



# HIGHLAND CITY PLANNING COMMISSION AGENDA

## Tuesday, August 25, 2020

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

### **PUBLIC PARTICIPATION NOTICE**

This meeting will be held as outlined by the State of Utah's guidelines for the Low Risk phase for the COVID-19 pandemic. Individuals, especially those in a high-risk category, are strongly encouraged to participate in the meeting virtually via YouTube live at <http://bit.ly/HC-youtube>. If individuals participating electronically would like to make a comment during the Unscheduled Public Appearances section of the agenda or during one of the Public Hearings, they may **call 1-346-248-7799** and use the **Meeting ID:889 2958 1673**. Comments may also be emailed to [planning@highlandcity.org](mailto:planning@highlandcity.org) prior to the meeting.

### **7:00 PM REGULAR SESSION (CITY COUNCIL CHAMBERS)**

Call to Order – Chris Kemp, Chair

Invocation – Commissioner Claude Jones

Pledge of Allegiance – Commissioner Christopher Howden

#### **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.)

#### **2. PUBLIC HEARING: PRELIMINARY PLAT APPROVAL FOR 14-LOT SUBDIVISION TO BE KNOWN AS ABERLOUR SUBDIVISION (PP-20-02)**

##### *Administrative*

The Planning Commission will hold a public hearing to consider a request by James Loveland for Preliminary Plat approval of 14-lot subdivision to be known as Aberlour Subdivision located approximately at 11020 N 5500 W. The Planning Commission will take appropriate action.

**APPROVED** – Planning Commission voted to recommend approval of the preliminary plat. Next steps, the plat will be reviewed by the City Council on September 15, 2020.

#### **3. PUBLIC HEARING: PRELIMINARY PLAT APPROVAL FOR 70-LOT SUBDIVISION TO BE KNOWN AS THE HOLLOW SUBDIVISION (PP-20-05)**

##### *Administrative*

The Planning Commission will hold a public hearing to consider a request by Millhaven Development for Preliminary Plat approval of 70-lot subdivision to be known as The Hollow Subdivision located approximately at 10250 N 6531W. The Planning Commission will take appropriate action.

**APPROVED** – Planning Commission voted to recommend approval of the preliminary plat. Next steps, the plat will be reviewed by the City Council on September 15, 2020.

## **4. PUBLIC HEARING/ORDINANCE: AMEND SECTION CHAPTER 3 ARTICLE 2 NONCONFORMING USES OF THE DEVELOPMENT CODE (TA-20-15)**

### *Legislative*

The Planning Commission will hold a public hearing to consider a request by Highland City Staff to amend Chapter 3 Article 2 Nonconforming Uses of the Highland City Development Code relating to Nonconforming Uses. The Planning Commission will take appropriate action.

**APPROVED** – Planning Commission voted to recommend approval of the text amendment. Next steps, the plat will be reviewed by the City Council on September 15, 2020.

## **5. PUBLIC HEARING/ORDINANCE: AMEND SECTION 5-8-105 OF THE DEVELOPMENT CODE RELATING TO STREETS (TA-20-14)**

### *Legislative*

The Planning Commission will hold a public hearing to consider a request by Highland City Staff to amend Section 5-8-105 of the Highland City Development Code relating to Streets. The Planning Commission will take appropriate action.

**APPROVED** – Planning Commission voted to recommend approval of the text amendment. Next steps, the plat will be reviewed by the City Council on September 1, 2020.

## **6. ACTION: APPROVAL OF MEETING MINUTES**

### *Administrative*

Regular Planning Commission Meeting July 28, 2020.

**APPROVED** – Planning Commission voted to approved the meeting minutes.

## **7. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS**

### **a. Future Meetings**

- September 1, City Council Meeting, 7:00 pm, City Hall
- September 15, City Council Meeting, 7:00 pm, City Hall
- September 22, 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 20th day of August, 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 20th day of August, 2020 the above agenda notice was posted on the Highland City website at [www.hIGHLANDCITY.ORG](http://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.**



# Welcome to the Highland Planning Commission Meeting

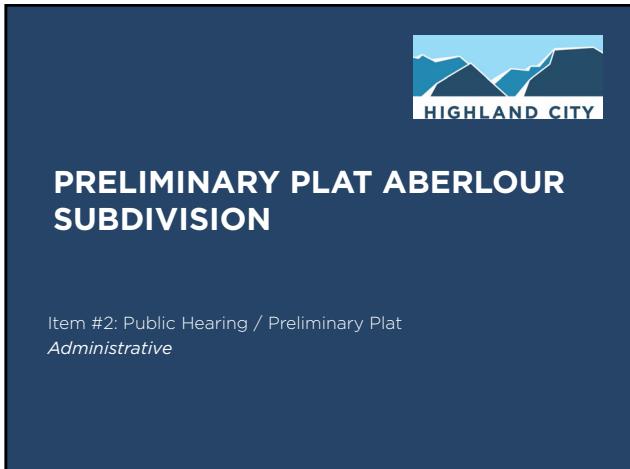


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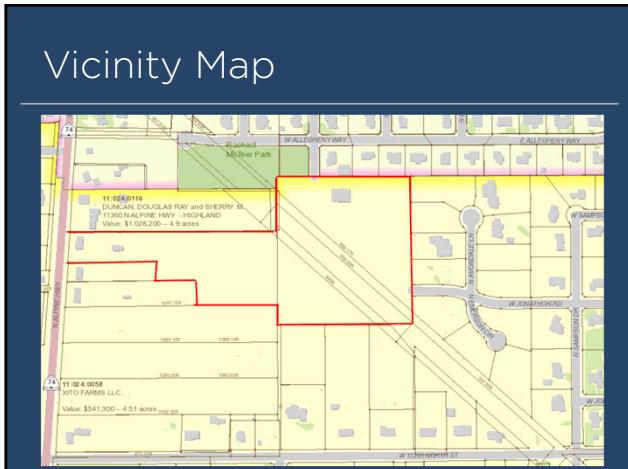
## PUBLIC APPEARANCES

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



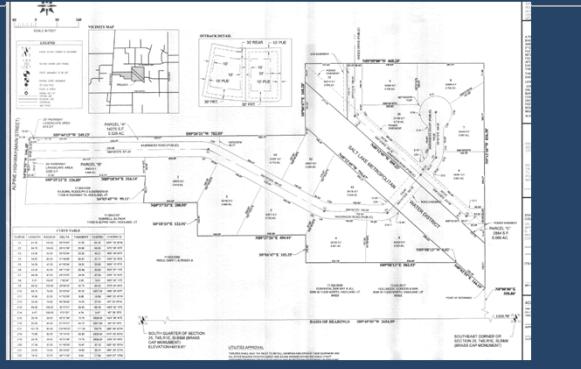
# PRELIMINARY PLAT ABERLOUR SUBDIVISION

Item #2: Public Hearing / Preliminary Plat  
*Administrative*



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## Plat



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## Easements

- Rocky Mountain Power:
  - 25' clearance around transmission line
  - Lot 11 to receive prior approval from them prior to building permit being issued.
  - Road will need to be reviewed and approved by them prior to construction.
- Salt Lake Metropolitan District:
  - Road crossing reviewed and approved by them.
- Lehi Irrigation:
  - Irrigation ditch needs to be either piped or abandoned. Needs to be determined by them,

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## Citizen Participation

- DRC April 9, 2020 – 18 residents attended
- Planning Commission Notice:
  - Daily Herald
  - Public information site
  - Mailed to property owners within 500'
- Five written correspondence received

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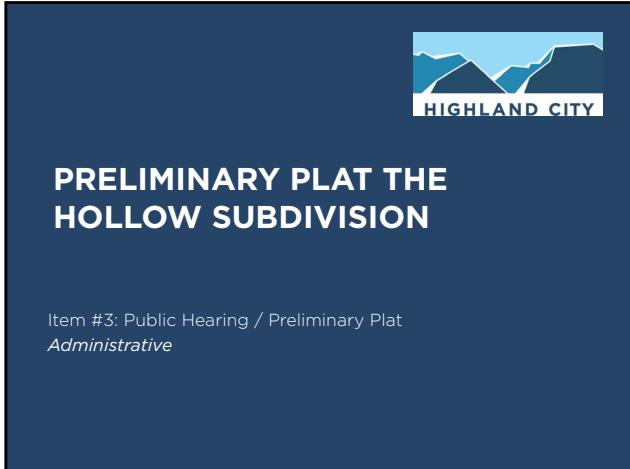
## Recommendation & Proposed Motion

The Planning Commission should hold a public hearing, accept the findings, and recommend approval of the proposed plat with the following stipulations:

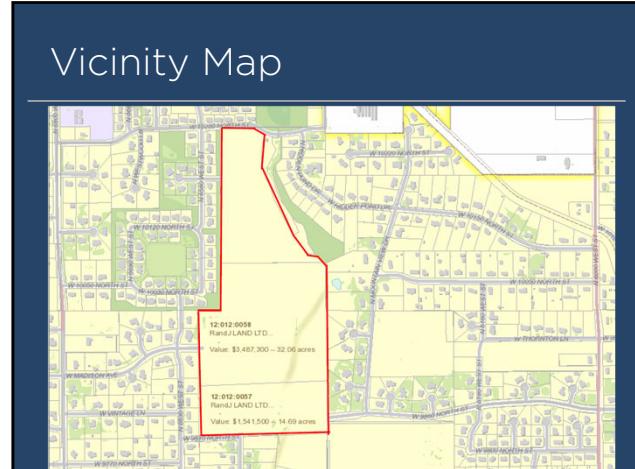
1. The final plat shall be in substantial conformance with the preliminary plat received July 9, 2020
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.
4. Final easement location and restrictions shall be approved by Lehi Irrigation, Salt Lake Metropolitan Water District, and Rocky Mountain Power before final plat approval. Any applicable restrictions shall be noted on the final plat.
5. The applicant will need to work with Lehi Irrigation Company to determine if the ditch needs to be abandoned or piped. If the ditch is piped the easement shall be demonstrated on the final plat as determined by the City Engineer.
6. A note shall be put on the final plat that says "Any building or roads next to or under the powerline must have prior approval from Rocky Mountain Power before start of construction"
7. The road shall be reviewed and approved by Rocky Mountain Power and Salt Lake Metropolitan Water District before start of construction.

I move that the Planning Commission accept the findings and recommend approval of the Preliminary Plat subject to the seven (7) stipulations recommended by staff.

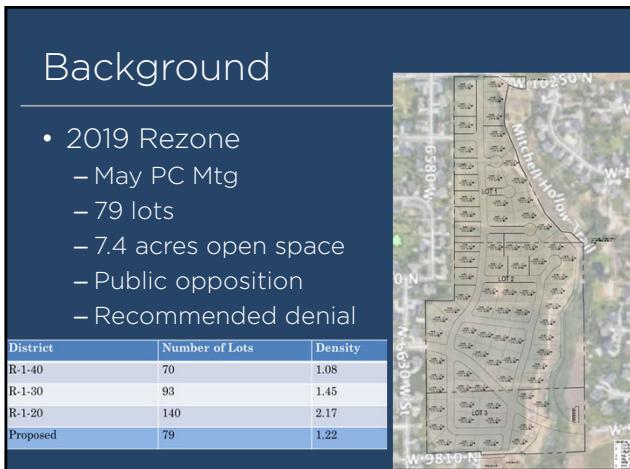
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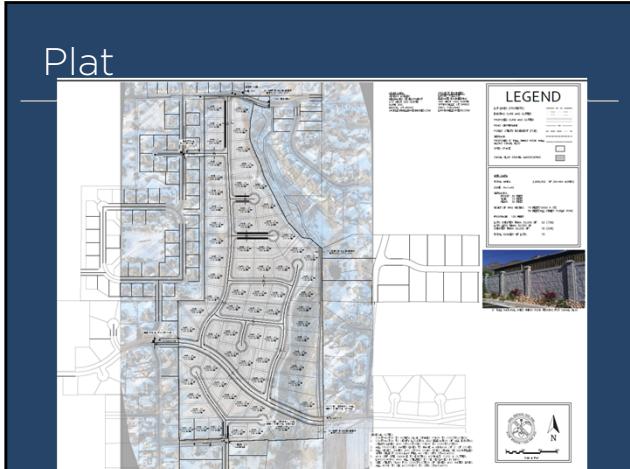
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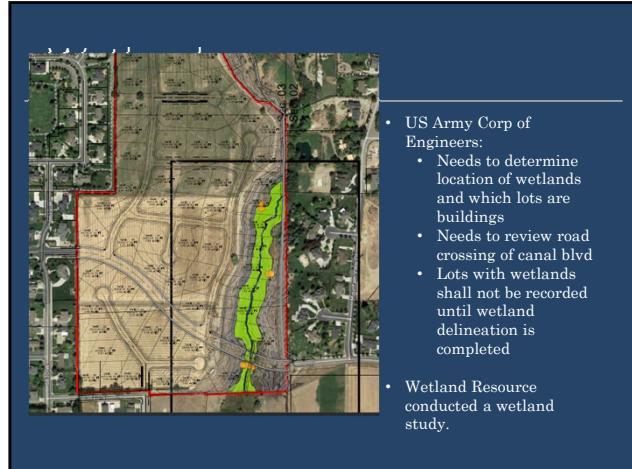
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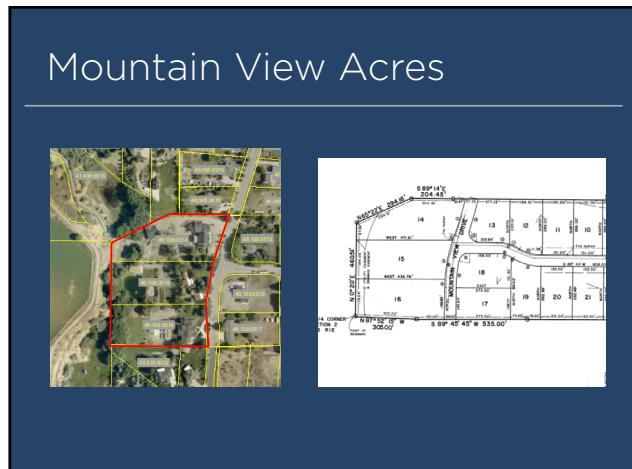
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## Willow Ridge



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## Hollow Acres



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## Wetlands Summary

- With the proposed stipulations, more is being done to protect the wetlands than what has been done in the past
  - Final Plat for lots not recorded until the delineation is completed.
  - Conservation easement
  - Trail
- Developer is providing public access to the wetlands at no obligation

## Access

- Hales Engineering provided a traffic statement.
  - Road connection is needed for 10250 N
  - Peak hours 74 trips and 750 trips a day on average from site.



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## 10250 North

- Local Road
- South half is not complete
  - 24' feet of asphalt – drive aisle
  - Additional 10 feet of asphalt plus curb, gutter, park strip, and sidewalk
  - Grade match existing road
- Road cannot go east – private property, wetlands, and existing trail
  - Still put the traffic on 10250 N
- More efficient emergency access
- Dispersion of traffic – Wimbledon
- Freedom Elementary

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## Bridge



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## Citizen Participation

- DRC August 6, 2020 – 13 residents attended
- Planning Commission Notice:
  - Daily Herald
  - Public information site
  - Mailed to property owners within 500'
- 8 written correspondence received
  - Two new emails after the staff report was generated

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## Recommendation & Proposed Motion

The Planning Commission should hold a public hearing, accept the findings, and recommend approval of the proposed plat with the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received August 18, 2020
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. No access shall be provided from Madison Avenue / Canal Boulevard (10000 N). A one-foot NVAE easement shall be added to both sides of the road and a note shall be placed on the plat
5. The final plat for lots 58, and 48-55 shall include a conservation easement and shall not be recorded until the wetland delineation has been approved by the US Army Corp of Engineers.
6. Lots containing a conservation easement shall have a two railed fence along the western edge of the conservation easement.
7. The open space property on the east side of the site shall be dedicated to Highland City.
8. The trail shall be 10' asphalt trail as determined by the City Engineer.
9. The asphalt trail shall be completed as part of the final infrastructure improvements and meet City construction standards as required by the City Engineer. The asphalt trail shall be in the 30' ROW easement on the east side of the property.
10. The irrigation ditch shall be abandoned as determined by the Lehi Irrigation Company.

I move that the Planning Commission accept the findings and recommend approval of the Preliminary Plat subject to the ten (10) stipulations recommended by staff.

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## TEXT AMENDMENT NONCONFORMING USES

Item #4: Public Hearing  
*Legislative*



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## Changes

- Current code lumps them together.  
Updated code breaks them apart.

### Examples:

Building



Old code: 25'  
New code: 30'  
= Nonconforming

Lot



Old code: 125' frontage  
New code: 130' frontage  
= Nonconforming

Any additions / changes need  
to meet new code.



Use  
Old code: Drive thru allowed  
New code: Drive thru not allowed  
= Nonconforming

If vacant for extended period of time  
new tenant has to comply with  
updated permitted use for zone

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## Citizen Participation

- Planning Commission meeting
  - Posted in daily herald
  - Posted on state and city website
  - No written correspondence 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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## TEXT AMENDMENT SECTION 5-8-105

Item #5: Public Hearing  
*Legislative*

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## Background

- August 4, 2020 City Council approved an amendment to 12-08-050 of the Municipal code relating to new roads serving property outside Highland City corporate limits.

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## Text Amendment

- Section 5-8-105 Streets
  - i) Streets, dead-end streets, stub streets, or other access points shall not be permitted or required if the continuation of the street or access point would violate Municipal Code 12.08.050, except as provided therein.

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## Citizen Participation

- Planning Commission meeting
  - Posted in daily herald
  - Posted on state and city website
  - No written correspondence 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

- July 28, 2020

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