



CEDAR HILLS

PLANNING COMMISSION MEETING OF THE CITY OF CEDAR HILLS Tuesday, March 24, 2026 6:00 p.m.

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a **Planning Commission Meeting on Tuesday, March 24, 2026 beginning at 6:00 p.m.** at the Civic Center, 3925 W Cedar Hills Drive, Cedar Hills, Utah. This is a public meeting, and anyone is invited to attend.

PLANNING COMMISSION MEETING

1. Call to Order
2. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

SCHEDULED ITEMS & PUBLIC HEARINGS

3. Approval of the minutes from the January 27, 2026 Planning Commission meeting
4. Review/Recommendation and Public Hearing on amendments to City Code Title 10-5-5 related to Development in Required Setback Area
5. Review/Recommendation and Public Hearing on amendments to City Code Title 10-5-32 related to Accessory Dwelling Units
6. Open and Public Meetings Training

ADJOURNMENT

7. Adjourn.

Posted this 20th day of March, 2026

/s/ Colleen A. Mulvey, City Recorder

Supporting documentation for this agenda is posted on the city website at www.cedarhillsutah.gov.

In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting to be held.

The order of agenda items may change to accommodate the needs of the Planning Commission, the staff, and the public. This meeting may be held electronically to permit one or more of the commission members or staff to participate.



PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are recorded

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- Please do not approach the Council/Commission dais without permission from the Chairperson.
- When speaking to the Council / Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, electronic devices or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length and avoiding repetition of what has already been said. Individuals may be limited to three minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing v. Public Meeting:

If the agenda item is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.



The City of Cedar Hills

TO:	Planning Commission
FROM:	Sarah Sampson, Zoning Official/Associate Planner
DATE:	March 24, 2026

Planning Commission Agenda Item

SUBJECT:	Review/recommendation and Public Hearing on amendments to City Code Title 10 Chapter 5 Section 5: Development in required setback area
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Sarah Sampson, Zoning Official/Associate Planner
BACKGROUND AND FINDINGS:	
The 2021 International Swimming Pool and Spa code updated the barrier requirements for swimming pools and spas, allowing for specific safety covers in lieu of fences, or walls as a barrier. To bring our code into alignment with Adopted ISPC code it is proposed to add language specific to approved barriers.	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
Proposed code amendment to Title 10 Chapter 5 Section 5: Development in Required Setback Area	
RECOMMENDATION:	
Staff recommends that the Planning Commission review and recommend the proposed Code changes to the City Council.	
MOTION:	
To recommend/not recommend the City Council of Cedar Hills adopt the proposed amendments to City Code 10-5-5 subject to the following conditions: {LIST ANY CONDITIONS NECESSARY FOR ADOPTION}	

10-5-5: DEVELOPMENT IN REQUIRED SETBACK AREA (REQUIRED YARD AREA):

All required setback area (required yard area) of a lot shall be open and unobstructed, except for the following uses and projections:

A. Side Setback Areas (Side Yard Areas):

9. Private swimming pools and similar uses shall be allowed in a side yard, provided they are located at least thirty feet (30') from any dwelling on an adjoining lot and at least ten feet (10') from any property line. Corner lots, with a side abutting street: pool shall be set back not less than thirty feet (30') from the property line that abuts on a street.

Swimming pools and spas shall be enclosed within a fence ~~, or~~ wall or barrier that complies with the current ISPSC code and all other which conforms to International- Building Code requirements:



The City of Cedar Hills

TO:	Planning Commission
FROM:	Sarah Sampson, Zoning Official/Associate Planner
DATE:	March 24, 2026

Planning Commission Agenda Item

SUBJECT:	Review/recommendation and Public Hearing on amendments to City Code Title 10 Chapter 5 Section 32: Accessory Dwelling Unit
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Sarah Sampson, Zoning Official/Associate Planner
BACKGROUND AND FINDINGS:	
Language was added specifying that only one accessory dwelling unit (ADU) is permitted per lot or parcel. This clarification ensures that properties do not contain multiple ADUs that could increase residential density beyond what is intended for the underlying zoning district. The limitation maintains the accessory nature of the unit and helps preserve neighborhood character, parking availability, and infrastructure capacity.	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
Proposed code amendment to Title 10 Chapter 5 Section 32: Accessory Dwelling Unit	
RECOMMENDATION:	
Staff recommends that the Planning Commission review and recommend the proposed Code changes to the City Council.	
MOTION:	
To recommend/not recommend the City Council of Cedar Hills adopt the proposed amendments to City Code 10-5-32 subject to the following conditions: {LIST ANY CONDITIONS NECESSARY FOR ADOPTION}	

10-5-32: **ACCESSORY DWELLING UNIT:**

A. Purpose And Intent: The purpose and intent of this section is to recognize the residential character of Cedar Hills and to provide for supplementary opportunities of property owners. These provisions are intended to provide for affordable housing with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory dwelling units.

B. Permitted: Accessory dwelling units are permitted within all residential zones within the City unless otherwise prohibited by City Code. All accessory dwelling units are subject to compliance with the conditions and criteria hereinafter set forth. Homeowners associations within the City shall not prohibit accessory dwelling units in residential zones where accessory dwelling units are otherwise allowed as a conditional use.

1. Conditions And Criteria:

a. Conditional Use Permit: Accessory dwelling units may be permitted as a conditional use, upon approval of the Zoning Administrator and building official. Conditional use permit is subject to fees paid. Only one (1) accessory dwelling unit shall be allowed per lot/parcel.

b. Time Limit: An accessory dwelling unit conditional use permit shall be valid for the year in which it is first issued. Thereafter, the conditional use permit shall be automatically renewed for the next succeeding year upon receipt of: 1) the initial one time registration fee; 2) evidence that the primary dwelling is occupied by the owner; and 3) a determination by the City that all conditions of approval remain in effect.

c. Building Permit: A building permit shall be obtained by the homeowner from the City before the commencement of any new construction of an accessory apartment, and a certificate of occupancy or certificate of completion shall be obtained prior to anyone occupying an accessory apartment dwelling unit. All construction and remodeling shall comply with Building Codes and ordinance requirements in effect at the time of construction or remodeling.

d. Appearance: The outside appearance of a single family home with an accessory apartment shall not be changed from that of a single family home. A maximum of one accessory apartment may be allowed in a single- family home within all single-family residential zones. Accessory apartments shall not be calculated as additional density. No accessory apartment may be allowed in any multi-family dwelling unit, or on any lot or parcel that cannot satisfy the parking requirements.

e. Entrances: An accessory apartment may have a dedicated entrance located on any side or rear of the single family home or at the front of the home if it is below grade and maintains the characteristics of a single family home.

f. Address: The principal dwelling unit and the accessory apartment shall have the same address number, but shall refer to the principal dwelling as unit "A" and the accessory apartment as unit "B"; unit then should have an external entrance to the accessory apartment. Address must be located in a visible location on the street frontage side of the home.

g. Interior Access: When an accessory apartment is located within the main dwelling, an interior access shall be maintained.

h. Building Codes: Accessory dwelling units with all applicable Building, Health, and Fire Codes at time of approval.

i. Owner Occupied: No accessory dwelling unit shall be created or occupied in a single-family home unless; the owner of the property resides in either the primary dwelling unit or the accessory dwelling and, if a property is owned within a trust, documentation concerning the trust is provided to the City. For the purpose of this section, the term "owner occupied" shall be defined as full time residency within the home by (1) the bona fide property owner(s) as shown on the Utah County tax assessment rolls, or (2) the trustor(s) or trustee(s) listed in the trust instrument if the home is owned by a trust.

(1) Owner occupancy shall not be required when: owner has a family member living at residence in his/her absence, owner has submitted a temporary absence application prior to beginning the temporary absence, and the owner has resided in the residence for at least one year prior to beginning the temporary absence and meets the following criteria:

(A) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or

(B) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility, while a family member lives at residence in his/her absence.

j. Occupancy: Accessory dwelling unit may only be rented to one family unit as defined by section [10-2-1](#), "Terms Defined", of this title, "family" for a single family dwelling.

k. No Separate Utilities: A single family home with an accessory dwelling unit shall have not more than one meter for each water, gas and electric utility service, and the meter shall be in the name of the owner. The property owner shall be responsible for payment of all utilities. Accessory dwelling units shall be prohibited if the primary dwelling is served by a failing septic tank.

l. Parking: One off-street parking space shall be provided for tenant parking for all internal accessory dwelling units, in addition to those already required for a single-family dwelling. A minimum of two (2) parking spaces shall be required for all accessory dwellings not internal to the single-family dwelling. No parking spaces may be located within a front or side yard, except within an approved driveway. Tandem parking within a driveway is allowed to meet parking requirements. Tenants shall comply with all other parking regulations of section [5-2-5](#) of this Code.

m. Accessory Dwelling Unit Registration: Any person owning an existing accessory dwelling unit that has not previously been permitted by the City, or any person constructing or causing the construction of a residence that has an accessory dwelling unit, or any person remodeling or causing the remodeling of a residence for an accessory dwelling unit, shall register the accessory dwelling unit with the Zoning Administrator. This shall be in addition to a building permit for the work to be performed. In order to meet the requirements of the registration, the applicant shall:

(1) Submit a registration fee with a completed registration form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed additions, location of parking for tenants, and the dwelling is owner occupied.

(2) Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges, and

(3) Make all corrections identified as necessary to comply with International Residential and Building Code requirements, as identified by the building official or his designee. Include safety items required by code such as; carbon monoxide detectors, working smoke detectors, ground fault circuit interrupter protected outlet on existing wiring, street addressing, functioning and safe electrical and plumbing, hand rails and occupancy separation doors as required by International Residential and Building Code.

n. Failure To Complete Registration: If the property owner does not complete the registration as outlined above, the accessory apartment shall not be considered legal or approved. Failure to comply with the provisions of this code may result in a lien against a property that contains an accessory dwelling unit according to Utah Code Annotated section 10-9a-530.

o. Sale Of Single Family Dwelling: Accessory apartment registration permit shall become null and void upon the sale of the single-family dwelling in which it is located, unless a new permit is applied for and obtained by the purchaser(s) of the single-family dwelling in which said accessory apartment rental is located.

p. Not Intended For Sale: The accessory apartment shall not be sold or detached by deed and shall only be rented.

q. Exceptions: The provisions of subsections B1c, B1e, and B1i of this section shall not apply to an existing non-conforming rental dwelling unit that existed prior to July 17, 2018, and converts the basement into an owner occupied accessory apartment. (Ord. 07-17-2018A, 7-17-2018; amd. Ord. 05-18-2021A, 5-18-2021; Ord. 10-19-2021B, 10-19-2021; Ord. 03-07-2023C, 3-7-2023)

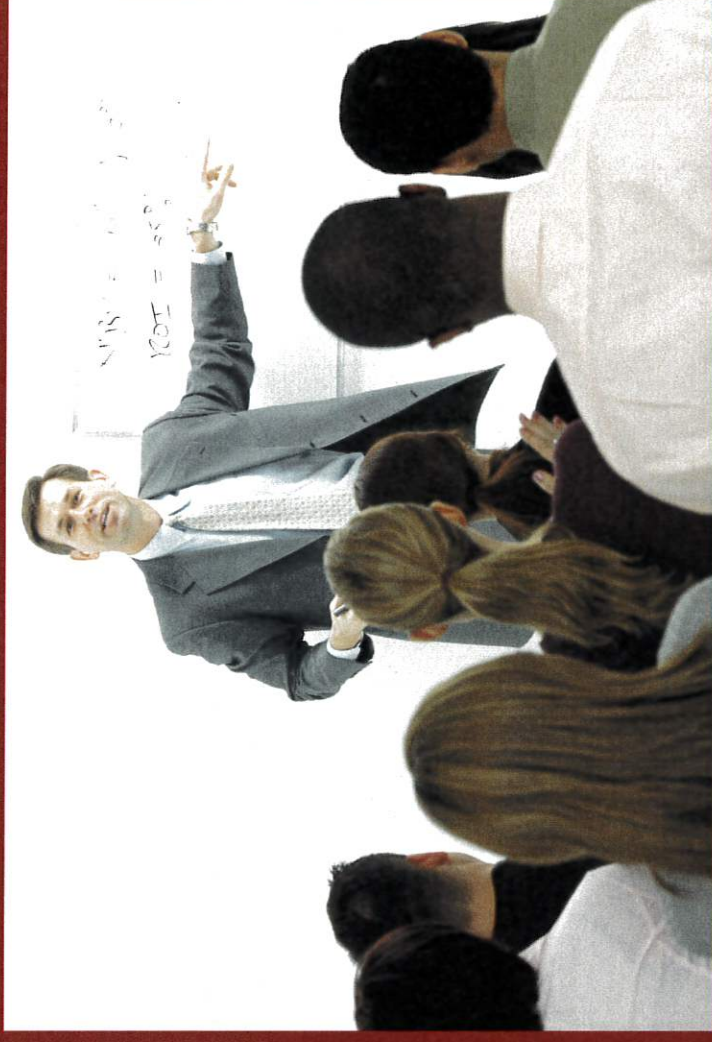
Utah's Open and Public Meetings Act

Declaration of Public Policy

- The Legislature finds and declares that the state, its agencies and political subdivisions exist to aid in the conduct of the **peoples' business**.
- It is the intent of the Legislature that the state, its agencies and its political subdivisions: (a) take their **actions** openly; and (b) conduct their **deliberations** openly.

What does the Open Meetings Act do?

- It requires government to take actions openly and transparently.
- NOTICE
- RECORD MAKING AND RECORD KEEPING
- PROCESS AND PARTICIPATION



Who is subject to this Law?

If you're here, You.

Who is subject to this Law?

- An administrative, advisory or legislative body which:
 - Was created by the Utah Constitution, statute, rule, ordinance or resolution;
 - Consists of two or more persons;
 - Spends, distributes, or are supported by tax monies;
 - Has authority to make decisions or recommendations about the public's business.

What are some examples of entities that must comply with the Act?

- City Council
- County Council
- Planning Commission
- Board of Adjustment
- Special Districts



Annual Training is required (UCA 52-4-104)

Who is not affected by the Act?

- Chair of a public body
- Acting in Administrative role
- Political Parties
- Community Councils
- Staff Meetings



What is a Meeting?

- “Meeting” means the **convening** of a public body, with a **quorum** present, including a workshop or an executive session whether the meeting is held in person or by means of electronic communications, **for the purpose of discussing, receiving comments** from the public about, **or acting** upon a matter over which the public body has jurisdiction or advisory power.

What is not a “Meeting”?

- A chance meeting
- A social meeting
- Email / text (Utah Code § 52-4-210) so long as no decision is made
- Meeting of a legislative body with both legislative and executive responsibilities where:
 - No public funds are appropriated;
 - Meeting solely for discussion or to implement administrative/operational matters. Harper v. Summit County (Utah 2001).

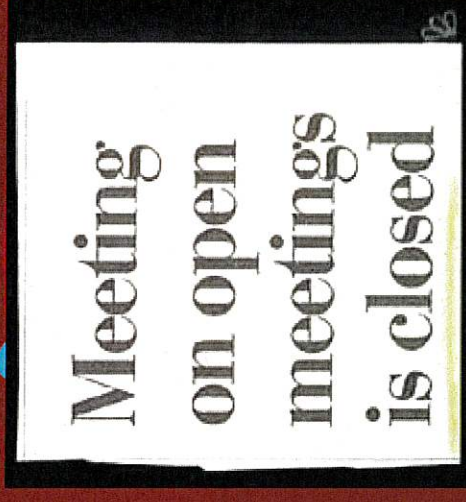
Attendance at Meetings

- Can meet by phone, computer or other electronic means.
 - Notice requirements still apply
 - Public must have a means to attend or participate (anchor location)
 - Must be adopted into existing rules/ordinances

Closed Meetings

- Discussing an individual's character, professional competence, or physical or mental health. This includes all **personnel** discussions.
- Strategy sessions to discuss collective bargaining.
- Discussions regarding **security** personnel, devices or systems.
- Investigative proceedings regarding allegations of criminal misconduct.
- Discussing trade secrets, commercial information or sensitive procurement information.
- Discussing pending or reasonably imminent **litigation**. The Courts have allowed a more liberal interpretation of this provision. Kearns-Tribune Corp. v. Salt Lake County Commission (Utah 2001). Additionally, the attorney-client privilege (Utah Code § 78B-1-137; Utah R. Evid. 504) can also be used for this purpose and is broader in scope than the Open Meetings Act provisions.
- Strategy sessions to discuss the purchase, exchange, lease, or sale of **real property**.

Are there any meetings that must be closed?



- NO!
- The decision to close a meeting to the public is always discretionary and not mandatory.
- The law does not require any meeting to be closed.

Closed Meetings or Executive Sessions

- A quorum must be present.
- Two-thirds of the body present must vote to close the meeting.
- The body must first hold a public meeting with proper notice before entering into the closed meeting.
- The body must publicly disclose:
 - The vote by name of each member for or against entering into the closed meeting.
 - The reasons for holding the closed meeting.
 - The location of the closed meeting.

What is forbidden during a closed meeting?



- You may not:
 - Approve any ordinance, resolution, rule, regulation, contract or appointment.
 - Interview a person to fill an elected position.
 - Take final action, except in the case of a judicial or quasi-judicial decision.
 - Final votes must be open and on the record.
 - All judicial or quasi-judicial decisions must be announced on the record.

Are there any notice requirements?

- Must be posted at the business office of the entity or at place where the meeting will be held.
- Must be given to at least one local general circulation newspaper or local media correspondent.
- Must post notice to the “Utah Public Notice Website”
- At least **24 hours prior** to the meeting post:
 - **Agenda**, including all action items stated with “reasonable specificity.” Reasonable specificity is not defined in Utah law, the courts, or by a formal opinion of the Attorney General. One interpretation may be whether the notice is sufficient so as to **allow a citizen** of average intelligence to understand the general topic of discussion.
 - **Date, Time and Place.**

The presiding officer has discretion to allow items raised by the public to be discussed without prior notice so long as no action is taken (“Public Comment”)

What about emergencies?

- The law allows for meetings for “emergency or urgent” matters if:
 - The best notice practicable is given.
 - The minutes include a statement of the unforeseen circumstances that made the meeting necessary.



What about records of the meeting? Do we have to keep minutes?

- YES!
- **Written** minutes must be taken of **open** meetings.
- A **recording** of an **open** and **closed** meeting must also be kept. The closed meeting recording is confidential and can only be released upon court order. The only **exceptions** to this rule pertain to:
 - personnel executive sessions or security executive sessions
 - instead an affidavit is signed by the chair indicating that the purpose of the executive session was to discuss a personnel or security matter.

What are the requirements for keeping minutes?

- All minutes must include:
 - Date/time
 - Place of meeting
 - Names of all members present or absent
- In addition all minutes of **open** meetings must include:
 - All matters proposed, discussed, or decided.
 - All names and substance of information from individuals giving testimony.
 - Individual votes on each matter.
 - Any additional information requested by a member.

When are the minutes and recordings of Open meetings public?

- Unapproved written minutes shall be made available to the public within 30 days and thereafter posted to website within 3 days following approval.
- The minutes released prior to final approval must be identified as “unapproved.”
- Recordings of open meetings shall be available within 3 days of the meeting.
- Minutes and recordings of closed meetings are not public records.
- Site Visits do not have to be recorded so long as no vote is taken.

*30 day provision only applies to legislative bodies

What happens if someone violates the Utah Open Meetings Act?

- A member of the public body who intentionally violates or intentionally abets or advises a violation of the closed meeting provisions is guilty of a class B misdemeanor, punishable of a fine not exceeding \$1000 and confinement of not more than 6 months in jail.



- A court may void any action taken in violation of the Act. A violation can be “cured” by discussing the voided action and taking a public vote in a subsequent meeting. Ward v. Richfield City (Utah 1990)
- May have to pay court costs and attorney fees.

Common Violations of the Act

- Closing meetings without members of the body voting first in an open meeting to close the meeting.
- Conducting a closed meeting for reasons other than those allowed by the Act.
- Taking official or final action in a closed meeting (except with respect to judicial or quasi-judicial decisions).
- Failing to properly provide notice of a public meeting (failing to post the Agenda on the State web site).
- Failing to provide adequate notice of a public meeting (descriptions of Agenda items that do not meet the “reasonable specificity” requirement).
- Although not a specific violation of the Act, it is a potential “due process” violation to allow public comment on a pending application where the applicant has not been given prior notice.

Who can enforce the Act?

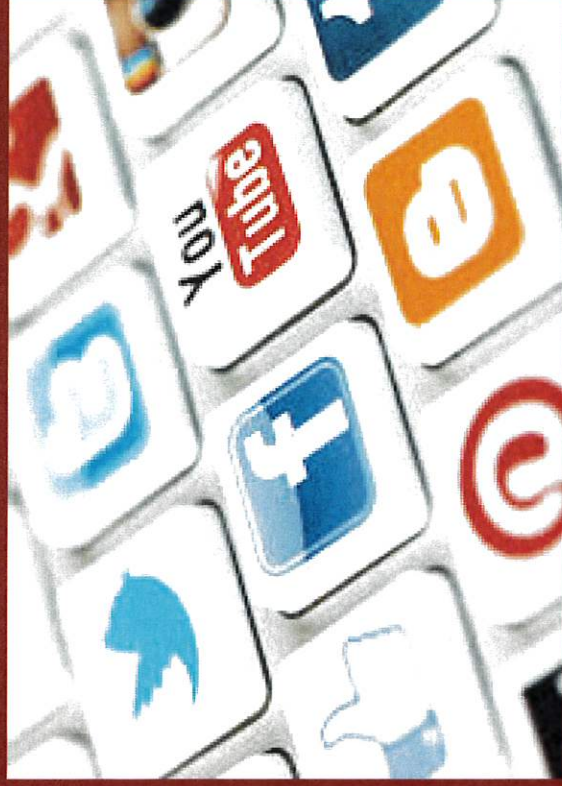
- County Attorney
- Attorney General
- Private Citizen (although a citizen who attends a meeting cannot thereafter claim lack of notice)



If there is a violation, how long does a party have to pursue corrective action?

- 90 days after discovery of the violation.
- 30 days if it involves bonds, notes or debt.

Current Trends



BORING THIS MEETING

IS.



SNEAK OUT YOU

MUST.

memegenerator.net