

COTTONWOOD HEIGHTS CITY PLANNING COMMISSION MEETING AGENDA

January 4th, 2023



Notice is hereby given that the **Cottonwood Heights Planning Commission** will convene on **Wednesday, January 4th, 2023**, at **Cottonwood Heights City Hall** (2277 E. Bengal Blvd., Cottonwood Heights, UT 84121) for its regularly scheduled **Work Session** and **Business Session** meetings.

1. Work Session – **5:00 p.m.** – City Council Work Room
2. Business Session – **6:00 p.m.** – City Council Chambers

Both sessions will also be broadcast electronically on Zoom. **For those who wish to attend virtually, please register in advance** for these meetings by visiting: www.ch.utah.gov/planningcommission, and clicking on “**Planning Commission Zoom Links.**” Alternatively, the public can also hear audio of the open portions of the meeting by connecting to the live broadcast at <http://mixlr.com/chmeetings>.

5.00 p.m. Work Session

1.0 Review Business Session Agenda

The Commission will review and discuss agenda items.

2.0 Additional Discussion Items

The Commission may discuss the status of pending applications and matters before the Commission, as well as new applications and matters that may be considered by the Commission in the future.

3.0 Adjourn

6:00 p.m. Business Session

1.0 Welcome and Acknowledgements

- 1.1 Ex parte communications or conflicts of interest to disclose

2.0 General Public Comment

This is an opportunity for individuals to make general public comments that do not relate to any projects scheduled for public hearing under the “Business Items” section of this agenda. Please see the Public Comment Policy on the reverse side of this agenda for more information.

3.0 Business Items

3.1 Project AHO-22-007

A public hearing and possible action on a request from Jonathan Higbee for declaration of an existing use violation as a non-conforming use at 7128 S. 2985 E.

3.2 Project SUB-22-005

A public hearing and possible action on a request from Ivory Homes for preliminary plat approval of a planned unit development (PUD) consisting of 13 single-family lots and a public park at 3625 E. Doverhill Dr.

4.0 Consent Agenda

- 4.1 Approval of Planning Commission Minutes from December 7th, 2022

5.0 Adjourn

Public Comment Policy

Verbal public comments are accepted during the public hearing components of the 6:00 p.m. Business Session (but not during the 5:00 p.m. Work Session). Please note that public hearings are an opportunity for individuals to share public comments as they see fit but are not an opportunity for “question and answer” dialogue. Questions should be directed to city staff at planning@ch.utah.gov.

Verbal comments provided during the public hearing will be limited to three minutes per individual, or five minutes per a spokesperson who has been asked by a group that is present to summarize their concerns.

Alternatively, written comments submitted to staff via email at planning@ch.utah.gov. For written comments to be entered into the record and distributed to the Planning Commission prior to the meeting, they must be submitted to staff by 12:00 p.m. MST on Tuesday, January 3rd, 2023, the day prior to the meeting. Comments received after this deadline will be distributed to the Planning Commission after the meeting.

Meeting Procedures

Items will generally be heard in the following order:

1. Commission Chair Introduces Item
2. Staff Presentation
3. Applicant Presentation (If applicable)
4. Commission Chair Opens Public Hearing (If item has been noticed for public hearing)
5. Commission Chair Closes Public Hearing
6. Planning Commission Deliberates
7. Planning Commission Motions and Votes on Item

Planning Commission applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **NO agenda item will begin after 9:00 pm** without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801) 944-7021 at least 24 hours prior to the meeting. TDD number is (801) 270-2425 or call Relay Utah at #711.

Confirmation of Public Notice

On Friday, December 30th, 2022, a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City’s website at www.cottonwoodheights.utah.gov and the Utah public notice website at <http://pmn.utah.gov>.

DATED THIS 30TH DAY OF DECEMBER 2022, Paula Melgar, City Recorder



PLANNING COMMISSION STAFF REPORT

Request to Have Use Violation Declared Non-Conforming

Meeting Date: January 4, 2023

Staff Contact: Mike Johnson, CED Director

Summary

Project #:

AHO-22-007

Subject Property:

7128 S. 2985 E.

Action Requested:

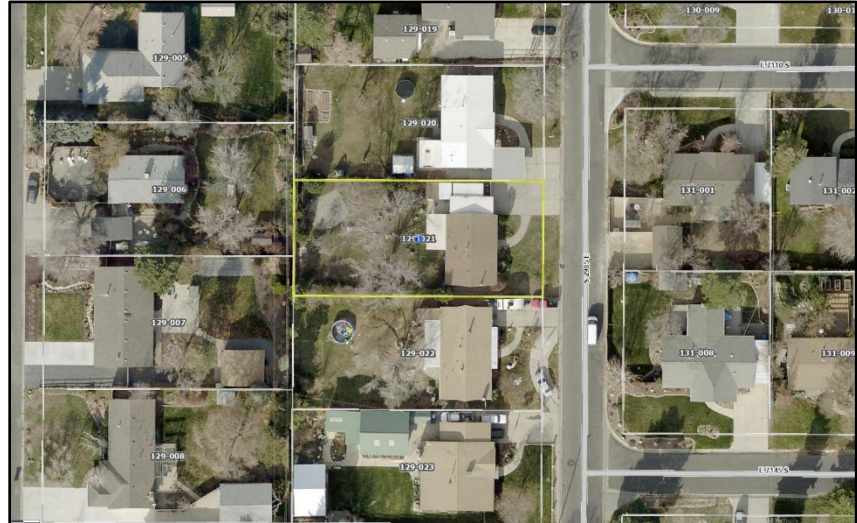
Declaration of an existing use violation as a non-conforming use

Applicant:

Jonathan Higbee
(Property Owner)

Recommendation:

Temporary Approval (6 Months)



Zoning and Land Use

Zoning:

R-1-8 – Residential
Single Family

Land Use:

Residential Low Density



Request

The applicant is requesting that the Planning Commission declare an existing use violation as a non-conforming use (non-conforming uses are those which do not comply with current city ordinance requirements but are deemed legal due to compliance at the time of original establishment/construction, or upon declaration by the Planning Commission).

City code grants authority and discretion to the Planning Commission to declare non-compliant uses/structures as legal non-conforming uses/structures.

On November 10, 2022, Cottonwood Heights Code Enforcement issued a notice of violation to the applicant regarding the non-compliance of one of the accessory structures on the property. In response to that city notice, this application has been made.

Specifically, the applicant is requesting that two existing accessory structures (sheds) on the subject property, which do not conform to current zoning ordinance standards for accessory structures, be formally declared as legal, non-conforming structures on the property and be allowed to remain.

The constructed sheds are non-compliant with two current zoning regulations:

1. They are located in the side yard of the home (accessory buildings are required to be behind the home by at least six (6) feet)
2. They do not currently comply with minimum side-yard setbacks for accessory buildings (ordinance requires a minimum setback of three (3) feet).



Planning Commission Authority

The Commission's authority to declare an existing use violation is derived from chapter [19.88.140](#) ('Application to have a use violation declared a non-conforming use') of the city's zoning ordinance. The ordinance is as follows:

19.88.140 Application To Have A Use Violation Declared A Non-Conforming Use

- A. *Whenever land or a structure is used in violation of this title, the owner may file an application with the planning commission to have the use declared nonconforming. The planning commission may approve such an application only when the evidence establishes all of the following:*
1. *The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding five years*
 2. *No complaint has been made to the department concerning the violation for a period exceeding five consecutive years during which the violation existed*
 3. *Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity*
- B. *In approving an application hereunder, the planning commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue. This section shall in no way be interpreted to permit the continuation of any violation which existed on the effective date of the ordinance codified in this section. Any person shall have the right to appeal to the appeals hearing officer a decision rendered by the planning commission pursuant to this section.*

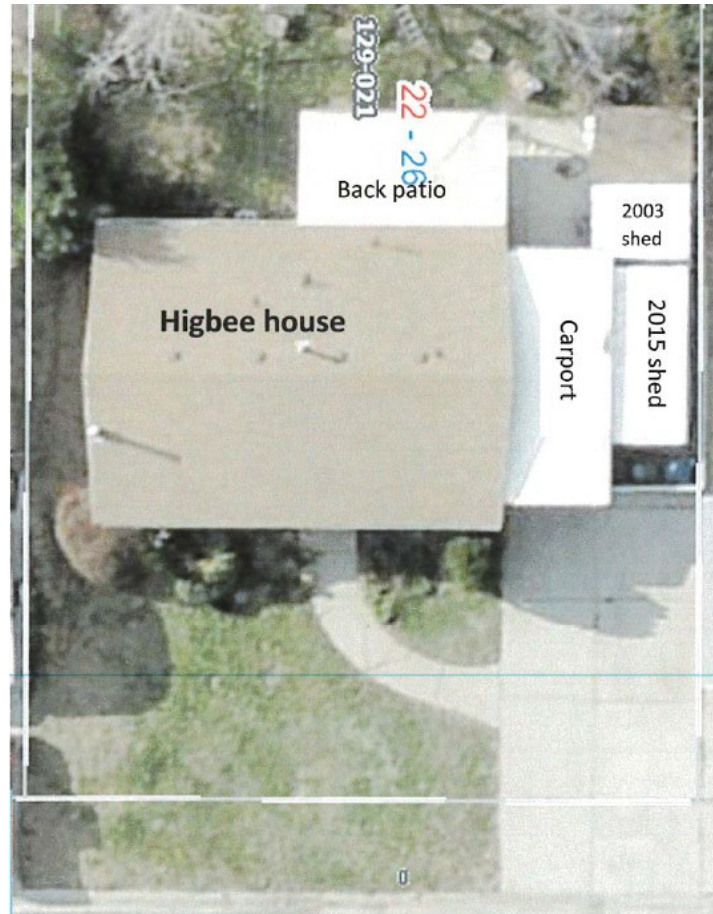
Approval is at the discretion of the ordinance, and such declarations may only be approved if the listed criteria are properly satisfied. Further, the Commission may impose time limitations on approvals.

This staff report provides an analysis of the request based on the required review criteria from the ordinance:

- Continuous existence of use or structure for a period exceeding five (5) years, without any outside complaints made
- Analysis of potential impacts of structures on health, safety, or welfare of persons/property in the vicinity

Analysis of Existing Conditions

The following is an analysis of the existing accessory structure conditions on the subject property. The diagram is taken from the applicant's narrative (attached).



'2003 Shed'

- Constructed in 2003 (Salt Lake County jurisdiction)
- 9'4" in height (compliant with height regulations)
- 25 inches from adjacent side yard property line (**non-compliant** with current setback regulations)
- Located in the side yard of the home (**non-compliant** with current placement regulations)
- Fewer than 6' of separation from nearby structures (**non-compliant** with current setback regulations)

The applicant asserts that the 2003 shed is classified as a noncomplying structure as defined in [Utah State Code Ann. 10-9a-103-43](#). While it is reasonable to assume the structure was built in 2003, no additional evidence was provided that the shed was built legally or in accordance with applicable standards in place at the time.

'2015 Shed'

- This is the structure that the city's code enforcement division issued a notice of violation against (notice was issued on November 10, 2022)
- Constructed in 2015 (Cottonwood Heights jurisdiction)
- 8'6" in height (compliant with current regulations)
- Located in side yard, directly adjacent (not attached) to existing carport and side property line (26" side setback) (**non-compliant** with current placement and setback regulations)

Analysis of Review Criteria

The following section provides staff's findings based on review of the review criteria listed in 19.88.140:

'The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding five years'

- Sufficient evidence has been presented by the applicant to confirm that both structures have existing for a period exceeding five years
- City zoning ordinance standards for accessory structures in 2015 were the same that they are currently, meaning that it was never considered legal, and has been in violation since its construction
- No evidence has been presented by the applicant demonstrating that the 2003 shed was compliant with Salt Lake County's regulations for accessory structures at the time. However, the shed has existing since city incorporation and has been in continuous violation of city ordinance since that time (2005)

'No complaint has been made to the department concerning the violation for a period exceeding five consecutive years during which the violation existed'

- Prior to the notice of violation issued by Cottonwood Heights Code Enforcement on November 10, 2022, there is no enforcement history on the subject property regarding the accessory structure placement.

'Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity'

- Standards for setbacks from property lines and from main structures are at least partially derived from the International Residential Code fire separation standards. Adherence to minimum setbacks helps decrease chances that a fire can spread from one structure or property to another
- Allowing the accessory structures to remain as currently located creates a potential detrimental effect on the health, safety or welfare of persons or property in the vicinity. That potential impact can be reasonably mitigated by simply complying with minimum ordinance standards
- In accordance with International Residential Code table R302.1(1), exterior walls of structures that are not properly designed to limit the spread of fire must be separated by adjacent structures and property lines by a minimum of 5'
 - No evidence has been presented that the existing accessory structures are properly fire rated

Recommendation

Staff recommends that the Commission consider allowing the structures to remain in their current locations for a period not to exceed six (6) months. At such time, both structures (2003 shed and 2015 shed) should be removed or relocated to location on the lot fully compliant with all applicable ordinance standards.

Findings for Recommendation

The above recommendation is based on the following findings:

- 19.88.140 permits the Commission to add conditions and time limits to any declaration;
- The subject property has substantial yard space that appears able to easily accommodate relocated structures in a manner that is fully compliant with city ordinance requirements;
- Six months provides a reasonable amount of time for the applicant to make arrangements for removal, relocation, or reconstruction of accessory structures;
- Based on evidence submitted, neither structure complies with the ordinance that was in place at the time it was constructed. As such, staff's recommendation is to apply the time limit to both structures. No evidence was presented of proper fire-rating of those structures;
- If allowed to remain in perpetuity, the location of accessory structures in close proximity to property lines and main structures represents a risk to the health, safety, or welfare of persons or property in the vicinity .

Model Motions

Approval

I move to issue temporary approval (not to exceed six months from the date of approval) of project AHO-22-007, with the condition that both accessory structure be removed, relocated, or reconstructed in a manner that complies with current city ordinance, based on the recommendation and findings of the staff report dated January 4, 2023

Denial

I move to deny project AHO-22-007 based on the following findings:

- List findings for denial

Attachment

- Applicant's Narrative

Application under Cottonwood Heights City code 19.88.140.

November 22, 2022

Details about owners and neighbors:

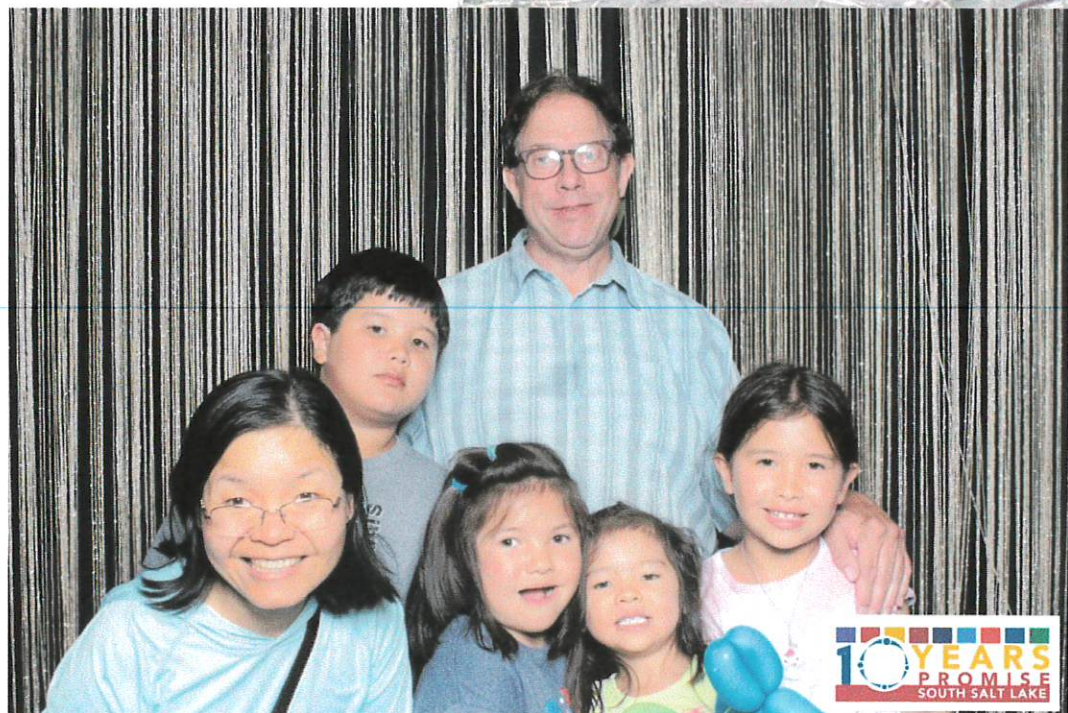
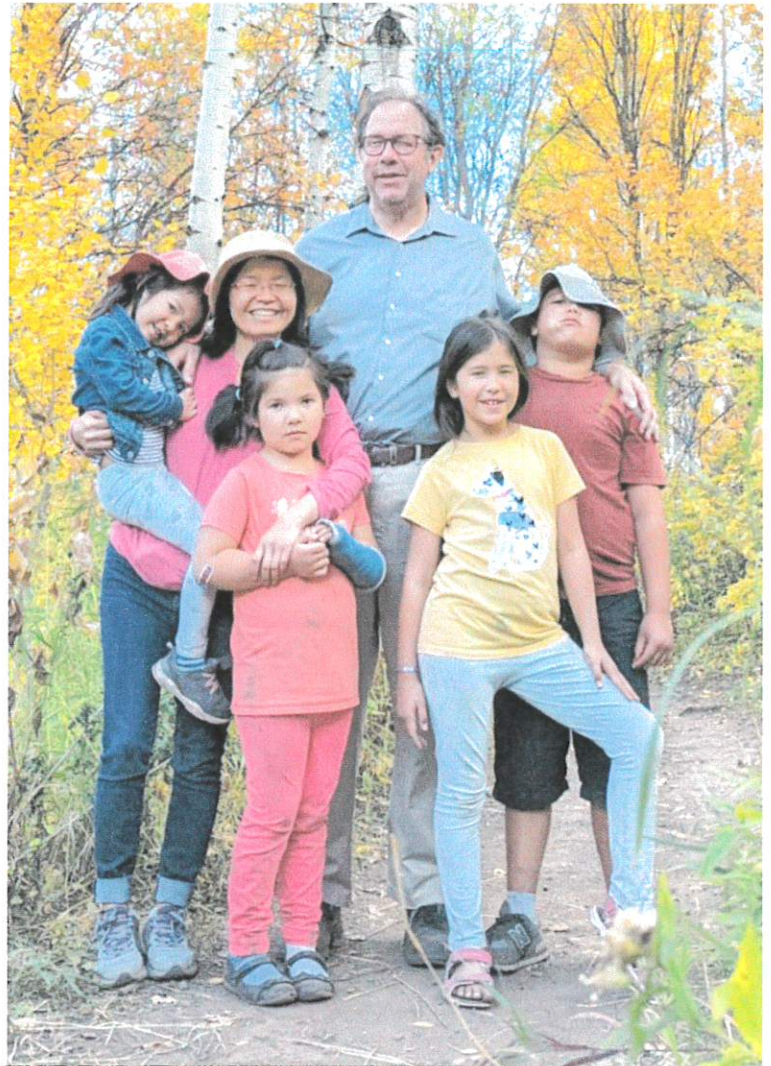
Property owners: Jonathan Higbee and Yanning Higbee, joint tenant owners, "we" in this application.

Consultant advising the owners:
Amy C. Walker, lawyer, of Miller Harrison.

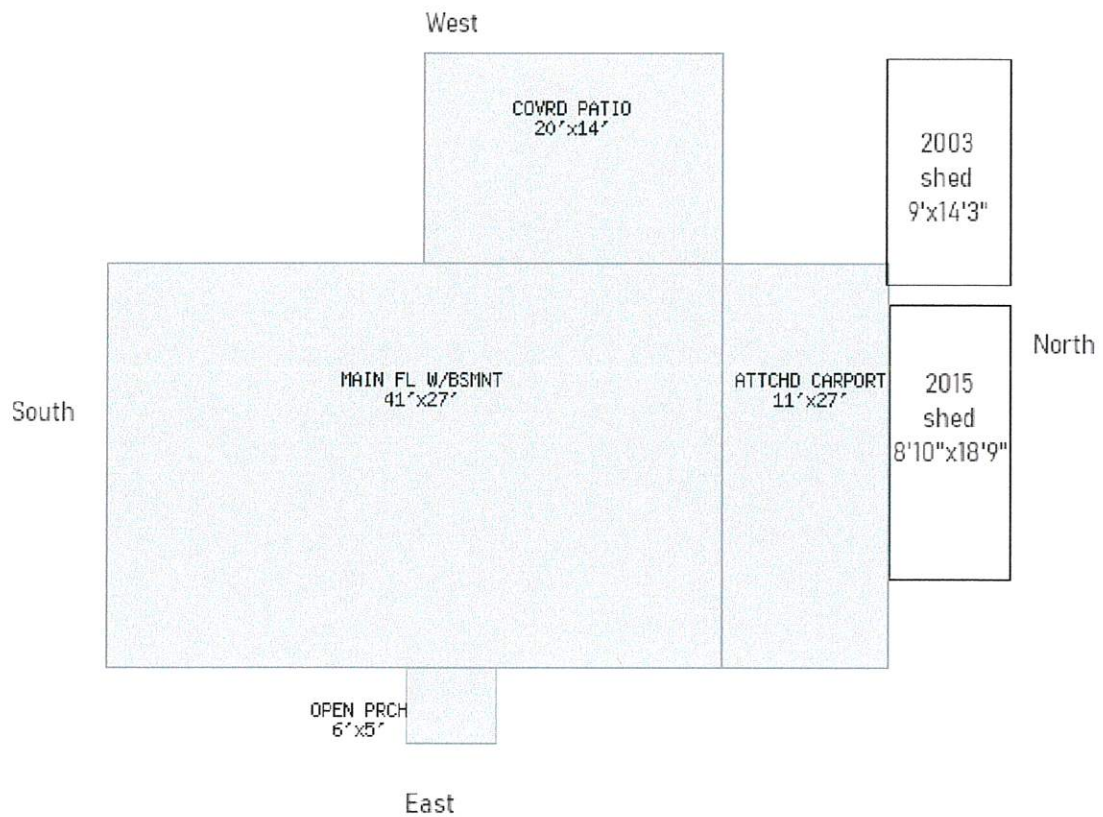
Address & legal description of the property:
7128 South 2985 East, Salt Lake County parcel 22261290210000, LOT 261 COTTONWOOD HEIGHTS SUB NO 2. 10202-2946 10346-1258 10346-1260. Sidwell map numbers: 129-021.

Owners within 50 feet: GEORGE CONDRA 7138 S 2985 E, SCOTT JEFFREY BECK 7131 S 2930 E, SUSAN SHIPPEY 7117 S 2930 E, JOHN P PENDERGAST TRUST DATED 6/29/2018 7105 S 2930 E, JOHN PAUL MARRIOTT 7118 S 2985 E, RENE G WALLIN; MELVA R WALLIN and KATHRYN A WALLIN (JT) 2996 E 7110 S, GLADE M INGLET and MARGARET G INGLET (JT) 2995 E 7145 S.

Photos of the family affected by this situation:



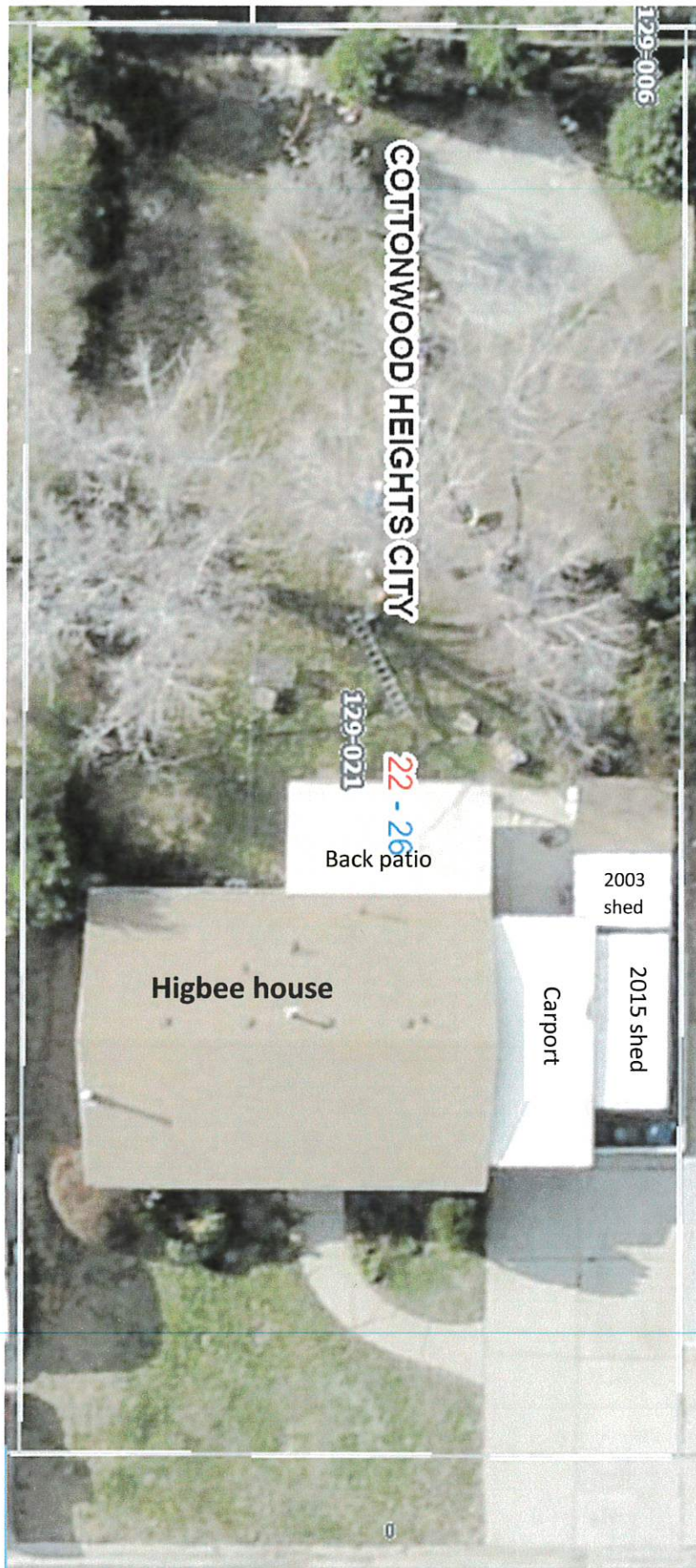
House with sheds diagram:



2003 shed: 9'4" tall at tallest point. 25 inches between shed and north property line. Detached.

2015 shed: 8'6" tall at the tallest point. 26 inches between shed and north property line. Detached. While being adjacent to the carport it is not attached to it.

Next page: Map image from Salt Lake County, with labels added to buildings. Property lines shown.



Regarding our property at 7128 South 2985 East, this is a request under section 19.88.140 of the City Code, *Application To Have A Use Violation Declared A Non-Conforming Use*.

We are aware of separate section 19.92.030 and a variance process therein. However that section states:

“...When such hardships may be more appropriately remedied, if at all, pursuant to other provisions of this title, the variance procedure is inappropriate.”

Thus we are applying for remedy under section 19.88.140, as the procedures outlined in section 19.92.030 may not be appropriate.

Code section 19.88.140 (quote):

A. Whenever land or a structure is used in violation of this title, the owner may file an application with the planning commission to have the use declared non-conforming. The planning commission may approve such an application only when the evidence establishes all of the following:

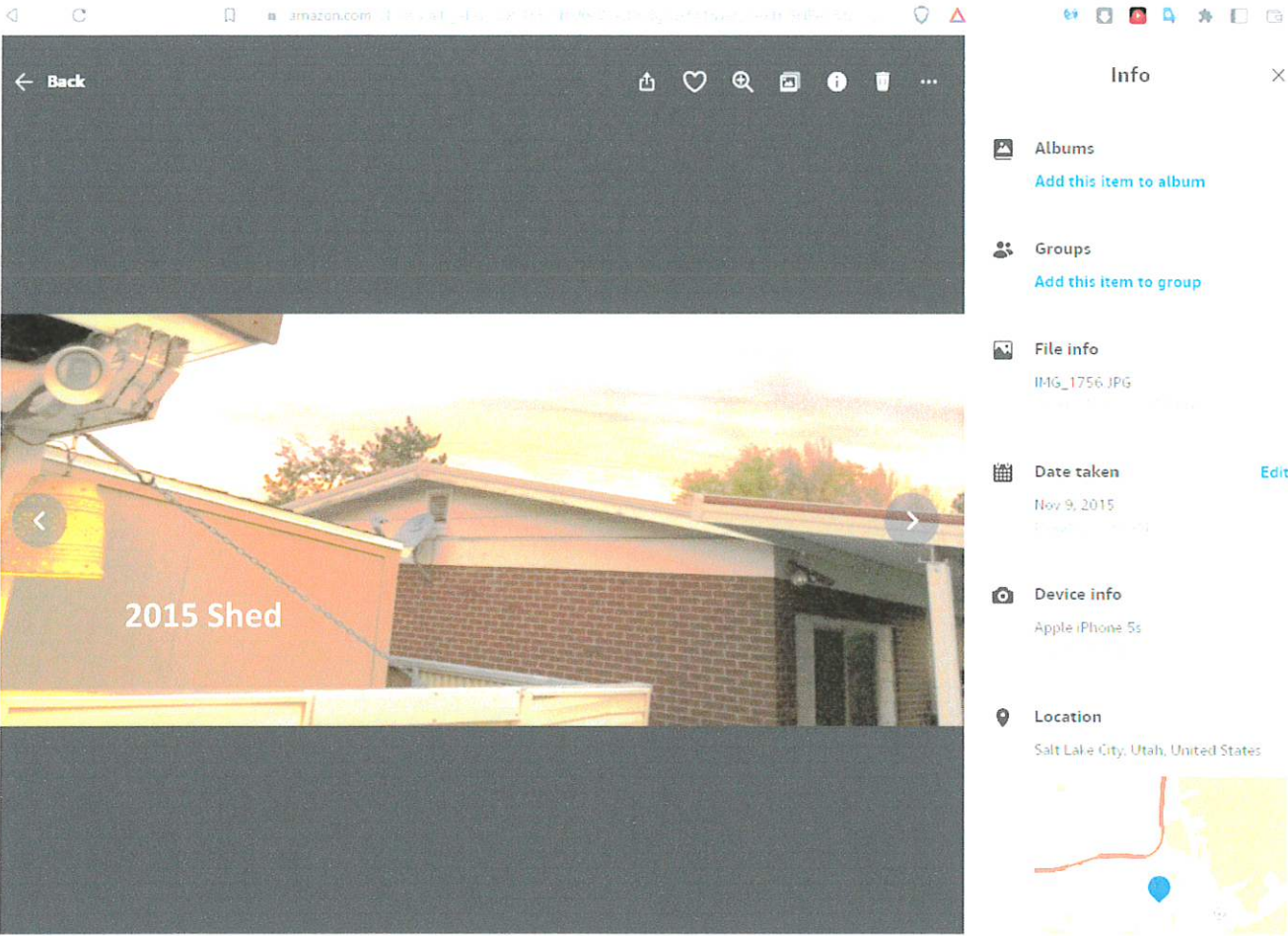
1. The use exists on the property at the time of the application and has been in continuous violation of the zoning ordinance for a period exceeding five years;
2. No complaint has been made to the department concerning the violation for a period exceeding five consecutive years during which the violation existed; and
3. Continuation of the use will not have a detrimental effect on the health, safety or welfare of persons or property in the vicinity. ---end of quote from 19.88.140

I . Both the 2003 shed and 2015 sheds meet the criteria of 19.88.140, A, 1, because the sheds have existed for a period greater than five years, and both have been in “continuous violation” of 19.76.030.

Response: Regarding 19.88.140, A, 1, “...continuous violation of the zoning ordinance...,” “Continuous violation” status of the sheds:

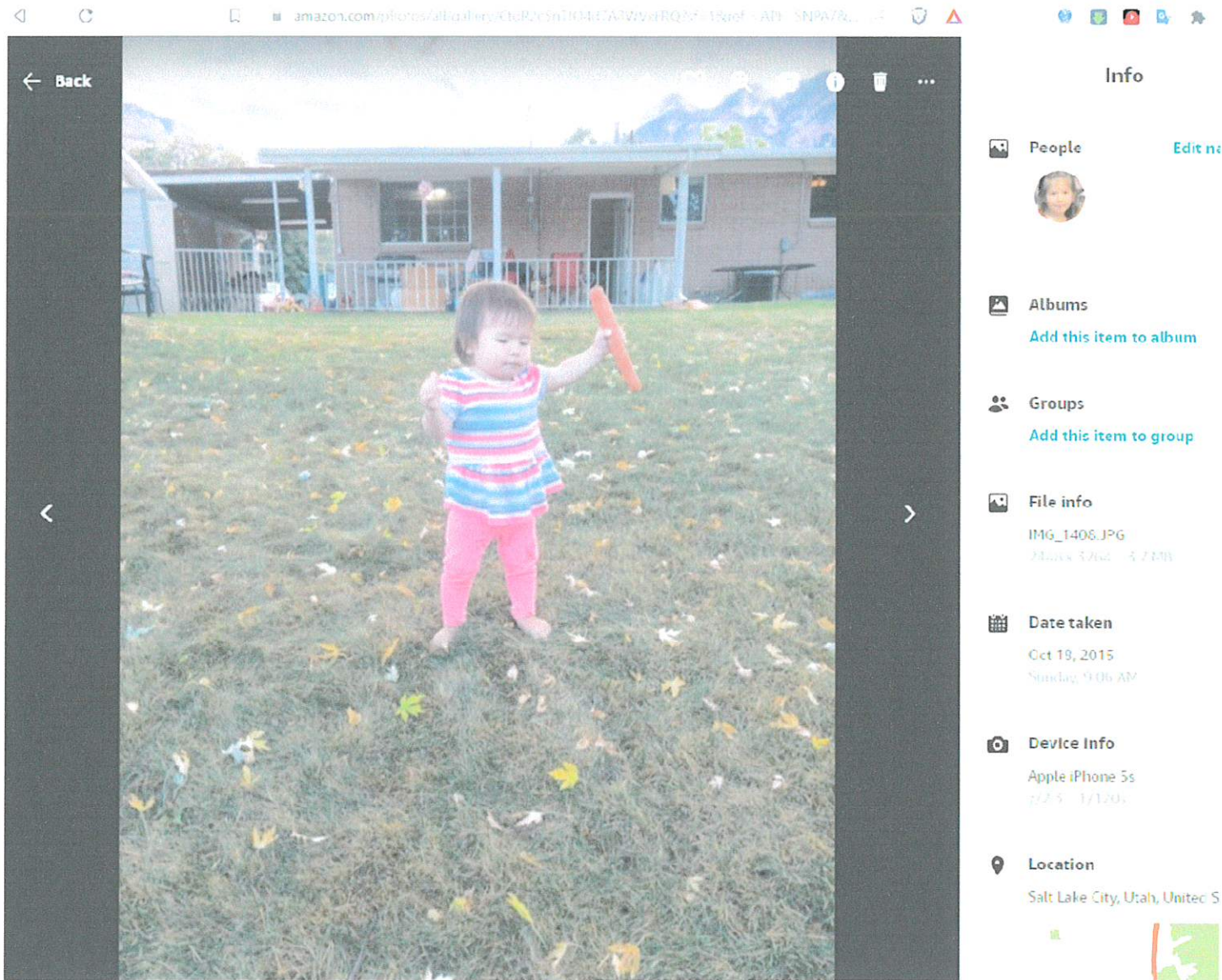
- 1. 2003 shed:**
 - a. Only 25 inches to the northern property line, instead of 3 feet as required by 19.76.030.
 - a. Also 2003 shed’s roof extends 1 foot into the carport area, and thus it’s partially “to the side of our house.” A small part of the 2003 shed is “next to our house.” Sheds can’t be next to a house as noted in 19.76.030, B, 3, A.
 - b. However the 2003 shed was built before 1-14-2005. Therefore, the 2003 shed is a legal noncomplying structure under Utah Code section 10-9a-103(43).
- 2. 2015 shed:**
 - b. Shed is not attached to carport – it simply abuts carport (next to carport). Shed is 26 inches setback to the northern property line, instead of 3 feet. 19.76.030 requires 3 feet setback for detached sheds under 14 feet in height.
 - c. 2015 shed is next to our house. It is not attached to our carport as noted but rather directly abuts it. Not physically attached to the carport. Sheds can’t be next to a house as noted in 19.76.030, B, 3, A.

Proof 2015 shed was built in 2015: Many Higbee family photos stored in Amazon Photos repository. Repository photo viewer shows date & time photos taken. 2015 shed is shown on the left. 7118 S 2985 E neighbor's house on the right. "2015 Shed" text label added to photo. Note the November 9, 2015 photo date.



Proof 2015-built shed was built in 2015:

As noted many Higbee family photos stored in Amazon Photos repository. Repository photo viewer shows date & time photos taken. Photo below shows our daughter Tina (born 7-29-2014) with the 2015 shed next to the carport on the upper left of the image. If the shed were not present the left-of-carport area would be open in the photo. Photo date October 18, 2015.



Proof 2015 shed was built in September of 2015. Copy of email communication with Jonathan Higbee's nephew Ryan Holt about the shed construction, quote begins:

11/15/22, 9:29 AM

Gmail - 9-17-2015 status



Jonathan Higbee <jonathan.higbee@gmail.com>

9-17-2015 status

Jonathan Higbee <jonathan.higbee@gmail.com>
To: Ryan Holt <rjholtconstruction@gmail.com>

Thu, Sep 17, 2015 at 4:25 PM

On new shed forgot to mention that we still need to paint it.

Thanks.

On Thu, Sep 17, 2015 at 4:08 PM, Jonathan Higbee <jonathan.higbee@gmail.com> wrote:
I can look for some air vent things for the sheds as well as the lights this afternoon.

----end of quote of email

Note the 9-17-2015 date of the email to Jonathan Higbee's nephew Ryan.

Next two pages: Affidavits regarding the construction of the 2015 shed.

Affidavit

Date: 11-15-2022

Person making statement: Jonathan Higbee

Address: 7128 South 2985 East, Cottonwood Heights, Utah 84121

I, Jonathan Higbee, caused to be built, and helped with the construction of, a shed on my property at 7128 South 2985 East, in Cottonwood Heights, Utah in September of 2015. This newer, 2015 installed shed, abuts and is next to my preexisting carport, but it is not physically attached to the carport.

Notary Stamp

 **RANDI WEAVER**
Notary Public State of Utah
My Commission Expires on:
May 5, 2026
Comm. Number: 724473

Sworn to and Subscribed before me this 18th 15

of November 20 22

Signature Randi Weaver

My Commission expires May 05, 2026

I, Jonathan Higbee, swear or affirm that the statements contained herein are true and correct to the best of my knowledge and belief.

Signature [Signature]

Date 11-15-2022

Affidavit

Date: 11-15-2022

Person making statement: Yanning Higbee

Address: 7128 South 2985 East, Cottonwood Heights, Utah 84121

I, Yanning Higbee, observed that my husband Jonathan Higbee caused to be built, and helped with the construction of, a shed on my property at 7128 South 2985 East, in Cottonwood Heights, Utah in September of 2015. This newer, 2015 installed shed, abuts and is next to my preexisting carport, but it is not physically attached to the carport.

Notary Stamp

 **RANDI WEAVER**
Notary Public State of Utah
My Commission Expires on:
May 5, 2026
Comm. Number: 724473

Sworn to and Subscribed before me this 15th
of November 20 22
Signature Randi Weaver
My Commission expires may 05, 2026

I, Yanning Higbee, swear or affirm that the statements contained herein are true and correct to the best of my knowledge and belief

Signature Yanning Higbee

Date 11-15-2022

Regarding the 2003 shed here is proof it was built in 2003 as from a quote from the Salt Lake County Assessor's website about the shed:

Detached Structure	22-26-129-021-0000
Structure	SHED-ENCLSD
Description	
Assessment Class	RES-PRIMARY
Units	SQUARE-FEET
Measure 1	10
Measure 2	10
Effective Year Built	2011
Actual Year Built	2003
Quality	FAIR
Condition	AVERAGE
Income Flag	
Replacement Cost New	\$ 1,180
Replacement Cost New, Less Depreciation	\$ 437
Sound Value	\$ 0
Building Number	

Presuming the 2003 shed is "grandfathered" as it was built before Cottonwood Heights City's inception 1-14-2005.

II . Both the 2003 shed and 2015 shed meet the criteria of 19.88.140, A, 2, because "No complaint has been made to the department concerning the violation for a period exceeding five consecutive years during which the violation existed."

Response: Both the 2003 shed and the 2015 shed meet the criteria of 19.88.140, A, 2, where no complaints about the shed were received by the City Planning Dept for a period exceeding five years during which a violation existed. From October 1, 2015, through October 31, 2022, no neighbor complained about either the 2003 shed or the 2015 shed. This period of time meets the code requirement of 19.88.140, A, number 2, because there was no complaint for a period exceeding five years during which a violation existed. The Planning Department did not receive any complaints from October 1, 2015 through October 2, 2020, a span of time which exceeds five years, thus meeting the literal-code language-allowance.

III . Both the 2003 shed and 2015 shed meet the criteria of 19.88.140, A, 3, because neither the 2003 shed nor the 2015 shed will "have a detrimental effect on the health, safety or welfare of persons or property in the vicinity."

Response: Since 2015, no neighbor complained about our two sheds (including the 2015 shed) for a period exceeding 5 years. The two sheds do not overhang any neighbor's property, nor are they at any risk whatsoever of falling onto neighbor's property. The two sheds are not very tall. The two sheds are structurally sound. The roofs of the two sheds are not loose.

Additionally, the placement of our 2003 & 2015 sheds are consistent with other sheds in the neighborhood. We have identified approximately 20 sheds in the surrounding neighborhoods that have similar physical setups and potential violations.

We are aware that section 19.88.140, B, states:

"In approving an application hereunder, the planning commission may set any conditions it deems necessary for protection of adjacent properties or the public welfare including provisions limiting the period of time the use may continue. This section shall in no way be interpreted to permit the continuation of any violation which exists on the effective date of the ordinance codified in this section. Any person shall have the right to appeal to the appeals hearing officer a decision rendered by the planning commission pursuant to this section."

Response:

It is our request that the Planning Commission simply allow the 2015 & 2003 sheds to continue to exist and to be used as they have been since their inception, so long as they are kept in good repair.

Enforcement Concerns:

We were not aware that our 2015 shed might be in violation of code until we were very recently given a Notice of Violation on November 10, 2022 by a dual-duty animal control & code enforcement officer. We believe the reason we were given the Notice of Violation was because a.) Jonathan Higbee had in October & November of 2022 repeatedly requested help in dealing highly-bothersome dog barking which was creating an incredible nuisance to our family, and b.) because Mr. Higbee transmitted several complaints regarding Animal Control (AC) *inaction* & getting "the run-around" from AC on dealing with barking, complaints sent to City Animal Control directly and to the City Council & City Manager prior to the shed-related Notice of Violation.

In prior months & years, we received prompt and very-friendly assistance from Cottonwood Heights AC. However, after a very-recent change in staff with AC, our family has had great difficulty with getting adequate AC help regarding problematic October & November 2022 dog barking.

When we finally got assistance from Cottonwood Heights Animal Control on November 10th, for where an officer came by our home to have Jonathan Higbee sign a dog barking ticket to be given to a neighbor, we were also on the 10th a.) rather highly unexpectedly & simultaneously questioned about our 2015 shed, and b.) given a shed Notice of Violation mere-seconds after Jonathan Higbee signed the barking-complaint ticket. We perceive there to be a key link between filed complaints of AC inaction, with this new scrutiny on our sheds.

The timeline of events with several transmitted complaints-of-inaction, followed by barking-problem-action which was only given out simultaneous to a shed Notice of Violation, has resulted in our family reasonably-perceiving that we have been singled out and retaliated against in response to complaints about Animal Control inaction.

We now cannot use City Animal Control services, without apparent and very definitive repercussion. This is our reasonably held view, all as per October & November 2022 events & correspondence with the City.

Years of Observation by the City, special note: From 2016 through the first-half of 2022, *more than one* dual-duty animal control & code enforcement officer walked onto our property, in response to several neighbor dog barking complaints. These other, prior (before mid-2022), animal control officers who did have purview over Code Enforcement, walked past our two sheds and into our backyard. During all of these several prior visits by City Officers over the past six years, these officers never made mention of concerns about our two sheds. No questions, no concerns, and especially no safety concerns, mentioned.

Thus, the City has had a full view into our shed physical setup, for a period of at least six years prior to November 10, 2022. Importantly we do not believe that there are any health and safety concerns about our sheds, nor have there been complaints raised by neighbors, nor do we believe that other people in our neighborhood have been questioned about their sheds.

Nevertheless, and in compliance with the City Code, we seek assistance under section 19.88.140 and request your help.

Conclusion:

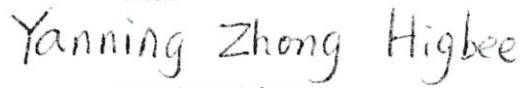
From a strict reading of section 19.88.140 if the City Code, we have met code section criteria A, B, and C of section 19.88.140. Continuous violation for a period greater than five years. No neighbor complaints, for a period exceeding five years. The 2003 and 2015 sheds do not create a health and safety concern to neighboring properties. The sheds are structurally sound and are not at risk of falling over. The recent Notice of Violation brings up question of fairness and equal treatment under the law. Therefore, we request you allow our 2003 and 2015 sheds to remain in place as is, subject to the condition that they remain safe and in good repair.

Sincerely,



Jonathan Higbee

With



Yanning Higbee

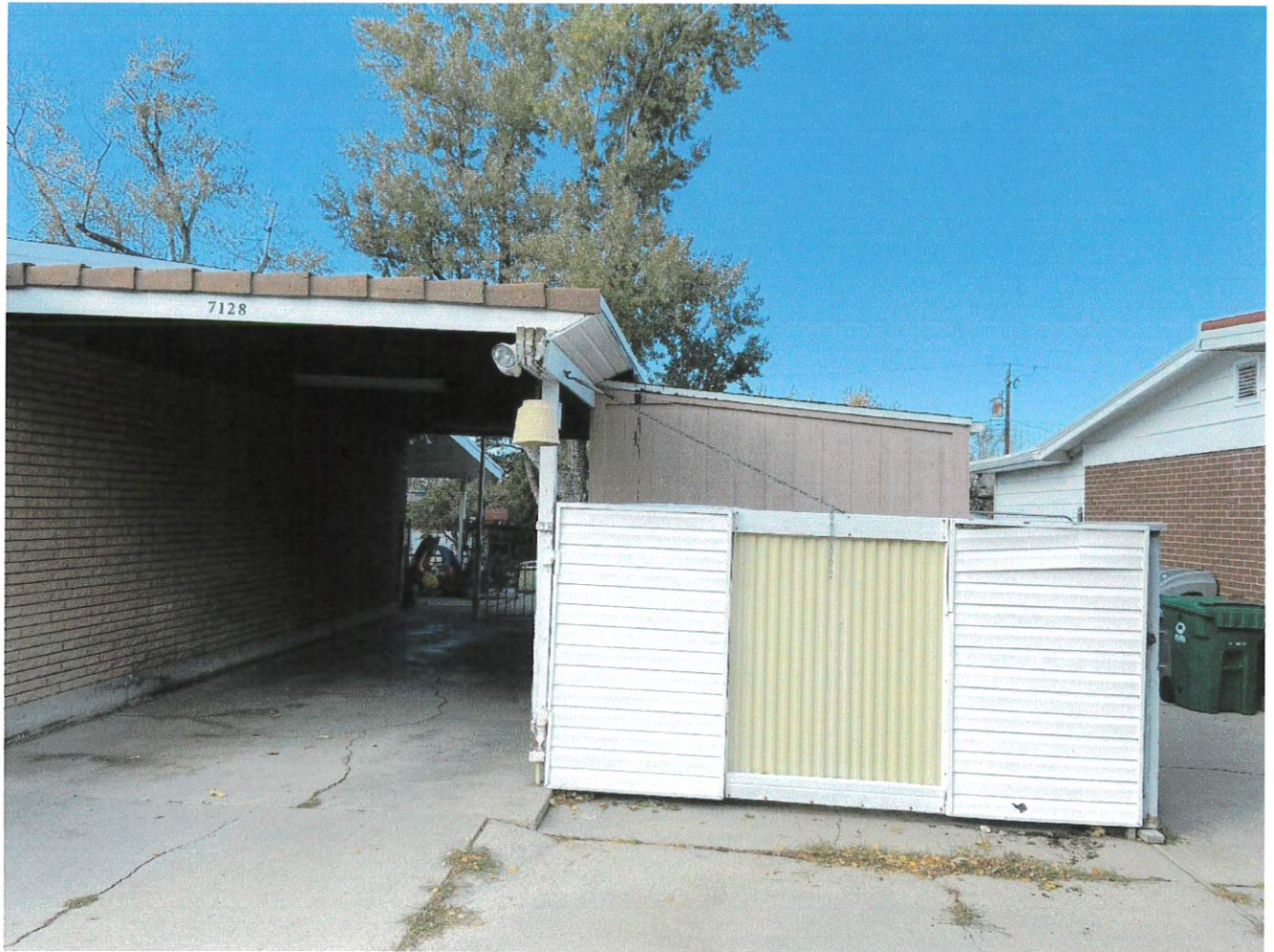
And our children Carl, Tina, Leela, and Athena

Exhibit List:

- A. Current Photos of the Higbee 2015 Shed. Pages 13-21.
- B. Current Photos of the Higbee 2003 Shed. Page 22.
- C. Nearby sheds which are in physically similar situations, regardless of age, including sheds attached to the sides of carports. Pages 23-41.

EXHIBIT A: Current Photos of the Higbee 2015 Shed

Front view:



2015 shed, carport view.



2015 shed, another carport view:



2015 shed, another carport view:



2015 shed, eastern view:



2015 shed, next to property line, view:



Another next to property line view, and also showing the 2003 shed back:



2015 & 2003 sheds as seen from the neighbor's property:



2015 shed and carport, further out view:

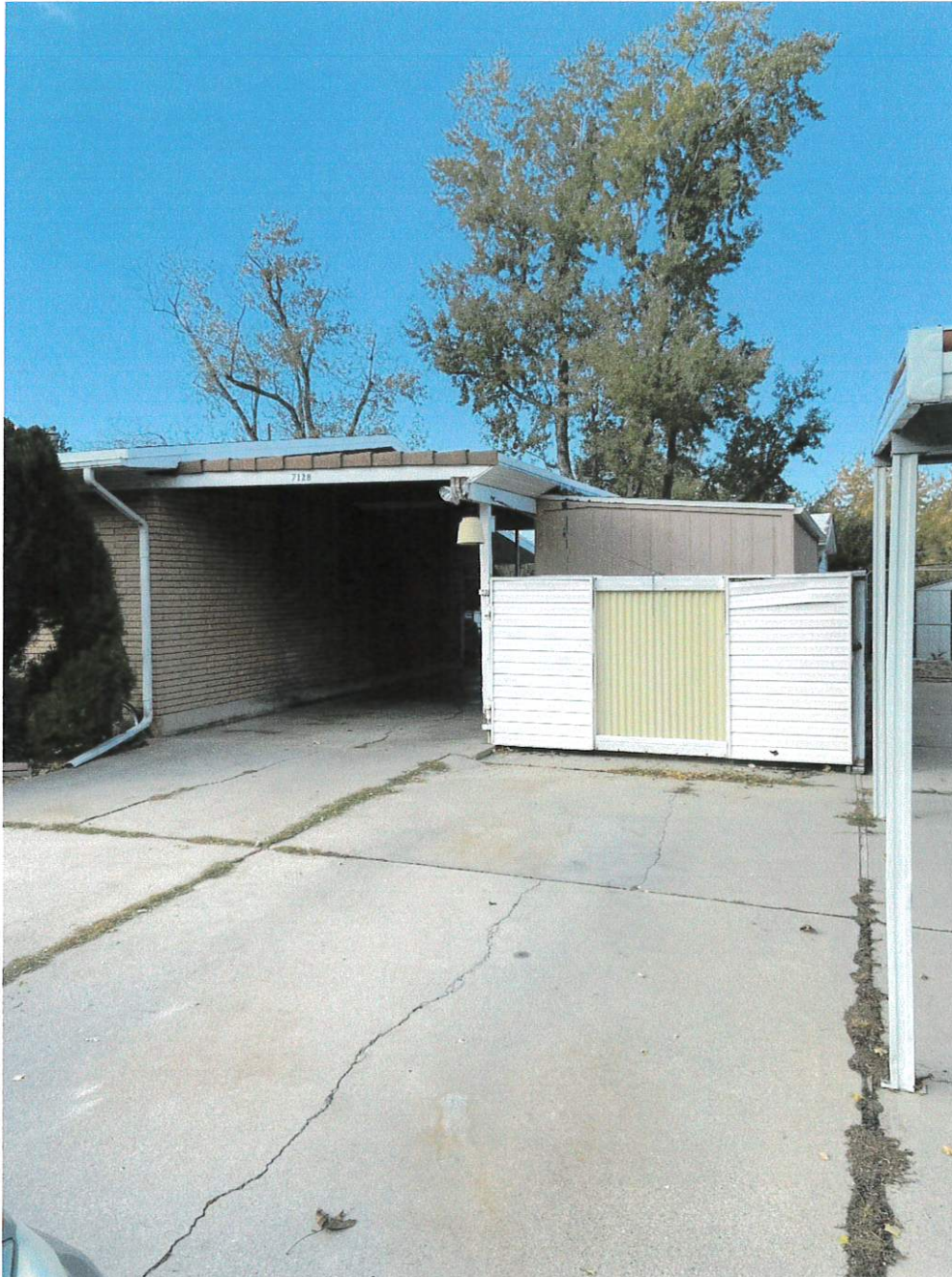


EXHIBIT B: Current Photos of the Higbee 2003 Shed

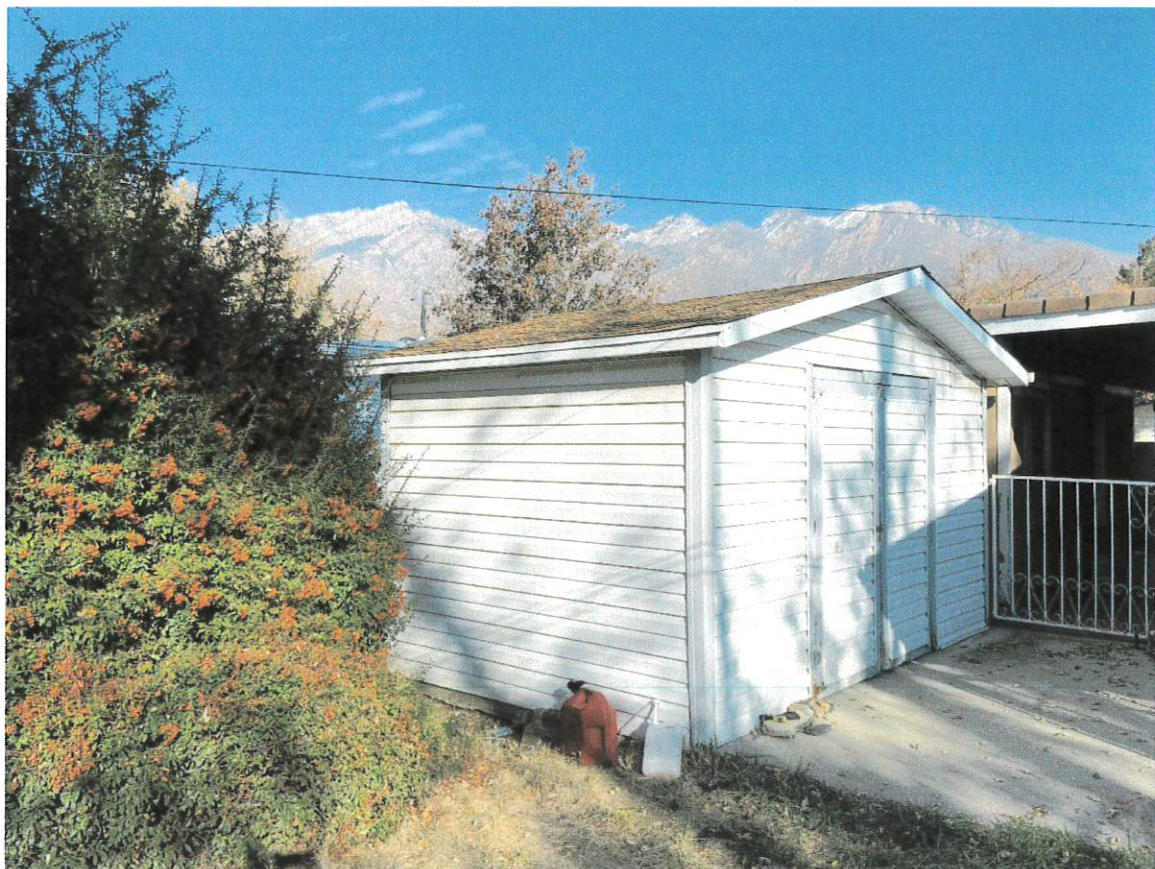


EXHIBIT C: Nearby Sheds with Similar Non-Compliant Placement

7070 South 2985 East. Shed on side of the house. Setback may be a problem.



2991 E 7070 S – Shed on side of house. Setback may be a problem. Unknown age.

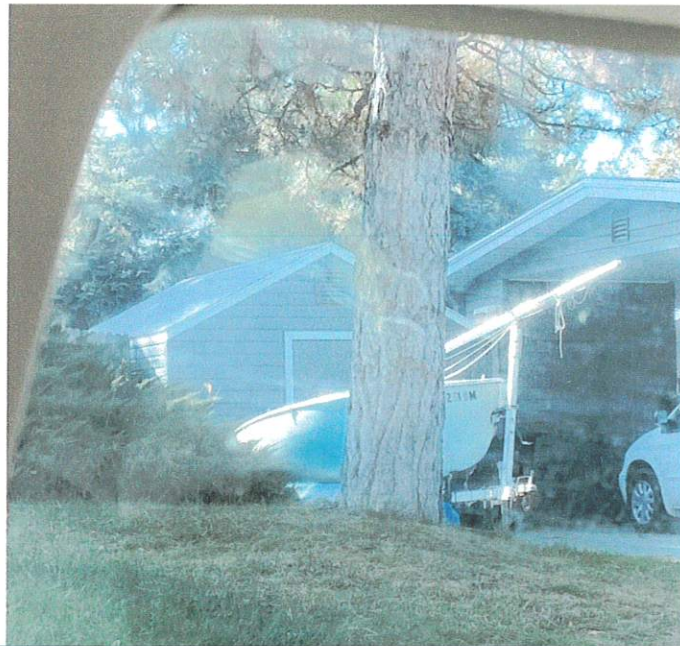


3022 E 7110 S - Shed on side of house. Setback may be a problem. Unknown age.



3034 E 7145 S

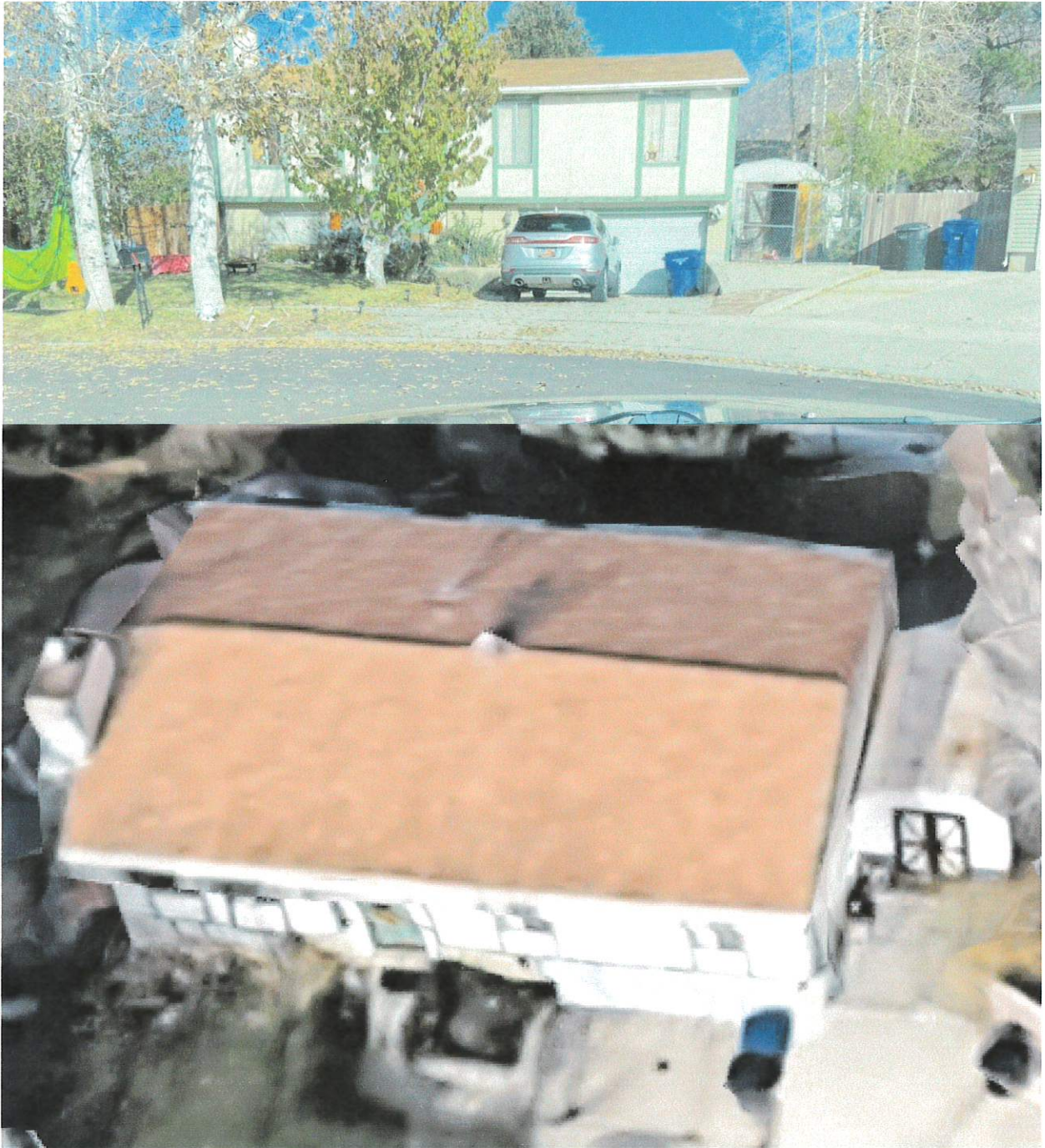
Shed with situation
exactly similar to prior
noted.



3159 East Sagebrush Circle - Shed on side of house. Setback may be a problem. Unknown age.



3189 E Sagebrush Circle - Shed on side of house. Unknown age.



3011 E 7180 S

Shed added on garage, abutting the property line with no setback. If such a setup were “unsafe,” the City would have taken action, which it hasn’t. This physical setup is perhaps more close to the 2015 shed on our property, but we do have more of a setback, and our 2015 shed is technically detached.



3042 E 7180 S

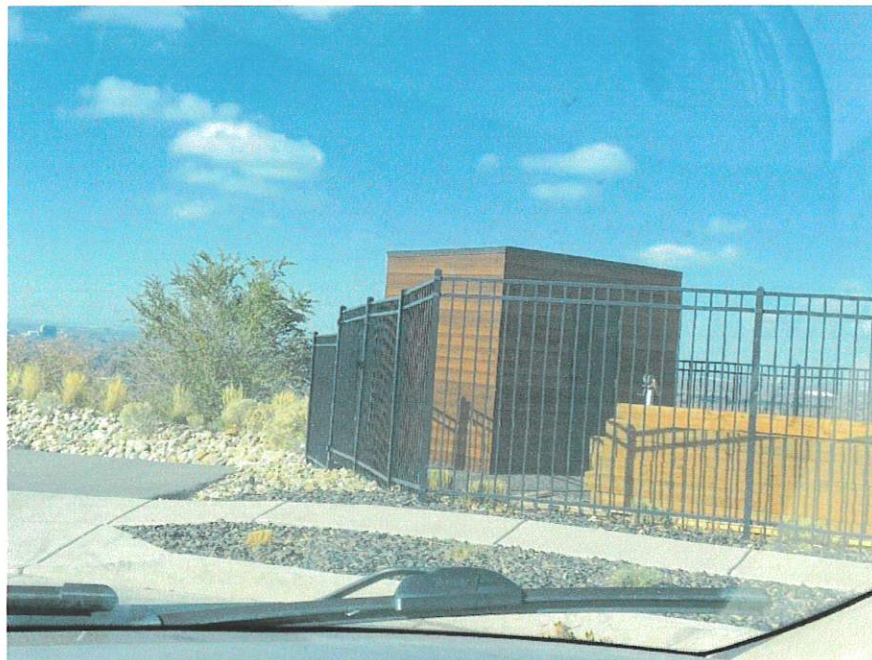
Similar situation
to 3011 E 7180 S



6810 S 2715 E

Shed not in
back of house.

Newer-than-2015
house.



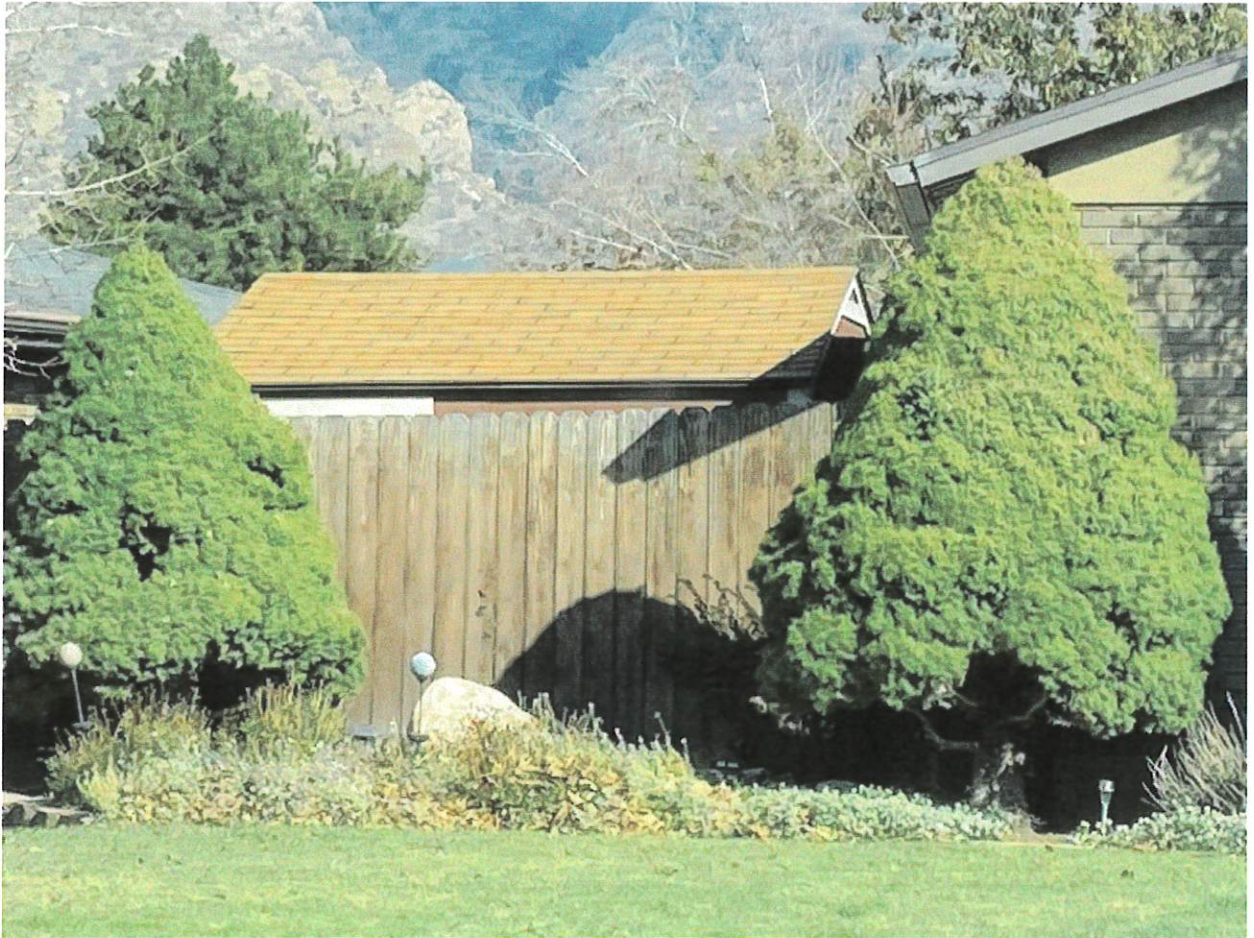
2755 E 7265 S – Shed on side of house. Unknown age.



2603 East Cavalier Drive – Shed on side of house. Unknown age.

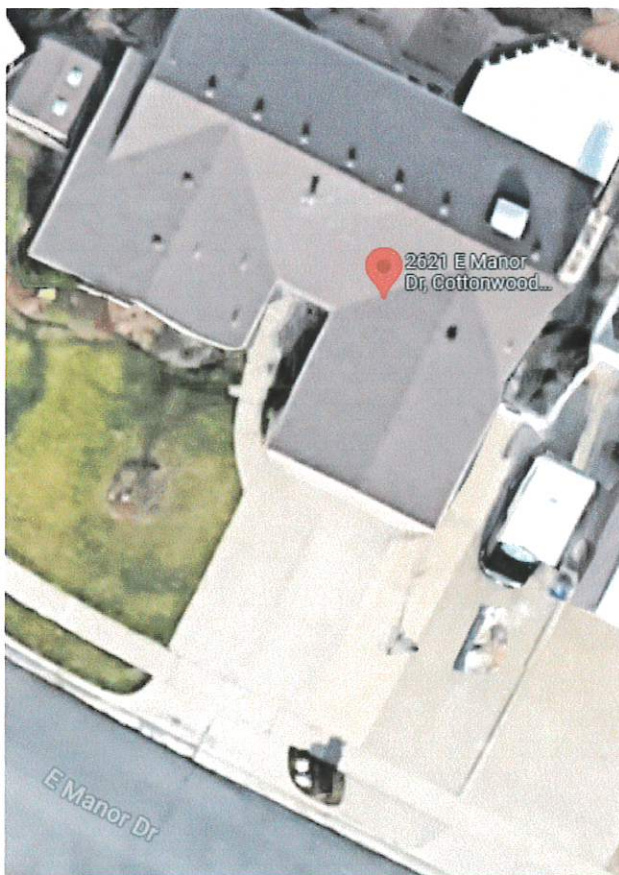


7183 E Manor Drive – Shed on side of house.

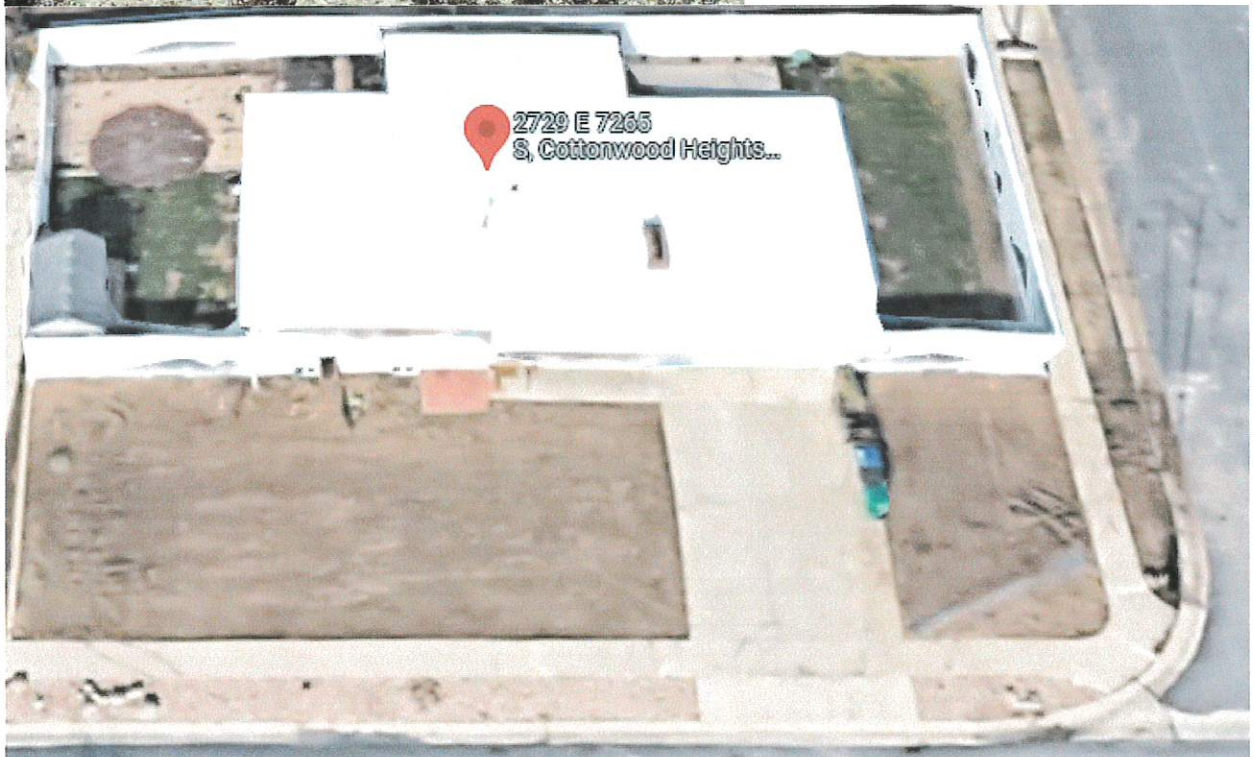


2621 E Manor Drive

Shed on side of house. Unknown age.



2729 E 7265 S Shed on side of house. Also abutting property line with no setback.



2666 E Promenade Circle – Shed on side of house. Small if any setback.

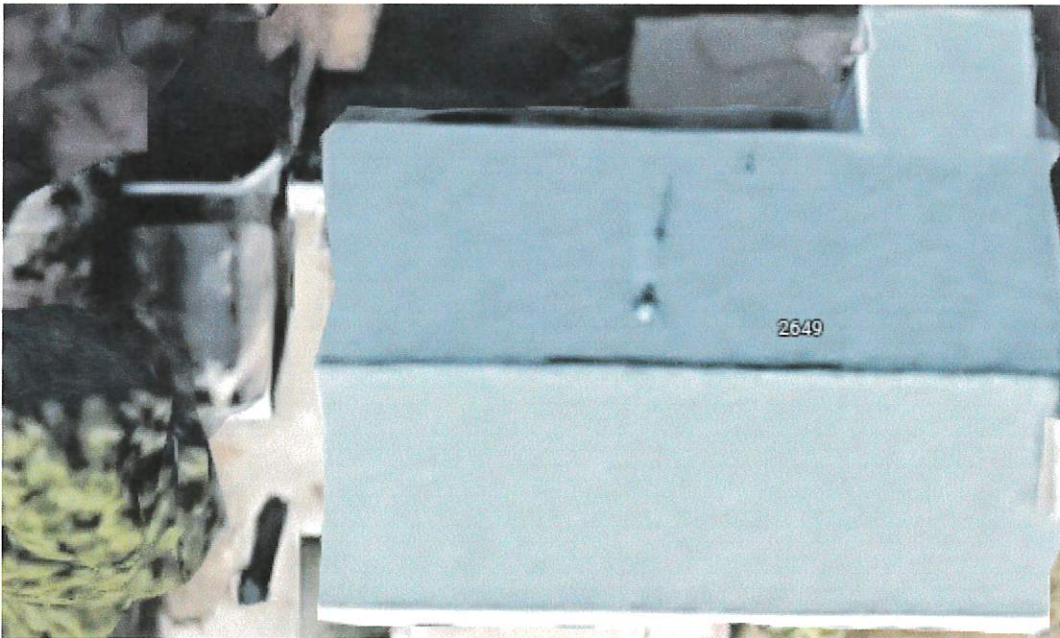


2648 East Promenade Circle

Shed on side house. Appears that at least half of the shed is very close to the property line with either no setback or almost no setback.

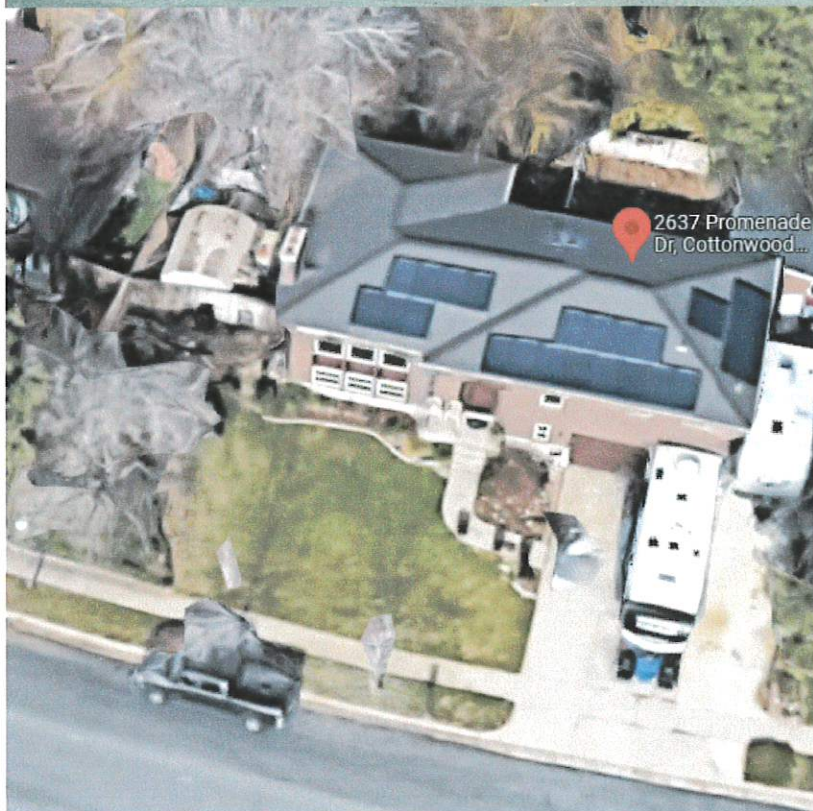


2649 E Promenade Drive – Shed on side of house. Unknown age. Perceivably no special scrutiny from Animal Control and thus Code Enforcement.



...satellite view showing shed to the side of the house. Shed to the left of house.

2637 E Promenade Drive – Shed on side of house. Unknown age.

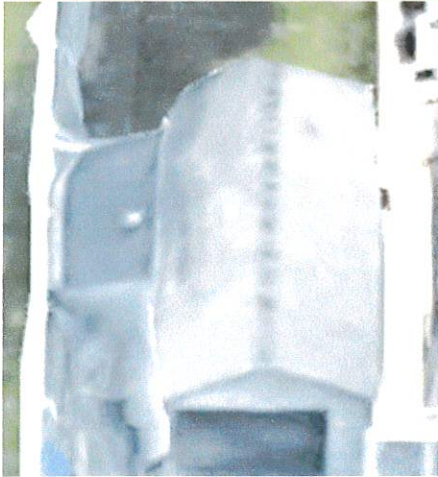


7180 E Cavalier Circle

Multiple shed on side of house. Unknown age.

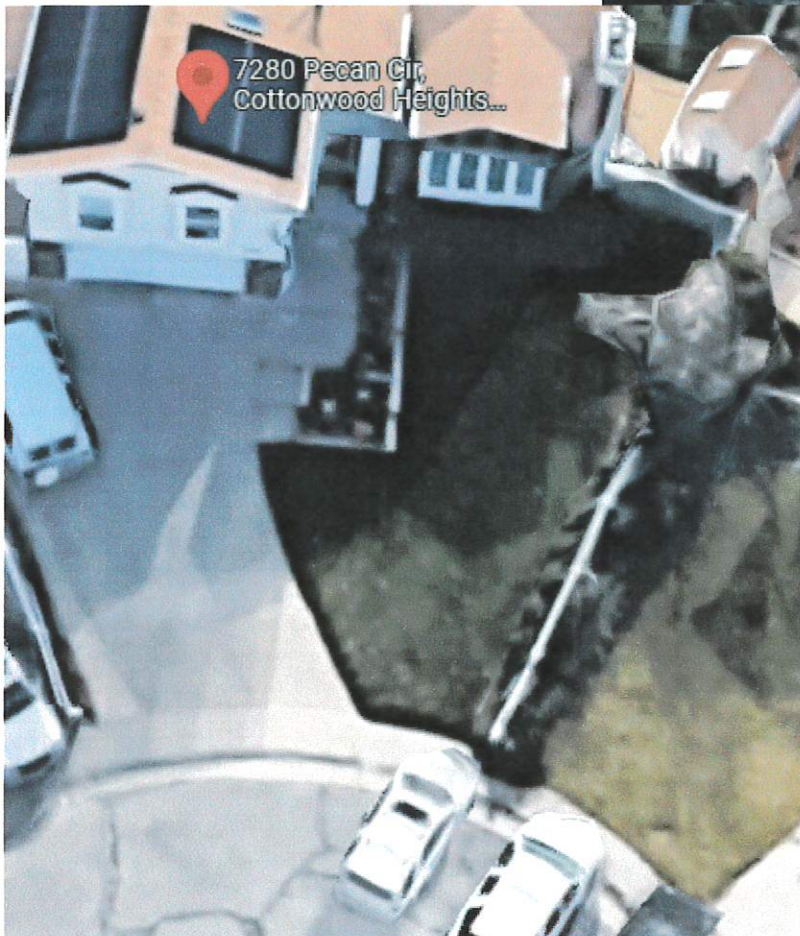
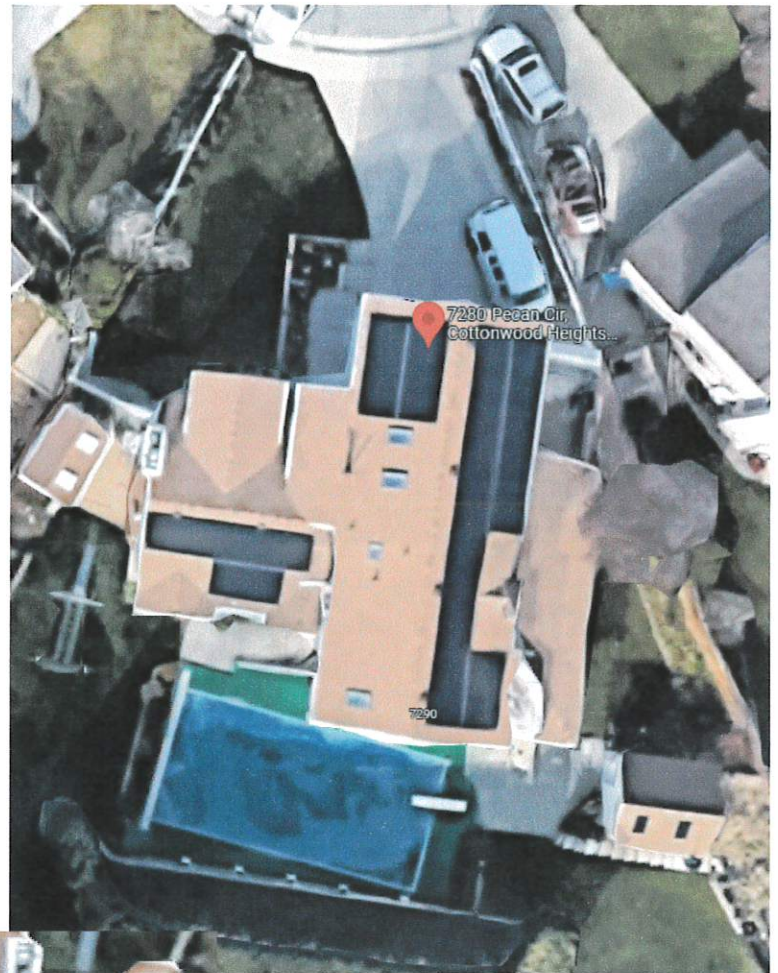


1616 East Staker Way – Shed added to garage, with a small setback. If such a setup were “unsafe,” the City would have taken action which it hasn’t. This physical setup is perhaps more close to the 2015 shed on our property, and our 2015 shed is technically abutting but not-attached.



7280 East Pecan Circle – detached
shed with almost no setback.
Shed not in back of house.

Shed->



<-same shed



PLANNING COMMISSION STAFF REPORT

Planned Unit Development and Preliminary Plat

Meeting Date: January 4, 2023

Staff Contact: Mike Johnson, Community & Economic Dev. Director

Summary

Action Requested

Planned Unit
Development (PUD)
and Preliminary Plat
Approval

Applicant

Ivory Homes

Project

SUB-22-005

Subject Property

3625 E. Doverhill Drive

Property Owner

Church of Jesus Christ
of Latter-Day Saints

Acres

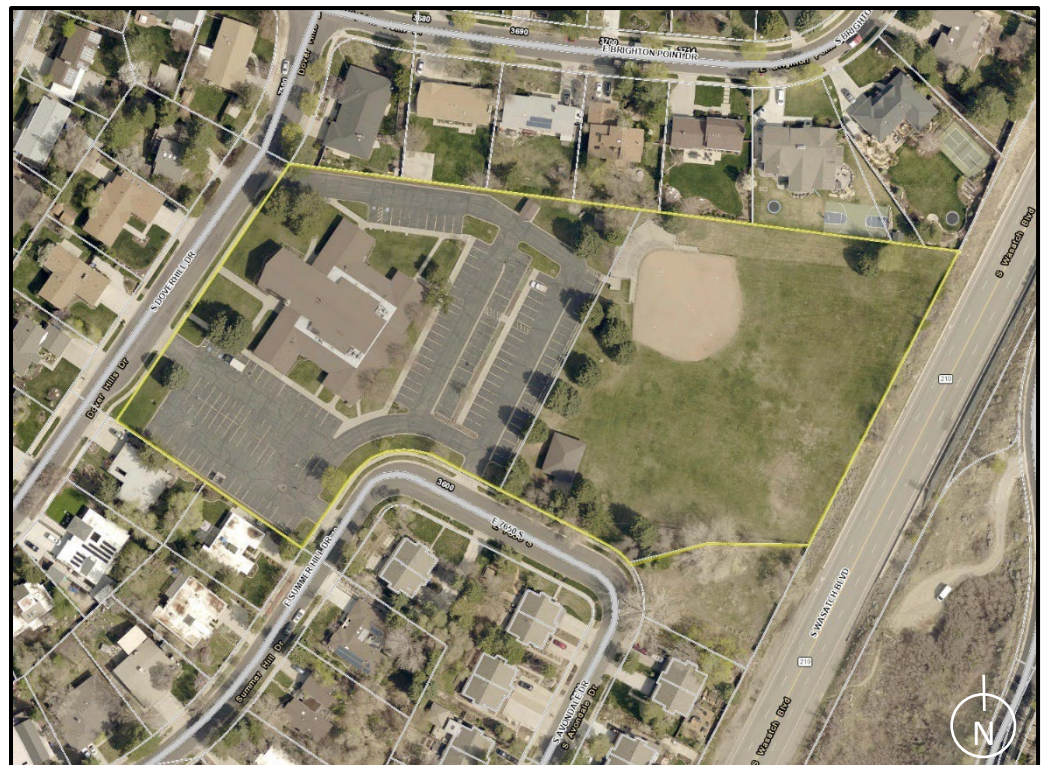
6.17 acres

Parcel

22-25-352-031 & 22-
25-352-033

Recommendation

Approve with
Conditions

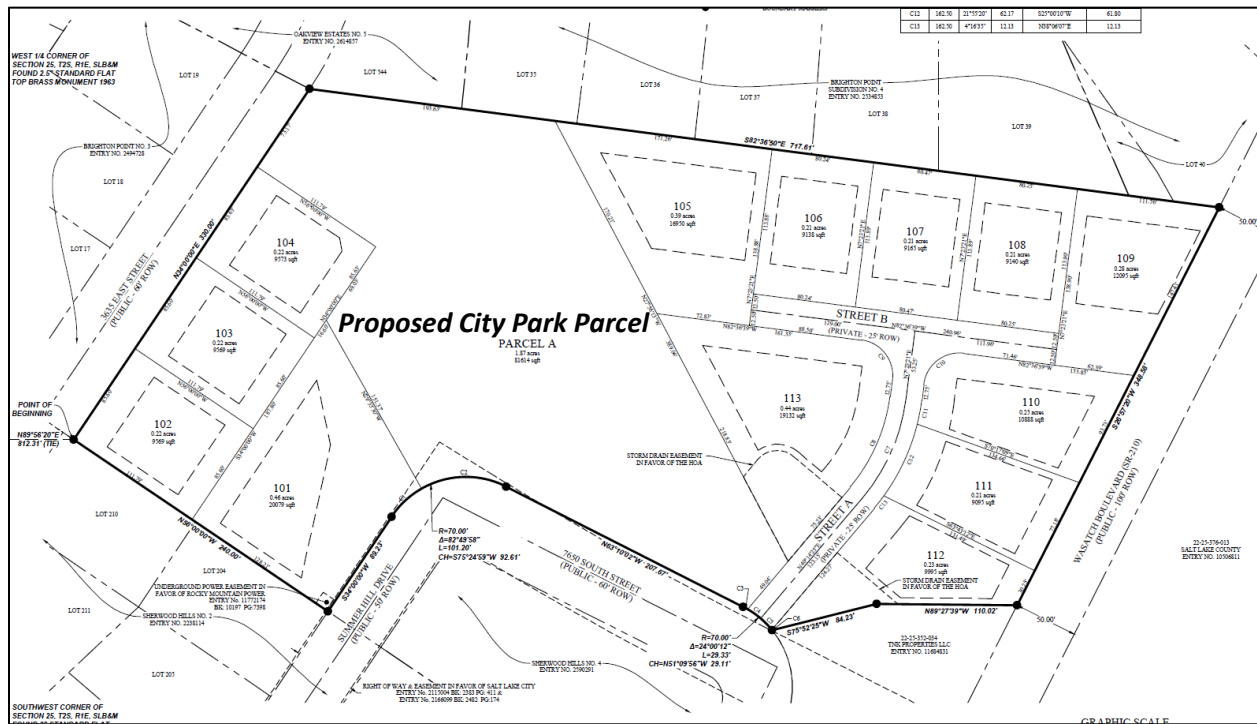


Context Aerial

Proposal

The applicant is proposing a planned unit development (PUD) consisting of 13 single-family lots on approximately 4.17 acres of the property. The remaining 1.87 acres is proposed to be a public park accessible from Doverhill Drive and Summerhill Drive. Three of the proposed lots will have frontage on Doverhill Drive (existing public road). One lot will have direct frontage on Summer Hill Drive (existing public road). The remaining 9 lots will be accessed via a proposed private right-of-way. The public park will have direct frontage and access from Doverhill Drive and Summer Hill Drive.

January 4, 2023

**Proposed Subdivision Plat**

Background – Previous Use, Property Sale, Park Preservation

The subject property's previous use was a church meetinghouse owned and operated by the Church of Jesus Christ of Latter-Day Saints ("Church"). Currently, half of the property is an existing church building and parking lot, and half of the property is a church-owned recreational field that includes a baseball diamond, bleachers, and a pavilion structure.

Arson was committed in the church building around 2018, causing extensive property damage. Following the arson, the property has not been in active use by the church. In 2020, the city was made aware that the Church was reviewing the property for potential surplus and sale. The city sent multiple letters and held numerous meetings with officials involved in the surplus process to express a desire to preserve and maintain as much open space as possible on the property, including the city's potential purchase of the property.

After its consideration and review, the Church decided that the property would be sold for the 'highest and best use' on the private market. The city, among other parties, submitted an offer that included the purchase and preservation of the open space on the property. Although the city's offer identified the preservation of more area for a public park, the Church decided that approximately four acres of land would be sold to a private developer (Ivory Homes), and the rest would be sold to Cottonwood Heights for open space.

The land offered to the city was approximately the eastern two acres of the property. The city raised concern that locating a public park on the eastern acreage eliminated of the existing pavilion, limited pedestrian connectivity to the surrounding neighborhood, and resulted in narrow property frontage.

The city continued meeting with representatives from the Church and Ivory Homes in hopes of improving the functionality and accessibility of the public park space through a potential land swap between the city and Ivory Homes.

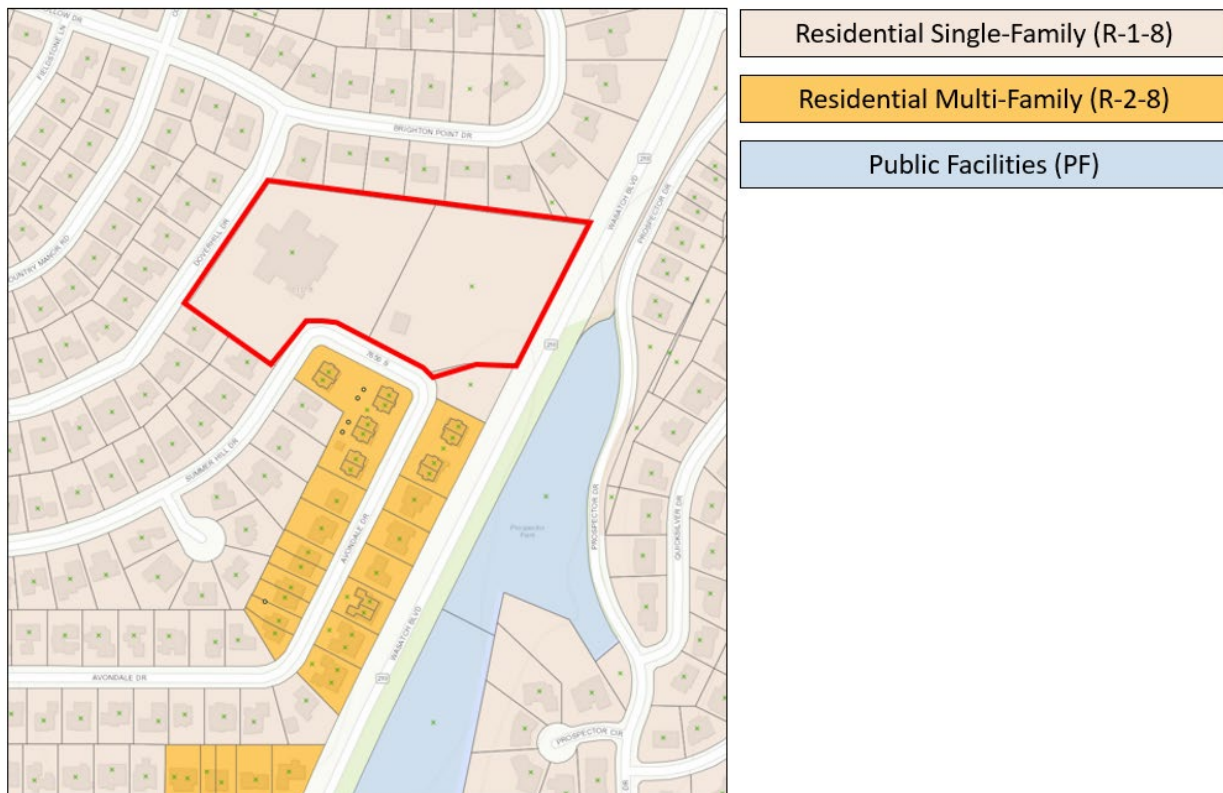
An original planned unit development (PUD) concept was considered by the Planning Commission in 2021 and was approved with conditions. However, subsequent fault trenching on the site revealed fault lines that create a substantial amount of unbuildable area on the site. Over the past year, Ivory Homes, the Church, and the city have engaged in discussions to determine a revised subdivision and park design that mitigates fault hazards, provides a functional park that meets the city's priorities, while allocating space for a reasonable number of single-family lots.

Ivory Homes has now submitted the attached updated application for a 13-lot planned unit development (PUD) and preliminary subdivision plat (previously 17 lots), in addition to a development agreement intended to ensure park construction and timely completion by Ivory Homes, on behalf of the city.

Review Criteria

Zoning Ordinance

The subject property is in the Residential Single-family Zone (R-1-8), which is the most common zoning in the city and allows for single-family homes on lots that are 8,000 square feet or larger. The proposed planned unit development is considered a conditional use in the R-1-8 zone. The property is also located partially within the Sensitive Lands Overlay Zone, meaning comprehensive sensitive lands analysis is required to be completed prior to final plat recordation.



Planned Unit Development (PUD)

The purpose of the PUD ordinance (19.78.010) is as follows:

“It is the intent of this chapter to provide for innovative residential developments having harmony of design and variety of function by providing greater flexibility in the design of buildings, yards, courts, and circulation than would otherwise be possible through the strict application of zoning district regulations.”

General Plan & Master Plans

Chapter 9.2 (Natural Environment Element; Goals, Objectives, and Policies) of the General Plan contains the following policy:

“Clustering of development is one tool to preserve existing trees and vegetation coverage, preserve environmental areas, reduce hazards from development on steep slopes, preserve habitat, and preserve natural terrain...”

Appendix A (Open Space Preservation) of the General Plan states:

“Cluster development is a strategy to maximize the amount of open space within a development plan.”

The recently adopted Parks, Trails, and Open Space Master Plan contains the following relevant recommendations:

- *“Coordinate open space and natural trails, with parks, recreational facilities, area neighborhoods and the built environment.”*
- *“Plan open spaces and the built environment together to allow both uses to enhance the other”*
- *“An established interconnected greenway network connects neighborhoods to city parks, open spaces and activity areas through a seamless integration of sidewalks, active-transportation, off-road and natural trail facilities”*
- *Based on National parks standards, 7 additional parks are needed to meet national standards.*
- *The PTOS Master Plan includes a future trail recommended at the location of the proposed pedestrian trail connecting Doverhill Drive to the proposed park parcel and beyond to Wasatch Boulevard*

Noticing

All property owners within 1,000 feet of the subject property were mailed public hearing notices prior to the hearing. Additionally, notice was posted on the city and state noticing websites and a public notice sign was posted in a visible location on the subject property.

Commission Authority

The Planning Commission authority is to consider both a preliminary subdivision plat ([CH city code 12.12](#)) as well as a conditional use permit for the planned unit development. The Commission must apply the conditional use regulations to the proposal, per state code [10-9a-507\(2\)](#):

- A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards
- The requirement described [above] to reasonably mitigated anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects
- If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use
- If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use

Development Analysis

Planned Unit Development

Below is a section-by-section analysis of the PUD ordinance and staff analysis:

Requirement: Per 19.78.030, A PUD must demonstrate creative use of the land, distinct and different from what could be provided with a standard subdivision. Use of the land must be efficient, utilizing a smaller network of utilities and streets, thereby allowing a greater amount of open lands.

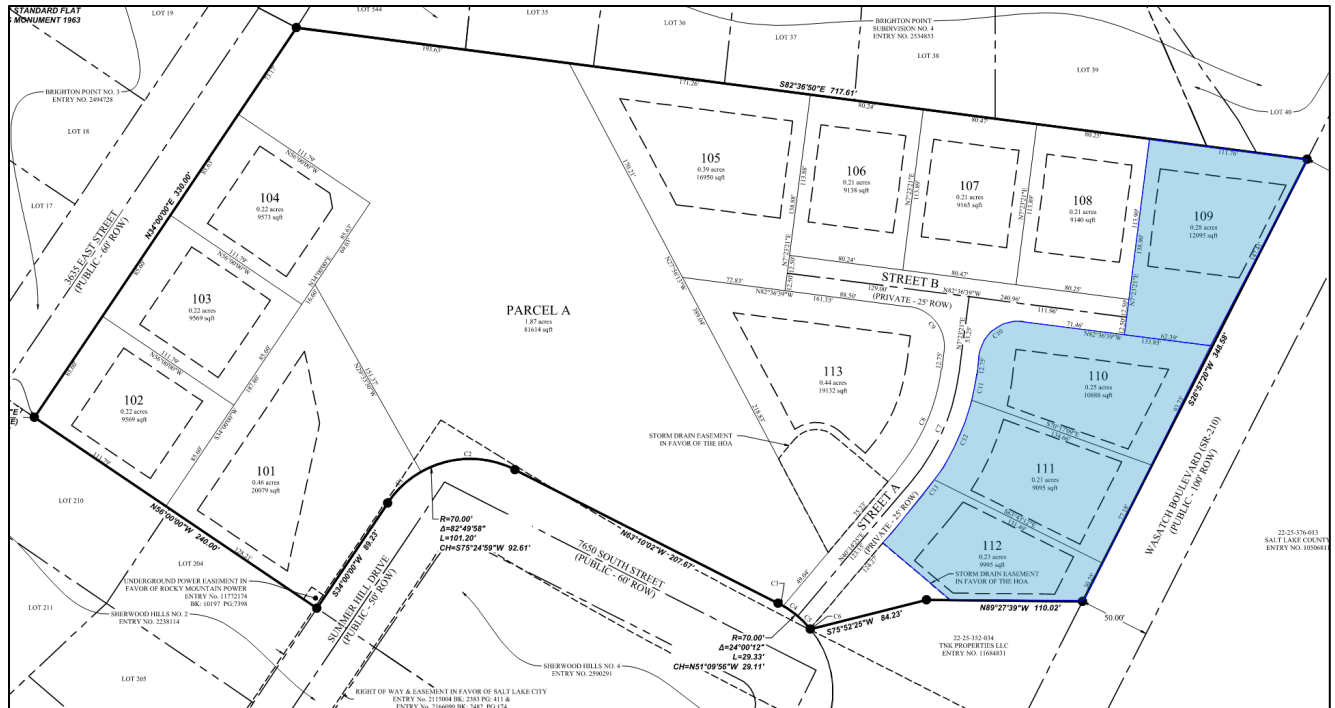
Staff Analysis: The primary rationale for utilizing a PUD rather than a standard subdivision is to accommodate the most ideal two-acre configuration for a city park, while preserving the existing pavilion structure, maximizing park frontage, and providing park frontage on Doverhill Drive. Most proposed lots fully comply with R-1-8 zoning standards, including size, frontage, and setbacks. However, the applicant is requesting reduced lot width requirements, reduced side setback requirements on a small number of the proposed lots:

- Lot 109 – reduced side setback adjacent to Wasatch Boulevard, slightly reduced width
- Lots 110-112 – reduced lot width, reduced side setbacks (5' instead of 8-12')

The applicant is proposing to utilize a private street to access the eastern-most proposed lots. The private street design will be required to comply with all applicable fire department access standards and will include a modified pedestrian circulation element that deviates from typical ordinance requirements.

Staff finds that the proposed variations from the zoning ordinance, in exchange for an optimized public park design, meet the purpose of the PUD ordinance. The impact of the modifications doesn't notably impact the existing residential areas in the vicinity more than a standard subdivision would. The impact of the requested lot width and side setback reductions is mostly self-contained or adjacent to the Wasatch Boulevard right-of-way.

January 4, 2023



The lots affected by requested variations are highlighted in blue. All other lots fully comply with R-1-8 zoning requirements. A detailed table of requested variations is included below.

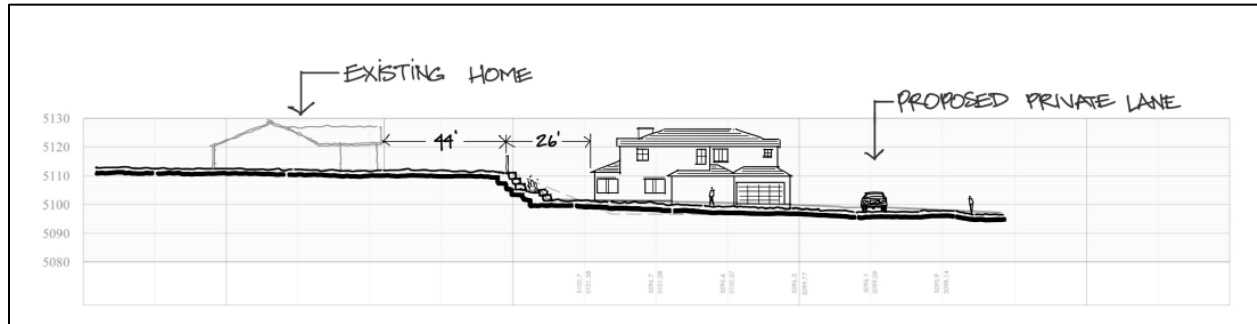
Requirement: A PUD shall establish acceptable design guidelines and provide a built environment of stable character in harmony with the surrounding development.

Staff Analysis: The proposed development fits the context of the surrounding area. No proposed lot is less than 8,000 square feet in size (all lots are greater than 9,000 square feet), and the surrounding zoning designation is either R-1-8 or R-2-8. Regarding design guidelines, the applicant is proposing to use predominantly maintenance-free masonry, hardie board, natural or stained wood. No stucco, aluminum or vinyl siding will be used except for soffit and fascia of homes. In addition to utilization of a design catalogue for the proposed homes, this proposal includes full construction and completion of the city park. A conceptual design has been attached, and final park design approval is subject to approval by the City Council. Staff finds that the inclusion of an accessible neighborhood public park further complements the surrounding residential development and provides an important community amenity.

Requirement: A PUD's design shall account for the preservation of natural features such as trees, outstanding natural topography, and geologic features. The design shall also provide protection from soil erosion and inconsistent residential development patterns.

Staff Analysis: The purpose of the PUD is to provide the best possible public park design and provide pedestrian access to the park. Additionally, development of the existing slopes on site, while not all natural slopes, are subject to review against the city's Sensitive Lands (SLEDs) ordinance. Currently, the applicant is proposing to replace the hillside with stepped retaining walls, which must demonstrate full

compliance with all applicable city ordinances as part of the platting process.



Excerpt from cross-section exhibit, showing proposed grading (looking west to east). Full cross-section document included as an attachment to this report.

Requirement: The minimum acreage for a minor PUD is 3 acres, and the minimum acreage for a standard PUD is 5 acres.

Staff Analysis: Total acreage for the property (including the city park) is 6.17 acres (4.3 acres without the park space). This proposal is considered standard PUD.

Requirement: For standard PUDs, net density allowed is the numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including common open space and private roads/lanes and associated recreational facilities within the area. Net density for standard PUDs shall exclude public rights-of-way and public streets.

Staff Analysis: The total gross density permitted on a property that is 6.17 acres in size and utilizes a private roadway is approximately 5.4 units/acre (total of 33 lots). The proposed 13 lots equate to a density of 2.11 units per acre (i.e., 13 lots / 6.17 acres), which is less than half of the maximum density permitted. The impact of total density across the whole site will be closer to that of half-acre lots than a typical R-1-8 subdivision.

Requirement: The Planning Commission and Architectural Review Commission shall use the following criteria (in addition to any other applicable criteria) to hold PUDs to higher architectural standards than standard residential developments:

1. Conformance to the general plan and overlay zones
2. Compatibility with surrounding development
3. Environmental design
4. Architectural standards

Staff Analysis: Staff finds the proposed PUD to comply with the above design criteria for reasons previously detailed. The development creates new public open space and pedestrian access recommended by the General Plan and Parks, Trails, & Open Space Master Plan. The density and layout of the subdivision is compatible with the surrounding area zoning, and all requested exceptions have been proposed in an effort improve the design and function of the two-acre city park. Architectural Review Commission approval of the 4 criteria listed above will be required prior to final plat recordation.

Requirement: The normal massing requirements for minimum setbacks, minimum offset, minimum lot size, minimum lot area per structure, maximum height of structures and lot coverage may vary from the underlying zoning regulations as authorized by the Planning Commission to foster a creative approach to the use of the land and related physical development. The Planning Commission is required to approve any variation from the normal bulk and massing standards of the R-1-8 zoning ordinance.

Staff Analysis: The proposed variations are for lot width and side setbacks. No variations are proposed for lot size or building heights. Proposed lot widths range from 55' (narrowest) to 69'. Typically, minimum lot width in the R-1-8 zone is 70'. The development is proposing a side yard reduction from 20' total (neither side less than 8'), to 10' total (neither side less than 5'). This modification is proposed due to the lot frontage reduction. No modifications are proposed to front- or rear-yard setbacks.

LOT NUMBER	LOT WIDTH	SIDE SETBACKS PROPOSED	LOT SIZE (sq ft)
101	120'	Standard R-1-8	20,079
102	85.6'	Standard R-1-8	9,569
103	85.6'	Standard R-1-8	9,569
104	85.63'	Standard R-1-8	9,573
105	77'	Standard R-1-8	16,950
106	80.24'	Standard R-1-8	9,138
107	80.47'	Standard R-1-8	9,165
108	80.25'	Standard R-1-8	9,140
109	**67'	**5' east side yard	12,095
110	**65'	**5' south side yard	10,888
111	**65'	**5' side yards	9,095
112	134'	5' north side yard	9,995
113	182'	Standard R-1-8	19,132

Requirement: Common open spaces shall be designated and intended for use and enjoyment as open areas and shall not include individual lots and yards located between buildings and parking areas. Common open spaces within a PUD shall be at least 20% of the gross lot area.

Staff Analysis: The public park comprises 32% of the site area, which exceeds ordinance requirements.

Requirement: City code states that pedestrian movement "shall be accomplished through a consistent and well-designed pedestrian sidewalk system."

Staff Analysis: The pedestrian connection provided between Doverhill Drive and the park parcel creates a beneficial pedestrian connection to the park from the surrounding neighborhood. Staff recommends that a crosswalk treatment be applied to the area where the pedestrian access trail connects to the park. Sidewalks are not proposed on the private right-of-way but are required by ordinance anywhere the development is adjacent to an existing public road.

Requirement: The Planning Commission shall require arrangement of structures and open spaces within a PUD in a manner that assures adjacent properties will not be materially, adversely affected.

Staff Analysis: The project layout is compatible with the adjacent areas. The zoning remains unchanged and matches the adjacent zoning designations. Additionally, no variation has been requested to rear-yard setbacks, so the impact to lots that back the proposed subdivision is the same as a standard R-1-8 subdivision. Four proposed lots have side yards adjacent to existing residential properties. The typical minimum side yard requirement is 8'. The proposed 5' side yards will have a minor impact on the adjacent properties. Staff is requesting a fencing plan to show the location and material of any site fencing proposed.

The open space configuration was done at the request of the city in a way to maximize the benefit of the open space to as much of the adjacent neighborhood as possible. Additionally, it is intended that Ivory will construct the public park for the city, so that the final park will be completed and open to the public as the last homes in the subdivision are completed.

All structures within the development will be required to comply with the city's outdoor lighting and landscaping regulations, and property along public streets are required to comply with the city's park strip landscaping/street tree ordinance and all applicable street lighting requirements.

Requirement: All PUDs shall be served by a public street which shall not be at or over its traffic capacity at the time the development is approved. Additionally, PUDs shall be served by an internal, paved street system with an approved pedestrian element, and shall dedicated and improve property which is reasonably anticipated to be used to expand public roads adjacent to the development.

Staff Analysis: The proposed residential density is less than the maximum permitted, and no tangible adverse traffic impacts are anticipated. However, staff is requesting as a condition of approval that a traffic impact memo be submitted to confirm, subject to review and approval by the city engineer. The fire department is currently reviewing the project for compliance with all fire department access codes and standards. Staff has requested a trash collection and snow removal plan to be submitted to demonstrate how trash collection and snow removal will be handled and managed on the private road.

Sensitive Lands Analysis

The applicant completed a fault study, compliant with the city's sensitive lands ordinance, and submitted a report dated May 3, 2022, to the Development Review Committee. This report identifies the location of numerous fault lines through the site that require mitigation via setback. This results in a large portion of the property being unbuildable, and is the location of the proposed public park (habitable structures cannot be constructed within fault zones, but parks can). One additional trench is needed to confirm the final extent of a fault line, but the existing church meetinghouse building needs to be demolished first.



This figure shows the location of fault lines and unbuildable fault setback areas.

The applicant will be required to submit all requisite sensitive lands hazard reports to demonstrate that all relevant hazards have been studied, identified, and documented, with recommendation made on how those hazards will be mitigated through development. Any identified hazards on site will be disclosed and identified on the final subdivision plat. Completion of SLEDs studies will be required prior to final approval, and may extend through the construction of each lot, dependent on the nature and extent of hazards identified.

If an identified hazard impacts the layout of the proposed subdivision and/or the location of a proposed lot, an amended preliminary plat will be brought back to the Commission for consideration. No final approval will be granted, and the final plat may not be recorded until all hazard studies are completed, reviewed, and approved in accordance with city standards, as determined by the city's Development Review Committee (DRC).

Grading, Drainage and Erosion Control

The city engineer has conducted a cursory review of the preliminary plan submittal, and review comments have been provided to the applicant. All review comments must be properly addressed, with full construction and site plans submitted and approved prior to final plat recordation. If engineering requirements result in substantial changes to the layout of the subdivision, an amended preliminary plat will be brought back the Commission for consideration. However, review comments to date are generally technical in nature.

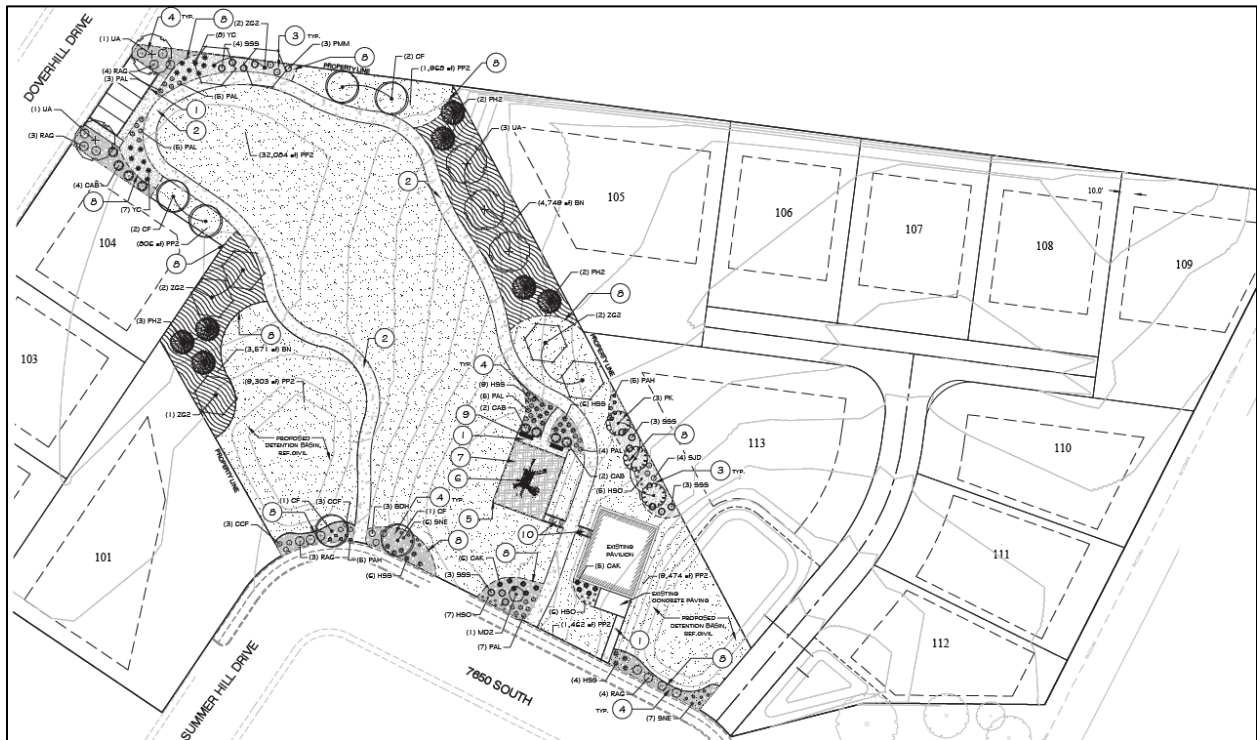
Fire Safety

The proposed subdivision is under review by the Unified Fire Authority for compliance with all applicable fire codes and standards. Final approval by the fire department will be required prior to recordation of the final subdivision plat. If fire department requirements result in substantial changes to the layout of the subdivision, an amended preliminary plat will be brought back the Commission for consideration.

Public Park and Development Agreement

A development agreement has been proposed to ensure the most favorable configuration of the city park including its timely construction by Ivory Homes. The need for a land swap to achieve an ideal city park design merits the use of a development agreement. The city's park design priorities will be incorporated into the final agreement language.

The terms of the development agreement are currently under negotiation between the city and the applicant and will require City Council approval. Staff anticipates that the development agreement will be signed and in place prior to final plat recordation.



Preliminary Park Design Concept

Recommendation

Staff recommends APPROVAL of the proposed Planned Unit Development and preliminary subdivision plat, subject to the following recommended conditions of approval:

1. Prior to final construction plan approval and/or final plat recordation, the following additional information is required to be approved by the city:
 - a. All sensitive lands hazards reports, pursuant to city ordinance 19.72 and other applicable codes
 - b. A final plat and plan set reflecting all review comments and technical code requirements from any applicable city department (e.g., community development, engineering, public works, fire, building, geology, etc.)
 - c. A traffic impact memo that demonstrates the additional traffic generated by the proposed project does not overburden adjacent public streets

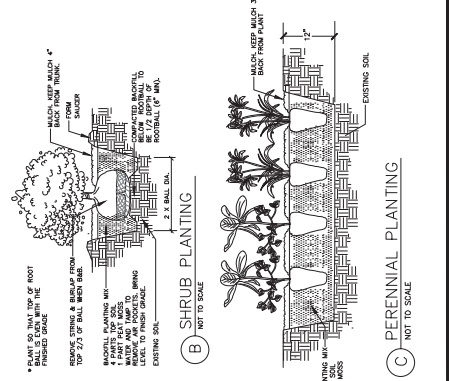
- d. Will-serve letters from all applicable utilities, including final utility plans approved by each utility
2. Prior to final approval, the city's Architectural Review Commission shall review the proposed development under its purview to review all PUD applications and shall issue a Certificate of Design Compliance
3. Submit a trash collection plan demonstrating how trash collection will take place and be managed within the private road area of the subdivision
4. Submit a snow removal plan demonstrating how snow removal will take place and be managed within the private road area of the subdivision
5. Provide documentation regarding the maintenance, upkeep, and enforcement of parking/traffic concerns of the private road area of the subdivision
6. Submit a site fencing plan, following PUD ordinance requirements, to indicate the location and material of any proposed site fencing
7. Any significant modifications to the preliminary plat and development plan (e.g. location of lots, open space configuration, roadways reconfiguration, etc.) as a result of the full city review process shall require further consideration and updated approval by the Planning Commission

Findings

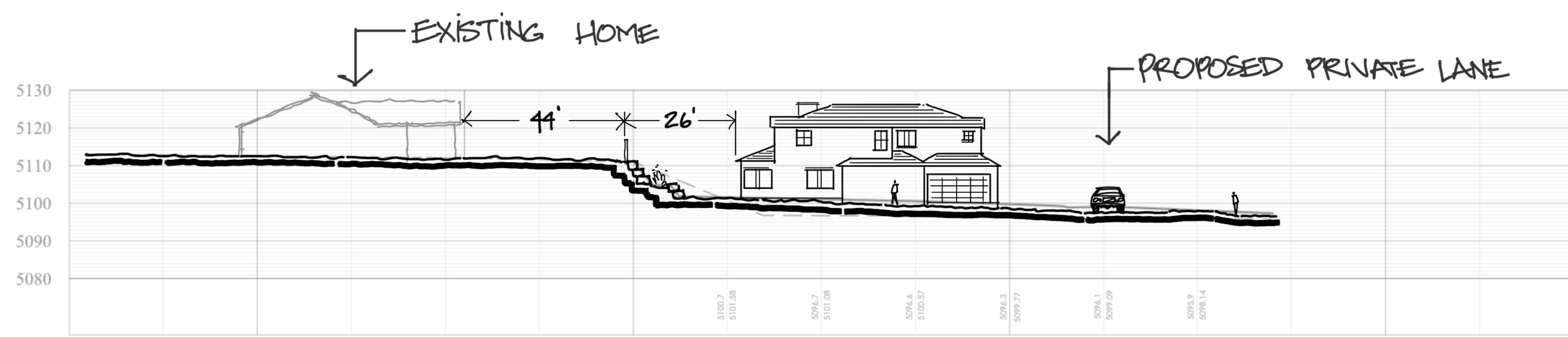
The following are written findings of fact for the proposed conditions of approval, pursuant to ordinance 19.84.080:

1. The proposed use is one of the conditional uses specifically listed in the zoning district in which it is proposed (R-1-8)
2. The use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity
3. The use will comply with the intent, spirit, and regulations of this title and will be compatible with and implement the planning goals and objectives of the city
4. The use will be harmonious with the neighboring uses in the zoning district in which it is to be located
5. Nuisances which would not be in harmony with the neighboring uses will be abated by the conditions imposed
6. Protection of property values, the environment, and the tax base for the city will be assured
7. The use will comply with the city's general plan
8. Some form of guaranty assuring compliance to all imposed conditions will be imposed on the applicant or owner
9. The internal circulation system of the proposed development is properly designed
10. The existing and proposed utility services will be adequate for the proposed development
11. Appropriate buffering will be provided to protect adjacent land uses from light, noise and visual impacts
12. Architecture and building materials are consistent with the development and surrounding uses, and otherwise compatible with the city's general plan, subdivision ordinance, land use ordinance, and any applicable design standards
13. Landscaping appropriate for the scale of the development and surrounding uses will be installed in compliance with all applicable ordinances
14. The proposed use preserves historical, architectural, and environmental features of the property

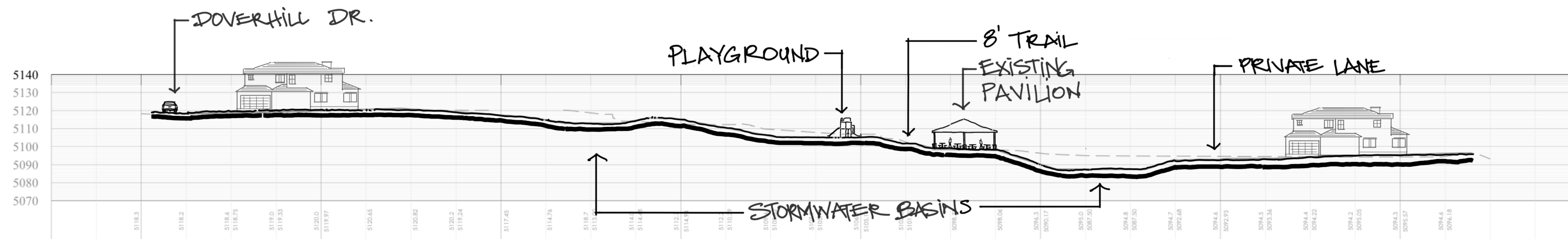
15. Operating and delivery hours will be compatible with adjacent land uses
16. The foregoing standards shall be subject to any contrary requirements of applicable State Code



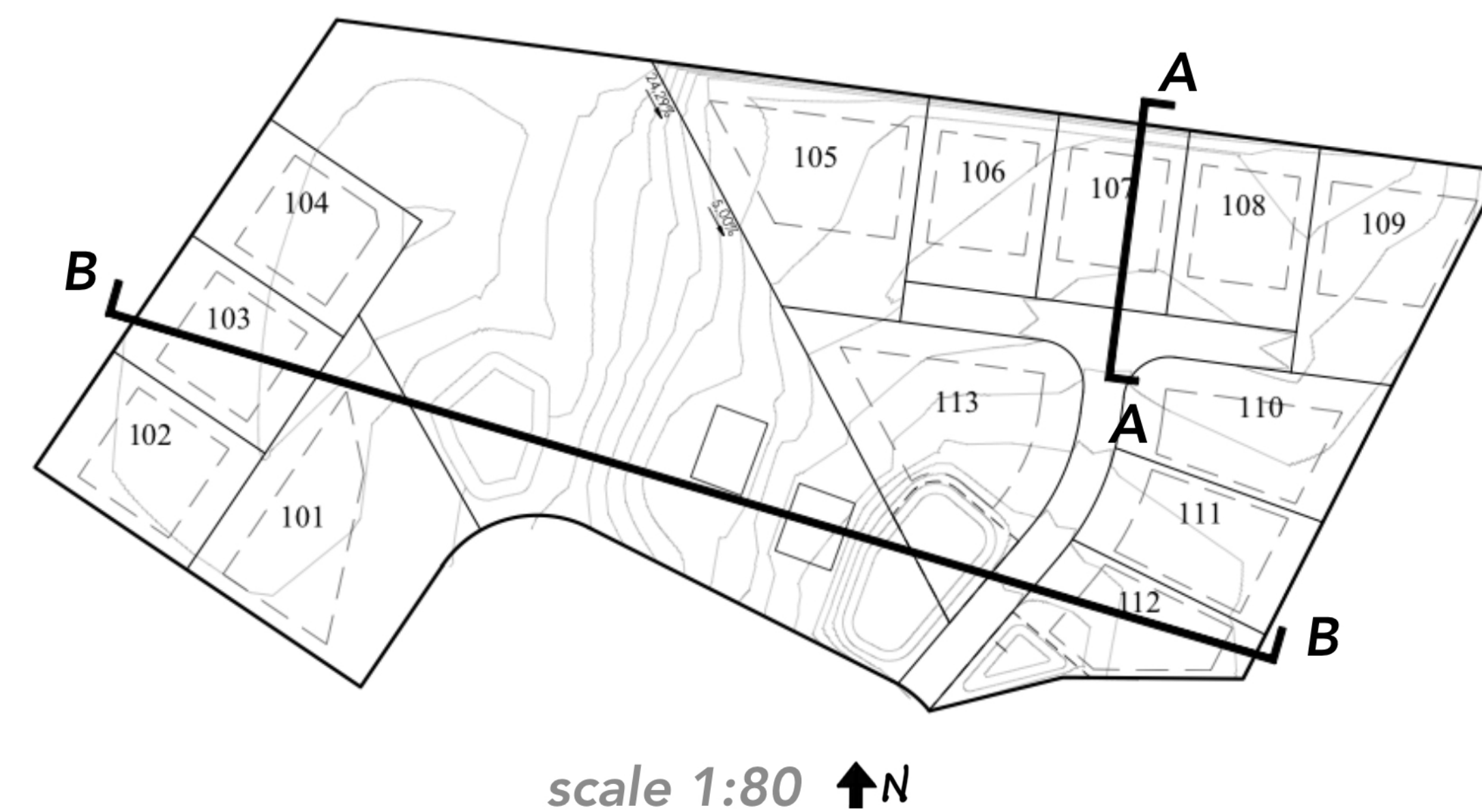
PLANT SCHEDULE					REFERENCE NOTES					LANDSCAPE NOTES				
PLANT	POTENTIAL NAME	COMMON NAME	SIZE	QTY	SYMBOL	DESCRIPTION	QTY	SYMBOL	DESCRIPTION	QTY	SYMBOL	DESCRIPTION		
PTZ	Grass canadensis	Forest Parsi	1' x 1' x 1'	9	1	CONCRETE FOOTSTAMP PAVING	900 #	1	CONCRETE FOOTSTAMP PAVING	900 #	1	CONCRETE FOOTSTAMP PAVING		
PK	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	1.5' Cal.	3	2	ASPHALT TRAIL	6,656 #	2	ASPHALT TRAIL	6,656 #	2	ASPHALT TRAIL		
202	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2' Cal.	1	3	CRUSHED ROCK, TACK 1/2"	2,877 #	3	CRUSHED ROCK, TACK 1/2", OR APPROVED EQUAL	2,877 #	3	CRUSHED ROCK, TACK 1/2", OR APPROVED EQUAL		
SPR	Bottlebrush	Prunus serrulata 'Kawachi'	5' gal.	6	4	CONCRETE PLAYGROUND EDGE	1,260 #	4	CONCRETE PLAYGROUND EDGE	1,260 #	4	CONCRETE PLAYGROUND EDGE		
CAB	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	5	PLAYGROUND STRUCTURE, MODEL 350-1733 FROM PLAYWORLD, OR SIMILAR		5	PLAYGROUND STRUCTURE, MODEL 350-1733 FROM PLAYWORLD, OR SIMILAR		5	PLAYGROUND STRUCTURE, MODEL 350-1733 FROM PLAYWORLD, OR SIMILAR		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	6	PLAYGROUND WOOD CHIPS		6	PLAYGROUND WOOD CHIPS		6	PLAYGROUND WOOD CHIPS		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	7	STEEL EDGING		7	STEEL EDGING		7	STEEL EDGING		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	8	CONCRETE PAD, DEPTH TO BE SURFACE ADJUSTED		8	CONCRETE PAD, DEPTH TO BE SURFACE ADJUSTED		8	CONCRETE PAD, DEPTH TO BE SURFACE ADJUSTED		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	9	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		9	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		9	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	10	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		10	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		10	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	11	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		11	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		11	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	12	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		12	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		12	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	13	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		13	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		13	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	14	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		14	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		14	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	15	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		15	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		15	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	16	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		16	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		16	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	17	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		17	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		17	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	18	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		18	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		18	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	19	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		19	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		19	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	20	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		20	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		20	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	21	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		21	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		21	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	22	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		22	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		22	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	23	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		23	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		23	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	24	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		24	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		24	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	25	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		25	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		25	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	26	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		26	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		26	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	27	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		27	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		27	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	28	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		28	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		28	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	29	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		29	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		29	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	30	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		30	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		30	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	31	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		31	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		31	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	32	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		32	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		32	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	33	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		33	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		33	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	34	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		34	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		34	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	35	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		35	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		35	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	36	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		36	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		36	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	37	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		37	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		37	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	38	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		38	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		38	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	39	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		39	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		39	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	40	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		40	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		40	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	41	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		41	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		41	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	42	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		42	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		42	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	43	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		43	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		43	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	44	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		44	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		44	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	45	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		45	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		45	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	46	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		46	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		46	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	47	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		47	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		47	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	48	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		48	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		48	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	49	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		49	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		49	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	50	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		50	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		50	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	51	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		51	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		51	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	52	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		52	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		52	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	53	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		53	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		53	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	54	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		54	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		54	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	55	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		55	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		55	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	56	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		56	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		56	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	57	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		57	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		57	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	58	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		58	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		58	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	59	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		59	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		59	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	60	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		60	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		60	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	61	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		61	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		61	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	62	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		62	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		62	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	63	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		63	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		63	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	64	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		64	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		64	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	65	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		65	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		65	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	66	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		66	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		66	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	67	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		67	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		67	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	68	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		68	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		68	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	69	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		69	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		69	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	70	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		70	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		70	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	71	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		71	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		71	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	72	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		72	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		72	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	73	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		73	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		73	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	74	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		74	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		74	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
SPR	Grass alba 'Majesty'	Grass alba 'Majesty'	5' gal.	6	75	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		75	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		75	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		
PAH	Prunus serrulata 'Kawachi'	Prunus serrulata 'Kawachi'	5' gal.	6	76	CONCRETE STANDS 4 HANDRAILS, HANDRAILS TO BE STAINLESS STEEL		76						



Section A - A
scale 1:20



Section B - B
scale 1:30



MINUTES OF THE COTTONWOOD HEIGHTS CITY PLANNING COMMISSION WORK MEETING

Wednesday, December 7, 2022

5:00 p.m.

2277 East Bengal Boulevard

City Council Work Room

ATTENDANCE

Members Present: Chair Jesse Allen, Commissioner Lucy Anderson, Commissioner Jessica Chappell, Commissioner Mike Shelton, Commissioner Dan Mills, Commissioner Jonathan Ebbeler (via Zoom)

Staff Present: Community and Economic Development Director Michael Johnson, Senior City Planner Samantha DeSeelhorst, Deputy City Recorder Heather Sundquist, Systems Administrator Alex Earl

WORK SESSION

Chair Jesse Allen called the Work Meeting to order at 5:00 p.m.

1.0 Review Business Session Agenda.

Chair Allen reviewed the Business Session Agenda.

1.1 Project CPA-22-001

Community and Economic Development Director, Michael Johnson, presented the Staff Report and stated that Project CPA-22-001 is a City-Initiated update to the Affordable Housing Element of the City's existing General Plan. The purpose of the amendment is to incorporate language from the 2022 Affordable Housing Update Report in compliance with State Code Requirements. The City received a letter from the Division of Workforce Services indicating that Cottonwood Heights is out of compliance with the most recent State Code. The Division of Workforce Services is tasked with monitoring and compliance with the affordable housing reporting requirements mandated by the State of Utah. Upon review, it was determined that approximately 75% of Utah cities received the same notification. Although minor, full compliance is required for access to specific transportation-related funds. This is a technical amendment to the 2019 Affordable Housing Plan which also requires an update to the General Plan element. It is the role of the Planning Commission is to hold a public hearing and forward a recommendation to the City Council.

Affordable Housing Plan details were presented. Mr. Johnson reported that 90% of language changes are more actionable and require that completion be demonstrated. To correct the issue of non-compliance, implementation options require an update to match the exact wording in the State Code. The City has also formalized the use of Accessory Dwelling Units (“ADU”) as a permitted use. He confirmed that Staff has submitted progress reports to the State, which have been approved.

1 Commissioner Anderson questioned the need for the Planning Commission's involvement.
2 Mr. Johnson explained at the State level, the Moderate-Income Housing Plan is an element of the
3 general plan that procedurally must go through the Planning Commission prior to being reviewed by
4 the City Council.

5
6 Council Member Mills stated that although there is more than can be done regarding affordable
7 housing, he appreciated the present progress of the City. Mr. Johnson noted that gaps reflected in the
8 plan are directed at very low income and 80% AMI as indicated by the stormwater data. One-third
9 of the total housing units within the city are multi-family in some way.

10
11 Chair Allen stated that the missing middle category of housing is often lumped into the bigger multi-
12 family product where a four-plex serves a need and is a reasonable product for consideration. He
13 asked if any of the three strategies selected will be changed in the General Plan. Mr. Johnson believed
14 three of the four strategies are appropriate and entail a residential component. They may expand or
15 change the perspective to ensure that they reflect the current community values. Staff was
16 recommending a plan for growth as opposed to reacting to it. He shared the importance of planning
17 in a way beneficial to Cottonwood Heights while providing a variety of housing types.

18 19 **2.0 Additional Discussion Items**

20
21 Mr. Johnson next reviewed the Doverhill Drive project. A Subdivision Preliminary Application had
22 been submitted and will be noticed and return for public hearing in January 2023. He stated the newly
23 revised plan included 13 lots as opposed to the original 17. City Planner, Samantha DeSeelhorst
24 reported that the revised Concept Plan retains the pavilion with adequate parking. Accessibility to
25 the sloping hill was discussed. Commissioner Mills expressed approval of the revised plan and Staff's
26 efforts in creating a great project.

27
28 Ms. DeSeelhorst next reviewed the Mixed-Use Ordinance Project. The City Council provided broad
29 direction with a request for a text amendment requiring ground floor commercial. Staff discussed
30 incentives to encourage a commercial minimum while still providing affordable units and are
31 considering Form Base Code. She explained that a blanket standard for a percentage of commercial
32 development may not work for all areas but may be pertinent for areas with high activity.

33
34 Commissioner Anderson asked for an update on the Hillside Plaza. Mr. Johnson stated the Hillside
35 Plaza is under contract to be purchased. The intention would be to Master Plan the area as envisioned
36 and then partner with development to implement the vision.

37 38 **3.0 Adjournment.**

39
40 ***Commissioner Chappell moved to adjourn. Commissioner Anderson seconded the motion. The***
41 ***motion passed with the unanimous consent of the Commission.***

42
43 The Work Meeting adjourned at 5:43 p.m.

1
2 *Commissioner Mills moved to forward a recommendation of APPROVAL for Project GPA-22-001*
3 *to the City Council. Commissioner Ebbeler seconded the motion. Vote on motion: Commissioner*
4 *Shelton-Aye, Commissioner Mills-Aye, Commissioner Anderson-Aye, Commissioner Ebbeler-Aye,*
5 *Commissioner Chappell-Aye, Chair Allen-Aye. The motion passed unanimously.*
6

7 **4.0 Consent Agenda.**
8

9 **4.1 Approval of Planning Commission Minutes from October 5, 2022.**
10

11 *Commissioner Ebbeler moved to APPROVE the Planning Commission Meetings from October 5,*
12 *2022. Commissioner Anderson seconded the motion. Vote on motion: Commissioner Shelton-*
13 *Aye, Commissioner Mills-Aye, Commissioner Anderson-Aye, Commissioner Ebbeler-Aye,*
14 *Commissioner Chappell-Aye, Chair Allen-Aye. The motion passed unanimously.*
15

16 **4.2 Approval of Planning Commission Minutes from October 19, 2022.**
17

18 *Commissioner Anderson moved to APPROVE the Planning Commission Meetings for October 19,*
19 *2022. Commissioner Ebbeler seconded the motion. Vote on motion: Commissioner Shelton-*
20 *Aye, Commissioner Mills-Aye, Commissioner Anderson-Aye, Commissioner Ebbeler-Aye,*
21 *Commissioner Chappell-Aye, Chair Allen-Aye. The motion passed unanimously.*
22

23 **4.3 Approval of Planning Commission Minutes from November 2, 2022.**
24

25 *Commissioner Shelton moved to APPROVE the Planning Commission Minutes from November 2,*
26 *2022. Commissioner Anderson seconded the motion. Vote on motion: Commissioner Shelton-*
27 *Aye, Commissioner Mills-Aye, Commissioner Anderson-Aye, Commissioner Ebbeler-Aye,*
28 *Commissioner Chappell-Aye, Chair Allen-Aye. The motion passed unanimously.*
29

30 **5.0 Adjourn.**
31

32 *Commissioner Mills moved to ADJOURN. Commissioner Shelton seconded the motion. The*
33 *motion passed with the unanimous consent of the Planning Commission.*
34

35 The Planning Commission Meeting adjourned at 6:06 p.m.
36

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, December 7, 2022.*
3

4 Teri Forbes

5 Teri Forbes
6 T Forbes Group
7 Minutes Secretary
8

9 Minutes Approved: _____