



HIGHLAND CITY COUNCIL BRIEF

Tuesday, August 6, 2019

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Mayor Rod Mann

Invocation – Linda Walton

Pledge of Allegiance – Police Chief Brian Gwilliam

1. UNSCHEDULED PUBLIC APPEARANCES

Linda Walton was concerned with the amount of trash she was seeing on the roads and asked for the City to reach a solution to get the roads cleared of debris.

2. CONSENT ITEMS (5 minutes)

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. ACTION: Approval of Meeting Minutes – PASSED 5:0

Regular City Council Meeting July 16, 2019

Next step: Approved minutes will become part of the permanent record.

b. ACTION: Cell Tower Agreement – CONTINUED 5:0

City Council will consider approving an American Towers Lease Extension Agreement.

The Council will take appropriate action.

Next step: Staff will schedule a closed session with Council in preparation for further negotiations.

3. PUBLIC HEARING/ACTION: A FINAL PLAT AMENDMENT TO BRIARWOOD RANCHES PLAT 'A' TO INCORPORATE THE COMMON AREA INTO EACH INDIVIDUAL LOT (10 minutes) – PASSED 5:0

The City Council will consider a request by Laura Botkin for approval of a Final Plat Amendment to the Briarwood Ranches Subdivision located approximately at 6000 W 9960 N (PA-19-01). The Council will take appropriate action.

Next step: Staff will work residents to update and record the amended plat.

4. ACTION/ORDINANCE: SITE PLAN AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS (30 minutes) – CONTINUED 3:1

The City Council will consider approving a request from Andrew Patterson for approval of a site plan and conditional use permit for flex office buildings located in the Professional Office Zone south of 11251 N. Sunset Drive (SP-19-02 and CU-19-02)). The Council will take appropriate action.

Next step: City Council will provide staff with specific areas and questions they would like staff to address, no later than August 12, 2019. Staff will address those questions and this item will be revisited at a future Council meeting.

5. PUBLIC HEARING/ORDINANCE: AMENDING SECTION 3-623 OF THE DEVELOPMENT CODE RELATING TO TEMPORARY USE PERMITS FOR PRODUCE STANDS (TA-19-04) (20 minutes) - PASSED 4:1

The City Council will consider approving an amendment to Section 3-623 of the Highland City Development Code relating to Temporary Use Permits for produce stands (TA-19-04). The Council will take appropriate action.

Next step: Approved amendments for Section 3-623 will become part of the Highland City Development Code.

6. ACTION: TRAP & EUTHANIZE OPTION FOR URBAN DEER CONTROL PROGRAM (10 minutes) - PASSED 5:0

The Council will consider approving the option to trap and euthanize deer as a removal method for the Urban Deer Control Program. The Council will take appropriate action.

Next step: The Trap and Euthanize deer removal method will be an option for the Urban Deer Control Program moving forward.

7. MAYOR/COUNCIL AND STAFF DISCUSSION AND COMMUNICATION ITEMS

a. Motocross ATV Restrictions - City Attorney Tim Merrill

City Attorney Tim Merrill oriented the Council with the need to update City Code regarding nuisance complaints from residents concerned with motocross ATV activity disturbing their peace and quiet. Council Members deliberated over the issue and proposed several suggested solutions. Public comments and concerns were shared and the nuisance code was reviewed. After much deliberation concerned residents were asked to document the nuisance and City Attorney Merrill would bring back a proposed amendment for the nuisance section in the City Municipal Code.

8. FUTURE MEETINGS

a. Future Meetings

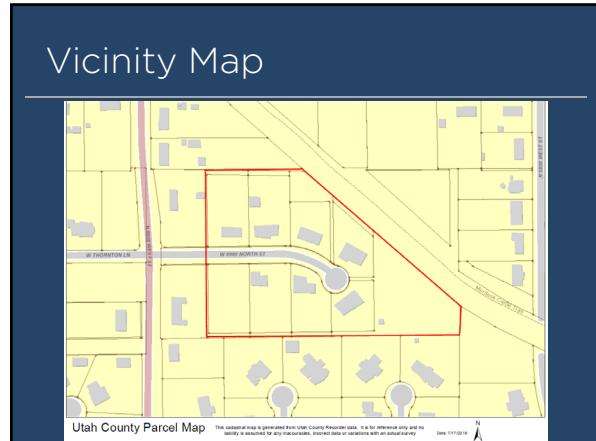
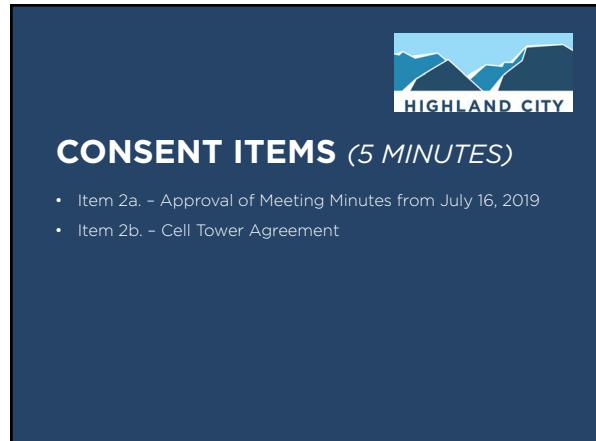
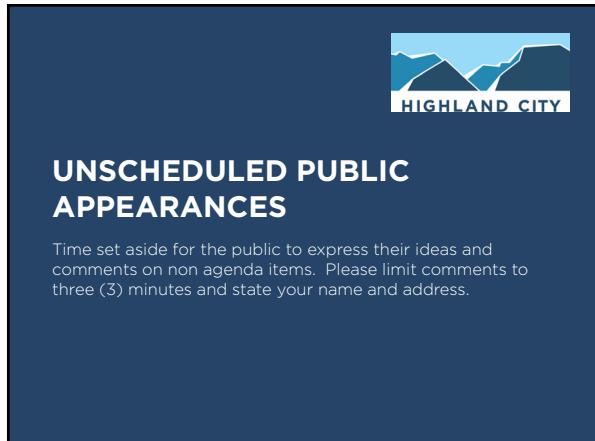
- August 20, City Council Meeting, 7:00 pm, City Hall
- August 27, Canvass Election Returns 6:00 pm, City Hall, Electronic Meeting
- August 27, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

COUNCIL VOTING REPORT - AUGUST 6, 2019

		APPROVE JULY 16, 2019 MEETING MINUTES	POSTPONE CELL TOWER AGREEMENT FOR FURTHER NEGOTIATIONS AND HOLD A CLOSED SESSION IN PREPARATION	APPROVE BRIARWOOD RANCHES PLAT 'A' AMENDED SUBJECT TO TWO STAFF STIPULATIONS	CONTINUE SITE PLAN AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS	APPROVE AMENDMENT TO SECTION 3-623 OF THE HIGHLAND CITY DEVELOPMENT CODE	APPROVE TRAP AND EUTHANIZE OPTION FOR URBAN DEER CONTROL PROGRAM
First Name	Last Name	2A	2B	3	4	5	6
Brian	Braithwaite	Yes	Yes	Yes	Yes	Yes	Yes
Ed	Dennis	Yes	Yes	Yes	Yes	Yes	Yes
Tim	Irwin	Yes	Yes	Yes	No	Yes	Yes
Kurt	Ostler	Yes	Yes	Yes	Abstain	No	Yes
Scott	Smith	Yes	Yes	Yes	Yes	Yes	Yes
Total Voters		5	5	5	4	5	5
Pass/Fail		Pass	Pass	Pass	Pass	Pass	Pass

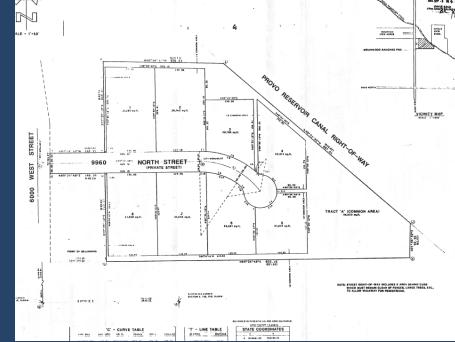
For a voting history of all Council motions please go here: <http://bit.ly/HC-CC-Voting-History>



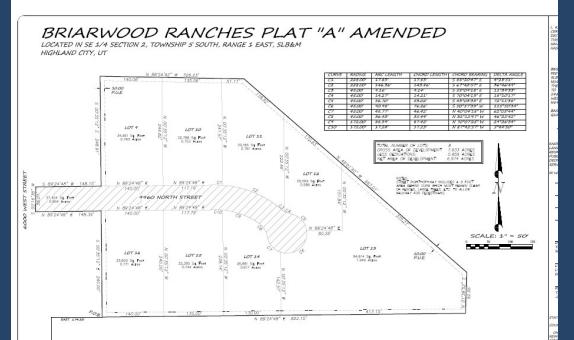
Background

- Briarwood Ranches approved 1986 as a Planned Residential Development (PRD).
 - Included 8 single-family lots, 88,523 sq ft open space, and 9960 N as a private road.
- 2012 the residents in the subdivision purchased the open space. Mylar was never approved by City Council.

1986 Approved Plat



Plat Amendment Request



Citizen Participation

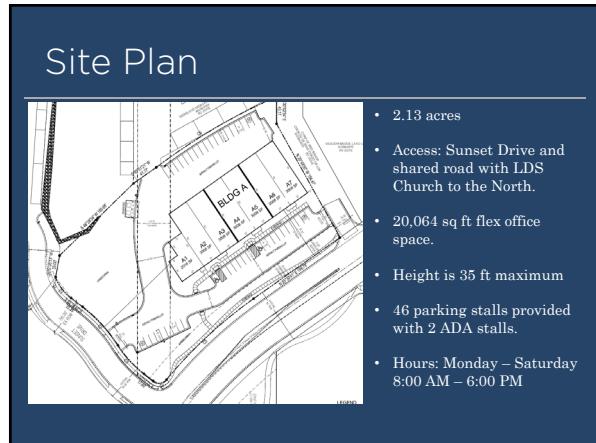
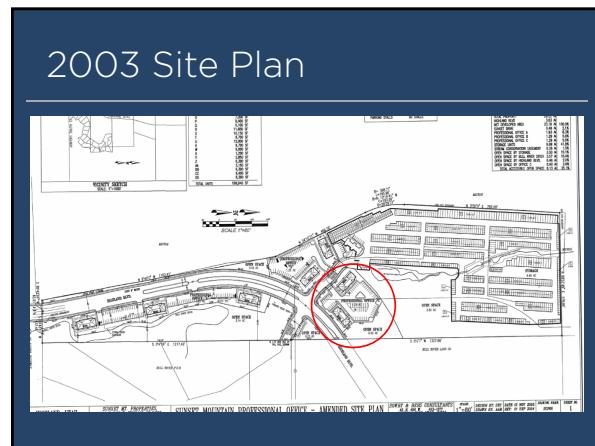
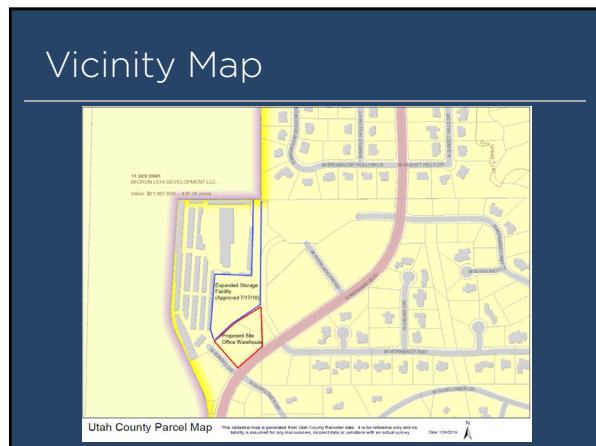
- Notification in the Daily Herald, State website, and mailed to property owners within 500 feet.
- 100% of property owners that have equal ownership of the common area approve the disposal.

Recommendation

- The City Council should hold a public hearing and recommend approval of the final plat amendment subject to the following stipulations:
 1. The final plat shall be in substantial conformance with the final plat received July 16, 2019.
 2. Prior to recording, the final plat shall be revised as required by the City Engineer.

SITE PLAN AND CONDITIONAL USE PERMIT FOR FLEX OFFICE BUILDINGS (30 MINUTES)

Item 4 - Action/Ordinance
Presented by – Tara Tannahill, Planner & GIS Analyst



Utah State Code 10-9a-507: Conditional Uses

(1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.

(2)

- (a) A conditional use shall be approved 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.
- (b) 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 conditional use may be denied.

Citizen Participation

- Neighborhood Meeting: January 8, 2019
 - 1 Resident attended. 17 written correspondence received not in favor.
- Notice of the Planning Commission meeting published on the Daily herald, state website, and mailed to property owners within 500ft.
 - 29 emails in opposition of the project.
- No notice required for City Council.

Planning Commission Action

- Planning Commission meeting June 25, 2019 and Voted 5 to 1 to recommend denial:
 - 1) Section 3-4922 Site plan does not closely conform to Exhibit "A".
 - 2) Section 3-4922 Architecture outline 1A address the bulk issue, Overall Architectural Outline, the bulkiness of the building needs to be addressed.
 - 3) Section 3-4922 1B the proposed building appears to be monotonous and repetitious
 - 4) Section 3-4922 1G all elevations should be architecturally treated with the exemption of the back
 - 5) Section 3-4922 1I all the buildings are required to have public restrooms, including a men's room, women's room and a handicapped room.
 - 6) Section 3-4902 the zone is intended to allow for professional services, not general retail or commercial.
 - 7) Section 3-4919 the roof design cannot be a mansard or fake mansard roof

Recommended and Proposed Motion

- City Council should conduct a public meeting and approve the conditional use permit with appropriate stipulations in accordance with State Law and Adopt ordinance amending the site plan.
 - Staff has recommended four stipulations for Council to consider.



AMENDING SECTION 3-623 OF THE DEVELOPMENT CODE RELATING TO TEMPORARY USE PERMITS FOR PRODUCE STANDS (TA-19-04) (20 MINUTES)

Item 5 – Public Hearing / Ordinance
Presented by – Tara Tannahill, Planner & GIS Analyst

Background

Sugar Sweet Produce operates from June – September.

- Previous Location: 5452 W 11000 N
 - Moved due to development of Quick Quack Carwash
- 2017 moved to 6000 W Timpanogos Highway.
 - Currently R-1-40 Zone
 - Temporary use permits are only allowed in C-1, CR, or TCO zone

Planning Commission Action

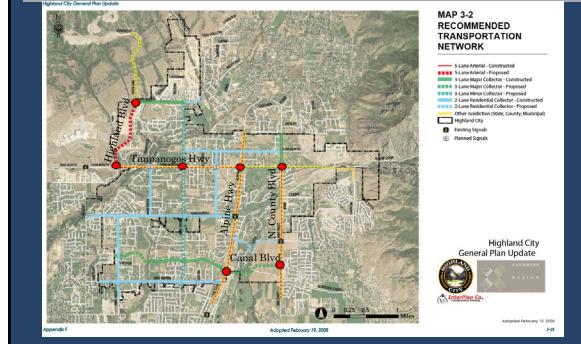
- Temporary uses shall only be permitted in the C-1, CR, and the Town Center Overlay zoning districts. Temporary Uses are prohibited in residentially zoned areas except those with certain institutional uses, regardless of the zoning designation, **AND PRODUCE STANDS WHEN ADJACENT TO ARTERIAL STREETS.** Institutional uses include, but are not limited to: public or quasi public sites, city parks, city buildings, and public schools.

Staff Recommended Changes

“...AND PRODUCE STANDS WHEN LOCATED ON INTERSECTING ARTERIAL STREETS AND THE INTERSECTION OF ARTERIAL STREETS AND MINOR OR MAJOR COLLECTOR STREETS.”

- This would limit the number of possible locations to 7.

Possible Locations



TRAP AND EUTHANIZE OPTION FOR URBAN DEER CONTROL PROGRAM (10 MINUTES)

Item 6 – Action
Presented by – Cindy Quick, City Recorder

Background

- August 2013 - City Council approved an Urban Deer Control Plan in conjunction with the Division of Wildlife Resources (DWR)
 - The program was for the 2013-2014 fall hunting season
 - DWR approved the continuation of the program for the 2015-2017 fall hunting season
- February 2018 – City Council approved the renewal of the program for the 2018-2021 fall hunting season

2019 Trap and Euthanize Option

- DWR no longer allows for trapping and relocation of deer
 - Traps can be utilized in smaller areas where using archery equipment is difficult and unsafe
 - The deer would be trapped, removed from the area, and euthanized.

Cost for Trap and Euthanize Option

- \$75/animal
 - Include bait and camera monitoring
 - In addition to \$2,500/site
 - Total Cost depends on the amount of deer removed



MAYOR/COUNCIL AND STAFF DISCUSSION COMMUNICATION ITEMS

- Item 7a. - Motocross ATV Restrictions - *City Attorney Tim Merrill*



FUTURE MEETINGS

- Item 8a. - Future Meetings
 - August 20, City Council Meeting, 7:00 pm
 - August 27, Canvass Election Returns, 6:00 pm (Electronic Meeting)
 - August 27, Planning Commission Meeting, 7:00 pm