills, Utah

Present: Doland Dolenc, Presiding
Commissioner Jeff Dodge
Commissioner John Dredge
Commissioner Troy Newbold
Commissioner Steve Thomas

Absent/Excused: Commissioner Bari Cruze
Commissioner Tyler Dahl
Commissioner Robert Wallace

Staff: Chandler Goodwin, City Manager
Colleen Mulvey, City Recorder

PLANNING COMMISSION MEETING

1. Call to Order.

Chair Donald Dolenc called the Cedar Hills Planning Commission Meeting to order at 6:03 p.m.

2. Public Comment.

There were no public comments.

SCHEDULED ITEMS AND PUBLIC HEARINGS

The voting members for the Planning Commission Meeting were identified.

3. Approval of the Minutes from the June 25, 2024, Planning Commission Meeting.

MOTION: Commissioner Thomas moved to APPROVE the Meeting Minutes from the June 25, 2024, Planning Commission Meeting. The motion was seconded by Commissioner Dodge.
Vote on Motion: Commissioner Dodge-Yes; Commissioner Dredge-Yes, Commissioner Newbold-Yes, Commissioner Thomas-Yes. The motion passed unanimously.

4. Review/Recommendation and Amendments to City Code Title 10-5-42 Related to Single Room Occupancy.

City Manager, Chandler Goodwin explained that the item relates to amendments to City Code Title 10-5-42 – Single Room Occupancy. He clarified that this was not noticed as a Public Hearing, because the Public Hearing for this item was held last month. The clean draft represents what is

proposed to be taken to the City Council for single-room occupancy. Based on previous Commission discussions, there is a desire to state the following:

- Single Room Occupancy Defined:
 - Up to four unrelated individuals who live together as a single housekeeping unit, as defined by Family in 10-2-1 of this title.

Mr. Goodwin explained that one of the four unrelated individuals must be the homeowner, and the homeowner must live on site. There is also language to state that Homeowners Associations (“HOA”) cannot restrict this further. The Commission previously discussed common areas in the home and language was drafted to clarify that there are some shared areas, such as cooking and sanitation facilities within the home. This includes areas such as restrooms and kitchens. He noted that there have been situations in the past where people rented out rooms but did not allow access.

There is a desire to make sure the home appears like a single-family residential unit and complies with the Building Code. As for parking, the language states that a minimum of two parking spaces shall be required for Single Room Occupancy, in addition to the parking spaces that are already required for a single-family dwelling. Mr. Goodwin noted that the single-family dwelling code requires there to be a two-car covered garage. With the proposed language, there would need to be four parking spaces for single-room occupancy. Commissioner Dredge asked whether the parking requirements are per room. Mr. Goodwin clarified that it is two total parking spaces. He pointed out that this language could be challenged, because State Code, as it relates to accessory dwelling units (“ADU”) only allows cities to require one parking space. However, he clarified that in his view, single-room occupancy is a different kind of living situation than an ADU.

There is no desire to allow single-room occupancy upstairs and an ADU downstairs. Mr. Goodwin explained that clarity was added to state that there can be Single Room Occupancy, but it cannot be used in addition to an ADU in the home. The intention is to clarify the rules governing the use. Mr. Goodwin informed Commissioners that this is part of the Moderate-Income Housing Plan reporting.

Chair Dolenc referenced Section B: Permitted. There is language that states there needs to be compliance with the conditions of the Building Code. The same is written down in H. He suggested removing that reference in H, as that is already communicated in B – Building Permit. Mr. Goodwin noted that the reference to the Health Code and Fire Code would need to be added to the existing sentence in B. The language can be amended, as requested by the Chair.

Discussions were had about a Building Permit. Mr. Goodwin explained that in his time with the City, he has seen some creative approaches to building and proposed modifications. To not include that reference could create some difficulties in the future. Chair Dolenc pointed out that if a Building Permit is required, that will be the only communication the City has with the homeowner. He would hate to add any more administrative burden to the City. Mr. Goodwin stated that with the Moderate-Income Housing Plan report, there are a few sections that talk about how many ADUs are in the City. Those are tracked, because that is considered an approach that can facilitate moderate-income housing in the community. However, single-room Room Occupancy is on the

newer side of State Code. There are not a lot of cities that have code related to single-room occupancy. Currently, the single-room occupancy arrangements in the City are not tracked.

Commissioner Thomas asked if a Business License is needed if someone is renting a room in the home. Mr. Goodwin denied this. While it used to be that way, the State made some changes and cities were unable to require Business Licenses for rental units. He believes some changes have been made more recently and cities can require them, but the current system is working. If someone chooses to rent out their home, the only way the City will know is if those renting the home want to put the utilities in their name. In that case, a Renter Agreement is filled out. The owner must approve the Renter Agreement. Most of the time, registration is not needed. Mr. Goodwin clarified that registration is required for ADUs, which is for reporting purposes.

Chair Dolenc suggested that when someone comes in for a Building Permit, the information be written down so that if the State does ask for those numbers, an estimate can be communicated. Mr. Goodwin explained that there is a general idea of where the single-room occupancy is taking place currently. The reason this is known is because there have been some complaints. Currently, the State does not ask cities to report how many single occupancy living arrangements there are within the community. He does not see that changing soon. If the State were to require the City to report on the number of Single Room Occupancy living arrangements, he would treat it the same way ADUs were treated. He shared information about the ADU process.

Chair Dolenc wondered whether tandem parking is listed as a definition. This was denied. Chair Dolenc could see some misunderstandings happening without a clear definition listed. Mr. Goodwin explained that he tries to err on the side of the resident on certain matters. Commissioner Dredge believes that as long as it is a legal driveway and the cars do not extend into the sidewalk, the parking space is considered appropriate.

MOTION: Commissioner Dredge moved to recommend APPROVAL to the City Council for the proposed amendments to City Code 10-5-42, related to Single Room Occupancy, subject to the following conditions:

- 1. Strike the wording in Section 2-A.**
- 2. Insert the following wording in Section 2-B, “fire code, and other statutory code.”**
- 3. Strike the wording in Section 2-H.**

The motion was seconded by Commissioner Dodge. Vote on Motion: Commissioner Dodge-Yes, Commissioner Dredge-Yes, Commissioner Newbold-Yes, Commissioner Thomas-Yes. The motion passed unanimously.

Mr. Goodwin reported that Cedar Hills is dealing with a unique situation where there is a lack of growth. As a result, many of the items the Planning Commission will be addressing in the future will have to do with code amendments. The bulk of the work at this level relates to compliance.

ADJOURNMENT

5. Adjourn.

MOTION: Commissioner Newbold moved to ADJOURN. The motion was seconded by Commissioner Dredge. Vote on Motion: Commissioner Dodge-Yes, Commissioner Dredge-Yes, Commissioner Newbold-Yes, Commissioner Thomas-Yes. The motion passed unanimously.

The meeting adjourned at 6:21 p.m.

Approved:
August 27, 2024

/s/ Colleen A. Mulvey, MMC, UCC
City Recorder