



**NOTICE OF
SPECIAL PLANNING COMMISSION MEETING
Tuesday, January 15, 2019 7:00 p.m.
Community Recreation Center, 10640 N Clubhouse Drive**

Notice is hereby given that the Planning Commission of the City of Cedar Hills, Utah, will hold a **Special Planning Commission Meeting on Tuesday, January 15, 2019 beginning at 7:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting and anyone is invited to attend.

PLANNING COMMISSION MEETING

1. Call to Order
2. Appointment of Chair and Vice Chair
3. 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

4. Approval of minutes from the November 27, 2018 Planning Commission Meeting
5. Review/Action on Conceptual Plan Approval for the Cedar Hills Gateway Commercial Subdivision located at approximately 9968 North 4800 West in the SC-1 Commercial Zone
6. Review/Recommendation and Public Hearing on Amendments to City Code Title 10, Chapter 5-29 related to Carports, Land Sea Cargo Containers, and Accessory Structures

ADJOURNMENT

7. Adjourn

Posted this 11th day of January, 2019

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the City's Website at www.cedarhills.org.
- 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 via telephone to permit one or more of the commission members to participate.



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	1/15/2019

Planning Commission Agenda Item

SUBJECT:	Review/Action on Conceptual Plans for the Cedar Hills Gateway Commercial Project: Taco Bell and Storage Facility
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

Submissions have been made for conceptual plans for the Taco Bell as well as the proposed storage facility. In this case, the Planning Commission has the authority to take action. A concept plan need only contain the design proposal for approval by the Planning Commission, at which point they are given direction to move forward with the preliminary plans. In this case, the submission includes engineered plans, and the City Engineer has been in the process of reviewing the submissions as they relate to the approved plan set for Cedar Hills Gateway. Direction from the Planning Commission should give clear and concise direction to the developers on what actions and changes should be made in the preliminary plans.

Planning Commission will review the plans in light of City Code 10-6A as it relates to the development of commercial land; specifically as it relates to building design, materials used, landscaping, and any impacts the development may have on the surrounding neighborhood.

PREVIOUS LEGISLATIVE ACTION:

Cedar Hills Gateway was approved as a subdivision on August 7, 2018

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Concept plans for Taco Bell and storage facility and elevations.

RECOMMENDATION:

Review concept proposals in light of City Code; provide developer with feedback for preliminary phase.

MOTION:

To approve/not approve the concept plans for Taco Bell, located at approximately 9968 N 4800 W, subject to the following recommendations for future preliminary approval {LIST ANY CHANGES}.

To approve/not approve the concept plans for the storage facility located at approximately 9978 N 4700 W, subject to the following recommendations for future preliminary approval {LIST ANY CHANGES}.

CEDAR HILLS GATEWAY PLAT "A", LOT 1 - TACO BELL SITE PLAN

GRAPHIC SCALE
(1" = 20' FT)
1" = 20' FT

WEST 1/4
CORNER
OF
SECTION 6
(S. 1/4 CORNER)
SLB & M.
FOUND
BRASS CAP

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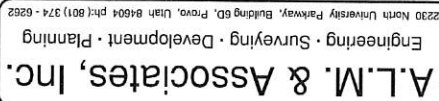
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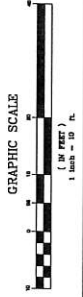
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No.	Revision	Date

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WEEK 14

Proj# 559 - 1937

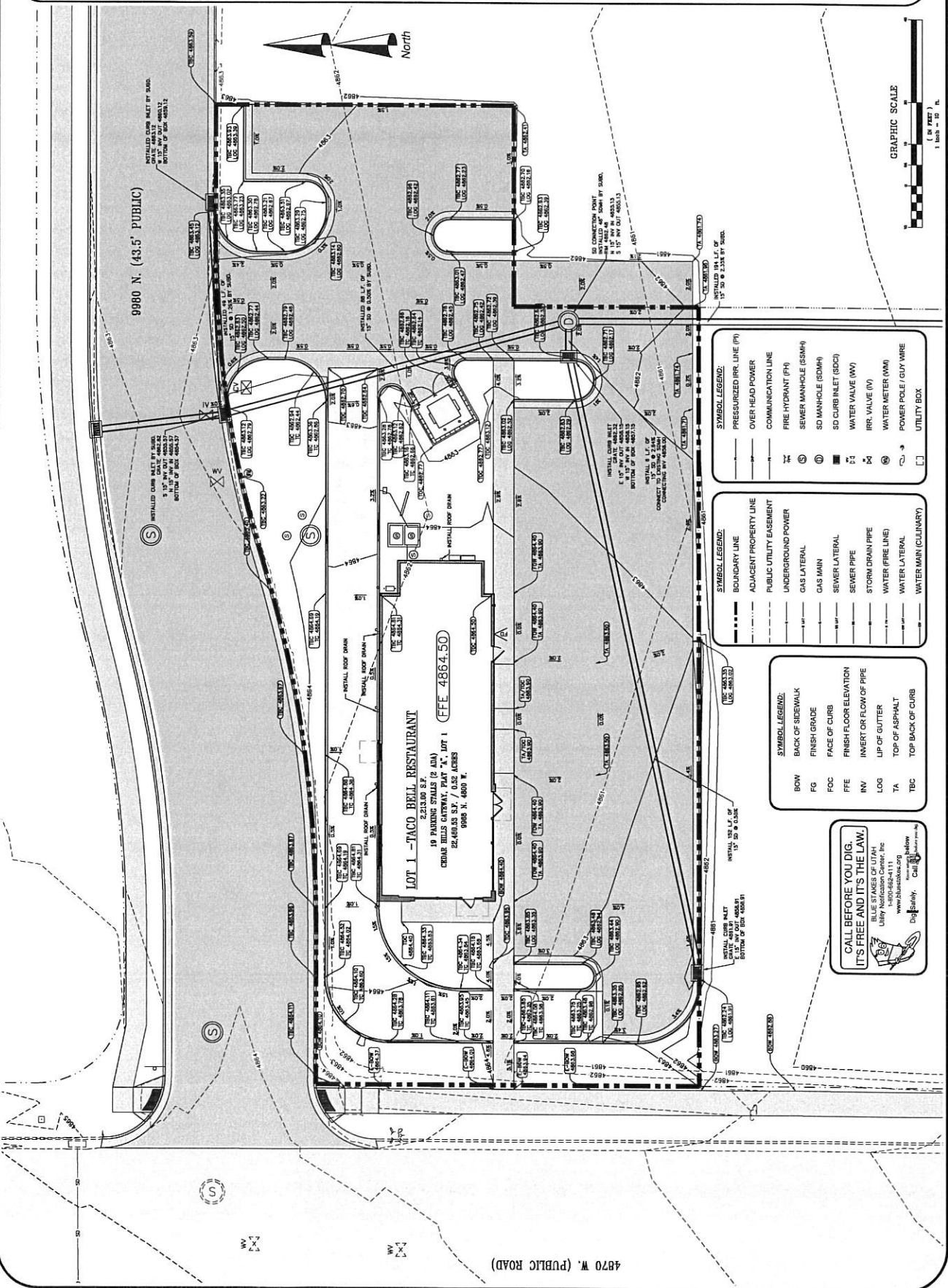




A.L.M. & Associates, Inc.
Engineering • Surveying • Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604 ph: (801) 374-6262

GRADING PLAN
Openshaw Development
Cedar Hills Gateway, Plat "A", Lot 1

No.	Description	Date
C3.0	UP	5/23/1937



SYMBOL LEGEND:

—	PRESSURIZED IRR. LINE (PI)
—	OVER HEAD POWER
—	COMMUNICATION LINE
—	FIRE HYDRANT (FH)
—	SEWER MANHOLE (SMH)
—	SD MANHOLE (SDMH)
—	SD CURB INLET (SDCI)
—	WATER VALVE (WV)
—	IRR. VALVE (IV)
—	WATER METER (WM)
—	POWER POLE / GUY WIRE
—	UTILITY BOX

SYMBOL LEGEND:

—	BOUNDARY LINE
—	ADJACENT PROPERTY LINE
—	PUBLIC UTILITY EASEMENT
—	UNDERGROUND POWER
—	GAS MAIN
—	GAS LATERAL
—	SEWER LATERAL
—	SEWER PIPE
—	STORM DRAIN PIPE
—	WATER (FIRE) LINE
—	WATER LATERAL
—	WATER MAIN (CLINICAL)

SYMBOL LEGEND:

BOW	BACK OF SIDEWALK
FG	FINISH GRADE
FOC	FACE OF CURB
FFE	FINISH FLOOR ELEVATION
INV	INVERT OR FLOW OF PIPE
LOG	UP OF GUTTER
TA	TOP OF ASPHALT
TBC	TOP BACK OF CURB

CALL BEFORE YOU DIG.
IT'S FREE AND IT'S THE LAW.
BLUE STAKES OF UTAH
Utility Notification Center, Inc.
1-800-562-4111
www.bluestakes.org
Dig Safely. Call before you dig.

4870 W. (PUBLIC ROAD)

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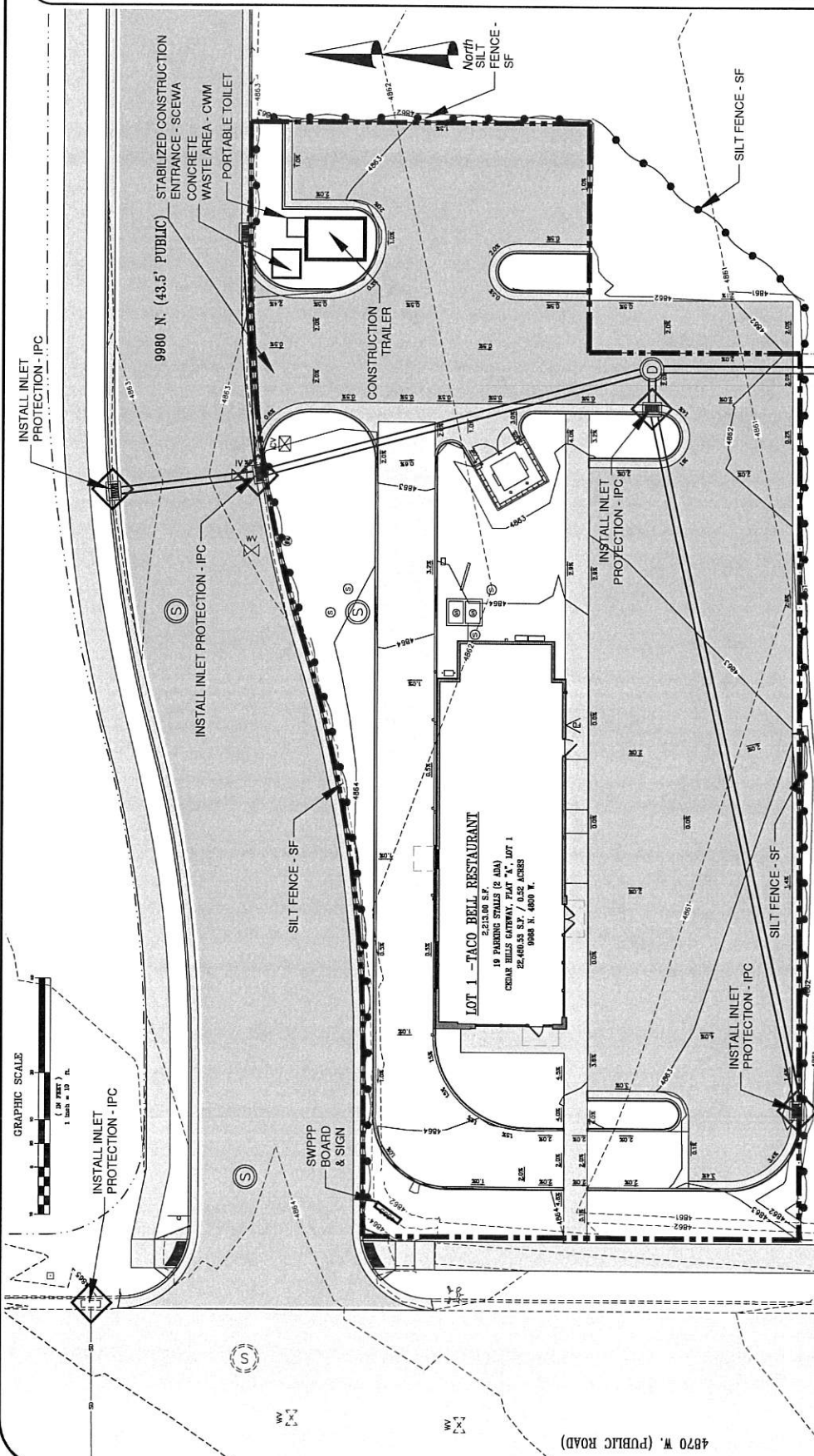
Cedar Hills Gateway, Plat "A", Lot 1	Openshaw Development	SWPPP
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No.	Revision	Date

C4.0

CP SUBJECT

Proj # 559 - 1937



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10000 South 1000 East
www.bluestakes.org

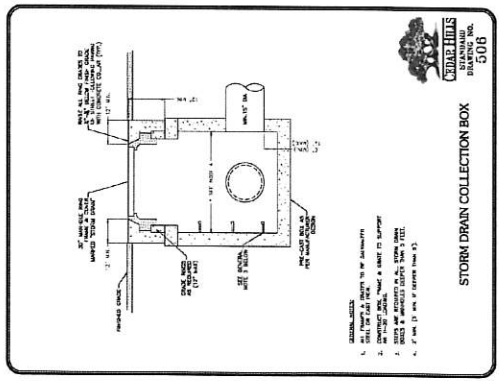
Call 800-4-A-DIG or 801-224-2469
Dig Safely. Call before you dig.



COMMON TASKS FOR INSTALLATION PREVENTION OF RUST: 1. IDENTIFICATION OF RUST-PRONE AREAS 2. IDENTIFICATION OF RUST-PRONE MATERIALS 3. IDENTIFICATION OF RUST-PRONE ACTIVITIES 4. IDENTIFICATION OF RUST-PRONE ENVIRONMENTS 5. IDENTIFICATION OF RUST-PRONE EQUIPMENT 6. IDENTIFICATION OF RUST-PRONE STRUCTURES 7. IDENTIFICATION OF RUST-PRONE UTILITIES 8. IDENTIFICATION OF RUST-PRONE VEHICLES 9. IDENTIFICATION OF RUST-PRONE WAREHOUSE 10. IDENTIFICATION OF RUST-PRONE YARD 11. IDENTIFICATION OF RUST-PRONE ZONE 12. IDENTIFICATION OF RUST-PRONE AREA 13. IDENTIFICATION OF RUST-PRONE POINT 14. IDENTIFICATION OF RUST-PRONE LINE 15. IDENTIFICATION OF RUST-PRONE SURFACE 16. IDENTIFICATION OF RUST-PRONE VOLUME 17. IDENTIFICATION OF RUST-PRONE MASS 18. IDENTIFICATION OF RUST-PRONE WEIGHT 19. IDENTIFICATION OF RUST-PRONE LENGTH 20. IDENTIFICATION OF RUST-PRONE WIDTH 21. IDENTIFICATION OF RUST-PRONE HEIGHT 22. IDENTIFICATION OF RUST-PRONE DEPTH 23. IDENTIFICATION OF RUST-PRONE THICKNESS 24. 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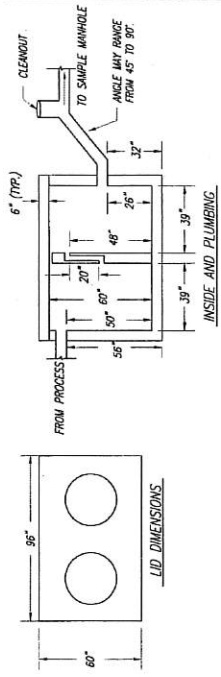


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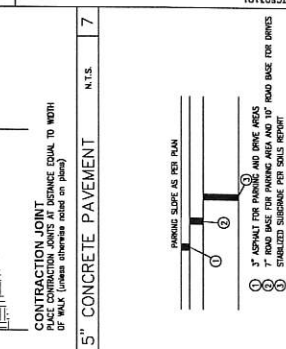
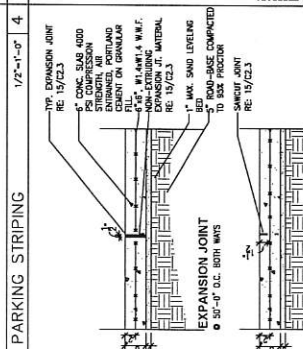
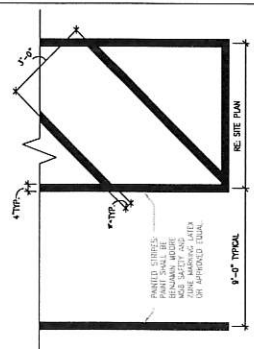
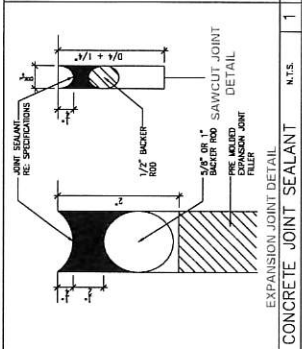
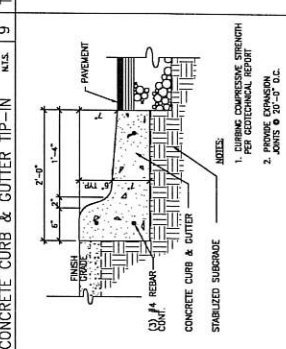
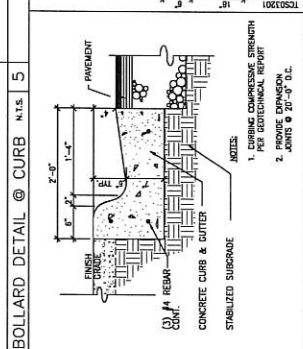
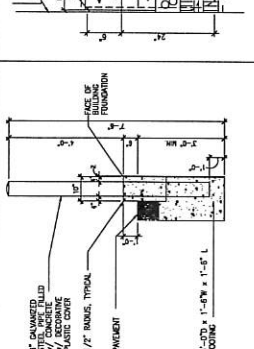
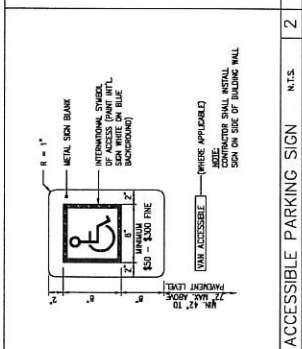
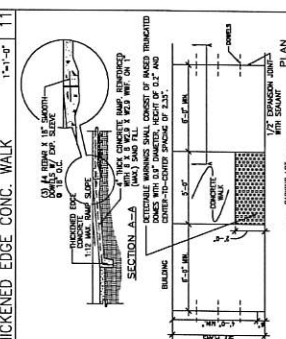
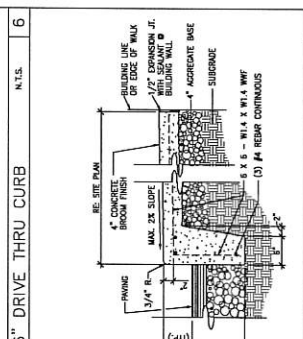
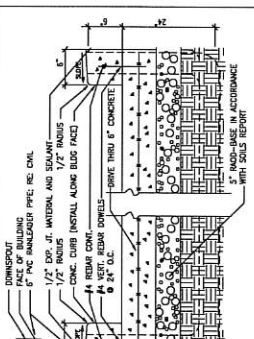
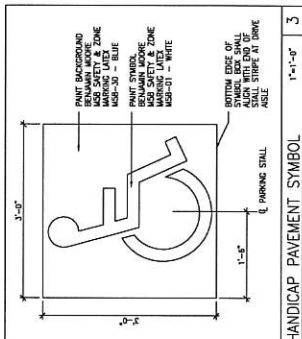
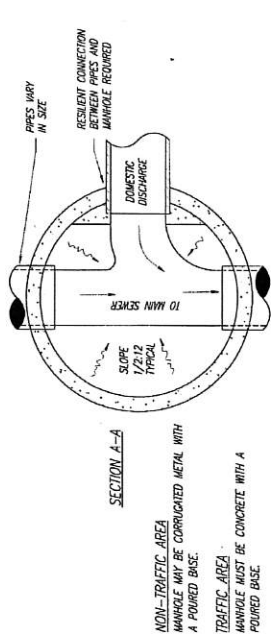
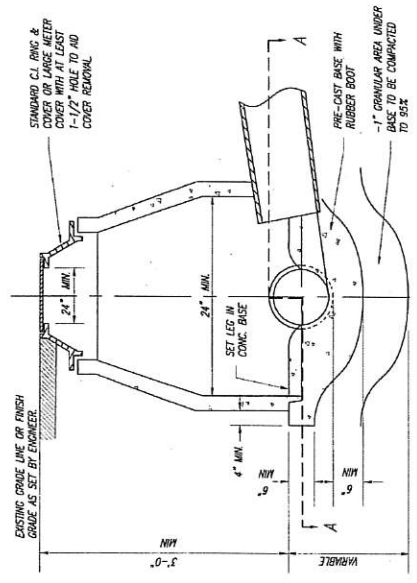
SITE DETAILS
Openshaw Development
Cedar Hills Gateway, Plat "A", Lot 1

Rev.	Revision	Date
1	Initial	10/1/11

C5.1
Sewer Sampling Manhole and Grease Trap

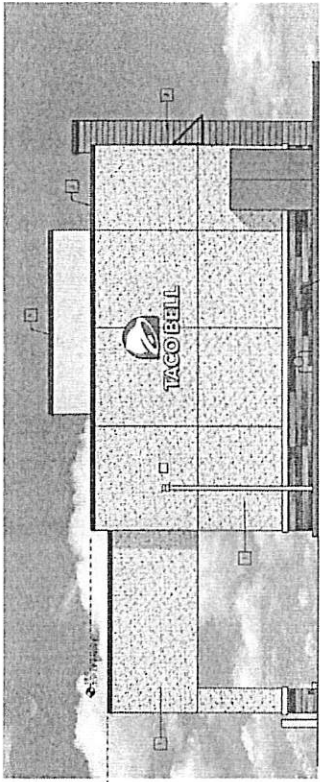


750 GALLON GREASE TRAP
48" x 84" x 60" (INSIDE DIMENSIONS).
750 GALLON IS MINIMUM SIZE.
NO SANITARY SEWER THROUGH TRAP.
MANUFACTURER'S DIMENSIONS MAY VARY.



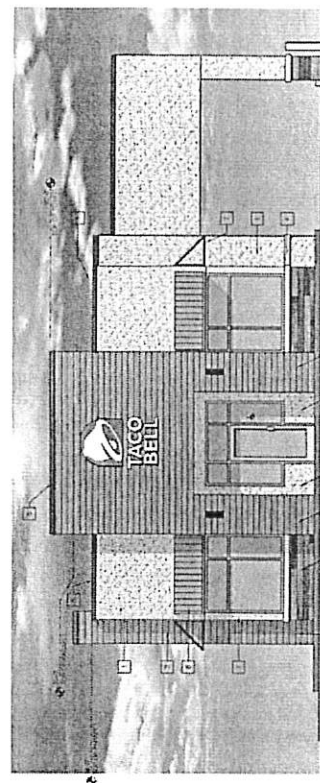
Rev.	Revision	Date
1	Initial	10/1/11

C5.1
Sewer Sampling Manhole and Grease Trap



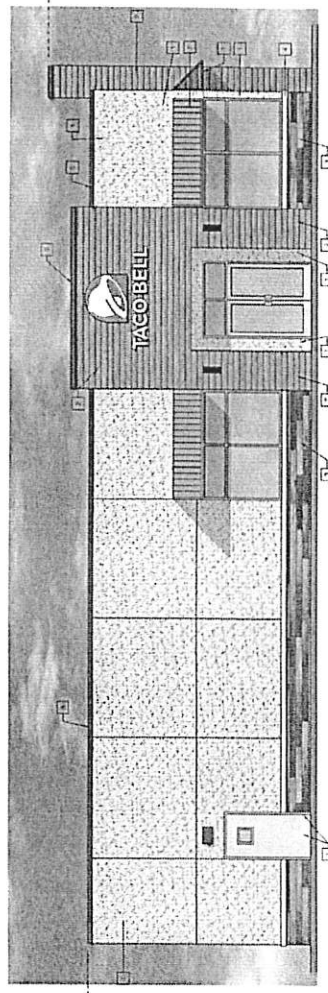
NORTH ELEVATION

SCALE 3/8" = 1'-0"



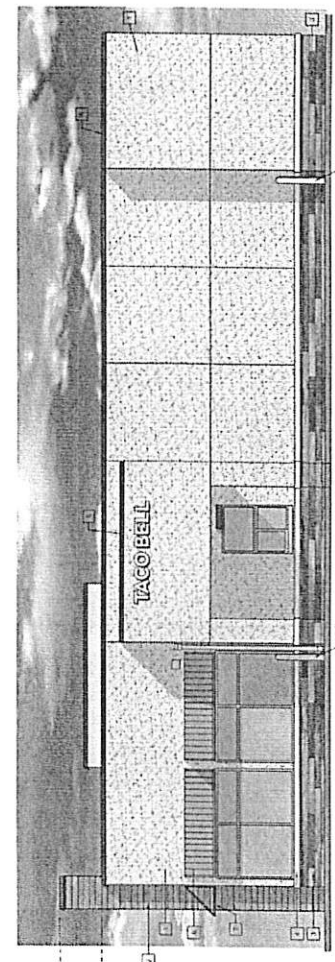
SOUTH ELEVATION

SCALE 3/8" = 1'-0"



WEST ELEVATION

SCALE 3/8" = 1'-0"



EAST ELEVATION

SCALE 3/8" = 1'-0"

FINISH SCHEDULE			
NO.	DESCRIPTION	FINISH	NOTES
1	INTERIOR WALL COLOR	WHITE	EXCEPT WHERE NOTED
2	EXTERIOR WALL COLOR	WHITE	EXCEPT WHERE NOTED
3	CEILING	WHITE	EXCEPT WHERE NOTED
4	FLOOR	WHITE	EXCEPT WHERE NOTED
5	CEILING	WHITE	EXCEPT WHERE NOTED
6	CEILING	WHITE	EXCEPT WHERE NOTED
7	CEILING	WHITE	EXCEPT WHERE NOTED
8	CEILING	WHITE	EXCEPT WHERE NOTED
9	CEILING	WHITE	EXCEPT WHERE NOTED
10	CEILING	WHITE	EXCEPT WHERE NOTED
11	CEILING	WHITE	EXCEPT WHERE NOTED
12	CEILING	WHITE	EXCEPT WHERE NOTED
13	CEILING	WHITE	EXCEPT WHERE NOTED
14	CEILING	WHITE	EXCEPT WHERE NOTED
15	CEILING	WHITE	EXCEPT WHERE NOTED
16	CEILING	WHITE	EXCEPT WHERE NOTED
17	CEILING	WHITE	EXCEPT WHERE NOTED
18	CEILING	WHITE	EXCEPT WHERE NOTED
19	CEILING	WHITE	EXCEPT WHERE NOTED
20	CEILING	WHITE	EXCEPT WHERE NOTED

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22230 North University Parkway, Building 6D, Provo, Utah 84604 ph: (801) 374-6262



Cedar Hills Gateway, Plat "A", Lot 8	CADENCE CAPITAL, LLC	SITE PLAN
--------------------------------------	----------------------	-----------

		Date

C1.0	OF SHEETS
559 - 1937	

SITE INFORMATION:
Address: 111 Gateway Flat "A", Lot 8
City: Cedar Hills, UT
Address: 39776 N. 4700 W. Cedar Hills, UT

OWNER/DEVELOPER:
Cadenace Capital, LLC
2801 N. Transfiguring Way, Suite 100
Lehi, UT 84043
Ryan Bybee (801) 615-2300
ryanby@cadencehellers.com

SURVEYOR, ENGINEER, PLANNER:
A.L.M. & Associates, Inc.
22220 North University Parkway, Suite 5D
Provo, UT 84604
Ryan Bybee (801) 374-0085 FAX
mcmccrwood@A.L.Monline.com

ZONING INFORMATION:

SITE TABULATION:

Total Area: 40.980 S.F. (1.06 AC.)
Total Area: 37.715 S.F. / 0.87 AC.
Impervious Area: 23.970 S.F. / 0.55 AC.
Landscaped Area: 19.300 S.F. / 0.44 AC.

Open Space Required:
12.00% = 4.918 S.F. (0.11 AC.)

Open Space Shown:
20.342 S.F. (0.46 AC.)

SHEET INDEX:

C1 - SITE PLAN
C2 - GRADING AND DRAINAGE PLAN
C3 - SWPPP
C4 - SWPPP MAP DETAILS
C5 - CITY DETAILS

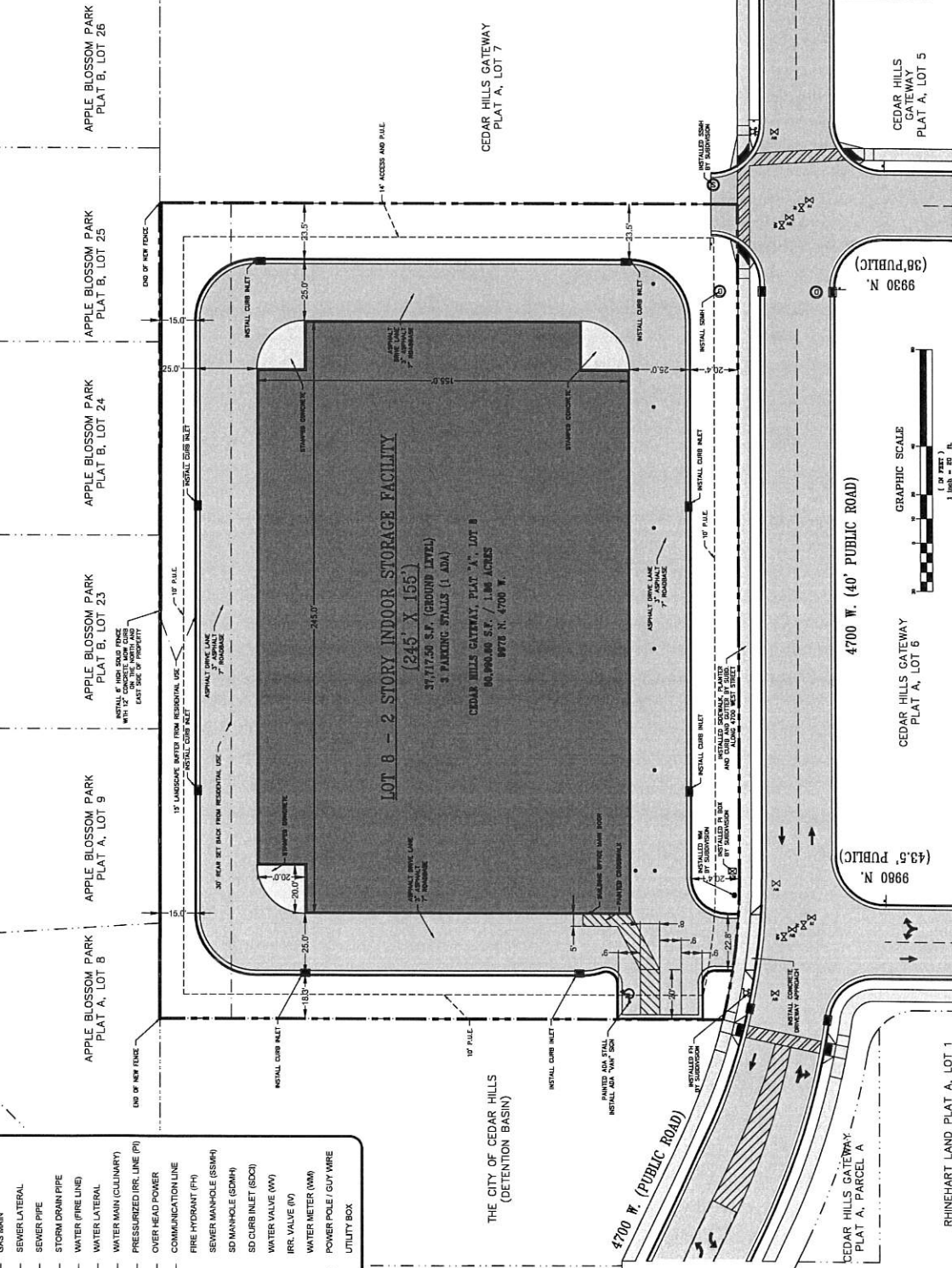
BOUNDARY DESCRIPTION:
CLEAR HILLS GATEWAY SUBD.
PLAT # "A", LOT # 8

COMMENCING AT THE NW CORNER OF Lot # 8, BEING LOCATED SOUTH 1/4 SECTION 11, EAST 1/4 TOWNSHIP 1N, RANGE 1E, COUNTY OF CLATSOP, OREGON;

SECTION 6, T5S, R3E, S1B, A.M. THENCE EAST 427.44 FEET, THENCE SOUTH 336.02 FEET, THENCE WEST 342.60 FEET, THENCE NORTH 274.10 FEET, THENCE ALONG AN ARC OF A 216.00 FOOT RADIUS CURVE TO THE RIGHT BEARING 54.70 FEET (CHORD BEARS NORTH 81.98 EAST 54.70 FEET) TO THE POINT OF BEGINNING.

AREA = 80,990.60 S.F. / 1.86 ACRES

BEARS OF BEARING BEING, S 60°00'11" E, ALONG THE SECTION LINE FROM THE W 1/4 CORNER TO THE SW CORNER OF SECTION 6.



OWNER: CEDAR HILLS FARM LAND LLC
SERIAL NUMBER: 14:003:0355

THE CITY OF CEDAR HILLS
(DETENTION BASIN)

RHINEHART LAND PLAT A. LOT 1



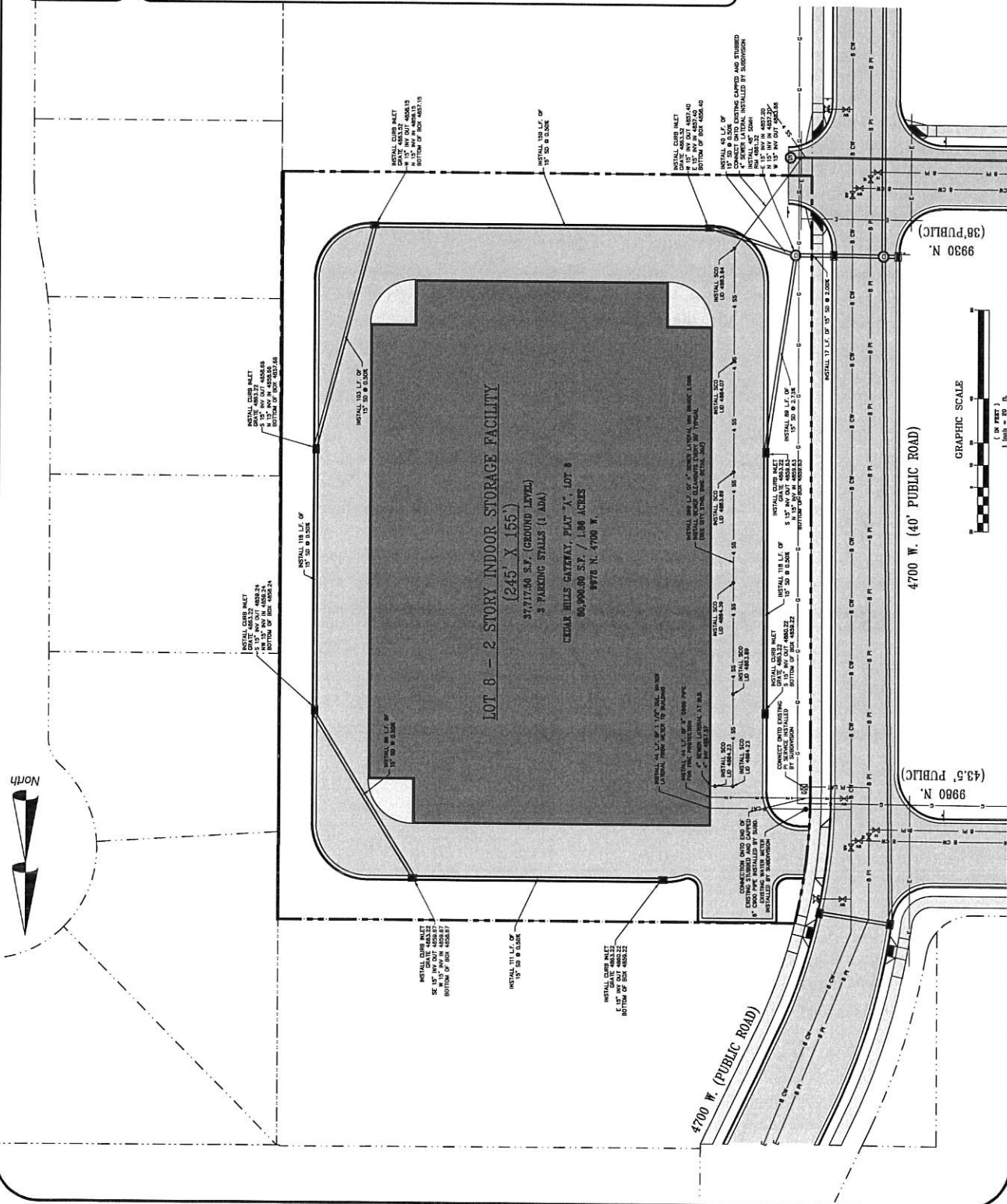
A.L.M. & Associates, Inc.
Engineering • Surveying • Development • Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604 ph (801) 371-3734 • fax (801) 371-3282

UTILITY PLAN
CADENCE CAPITAL, LLC
Cedar Hills Gateway, Plat "A", Lot 8

No.	Revision	Date

C2.0
OF
1000

SYMBOL LEGEND:	
—	BOUNDARY LINE
- - -	ADJACENT PROPERTY LINE
- - -	PUBLIC UTILITY EASEMENT
—	UNDERGROUND POWER
—	GAS LATERAL
—	GAS MAIN
—	SEWER LATERAL
—	SEWER PIPE
—	STORM DRAIN PIPE
—	WATER (FIRE LINE)
—	WATER LATERAL
—	WATER MAIN (CULINARY?)
—	PRESSURIZED IRR. LINE (PI)
—	OVER-HEAD POWER
—	COMMUNICATION LINE
—	FIRE HYDRANT (FH)
—	SEWER MANHOLE (SSMH)
—	SD MAN-HOLE (SDMH)
—	SD CURB INLET (SDCI)
—	WATER VALVE (WV)
—	IRR. VALVE (IV)
—	WATER METER (WM)
—	POWER POLE / GUY WIRE
—	UTILITY BOX
—	BACK OF SIDEWALK
—	FINISH GRADE
—	FACE OF CURB
—	FINISH FLOOR ELEVATION
—	INVERT OR FLOW OF PIPE
—	LIP OF GUTTER
—	TA
—	TOP OF ASPHALT
—	TOP BACK OF CURB



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



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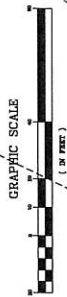
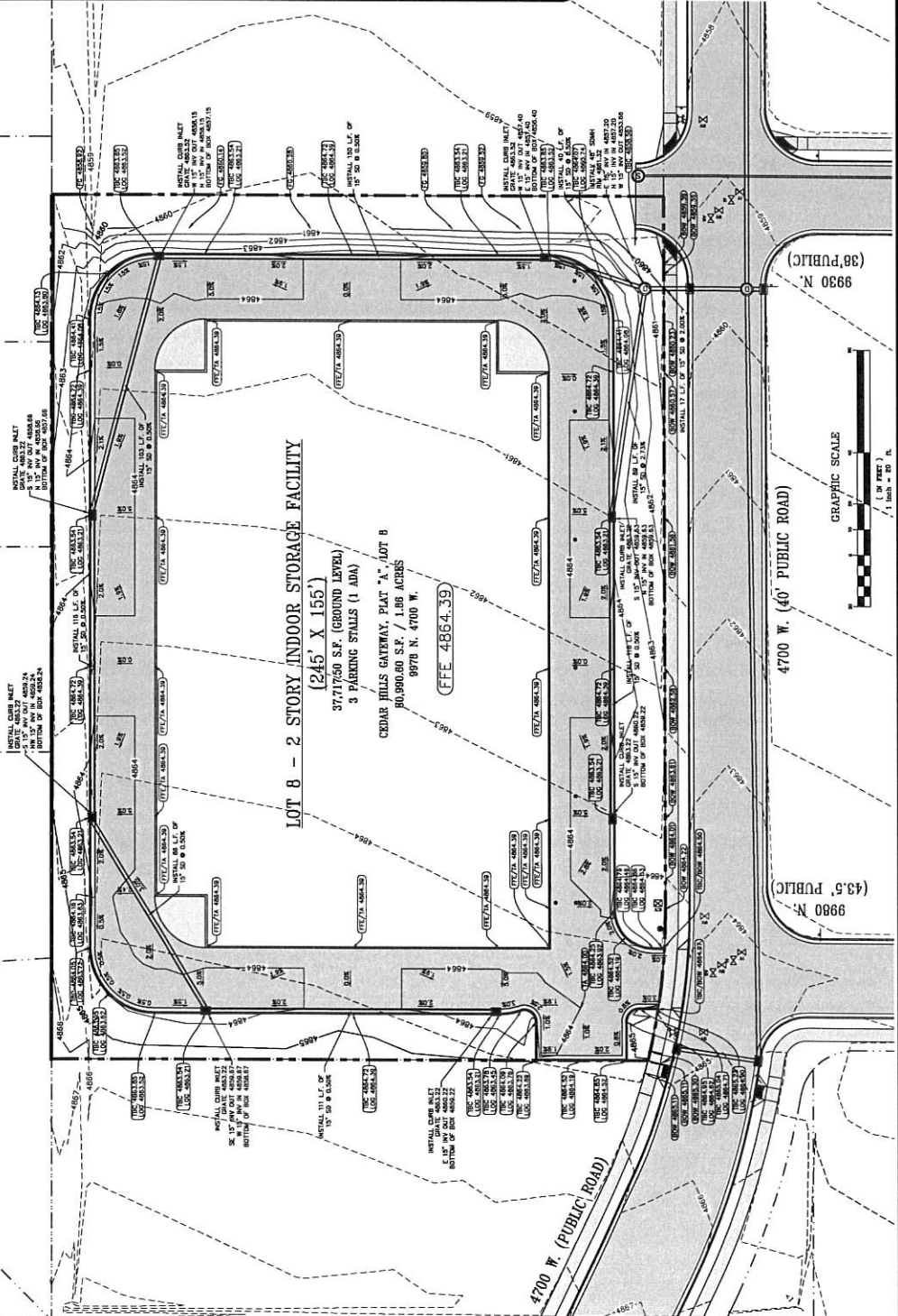
Cedar Hills Gateway, Plat "A", Lot 8
CADENCE CAPITAL, LLC
GRADING & DRAINAGE PLAN

No.	Revision	Date

C3.0
OF
SHEET 1

Page 4 555-19327

SYMBOL LEGEND:	
---	BOUNDARY LINE
---	ADJACENT PROPERTY LINE
---	PUBLIC UTILITY EASEMENT
---	UNDERGROUND POWER
---	GAS LATERAL
---	GAS MAIN
---	SEWER LATERAL
---	SEWER PIPE
---	STORM DRAIN PIPE
---	WATER (FIRE LINE)
---	WATER LATERAL
---	WATER MAIN (CULINARY)
---	PRESSURIZED IRR. LINE (PI)
---	OVER HEAD POWER
---	COMMUNICATION LINE
---	FIRE HYDRANT (FH)
---	SEWER MANHOLE (SMH)
---	SD MANHOLE (SDMH)
---	SD CURB INLET (SDCI)
---	WATER VALVE (WV)
---	IRR. VALVE (IV)
---	WATER METER (WM)
---	POWER POLE / GUY WIRE
---	UTILITY BOX
---	BACK OF SIDEWALK
---	FINISH GRADE
---	FACE OF CURB
---	FFE
---	FINISH FLOOR ELEVATION
---	INVERT OR FLOW OF PIPE
---	LOG
---	TOP OF ASPHALT
---	TA
---	TOP BACK OF CURB





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Cedar Hills Gateway, Plat "A", Lot 8	CADENCE CAPITAL, LLC	SWPPP
--------------------------------------	----------------------	-------

SWPMS

	No.	Revision	Date

C4.0

Proj# 559 - 1937

CONSTRUCTION SHALL USE: VEHICLE TRACKING TO MONITOR THE LOCATION OF ALL VEHICLES ENTER OR EXIT THE SITE. CONTROL FACILITIES SHALL BE MAINTAINED TO PREVENT THE VEHICLES FROM LEAVING THE SITE UNPAVED, AND REMOVED WHEN THE SITE IS PAVED. TRACKING SHALL BE EFFECTIVE IN REMOVING THE MAJORITY OF THE DIRT OR MUD FROM THE TIRES OF THE VEHICLES ENTERING OR EXITING THE SITE. THE WASHED BEFORE THE VEHICLES ENTER A PUBLIC ROADWAY. THE WASH WATER SHALL BE TRAPPED TO BE SEQUESTERED IN A WASH WATER POND TO TRAP THE SEDIMENT FROM BEING CARRIED OFF SITE.

ALL MATERIALS SPILLED, DROPPED, WASHED, OR REMOVED FROM A VEHICLE ONTO THE SITE SHALL BE REMOVED IMMEDIATELY.

VEHICLES ENTERING THE CONSTRUCTION SHALL BE MAINTAINED IN FULLY FUNCTIONAL CONDITION UNTIL FINAL STABILIZATION OF THE SITE. THIS INCLUDES THE MAINTENANCE OF TIRE PRESSURE, FUEL, OIL, AND FLUIDS. CONSTRUCTION ENTRANCES AS CONDITIONS ALLOW, SHALL BE PAVED AND STABILIZATION OF THE CONSTRUCTION SITE SHALL BE COMPLETED REPAIRED BY A QUALIFIED PERSON AT LEAST 24 HOURS BEFORE THE CONSTRUCTION BEGINS. WITHIN 24 HOURS OF THE END OF A RAINFALL EVENT, EFFORTS SHALL BE MADE TO CLEAN VEHICLES, BROOMS, WATER HOSE, ETC. SHALL BE AVAILABLE ON SITE TO CLEAN VEHICLES PRIOR TO EXITING THE CONSTRUCTION SITE.

[illegible]

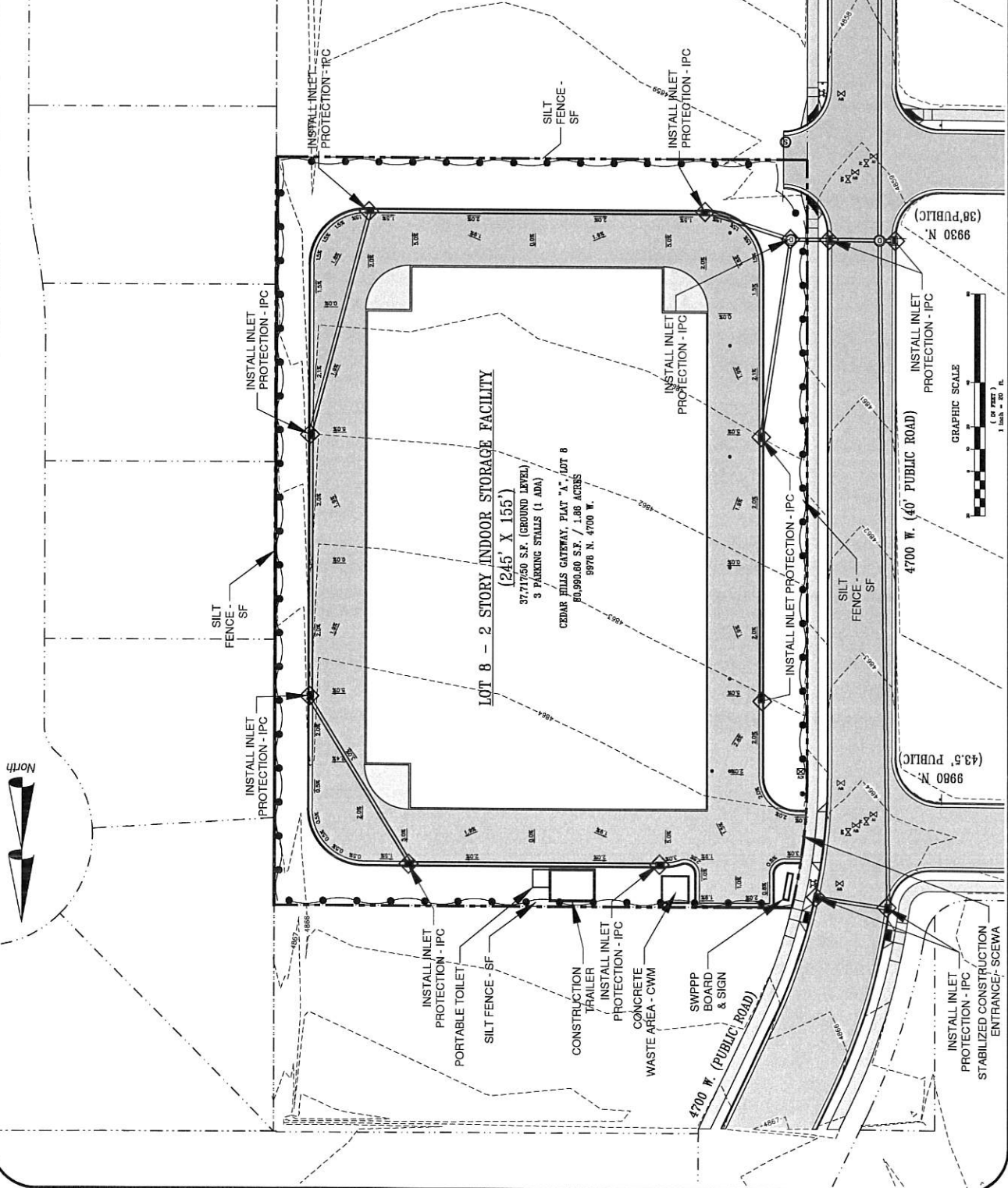
EROSION CONTROL, GENERAL NOTES:
1. ALL SITE WORK WILL BEGIN UNTIL
2. EROSION CONTROL MEASURES ARE IN PLACE.
3. TAKE ALL PRECAUTIONS NECESSARY TO
PREVENT EROSION AND TRANSPORT OF
SOLIDS TO ADJACENT PROPERTIES, STREETS,
SIDEWALKS, AND INTO ON-SITE DRAINAGE
SYSTEMS.
4. CORRECT DAMAGE CAUSED BY
EROSION WITHIN 48 HOURS.
5. THE SURFACES OF CUT AND FILL SLOPES
SHALL BE PREPARED AND MAINTAINED TO
CONTROL EROSION. THIS MAY INCLUDE
PLANTINGS. THE PROTECTION FOR THE SLOPES
SHALL BE INSTALLED AS SOON AS PRACTICABLE
AFTER CONSTRUCTION.
6. DUTMANT SIGN MAY BE POSTED FOR SOUTH
JORDAN CITY SPECIFICATIONS.

STORM WATER POLLUTION PREVENTION NOTES:

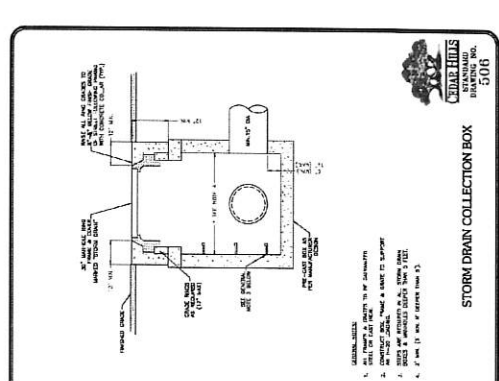
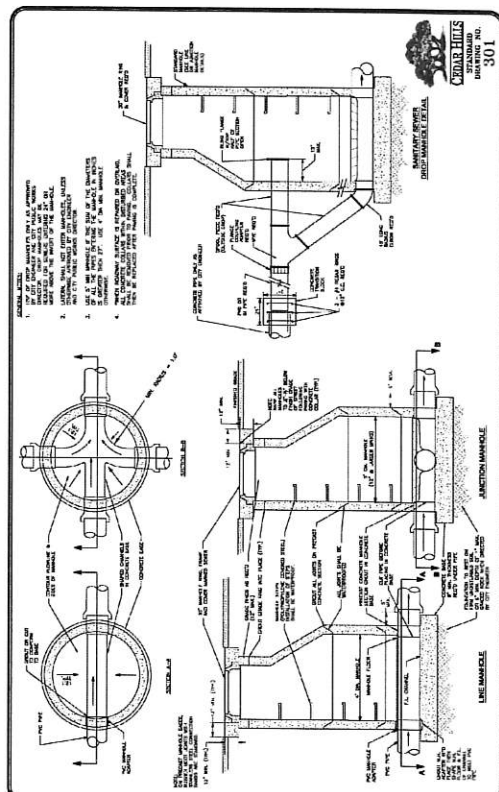
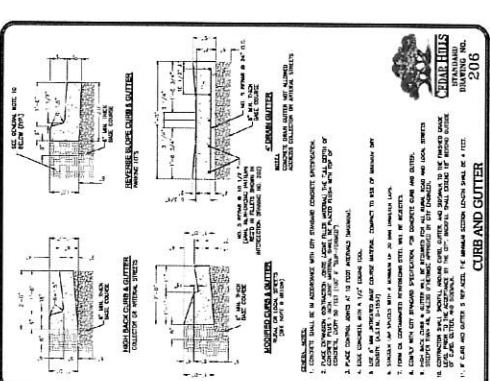
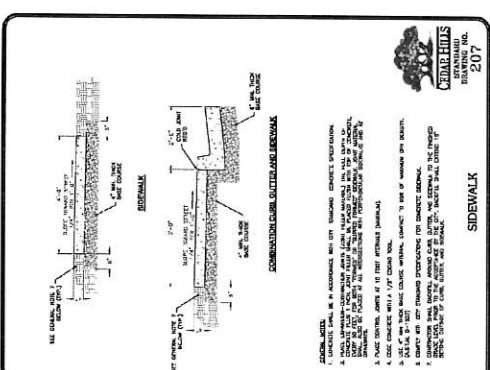
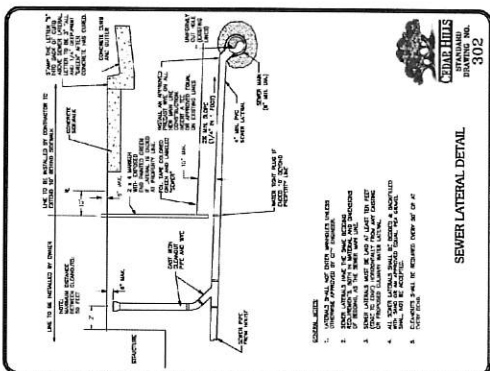
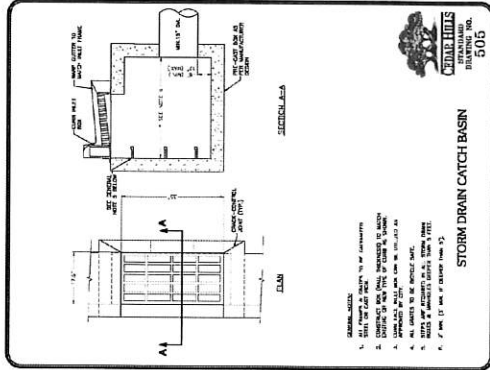
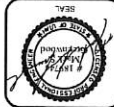
DESCRIPTION OF CONSTRUCTION ACTIVITY:
NEW BUILDING & DRIVE LANES WITH STALLS.
2. SEQUENCE OF MAJOR ACTIVITIES:
A. INITIAL CONSTRUCTION FENCE WITH SEDIMENTATION CONTROL, FABRIC STRIPPING OF SITE AND INSTALLATION OF EROSION CONTROL MEASURES.
B. ROUGH GRADING
C. INSTALLATION OF UNDERGROUND UTILITIES
D. INITIAL SEDIMENT BARRIER ON STORM DRAIN
E. FINISH GRADING
F. INSTALLATION OF BASE AND ASPHALT PAVING
G. FINAL LANDSCAPING - SOD INSTALLATION - NO NEED

BEST MANAGEMENT PRACTICES (BMP):
PROPOSED BMPs TO REDUCE POLLUTANTS
DETAILS FOUND ON SHEET C4.1
TOTAL AREA: 60,900.5 SQ.FT. 1.86 ACRES
TOTAL DISTURBED AREA: 60,900.5 SQ.FT. 1.86
ACRES (100%)
DRAINAGE PATTERNS AND SLOPE FOUND ON
SHEET C3.0 & C4.0

RECEIVING WATER BODY; DEVELOPMENT AND CITY DRAINAGE SYSTEM.



[illegible]







CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	1/15/2019

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Amendments to Cedar Hill City Code related to Carports, Land Sea Cargo Containers, and Accessory Structures §10-5-29.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Jenny Peay, Planning Associate
BACKGROUND AND FINDINGS: Staff recognizes that there are currently carports within the City; however property owners do not have permits for these carports/metal accessory structures. In the past, staff has received several requests from residents for these pre-fab metal carport types of structures. Requests for these carports failed to meet the code, and zoning had to deny these permits. 10-5-29 states: 3. Prior to construction, a building permit shall be obtained for all structures. a. Prior to issuing a building permit, the chief building official shall make a finding whether the materials and finish of the proposed structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding. B. Temporary Structures: The temporary version of any structure listed in subsection A of this section shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted. City Code only has a definition of carport, but has not addressed it anywhere else in the code. Additionally, the proposed code will regulate land sea containers. Staff has entertained a number of requests to use these containers as storage units or accessory structures. The proposed code would prohibit the use of land sea containers as a permanent structure.	
PREVIOUS LEGISLATIVE ACTION:	N/A
FISCAL IMPACT:	N/A
SUPPORTING DOCUMENTS:	Proposed amendments to code 10-5-29
RECOMMENDATION:	Review proposed code, make necessary modifications for recommendations to the City Council
MOTION:	To recommend/not recommend the proposed amendments to Cedar Hills Municipal Code §10-5-29, relating to carports, land sea cargo containers, and accessory structures, subject to the following modifications {LIST ANY APPLICABLE CHANGES}.

10-2-1: TERMS DEFINED:

CARPORT: A structure not completely enclosed by walls for the shelter of vehicles and/or recreation vehicles.

CARGO CONTAINER: A large metal box used for the transportation of goods

~~CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURE: A structure constructed on the same zoning lot as a dwelling and that is intended for the incidental and exclusive use of the residents of said dwelling, including, but not limited to, swimming pools, tennis courts, and greenhouses.~~

CUSTOMARY RESIDENTIAL ACCESSORY STRUCTURES: A structure constructed on the same zoning lot as a dwelling and which is intended for the incidental and exclusive use of the residents of said dwelling. Such structures do not substantially alter the characteristics of the permitted principle use or structure. Accessory structures and uses include, but are not limited to buildings such as: detached garages, carports, swimming pools, tennis courts, green houses, equipment and supply storage buildings which are customarily use in conjunction with and incidental to the principle use or structure within each permitted zone.

10-5-29: DECKS, PORCHES, PATIOS, PERGOLAS, AWNINGS, HOT TUBS, **CARPORTS** AND SIMILAR STRUCTURES:

A. Structures Permitted: Decks, porches, patios, pergolas, awnings, **carports**, hot tubs and similar structures are permitted in the rear and side setback areas subject to the following conditions: (Ord. 07-19-2016B, 7-19-2016)

1. All sides of the portion of the structure located within a designated setback area shall remain open.
Carports may only be used for the parking and storage of vehicles and/or recreational vehicles.
2. No structure within a setback area shall be converted into livable space, nor shall it be constructed as to appear as though it could be easily converted into livable space.
3. Prior to construction, a building permit shall be obtained for all structures.
 - a. Prior to issuing a building permit, the chief building official shall make a finding whether the **design**, materials and finish of the proposed **attached** structure are in harmony with the primary structure and the surroundings as a whole and issue a permit with a positive finding.
 - b. The structure shall not be located closer than five feet (5') to the property line, except those structures that comply with subsection A3b(1) or A3b(2) of this section, notwithstanding that no structure shall be constructed within a clear view area nor on a corner lot beyond the optional enclosure area. Additionally, structures in the rear setback area shall not cover over fifty percent (50%) of the rear setback area.
 - (1) Structures located entirely at ground level shall be permitted to be located no closer than one foot (1') of the property line.
 - (2) Special exception for awnings located in the side setback area and immediately adjacent to a garage. A permanent awning located in the side setback area may be constructed immediately adjacent to the outside wall of an attached garage provided that:

- (A) The front, rear, and sides shall remain open, except that an approved fence may be constructed independent of the structure.
- (B) The awning shall be constructed over a "hard surface" area as defined in [chapter 2](#), "Definitions", of this title.
- (C) The awning shall be no closer than one foot (1') from the property line and no higher than seven feet (7') at the point nearest the property line. The roof pitch cannot be greater than four to twelve (4:12) and must slope away from the main building and toward the property line.
- (D) Three feet (3') is the fire separation distance. Any portion of the awning structure projecting within three feet (3') of the property line shall be one hour fire resistance rated construction per Building Code.
- (E) The awning shall include a system or method for retaining rainwater on the property owner's own property.

4. The finished level of any deck shall be not more than six feet (6') above the finished grade at any location within ten feet (10') from the property line.

5. The height for the structure shall not be greater than the height allowed for an accessory building at the same location.

6. A Carport may be located in side or rear setbacks of property, provided structure is not integrated into the design front of main garage entrance.

- a. Carports shall meet side and rear setback regulations for Accessory structures in each zone.
- b. The total width of the carport located on a side setback shall not exceed twenty-four feet.
- c. For homes with multiple side setback areas, a carport may be located in only one of the side setbacks. Carports located in side setbacks may not extend beyond side setback areas of property or the outside the existing roofline of the garage whichever is greater.
- d. Carport elevation must not exceed the main dwelling elevation or a maximum of 20' feet, whichever is less.
- e. Carport shall be treated as an accessory structure and shall maintain 12' separation from main dwelling.

B. Temporary Structures: The temporary version of any structure listed in subsection A of this section shall be subject to the same provisions as that of a permanent structure. Portable garages are not permitted. Canvass, tarps, or plastic covers are prohibited as part of any permanent structure in all residential zones. Prefabricated carports will be subject to engineering approval.

C. Storage containers, freight/cargo containers, box cars, and similar storage equipment are prohibited as permanent structures or being defined as a utility or portable shed. Temporary storage containers may be used during a move, but may not be present on the property for more than 1 week, extensions may be granted by administration.

1. Cargo Containers: Cargo containers may be approved for temporary use by the city under the following standards:

a. Construction or renovations provided a building permit has been issued for construction related activities. The cargo container may be allowed on site with an active building permit. For the purpose of permitted cargo containers, a building permit will be considered inactive after ninety (90) days after the last inspection that shows substantial progress toward completion of the project.

b. Cargo containers must not be located in Public Right of Ways, fire lanes, required parking spaces, recorded easements, areas deemed as a safety hazard, or on landscaping. All containers must be placed on an improved surface, unless approved with the building permit.

~~C~~D Additional Requirements: The determination that a structure is allowed by this Code shall not be interpreted as to meaning that the structure meets the requirements of any private CC&Rs applicable to the parcel. (Ord. 10-20-2009C, 10-20-2009)