



HIGHLAND PLANNING COMMISSION MINUTES

TUESDAY, MARCH 31, 2026

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

Approved April 28, 2026

7:00 PM REGULAR SESSION

Call to Order: Chair Christopher Howden
Invocation: Commissioner Jerry Abbott
Pledge of Allegiance: Commissioner Sherry Kramer

The meeting was called to order by Commission Christopher Howden as a regular session at 7:00 PM. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Commissioner Abbott and those in attendance were led in the Pledge of Allegiance by Commissioner Kramer.

PRESIDING: Commissioner Chris Howden

COMMISSIONERS

PRESENT: Jerry Abbott, Sherry Kramer, Debra Maughan, Audrey Moore, Trent Thayn, Wesley Warren, Alternate Steve Scharmann, and Alternate Liam Thrailkill

CITY STAFF PRESENT: City Administrator Erin Wells, City Attorney/Planning & Zoning Coordinator Rob Patterson, Deputy Recorder Heather White

OTHERS PRESENT: Jon Hart, Ezra Brensan, Ty Ricks, Liz Rice, Doug Cortney

1. UNSCHEDULED PUBLIC APPEARANCES

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

None was given.

Liam Thrailkill and Steve Scharmann were sworn in as Alternate Planning Commissioners by Deputy Recorder Heather White.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

- a. **Approval of Meeting Minutes – February 24, 2026 General City Management**
Heather White, Deputy City Recorder

Commissioner Maughan *MOVED* to approve the February 24, 2026 meeting minutes with the addition of Commissioner Warren listed as a planning commissioner and previous commissioner Trace Hill removed. Commissioner Moore *SECONDED* the motion. All present were in favor. The motion carried unanimously.

3. ACTION ITEMS

a. ACTION: Selection of Chair and Vice Chair General City Management
Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will select a chair and vice chair for the 2026 term ending February 2027.

Commissioner Warren MOVED that the Planning Commission select Commissioner Christopher Howden as chair and Commissioner Trent Thayn as vice-chair for the 2026 term.

Commissioner Maughan SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Sherry Kramer</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>
<i>Commissioner Wesley Warren</i>	<i>Yes</i>

The motion carried 7:0

b. PUBLIC HEARING/ORDINANCE: Text Amendment – Rounding of Density Calculations in R-1-40: Development Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will hold a public hearing to consider amendments to the R-1-40 zone proposed by Ty Ricks.

Mr. Patterson explained that fractional lots had been rounded down since 2022. The current proposal was to always round up. He reviewed the history of deciding how fractional lots were handled in the past.

Mr. Ricks thought it made sense to have three lots on each side. He said it was first proposed by the original landowner in order to maintain his existing residents. He said it was important to keep lot prices as affordable as possible for his kids. He preferred to have six lots. He was a long-time resident who lived in Highland for 25 years.

Commissioner Moore wondered if there was already interest in purchasing lots. Mr. Ricks explained that one or two others were interested in the lots. He and his wife wanted to build a home on the property as well as retain lots for their children.

Commissioner Howden opened the public hearing at 7:14 PM and asked for public comment. Hearing none, he closed the public hearing at 7:14 PM and asked for additional discussion.

Commissioner Warren mentioned that he historically was not the best friend of developers and did not like spot zoning, however, Highland was almost built out. He said the rounding of lots had been amended in the past and he did not think a change would have an adverse effect. He thought six lots would be more congruent and had not found a compelling reason not to do it. He had looked at other lots in the area and treated it as one subdivision. He said it “mathed” better as he tried to view the area holistically and tried to consider the spirit of the R-1-40 zone.

Commissioner Maughan said the requested amendment did not bother her; however, the precedent scared her. She thought the city was frequently asked to make concessions. She thought the code should be kept as it was for the good of regulation.

Commissioner Moore understood that he wanted to be congruent, however, she did not think it was something that needed a code change.

Commissioner Thayn wondered if another lot would make it more affordable or if it would just create six very expensive lots. He wanted to see the extra lot and explained that he wasn’t as concerned with the outcome because the city was nearly built out.

Commissioner Abbott thought the code was addressed thoroughly in 2022. He talked about his concerns with rounding any lot average up to the next whole number. He thought the city had received a lot of special requests for code changes recently and was concerned that residents who were previously denied would take issue with the request for an extra lot. He did not think it would make lots cheaper.

Mr. Ricks talked about different solutions he and Mr. Patterson discussed. He had already approached neighbors to see if they would sell land; no one wanted to sell. He said six lots would sell for about \$800,000 each. By eliminating a lot, they would then cost over \$1,000,000. He said he would be making no additional money. He said building permits in Highland cost about \$50,000. That plus the tax basis of another lot would benefit the city. Mr. Ricks thought that it made sense to have three lots on each side and said it was a commonsense solution. He said he paid \$1,000 to talk to the planning commission, which was expensive in order to make a two-word change to the code. He thought the requested amendment was positive, especially with the stipulation that other R-1-40 conditions needed to be met.

Commissioner Maughan MOVED that the Planning Commission recommend that the City Council keep things as they were.

Commissioner Kramer SECONDED the motion. She said she felt for the applicant but considered the precedent and the fact that the code was just amended in 2022.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Sherry Kramer</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>No</i>
<i>Commissioner Wesley Warren</i>	<i>No</i>

The motion carried 5:2

- c. **PUBLIC HEARING/ORDINANCE: Text Amendment –Home Occupations, Daycares, and In-Home Instruction: Development Code Update (Legislative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will hold a public hearing to consider proposed amendments regarding home occupations, including daycares and in-home instruction.

Mr. Patterson explained that the proposed amendments were to provide clarity and consistency as well as address daycares and in-home instruction within planned developments. He reviewed proposed changes and explained where home occupations were permitted. He said the change would allow home occupations in most open space neighborhoods and larger lots in planned developments. They would not be permitted in townhome developments.

Commissioner Howden opened the public hearing at 7:35 PM and asked for public comments. Hearing none, he closed the public hearing at 7:35 PM and asked for additional discussion.

The commissioners discussed various aspects of daycare and other home occupations. Discussion topics included fence regulations, lot sizes, restrictions of the number of children for in-home daycares, traffic and acceptable trips per day, parking and drop-offs for lessons, and the importance of giving neighbors a way to voice complaints. They agreed that daycare limits would be regulated by state code. They talked about the importance of enforcement and setting clear standards. Mr. Patterson mentioned that a notice was required to be sent to neighbors within 300 feet of any new home occupation.

Commissioner Moore MOVED that the Planning Commission recommend that the City Council adopt the proposed amendments to the development code regarding home occupations, daycares, and in-home instruction, and permit daycares and in-home instruction on residential properties that are at least 8000 square feet with 80 feet of frontage on a public street.

Commissioner Abbott SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Sherry Kramer</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>
<i>Commissioner Wesley Warren</i>	<i>Yes</i>

The motion carried 7:0

4. DISCUSSION ITEMS

Items in this section are for discussion and include supplementary information in the packet. No final action will be taken.

- a. **ACTION: Detached ADU Discussion Development Code Update (Legislative)**
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will review and discuss recently enacted state law regarding detached ADUs.

would go into effect in October. He reviewed regulations for ADUs. The commissioners agreed that they should not be permitted on lots less than 11,000 square feet. They talked about the size of an ADU and different intents/uses for them. They agreed that the following changes be made to the specified sections within the Summary:

- 3c. 1250 square feet max living space
- 3e. permitted zoning - refer to state code
- 3i. must have 2 x ADU dedicated off street parking lot
- 3k. ii) height limit – Use existing code for accessory structures - 25’
- 3k. iii) setback limit – Use existing code for accessory structures - 10’/15’
- 3k. iv) mandate easy access compliance (3’ doors/passageways)? - No mandates

The planning commissioners agreed that square footage should be calculated using only living space; stairways should not be included.

Mr. Patterson wondered if impact fees should be charged for ADUs. He mentioned that attached dwelling units did not pay city impact fees. He said impacts from ADUs on cities was a debated topic because family sizes had generally decreased. Ms. Wells said staff needed to ensure that city utilities could support ADUs. It was decided that additional information was needed regarding impact fees for ADUs.

Mr. Patterson wondered if separate mailboxes should be required. Commissioners talked about the benefit of having separate mailboxes but thought they might be regulated by the post office.

5. COMMUNICATION ITEMS

Items in the section are for notification and update. No final action will be taken.

ADJOURNMENT

Commissioner Warren MOVED to adjourn the meeting. Commissioner Howden SECONDED the motion. All were in favor. The motion carried.

The meeting ended at 9:06 pm.

I, Heather White, Deputy Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 31, 2026. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

**Welcome to the Highland
Planning Commission Meeting**
March 31, 2026

Please Sign the Attendance Sheet



1



7:00 PM REGULAR SESSION

Call to Order - Chair Christopher Howden
Invocation - Commissioner Jerry Abbott
Pledge of Allegiance - Commissioner Sherry Kramer

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UNSCHEDULED PUBLIC APPEARANCES

Time set aside for the public to express ideas and comments on non-agenda items or agenda items for which no public hearing will be held.

- Please state your name clearly.
- Limit your comments to three (3) minutes.

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SWEARING-IN NEW COMMISSIONERS

Newly appointed Planning Commission Alternates


- Steve Scharmann
- Liam Thrailkill

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CONSENT ITEMS

2a. Approval of Meeting Minutes; February 24, 2026
General City Management

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**SELECTION OF CHAIR AND VICE
CHAIR**
General City Management


Item 3a. Action Item
Presented by: Rob Patterson, City Attorney/Planning & Zoning Administrator
Sponsored by: Planning Commission

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Chair and Vice-Chair Selection

- Planning Commission selects a chair and vice chair to serve one-year terms, ending February.
- Chairs/vice-chairs may serve multiple terms, consecutive or otherwise
- I move that the Planning Commission select [NAME] as chair and [NAME] as vice-chair for the 2026 term.

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TEXT AMENDMENT: ROUNDING OF DENSITY CALCULATIONS IN R-1-40

Development Code Text Amendment (Legislative)

Item 3b. Public Hearing/Action Item
 Presented by: Rob Patterson, City Attorney/Planning & Zoning Administrator
 Sponsored by: Ty Ricks, Applicant

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Background to Request

- Mr. Ricks is seeking to develop property on 6800 West
- Property is approximately 5 acres, or 218,113 SF
- R-1-40 density calculation results in a fractional lot
 - $218,113 \text{ SF} / 40,000 = 5.45$ lots
 - R-1-40 requires that "a fractional number shall be rounded down to the nearest whole number" allowing only 5 lots
- The property could be subdivided into 6 lots that meet R-1-40 standards (30,000 SF, 1 could be 20,000-30,000 SF) if allowed to round up
- Mr. Ricks has applied to amend R-1-40 zoning code to round up, rather than down

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Request from Applicant

- Amend 3-4103(1):
 - "The maximum number of lots to be permitted on a subdivided property is determined by dividing the total square footage, less any area used as an existing prescriptive easement or roadway, by 40,000 square feet. Churches and other public buildings and grounds shall not be used in calculating the number of allowable lots. Lots in the R-1-40 Zone may not be smaller than 20,000 square feet with not more than 25% of the lots being 30,000 square feet or less. In determining number of lots, a fractional number shall be rounded **down up** to the nearest whole number."

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History of R-1-40 Density Calculations

- **1978:** Lots 40,000 SF, with minor flexibility of 10%
 - General rule of rounding to nearest whole number
- **1981:** Lots 40,000 SF, with 25% allowed to be 20,000 SF. R-1-40 PUDs were also allowed where all lots could be 20,000 SF if density was 1 per 40,000 SF
 - General rule of rounding to nearest whole number
- **1998-2022:** Density calculated by dividing by property by 40,000 and rounded to nearest whole number
- **2022-Present:** Same as before, but always round down
- **Proposal:** Change to always round up for R-1-40

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Staff Review

- Density calculations are policy choice
- General Plan directs City to evaluate Code to ensure development aligns with established character of large lots and abundant open spaces.
 - Proposed amendment would allow one additional lot in most R-1-40 developments, so long as developer could meet all frontage (130'), setback, and size requirements (75% lots 30,000+ SF, 25% lots 20,000-30,000 SF)
 - Because other requirements still restrict lots, and historically city allowed some rounding up, it appears that always rounding up would not significantly change character of R-1-40 neighborhoods
 - Staff does not have any concerns with implementing this change if desired by Commission and Council

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Staff Recommendation

- Public notice posted March 19, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing, hear from the applicant, and determine whether to recommend approval or denial of Mr. Ricks's proposed amendment
- Staff has no recommendation on the policy.
- Staff has no concern with text of proposed amendment.

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Proposed Motion

- I move that the Planning Commission recommend that the City Council:
 - 1. Adopt the amendments to section 3-4103 as proposed by the Applicant; OR
 - 2. Reject the proposed amendments.

With option 1, the Commission may specify additional or different standards to be adopted.

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TEXT AMENDMENT - HOME OCCUPATIONS, DAYCARES, AND IN-HOME INSTRUCTION

Development Code Text Amendment (Legislative)

Item 3c. - Public Hearing/Action Item
 Presented by - Rob Patterson, City Attorney/Planning & Zoning Administrator
 Sponsored by - City Staff

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Background

- In October 2022, Planning Commission discussed amending code to specifically allow for daycares and in-home instruction (preschools, swim and piano lessons, etc.) to be operated out of residential homes as a home occupation
- Commission recommended allowing daycares and in-home instruction home occupations with some restrictions in R-1-40, R-1-30, and R-1-20 zones
- Council approved amendments with some changes to remove limitations on number of children

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Background

- Rejected one application for Ridgeview, as daycares/IHI not permitted in Ridgeview PD
- Council asked staff to prepare amendments for Commission recommendation on whether to change this prohibition
- In preparing potential amendment, Staff noted that much of the City's business licensing and home occupation codes were outdated, and therefore staff has also proposed several clean-up changes

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Clean-Up Amendments - General

- Procedural code moved to municipal code
- Use regulations consolidated into development code
- Standardize rule that up to 25% of dwelling unit allowed to be used for home occupation
- Allow one commercial vehicle to be visibly parked, rest screened, as per municipal code
- Clarify excessive or unusual traffic - "safe harbor"
 - Doubles normal trip generation of residential use
 - Parking needs cannot be met on-site or on frontage
 - Regular deliveries/shipments from large trucks
 - Parking needs that violate City standards (obstructing hydrants, driveways, intersections, etc)

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Clean-Up Amendments – Daycare/IHI

- Make daycare and IHI home occupation regulations general regulations, rather than zone-specific
- Clarify requirements for parking/traffic flow plan
 - Number of employees and times of arrival/departure
 - Number of students and times of arrival/departure
 - Site plan showing parking, driveways, intersections, trails, hydrants, and proposed traffic circulation
- Subject to approval of parking/traffic plan, daycares and IHI allowed to have more traffic than usual
- Allowed to use accessory structures and yard

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Substantive Proposed Changes

- Where should daycares and in-home instruction be allowed as a home occupation?
 - Currently, R-1-40, R-1-30, and R-1-20 zones, and those Planned Developments that incorporate those zones (Skye Estates)
 - Proposal: Any residential, conforming lot with at least 11,000 SF (1/4 acre) and 90 feet of frontage on public street
 - Continues to allow daycares/IHI in open space neighborhoods
 - Allows daycares/IHI in larger lots in Planned Developments that are comparable to open space neighborhoods
 - Prohibits daycares/IHI in common area subdivisions (e.g., Coventry, Stirling Pointe), private road subdivisions (e.g. Bull River), and lots with less than ¼ acre or smaller frontages

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Substantive Proposed Changes

- Where should daycares and in-home instruction be allowed as a home occupation?
 - Alternative (less restrictive): Any residential lot with at least 8,000 SF (1/6 acre) and 80 feet of frontage on any street
 - Allow on most residential lots in Highland except most of Ridgeview, any townhomes, and common area subdivisions
 - Alternative (more restrictive): Any residential, conforming lot with at least 20,000 SF (1/2 acre) and 115 feet of frontage on public street
 - R-1-20 minimum
 - Excludes open space neighborhoods (e.g., Canterbury, Beacon Hill)

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Staff Review and Recommendation

- Public notice posted March 19, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing and consider which proposed amendments, if any, should be adopted.
 - In particular, staff seeks Commission's direction on what minimum lot requirements there should be for daycares and in-home instruction.
 - Staff's recommendation is to be consistent throughout City


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Proposed Motion

I move that the Planning Commission recommend that the City Council adopt the proposed amendments to the development code regarding home occupations, daycares, and in-home instruction, and permit daycares and in-home instruction on residential properties that are at least [X] square feet with [Y] feet of frontage on a public street.

[Planning Commission may specify additional or different amendments]

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DISCUSSION – DETACHED ADU AMENDMENTS

Item 4a. – Discussion Item
 Presented by – Rob Patterson, City Attorney/Planning & Zoning Administrator
 Jay Baughman, Assistant City Administrator/Community Dev. Director

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New State Law – SB 284 - Comparison

- City MUST:
 - Adopt ordinance allowing DADU by Oct 1, 2026
 - In progress
 - Allow DADU on any residential lot or parcel with a single-family dwelling that is 11,000 SF or larger (1/4 acre)
 - Proposal limits to R-1-40 – needs to be changed to 11,000 SF
 - Require DADUs comply with building, health, fire code
 - Already required in proposal
 - Allow conversion of existing accessory buildings to DADU
 - Already allowed by proposal

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New State Law – SB 284 - Comparison

- City CANNOT:
 - Require a CUP for DADU
 - Proposal complies - does not require CUP
 - Require more than 1 parking space for a DADU <650 SF or 2 parking spaces for DADU 650+ SF
 - Proposal complies - only requires 1 parking space.
 - Should the City require 2 parking spaces for DADUs over 650 SF?
 - Impose design regulations other than being architecturally consistent with home
 - Proposal complies – requires DADU to be complimentary to home

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New State Law – SB 284 - Comparison

- City MAY (area for discussion):
 - Allow DADU on residential lots or parcels under 11,000 SF
 - Any desire to allow DADU on under ¼ acre lots?
 - Regulate size, dimensions, height, and coverage of DADU
 - Proposal limits DADU to 750 SF
 - More or less than 750?
 - Specific regulation prohibiting larger than home?
 - Proposal regulates height
 - 20' height – accessory structures are typically allowed 25' height
 - Proposal regulates setbacks
 - 20' setbacks – accessory structures are typically 10' side/rear, 20' street-side
 - Maintain front setbacks as well? (Generally 30')
 - Proposal keeps current lot coverage limit (5% R-1-40, 7% R-1-30/-20)

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New State Law – SB 284 - Comparison

- City MAY (area for discussion):
 - Require property to be owner-occupied
 - Proposal requires one dwelling (home or DADU) be owner occupied
 - Prohibit rental of DADU for less than 90 days
 - Proposal does not limit rental of DADU
 - Should we limit rentals of DADUs beyond owner-occupied?
 - IADU can be used for short-term rental if owner-occupied
 - Require replacement of garage space required for home
 - City requires attached garages for homes, not detached, so does not seem relevant

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New State Law – SB 284 - Comparison

- City MAY (area for discussion):
 - Prohibit more than 1 ADU per lot
 - Proposal limits 1 ADU per lot (internal/attached or detached)
 - Prohibit DADU if insufficient access to utilities
 - Proposal requires connection to home utilities, prohibits separate utility connections

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Other Issues

- Areas where state law is silent, so City can regulate
 - Impact fees
 - Internal ADU cannot be charged impact fees per state law
 - If limited to 1 ADU per lot, impact from DADU or IADU is similar from legal perspective (2 families allowed to live on lot in different units)
 - If charge impact fees, incentivizes internal ADUs, discourages DADUs
 - Impact fees: -\$15,000 (does not include building permit fees)
 - Addresses/Mailboxes
 - City's IADU ordinance is unclear on whether to allow separate mailboxes/addresses
 - City practice is to disallow separate mailboxes/addresses
 - Should we allow separate addresses (12345A and 12345B) and mailboxes? IADU and DADU?

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Other Issues

- Areas where state law is silent, so City can regulate
 - Fire access and fire code considerations
 - Prohibit DADUs in areas without appropriate access?
 - Areas without 2 accesses with more than 30 units unless future development allowed connection (e.g. View Pointe)?
 - Areas on roads that do not meet fire standards (long cul-de-sacs that do not have sufficient turnaround areas)?
 - Require DADUs to be located within certain distance of fire hydrant per fire code or require fire access road driveway (20' width, engineered to support 75,000 lbs)?

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PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

- a. **Future Meetings and Events**
 - April 14, City Council Budget Work Session, 6:00 PM City Hall
 - April 21, City Council Meeting, 6:00 PM City Hall
 - April 28, Planning Commission Meeting, 7:00 PM City Hall
 - Detached ADU draft ordinance
 - Other code changes required by new state law
 - April 29, City Council Budget Work Session, 6:00 PM City Hall

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