



HIGHLAND CITY

AGENDA BRIEF

HIGHLAND CITY PLANNING COMMISSION AGENDA

Tuesday, April 28, 2020

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

PUBLIC PARTICIPATION NOTICE

Due to COVID-19 Highland City will be hosting this meeting electronically through the City's YouTube channel. Please contact City Staff with instructions on how to participate.

7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)

Call to Order – Chris Kemp, Chair

Invocation – Commissioner Jerry Abbott

Pledge of Allegiance – Commissioner Sherry Carruth

1. UNSCHEDULED PUBLIC APPEARANCES

Time has been set aside for the public to express their ideas, concerns, and comments. (Please limit comments to three minutes per person. Please state your name and address.)

No comment was made

2. PUBLIC HEARING/ACTION: SITE PLAN AND CONDITIONAL USE PERMIT FOR A PUMP STATION FOR ALPINE CITY (SP-20-02 & CU-20-01)

Administrative

The Planning Commission will hold a public hearing to consider a request by Central Utah Water Conservancy District for a Site Plan and Conditional Use Permit for a Pump House for Alpine City located approximately at 4361 W 11000 N. The Planning Commission will take appropriate action.

PASSED 6:0 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

3. PUBLIC HEARING/ORDINANCE: MAJOR AMENDMENT TO A PLANNED DEVELOPMENT (PD) DISTRICT NAMED WILDROSE (PD-20-01) *Legislative*

The Planning Commission will hold a public hearing to consider a request by SBGS Ridgeline Holdings for a major amendment to Fairfield Cove Planned Development District and to be named Wildrose Planned Development District located approximately at 10272 N 4800 W. The Planning Commission will take appropriate action.

PASSED 5:1 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

4. PUBLIC HEARING/ACTION: PRELIMINARY PLAT APPROVAL FOR WILDROSE PLAT B SUBDIVISION (PP-20-03) *Administrative*

The Planning Commission will hold a public hearing to consider a request by SBGS Ridgeline Holdings for a preliminary plat approval for a 7-lot subdivision located approximately at 10272 N 4800 W. The Planning Commission will take appropriate action.

PASSED 6:0 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

5. PUBLIC HEARING/ORDINANCE: AMEND MULTIPLE SECTIONS OF THE DEVELOPMENT CODE RELATING TO ACCESSORY BUILDINGS (TA-20-12)

Legislative

The Planning Commission will hold a public hearing to consider a request by Cole Peck to amend multiple sections of the Highland City Development Code relating to Accessory Buildings. The Planning Commission will take appropriate action.

CONTINUED 5:1 The commission voted to continue the request to allow the applicant time to revise the wording. Next steps, Planning Commission will review the request on May 26, 2020.

6. PUBLIC HEARING/ORDINANCE: AMEND SECTION 3-4902 & 3-4903 OF THE DEVELOPMENT CODE RELATING TO PROFESSIONAL OFFICE (P.O) DISTRICTS (TA-20-07) *Legislative*

The Planning Commission will hold a public hearing to consider a request by Highland City Staff to amend section 3-4902 and 3-4903 of the Highland City Development Code relating to Professional Office (P.O) District. The Planning Commission will take appropriate action.

PASSED 6:0 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

7. PUBLIC HEARING/ORDINANCE: AMEND SECTION 3-4110 OF THE DEVELOPMENT CODE RELATING TO LARGE ANIMAL SHELTER (TA-20-10) *Legislative*

The Planning Commission will hold a public hearing to consider a request by Highland City Staff to amend multiple sections of the Highland City Development Code relating to Large Animal Shelter. The Planning Commission will take appropriate action.

PASSED 6:0 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

8. PUBLIC HEARING/ORDINANCE: AMEND SECTION 10-102 OF THE DEVELOPMENT CODE RELATING TO DEFINITION OF MAIN DWELLING (TA-20-11) *Legislative*

The Planning Commission will hold a public hearing to consider a request by Highland City Staff to amend section 10-102 of the Highland City Development Code relating to Definition of Main Dwelling. The Planning Commission will take appropriate action.

PASSED 6:0 The commission voted to recommend approval. Next steps, City Council will review the request on May 19, 2020

9. ACTION: APPROVAL OF MEETING MINUTES *Administrative*

Regular Planning Commission Meeting March 24, 2020

PASSED 6:0 The commission approved eh March 24, 2020 minutes.

10. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

a. Future Meetings

- May 5, City Council Commission Meeting, 7:00 pm, City Hall
- May 19, City Council Meeting, 7:00 PM, City Hall
- May 26, Planning Commission Meeting, 7:00 PM, City Hall

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.

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this 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 23rd day of April 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 April, 2020 the above agenda notice was posted on the Highland City website at www.highlandcity.org.

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Tara Tannahill
Planning Coordinator

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.
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Welcome to the Highland Planning Commission Meeting



1



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.

2



PUMP STATION FOR ALPINE CITY

Item #1 - Public Hearing / Action
Administrative

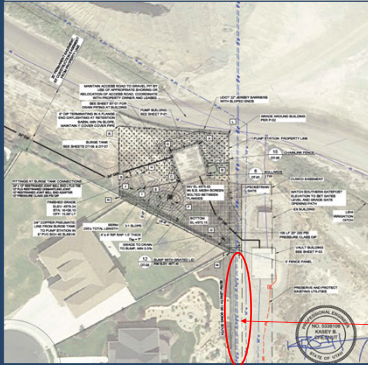
3

Vicinity Map



4

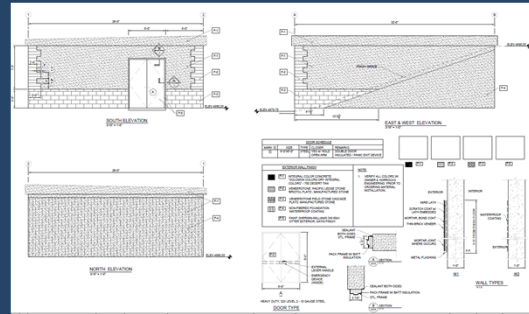
Site Plan



- 896 Sq Ft Pump House Building.
- 3,180 Feet of pipping from Pump House to Alpine City.
- Vinyl coated chain-link fencing around the building (no barbed wire at top).
- Vehicular access for maintenance of building from Timp Hwy.
- One light above door pointed down.
- Updated 4.27.20
 - Berm along west side of road.

5

Elevations



6

Citizen Participation

- Neighborhood Meeting April 1, 2020
 - Three residents attended
- Planning Commission Notice:
 - Mailed to property owners with 500'
 - Daily Herald
 - State and City website
- No written correspondence has been received.

7


Recommendation & Proposed Motion

- Conditional Use are meant to give limited flexibility in the review of the application.

Staff recommends hold a public hearing and recommend **APPROVAL** subject to the three stipulations.

1. Development of the site shall comply with the site plan February 2020 and received March 10, 2020.
2. All signage shall require a separate permit and comply with the Development Code requirements.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.

8

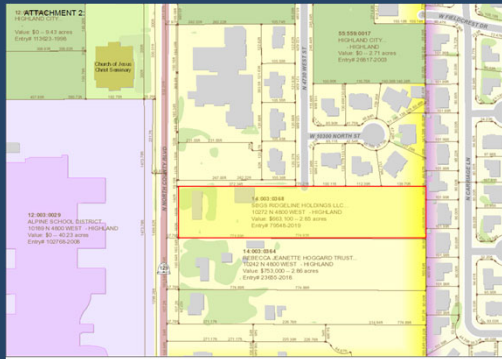


MAJOR AMENDMENT PD DISTRICT WILDROSE

Item #2: Public Hearing / Action
Legislative

9

Vicinity Map




10

Background

- May 21, 2019 Council approved the PD District for Fairfield Cove
 - 6 single-family lots with 9,500 sq ft commercial space
- December 3, 2019 Council approved text amendment for Section 3-520 to allow a fee in lieu of recreation for residential.
- Major amendment to PD Districts need approval from Council.

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Major Amendments



- Fee in Lieu of recreation
 - 16,466 sq ft recreation area
 - Proposing \$2.45 per square foot.
 - \$40,341.70 fee owed
- Changes to traditional private maintained single-family lots.
 - Minimum lot size 8,000 sq ft.
- Commercial setbacks change:

Setback	Approved	Change
Front	50'	20'
Side	25'	5'
Rear	10'	10'

12

Analysis

- Fee:
 - There was confusion on the fee. Subsequent to the staff report staff have discussed this with the applicant.
 - Prior to council approval the fee will be agreed upon. *Stipulation has been provided.*
- Side setback for commercial building reduced to 5'. Previous plan had 25' to allow more spacing from the trail.
 - No landscape plan or concept plan provided for the commercial district.

13

Citizen Participation

- Neighborhood Meeting March 27, 2020
 - 6 Residents attended
- Planning Commission Notice:
 - Daily Herald
 - State and City website
 - Mailed to property owners within 500'
- One written correspondence has been received.

14

Recommendation

The Planning Commission should hold a public hearing and determine whether or not to recommend approval of the proposed amendment to Fairfield Cove's PD District. If the Commission, choose to recommend approval the following stipulations should be included:

1. Development shall comply with the Wildrose Project Plan and Narrative date stamped April 17, 2020 except as modified by these stipulations:
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.

~~4. The fee of \$4,000 per square foot shall be paid in lieu of open space for the residential district. This fee shall be paid prior to approval of the preliminary plat.~~

4. The parkway detail along North County Boulevard shall be a minimum of 29 feet and shall be demonstrated prior to approval of Preliminary Plat.
5. Access approval from UDOT shall be required prior to approval of the preliminary plat.
6. The development shall include commercial and no more than six (6) homes.
7. A concept plan for the commercial district shall be provided prior to City Council review.

Modification: 8. Prior to council review the fee in lieu of providing open space for the residential district shall be agreed upon by the applicant and the City Administrator and City Engineer.

15

Proposed Motion

- I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment to Fairfield Cove PD District to be known as Wildrose PD District subject to the eight stipulations with the modified stipulation recommended by staff based on the following findings: (The Commission will need to draft appropriate findings.)

OR

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

16

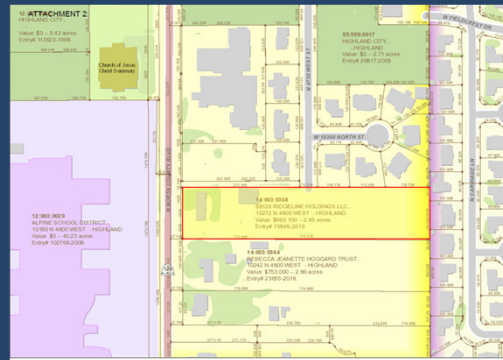


PRELIMINARY PLAT WILDROSE PLAT 'B'

Item #3: Public Hearing / Action
Administrative

17

Vicinity Map



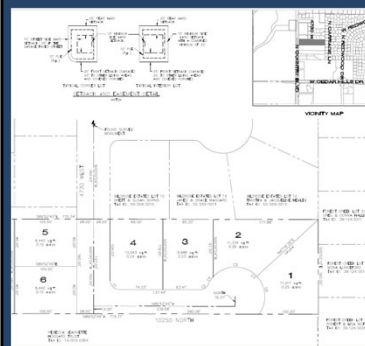
18

Background

- May 21, 2019 City Council approved the PD District with 6 single-family homes and 1 commercial lots
- Major Amendment to PD District concurrently.

19

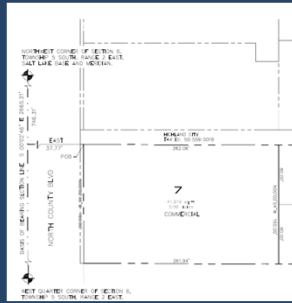
Preliminary Plat - Residential



- Phase 1
- Setbacks Meet PD District:
 - 20' Front, 25' / 10' Combo Side, and 25' rear
 - Side along street is 15'
- Minimum lot size is 8,445 sq ft. PD District Requires 8,000.
- Access will be 4730 W
- Recreational area to be a fee in lieu.

20

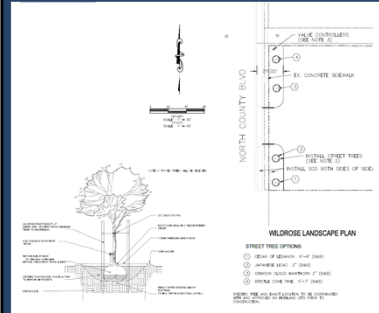
Preliminary Plat - Commercial



- Phase 2
- Site plan to be completed later.
- Masonry Theme wall to be approved during site plan.
- Access will be from North County Blvd.
- UDOT still need to provide a access plan for North County Blvd. *Stipulation has been created for this.*

21

Landscape Plan



- Demonstrating 29' Parkway Detail.
- Entrance onto North County Blvd to be determined by UDOT.

22

Citizen Participation

- DRC March 30, 2020
 - 1 Resident attended
- Planning Commission notice:
 - Mailed to property owners within 500'
 - State and City Posting
 - Daily Herald
- No written correspondence has been received. (correspondence was for PD District amendment)

23

Recommendation and Proposed Motion

- Staff recommends that the Planning Commission conduct a public meeting, discuss the issues, and make recommendation to City Council.
- I move that the Planning Commission accept the findings and **APPROVE** the preliminary plat for Wildrose Plat B based on the following findings: (The Commission will need to draft appropriate findings.)

24



TEXT AMENDMENT ACCESSORY BUILDING

Item #4: Public Hearing / Ordinance
Legislative

25

Applicant Lot



26

Background

- February 2, 2020 City Council approved Peck 3-acre subdivision in R-1-40 Zone.
- Mr. Peck would like to build a 35' tall 10,000 square feet accessory garage to park various trailers.



27

Wording

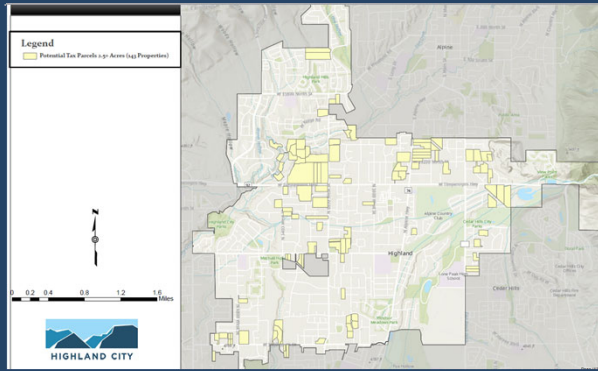
Amended

Section 3-4109 Accessory Building

2. **Size.** ALL ACCESSORY BUILDINGS SHALL COMPLY WITH THE FOLLOWING SIZE LIMITATIONS:
 1. LOTS WITH 2.49 ACRES OR LESS shall not cover more than five percent (5%) of the total gross lot area.
 2. LOTS WITH 2.50 ACRES OR MORE SHALL NOT COVER MORE THAN TEN PERCENT (10%) OF THE TOTAL GROSS LOT AREA.
3. **Height.** ALL ACCESSORY BUILDINGS SHALL COMPLY WITH THE FOLLOWING HEIGHTS:
 1. LOTS WITH 2.49 ACRES OR LESS shall be erected to a maximum height of twenty-five feet (25') from grade.
 2. LOTS WITH 2.50 ACRES OR MORE SHALL BE ERRECTED TO A MAXIMUM HEIGHT OF THIRTY-FIVE FEET (35') FROM GRADE.

28

Potential Lots



29

Analysis

- Code enforcement has received complaints about storing of larger equipment in accessory buildings or on larger lots. Increasing the building size would allow more residents to have larger equipment inside the buildings.
- Accessory buildings are subordinate to the primary use of the property. The change would allow accessory buildings that are no longer subordinate to the principal use of the property.

30

Other Cities

City	Height	Size
Alpine	20', for every additional 1' the setback shall be increased by 2' to a maximum of 30' height.	In designated buildable area of not less than 5,000 square feet.
Cedar Hills	20'	Setback limitations.
Lehi	28'	30% of the rear yard
American Fork	Shall be similar height to the existing building in the immediate vicinity.	25% of the total rear yard.

31

Other Buildings in Highland

Sizing compared to other recently approved commercial buildings:			
Building	Size	Cole Peck Property maximum size currently	Cole Peck property after amendment
Norton Performance (5342 Parkway E)	9,818 Sq Ft 38' height	6,316.20 Sq Ft 25' Height	12,632.40 Sq Ft 35' Height
Offices on the Glen (10298 N 4800 W)	8,243 Sq Ft 29' 11" height		
Northstar Office (10907 N Alpine Hwy)	10,000 Sq Ft 35' height		
Larsen Dentist (11020 N 5500 W)	13,126 Sq Ft 30' Height		

32

Citizen Participation

- Planning Commission Notice:
 - Daily Herald
 - Public information site
- No written correspondence has been received.

33

Recommendation

Planning commission should discuss if the change is appropriate for all of Highland:

1. Does the proposed amendment consistent with the objective of the R-1-40 District?
2. Will the proposed amendment result in compatible land use relationships?
3. At what size does an accessory building not become subordinate to the primary use? Is an accessory building that exceeds the size of most homes subordinate to the primary use?
4. Is the proposed amendment consistent with the purpose and intent of the General Plan and Development Code?
5. Is allowing accessory buildings to increase to 35' in height the best for all of Highland City?
6. Is allowing accessory buildings to increase the size to 10% of the total gross lot area the best for all of Highland City?

34

Proposed Motion

- Planning Commission should conduct a public hearing and make a recommendation to City Council.
 - I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment based on the following finding:
- OR
- I move that the Planning Commission accept the findings and recommend **DENIAL** of the proposed amendment based on the following finding:

35



TEXT AMENDMENT SECTION 3-4902 & 3-4903 FOR PO ZONE

Item #5: Public Hearing / Ordinance
Legislative

36

Background

- PO District was approved in 2003.
- December 3, 2019 City Council approved an office warehouse as part of the zone.

37

Wording

- Section 3-4902 Conditional Use
~~7. Office Warehouse~~
~~8. Any other conditional uses or other types of professional services which the Planning Commission and City Council determine to be compatible with the intent of the zone.~~

38

Wording Cont.

Section 3-4903 Prohibited Uses Amended
 In the P.O. Zone, any use not expressly listed as a conditional use shall be evaluated by the planning commission for compatibility.

- ~~1. Determination of Use. Whenever a use has not specifically been identified in the foregoing classification, it shall be the duty of the City Planning Commission to determine if said use is consistent with the intended use of the P.O. Zone and is compatible with other listed uses and is compatible with the uses of adjacent properties. Any person aggrieved by the determination may appeal that decision to the City Council.~~
- ~~2. 1. Residential occupancy is not allowed in the professional offices or storage sheds themselves, but living quarters for full-time employees having onsite responsibilities for this storage facility may be permitted as part of the conditional use process.~~

39

Analysis

- Office warehouse use was reviewed by the City Attorney and determined to be compatible with the zone.
- In land use it is better to have a list of permitted, not permitted, or conditional uses instead of leaving it open ended.

40

Citizen Participation

- Planning Commission Notice:
 - Daily Herald
 - Public information site
- No written correspondence has been received.

41

Recommendation & 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:

42



TEXT AMENDMENT LARGE ANIMAL SHELTER

Item #6: Public Hearing / Ordinance
Legislative

43

Background

- December 7, 2004 Council approved the large animal shelter. The intent of the ordinance was to not require a permit unless it had electrical.
- Building official is requesting that the large animal shelter be revised. Code doesn't require a building permit, doesn't have a height restriction, and any one side has to be 50% open.

44

Wording

Amended 2-1110 Large Animal Shelter

Large Animal Shelter is any structure for the purpose of sheltering large animals which may also be used for storing hay and farm equipment in addition to large animals. Any Large Animal shelter shall be subject to the following requirements:

- 1) A large animal shelter shall require a building permit, except pole barns not attached to a permanent foundation. Large animal shelters that require a building permit:
 - a. Greater than 200 square feet; or
 - b. That is attached to a permanent footings or foundation as defined by building code.
- 2) Setbacks. All large animal shelters shall comply with the following setbacks:
 - a. Minimum of hundred feet (100') from an adjacent residential dwelling unit.
 - b. Minimum of seventy-five feet (75') from the owner's residential structure. Excluding any detached accessory structure.
 - c. Minimum of ten feet (10') from a side or rear property line.
 - d. Minimum of thirty feet (30') from any street.
 - e. Minimum of thirty feet (30') or consistent with the primary dwelling, whichever is less.
 - f. Minimum of ten feet (10') from a trail easement. All large animal shelters shall not be constructed within any easement.
- 3) Height. No large animal shelter shall be erected to a height greater than twenty-five feet (25') from grade.
- 4) Open Design. A large animal shelter is a minimum of 50% open on the longest side of one side.
- 5) Materials. A large animal shelter shall be one of the following architectural elevations or similar construction.

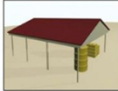


Figure 1: Pole Barn

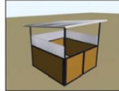


Figure 2: Powder River Type



Figure 3: Shelter, Deck Shed, Kibitz Type

45

Analysis

- Code doesn't have height restrictions. Accessory buildings are 25'.
- Other Cities:

Alpine	75' from any neighboring dwelling. No height or building permit required listed.
American Fork	75' from existing dwelling or other occupied structure located on an adjacent lot.
Cedar Hills	100' from existing dwelling on an adjacent lot. No height or building permit required listed.
Lehi	500' sq ft + have setbacks from adjacent neighbors and primary residents dwelling. No height restriction or building permit requirement listed.

46

Citizen Participation

- Planning Commission Notice:
 - Daily Herald
 - Public information site
- No written correspondence has been received.

47

Recommendation & 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:

48



TEXT AMENDMENT DEFINITION OF MAIN DWELLING

Item #7: Public Hearing / Ordinance
Legislative

49

Background

- July 15, 2008 Council adopted the definition of main dwelling.
- Building Official is requesting the definition be revised. The definition doesn't clarify that underground walking paths can not be used and no minimum width is required for breezeway.

50

Wording

Amended 10-102 Definitions

#21: Dwelling, Main Dwelling. The main dwelling on a property shall include a connecting roof line, connecting foundation, at least four (4) connecting walls, and uninhabited interior access within the structure. *Underground walking path is excluded in counting as a connection to the main dwelling unit between unattached structures.*

1. To be considered part of the main dwelling, any Addition to the original dwelling shall include the previous requirements defined in 10-102(16)(a) and shall include at least sixty percent (60%) of one common wall.
2. Structures connected by a breezeway with a common roof line, common footing and foundation, *a minimum width of 6'*, and a foundation separation of less than 10 feet between unattached structures shall be considered part of the main dwelling.
3. Covered decks and patios shall be considered part of the main dwelling.
4. Residential construction that does not meet the criteria above shall meet all requirements for an accessory structure (see 3-4104 - 3-106 and 3-4109 - 3-4110; and 3-4204 - 3-4206 and 3-4209 - 3-4210 in this Code).

51

Analysis

- Not having a minimum width on a breezeway allows the resident to do a small width, such a 2', between unattached structures.

52

Citizen Participation

- Planning Commission Notice:
 - Daily Herald
 - Public information site
- No written correspondence has been received.

53

Recommendation & 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:

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APPROVAL OF MINUTES

- March 24, 2020

55

Council Voting Report

		APPROVE SITE PLAN AND CONDITIONAL USE PERMIT ALPINE PUMP STATION	APPROVE MAJOR AMENDMENT TO PD DISTRICT WILDROSE	APPROVE PRELIMINARY PLAT WILDROSE PLAT B	ALTERNATIVE MOTION TO TEXT AMENDMENT ACCESSORY BUILDING	APPROVE TEXT AMENDMENT PO DISTRICT	APPROVE TEXT AMENDMENT LARGE ANIMAL SHELTER	APPROVE TEXT AMENDMENT MAIN DWELLING	APPROVE MINUTES MARCH 24, 2020
First Name	Last Name	1	2	3	4	5	6	7	8
Chris	Kemp	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Ronald	Campbell	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Jerry	Abbott	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Mino	Morgese	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Christopher	Howden	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Audrey	Wright	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total 1 = Yes		6	5	6	5	6	6	6	6
Total 2 = No		0	0	0	0	0	0	0	0
Total 3 = Abstain									
Total Voters		6	5	6	5	6	6	6	6
Total Yes + No		6	5	6	5	6	6	6	6
% Yes		100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
% No		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
% Abstain		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Pass Threshold		50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%	50.00%
Pass/Fail		Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass

Absent: Sherry Carruth
Claude Jones