



**AGENDA BRIEF**  
**HIGHLAND CITY PLANNING COMMISSION**  
**Tuesday, January 28, 2020, 7:00 p.m.**  
**\*\*Amended\*\***

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

**CALL TO ORDER:** Chris Kemp, Chair

- Attendance – Chris Kemp, Chair
- Invocation – Commissioner Ron Campbell
- Pledge of Allegiance – Commissioner Claude Jones

**APPEARANCES:**

Time has been set aside for the public to express their ideas, concerns, and comments on non-agenda items. Speakers will be limited to three (3) minutes.

*No comments were made*

**PUBLIC HEARING ITEMS:**

1. **TA-20-01** Roy Huntsman is requesting approval to amend Chapter 5 Subdivision of the Development Code to allow flag lots. *Legislative*  
**FAILED 4:0** *The Commission voted to recommend denial and the motion PASSED. Next steps, City Council will review the request on February 18, 2020.*
2. **TA-20-03** Highland City Staff is requesting approval to amend Section 10-102 of the Development Code for the definition of “Family”. *Legislative*  
**PASSED 4:0** *The Commission voted to recommend approval and the motion PASSED. Next steps, City Council will review the request on February 18, 2020.*
3. **TA-20-02** Highland City Staff is requesting approval to amend multiple sections of the Development Code related to regulations for basement/accessory apartments.  
**\*Ordinance Amended** *Legislative*  
**PASSED 4:0** *The Commission voted to recommend approval and the motion PASSED. Next steps, City Council will review the request on February 18, 2020.*
4. **TA-20-04** Highland City Staff is requesting approval to amend Section 5-8-101 of the Development Code relating to subdivision layout and environmentally sensitive lands. *Legislative*  
**PASSED 4:0** *The Commission voted to recommend approval and the motion PASSED. Next steps, City Council will review the request on February 18, 2020.*

**APPROVAL OF MINUTES:**

- Approval of the November 19, 2019 meeting minutes.

**PASSED 4:0** *The Commission voted to approve the minutes and the motion PASSED.*

**ADJOURNMENT:**

NEXT MEETING: ***February 25, 2020*** at 7:00 pm City Council Chambers

*Legislative: An action of a legislative body to adopt laws or policies.*

*Administrative: An action reviewing an application for compliance with adopted laws and policies.*

**FOR SPECIAL ACCOMMODATIONS**

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4506 at least 48 hours prior to the Commission meeting.

**CERTIFICATE OF POSTING**

The undersigned does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 23<sup>rd</sup> day of January 2020. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this 23rd day of January, 2020 the above agenda notice was posted on the Highland City website at [www.highlandcity.org](http://www.highlandcity.org).

\*Amended – Posted and dated this 27<sup>th</sup> day of January, 2020.

Tara Tannahill, Planning Coordinator

## Commission Voting Report

First Name	Last Name	ALTERNATIVE MOTION FOR TEXT AMENDMENT FLAG LOT	APPROVE TEXT AMENDMENT FOR DEFINITION OF "FAMILY"	APPROVE TEXT AMENDMENT ACCESSORY DWELLING UNIT	APPROVE TEXT AMENDMENT SUBDIVISION LAYOUT	APPROVE November 19, 2019 MEETING MINUTES
Chris	Kemp	Yes	Yes	Yes	Yes	Yes
Shery	Carruth	Yes	Yes	Yes	Yes	Yes
Jerry	Abbott	Yes	Yes	Yes	Yes	Yes
Audrey	Wright	Yes	Yes	Yes	Yes	Yes
<b>Total 1 = Yes</b>		4	4	4	4	4
<b>Total 2 = No</b>		0	0	0	0	0
<b>Total 3 = Abstain</b>						
<b>Total Voters</b>		4	4	4	4	4
<b>Total Yes + No</b>		4	4	4	4	4
<b>% Yes</b>		100.00%	100.00%	100.00%	100.00%	100.00%
<b>% No</b>		0.00%	0.00%	0.00%	0.00%	0.00%
<b>% Abstain</b>		0.00%	0.00%	0.00%	0.00%	0.00%
<b>Pass Threshold</b>		50.00%	50.00%	50.00%	50.00%	50.00%
<b>Pass/Fail</b>		Pass	Pass	Pass	Pass	Pass

Absent: Ronald Campbell  
Claude Jones

## Welcome to the Highland Planning Commission Meeting



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## TEXT AMENDMENT FLAG LOT

Item #1 – Public Hearing / Action  
*Legislative*



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## PUBLIC APPEARANCES

Time set aside for the public to express their ideas and comments on non agenda items. Please limit comments to (3) three minutes.



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## Applicant Background



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## Wording

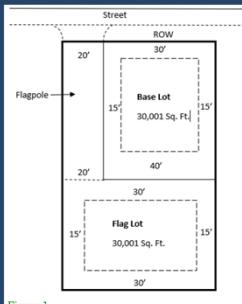


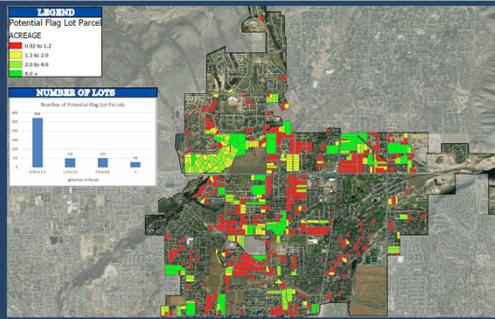
Figure 1

Summary of the wording:

- Only in R-1-40 zone.
- Subdivision must have the density to allow more lots.
- Base lot must meet the setbacks, frontage, and minimum lot area of the zone. Except the rear setback is 40' minimum.
- Flag lot must meet the minimum lot and setbacks for each zone.
- Flagpole is a minimum of 20' in width.
  - Flagpole has a maximum length of 200' long from the road.
- 4 hard surfaced stalls for the flag lot and 2 of them can be in the garage.
  - No parking in the flagpole.

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## Potential Flag Lots



- 805 potential lots. Did not verify if each subdivision has the density to allow more lots.

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## Analysis

City	Flag lots
Alpine	No
AF	Yes
Cedar Hills	Yes
Draper	Yes
Lehi	Yes
Orem	Yes
PG	Yes
Provo	Yes

- Majority that responded confirmed that they don't allow them very often and have restrictions to restrict the potential of flag lots.
- Chief Gwilliam and Chief Thompson have concerns about the flagpole visibility for emergency response.
- Flag lots create an opportunity for infill development in established areas.

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## Potential Layout



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## Other City Example Layout



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## Street View Cont.



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## Street View Flagpole Example



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## Citizen Participation

- Planning Commission Notice:
  - Daily Herald
  - State and City website
- No written correspondence has been received.

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## Recommendation

Planning Commission should discuss if this change is the best for all Highland City and make a recommendation to City Council.

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## TEXT AMENDMENT DEFINITION OF “FAMILY”

Item #2: Public Hearing / Action  
*Legislative*

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## Proposed Motion

- I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)  
**OR**
- I move that the Planning Commission recommend **DENIAL** of case TA-20-01 a request for a text amendment to allow flag lots based on the following findings: (The Commission will need to draft appropriate findings.)

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## Wording

Amended Section 10.102.23

### ***Family***

- a) One or more persons related by blood, marriage, adoption or legal guardianship, including foster children, ~~and no more than two adults and their children who are unrelated to the residing family~~; or
- b) A group of not more than four persons not related by blood, marriage, adoption or legal guardianship, including foster children living together as a common household

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## Citizen Participation

- Planning Commission Notice:
  - Daily Herald
  - State and City website
- No written correspondence has been received.

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## TEXT AMENDMENT ACCESSORY DWELLING UNIT

Item #3: Public Hearing /Action  
*Legislative*



## Recommendation and Proposed Motion

Staff recommends that the Planning Commission conduct a public hearing, discuss the issues, and make a recommendation to the City Council.

- I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)

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## Wording

### ~~Section 3-624 on Section~~

#### 3-624 Accessory Dwelling Unit

**Accessory Dwelling Unit** shall meet the following requirements:

- Accessory dwelling unit shall only be permitted in single family homes that are owner occupied.
- Accessory dwelling units shall not be permitted in detached accessory buildings.
- A minimum of two (2) off-street spaces shall be provided.
- The minimum** 70% front yard **landscaping** as defined in Section 3-4107 and 3-621, Highland City Development Code shall be provided.
- No more than one (1) accessory dwelling units shall be considered for each single family home.
- The unit and home shall be modified to meet all fire, safety, health and building codes as required by the Building Official and Fire Marshal.
- The front of the home shall NOT be modified in any form that will give the appearance that separate units are incorporated within the home ~~without~~ except separate addresses and mailboxes.
- The primary entrance for the **accessory dwelling units** shall be provided for from the rear of the home; a side entrance is allowable in the event that the entrance is camouflaged by property fencing **or** **landscaping** and is not visible from the street.

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## Added Wording

i. Applications for Accessory Dwelling Units shall be made in the Community Development Department on an application form with required documentation and accompanied with appropriate fees as required. All Accessory Dwelling Units shall be subject to review and approval by the Zoning Administrator.

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## Citizen Participation

- Planning Commission Notice:
  - Daily Herald
  - State and City website
- No written correspondence has been received.

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## Analysis

- November 12, 2019 Highland City updated the Moderate Income Housing Section to comply with SB 34. This text amendment will satisfy one requirement in SB 34.
- Removes the request to be a conditional use permit.
- Removes the requirement to have separate utilities.

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## Recommendation and Proposed Motion

Staff recommends that the Planning Commission conduct a public hearing, discuss the issues, and make a recommendation to the City Council.

• I move that the Planning Commission accept the findings and recommend **APPROVAL** with staffs recommended added wording of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)

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## TEXT AMENDMENT SUBDIVISION LAYOUT

Item #4: Public Hearing /Action  
*Legislative*

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## Analysis

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- The change would require environmentally sensitive areas, such as wetlands, to be considered and demonstrated as part of the proposed subdivision.
- The purpose of the change is to modernize the language to be consistent with State Law and modern practice.

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## Wording

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Amended Section 5-101-(2)  
Where trees, groves, waterways, scenic points, historic spots ~~or~~, other City assets and landmarks, **environmentally sensitive areas such as wetlands, or other features or land subject to state, federal, or other special regulation**, as determined by the City, are located within a proposed subdivision, **the subdivider shall identify and provide ~~every~~ ~~possible~~ means shall be provided to preserve these features as part of the proposed subdivision.**

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## Citizen Participation

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- Planning Commission Notice:
  - Daily Herald
  - State and City website
- No written correspondence has been received.

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## Recommendation and Proposed Motion

Staff recommends that the Planning Commission conduct a public hearing, discuss the issues, and make a recommendation to the City Council.

- I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following findings: (The Commission will need to draft appropriate findings.)

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## APPROVAL OF MINUTES

- November 19, 2019

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