



## HIGHLAND CITY

# HIGHLAND CITY PLANNING COMMISSION AGENDA

Tuesday, April 25, 2023

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

### VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: [planningcommission@highlandcity.org](mailto:planningcommission@highlandcity.org)

## 7:00 PM REGULAR SESSION

Call to Order – Audrey Moore, Chair

Invocation – Audrey Moore, Chair

Pledge of Allegiance – Commissioner Jerry Abbott

### 1. SWEARING IN NEW PLANNING COMMISSIONER

Stephannie Cottle, City Recorder, will issue the Oath of Office to Debra Maughan as a new Commissioner. **Debra Maughan took the Oath of Office as a new Commissioner.**

### 2. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

**Doug Cortney, Chairman of the Highland Fling Parade, requested Planning Commissioners to assist in finding volunteers to help with the parade this year. He would like to add an announcer as well as a clean-up crew.**

### 3. CONSENT ITEMS

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

- a. **Approval of Meeting Minutes** *General City Management - Jill Powell, Planning Commission Secretary*

Regular Planning Commission Meeting – February 28, 2023 **APPROVED 5:0**

### 4. PUBLIC HEARING: PRELIMINARY PLAT - WILLIAMS VIEW *Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a request by Chris Howden for preliminary plat approval of a 14-lot subdivision in the R-1-40 Zone located at approximately 11240 N 6000 W. The Planning Commission will take appropriate action.

**The Planning Commission held a public hearing on April 25, 2023. Three (3) residents participated in the public hearing, in addition to the applicant. Two (2) residents spoke in opposition of the 66'-wide flared intersection at 6000 W and 11200 N. One (1) resident asked a question regarding the Trail Master Plan.**

The Commissioners asked what the risk to the City could be if they allowed 56' of right-of-way. The City Attorney explained that the risk would be that someone could challenge the approval saying the City should have required more. Dedication of the 66' of right-of-way would solve this issue. Commissioner Thayne shared that he did not want to leave the City with a strip of property to maintain and that the staff's recommendation was a reasonable solution. Commissioner Thayne moved to recommend approval of the preliminary plat with the stipulations recommended by staff, there was no second. Commissioner Maughan moved to **recommend APPROVAL** of the preliminary plat without the stipulation regarding the 66' of right-of-way and allow 11200 N to be 56' of right-of-way. Commissioner Abbott seconded, and the motion passed 3:1.

**5. ACTION: ZONING APPROVAL - BLISS BEAUTY LOUNGE, LLC** *Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold consider a request by Garon Larson to allow Bliss Beauty Lounge, LLC—a business offering facials, makeup, and hair styling services—as a permitted use in the Residential Professional Zone. The Planning Commission will take appropriate action.

The Planning Commission reviewed the request on April 25, 2023. The Planning Commission **voted to recommend APPROVAL** of the proposed use in the Residential Professional zone based on the findings presented by staff with the additional finding that it is compatible with the uses of adjacent properties.

**6. PUBLIC HEARING/ORDINANCE: PLANNED DEVELOPMENT MAJOR AMENDMENT - APPLE CREEK/TEN700** *Planned Development Update (Legislative) - Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a proposal by Todd Amberry representing Hillwood Homes at Ten Seven Hundred LLC to create an encroachment allowance allowing for a roof overhang and other similar encroachments onto adjacent private lots in the Apple Creek Planned Development. The Planning Commission will take appropriate action.

The Planning Commission held a public hearing on April 25, 2023. There was no resident participation. The Commissioners asked questions and received answers relating to the following:

- If the builder were to cut off the eave it would fix the issue;
- One would need to go into the neighbor's fenced private yard in order to access the utility meter box;
- Roof drainage will be directed back toward the property on which the home is located;
- The builder will identify the easements to the buyer at closing;
- It would be the homeowner's responsibility to notify renters of the easements;

The Planning Commission **voted 5:0 to recommend APPROVAL** of the proposed planned development amendment with the five (5) stipulations recommended by staff.

**7. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - STORM DRAINAGE** *Development Code Update (Legislative) – Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a proposal by Highland City Staff to amend Section 5-9-105 Storm Drainage in the Development Code to update regulations regarding drainage being directed toward the right-of-way. The Planning Commission will take appropriate action.

The Planning Commission held a public hearing on April 25, 2023. The Commissioners discussed the goal of not being liable for drainage on private property. The Planning Commission then **voted 5:0 to recommend APPROVAL** of the proposed amendment.

**8. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - FENCES** *Development Code Update (Legislative) – Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a proposal by Highland City Staff to amend Chapter 3-612 Fences, Retaining Walls, Theme and Screen Walls in the Development Code relating municipal fencing, how fence height is measured, and adjusting fence design requirements adjacent to trail corridors. The Planning Commission will take appropriate action.

The Planning Commission held a public hearing on April 25, 2023. A Commissioner asked questions about the theme wall change and who's call it would be to determine what "good" condition means. The City Attorney said it would be the City's. Another Commissioner asked how the City has been able to install chain link fences with it breaking the ordinance. It was explained that the City had done what it felt was best for the City with each project. The purpose of that part of the amendment is to make it clear that the City is an exception.

The Planning Commission then **voted 5:0 to recommend APPROVAL** of the proposed amendment.

**9. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS**

The Planning Commission may discuss and receive updates on City events, projects, and issues from the Planning Commissioners and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

**a. Accessory Dwelling Units** – *Chris Howden, Planning Commissioner*

The Commissioners discussed their support for granny flats/mother-in-law apartments that are detached from the main dwelling. They shared their concern for the older Highland residents that would like to stay in Highland but can no longer take care of their acre+ sized lots. They discussed possibilities of limiting the sizes of detached ADUs and only allowing them on certain sized lots. The Commissioners will continue to discuss ideas while they wait for the results from the Annual Citizen Survey.

**b. Future Meetings**

- May 2, City Council, 7:00 pm, City Hall
- May 16, City Council, 7:00 pm, City Hall
- May 23, Planning Commission, 7:00 pm, City Hall
- June 6, City Council, 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 Planning Commission may participate electronically via telephone, Skype, or other electronic means during this meeting.

### **CERTIFICATE OF POSTING**

I, Kellie Smith, the City Planner, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>), and on Highland City's website ([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 Planning Commission, staff and the public.

Posted and dated this agenda on the 20<sup>th</sup> day of April, 2023.

**Kellie Smith, City Planner**

<b>THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.</b>
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