

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

3
4 **Wednesday, April 7, 2021**

5 **5:00 p.m.**

6 **Conducted Electronically**
7

8 **ATTENDANCE**
9

10 **Members Present:** Chair Chris Coutts, Commissioner Jesse Allen, Commissioner Dan Mills,
11 Commissioner Lucy Anderson, Commissioner Jessica Chappell,
12 Commissioner Douglas Rhodes, Commissioner Bob Wilde
13

14 **Staff Present:** Community and Economic Development Director Michael Johnson,
15 Deputy City Recorder Heather Sundquist, Senior City Planner Andrew
16 Hulka, Associate City Planner Samantha DeSeelhorst, City Attorney Shane
17 Topham
18

19 **WORK MEETING**
20

21 Chair Chris Coutts called the Cottonwood Heights City Planning Commission Work Meeting to
22 order at 5:00 p.m. and read a statement regarding conducting the meeting from an anchor location.
23 She read in its entirety the declaration giving the Council the authority to hold the meeting via
24 Zoom, pursuant to Utah Code Annotated §52-4-207(4).
25

26 **1.0 Planning Commission Business.**
27

28 **1.1 Review Business Meeting Agenda.**
29

30 The agenda items were reviewed and discussed.
31

32 **1.2 Additional Discussion Items.**
33

34 No additional discussion items were shared.
35

36 **2.0 Business Items.**
37

38 **2.1 (Project CUP-20-016) – Review and Possible Action on a Request from**
39 **Thurmond Dressen, on Behalf of Joe Coccimiglio, for Conditional Use**
40 **Approval of a Bed and Breakfast at 6632 South Highland Drive, in the**
41 **Residential Office (“RO”) Zone.**
42

43 Associate City Planner, Samantha DeSeelhorst reported that the above item was addressed
44 previously at the January 6, 2021, Planning Commission Meeting. She stated that the project was
45 a conditional use request for the approval of a bed and breakfast at 6632 South Highland Drive in
46 the Residential Office (RO) Zone. Ms. DeSeelhorst stated that bed and breakfasts are permitted

1 as conditional uses in the Residential Office (RO) Zone. City Code defined a bed and breakfast
2 as:

- 3
4 • A dwelling occupied as a permanent residence by an owner or renter, which serves
5 breakfast and provides or offers sleeping accommodations.
6

7 The applicant confirmed that a permanent resident will reside in the basement of the home and
8 sign a yearly lease contract. Ms. DeSeelhorst noted that staff included a recommended condition
9 of approval that the applicant verify occupancy on an annual basis prior to the renewal of the
10 business license. The applicant also confirmed that the permanent resident will serve breakfast to
11 the guests. Additionally, the floor plan shows that there were multiple bedroom areas that can
12 accommodate both the permanent resident and guests.
13

14 Some frequently asked questions were overviewed such as the difference between a short-term
15 rental and a bed and breakfast. Ms. DeSeelhorst explained that the difference mainly relates to on-
16 site management. A short-term rental would not require on-site management and could be
17 managed remotely. A bed and breakfast includes a requirement that a permanent resident must
18 live at the property. Ms. DeSeelhorst stated that another frequently asked question related to
19 changes to the building footprint and whether a new structure would be constructed. She reported
20 that no changes to the structure or site were currently proposed.
21

22 Ms. DeSeelhorst shared a project update. She noted that there had been a few concerns expressed
23 by the Planning Commission during the January 6, 2021, Planning Commission Meeting. The first
24 related to shipping containers at the property. Ms. DeSeelhorst reported that those containers had
25 since been removed. The second concern related to short-term rentals. The applicant stated that
26 the property was a long-term lease (30 or more days) but not a short-term rental. Ms. DeSeelhorst
27 explained that staff coordinated with Code Enforcement to verify that there were no open cases
28 for short-term rentals at the project. The last concern related to Health Department approval. Staff
29 verified that Health Department approval was only required if breakfast was prepared from raw
30 materials on-site. For pre-packaged breakfast items, such as those proposed in the application,
31 Health Department approval is not required.
32

33 Staff found the application to be Code compliant and recommended approval with the condition
34 that the applicant demonstrate occupancy within the structure by a permanent resident upon the
35 renewal of a business license.
36

37 Commissioner Wilde wondered how the person renewing the business license would know about
38 the condition. Ms. DeSeelhorst commented that a note could be added to the business license
39 database. Commissioner Mills thanked staff for their work and shared questions related to parking.
40 Ms. DeSeelhorst reported that parking was sufficient based on the ITE Generation Manual used.
41 However, additional parking-related questions could be discussed with the applicant during the
42 Business Meeting. Commissioner Mills asked if there would be signage posted to designate that
43 it is a bed and breakfast rather than a residential home. Ms. DeSeelhorst did not believe so.
44 Signage in the Residential Office (RO) Zone requires approval from the Architectural Review
45 Commission (“ARC”) and the Planning Commission.
46

1 Commissioner Rhodes wondered if there were restrictions for residential homes as they relate to
2 on-street parking. Community and Economic Development Director, Michael Johnson explained
3 that there are on-street parking ordinances that dictate when on-street parking is and is not
4 permitted. The applicant's property would need to provide adequate off-street parking stalls to
5 accommodate the anticipated parking needs. Vehicles parked on the street legally would not be in
6 violation of the on-street parking ordinances.

7
8 Chair Coutts suggested a possible condition. The Planning Commission could require that parking
9 signs be located on the property as a way to indicate to bed and breakfast guests that they should
10 park in the driveway. Ms. DeSeelhorst believed the Planning Commission had previously required
11 that of home businesses. Chair Coutts felt it was a reasonable condition.

12
13 Mr. Johnson reminded the Planning Commission that the public hearing for the item was closed
14 during the January 6, 2021, Planning Commission Meeting. As a result, the Business Meeting
15 would only include discussion and action related to the item.

16
17 **2.2 (Project SUB-21-001) – A Public Hearing to Receive Comments and Take**
18 **Possible Action on a Request from Tamara Elsberry and Darin Tea for a**
19 **Subdivision Amendment for Proposed Changes to Lot 76 of the Existing**
20 **Steffensen Heights Subdivision.**
21

22 Ms. DeSeelhorst reported that the item was for an amendment to Lot 76 of the Steffensen Heights
23 Subdivision. The lot corners Bengal Boulevard and Pamela Drive. The applicant wanted to
24 formalize a split to the lot that was done in 2014 via deed. Ms. DeSeelhorst explained that the
25 parcels were originally a single property (Lot 76) within the Steffensen Heights Subdivision, which
26 was recorded in 1954. In 2014, the lot was split into two parcels with a County deed. However,
27 it was never reviewed through a City process.

28
29 The applicant wants to formalize the existing lot split through the Subdivision Amendment
30 process, which is required any time an amendment is made to a previously subdivided lot. The
31 amendment would not alter the existing property lines created with the deed. Ms. DeSeelhorst
32 overviewed some of the development standards. She reported that both lots meet the 8,000 square
33 foot minimum for the R-1-8 (Single-Family Residential) Zone as well as the 70-foot minimum lot
34 width requirement. Ms. DeSeelhorst stated that Lot 76A contains an existing home that meets the
35 maximum 50% lot coverage standard. Lot 76B does not have an existing home but would need to
36 meet the same requirement if it was built on in the future. Will serve letters from water and sewer
37 providers would be required prior to the final approval of the plat to confirm utility services.

38
39 Ms. DeSeelhorst discussed the setbacks and reported that the existing home on Lot 76A does not
40 meet the corner side setback. It also contains a non-conforming accessory structure that predated
41 the City's incorporation. The proposed subdivision amendment would not increase the degree of
42 those non-conformities. Ms. DeSeelhorst reported that Lot 76B has no main structure. Future
43 structures would need to meet the current setback requirements in full. The existing shed on the
44 lot would need to be removed prior to approval of the final plat, as lots cannot contain accessory
45 structures without a main structure.

1 One public comment was received and was forwarded to the Planning Commission prior to the
2 meeting. The comment related to concerns over the relationship between the application and the
3 Covenants, Conditions, and Restrictions (“CC&Rs”) for the Steffensen Heights Subdivision.
4 Ms. DeSeelhorst reminded the Commissioners that CC&Rs are private agreements that the City
5 does not enforce through City standards and processes.

6
7 Staff found the application to be in compliance with City Code and recommended approval with
8 the condition that all subdivision requirements must be met in full and all departmental comments
9 addressed before the approval of the final plat.

10
11 Commissioner Rhodes asked about the public comment. Ms. DeSeelhorst explained that the public
12 comment was from the owner of Lot 76A, who expressed concerns over the application and what
13 is required through the CC&Rs. The application would not alter property lines beyond what was
14 previously done in 2014. Ms. DeSeelhorst clarified that the public comment came from the owner
15 of Lot 76A and the applicant is the owner of Lot 76B. Mr. Johnson reported that until recently,
16 the applicant owned both Lots 76A and 76B. Lot 76A was sold to the person who submitted the
17 public comment. Ms. DeSeelhorst added that the sale took place in early 2021. It appeared that
18 the owner of Lot 76A was aware of the property lines at the time of purchase. She reiterated that
19 the application was not proposing to change the property lines.

20
21 Commissioner Mills expressed concerns that property owners in Cottonwood Heights have the
22 ability to subdivide their property if the lot size is allowed to create a separate subdivision. They
23 would go through a similar process with the applicant. Mr. Johnson stated that residents cannot
24 avoid City procedure. He added that the applicant should have gone through the process in 2014.
25 Commissioner Wilde asked if staff has informed applicants with similar proposals that the
26 Planning Commission will not enforce CC&Rs. Ms. DeSeelhorst confirmed that was the case.
27 She noted that the individual who submitted the public comment was made aware of that prior to
28 the submittal of the comment.

29
30 Chair Coutts commented that the current owner of Lot 76A purchased the property in 2021. They
31 were well aware of where the property boundaries would lie. City Attorney, Shane Topham did
32 not like the way the process had taken place. However, he noted that both of the lots were
33 conforming and likely would have been approved had they come to the Planning Commission
34 initially.

35
36 **2.3 (Project GPA-20-001) – A Public Hearing to Receive Comments and Take**
37 **Possible Action on a City-Initiated Proposal to Adopt a Parks, Trails, and**
38 **Open Space Master Plan as an Addendum to the Cottonwood Heights General**
39 **Plan.**
40

41 Senior City Planner, Andrew Hulka shared an update with the Planning Commission related to the
42 Parks, Trails, and Open Space Master Plan. He reported that there had not been any major updates
43 to the plan but some of the recommendations from the last Planning Commission Meeting were
44 incorporated. Additionally, maps had been updated to a higher resolution.

1 Mr. Hulka overviewed the Executive Summary and stated that staff had done their best to include
2 all of the recommended parks, trails, and open spaces. A comprehensive map was also included.
3 The specific recommendations now included higher resolution maps with legends, scales, and a
4 north arrow. Minor updates were also made to the map that was included in the Future Open Space
5 section. The Existing Trails section now includes descriptions of natural trails and urban trails.
6 Mr. Hulka reported that the section related to Future Trails was consolidated and an updated map
7 was provided showing the urban and natural trails proposed as well as possible trailhead locations.

8
9 The Implementation section contained several evaluation questions. Some related to site context,
10 scenic elements, and price. There were also questions regarding environmental, historical, and
11 educational benefits a project would provide. Mr. Hulka overviewed the Funding Strategies
12 section and noted that no additional changes had been made.

13
14 Commissioner Wilde wondered if the City would make a bid on the property that contained the
15 burnt church. Mr. Johnson explained that they were very interested and had submitted multiple
16 letters to the church administration regarding that property.

17
18 Chair Coutts commented that the Parks, Trails, and Open Space Master Plan was easier to navigate.
19 She noted that a lot of the ideas had been consolidated. Mr. Hulka stated that they had cut out and
20 reorganized a lot of material. He reported that there was an interactive map as well, which
21 contained most of what was included in the Executive Summary. The interactive map could be
22 beneficial for people that wanted to look in specific areas. Commissioner Mills appreciated the
23 interactive map and the additions made to the Strategies section.

24
25 Commissioner Mills discussed the possibility of public-private partnerships. Mr. Hulka believed
26 that the Parks Committee would focus on how there could be donations from the public as well as
27 potential partnerships with larger corporations. It was important to explore those options wherever
28 possible. Mr. Johnson clarified that with donations and private partnerships, there are certain
29 government procedures that need to be followed. However, he noted that it could be beneficial to
30 focus on grants as well as other creative options.

31 32 **3.0 Adjournment.**

33
34 ***Commissioner Wilde moved to adjourn. Commissioner Allen seconded the motion. The motion***
35 ***passed with the unanimous consent of the Commission.***

36
37 The Work Session adjourned at 5:46 p.m.

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

3
4 **Wednesday, April 7, 2021**

5 **6:00 p.m.**

6 **Conducted Electronically**
7

8 **ATTENDANCE**
9

10 **Members Present:** Chair Chris Coutts, Commissioner Jesse Allen, Commissioner Dan Mills,
11 Commissioner Lucy Anderson, Commissioner Jessica Chappell,
12 Commissioner Douglas Rhodes, Commissioner Bob Wilde
13

14 **Staff Present:** Community and Economic Development Director Michael Johnson,
15 Deputy City Recorder Heather Sundquist, Senior City Planner Andrew
16 Hulka, Associate City Planner Samantha DeSeelhorst, City Attorney Shane
17 Topham
18

19 **BUSINESS MEETING**
20

21 Chair Chris Coutts called the Business Meeting to order at approximately 6:00 p.m.
22

23 **1.0 Welcome and Acknowledgments.**
24

25 Chair Chris Coutts welcomed those in attendance and read the opening statement regarding the
26 current COVID-19 situation. She read in its entirety the declaration giving the Council the
27 authority to hold the meeting via Zoom, pursuant to Utah Code Annotated §52-4-207(4).
28

29 **1.1 Ex Parte Communications or Conflicts of Interest to Disclose.**
30

31 No conflicts of interest were disclosed.
32

33 **2.0 General Public Comment.**
34

35 There were no public comments.
36

37 **3.0 Business Items.**
38

39 **3.1 (Project CUP-20-016) – Review and Possible Action on a Request from**
40 **Thurmond Dressen, on Behalf of Joe Coccimiglio, for Conditional Use**
41 **Approval of a Bed and Breakfast at 6632 South Highland Drive, in the**
42 **Residential Office (“RO”) Zone.**
43

44 Chair Coutts reported that the above item was a continuation from the January 6, 2021, Planning
45 Commission Meeting. The public hearing had already been closed.
46

1 Associate City Planner, Samantha DeSeelhorst reported that the project was a conditional use
2 request for approval of a bed and breakfast at 6632 South Highland Drive in the Residential Office
3 (RO) Zone. Ms. DeSeelhorst explained that bed and breakfasts are permitted as conditional uses
4 in the Residential Office (RO) Zone. City Code defines a bed and breakfast as:

- 5
6 • A dwelling occupied as a permanent residence by an owner or renter, which serves
7 breakfast and provides or offers sleeping accommodations.
8

9 The applicant confirmed that a permanent resident would reside in the basement of the home and
10 sign a yearly Lease Contract. Ms. DeSeelhorst noted that staff included a recommended condition
11 of approval. The applicant must confirm occupancy by a permanent resident each year at the time
12 of the annual business license renewal. The applicant also confirmed that the permanent resident
13 would serve breakfast to the guests. Additionally, the project floor plan indicated that there are
14 sufficient bedroom areas for both the permanent resident and the bed and breakfast guests.
15

16 Ms. DeSeelhorst reviewed some frequently asked questions. For instance, the difference between
17 a short-term rental and a bed and breakfast. She explained that the difference mainly relates to on-
18 site management. A short-term rental would not require on-site management and could be
19 managed remotely. Bed and breakfasts require a permanent resident to live at the property.
20 Ms. DeSeelhorst stated that another frequently asked question related to changes to the building
21 footprint and whether a new building would be constructed. She reported that no changes to the
22 structure or footprint were proposed. The change of use from a single-family home to a bed and
23 breakfast would require several Code upgrades. The Code upgrades would not impact building
24 size or height but would need to be permitted and reviewed.
25

26 At the January 6, 2021, Planning Commission Meeting, the Commission identified areas of
27 concern. The first related to shipping containers at the property. Ms. DeSeelhorst reported that
28 the containers had since been removed. The second concern related to the use of the property as a
29 short-term rental. The applicant stated that the property was used as a long-term lease (30 or more
30 days) but not as a short-term rental. Staff coordinated with Code Enforcement to verify that there
31 were no open cases for short-term rentals at the property. The last concern related to Health
32 Department approval. Staff confirmed that Health Department approval is only required if
33 breakfast is prepared on-site. For pre-packaged breakfast items, such as those proposed in the
34 application, Health Department approval was not required.
35

36 Staff found that the application to be Code compliant and recommended approval with the
37 condition that the applicant demonstrate occupancy within the structure by a permanent resident
38 upon the renewal of a business license.
39

40 Chair Coutts commented that she reviewed the Salt Lake County codes for bed and breakfasts. In
41 their code, there was an option to visit a site unannounced to ensure that lodging was being handled
42 as expected for a bed and breakfast. She wondered if something like that could apply in this
43 situation. Ms. DeSeelhorst stated that it is not something specifically stated in the Bed and
44 Breakfast Code. They normally coordinate with Code Enforcement to review a property upon
45 complaint. City Attorney, Shane Topham believed the City had an administrative search right in
46 the Code.

1
2 Commissioner Rhodes asked for clarification regarding the property as a long-term lease.
3 Ms. DeSeelhorst explained that the long-term lease (30 or more days) relates to the permanent
4 resident. She also reviewed the difference between a short-term rental and a bed and breakfast.
5 Community and Economic Development Director, Michael Johnson added that the language was
6 in response to comments that claimed the property was already being used as a short-term rental.
7 The applicant had previously stated that it was not.

8
9 Chair Coutts shared background information related to the item with Commissioner Anderson.
10 The Commissioners were concerned that someone could try to use a bed and breakfast as a way to
11 get around the City's short-term rental codes. The Planning Commission wanted to ensure that
12 they protect neighborhoods from uses that are not permitted. Chair Coutts discussed the location
13 of the property. It was in the Residential Office (RO) Zone because the area was an interface
14 between the surrounding residential and commercial areas. There were concerns from residents
15 related to parking so a condition for on-site signage was being considered.

16
17 ***Commissioner Rhodes moved to approve Project CUP-20-016, with the following conditions:***

- 18
19 ***1. Upon annual renewal of the business license, the applicant must demonstrate***
20 ***occupancy within the structure by a permanent resident.***
21
22 ***2. There must be on-site signage to indicate that guest parking should take place in***
23 ***the driveway of the property.***
24

25 ***Commissioner Chappell seconded the motion. Vote on motion: Commissioner Anderson-Aye,***
26 ***Commissioner Rhodes-Aye, Commissioner Chappell-Aye, Commissioner Wilde-Aye,***
27 ***Commissioner Allen-Aye, Commissioner Mills-Aye, Chair Coutts-Aye. The motion passed***
28 ***unanimously.***
29

30 **3.2 (Project SUB-21-001) – A Public Hearing to Receive Comments and Take**
31 **Possible Action on a Request from Tamara Elsberry and Darin Tea for a**
32 **Subdivision Amendment for Proposed Changes to Lot 76 of the Existing**
33 **Steffensen Heights Subdivision.**
34

35 Ms. DeSeelhorst presented the staff report and stated that the parcels were originally a single
36 property (Lot 76) within the Steffensen Heights Subdivision, which was recorded in 1954. In
37 2014, the lot was split into two parcels via a County deed. However, it was never reviewed through
38 a City process.

39
40 The applicant wanted to formalize the existing lot split through the Subdivision Amendment
41 process. The amendment would not alter the existing property lines created with the deed.
42 Ms. DeSeelhorst overviewed some of the development standards. She reported that both lots in
43 the proposed amendment met the 8,000 square foot minimum for the R-1-8 (Single-Family
44 Residential) Zone as well as the 70-foot minimum lot width requirement. Ms. DeSeelhorst stated
45 that Lot 76A contains an existing home that meets the maximum 50% lot coverage standard. Lot
46 76B did not have an existing home and would need to meet the same requirement if it was built on

1 in the future. Will serve letters from water and sewer providers would be required prior to the
2 final approval of the plat to confirm utility services.

3
4 Setbacks were discussed. Ms. DeSeelhorst reported that the existing home on Lot 76A was built
5 in 1954 and does not comply with the corner side setback. It also contains a non-conforming
6 accessory structure that predates the incorporation of the City. The proposed subdivision
7 amendment would not increase the degree of those nonconformities. Ms. DeSeelhorst reported
8 that Lot 76B has no main structure. Future structures would need to meet the current setback
9 requirements in full. The existing shed on the lot would need to be removed prior to approval of
10 the final plat, as lots cannot contain accessory structures without a main structure.

11
12 Staff received one public comment on the application that was forwarded to the Planning
13 Commission in advance of the meeting. The comment related to concerns over the relationship
14 between the application and the Covenants, Conditions, and Restrictions (“CC&Rs”) for the
15 existing Steffensen Heights Subdivision. Ms. DeSeelhorst reminded the Commission Members
16 that CC&Rs are private civil agreements that the City would not address or enforce through City
17 standards and processes. The item was on the agenda for a public hearing.

18
19 Staff found that the application was Code compliant and recommended approval with the condition
20 that all subdivision requirements must be met in full and all departmental comments must be
21 addressed before the approval of the final plat.

22
23 Chair Coutts asked if there is an existing curb cut. She noted that there appeared to be a driveway
24 on Lot 76B. Ms. DeSeelhorst explained that there was a drive approach. As part of the building
25 permit process, staff would ensure that the proper protocols are followed. Commissioner Mills
26 asked for clarification regarding the location of the property line. Ms. DeSeelhorst shared an image
27 of the preliminary plat with the Planning Commission. She believed there was a chain-link fence
28 between the two properties that corresponded with the property line. During the final plat approval
29 process, staff would verify that all details are clarified. Additionally, the Public Works and
30 Engineering Departments would look closely at frontage, right-of-way, and drive approach items.

31
32 Commissioner Mills did not believe there was a fence that continued back on the property line.
33 He noted that there may be curb and gutter issues, depending on where the property line falls.
34 Discussions were had about the curb and gutter. Ms. DeSeelhorst stated that there was an
35 unconventional curb and gutter style on the lots. She believed that frontage improvements on the
36 unbuilt lot would be required by the Public Works Department prior to issuance of a building
37 permit.

38
39 The applicant, Tamara Elsberry reported that her father split the back half of Lot 76 off in 2014 to
40 separate it. They were in the process of selling Lot 76B to a builder who wanted to build a home
41 on it in the future. That coincided with the work being done with Cottonwood Heights to formally
42 separate the lots. Ms. Elsberry confirmed that a white fence was built on the property line
43 approximately three months earlier. She also confirmed that there was a driveway on Lot 76B.

44
45 Chair Coutts opened the public hearing.
46

1 *Benjamin Reece* identified himself as the owner of Lot 76A. He had listened to the Work Meeting
2 and felt there may be some confusion about the nature of his current objections. Mr. Reece
3 opposed the amendment on the grounds that he did not want to be removed from the Steffensen
4 Heights Subdivision and its existing recorded protections. He expressed concerns about the
5 proposed name change to Roy Tea Subdivision. Mr. Reece explained that he had consulted with
6 a real estate attorney. The attorney believed that the property could not be carved out from the
7 existing protections that apply to the property. Mr. Reece asked that he not be removed from the
8 Steffensen Heights Subdivision. He added that as long as he is covered by the protections of the
9 CC&Rs, he would pursue other enforcement options. Mr. Reece asked that the Planning
10 Commission consider the addition of the following condition:

- 11
- 12 • The amendment must be expressly subject to the restrictions of the CC&Rs or expressly
- 13 subject to any pre-existing agreements that the property is bound by.
- 14

15 *Tim Ford* reported that he lives next door to the property and purchased his home 21 years ago.
16 Instead of having a view of the Cottonwood Canyons, he could have a view of a house that looks
17 into his backyard. He agreed with the comments made by Mr. Reece.

18
19 There were no further public comments.

20
21 Chair Coutts wondered if it was possible to leave Lot 76A in the existing subdivision. Mr. Topham
22 assumed that the Planning Commission was not excising the lots from the existing subdivision.
23 He did not believe that any subdivision process could affect the encumbrance of the CC&Rs on
24 the properties. Chair Coutts asked about the name Roy Tea Subdivision. Ms. DeSeelhorst
25 explained that as part of the plat amendment process, the applicant was required to prepare a new
26 subdivision plat to represent the proposed amendment. That was the reason for the name change.
27 Mr. Topham clarified that this was not a new subdivision but an amendment to an existing
28 subdivision.

29
30 Mr. Topham stated that the Planning Commission may want to clarify that they are not creating a
31 new subdivision. It would still be part of the Steffensen Heights Subdivision and was not intended
32 to impact the CC&Rs. Discussions were had about the previous lot split via County deed in 2014.
33 Mr. Topham stated that the City could not get involved in CC&Rs, as they are private contractual
34 relationships. The City could focus on the zoning and subdivision codes to determine whether the
35 division was proper in terms of lot size and dimension.

36
37 Discussions were had regarding the name Roy Tea Subdivision. Mr. Johnson suggested that the
38 subdivision be renamed the Steffensen Subdivision Amendment to avoid confusion. Senior City
39 Planner, Andrew Hulka shared an image of the preliminary plat with the Planning Commission.
40 Chair Coutts asked about the dedication. Mr. Topham explained that the Owner's Dedication was
41 a standard part of any subdivision plat.

42
43 Commissioner Allen noted that the County Assessors website shows the property as 0.18 acres,
44 which would be slightly less than the necessary 8,000 square feet. He felt it would be beneficial
45 to verify that the property is in excess of 8,000 square feet. Ms. DeSeelhorst commented that the
46 information on the County Assessors website had been an early point of confusion in pre-

1 application meetings. However, staff believed this was the result of a rounding decision.
2 Mr. Johnson added that as part of the final review, the City Engineer would map out the boundary
3 description to verify the accuracy.

4
5 The Commission Members discussed possible next steps if the property is found to be non-
6 conforming. Mr. Johnson stated that the owners would need to amend the preliminary plat to make
7 it conforming. If there was not enough land, they would be unable to validate the split that was
8 made via deed. Commissioner Chappell expressed concerns related to the size of the property.
9 Mr. Topham explained that if the lots are non-conforming, the subdivision could not be approved.
10 He noted that if the Planning Commission was uncertain, the item could be continued to the next
11 meeting to ensure that all fundamental requirements are met.

12
13 Ms. DeSeelhorst explained that staff verified the size of the property through the typical means
14 and found it to be compliant. As part of the final plat process, the City Engineer would verify the
15 numbers further. However, the Planning Commission could always continue or table the item if
16 necessary. There was discussion regarding were had about a potential motion and whether both a
17 surveyor and the City Engineer would be needed to verify the size of the property.

18
19 Mr. Hulka shared the parcel map with the Planning Commission. He clarified that at some point,
20 an additional seven feet of property had been acquired from the LDS Church. The Boundary
21 Description included on the parcel map stated that the property includes the additional seven feet
22 from the Church. The Commissioners felt that that clarification resolved a lot of concerns. Chair
23 Coutts wondered if the Planning Commission wanted to continue the item to verify that all of the
24 dimensions are accurate.

25
26 The public hearing was closed.

27
28 *Commissioner Wilde moved to continue Project SUB-21-001 to the April 21, 2021, Planning*
29 *Commission Meeting to confirm with the City Engineer that the property meets all necessary lot*
30 *dimensions. Commissioner Mills seconded the motion. Vote on motion: Commissioner*
31 *Anderson-Aye, Commissioner Rhodes-Aye, Commissioner Chappell-Aye, Commissioner Wilde-*
32 *Aye, Commissioner Allen-Aye, Commissioner Mills-Aye, Chair Coutts-Aye. The motion passed*
33 *unanimously.*

34
35 **3.3 (Project GPA-20-001) – A Public Hearing to Receive Comments and Take**
36 **Possible Action on a City-Initiated Proposal to Adopt a Parks, Trails, and**
37 **Open Space Master Plan as an Addendum to the Cottonwood Heights General**
38 **Plan.**
39

40 Mr. Hulka shared an update with the Planning Commission related to the Parks, Trails, and Open
41 Space Master Plan. He reported that the Parks, Trails, Open Space Master Plan was an addendum
42 to the General Plan. It was intended to be a guiding policy document that would assist the City
43 Council and staff in the future. Mr. Hulka explained that the plan included the following:

- 44
45
 - Inventories of the existing parks and open space in the City;
46
 - Recommendations for areas where new open space amenities or parks could be located;

- Recommendations for new natural and urban trails throughout the City; and
- Recommendations to preserve the foothills on the east side.

Minor updates made to the Parks, Trails, and Open Space Master Plan were presented. The Planning Commission discussed next steps for the Parks, Trails, and Open Space Master Plan.

Chair Coutts opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Wilde moved to approve the Parks, Trails, and Open Space Master Plan as an Addendum to the Cottonwood Heights General Plan. Commissioner Rhodes seconded the motion. Vote on motion: Commissioner Anderson-Aye, Commissioner Rhodes-Aye, Commissioner Chappell-Aye, Commissioner Wilde-Aye, Commissioner Allen-Aye, Commissioner Mills-Aye, Chair Coutts-Aye. The motion passed unanimously.

4.0 Consent Agenda.

4.1 Approval of Planning Commission Minutes.

- **March 3, 2021 Planning Commission Minutes.**

Commissioner Wilde moved to approve the March 3, 2021, Planning Commission Meeting minutes, as amended. Commissioner Mills seconded the motion. The motion passed with the unanimous consent of the Commission.

5.0 Adjournment.

Commissioner Rhodes moved to adjourn. Commissioner Wilde seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 7:15 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Planning Commission Meeting held Wednesday, April 7, 2021.*
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5 Teri Forbes

6 Teri Forbes

7 T Forbes Group

8 Minutes Secretary

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10 Minutes Approved: April 21, 2021