



State of Utah Department of Workforce Services Housing & Community Development  
**ANNUAL MODERATE-INCOME HOUSING REPORTING FORM**

Under the Utah Code, Municipal legislative bodies must annually:

- ☐ Update 5-year estimates of moderate-income housing needs UCA 10-9a-408 and 17-27a- 408.
- ☐ Conduct a review of the moderate-income housing element and its implementation; and
- ☐ Report the findings for updated planning to the Housing and Community Development Division (HCDD) of the Utah Department of Workforce Services and their Association of Government or Metropolitan Planning Organization no later than December 1 of each year.

☐ Post the report on their municipality's website.

In accordance with [UCA 10-9a-401](#) and [17-27a-401](#) municipalities that must report regularly are:

- ☐ Cities of the first, second, third, and fourth class (or have 10,000 or more residents).
  - ☐ Cities of the fifth class:
    - ☐ Having an estimated population greater than or equal to 5,000 residents; **AND**
    - ☐ That are located in a county with a population greater than or equal to 31,000 residents.
  - ☐ Metro Townships:
    - ☐ Having an estimated population greater than or equal to 5,000 residents;
- ☐ Having an estimated population less than 5,000 **BUT** is located in a county with a population greater than or equal to 31,000 residents.
- ☐ Not a town with fewer than 1,000 residents.

**To find out if your municipality must report annually, please visit:**

<https://jobs.utah.gov/housing/affordable/moderate/reporting/>

**For additional moderate-income housing planning resources:**

<https://jobs.utah.gov/housing/affordable/moderate/index.html>

**MUNICIPAL GOVERNMENT INFORMATION:**

Municipal Government: Highland City

Reporting Date: November 29, 2021

**MUNICIPAL GOVERNMENT CONTACT INFORMATION:**

801-756-5751

Mayor's First and Last Name: Rod Mann

Mayor's Email Address: mayor@highlandcity.org

**PREPARER CONTACT INFORMATION:**

Preparer's First and Last Name: Kellie Smith

Preparer's Title: Planner/GIS Analyst

Preparer's Email Address: kelsmith@highlandcity.org

Preparer's Telephone: 801-772-4506 Extension: 4506

When did the municipality last adopt moderate-income housing element of their general plan?

November 12, 2019

Link to moderate-income housing element on municipality website:

<https://www.highlandcity.org/DocumentCenter/View/96/General-Plan-?bidId=>

<https://www.highlandcity.org/225/General-Plan>

[UCA 10-9a-403 \(2\)\(b\)\(iii\)](#) and [17-27a-403 \(2\)\(b\)\(ii\)](#) requires municipalities to include three or more strategies in their moderate-income housing element of their general plan. In addition to the recommendations required under [10-9a-403 \(2\)\(b\)\(iii\)](#) and [17-27a-403 \(2\)\(b\)\(ii\)](#), for a municipality that has a fixed guideway public transit station, shall include a recommendation to implement the strategies described in [10-9a-403 \(2\)\(b\)\(iii\)\(G\) or \(H\)](#) and [17-27a-403 \(2\)\(b\)\(ii\)\(G\) or \(H\)](#).

Municipalities shall annually progress on implementing these recommendations.

**STRATEGIES**

\*\*\* Repeat questions 1-5 for each strategy listed in the moderate-income housing element of the general plan. Include additional strategies on a separate document. \*\*\*

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Senior Housing

2. Please state the municipality's goal(s) associated with the strategy

Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.

3. What are the specific outcomes that the strategy intends to accomplish?

Permit senior housing facilities in a selected area or areas and consider parking reductions for such developments.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

The Development Code is frequently looked over and amended by approval of the City Council. Highland City's Code includes a Senior Care Assisted Living Overlay in Article 4.6.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

- a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

1. Update general plan and development code to include senior housing zone 2. Permit senior housing in other zones in the city 3. Do a comprehensive General Plan update to get updated data regarding demographics and housing needs.

- b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

Staff and City Council

- c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

Staff time; Comprehensive General Plan update

- d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

1-Dec-23

- e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

1. Update general plan and development code to include senior housing zone 2. Permit senior housing in other zones in the city 3. On March 10, 2020 an assisted living care facility was approved in the R-1-40 Zone. 4. June 16, 2020 a final plat was approved by the City Council that included an age-targeted development. 5. In 2021 so far, 36 building permits have been issued for the age-targeted development (carriage lots). 6. The City Council has approved in the budget for FY2022 the funding for a comprehensive General Plan update.

- f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

The City is nearing build-out. Residential facilities for elderly persons are a permitted use in all low-density residential zones; although we have only received one application in the last few years to run one. The City Council has approved in the budget for FY2022 the funding for a comprehensive General Plan update. This will allow the City to have the resources to put together updated data and goals regarding existing vacant land and potential uses.

- g. (Optional) Have you considered efforts to use a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

PLEASE SUBMIT REQUISITE DOCUMENTATION FROM THE EVALUATION PERIOD THAT VALIDATES THE INFORMATION PROVIDED IN THIS REPORT.

\*\*See attached Res. 2021-14 adopting the budget for FY2021-2022. The funding for the comprehensive General Plan update is in Special Projects.

## STRATEGIES

\*\*\* Repeat questions 1-5 for each strategy listed in the moderate-income housing element of the general plan. Include additional strategies on a separate document. \*\*\*

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Mixed-use Zones

2. Please state the municipality's goal(s) associated with the strategy

Review and consider updating the regulations in mixed-use zones in the land use code.

3. What are the specific outcomes that the strategy intends to accomplish?

The goal is to provide for a greater variety of housing types.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

The City is monitoring the number of infill developments along with the requests for zone changes to Planned Developments, which encourages different/higher-density housing types.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

- a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

1. Allow for PD Districts that incorporate commercial uses, public and private open space, as well as residential uses. 2. Encourage high-density housing in mixed-use zones. 3. Do a comprehensive General Plan update to get updated data regarding demographics and housing needs.

- b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

Staff and City Council

- c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

Staff time; Comprehensive General Plan update

- d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

1-Dec-23

- e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

1. Highland City has allowed our Planned Development Districts, which are located in the mixed use land use, to dedicate open space in lieu of a fee. This allows for smaller lots within the PD Districts. 2. Approved a final plat for a 42-unit PD with 2 commercial lots. 3. Approved a preliminary plat with 424 units that include townhomes, carriage lots, cottage lots, and estate lots. Also approved a 4-lot commercial final plat in the same master-planned community. 4. The City Council has approved in the budget for FY2022 the funding for a comprehensive General Plan update.

- f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

The Council-approved funding for the comprehensive General Plan update will allow the City to have the resources to put together updated data and goals regarding existing vacant land and potential uses. The barrier the municipality faces is that residents tend to be against smaller lot sizes/higher density in general.

- g. (Optional) Have you considered efforts to use a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

PLEASE SUBMIT REQUISITE DOCUMENTATION FROM THE EVALUATION PERIOD THAT VALIDATES THE INFORMATION PROVIDED IN THIS REPORT.

\*\*See attached for Council minutes approving the following: 1. 42-lot final plat in a PD; Minutes have not yet been approved for the 424-unit preliminary plat in a PD and the 4-lot commercial final plat in a PD

## STRATEGIES

\*\*\* Repeat questions 1-5 for each strategy listed in the moderate-income housing element of the general plan. Include additional strategies on a separate document. \*\*\*

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Mountainland Association of Governments (MAG)

2. Please state the municipality's goal(s) associated with the strategy

Explore potential programs or partnerships with MAG.

3. What are the specific outcomes that the strategy intends to accomplish?

Examine any potential programs or partnerships with MAG for additional moderate-income housing opportunities.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

- a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

The City has plans to do begin a comprehensive update to it's General Plan in 2022. As part of this effort, MAG staff will be contacted to discuss moderate income housing opportunities.

- b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.

Staff and City Council

- c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

Staff time; Comprehensive General Plan update

- d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

1-Dec-23

- e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

The City Council has approved in the budget for FY2022 the funding for a comprehensive General Plan update.

- f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

There are no results that have deviated from the desired outcome as of yet.

- g. (Optional) Have you considered efforts to use a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

PLEASE SUBMIT REQUISITE DOCUMENTATION FROM THE EVALUATION PERIOD THAT VALIDATES THE INFORMATION PROVIDED IN THIS REPORT.

## STRATEGIES

\*\*\* Repeat questions 1-5 for each strategy listed in the moderate-income housing element of the general plan. Include additional strategies on a separate document. \*\*\*

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Accessory Dwelling Units

2. Please state the municipality's goal(s) associated with the strategy

Potential modifications/incentives to encourage a variety of housing options for residents.

3. What are the specific outcomes that the strategy intends to accomplish?

Allow for neighborhood enhancing accessory dwelling units and examine land use regulations for any barriers in implementation.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

Each ADU application, existing and new, is filled out and reviewed, and is kept in our records and coordinated with the Building Department.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

- a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

1. Remove Basement Apartment requirements from Development Code. 2. Add Section 3-624 Accessory Dwelling Unit with new requirements. 3. Amend all other sections of the Development Code referring to Basement Apartments and update with Accessory Dwelling Unit. 4. Make application for Accessory Dwelling Units. 5. Coordinate with Building Department. 6. Update ADU section in Development Code to comply with the State Legislative Update. 7. Update the General Plan to remove Accessory Dwelling Units as a MIH strategy as required by the State.

- b. Please identify the primary parties that are responsible for completing the key tasks of each stage identified in item 5a.



Staff and City Council

- c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

Staff time

- d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

Dec-1-2023

- e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

1. Removed Basement Apartment requirements from Development Code. 2. Added Section 3-624 Accessory Dwelling Unit with new requirements. 3. Amended all other sections of the Development Code referring to Basement Apartments and update with Accessory Dwelling Unit. 4. Made application for Accessory Dwelling Units. 5. Coordinated with Building Department. 6. Updated ADU section in Development Code to comply with the State Legislative Update. 7. The City Council has approved in the budget for FY2022 the funding for a comprehensive General Plan update.

- f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

When ADU applications are submitted that show plans that are not compliant with code, the Building Department works to get the resident in compliance with building and fire codes. Difficulties the city has encountered is regarding complaints from residents about ADU's. When the resident that is renting out the ADU is compliant with everything in Code, there is nothing Staff can do to resolve the issues.

- g. (Optional) Have you considered efforts to use a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

PLEASE SUBMIT REQUISITE DOCUMENTATION FROM THE EVALUATION PERIOD THAT VALIDATES THE INFORMATION PROVIDED IN THIS REPORT.

\*\*See attached for the Ordinance updating the ADU section in the Development Code passed on July 7, 2021.

Municipal legislative bodies are also required to review and submit the following:

UCA 10-9a-408(2)(i): (data should be from validated sources, like US Census, with verified methodologies)

- ☐ A current estimate of the city's rental housing needs for the following income limits:

- ☐ 80% of the county's adjusted median family income \_\_\_\_\_
- ☐ 50% of the county's adjusted median family income \_\_\_\_\_
- ☐ 30% of the county's adjusted median family income \_\_\_\_\_

Statistics found in  
Tab2.fiveyearprojecti  
oncalculator

UCA 10-9a-103(41)(b): (data should be from validated sources, like US Census, with verified methodologies)

- ☐ An updated projection of 5-year affordable housing needs, which includes:

- ☐ Projected growth of households (housing demand)
- ☐ Projected housing stock (housing supply)
- ☐ Projected median housing costs
- ☐ Projected median household income

Statistics found in  
Tab1.fiveyearprojecti  
oncalculator

To complete the annual reporting requirements above, please download the state's FIVE YEAR HOUSING PROJECTION CALCULATOR: <https://jobs.utah.gov/housing/affordable/moderate/>

**Submission Guidelines:**

1. Moderate-income housing review reports are due on December 1 of each year.
2. Emails must include the following items as separate attachments:  
An updated estimate of the municipality's 5-year moderate-income housing needs  
A findings report of the annual moderate-income housing element review  
The most current version of the moderate-income housing element of the municipality's general plan
- ☐ Submitted moderate-income housing elements must include their adoption date on a cover page.
3. Acceptable electronic document formats include:  
(a) DOC or PDF
4. Emails MUST be addressed to: [dfields@utah.gov](mailto:dfields@utah.gov).

**AOG Contact Information:**

<b>Bear River AOG</b> 170 N Main Logan, Utah 84321 Phone (435) 752-7242	<b>Six County AOG</b> 250 North Main Street, Richfield, Utah Phone: (435) 893-0712	<b>Uintah Basin AOG</b> 330 East 100 South Roosevelt, UT 84066 Phone: (435) 722-4518
<b>Five County AOG</b> 1070 W 1600 S Saint George, Ut 84770 Phone: (435) 673-3548	<b>Southeastern Utah AOG</b> 375 South Carbon Avenue Price, UT 84501 Phone: (435) 637-5444	<b>Wasatch Front Regional Council</b> 295 North Jimmy Doolittle Road Salt Lake City, UT 84116 Phone: (801) 363-4250
<b>Mountainland AOG</b> 586 E 800 N Orem, UT 84097 Phone: 801-229-3800		

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**RESOLUTION NO: R-2021-14**

**A RESOLUTION ENACTING AND ADMINISTERING  
THE FINAL HIGHLAND CITY BUDGET FOR FISCAL YEAR 2021-2022**

WHEREAS, it is deemed desirable and to the best interest of the City of Highland, Utah, to enact its annual budget for both operations and capital outlay.

NOW, THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF HIGHLAND, DOES ORDAIN AS FOLLOWS:

**ARTICLE I  
DEFINITIONS**

SECTION 1. BUDGET YEAR means the fiscal year for which a budget is made.

SECTION 2. FISCAL YEAR means that year which begins on the first day of July 2021 and ending on the last day of June 2022.

**ARTICLE II  
BUDGET ESTABLISHES APPROPRIATIONS**

**SECTION 1. APPROPRIATIONS.**

From the effective date of the budget, as outlined in the attached the budget Exhibit, the several amounts stated therein as proposed expenditures, shall be and become appropriated to the several objects and purposes therein named.

**SECTION 2. ANTICIPATED REVENUES.**

Anticipated revenues shall include revenue from all sources, including grants and loans and shall be classified in accordance with the chart of accounts of the municipality.

**SECTION 3. FUND BALANCE.**

The fund balance shall be available for emergency appropriation by the City Council.

**SECTION 4. ANTICIPATED SURPLUS FROM MUNICIPAL UTILITY OR ENTERPRISE FUNDS.**

The anticipated revenue and proposed expenditures of each utility or other public service enterprise owned or operated by the city is stated in a separate section of the budget (See attached budget exhibit); and as to each such utility, an anticipated surplus, if legally available for general purposes and to the extent such surplus is to be used to support budget operations, is stated as an item of revenue in the budget.



ARTICLE III  
ADMINISTRATION OF BUDGET, FINANCIAL CONTROL

SECTION 1. APPROVAL OF EXPENDITURES.

The City Administrator shall have charge of the administration of the financial affairs of the City and to that end shall supervise and be responsible for the disbursement of all monies and have control over all expenditures to ensure that appropriations are not exceeded. He or she shall exercise financial budgetary control over each office, department, and agency and shall cause separate accounts to be kept for the items of appropriation contained in the budget.

SECTION 2. REPORTS

The City Administrator shall periodically report to the governing body on the status of the budget.


ARTICLE IV  
SEVERABILITY

If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of the resolution which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

ARTICLE V

APPROVED AND ADOPTED, on the 15<sup>th</sup> day of June, 2021 and shall become effective July 1, 2021 for the Fiscal Year 2021-2022.

HIGHLAND CITY, UTAH

  
\_\_\_\_\_  
Rodney W. Mann  
Mayor

ATTEST:

  
\_\_\_\_\_  
Stephannie Cottle, City Recorder



COUNCILMEMBER	YES	NO
Timothy A. Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brittney P. Bills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kurt Ostler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kim Rodela	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Account Number	Account Title	2019-20 Pri Year Actual	06/21 Cur YTD Actual	2020-21 Cur Year Budget	2021-22 Fut Year Proposed Budget
<b>PLANNING &amp; ZONING</b>					
10-52-11	Salaries/Wages	46,879	41,444	46,851	71,603
10-52-12	Overtime	269	7	1,000	1,000
10-52-13	Employee Benefits	22,867	19,978	22,973	29,155
10-52-14	Other Benefits	.00	.00	.00	.00
10-52-15	Planning Commission Salaries	3,641	9,050	5,049	5,049
10-52-21	Professional Org. Memberships	99	.00	500	500
10-52-22	Public Notices	909	612	3,000	3,000
10-52-23	Mileage Reimbursement	25	.00	100	100
10-52-24	Office Supplies & Postage	.00	.00	.00	.00
10-52-25	Special Projects	8,150	.00	.00	75,000
10-52-26	Fuel For Vehicles	.00	.00	.00	.00
10-52-27	Postage	.00	.00	250	250
10-52-28	Software Licenses	1,002	2,379	1,000	2,500
10-52-29	Car Allowance	.00	.00	.00	.00
10-52-30	Uniforms	96	98	100	100
10-52-31	Plat Recording Fees	1,022	1,329	1,000	1,000
10-52-32	Planner	.00	.00	.00	.00
10-52-33	Continuing Education	242	.00	1,800	1,800
10-52-34	Engineer	.00	.00	.00	.00
10-52-35	Phone Reimbursement	.00	.00	.00	650
10-52-74	Capital Outlay-Equipment	500	.00	1,000	1,000
Total PLANNING & ZONING:		85,702	74,896	84,623	192,707

Council Member Scott L. Smith No

*The motion passed 4:1.*

## **7. MINOR SUBDIVISION FINAL PLAT: HIGHLAND TOWN PLAZA SUBDIVISION** *Administrative*

The City Council will consider a request by Daniel Schmidt on behalf of WPI Enterprises, Inc., for approval of a proposed 3-lot subdivision located at approximately 5513 West 11000 North. The City Council will take appropriate action.

Planner & GIS Analyst Kellie Bronson stated that this was the last item for this development. She explained that the request of the final plat for this subdivision encompassed what was in the red, and was three separate lots. She further explained that they were simply making the current site plan approved into a lot and then planned to reorganize a bit. Planner & GIS Analyst Kellie Bronson pointed out all three lots. She stated that staff recommended that City Council accept the findings and approve the proposed plat with the included stipulations.

*Council Member Kim Rodela MOVED that the City Council accept the findings and APPROVE the Highland Town Plaza Subdivision plat subject to the four (4) following stipulations recommended by the Planning Commission and the additional two (2) following stipulations recommended by staff.*

- 1. The recorded plat conforms to the final plat date stamped March 1, 2021 except as modified by these stipulations.*
- 2. All public improvements shall be installed as required by the City Engineer and City Fire Marshall.*
- 3. The civil construction plans shall meet all requirements as determined by the City Engineer.*
- 4. Lot 1 shall be modified to exclude the City property if a purchase agreement is not approved by the Council.*
- 5. An easement be added over the water line to be moved to the east of Lot 1.*
- 6. A fire hydrant to be added on the southeast corner of the building for access to the water line.*

*Council Member Timothy A. Ball SECONDED the motion.*

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

*The motion passed 5:0.*

## **8. FINAL PLAT: TEN SEVEN HUNDRED (PREVIOUSLY APPLE CREEK)**

*Administrative*

The City Council will consider a request by McKay Christensen for Final Plat approval of Ten Seven Hundred, a proposed 42-lot attached single family subdivision with one parcel for future commercial development. The City Council will take appropriate action.

Planner & GIS Analyst Kellie Bronson showed the vicinity map and final plat for Ten Seven Hundred, previously known as Apple Creek. She clarified that the final plat was changed from before. The commercial district was now two lots recorded to ensure they had the office pads on the plat. She noted that the phasing had been a little

confusing. She said that the developer had decided to put all of the residential construction in one phase, which would include brownstone parking, fire turn around emergency access, and parkway detail along Alpine Highway.

Planner & GIS Analyst Kellie Bronson outlined that Phase 2 was commercial, and it included the Alpine Highway access and roads into the commercial district. She stated that commercial was contingent upon tenants submitting site plans. She informed them that McKay Christensen was present. She said that staff recommended that City Council accept the findings and approve the final plat subject to the five stipulations.

Council Member Scott L. Smith noted that there was a big difference in phasing from the preliminary plat approval. He asked for the reasoning behind that. McKay Christensen responded that it became a function of mobilization. He said that the market was really good right now, and that they might as well put the road in.

Council Member Scott L. Smith asked if the commercial was now pushed further down the road.

McKay Christensen explained that the only adjustment being made was that they had originally broken up the residential into phases. He said it was really only broken up into two phases instead of four. He further said that if anything it would actually accelerate the commercial because they would be putting in all of the residential infrastructure. He explained that one of the other reasons they had done that was because they realized they would have to loop the water system. McKay Christensen visually showed where the original phases had been split, as well as everything that would go into the first phase now. He reiterated that it would not slow down the commercial phase, rather it may accelerate the process.

Council Member Kurt Ostler said that as the phasing changed, he had some safety concerns about the second access that was supposed to come in phase two. McKay Christensen said that what they planned now was to do a temporary cul-de-sac which would facilitate fire, and he noted that the temporary turnaround met code.

Council Member Scott L. Smith asked why they could not build it in. McKay Christensen said cost. He explained that rather than coming up and stopping, they would now carry all of the infrastructure on the front end while they went through and sold each one. He communicated that it was like a revolving line of credit, and they would have to sell each home in order to pay off the improvements. Council Member Scott L. Smith asked for clarification that they would not put the access to SR 74 until they did the commercial. McKay Christensen confirmed.

Planner & GIS Analyst Kellie Bronson noted that Chief Thompson did review the plans and asked that they had enough room for access and fire turnaround.

Council Member Kurt Ostler asked City Engineer Todd Trane if there was concern with having 42 units and the cul-de-sac.

City Engineer Todd Trane explained that they had done similar situations with temporary turnarounds. He said that what they should probably do was build part of the asphalt parking area so they had a turnaround and make sure it was on the plat.

Council Member Kurt Ostler asked if they needed to include the discussed topics in the motion if they approved something tonight. Planner & GIS Analyst Kellie Bronson replied that they were stipulations in the staff report.

Council Member Kurt Ostler asked if the plan was for two units. McKay Christensen said yes. He explained that each one was an individual lot. He said that they had some that shared a common wall, but not any more than two units. He stated that if possible they would prefer to do them all as free-standing and detached. Planner &

GIS Analyst Kellie Bronson said that the note on the plat and the stipulation was no more than two units attached. Council Member Kurt Ostler asked if the two car garage was for a single unit or a shared garage.

McKay Christensen answered that every unit had a two car garage plus an additional stall. He said that this was exactly what was approved with the PD application, two car garages with ten extra stalls.

Council Member Kim Rodela noted that had talked about timing with the parking on residential, and she asked if he had any concerns with doing all the residential at first and not having the parking.

McKay Christensen said he did not anticipate it being an issue because they hoped that the absorption on the units was quick. He noted that it could be 12-24 months before they absorbed all of the units. He said that they had enough time and did not think that parking would be a problem when commercial came in. He informed them that they had already started work in the commercial and that they had been working with tenants. He noted that they did not want it to sit, and they were consistently working on it to make sure those concerns did not happen.

Council Member Kurt Ostler asked if Marcia was still involved in it. She was. Council Member Kurt Ostler said he was curious about the design, and thought that the design of the garages was unique.

McKay Christensen explained that they could have built over the garage, but did not want them to look like 90 foot long milk cartons. He said that if they built them straight back as a rectangle they would not have any variation in elevation. He thought that this would break things up better so they did not have stacked blocks.

Council Member Scott L. Smith expressed appreciation for McKay Christensen having worked hard to make this a project that worked for the City. Council Member Scott L. Smith said that he had a hard time when the City attorney tells them that they *had* to improve, even if they did not necessarily want to. Council Member Scott L. Smith further said that he had not heard anyone in the City yet who really liked the high density in the center of the town, and he noted that there were a lot of worries about traffic. He expressed that he had a hard time because he was not always confident that they made the right decisions when looked at from the perspective of future ramifications. People held the City Council responsible, but at the same time they did not really have a say in the matter. Council Member Scott L. Smith expressed frustration with that, and reiterated that there was a lot of concern about density in the center of the City.

McKay Christensen acknowledged that City Council was in a difficult position. He said that as they developed, he hoped that people would recognize the major concessions that were made at the request and insistence of the City Council. He also said that as they developed the open space and the quality of the development, each unit was anticipated to be 600-700K. He said that it pushed the cost per square foot, and he felt that it helped the people in the immediate area. He anticipated that people would feel a lot better about it after it was completed, and hoped they would recognize the quality.

Council Member Scott L. Smith asked if the two homes on SR 74 would be demolished right at the start. McKay Christensen said it was likely that they would be. He said that they wanted the face of the project to project well from SR 74 as they began to develop.

Council Member Kurt Ostler asked if there would be a master bedroom on the main floor. McKay Christensen said yes. He explained that there was a master on the main on one of the three. He expressed that they tried to get all of the units with three bedrooms an office and sometime of vaulted space in the units themselves. He said there would be an unfinished basement which would add another bedroom and rec room downstairs. He communicated that the smallest unit started at about 2400 square feet, and the other units were about 2500 to 2600 square feet. With the basement they were at about 3400 to 3600 square feet.



Council Member Kurt Ostler supported the large lots, and thought the variety was good and important. He brought up some comments that had been made that called Highland elitist because they wanted large lots. Council Member Kurt Ostler felt that this high density and open space would be beneficial, and he wanted to see the vision as it came forward.

McKay Christensen commented that Highland had one of the highest median incomes in the state, and as the population aged they still wanted to stay. They just needed a home on an easier lot.

Council Member Kurt Ostler and McKay Christensen chatted briefly about housing costs.

Council Member Brittney P. Bills asked if they had an obligation with the moderate income housing. City Administrator/Community Development Director Nathan Crane said that they did their report last year and would do another one this year. Council Member Kurt Ostler noted that the state had been focusing on accessory apartments.

*Council Member Kurt Ostler MOVED that the City Council accept the findings and APPROVE the Ten Seven Hundred final plat subject to the five (5) following stipulations recommended by staff.*

- 1. The final plat shall be in substantial conformance with the final plat received March 25, 2021.*
- 2. The final plat and final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.*
- 3. All required public improvements shall be installed as required by the City Engineer and City Fire Marshall.*
- 4. For Parcel A—the commercial district—the parkway detail along Alpine Highway will be installed and constructed as the units are constructed.*
- 5. The parking for the brownstone units will be included in the recorded plat.*

*Council Member Kim Rodela SECONDED the motion.*

*The vote was recorded as follows:*

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Kurt Ostler</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

*The motion passed 5:0.*

## ORDINANCE NO: O-2021-14

### AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING SECTION 3-624 ACCESSORY DWELLING UNIT AS SHOWN IN FILENAME TA-21-07.

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held a public hearing on this Ordinance on June 22, 2021 and

WHEREAS, the City Council held a public hearing on this Ordinance on July 6, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1: **AMENDMENT** "3-624 Accessory Dwelling Unit" of the Highland City Development Code, is hereby *amended* as follows:

An accessory dwelling unit is a room or set of rooms in a single-family home in a single-family zone that has been designed or configured to be used as a separate dwelling unit, which has a separate kitchen, living/sleeping area, and sanitation facilities, and has been established by permit. If the renting/subleasing of the unit is for a period of less than thirty (30) consecutive days, it is considered a short term rental and requires a business license. See Chapter 5.24 in the Municipal Code for the regulating of short term rentals.

Accessory Dwelling Units shall meet the following requirements:

- a. Accessory dwelling units shall only be permitted in single family homes that are owner occupied, on lots with at least 6,000 square feet, and served by adequate public facilities.
- b. Accessory dwelling units shall not be permitted in detached accessory buildings.
- c. A minimum of one (1) ~~two (2)~~ off-street parking spaces shall be provided for the accessory dwelling unit in addition to any other required parking spaces for the home. Any required parking spaces contained within a carport or garage that are lost due to the creation of the accessory dwelling unit shall be replaced or otherwise provided for through off-street parking.
- d. The minimum 70% front yard landscaping as defined in Section 3-4107 and 3-621, Highland City Development Code shall be provided.
- e. No more than one (1) accessory dwelling units shall be ~~considered permitted~~ for each single family home.
- f. The unit and home shall be modified to meet all fire, safety, health and building codes as required by the Building Official and Fire Marshall.

g. The front of the home shall ~~NOT~~not be modified in any form that will give the appearance that separate units are incorporated within the home except separate addresses and mailboxes.

h. 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.

i. Separate utility meters for the home and accessory dwelling unit are not permitted.

ji. 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. The Zoning Administer may record a notice of approval for the accessory dwelling unit with the county recorder as provided by state law.

k. The City may enforce these requirements through any means available to the City, including by recordation of a lien in accordance with state law.

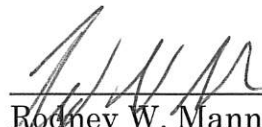
SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 7, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, July 7, 2021

HIGHLAND CITY, UTAH



Rodney W. Mann  
Highland City Mayor

ATTEST:



Stephannie Cottle  
Highland City Recorder



COUNCILMEMBER	YES	NO
Timothy A. Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brittney P. Bills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kurt Ostler	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kim Rodela	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>