



PLANNING COMMISSION MEETING
Tuesday, October 27, 2020 7:00 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, October 27, 2020 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. Swearing in of New Members
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 & PUBLIC HEARINGS

4. Approval of the Minutes from the September 22, 2020 Planning Commission Meeting
5. Review/Action on Conceptual Plan approval for O'Reilly Auto Parts located at approximately 10066 North 4700 West in the SC-1 Commercial Zone
6. Review/Recommendation on amendments to City Code Title 10 Chapter 5 related to Fences

ADJOURNMENT

7. Adjourn

Posted this 21st day of October, 2020

/s/ Colleen A. Mulvey, City Recorder

Supporting documentation for this agenda is posted on the city 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 to permit one or more of the commission members or staff to participate.

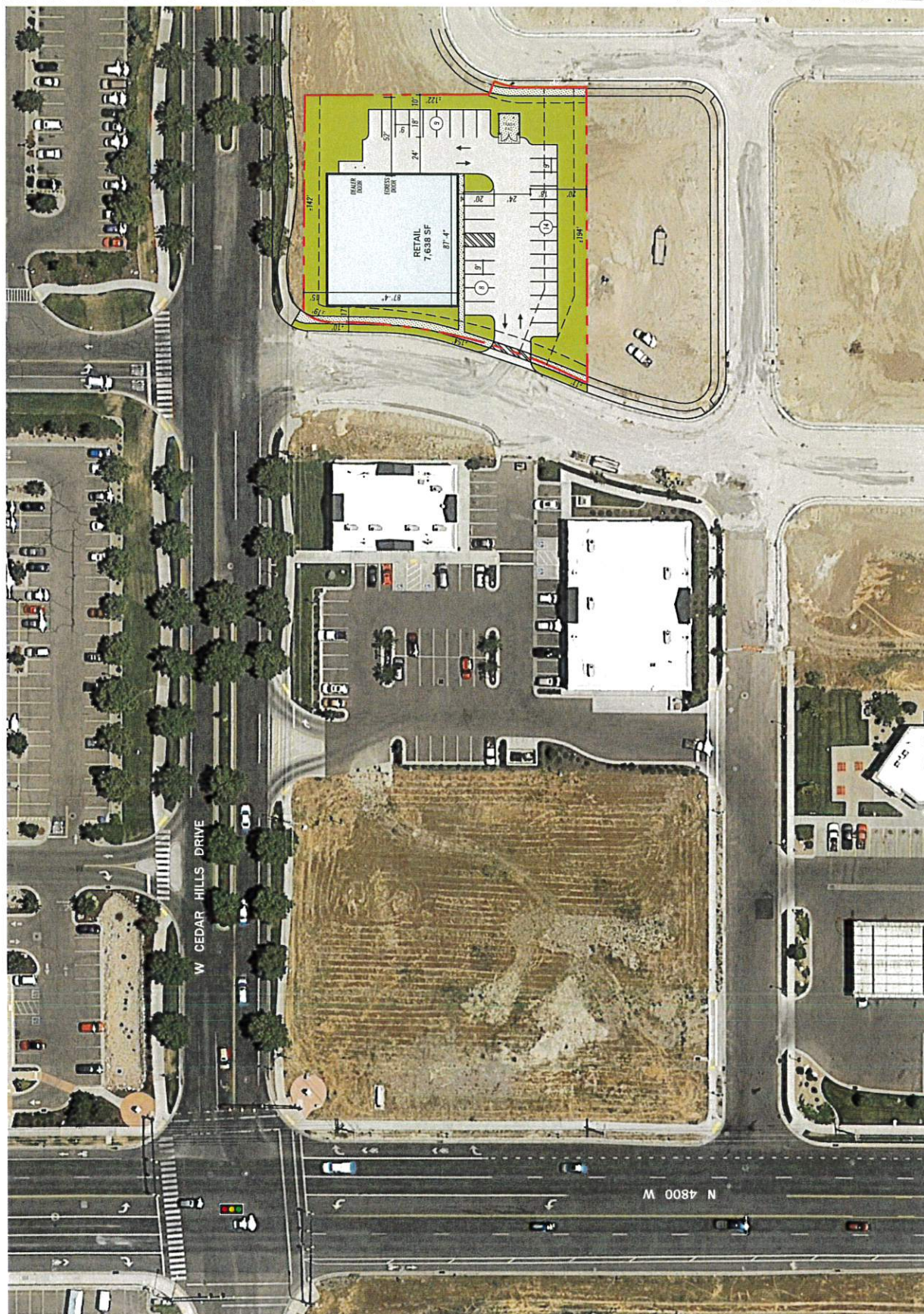


CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	October 27, 2020

Planning Commission Agenda Item

SUBJECT:	Review/Action on Conceptual Plan for O'Reilly Auto Parts, to be located at 10066 N 4700 W
APPLICANT PRESENTATION:	Michael Justice
STAFF PRESENTATION:	Chandler Goodwin, City Manager/Planner
BACKGROUND AND FINDINGS: A developer has made an application to develop the commercial lot associated with the Cedar Canyon development. The lot is situated in the PD-1 Zone but is subject to the provisions of the SC-1 Commercial Zone. The proposal includes an approximately 7,000 square foot building, with 31 parking stalls. The conceptual plan shows a landscape coverage area of 33%. There is no public infrastructure that needs to be constructed in conjunction with this project. There have been no elevations provided, however, the developer has indicated the intent to match the building design of the Amsourse property. The Site Plan Review Committee met to discuss the building, zoning, engineering, and public safety aspects of the project. The land use table found in 10-6A-3 shows that land use 5530, "Tires, batteries and accessories" is a conditional use in the Retail district. This has since been changed to be allowed as a conditional use in the Mixed Use District as well.	
PREVIOUS LEGISLATIVE ACTION: N/A	
FISCAL IMPACT: N/A	
SUPPORTING DOCUMENTS: Proposed Site Plan	
RECOMMENDATION: To review the proposed development and provide any feedback necessary to proceed to the preliminary plan approval phase	
MOTION: To approve/not approve the conceptual plan for O'Reilly Auto Parts, to be located at 10066 N 4700 W, subject to the following conditions {LIST ANY NECESSARY CONDITIONS}.	



AVAILABILITY IS SCHEMATIC ONLY AND IS SUBJECT TO REVIEW AND APPROVAL BY GOVERNING AGENCIES. PROPERTY LINES AND EXISTING CONDITIONS ARE FROM GIS INFORMATION AND HAS NOT BEEN CONFIRMED BY COMMERCIAL SITE PLAN.

ALL DIMENSIONS SHOWN ARE TO FACE OF CURB AND/OR FACE OF STRUCTURE UNLESS NOTED OTHERWISE.

ADA STALL

PARKING COUNTS

SITE AREA	:30,538 SF, 0.701 AC
BUILDING	7,638 SF
PARKING	31 SPACES
LANDSCAPE	:10,270 SF 33.63% COVERAGE

CEDAR HILLS,
UTAH

10066 N 4700 W

drawing title

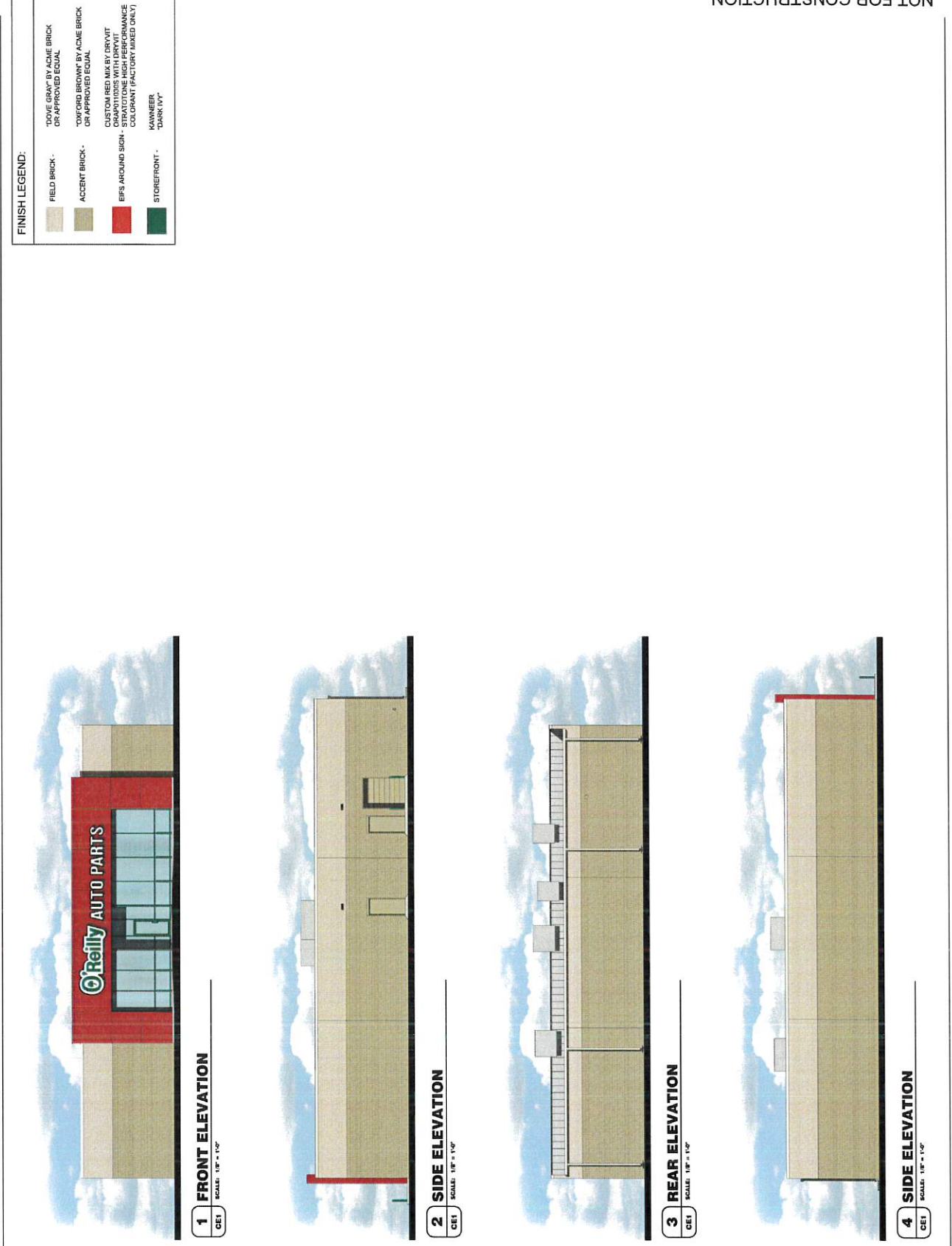
date

10.15.2020

drawing no.

3.4

date	drawing no.
10.15.2020	3.4



FINISH LEGEND:

FIELD BRICK -	TOWNE GRAY BY ACME BRICK OR APPROVED EQUAL
ACCENT BRICK -	TOWNE BROWN BY ACME BRICK OR APPROVED EQUAL
EIFS AROUND SIGN -	CUSTOM RED MIX BY DRYVIT OR APPROVED EQUAL STRATATONE HIGH PERFORMANCE COLORANT (FACTORY MIXED ONLY)
STOREFRONT -	KANNEER "DARK IVY"



CITY OF CEDAR HILLS

TO:	Planning Commission
FROM:	Chandler Goodwin, City Manager
DATE:	October 27, 2020

Planning Commission Agenda Item

SUBJECT:	Review/Recommendation on Amendments to Cedar Hills Code §10-5-18, Special Provisions Relating to Fences Adjacent to Public Parks, Trails and Certain Major Streets.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Jenny Peay, Planning Associate

BACKGROUND AND FINDINGS:

Residents with homes bordering applicable parcels have expressed a desire to have the ability to fully enclose rear yards bordering trails. Residents have articulated that they feel a lack of privacy, safety, and excessive noise when patrons are using these trails. The recent opening of Harvey Park has also increased pedestrian traffic along this trail.

On January 28, 2020, February 25, 2020, and June 30, 2020; Staff presented updating fencing language to the Planning Commission for discussion and feedback. Staff is also requesting the ability for CUP permits to be an administrative decision as staff reviews and identifies any safety hazards or adverse effects fences would create for surrounding property owners.

On June 30, 2020, the Planning Commission tabled the proposed fencing code to further address potential safety issues.

August 25, 2020, Lieutenant Josh Christensen addressed safety issues to Planning Commission and provided direction for staff with minor changes to code.

Staff has reviewed recommendations from the Planning Commission and is requesting the Planning Commission consider amending city code §10-5-18 section (F); Special Provisions Relating to Fences Adjacent to Public Parks, Trails and Certain Major Streets.

PREVIOUS LEGISLATIVE ACTION:

N/A

FISCAL IMPACT:

N/A

SUPPORTING DOCUMENTS:

Proposed amendments to code §10-5-18 sections (B) Definitions and Terms, (E) General Requirements, and (F) Special Provisions Relating to Fences Adjacent to Public Parks, Trails and Certain Major Streets.

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 §10-5-18, and section (F); Special Provisions Relating to Fences Adjacent to Public Parks, Trails and Certain Major Streets, subject to the following modifications {LIST ANY APPLICABLE CHANGES}.

10-5-18: FENCES:

- A. Intent: It is the intent of this section to establish minimum standards for the placement and height of fences for the purpose of facilitating safety of pedestrians and motor vehicle users in connection with ingress and egress to private drives and parking areas, and to more adequately protect the health, safety and general welfare of the population.
- B. Definitions And Terms: For the purpose of facilitating the implementation of this section, the following terms are hereby defined and further identified on the following figures [4-6-18A](#), [4-6-18B](#) and [4-16-18C](#) of this section:

CLEAR VISION AREA: That portion of a corner lot or parcel as defined within and subject to the provisions of section [10-5-17](#) of this chapter.

FENCE: Any constructed tangible barrier, lattice work, screen, wall, or any continuous growth of shrubs, vines, trees or other vegetative material.

DOUBLE FENCING: Fences running parallel with each other, which are located with a separation distance less than six feet (6'). Fences running parallel with each other greater than six feet (6') in separation distance properly gated or accessible for maintenance purposes shall not be considered a double fence.

OPEN FENCE: Means and includes any fence that is forty percent (40%) or more open and measured as an eight foot (8') width by the maximum fence height being proposed, including fence posts/pillars and rails.

OPTIONAL ENCLOSURE AREA: Means and includes the portion of the street side enclosure area beginning at the point fifteen feet (15') from the lip of curb and gutter to the required side setback excluding the clear vision area, all of the required front setback area and further identified in figure [4-6-18A](#) of this section.

REAR SIDE ENCLOSURE AREA: Means and includes all yard area of a lot other than the area within the street side enclosure area and further identified in figure [4-6-18A](#) of this section.

STREET SIDE ENCLOSURE AREA: Means and includes, as applicable:

1. Corner Lot: All of the required front setback area and also all of the required side setback area adjacent to a street and further identified in figure [4-6-18A](#) of this section.
2. Interior Lot: All of the required front setback area of a lot and further identified in figure [4-6-18A](#) of this section.

E. General Requirements:

1. Construction Materials: All fences shall be constructed of substantial material and the design and construction shall be consistent with the quality of dwellings and other improvements within the surrounding area.
2. Barbed Wire Fences Prohibited: It shall be unlawful for any person to erect or cause to be erected or to maintain any barbed wire fence along or adjacent to any public street within a residential zone.
3. Building Permit Required; Zoning Administrator To Approve; Appeal: Before commencing construction, plans for all fences shall first be submitted to and approved by the zoning administrator. Where, in the opinion of the zoning administrator, a proposed fence does not conform to the criteria applicable for the proposed fence, or other requirement of this section, or would have the effect of creating an unsafe condition, the zoning administrator shall deny such application. Any applicant aggrieved by a decision of the zoning administrator may appeal the decision to the ~~board of adjustment~~ **Appeal Authority** who shall have the authority to reverse, affirm or modify any decision of the zoning administrator.
4. Double Frontage Lots: The placement of fences within the rear lot portion of any double frontage lot shall conform to the standards for fences within the optional enclosure area (subsection C2 of this section) and the clear vision area (section [10-5-17](#) of this chapter), where applicable. (Ord. 4-16-2002A, 4-16-2002)

F. Special Provisions Relating To Fences Adjacent To Public Parks, Trails And Certain Major Streets:

1. **Intent: It is the intent of this subsection to establish certain standards for the construction of fences adjacent to public parks, public trail corridors and certain major traffic arteries that are highly visible to the public. The purpose of this section is to achieve a coordinated appearance while recognizing the health and safety of surrounding properties and patrons using trails. Fences shall be consistent to the quality in design and construction of such surrounding facilities.**
~~1. Intent: It is the intent of this subsection to establish certain standards for the construction of fences adjacent to public parks, public trail corridors and certain major traffic arteries that are highly visible to the public for the purpose of achieving a coordinated appearance and consistent quality in design and construction of such facilities.~~
2. Applicability: The provisions of this subsection shall apply to those certain portions of dwelling lots and other parcels located within the boundaries of the street/parkway fence overlay zone, or parcels adjacent to current or planned parks or trail corridors. The territory included within the street/parkway fence overlay zone shall be as set forth on that certain map, figure [4-6-18C](#) of this section. All fences located within the boundaries of the street/parkway fence overlay zone or any segment thereof shall be designed, constructed and maintained in accordance with the provisions of this subsection.
3. Special Fencing Standards: The following standards shall apply to all fences constructed on applicable parcels: (Ord. 11-18-2008B, 11-18-2008)

- a. Material: The fence shall be white, **dark brown**, tan, or gray vinyl, of any style or shape. Wrought iron or metal fencing is permissible, provided it shall be black or brown in color. **Decorative concrete, masonry wall, or similar type fencing is allowed provided it shall be earth tone in color. No fencing will be allowed that has any type of spike or spear effect on the top rail or fence posts, with the exception for black wrought iron or metal style fences.**
- b. Type: Where trail segments are greater than one hundred thirty feet (130') in length and less than thirty feet (30') in width, no fence bordering the trail segment shall be constructed or maintained at a height greater than four feet (4'); however, an open fence or **hybrid style of fence consisting of (40%) open or more** may be constructed at a height no greater than six feet (6'). When the trail segment is adjacent to a major street corridor, according to the parkway fence overlay map, fence standards as specified elsewhere in this section apply with ~~planning commission~~ **Zoning Administrator** approval. (Ord. 06-17-2014A, 6-3-2014)
- c. Height: The maximum height is six feet (6'). The height shall be measured from natural grade. **Security fencing near or around public facilities may exceed height and material restrictions, based on compatibility and safety.**
- d. Placement: The fence shall be constructed on the **or within** property lines. **Determining location of a property line is the responsibility of the homeowner.** ~~Exceptions may be granted by the city manager or designee for topographical issues. No double fences running parallel will be permitted along any property lot line on the same parcel of property.~~

G. General Exceptions:

- 1. Planned Residential Or Commercial Developments: No fencing of any type or style is allowed surrounding or within a planned residential or commercial development without the prior recommendation of the planning commission and approval of the city council. The city council is authorized to grant approval on any type or style of fence within any planned residential or commercial development.
- 2. **Exception to Double fences: When located adjacent to an existing agricultural or animal use. This exception means that owners who wish to construct a fence may need to tie their fence into an existing fence located on an adjacent lot or parcel unless the fence is not deemed a double fence.**
- 3. ~~2.~~ Altering Standards; Appeals: Standards may be altered upon request by a group of adjacent property owners upon a finding by the city manager or designee, after consulting with the zoning administrator, that the request is consistent to the objectives of this section.
- a. Appeals to the city manager's decision on exceptions may be made to the city council within thirty (30) days of the city manager's decision. (Ord. 11-18-2008B, 11-18-2008)

11-7-13: FENCES ADJACENT TO PARKS AND TRAILS:

Where a subdivision borders upon an existing or proposed city park, trail, or major street corridor, a fence conforming with the standards of subsection [10-5-18F](#) of this code shall be constructed along the common boundary between the lots and park, trail, or major street corridor areas. (Ord. 8-15-2006D, 8-15-2006)