



HIGHLAND CITY

HIGHLAND PLANNING COMMISSION AGENDA

TUESDAY, MAY 26, 2026

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@highlandut.gov

7:00 PM REGULAR SESSION

Call to Order: Chair Christopher Howden

Invocation: Chair Christopher Howden

Pledge of Allegiance: Debra Maughan

1. UNSCHEDULED PUBLIC APPEARANCES

Anyone may share information with the City Council. If your comments require a response, staff or an Elected Official will contact you. Please limit your comments to three minutes per person. Please state your name.

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 - April 28, 2026

Heather White, Deputy City Recorder

3. ACTION ITEMS

Items in this section are to be acted upon individually by the City Council. A report will be given on these items.

a. ACTION: Highland Mains Office Building Architecture Approval Land Use (Administrative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will review the proposed architecture of an office building within Highland Mains in the CR Zone.

b. PUBLIC HEARING/ORDINANCE: Highland Mains Signage - Development Agreement Amendment Land Use (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will hold a public hearing to consider a proposed amendment to the legislative development agreement for Highland Mains related to signage.

c. PUBLIC HEARING/ORDINANCE: Amendments to Process for Approving New Business Use Development Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will hold a public hearing to consider amendments to the process by which a new business use may be permitted within a zone.

- d. PUBLIC HEARING/ORDINANCE: Planning Commission Requirements**
Amendments *Development Code Update (Legislative)*
Rob Patterson, City Attorney/Planning & Zoning Administrator
The Planning Commission will hold a public hearing to consider amendments to the regulations and requirements that govern the Planning Commission to conform to new state law.

4. COMMUNICATION ITEMS

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

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 during this meeting.

CERTIFICATE OF POSTING

I, Rob Patterson, City Attorney/Planning & Zoning Administrator, 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.highlandut.gov).

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 21 day of May, 2026
& Zoning Administrator

Rob Patterson, City Attorney/Planning

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.
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HIGHLAND CITY

HIGHLAND PLANNING COMMISSION MINUTES

TUESDAY, APRIL 28, 2026

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

Awaiting Formal Approval

7:00 PM REGULAR SESSION

Call to Order: Vice Chair Trent Thayn

Invocation: Commissioner Debra Maughan

Pledge of Allegiance: Commissioner Wesley Warren

The meeting was called to order by Planning Commission Vice Chair Trent Thayn 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 Maughan and those in attendance were led in the Pledge of Allegiance by Commissioner Warren.

PRESIDING: Planning Commission Vice Chair Trent Thayn

COMMISSIONERS

PRESENT: Jerry Abbott, Sherry Kramer, Debra Maughan, Audrey Moore, Wesley Warren

CITY STAFF PRESENT: Assistant City Administrator/Community Development Director Jay Baughman, City Attorney/Planning & Zoning Administrator Rob Patterson, Deputy City Recorder Heather White

OTHERS PRESENT: Jarrod Hart, Liz Rice, Tyler Leifson

1. UNSCHEDULED PUBLIC APPEARANCES

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

None was given.

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 – March 31, 2026 *General City Management*

Heather White, Deputy City Recorder

Commissioner Krammer asked for the following correction: “3k. iii) setback limit – Use existing code for accessory structures – 10/15”

Commissioner Warren *MOVED* to approve the March 31, 2026 meeting minutes as edited. Commissioner Maughan *SECONDED* the motion. All present were in favor. The motion carried.

3. ACTION ITEMS

Items in this section are to be acted upon by the city council. A report will be given on these items.

- a. **PUBLIC HEARING/ORDINANCE: Midtown National Group, Highland Mains Sign Amendment – POSTPONED**
- b. **PUBLIC HEARING/ORDINANCE: Detached ADU Ordinance Development Code Update (legislative)**

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commission will hold a public hearing to consider amendments to the Development Code to allow detached accessory dwelling units.

Mr. Patterson explained that state legislature mandated that all cities adopt an ordinance to allow DADUs (detached accessory dwelling units) within certain restrictions. It allowed some regulations to be adopted by the city. He explained that the draft ordinance incorporated DADUs into the existing ADU (accessory dwelling unit) framework. It provided general regulations for both ADUs and DADUs where they overlapped, provided separated regulations where they differed, and updated definitions.

Commissioner Moore arrived at 7:09 PM.

Mr. Patterson reviewed general regulations and requirements for ADUs. He pointed out regulations mandated by the state. He mentioned that city police and fire safety personnel, as well as some residents, were in favor of separate addresses for ADUs. Mr. Patterson explained that accessory buildings could not be built without utilities and they could not be lived in unless they met specific regulations for a dwelling space. He said property owners would need some kind of denotation to separate different units, i.e. Unit A, Unit B, etc. He explained that a notice would be recorded with the property designating an approved ADU with different unit addresses. Mr. Patterson explained that state law allowed DADUs on lots with 11,000 sf or more. It also permitted existing accessory buildings to be converted to DADUs as long as it conformed to current building, fire, and other safety codes. Mr. Patterson talked about existing building setbacks.

Commissioner Kramer said she thought a lot about setbacks since the last meeting. She thought DADUs should have different setbacks than regular accessory structures because they were a different use. She thought DADUs needed a larger setback. Commissioner Abbott agreed and thought that a livable space should abide by house setbacks. Mr. Patterson talked about setbacks within different residential zones. He mentioned that any attached unit had to meet the same regulations for the house. Commissioner Moore mentioned that she had stayed in DADUs built on property fence lines that looked into windows of neighboring houses. She thought smaller setbacks would undo the feel within Highland. She agreed that DADUs should follow codes for each neighborhood.

Commissioner Thayne thought differently. He was concerned that existing setbacks could eliminate a lot of opportunities for residents. He was concerned about people being so close they could look in windows but wondered if it could be avoided with design. He wanted to see a practical example of how different setbacks impacted different sized lots. He wondered how many lots would not be eligible for ADUs due to specific setbacks. Commissioner Thayne mentioned that the original intent of ADUs was to give an option to residents who wanted to stay in Highland as they got older. He was concerned that opportunity would be eliminated for a

Highland Planning Commission Minutes ~ April 28, 2026

lot of residents if size and location were limited. The commissioners discussed which residents might be interested in ADUs and different uses for it. A couple commissioners talked about their experience living in larger cities and thought it was important to keep the integrity of Highland. They considered how different lot sizes might be affected and how side setbacks might impact neighbors. They discussed rear setbacks for lots that backed trails. They talked about enforcement of setbacks and other regulations. Commissioner Moore thought ADUs and DADUs would be the new form of building within Highland because the city was almost built out. She mentioned that it was currently happening illegally and wondered how to do something that was enforceable and understandable. The planning commission considered how the changes would impact neighbors of ADUs.

Commissioner Thayn stressed the value of having a practical example of how regulations might apply to different lots. He talked about setbacks versus having the ability to put a DADU in the best location for the lot. He did not want to force residents to build DADUs where it was not esthetically pleasing.

The planning commission discussed living area of DADUs. Commissioner Thayn preferred to have a maximum of 1,500 sf for himself but agreed that rentals could be smaller. Commissioner Abbott explained that he currently sold 1,200 sf homes. He was concerned that 1,500 sf DADUs would look like another house on a lot, but wondered if a larger DADU might look proportional on a two-acre lot. The planning commissioners discussed the importance of DADUs looking proportional on each lot. They discussed the need to ensure that city utilities could support potential DADUs.

Commissioner Thayn opened the public hearing at 8:16 PM and called for public comment.

Resident Liz Rice said she was not representing the council. She said she spoke with many residents. She said a true mother-in-law apartment was about 1,000-1,250 sf. She wanted to make sure there were no prefabricated trailers or tiny houses on wheels. She talked about a rehab unit within the city on a 1 ½ acre lot. They had enough room on the property to build another rehab unit behind the existing structure. She wondered if a pool house could be converted to a DADU. She thought 1,500 sf was too large. She wanted people to understand that building a DADU would increase property taxes. The parking regulations concerned her because most residents had more than one car. Ms. Rice said DADUs would put a strain on city utilities. She voiced concern with DADUs being too close to neighbors and liked having setbacks the same as the house.

Resident Tyler Leifson thought DADUs would apply more to bigger lots and did not think there was much difference between a 10 or 15 ft setback. He liked the proposed maximum square footage of living space. He was in favor of having allowable square footage and setbacks applicable to lot size. He agreed with not restricting DADUs to the point where no one could build them.

Commissioner Thayn closed the public hearing at 8:25 PM and asked for additional discussion.

The commissioners said it was important that new regulations not encroach on existing setbacks. They were concerned about impacts on neighbors. They agreed that the following DADU regulations should be included in code:

- Building setbacks required to match setbacks for the main dwelling
- Single-story above ground DADUs with a height not to exceed 15 ft could have a rear setback of 20 ft
- Not to exceed the height of the home
- Lots one acre or more – 1,500 ft maximum living space as regulated by percentage of lot coverage
- Lots less than one acre – 1,250 maximum living space as regulated by percentage of lot coverage
- Not permitted to be built between the main dwelling and property line
- One parking space for DADUs less than 650 sf
- Two parking spaces required for DADUs 650 sf or larger

Commissioner Abbott MOVED that the Planning Commission recommend that the City Council adopt the Highland Planning Commission Minutes ~ April 28, 2026

proposed regulations related to detached accessory dwelling units, incorporating the changes and specifications agreed to by the Planning Commission.

Commissioner Moore SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Absent</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 Sherry Kramer</i>	<i>Yes</i>
<i>Commissioner Wesley Warren</i>	<i>Yes</i>

The motion carried 6:0

c. PUBLIC HEARING/ORDINANCE: Setbacks for Covered Patios and Decks Development Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The Planning Commissioner will hold a public hearing to consider amending the Development Code to treat decks and covered patios as accessory buildings, even if attached to the house.

Mr. Patterson explained that the city council requested that staff present options to consider changing the setbacks for decks and covered patios from the home setback to the accessory building setback. He said attached decks or covered patios were generally subject to home setbacks. He said there was an exception if the patio was cantilevered; if a roof structure was built without supporting beams, then it was not considered part of the home. The proposed amendment considered decks or covered patios as accessory structures if they complied with accessory structure regulations, including setbacks, height, and lot overage. He presented three different options:

1. Deck is fully open except against the home. No walls, screens, lattice work
2. Require 66 % open on all sides except against the home – lattices, open style trailing, and fences
3. Allow one enclosed wall in addition to side against home, other sides open per option 1

Mr. Patterson said anything that was movable would not count as a wall and explained that sides not bordering the house would have to be open as defined by code. He said it was mostly a rear setback issue.

Commissioner Warren said he recently finished an outdoor patio for his house. He talked about the wind in Highland and said it would have been nice to have a wind-breaking wall. He thought Option 2 made sense because it maintained the structure as a patio but also gave ability to control weather as well as maximize the outdoor space. Commissioner Abbott liked Option 2 for main level only. Others agreed and discussed how second floor decks would impact neighbors more. The planning commission discussed how the proposed code would impact walkout basements. They determined that no covering could exceed the top of the first level.

Commissioner Trent Thayn opened the public hearing at 9:06 PM and called for public comment.

Ms. Rice wondered if deck size would be grandfathered if she replaced her deck and only put back what was already there. Mr. Patterson explained that if the deck was originally built according to code, then it could be maintained and replaced with the same footprint. If it wasn't originally built to code it would need to be brought to code when replaced or changed.

Commissioner Trent Thayn closed the public hearing at 9:08 PM and called for a motion.

Commissioner Abbott MOVED that the Planning Commission recommend that the City Council adopt Option 2 only for the main level.

Commissioner Warren SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Absent</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 Sherry Kramer</i>	<i>Yes</i>
<i>Commissioner Wesley Warren</i>	<i>Yes</i>

The motion carried 6:0

4. COMMUNICATION ITEMS

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

The planning commission reviewed upcoming meetings and thanked Mr. Patterson for all his work.

5. ADJOURNMENT

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

The meeting ended at 9:10 pm.

I, Heather White, Deputy City Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 28, 2026. The document constitutes the official minutes for the Highland City Planning Commission Meeting.



PLANNING COMMISSION AGENDA REPORT ITEM #3a

DATE: May 26, 2026
TO: Planning Commission
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: Adam Orme & Drew Parcell
SUBJECT: Highland Mains Office Building Architecture Approval
TYPE: Land Use (Administrative)

PURPOSE:

The Planning Commission will review the proposed architecture of an office building within Highland Mains in the CR Zone.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed architecture and design for the office building to be located on Lot 3 of the Highland Mains development.

PRIOR REVIEW:

No specific prior review by the Commission.

BACKGROUND & SUMMARY OF REQUEST:

The City entered into an agreement for the development of the Highland Mains (Highland Marketplace, as it was originally called) project located on the north-west corner of SR-92 and Alpine Highway in 2007. Pursuant to that original agreement and the CR Zone, the lots fronting on the highways were developed. In 2022, the City approved an amendment to the commercial subdivision plat and an amendment to the original development agreement to reconfigure the interior lots, building pads, and future development. With the 2022 changes, the project became known as Highland Mains.

In the 2022 agreement, the City approved a layout for the development of the interior lots that contemplated a two-story fitness/office building with a 32,500 square foot footprint and a total area of ~65,000 square feet on lot 3 of the commercial subdivision, which is the north-east corner lot just south of the church parking lot. The City also approved a conceptual building architecture design for the office in that location, contemplating large storefront windows and a large, single entrance feature. Both of these approvals are included with this report.

Drew Parcell seeks to develop lot 3 and the two-story office building. His proposed building design is somewhat different than the original concept plan, in that it contemplates additional entrances to facilitate multiple tenants, and has increased horizontal and vertical variety and increased variety in materials. The applicant, in their application, described the project as follows:

This project consists of constructing a new two-story office building generally similar in size and scale to the office building originally approved as part of the Highland Mains development.

However, this proposed building is designed as a multi-tenant office condominium project rather than a single-user office building and will utilize updated building elevations different from the original approval.

The design team has maintained the overall “Modern Mountain” architectural character established within the Highland Mains retail development while adapting the building layout and functionality to support a mix of office condominium ownership and leasable office space. The project includes fourteen (14) smaller office condominium units, each approximately 2,600 square feet and intended for individual ownership, along with one larger office condominium suite centered around a prominent south-facing main entrance. The larger office suite will contain approximately 30,000 square feet of leasable office space.

The 2022 First Amendment to the Development Agreement provides in paragraph 9, "In the event that the Developer proposes a deviation from the Architectural Themes set forth in this Agreement as determined by staff, the general guidelines of the City's CR Zone shall govern, subject to review and approval by the Planning Commission." Accordingly, the Planning Commission is the land use authority for building architecture that differs from the conceptual architecture themes approved in the development agreement.

STAFF REVIEW & PROPOSED FINDINGS:

Per the development agreement, the City is to use the architectural design guidelines in the CR zone, found in [section 3-4370](#), to review a new proposed architecture and design. Those guidelines primarily focus on prohibited materials and designs, none of which are incorporated into the proposed building architecture. Subsection 2(c) requires up to 3 different siding materials, which the building has (wood, stone, and architectural black-finished metal). The section generally requires the architecture to be consistent with community design goals and architecture elements found in Highland. The proposed design aligns, in staff's opinion, with the Highland Mains development and architecture themes approved in the First Amendment to the Development Agreement. The proposed building also designed to not exceed 31,500 square feet per floor (interior dimensions), for a total building size of ~63,000 square feet.

Accordingly, staff recommends approval of the building design and recommends the following findings:

1. The Planning Commission is the land use authority per section 9 of the 2022 First Amendment to Development Agreement.
2. Because the proposed building is part of the Highland Mains project, the community character, quality, and architectural elements to be applied to review of the building architecture, as required by HDC 3-4370(1), is that of the Highland Mains project.
3. The proposed building architecture is consistent with the character, quality, and architectural elements of the Highland Mains project, in that it incorporates earth-tone coloration and mountain tonality and materials similar to those used in the architecture themes and buildings of the Highland Mains project (wood, stone, metal).
4. The proposed building architecture does not contain any prohibited materials or designs as outlined in HDC 3-4370(2) and (3).
5. The proposed building architecture and design incorporates different exterior siding materials and varied vertical and horizontal spacing and massing that add interest to the building, but does not exceed 3 materials, avoids excessive ornamentation, and compliments adjoining properties.
6. The proposed building aligns with the intended and approved use type and building size for lot 3 of the Highland Mains project.

MOTION:

I move that the Planning Commission accept the findings and approve the building architecture and design for the lot 3 Highland Mains office building.

ATTACHMENTS:

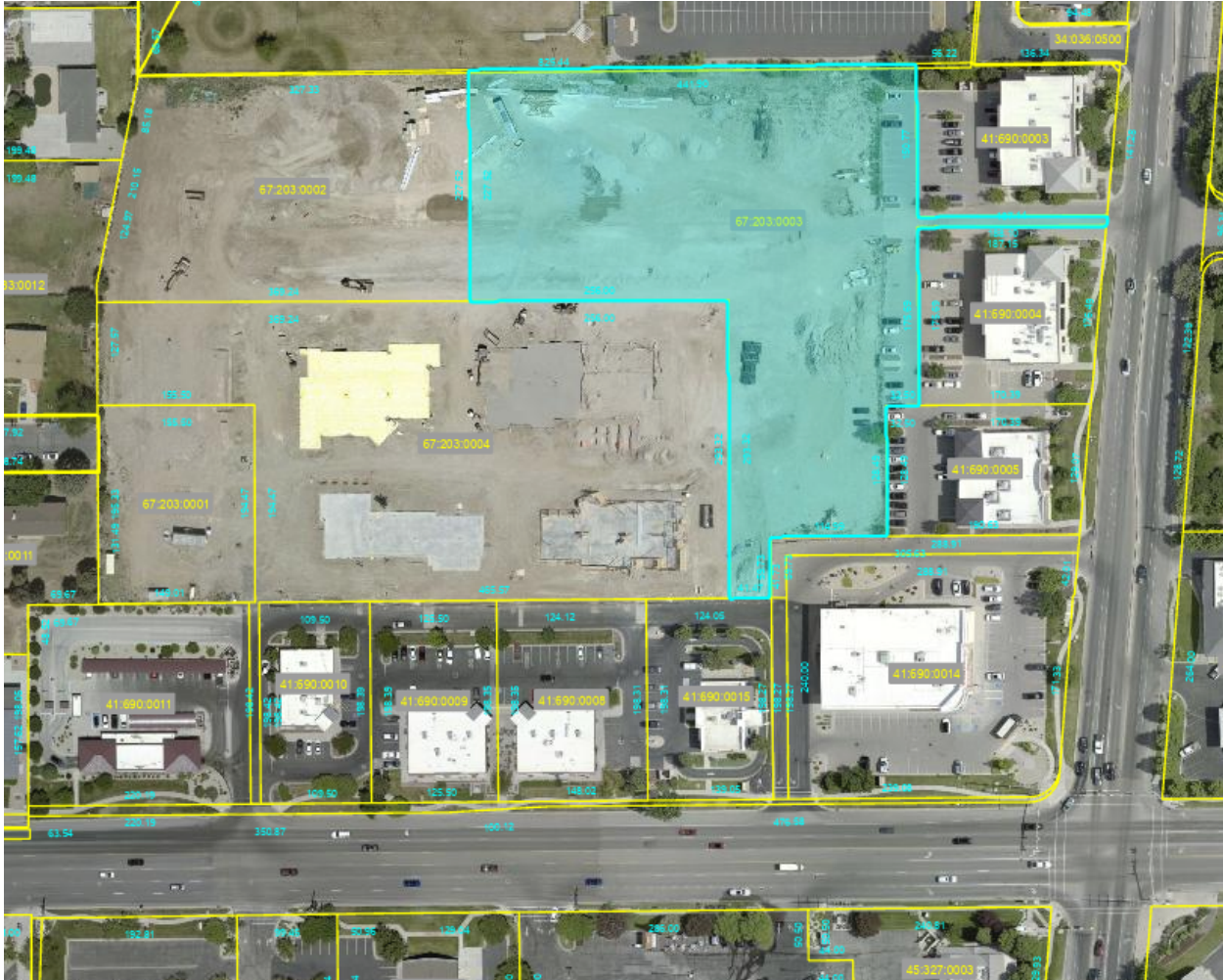
1. Vicinity Map and Site Plan
2. First Amendment to Development Agreement
3. Highland Mains Office Building - Building Elevations and Floor Plan
4. Highland Mains Office Building - Color Elevations
5. Highland Mains Office Building - Lighting Plan and Photometric
6. Highland Mains Office Building - Material Board

Vicinity Map and Approved Site Plan

Address: 11111 N Alpine Hwy, Highland, UT 84003

Parcel: 67:203:0003

Lot 3 – Mid-Town Highland Marketplace Amd 2



FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“**Amendment**”) is entered into as of the 15 day of December, 2022 by and between HIGHLAND CITY, a municipal corporation, whose address is 5400 West Civic Center Drive, Suite 1, Highland, Utah 84003 (the “**City**”), MNG HIGHLAND DEVELOPMENT, LLC, a California limited liability company (“**MNG**”), whose address is 415 South Cedros Avenue, Suite 2400, Solana Beach, California 92075, and SBP HOLDINGS REVERSE, LLC, a Utah limited liability company (“**SBP**”), as successors in interest to THOMAS FOX PROPERTIES, LLC, (at times collectively “**Developer**”). The City, MNG, and SBP are at times referred to collectively in this Amendment as the “**Parties**”).

WHEREAS, Developer and the City are parties to that certain Development Agreement dated April 24, 2007 (the “**Agreement**”) pertaining to the development of the Property, as more particularly described in the Agreement; and

WHEREAS, since the execution of the Agreement, the development of Lots 3-11 of the original Property has been completed and all conditions as provided in the Agreement have been satisfied as such relate to Lots 3-11 of the original Property; and

WHEREAS, Developer and the City desire to amend the site plan, signage, lighting, and architecture for development of Lots 1 and 2 of the original Property or Lots 1-7 of the Mid-Town Highland Marketplace Subdivision – Amended.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Capitalized Terms. Capitalized terms used but not defined herein shall have the meanings given them in the Agreement.
2. Effect of Amendment. This Amendment shall only apply to and affect the development of the Property as defined herein.
3. 1.6 “Property”. For purposes of this Amendment, the definition of the Property is amended to be:

Lots 1 through 7 of the MID-TOWN HIGHLAND MARKETPLACE SUBDIVISION – AMENDED, according to the official plat thereof as recorded in the office of the Utah County Recorder.

4. 2.1. Medians. The Parties acknowledge and agree that the medians described in Section 2.1 of the Agreement have been installed as provided in Section 2.1 of the Agreement. All such obligations of Section 2.1 have been satisfied.

5. 2.3 Masonry Walls. The parties acknowledge and agree that the masonry wall along the westerly boundary of the Property has been installed as provided in Section 2.3. of the Agreement. Prior to the issuance of the first Certificate of Occupancy for the Property, Developer shall construct and install a masonry wall along the northerly boundary of the Property consistent with the City's Development Code.

6. 2.4.1. Exhibit "A". The landscaping plan attached at Exhibit "A" to the Agreement is amended with the landscaping plan attached at Exhibit "A" hereto. The parkway landscape improvements as shown on Exhibit "B" to the Agreement have been satisfied in full.

7. 2.4.2 Parkway Landscape. The Parties acknowledge and agree that the landscaping within the parkway easement and the hardscape abutting that landscaped area as shown on the original Plat have been completed. No additional bond shall be required from Developer for the completed landscaping.

8. 2.4.3 State Road 92. The Parties acknowledge and agree that all obligations of Section 2.4.3 have been complied with and nothing remains for Developer to complete in relation thereto.

9. 2.5 Signage, Lighting and Architecture. The signage set forth on Exhibit "C", the lighting set forth on Exhibit "D", and the architectural themes set forth on Exhibit "E" attached to the Agreement are each amended with the signage set forth on Exhibit "C", the lighting set forth on Exhibit "D", and the architectural themes ("**Architectural Themes**") set forth on Exhibit "E" attached hereto. The Architectural Themes consist of general concepts to be used in the development of the final elevations for the improvements of the Property and are hereby approved by the City. The final details of the Architectural Themes shall be proposed by Developer and approved by City Staff. In the event that the Developer proposes a deviation from the Architectural Themes set forth in the Agreement as determined by staff, the general guidelines of the City's CR Zone shall govern, subject to review and approval by the Planning Commission..

10. 3.2 Action of Site Plan. The Parties acknowledge and agree that the findings for granting approval for the Site Plans, as defined in section 11 of this Amendment, have been satisfied and fulfilled in full. The Parties further agree that the items for Lots 1-7 of the Property set forth in Section 3-4374(2) of the Highland City Development Code shall be reviewed and approved by City Staff.

11. Site Plan. Copies of the authorized alternative site plans for the Property are attached hereto as Exhibit "B" ("**Site Plans**"). MNG may elect which of the two site plans to use in its sole discretion. The Site Plans are approved generally, provided that the details of those Site Plans, including all items required by Section 3-4374(2), shall be reviewed and approved by the

City Staff consistent with the Agreement, this Amendment, and the City's Development Code and engineering design and construction standards, as applicable.

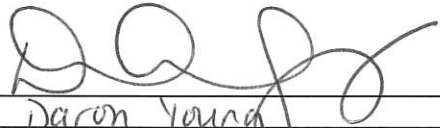
12. Setbacks. The setback area for all buildings and structures shall be a minimum of twenty (20) feet from the northern and western property lines or one hundred (100) feet from any wall of a home or residence (excluding the garage or other ancillary buildings) on adjacent property. The setback area for parking lots and other hard surface improvements shall be a minimum of ten (10) feet from the northern and western property lines.

13. Refuse Collection. The setback for refuse collection may be reduced to ten (10) feet from the northern property line and no closer than one hundred (100) feet from any residence. All other refuse collection areas must meet the setbacks defined in Section 3-4363 of the Highland City Development Code.

14. Remaining Provisions. Except as otherwise expressly set forth herein, the Agreement is hereby ratified and confirmed and remains in full force and effect.

[Signatures and acknowledgments on the following pages]

MNG HIGHLAND DEVELOPMENT, LLC,
a California limited liability company

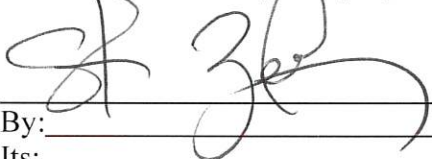

By: Daron Young
Its: Authorized Signer

STATE OF _____)
: ss.
COUNTY OF _____)

On the _____ day of _____, 2022 personally appeared
before me _____ who duly acknowledged to me that they executed the
foregoing Amendment as _____ of MNG HIGHLAND DEVELOPMENT,
LLC.


Notary Public see attached California
Notary acknowledgment

SBP HOLDINGS REVERSE, LLC,
a Utah limited liability company


By: _____
Its: _____

STATE OF Utah)
: ss.
COUNTY OF Utah)

On the 1 day of March, ~~2020~~ ²⁰²³ personally appeared
before me Steve Zolman who duly acknowledged to me that they executed the
foregoing Amendment as _____ of SBP HOLDINGS REVERSE, LLC.


Notary Public



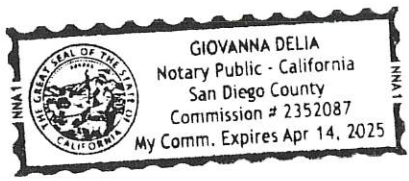
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On January 18, 2023 before me, Giovanna Delia, Notary Public, personally appeared Daron Young, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

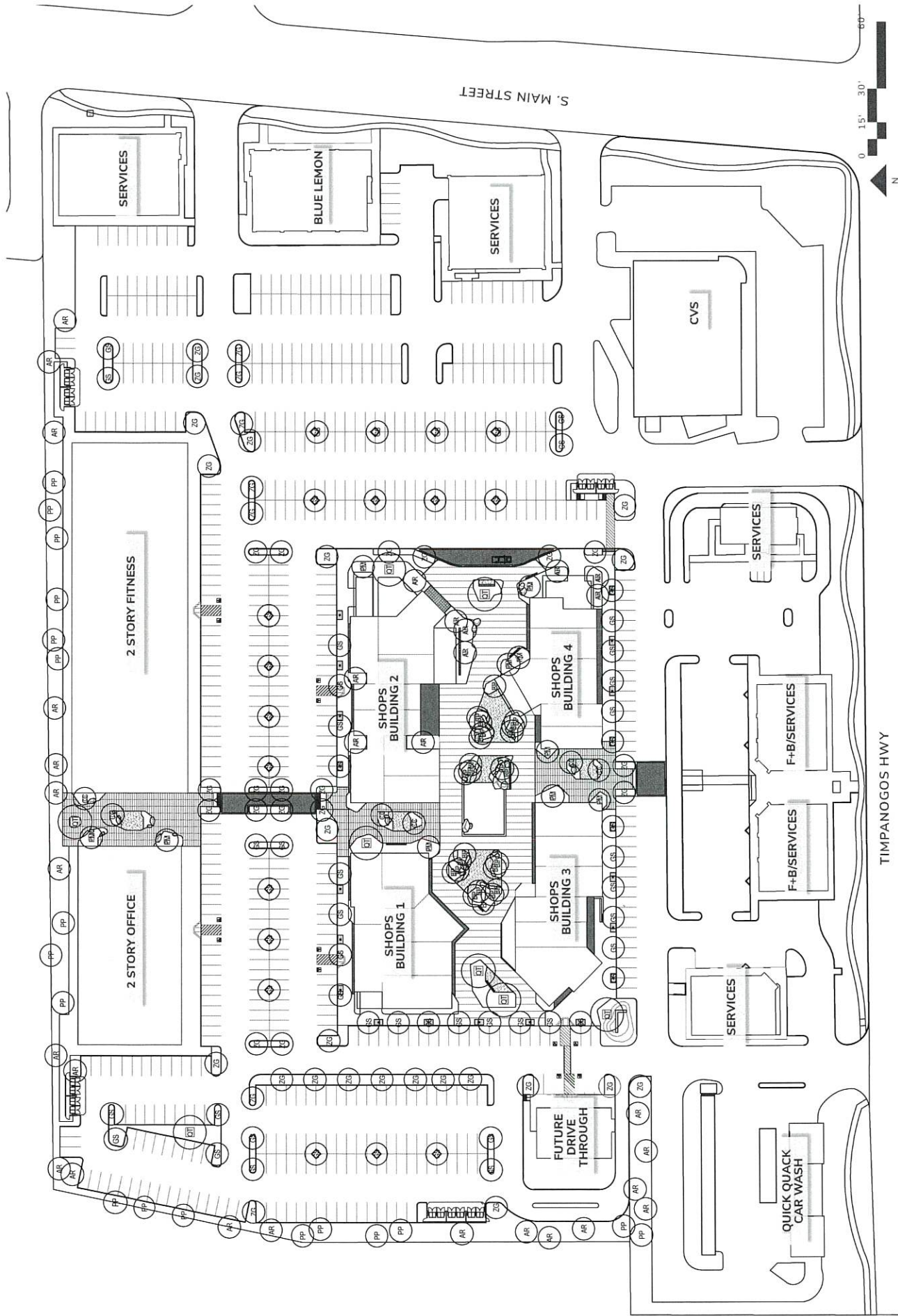
WITNESS my hand and official seal.



Giovanna Delia

Notary Public in and for
said County and State

EXHIBIT "A"
LANDSCAPING PLAN



SUBJECT
LANDSCAPE PLAN

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084

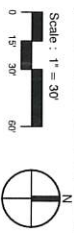


GROUNDLEVEL +
LANDSCAPE ARCHITECTURE

EXHIBIT "B"
APPROVED SITE PLANS

EXHIBIT "B" (continued)

DATE: 11.23.2023
 MDC JOB #: 22.005.01
 REVISIONS:

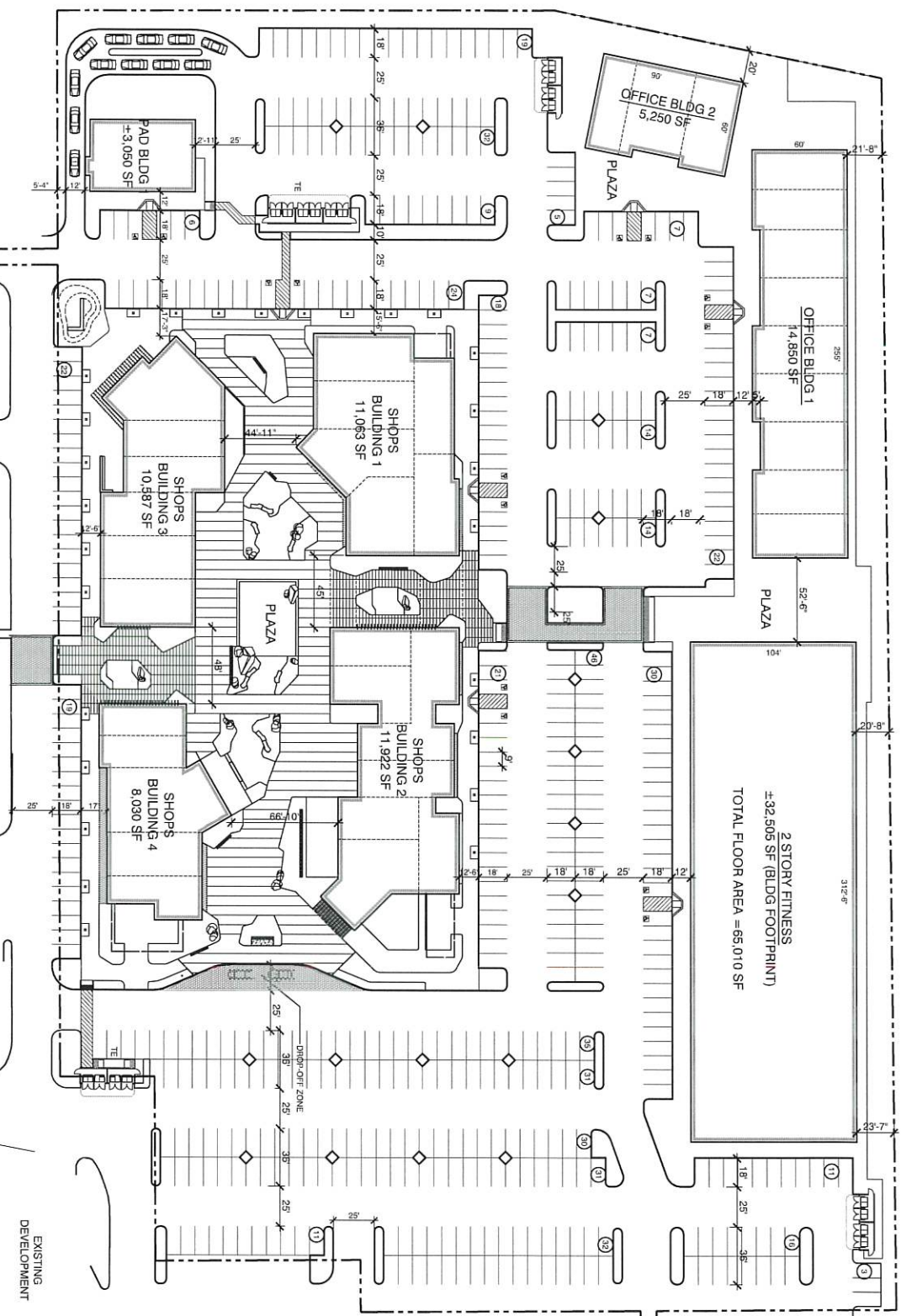


Scale: 1" = 30'
 0 15 30 60

CONTRACT INFORMATION: ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER SPECIFICATIONS AND STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER. ANY AND ALL PERMITS SHALL BE OBTAINED BY THE CONTRACTOR.

SITE PLAN SP-02

HIGHLAND MARKETPLACE UTAH



PROJECT INFORMATION SITE SUMMARY:

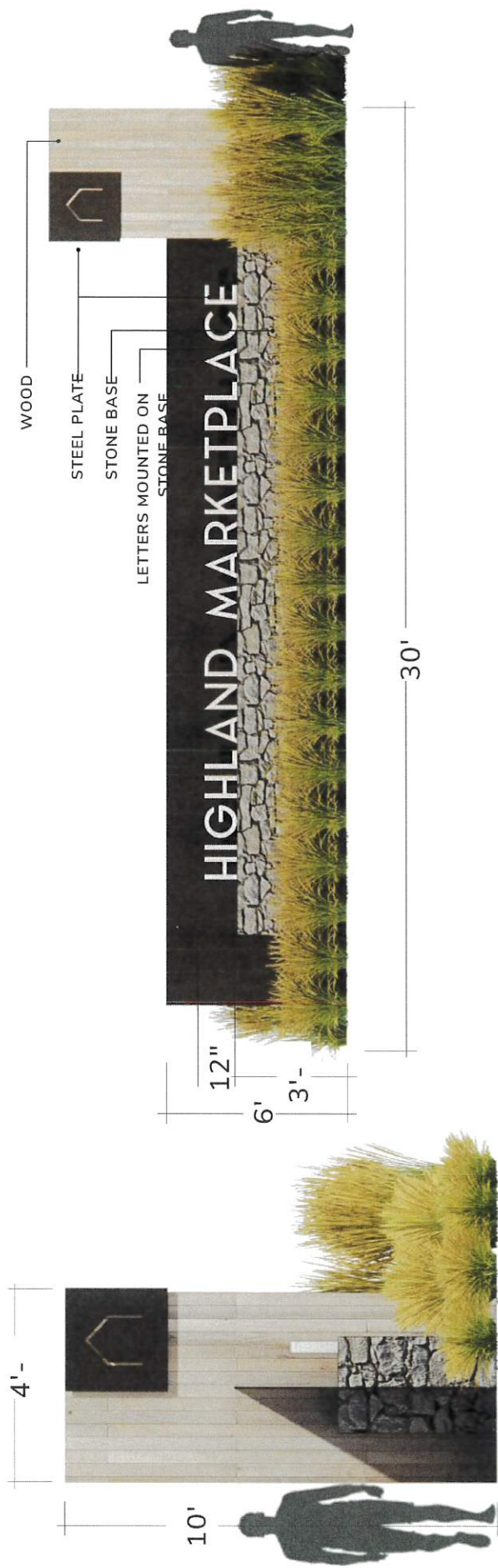
SITE AREA	± 9.44 AC	± 411,117
BUILDING AREA (BLDG FOOTPRINT)	97,297 SF	3,227.1
LAND TO BUILDING RATIO	3,227.1	23.65%
COVERAGE		
PARKING REQUIREMENT		
USE	BLDG AREA	REQD STALLS
OFFICE CENTER @ 411/1000	20,100 SF	80 STALLS
MARKET/RETAIL SHOPS @ 411/1000	44,852 SF	179 STALLS
TOTAL BLDG AREA	129,762 SF	
TOTAL PARKING REQUIRED		
PARKING PROVIDED	570 STALLS	
PARKING RATIO	4,007/1000	

- CLEVELAND
- DENVER
- GLENORA
- IRVINE
- ORLANDO
- PHOENIX
- SAN FRANCISCO



mgarchitecturc.com

EXHIBIT "C"
SIGNAGE PLANS



SCALE: NTS

SUBJECT
ENTRY MONUMENT
SIGNAGE

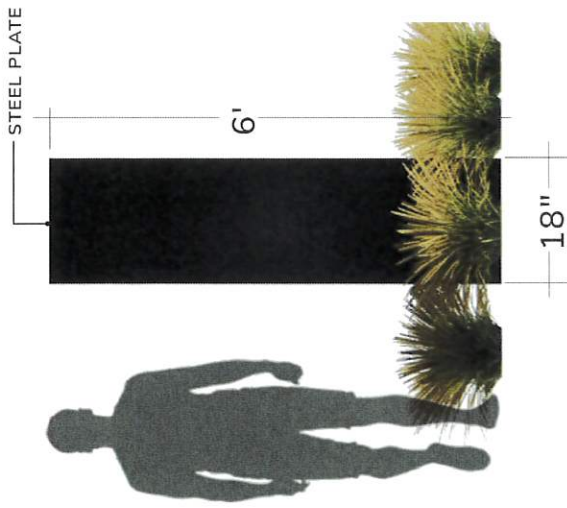
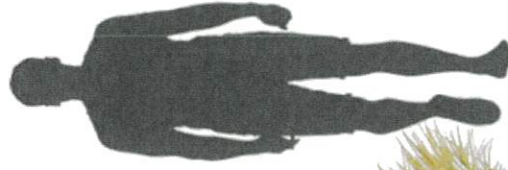
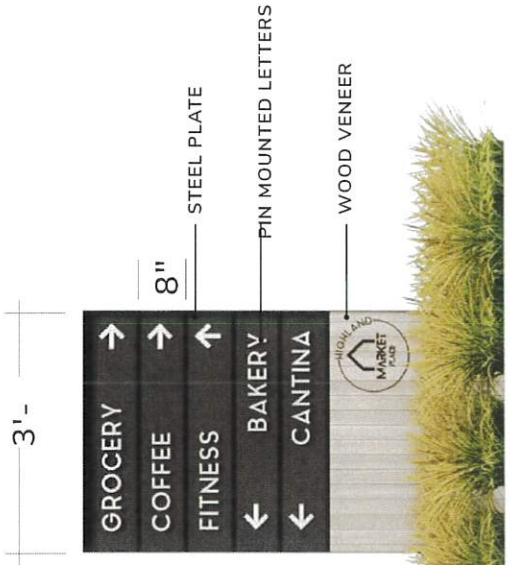
PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKETPLACE
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SCALE: NTS

SUBJECT
SECONDARY SIGNAGE

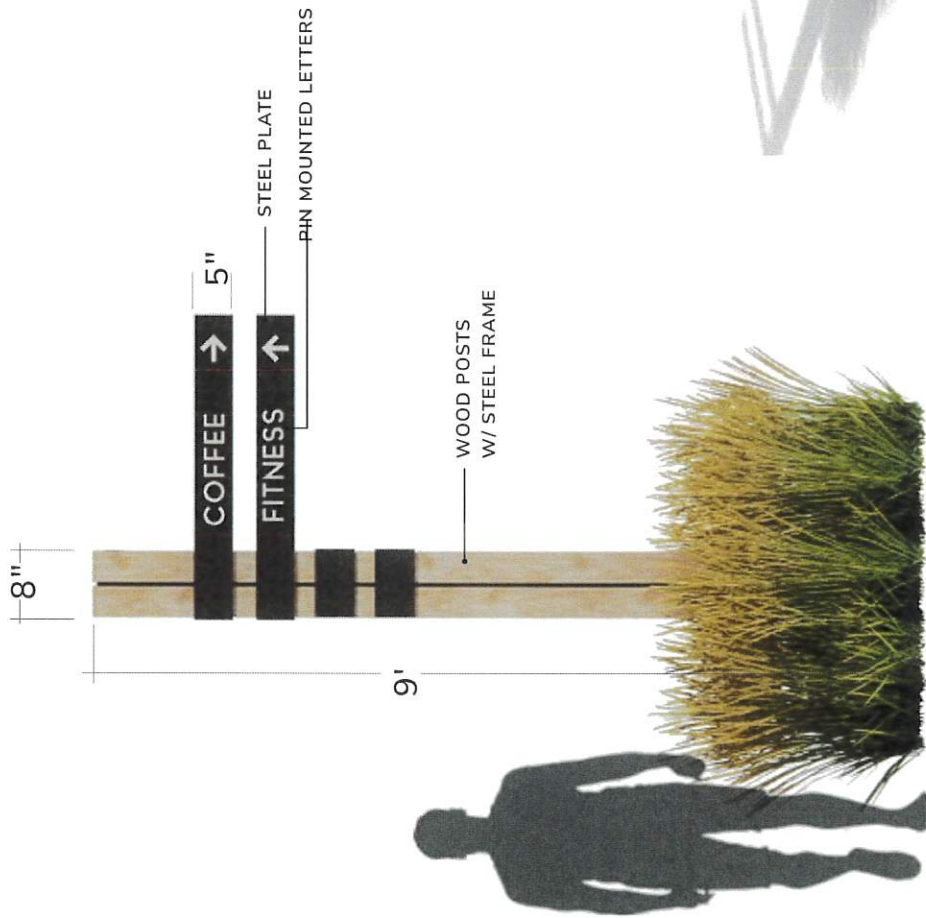
PHASE
Schematic Design
Date: November 30, 2022

CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL
LANDSCAPE ARCHITECTURE



SCALE: NTS

PHASE
Schematic Design
Date: November 30, 2022

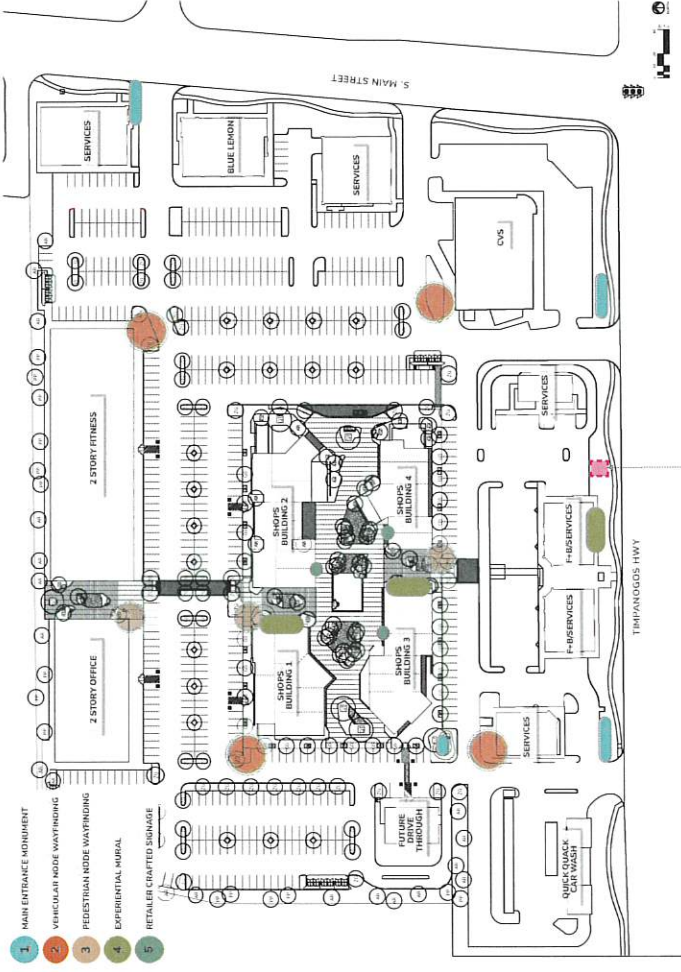
SUBJECT
PEDESTRIAN SIGNAGE

PROJECT
HIGHLAND MARKETPLACE
CITY OF HIGHLAND, UTAH
No: 22084

GROUNDLEVEL + MKG MIDWINTER GROUP 52 ARCHITECTURE



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



- 1 MAIN ENTRANCE MONUMENT
- 2 VEHICULAR NODE WAYFINDING
- 3 PEDESTRIAN NODE WAYFINDING
- 4 EXPERIENTIAL MURAL
- 5 RETAILER-CRAFTED SIGNAGE



SUBJECT
MONUMENTATION &
WAYFINDING

PHASE
Schematic Design
Date: November 30, 2022

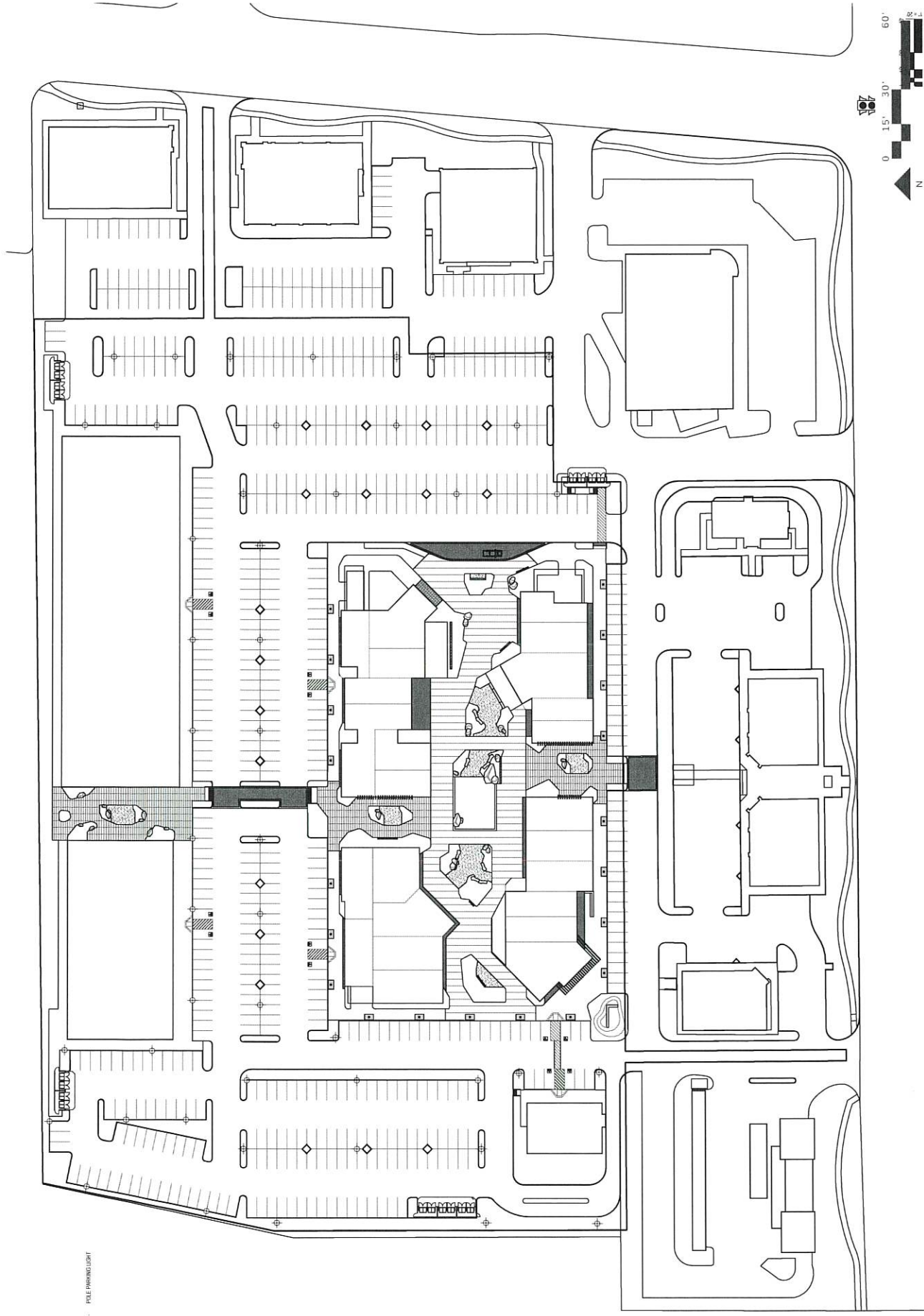
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL + LANDSCAPE ARCHITECTURE

EXHIBIT "D"
LIGHTING PLAN



SUBJECT
PARKING LOT LIGHTING PLAN

PHASE
 Schematic Design
 Date: November 30, 2022

CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
 NO: 22084



GROUNDLEVEL + **LANDSCAPE ARCHITECTURE**

FIXTURE TYPE: _____

PROJECT NAME: _____



Glulam solid wood shaft and aluminum base pole available in 8' – 24' heights

FEATURES:

- Available with straight, tapered, or square to round wood shaft
- Square extruded aluminum pole base with flush handhole cover held with countersunk stainless steel fasteners
- Tenon or drill mount fixture mounting

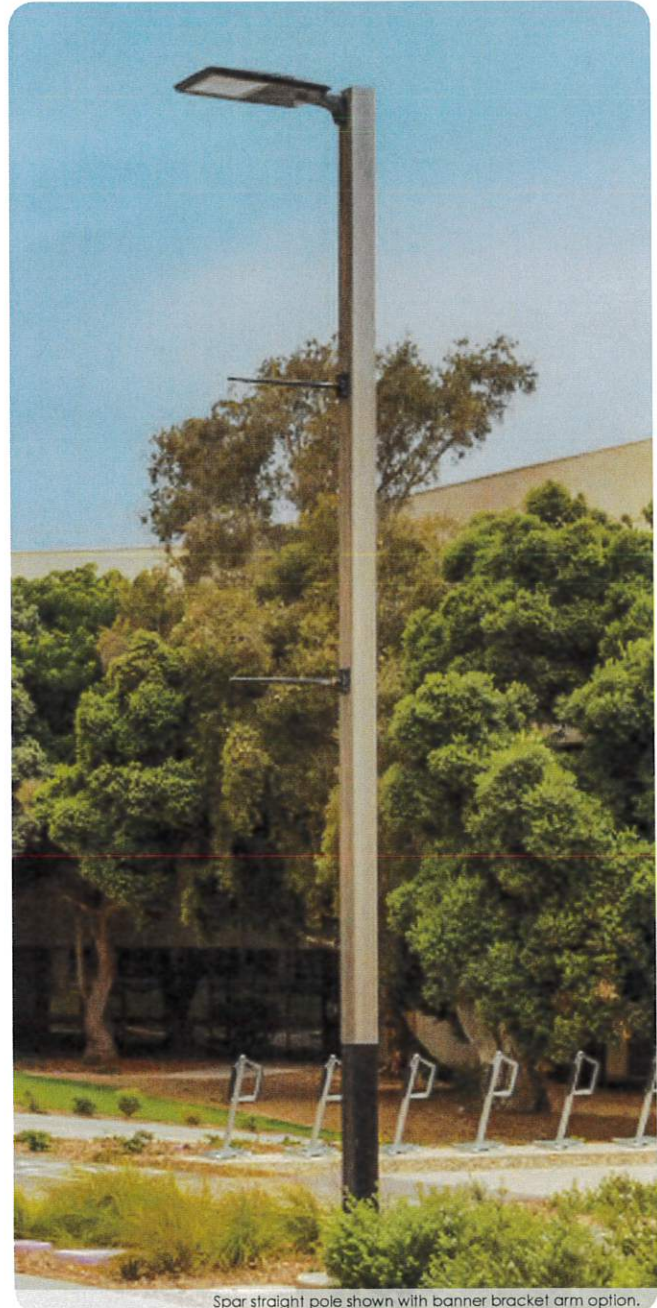
SPECIFICATIONS:

HOUSING: Solid wood pole is assembled through glulam construction and precision machined using CNC technology. An electrical raceway is provided in the pole's center for wiring. Laminations measure no more than 2" in thickness. Adhesive complies with ASTM D-2559 glulam construction specifications for extreme exposed weather conditions, is waterproof and rated for wet or dry use exposure.

Glulam wood shaft is fastened to aluminum pole base welded to a 3/4" thick aluminum anchor bolt base. Anchor bolt kit includes (4) 3/4" hot dip galvanized anchor bolts and fasteners and ridged concrete pour template.

ELECTRICAL: A 5/16" – 18 grounding point is provided on the aluminum pole base. Wireway access is provided through a NEC compliant handhole with a flush, gasketed cover plate.

FINISHES AND MATERIALS: Wood pieces are finished with a low VOC waterborne matte exterior finish containing UV and mildew inhibitors. All exterior aluminum parts are polyester powder coat painted to AAMA-2604 standards. [Care and Maintenance](#)

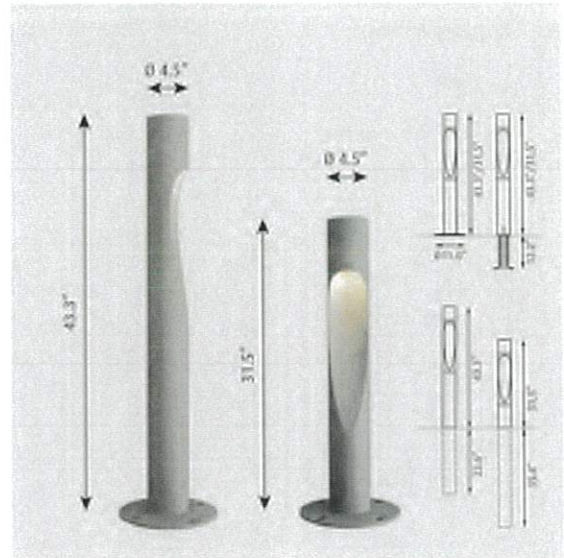


Spar straight pole shown with banner bracket arm option.

HARDWARE: All hand hole fasteners and luminaire bracket arm hardware are stainless steel. Anchor bolt kits are ASTM F1554 grade 55 steel with galvanized steel hex nuts and washers.

FIXTURE MOUNTING: Fixtures mount either by 2 3/8", 2 7/8", 3 1/2", or 4" diameter by 4" tall tenon or drill mount for arm brackets. Consult factory for other tenon sizes. Bolt mounted luminaires must use stainless steel hardware.

Flindt Bollard

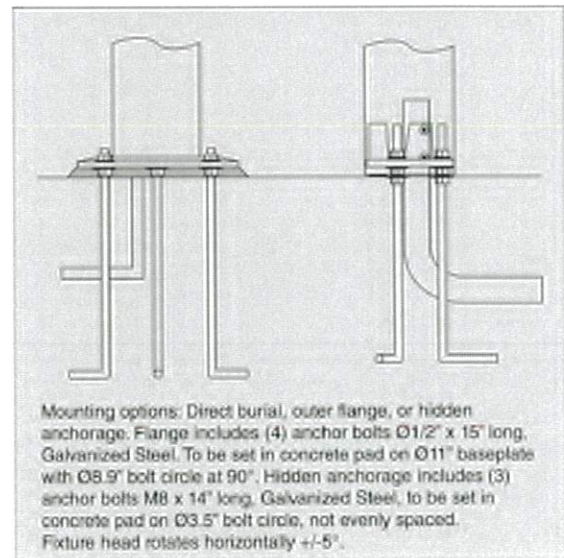


Design

Christian Flindt

Product description

Beautifully crafted slender post with a carved surface that is gently illuminated. Top section conceals downward facing LEDs that are positioned for wide distribution. Two horizontal connection lines underline the three parts of the bollard. A facet increases the visibility of the connection lines. Available in two heights, 43.3 IN and 31.5 IN. Available in three different mounting methods, with an 11 inch base plate and visible anchor bolts, with internally hidden anchor bolts, or direct burial in soil or gravel. Part of a family.



Variant options

Dimension	Color	Mounting	Light source	Lumen	Voltage frequency
31.5 IN	● Corten color	Post w/anchorage unit	15W LED/3000K	536	120-277V/60HZ
43.3 IN	● Natural paint aluminum	Post w/base plate	15W LED/4000K	548	
		Post w/direct burial		578	
				591	

Specification notes

a. Direct burial mounting only available with 43.3" size.

EXHIBIT "E"
ARCHITECTURAL THEMES



SUBJECT
SITE RENDERING

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKET PLACE
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKET PLACE
No: 22084



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SUBJECT
SITE RENDERING

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKETPLACE
CITY OF HIGHLAND, UTAH

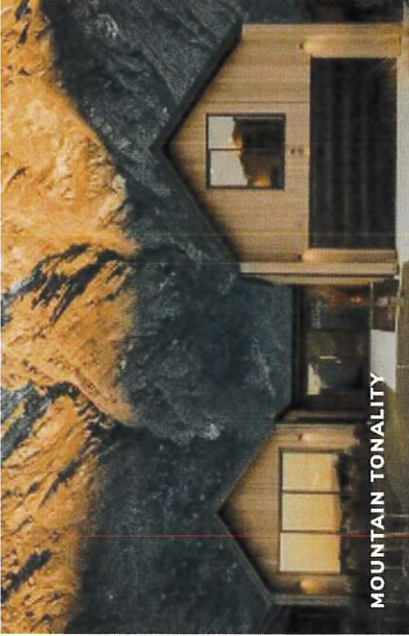
PROJECT
HIGHLAND MARKETPLACE
No: 22084



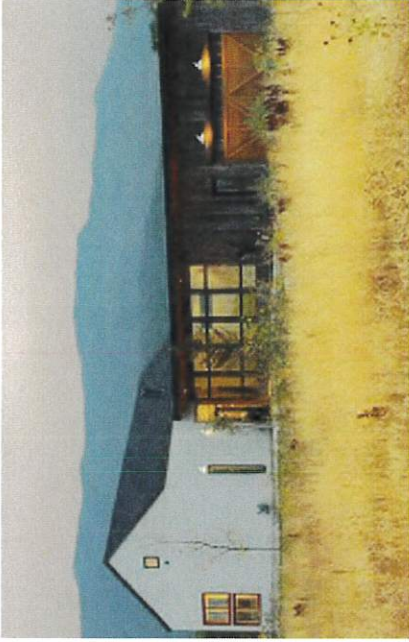
GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SIMPLICITY OF FORM



MOUNTAIN TONALITY



CAPTURING WARMTH



DETAILS IN AND OUT



GROUNDLEVEL + LANDSCAPE ARCHITECTURE

PROJECT
HIGHLAND MARKETPLACE
 No: 22084

PHASE
 Schematic Design
 Date: November 30, 2022

SUBJECT
AUTHENTIC ARCHITECTURE



SUBJECT
OFFICE BUILDING
RENDERING OPTION 1

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SUBJECT
OFFICE BUILDING
RENDERING OPTION 2

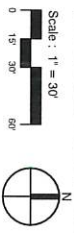
PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKETPLACE
No: 22084
CITY OF HIGHLAND, UTAH



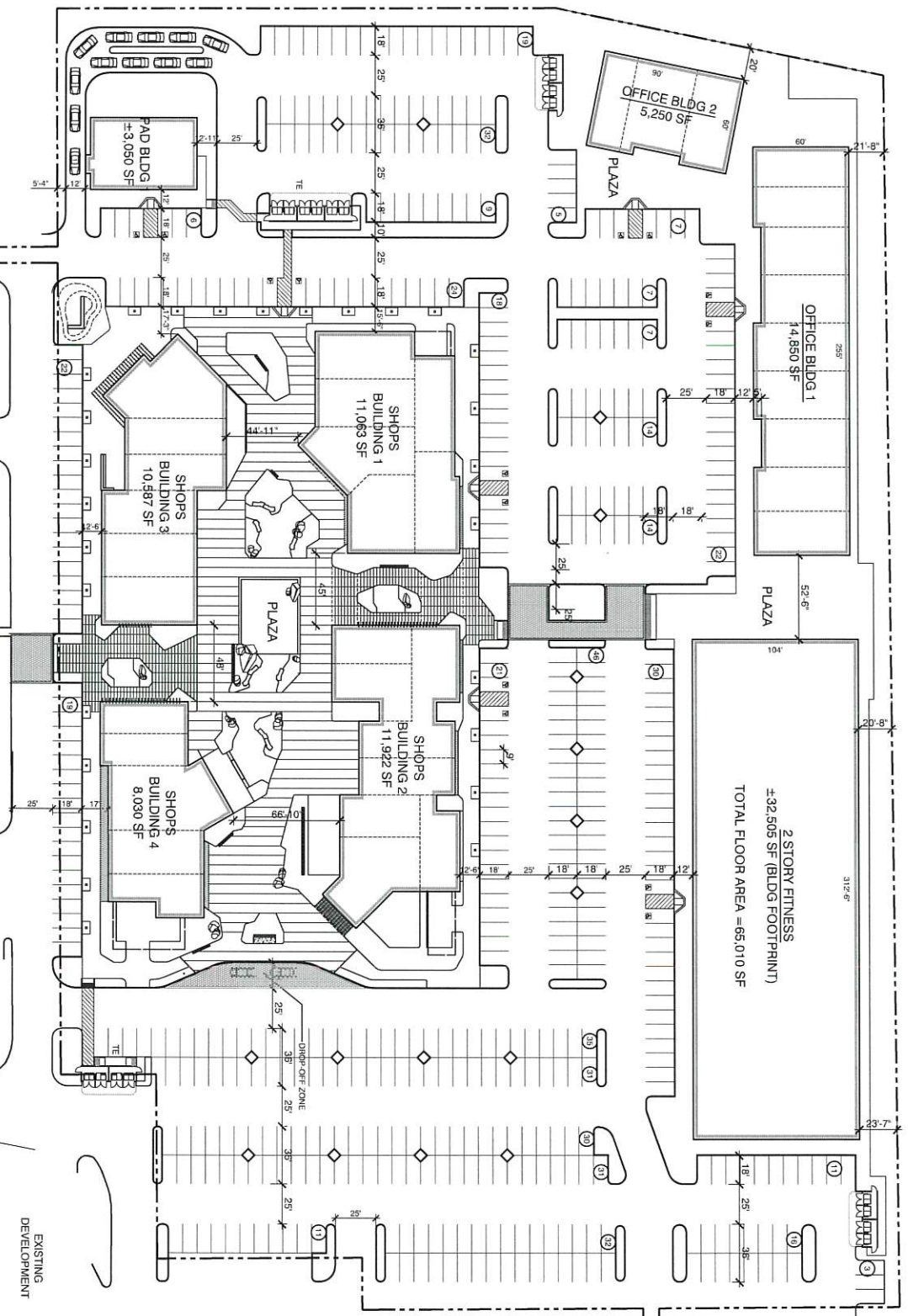
GROUNDLEVEL +
LANDSCAPE ARCHITECTURE

DATE: 11.29.2022
 MCG JOB #: 22-058-01
 REVISIONS:
 DATE:
 DATE:



SITE PLAN SP-02

HIGHLAND MARKETPLACE UTAH



- CLEVELAND
- DENVER
- GLENORA
- IRVINE
- ORLANDO
- PHOENIX
- SAN FRANCISCO



PROJECT INFORMATION

SITE SUMMARY:

SITE AREA	±9.44 AC	±411,117
BUILDING AREA	(BLDG FOOTPRINT)	97,257 SF
LAND TOTAL BUILDING RATIO		3.22 / 1
COVERS		28.95%

PARKING REQUIREMENT

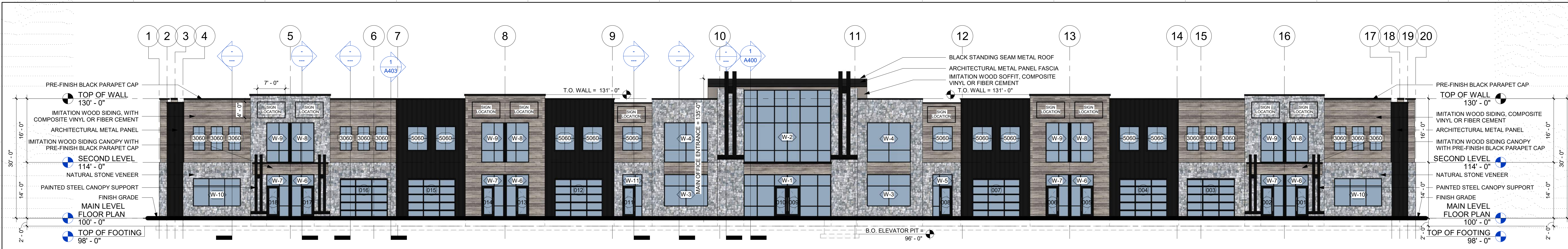
TYPE	BUILDING AREA	REGD STALLS
FITNESS CENTER @ 4:1000	65,010 SF	200 STALLS
OFFICE BLDG @ 4:1000	20,100 SF	80 STALLS
MARKET/RETAIL SHOPS @ 4:1000	44,952 SF	179 STALLS
TOTAL BLDG AREA	129,762 SF	

TOTAL PARKING REQUIRED: 519 STALLS
 PARKING PROVIDED: 550 STALLS
 PARKING RATIO: 4.00/1000

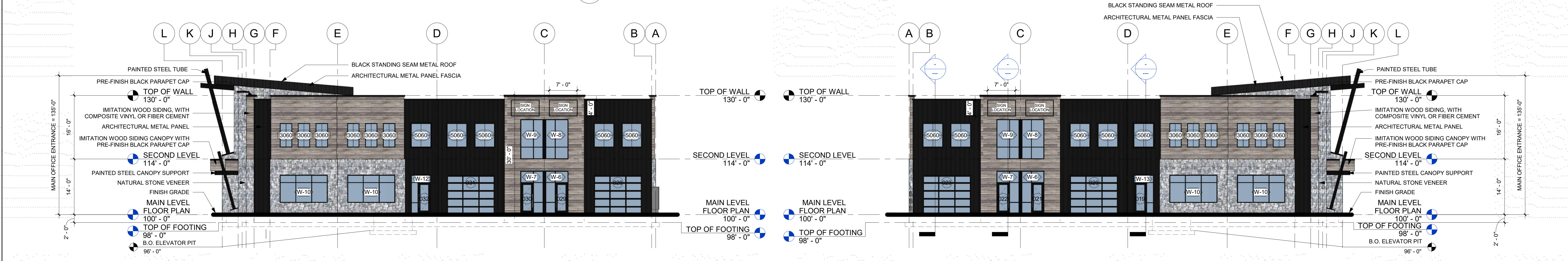


GOULD PLUS ARCHITECTS

427 WEST 11950 SOUTH, SUITE #201
DRAPER, UTAH 84020
801.335.9900
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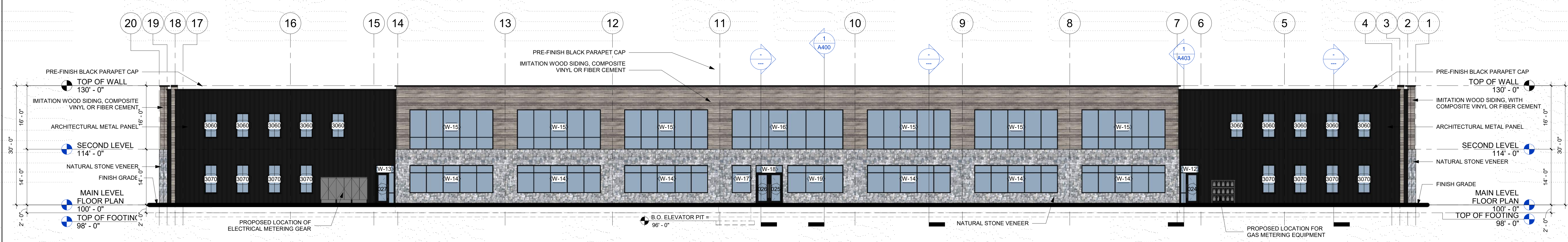


1 SOUTH BUILDING ELEVATION (ENTRY)
SCALE: 3/32" = 1'-0"



2 EAST BUILDING ELEVATION
SCALE: 3/32" = 1'-0"

3 WEST BUILDING ELEVATION
SCALE: 3/32" = 1'-0"



4 NORTH BUILDING ELEVATION
SCALE: 3/32" = 1'-0"

MATERIAL CALCULATIONS

SOUTH BUILDING SIDE (ENTRY): TOTAL SQ. FT. = 10,472 OF WALL AREA		EAST BUILDING SIDE (ENTRY): TOTAL SQ. FT. = 3,328 OF WALL AREA	
PRIMARY MATERIALS:		PRIMARY MATERIALS:	
1. NATURAL STONE VENEER =	2,159 SQ. FT. OR 20.62%	1. NATURAL STONE VENEER =	507 SQ. FT. OR 15.24%
2. ARCHITECTURE METAL PANEL =	1,695 SQ. FT. OR 16.19%	2. ARCHITECTURE METAL PANEL =	955 SQ. FT. OR 28.70%
3. IMITATION WOOD SIDING =	2,126 SQ. FT. OR 20.30%	3. IMITATION WOOD SIDING =	827 SQ. FT. OR 24.85%
SECONDARY OR NON - MATERIALS:		SECONDARY OR NON - MATERIALS:	
A. GLASS / FRAME =	3,558 SQ. FT. OR 33.98%	A. GLASS / FRAME =	991 SQ. FT. OR 29.78%
B. PAINTED STEEL STRUCTURE =	934 SQ. FT. OR 00.09%	B. PAINTED STEEL STRUCTURE =	48 SQ. FT. OR 00.01%
NORTH BUILDING SIDE (BACK SDE): TOTAL SQ. FT. = 9,367 OF WALL AREA		WEST BUILDING SIDE (PLAZA): TOTAL SQ. FT. = 3,328 OF WALL AREA	
PRIMARY MATERIALS:		PRIMARY MATERIALS:	
1. NATURAL STONE VENEER =	1,734 SQ. FT. OR 18.51%	1. NATURAL STONE VENEER =	507 SQ. FT. OR 15.24%
2. ARCHITECTURE METAL PANEL =	2,768 SQ. FT. OR 29.55%	2. ARCHITECTURE METAL PANEL =	955 SQ. FT. OR 28.70%
3. IMITATION WOOD SIDING =	1,724 SQ. FT. OR 18.41%	3. IMITATION WOOD SIDING =	827 SQ. FT. OR 24.85%
SECONDARY OR NON - MATERIALS:		SECONDARY OR NON - MATERIALS:	
A. GLASS / FRAME =	3,141 SQ. FT. OR 33.53%	A. GLASS / FRAME =	991 SQ. FT. OR 29.78%
B. PAINTED STEEL STRUCTURE =	0 SQ. FT.	B. PAINTED STEEL STRUCTURE =	48 SQ. FT. OR 00.01%

EXTERIOR ELEVATION GENERAL NOTES

- ALL EXTERIOR FINISH MATERIALS, COLORS, AND TEXTURES SHALL MATCH APPROVED ARCHITECTURAL ELEVATIONS, MATERIAL SCHEDULES, AND DETAILS.
- CONTRACTOR SHALL VERIFY ALL EXTERIOR OPENINGS, DIMENSIONS, AND CONDITIONS PRIOR TO FABRICATION AND INSTALLATION.
- FIELD VERIFY ALL REQUIRED FLASHING, SEALANTS, WEATHER BARRIERS, AND TRIM ACCESSORIES REQUIRED FOR A COMPLETE WEATHER-TIGHT EXTERIOR ENVELOPE.
- ALL EXTERIOR CLADDING SYSTEMS AND MATERIAL TRANSITIONS SHALL BE INSTALLED PER MANUFACTURER WRITTEN REQUIREMENTS, INCLUDING ALL REQUIRED TRIM ACCESSORIES AND TERMINATION CONDITIONS.
- ALL EXPOSED METAL FLASHINGS, COPINGS, FASCIA, AND TRIM SHALL BE PREFINISHED TO MATCH ADJACENT MATERIALS UNLESS NOTED OTHERWISE.
- PROVIDE CONTINUOUS SEALANT AT ALL MATERIAL TRANSITIONS, WINDOWS, DOORS, PENETRATIONS, AND DISSIMILAR MATERIAL JOINTS.
- CONTRACTOR SHALL COORDINATE ALL EXTERIOR WALL PENETRATIONS INCLUDING MECHANICAL, ELECTRICAL, PLUMBING, GAS, AND TELECOMMUNICATION EQUIPMENT PRIOR TO INSTALLATION.
- ALL EXPOSED MECHANICAL, ELECTRICAL, GAS METERS, CONDUITS, VENTS, AND EQUIPMENT SHALL BE PAINTED TO MATCH ADJACENT SURFACES UNLESS NOTED OTHERWISE.
- PROVIDE CONTROL JOINTS, EXPANSION JOINTS, AND REVEALS AS REQUIRED BY MANUFACTURER AND BUILDING MOVEMENT CONDITIONS.
- FIELD VERIFY FINISH GRADE CONDITIONS PRIOR TO INSTALLATION OF EXTERIOR MATERIALS.
- ALL EXTERIOR STOREFRONT AND GLAZING SYSTEMS SHALL BE SHOP FABRICATED SYSTEMS DESIGNED TO MEET REQUIRED STRUCTURAL AND ENERGY CODE REQUIREMENTS.
- ALL EXTERIOR MATERIAL SUBSTITUTIONS SHALL BE REVIEWED AND APPROVED BY ARCHITECT PRIOR TO PROCUREMENT OR INSTALLATION.
- REFER TO STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, LANDSCAPE, AND CIVIL DRAWINGS FOR ADDITIONAL INFORMATION AND COORDINATION REQUIREMENTS.

ELEVATION SYMBOL CALLOUTS

- W-2** STOREFRONT GLAZING SYSTEM CALLOUT - SEE WINDOW SCHEDULE ON SHEET A601
- 3060** VINYL WINDOW CALLOUT - SEE WINDOW SCHEDULE ON SHEET A601
- 009** DOOR CALLOUT - SEE DOOR SCHEDULE ON SHEET A600

MATERIAL SCHEDULE

ARCHITECTURE METAL PANEL COLOR = BLACK MANUFACTURER AND PRODUCT TO BE SPECIFIED LATER	NATURAL STONE VENEER BASIS OF DESIGN = CASHMERE TELLURIDE BLEND BY BRICK DESIGN COMPANY
IMITATION WOOD SIDING, WITH COMPOSITE VINYL OR FIBER CEMENT MANUFACTURER AND PRODUCT TO BE SPECIFIED LATER	

No.	Description	Date

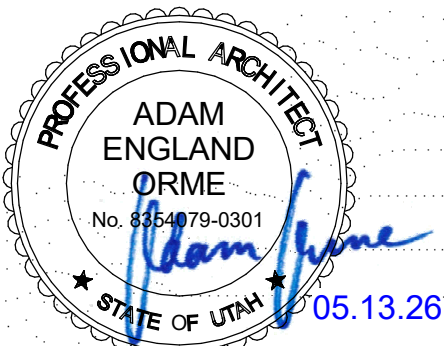
PROJECT NUMBER 26005

NEW OFFICE BUILDING WITHIN "HIGHLAND MAINS" DEVELOPMENT
HIGHLAND, UTAH

EXTERIOR ELEVATIONS

ARCHITECTURE REVIEW SET
05.13.26

A200



HIGHLAND MAINS OFFICE BUILDING - Material Board

MATERIAL NAME

PROFILE

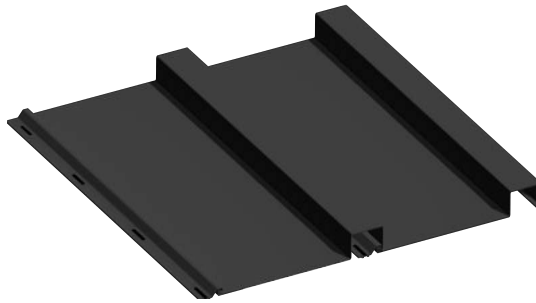
NATURAL STONE
CASHMERE TELLURIDE
BLEND BY BRICK
DESIGN COMPANY



IMITATION WOOD SIDING,
WITH COMPOSITE VINYL OR
FIBER CEMENT
- OUR INTENT IS TO PROVIDE
A WOOD LOOKING SIDING
THAT COMPLIMENTS THE
MAIN RETAIL CENTER



ARCHITECTURAL
METAL PANEL



SEE A200 FOR BUILDING ELEVATION FOR MATERIAL LOCATION

- ALL VINYL WINDOWS WILL BE BLACK ON BLACK WINDOW
- ALL ALUMINUM STOREFRONT SYSTEM IS A BLACK FINISH
- ALL ALUMINUM GLASS "LARGE" OPERABLE WINDOWS ARE BLACK FINISH
- ALL STEEL STRUCTURE IS PAINTED A BLACK FINISH
- THE ROOF WILL BE A WHITE TPO MEMBRANE WITH A BLACK METAL CAP FLASHING.





PLANNING COMMISSION AGENDA REPORT ITEM #3b

DATE: May 26, 2026
TO: Planning Commission
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: Christian Holbrook, MNG Highland Development
SUBJECT: Highland Mains Signage - Development Agreement Amendment
TYPE: Land Use (Legislative)

PURPOSE:

The Planning Commission will hold a public hearing to consider a proposed amendment to the legislative development agreement for Highland Mains related to signage.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold a public hearing, consider the proposed amendments to the development agreement, and make a recommendation to the City Council.

PRIOR REVIEW:

In January 2022, the Commission considered a request from MNG to amend the development code related to commercial center freestanding signs. The request at the time was to allow these signs to extend up to 40 feet in height with some other adjustments to setbacks and design considerations. The Commission voted to deny the request, primarily due to the additional height being requested. After the Commission's recommendation, MNG revised its application to request a maximum height of 25 feet. The Council approved the text amendment adjusting allowed maximum height for commercial center freestanding signs to 25 feet, along with the other design changes.

One item not raised or discussed during this process was the number of commercial center freestanding signs allowed to be installed.

BACKGROUND & SUMMARY OF REQUEST:

Signage for the Highland Mains project is regulated by both the City's general sign regulations ([Development Code chapter 3, article 7](#)) and the 2007 development agreement, which was first amended in 2022. The First Amendment to the development agreement provides that Highland Mains can be developed with the signage set forth in Exhibit C to the First Amendment, which provides style, dimensions, and locations for various signs within the development. However, Exhibit C does not address commercial center freestanding signs (CCF signs). So the CCF signs are regulated by the development code, which requires these signs to meet the following requirements under sections 3-707 and 3-710 (which were amended in 2022 at MNG's request):

- 25 feet high, including a 3 ft min stone base
- 1 CCF sign per highway (1 on SR-92, 1 on Alpine Highway)
- 350 feet from another CCF sign

- 300 feet from highway intersection
- 50 feet from monument sign

As the Highland Mains project has developed, the developer desires to modify the signage. Christian Holbrook, on behalf of MNG Highland Development, LLC, has applied to amend the development agreement to update and replace the signage exhibit (exhibit C). The modifications to the monument and directional signage is primarily a change of style and material. However, the developer is also asking for a modification related to CCF signs, such that these signs would be governed by the development agreement, rather than the development code. The proposed amendments related to CCF signs would allow:

- 15 feet high, a reduction from 25 feet
- No stone base, but rather faux wood
- 3 CCF signs: 1 on Alpine Highway, 2 on SR-92, which is an increase of 1 sign.

If the proposed amendment is not adopted, Highland Mains will be required to comply with the requirements of the development code.

STAFF REVIEW & PROPOSED FINDINGS:

The style, height, and number of signs is a policy question for the Commission and Council to consider. Staff does not believe the changes to the non-CCF signs are significant and seem to allow the monument and directional signs to better align with the planned and under construction buildings. Staff has no objection to those changes.

As to the proposed changes to the CCF signs, the primary question is whether the Commission and Council desire to continue to allow a single, 25-foot high sign on each highway, or allow an additional sign on SR-92, but with all signs reduced by 10 feet to a maximum height of 15 feet. The signs would also change from having a minimum 3 foot rock base to not being required to have a rock base. Staff has no objection to either approach, as there are benefits and potential drawbacks either way.

Staff's has proposed for consideration that, if the Commission and Council approve the amendment and new Exhibit C regarding signage, the City also require MNG to allow all tenants to use the signs on a commercially reasonable basis. These CCF signs are the only CCF signs permitted for the CR zone as a whole, so it seems fair to require MNG allow other businesses with the CR zone that are not strictly part of the Highland Mains project to have access to the signs. However, this is also a policy issue for the Commission and Council to decide. Till now, the businesses within the CR zone have not opted to build a CCF sign, as they are permitted to do under current zoning, so it may be that they do not see much need for such advertising. And with Highland Mains project set back more from the highways, Highland Mains does need the advertising more than the businesses that front onto the highways, so allowing them to retain exclusive control over the CCF signs is also potentially reasonable.

Ultimately, staff has no particular recommendation on whether to amend the development agreement. Staff has prepared a draft second amendment to the development agreement, with MNG's updated exhibit, for review and potential approval. The second amendment may or may not, at the Commission and Council's direction, contain language regarding shared use of the CCF signs and any other term the Commission and Council deem necessary. Because the amendment to the development agreement would be a deviation from current land use regulations for signs in the CR zone, the amendment is a legislative decision that follows the typical land use adoption process. The Commission and Council can approve, deny, or approve with conditions the amendment based on any relevant policy factors.

MOTION:

I move that the Planning Commission recommend [APPROVAL or DENIAL] of the proposed amendment to the 2007 Development Agreement for the Highland Mains project.

[Commission may specify additional or different terms or conditions to be adopted in the amendment].

ATTACHMENTS:

1. Narrative_Highland Signage
2. First Amendment to Development Agreement
3. Highland Marketplace Development Agreement - Second Amendment
4. Final Proposed Exhibit - Highland Mains 2026-04-29

This request seeks approval of a text amendment to the Development Agreement to replace the currently approved Signage Exhibit with an updated Signage Exhibit.

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“**Amendment**”) is entered into as of the 15 day of December, 2022 by and between HIGHLAND CITY, a municipal corporation, whose address is 5400 West Civic Center Drive, Suite 1, Highland, Utah 84003 (the “**City**”), MNG HIGHLAND DEVELOPMENT, LLC, a California limited liability company (“**MNG**”), whose address is 415 South Cedros Avenue, Suite 2400, Solana Beach, California 92075, and SBP HOLDINGS REVERSE, LLC, a Utah limited liability company (“**SBP**”), as successors in interest to THOMAS FOX PROPERTIES, LLC, (at times collectively “**Developer**”). The City, MNG, and SBP are at times referred to collectively in this Amendment as the “**Parties**”).

WHEREAS, Developer and the City are parties to that certain Development Agreement dated April 24, 2007 (the “**Agreement**”) pertaining to the development of the Property, as more particularly described in the Agreement; and

WHEREAS, since the execution of the Agreement, the development of Lots 3-11 of the original Property has been completed and all conditions as provided in the Agreement have been satisfied as such relate to Lots 3-11 of the original Property; and

WHEREAS, Developer and the City desire to amend the site plan, signage, lighting, and architecture for development of Lots 1 and 2 of the original Property or Lots 1-7 of the Mid-Town Highland Marketplace Subdivision – Amended.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Capitalized Terms. Capitalized terms used but not defined herein shall have the meanings given them in the Agreement.
2. Effect of Amendment. This Amendment shall only apply to and affect the development of the Property as defined herein.
3. 1.6 “Property”. For purposes of this Amendment, the definition of the Property is amended to be:

Lots 1 through 7 of the MID-TOWN HIGHLAND MARKETPLACE SUBDIVISION – AMENDED, according to the official plat thereof as recorded in the office of the Utah County Recorder.

4. 2.1. Medians. The Parties acknowledge and agree that the medians described in Section 2.1 of the Agreement have been installed as provided in Section 2.1 of the Agreement. All such obligations of Section 2.1 have been satisfied.

5. 2.3 Masonry Walls. The parties acknowledge and agree that the masonry wall along the westerly boundary of the Property has been installed as provided in Section 2.3. of the Agreement. Prior to the issuance of the first Certificate of Occupancy for the Property, Developer shall construct and install a masonry wall along the northerly boundary of the Property consistent with the City's Development Code.

6. 2.4.1. Exhibit "A". The landscaping plan attached at Exhibit "A" to the Agreement is amended with the landscaping plan attached at Exhibit "A" hereto. The parkway landscape improvements as shown on Exhibit "B" to the Agreement have been satisfied in full.

7. 2.4.2 Parkway Landscape. The Parties acknowledge and agree that the landscaping within the parkway easement and the hardscape abutting that landscaped area as shown on the original Plat have been completed. No additional bond shall be required from Developer for the completed landscaping.

8. 2.4.3 State Road 92. The Parties acknowledge and agree that all obligations of Section 2.4.3 have been complied with and nothing remains for Developer to complete in relation thereto.

9. 2.5 Signage, Lighting and Architecture. The signage set forth on Exhibit "C", the lighting set forth on Exhibit "D", and the architectural themes set forth on Exhibit "E" attached to the Agreement are each amended with the signage set forth on Exhibit "C", the lighting set forth on Exhibit "D", and the architectural themes ("**Architectural Themes**") set forth on Exhibit "E" attached hereto. The Architectural Themes consist of general concepts to be used in the development of the final elevations for the improvements of the Property and are hereby approved by the City. The final details of the Architectural Themes shall be proposed by Developer and approved by City Staff. In the event that the Developer proposes a deviation from the Architectural Themes set forth in the Agreement as determined by staff, the general guidelines of the City's CR Zone shall govern, subject to review and approval by the Planning Commission..

10. 3.2 Action of Site Plan. The Parties acknowledge and agree that the findings for granting approval for the Site Plans, as defined in section 11 of this Amendment, have been satisfied and fulfilled in full. The Parties further agree that the items for Lots 1-7 of the Property set forth in Section 3-4374(2) of the Highland City Development Code shall be reviewed and approved by City Staff.

11. Site Plan. Copies of the authorized alternative site plans for the Property are attached hereto as Exhibit "B" ("**Site Plans**"). MNG may elect which of the two site plans to use in its sole discretion. The Site Plans are approved generally, provided that the details of those Site Plans, including all items required by Section 3-4374(2), shall be reviewed and approved by the

City Staff consistent with the Agreement, this Amendment, and the City's Development Code and engineering design and construction standards, as applicable.


12. Setbacks. The setback area for all buildings and structures shall be a minimum of twenty (20) feet from the northern and western property lines or one hundred (100) feet from any wall of a home or residence (excluding the garage or other ancillary buildings) on adjacent property. The setback area for parking lots and other hard surface improvements shall be a minimum of ten (10) feet from the northern and western property lines.

13. Refuse Collection. The setback for refuse collection may be reduced to ten (10) feet from the northern property line and no closer than one hundred (100) feet from any residence. All other refuse collection areas must meet the setbacks defined in Section 3-4363 of the Highland City Development Code.

14. Remaining Provisions. Except as otherwise expressly set forth herein, the Agreement is hereby ratified and confirmed and remains in full force and effect.

[Signatures and acknowledgments on the following pages]

MNG HIGHLAND DEVELOPMENT, LLC,
a California limited liability company


By: Daron Young
Its: Authorized Signer

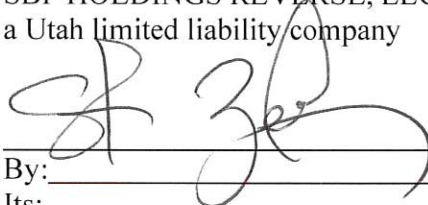
STATE OF _____)
: ss.
COUNTY OF _____)

On the _____ day of _____, 2022 personally appeared before me _____ who duly acknowledged to me that they executed the foregoing Amendment as _____ of MNG HIGHLAND DEVELOPMENT, LLC.

Notary Public

see attached California Notary acknowledgment

SBP HOLDINGS REVERSE, LLC,
a Utah limited liability company


By: _____
Its: _____

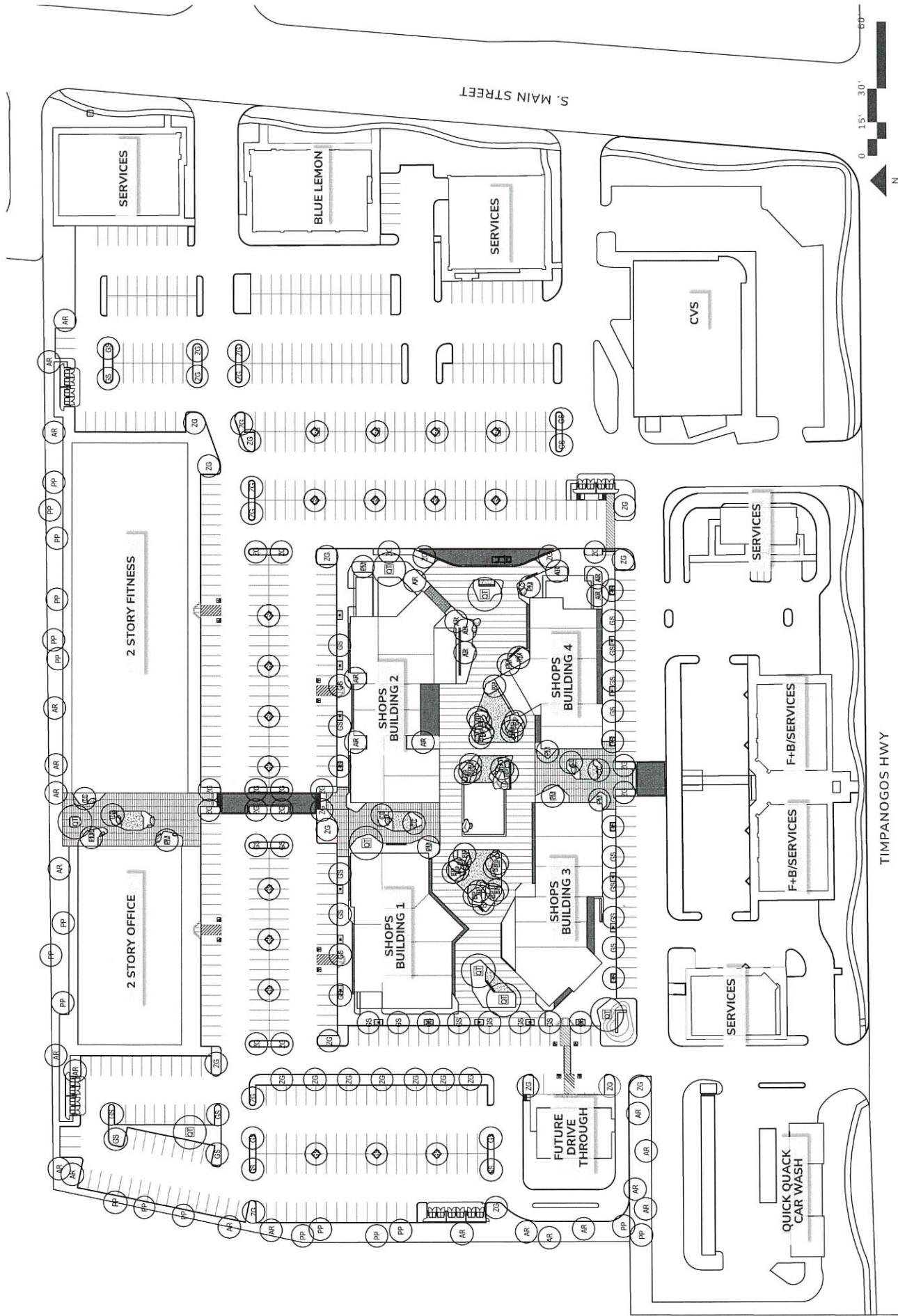
STATE OF Utah)
: ss.
COUNTY OF Utah)

On the 1 day of March, ~~2020~~ ²⁰²³ personally appeared before me Steve Zolman who duly acknowledged to me that they executed the foregoing Amendment as _____ of SBP HOLDINGS REVERSE, LLC.

Notary Public



EXHIBIT "A"
LANDSCAPING PLAN



SUBJECT
LANDSCAPE PLAN

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



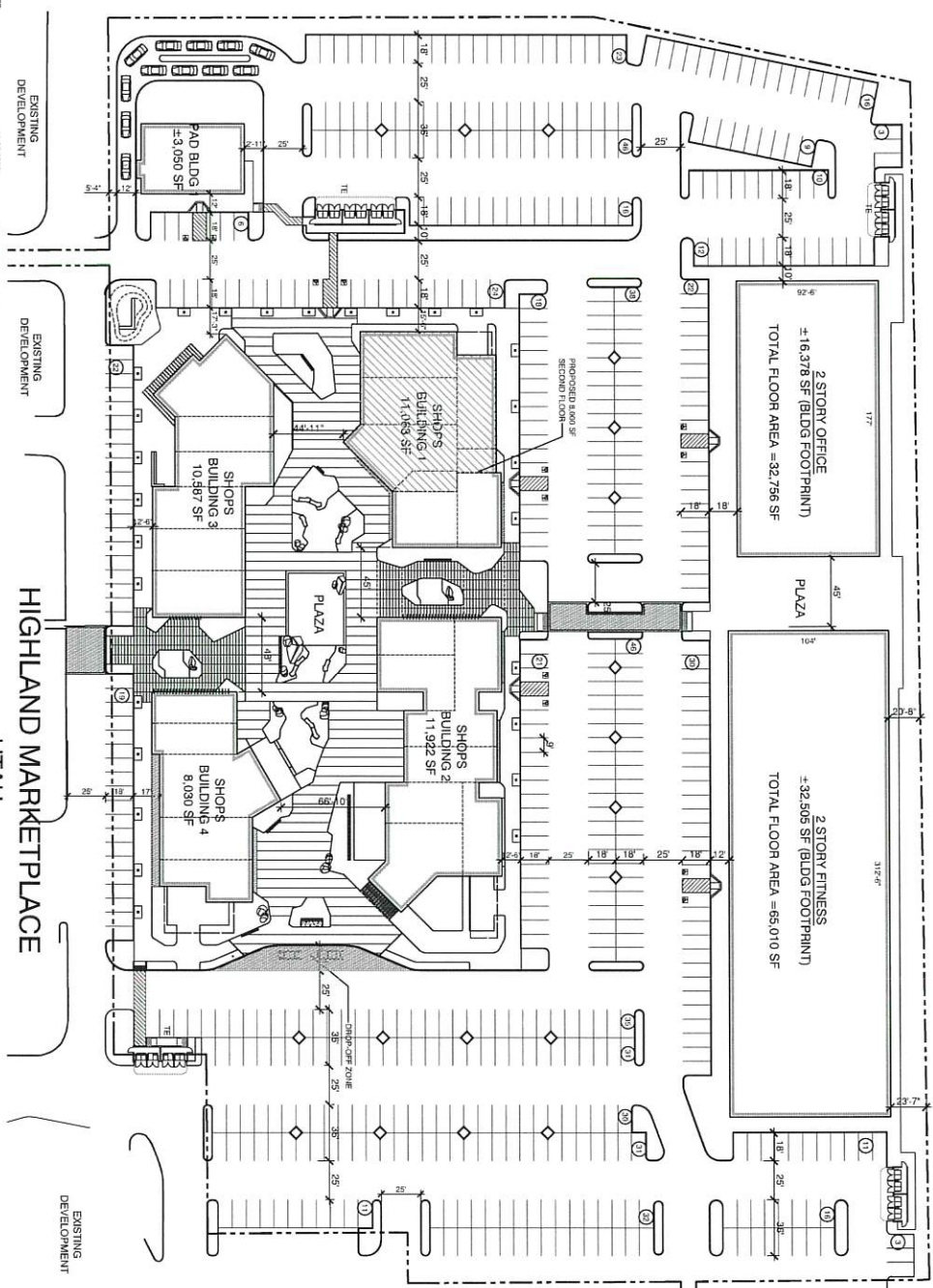
GROUNDLEVEL + **MNG** LANDSCAPE ARCHITECTURE

EXHIBIT "B"
APPROVED SITE PLANS

DATE: 11.28.2022
 DATE: 22.09.2021
 REVISIONS:



SITE PLAN SP-01



HIGHLAND MARKETPLACE
 UTAH

EXISTING DEVELOPMENT

EXISTING DEVELOPMENT

EXISTING DEVELOPMENT

PROJECT INFORMATION
 SITE SUMMARY:

SITE AREA	
SITE AREA	1.84 AC
LAND TO BUILDING RATIO	50.33% / 1
COVERAGE	22.25%
PARKING REQUIREMENT	
REGO STALLS	76 STALLS
OFFICE BLDG @ 4.1000	65.010 SF
OFFICE BLDG @ 4.1000	32.798 SF
OFFICE BLDG @ 4.1000	131 STALLS
OFFICE BLDG @ 4.1000	179 STALLS
TOTAL REQUIRED	142.818 SF
TOTAL PARKING PROVIDED:	
576 STALLS	
580 STALLS	
PARKING RATIO	4.07/1000

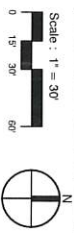
- CLEVELAND
- DENVER
- GLENORA
- IRVINE
- ORLANDO
- PHOENIX
- SAN FRANCISCO



megarchitect.com

EXHIBIT "B" (continued)

DATE: 11.23.2023
 MDCG JOB #: 22.005.01
 REVISIONS:
 DATE:
 DATE:

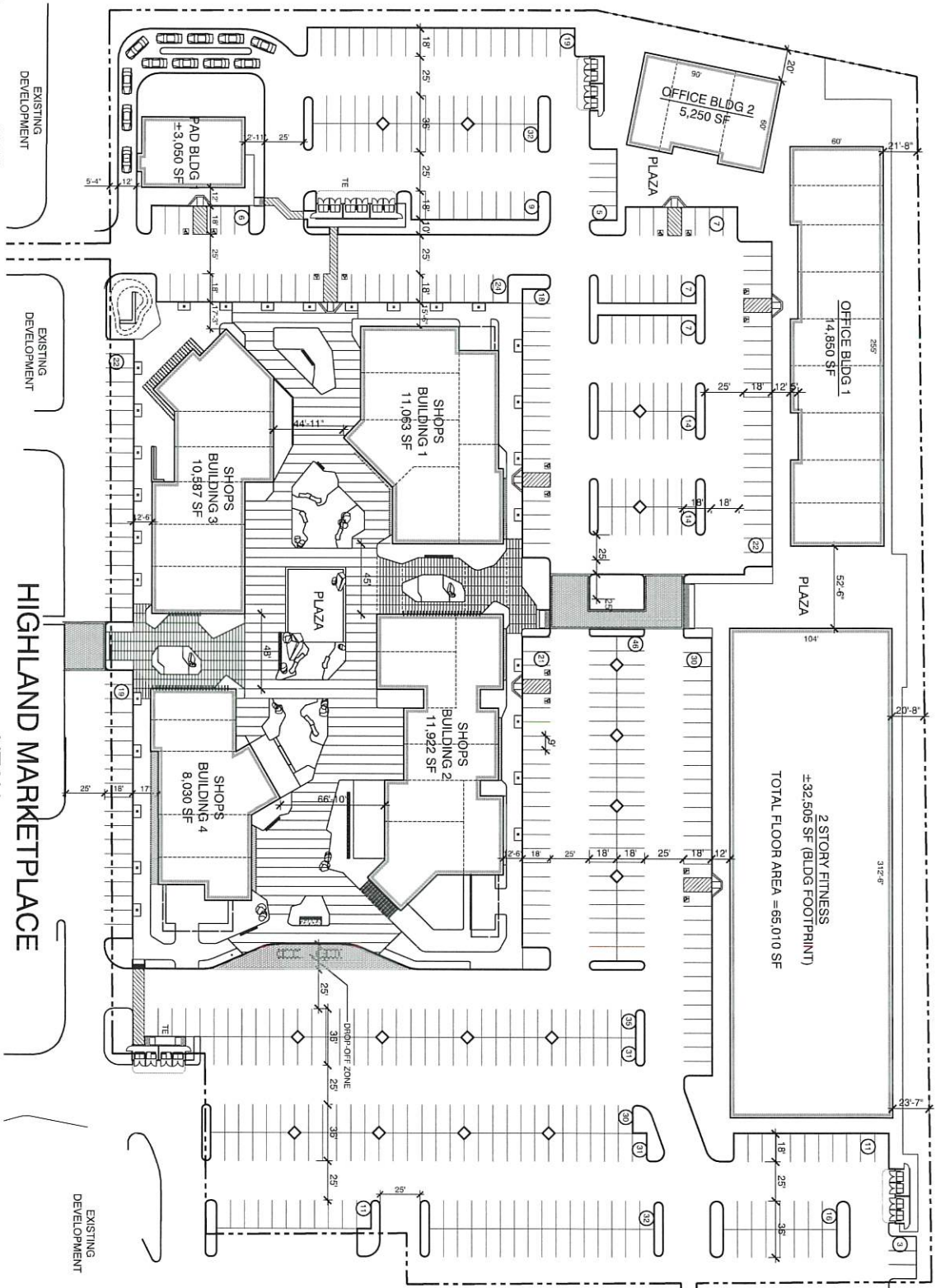


Scale: 1" = 30'
 0 15 30

CONTRACT INFORMATION: MDCG, ALL RIGHTS RESERVED.
 NOTE: This information is considered a reference and is subject to change without notice. The information is provided for informational purposes only and is not intended to constitute a contract. Any and all terms and conditions are governed by the contract.

HIGHLAND MARKETPLACE UTAH

SITE PLAN SP-02



PROJECT INFORMATION SITE SUMMARY:

SITE AREA	± 9.44 AC	± 411,117
BUILDING AREA (BLDG FOOTPRINT)	97,257 SF	3,227.1
LAND TO BUILDING RATIO	3,227.1	23.65%
COVERAGE		

PARKING REQUIREMENT

USE	BLDG AREA	REQD STALLS
OFFICE CENTER @ 0.41/1000	20,100 SF	80 STALLS
MARKET/RETAIL SHOPS @ 41/1000	44,852 SF	179 STALLS
TOTAL BLDG AREA	129,762 SF	
TOTAL PARKING REQUIRED		519 STALLS
PARKING PROVIDED		520 STALLS
PARKING RATIO:		4.00/1000

- CLEVELAND
- DENVER
- GLENORA
- IRVINE
- ORLANDO
- PHOENIX
- SAN FRANCISCO



mgarchitecturc.com

EXHIBIT "C"
SIGNAGE PLANS



SCALE: NTS

SUBJECT
ENTRY MONUMENT
SIGNAGE

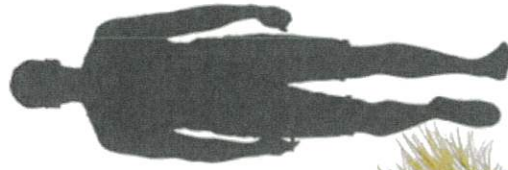
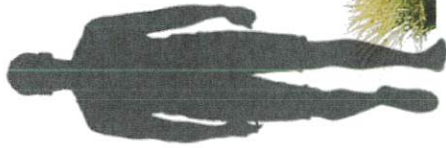
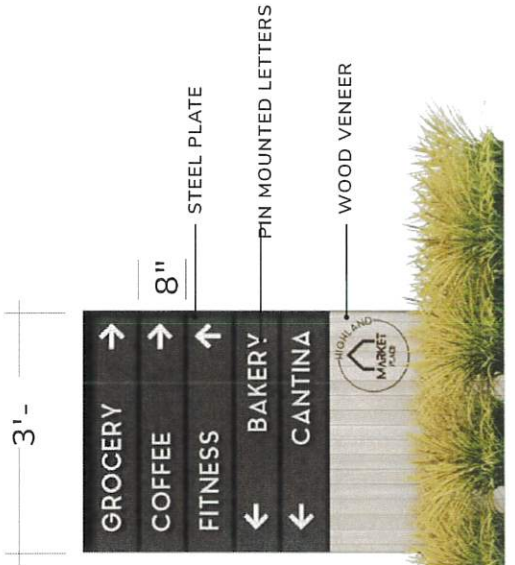
PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKETPLACE
CITY OF HIGHLAND, UTAH

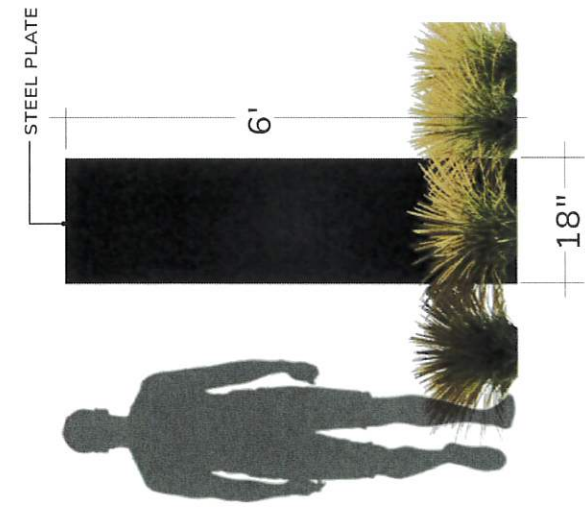
PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL + **LANDSCAPE ARCHITECTURE**



SCALE: NTS



PHASE
Schematic Design
Date: November 30, 2022

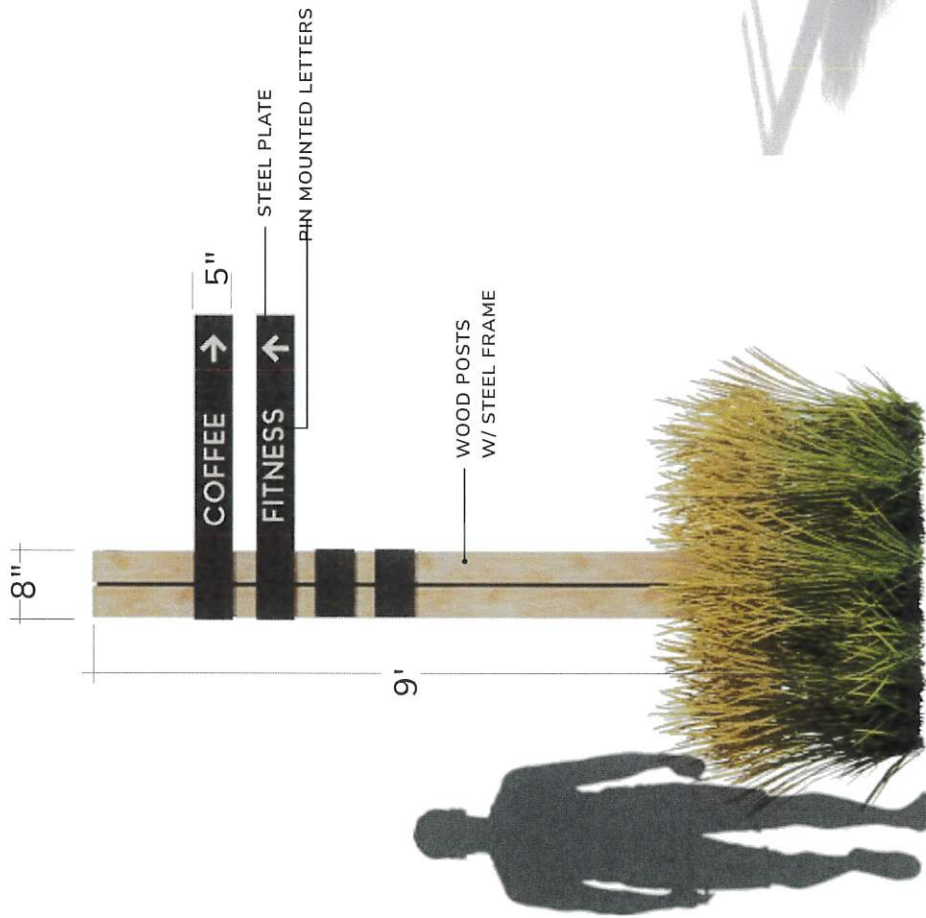
PROJECT
HIGHLAND MARKETPLACE
No: 22084

CITY OF HIGHLAND, UTAH

SUBJECT
SECONDARY SIGNAGE



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SCALE: NTS

PHASE
Schematic Design
Date: November 30, 2022

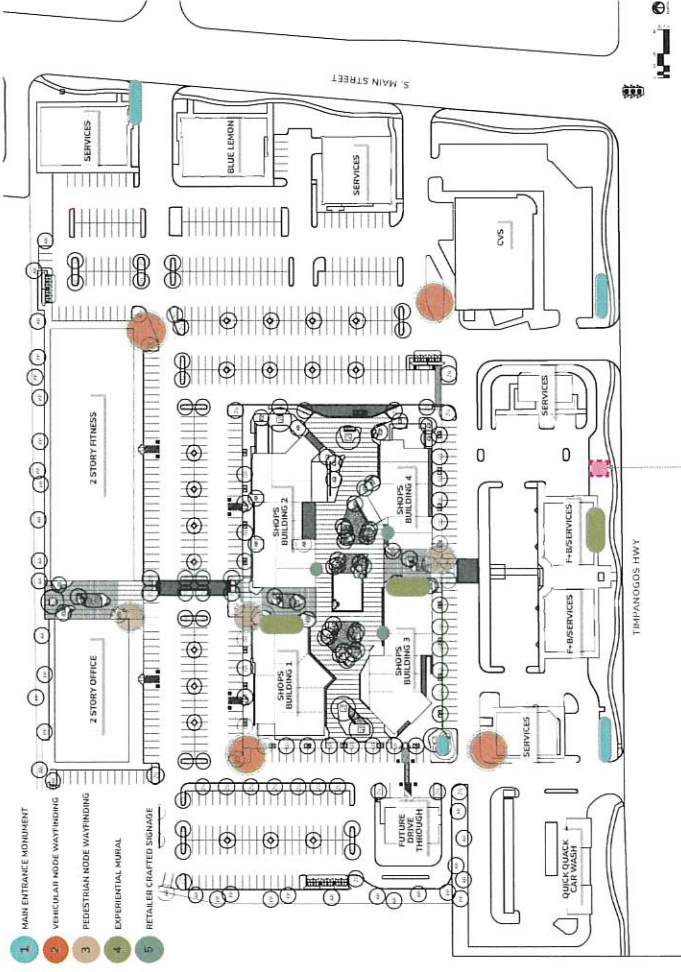
PROJECT
HIGHLAND MARKETPLACE
No: 22084

CITY OF HIGHLAND, UTAH

SUBJECT
PEDESTRIAN SIGNAGE



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



- 1 MAIN ENTRANCE MONUMENT
- 2 VEHICULAR NODE WAYFINDING
- 3 PEDESTRIAN NODE WAYFINDING
- 4 EXPERIENTIAL MURAL
- 5 RETAILER-CRAFTED STORAGE

Previous proposed location, discussed with city



SUBJECT
MONUMENTATION & WAYFINDING

PHASE
Schematic Design
Date: November 30, 2022

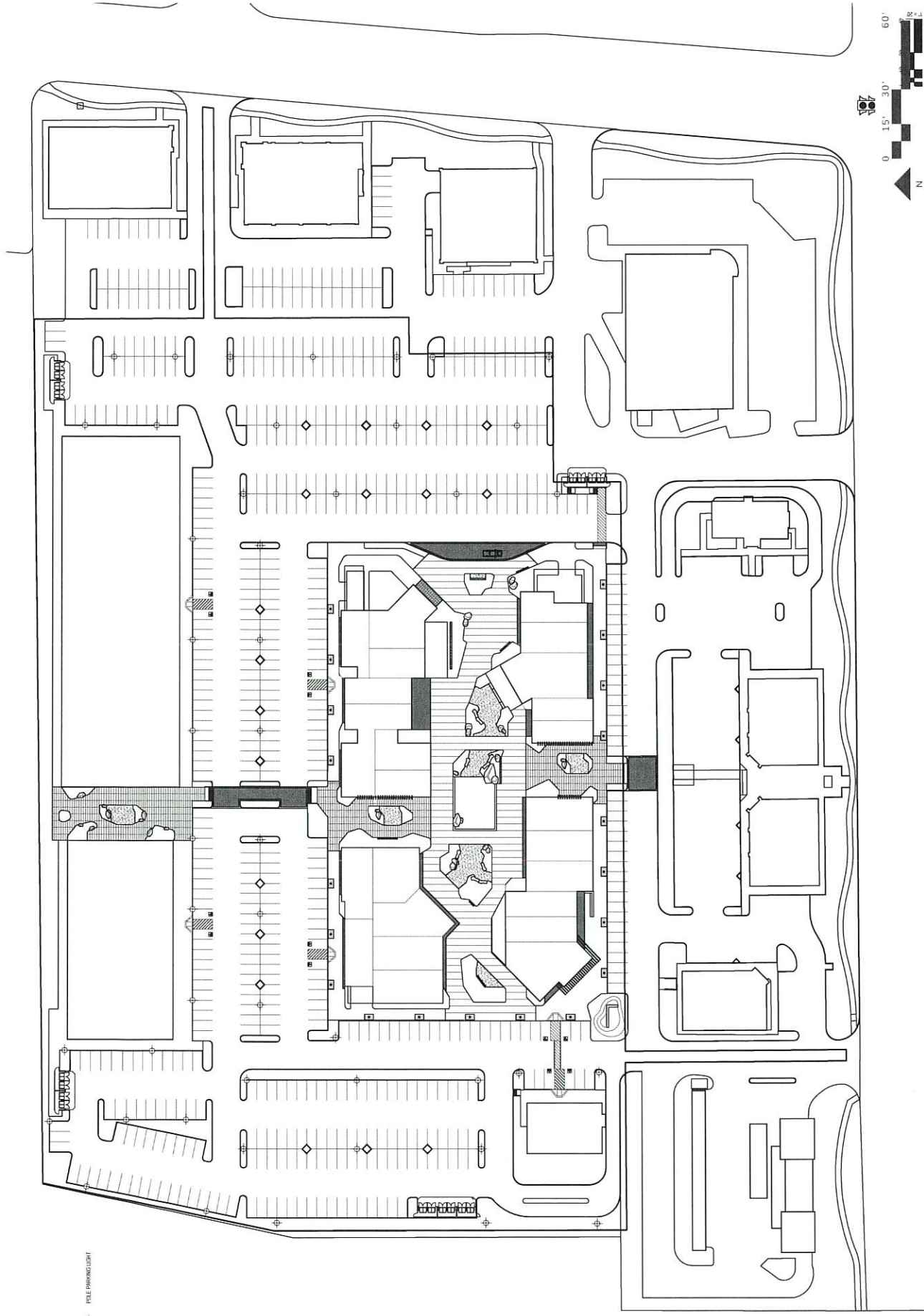
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL + LANDSCAPE ARCHITECTURE

EXHIBIT "D"
LIGHTING PLAN



SUBJECT
PARKING LOT LIGHTING PLAN

PHASE
 Schematic Design
 Date: November 30, 2022

CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
 No: 22084



GROUNDLEVEL + **LANDSCAPE ARCHITECTURE**

FIXTURE TYPE: _____

PROJECT NAME: _____



Glulam solid wood shaft and aluminum base pole available in 8' - 24' heights

FEATURES:

- Available with straight, tapered, or square to round wood shaft
- Square extruded aluminum pole base with flush handhole cover held with countersunk stainless steel fasteners
- Tenon or drill mount fixture mounting

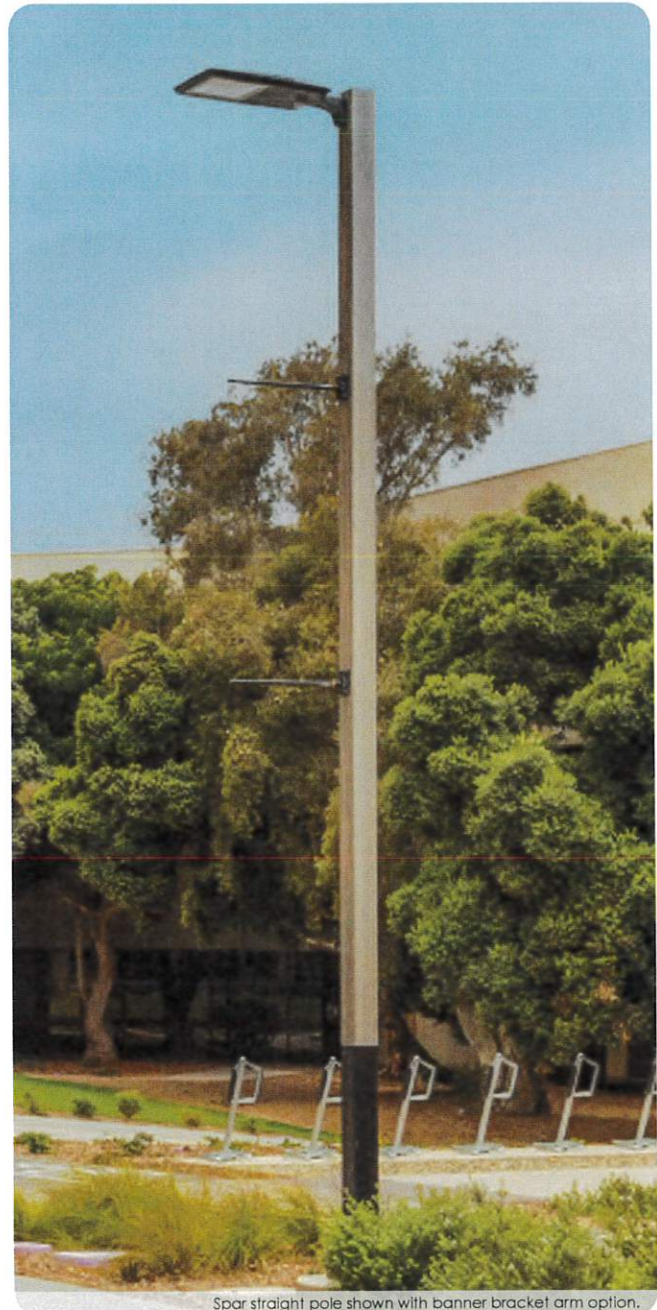
SPECIFICATIONS:

HOUSING: Solid wood pole is assembled through glulam construction and precision machined using CNC technology. An electrical raceway is provided in the pole's center for wiring. Laminations measure no more than 2" in thickness. Adhesive complies with ASTM D-2559 glulam construction specifications for extreme exposed weather conditions, is waterproof and rated for wet or dry use exposure.

Glulam wood shaft is fastened to aluminum pole base welded to a 3/4" thick aluminum anchor bolt base. Anchor bolt kit includes (4) 3/4" hot dip galvanized anchor bolts and fasteners and ridged concrete pour template.

ELECTRICAL: A 5/16" - 18 grounding point is provided on the aluminum pole base. Wireway access is provided through a NEC compliant handhole with a flush, gasketed cover plate.

FINISHES AND MATERIALS: Wood pieces are finished with a low VOC waterborne matte exterior finish containing UV and mildew inhibitors. All exterior aluminum parts are polyester powder coat painted to AAMA-2604 standards. [Care and Maintenance](#)

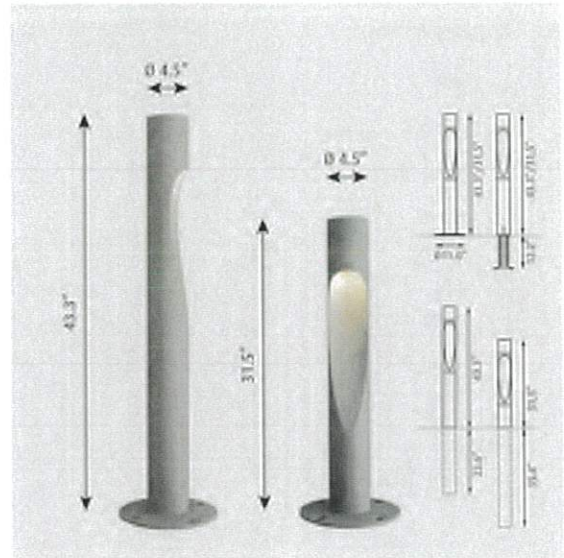


Spar straight pole shown with banner bracket arm option.

HARDWARE: All hand hole fasteners and luminaire bracket arm hardware are stainless steel. Anchor bolt kits are ASTM F1554 grade 55 steel with galvanized steel hex nuts and washers.

FIXTURE MOUNTING: Fixtures mount either by 2 3/8", 2 7/8", 3 1/2", or 4" diameter by 4" tall tenon or drill mount for arm brackets. Consult factory for other tenon sizes. Bolt mounted luminaires must use stainless steel hardware.

Flindt Bollard

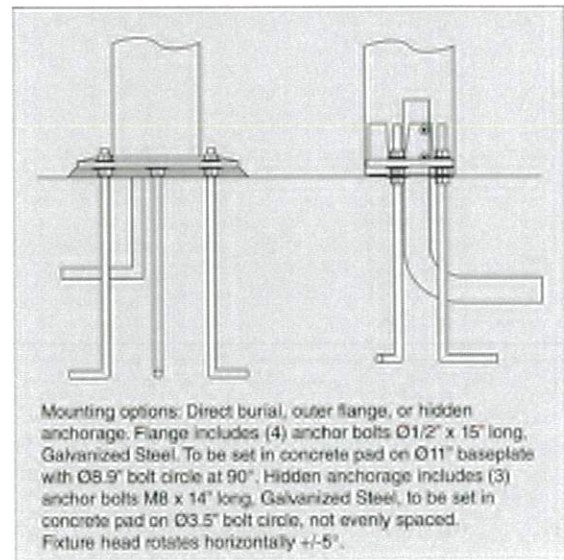


Design

Christian Flindt

Product description

Beautifully crafted slender post with a carved surface that is gently illuminated. Top section conceals downward facing LEDs that are positioned for wide distribution. Two horizontal connection lines underline the three parts of the bollard. A facet increases the visibility of the connection lines. Available in two heights, 43.3 IN and 31.5 IN. Available in three different mounting methods, with an 11 inch base plate and visible anchor bolts, with internally hidden anchor bolts, or direct burial in soil or gravel. Part of a family.



Variant options

Dimension	Color	Mounting	Light source	Lumen	Voltage frequency
31.5 IN	● Corten color	Post w/anchorage unit	15W LED/3000K	536	120-277V/60HZ
43.3 IN	● Natural paint aluminum	Post w/base plate	15W LED/4000K	548	
		Post w/direct burial		578	
				591	

Specification notes

a. Direct burial mounting only available with 43.3" size.

EXHIBIT "E"
ARCHITECTURAL THEMES



SUBJECT
SITE RENDERING

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKET PLACE
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKET PLACE
No: 22084



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SUBJECT
SITE RENDERING

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
HIGHLAND MARKETPLACE
CITY OF HIGHLAND, UTAH

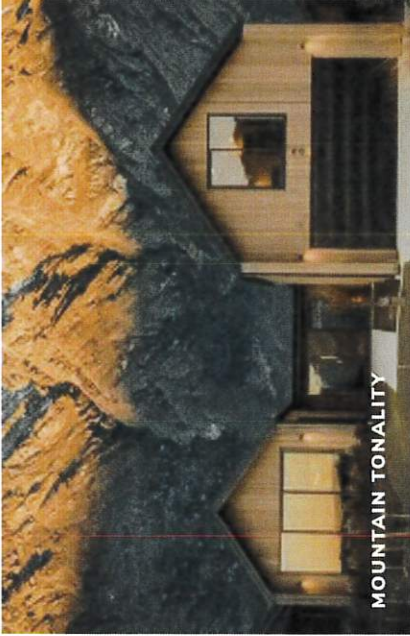
PROJECT
HIGHLAND MARKETPLACE
No: 22084



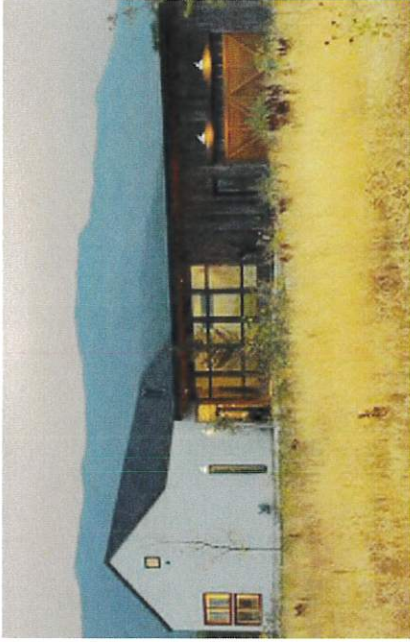
GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SIMPLICITY OF FORM



MOUNTAIN TONALITY



CAPTURING WARMTH



DETAILS IN AND OUT



SUBJECT
AUTHENTIC
ARCHITECTURE

CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084

PHASE
Schematic Design
Date: November 30, 2022



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SUBJECT
OFFICE BUILDING
RENDERING OPTION 1

PHASE
Schematic Design
Date: November 30, 2022

PROJECT
CITY OF HIGHLAND, UTAH

PROJECT
HIGHLAND MARKETPLACE
No: 22084



GROUNDLEVEL +
LANDSCAPE ARCHITECTURE



SUBJECT
OFFICE BUILDING
RENDERING OPTION 2

PHASE
Schematic Design
Date: November 30, 2022

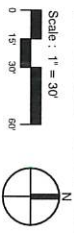
PROJECT
HIGHLAND MARKETPLACE
No: 22084

CITY OF HIGHLAND, UTAH



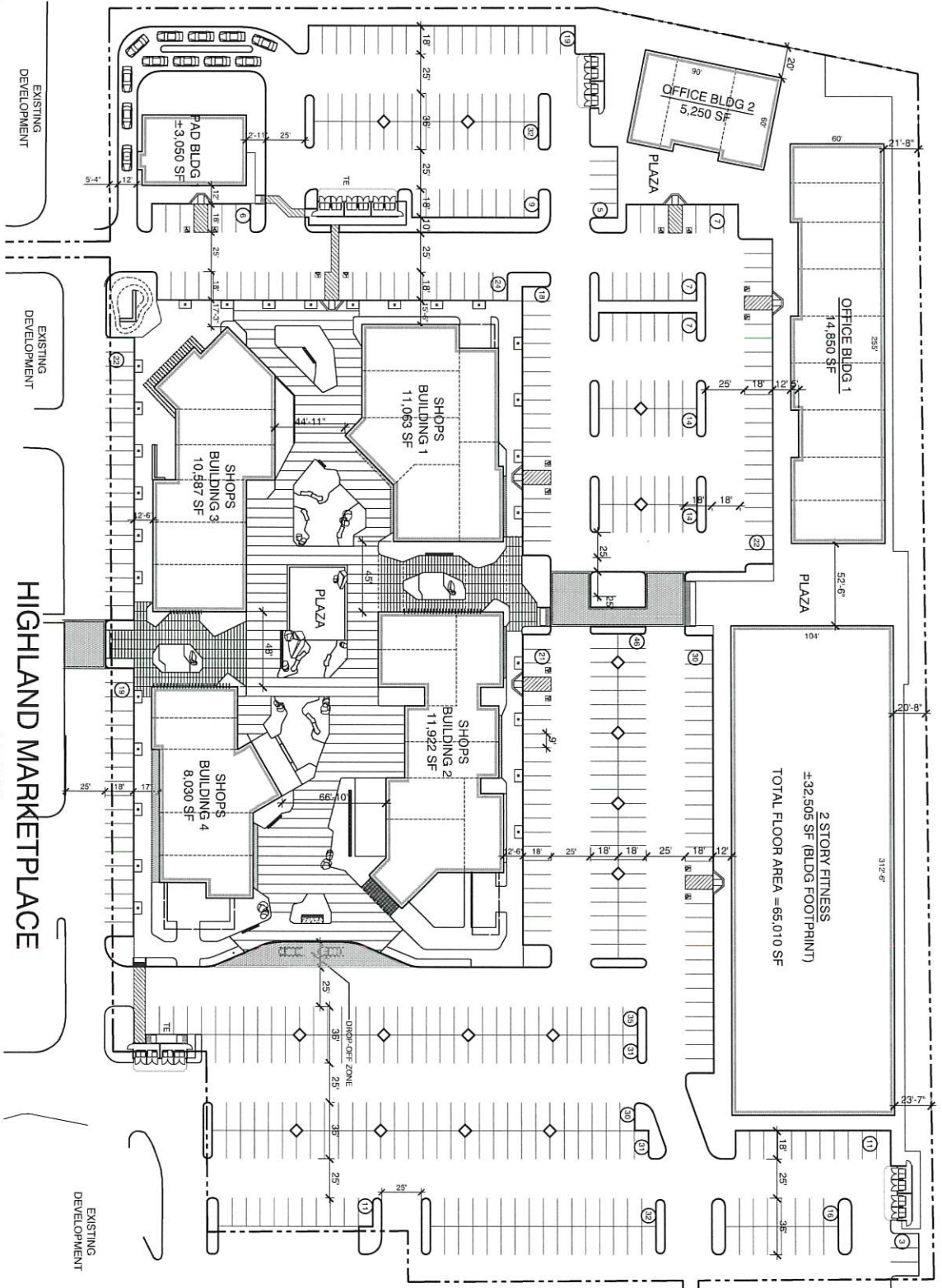
GROUNDLEVEL +
LANDSCAPE ARCHITECTURE

DATE: 11.29.2022
 MCG JOB #: 22-058-01
 REVISIONS:
 DATE:
 DATE:



SITE PLAN SP-02

HIGHLAND MARKETPLACE UTAH



- CLEVELAND
- DENVER
- GLENORA
- IRVINE
- ORLANDO
- PHOENIX
- SAN FRANCISCO



PROJECT INFORMATION

SITE SUMMARY:

SITE AREA	BLDG FOOTPRINT
±9.44 AC	=411,117
BUILDING AREA	97,257 SF
LAND TOTAL BUILDING RATIO	3.22 / 1
COVER	28.95%

PARKING REQUIREMENT

USE	BLDG AREA	REGD STALLS
FITNESS CENTER @ 41,000	65,010 SF	200 STALLS
OFFICE BLDG @ 41,000	20,100 SF	80 STALLS
MARKET/RETAIL SHOPS @ 41,000	44,952 SF	179 STALLS
TOTAL BLDG AREA	129,762 SF	
TOTAL PARKING REQUIRED		519 STALLS
PARKING PROVIDED		520 STALLS
PARKING RATIO		4.00/1000

When Recorded, Return To:
Highland City
5400 W Civic Center Dr.
Highland, UT 84003

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT (“**Second Amendment**”) is entered into and effective as of the ____ day of June, 2026 by and between HIGHLAND CITY, a municipal corporation (the “**City**”), and [DEVELOPER/OWNERS], as successors in interest to THOMAS FOX PROPERTIES, LLC, (collectively “**Developer**”). The City, [DEVELOPER/OWNERS] are at times referred to collectively in this Second Amendment as the “**Parties**”).

RECITALS

- A. Developer owns or otherwise has the right to develop certain property located within the City and seeks to develop the same (“**Development**”), which property is more particularly described as:

LOTS 1 THROUGH 4, INCLUSIVE, MID-TOWN HIGHLAND
MARKETPLACE SUBDIVISION – AMENDED 2

- B. Developer and the City are parties to or successors in interest to that certain Development Agreement dated April 24, 2007 (the “**Agreement**”) pertaining to the development of certain property, as such property is more particularly described in the Agreement (“**Original Property**”), which Original Property includes the Development.
- C. The Original Property and Development is zoned under applicable City land use regulations as CR Zone and subject to general development requirements and regulations set forth in the City’s Development Code (collectively, “**Zoning**”), which Zoning is supplemented, amended, and/or superseded by the terms of the Agreement.
- D. Since the execution of the Agreement, the development of Lots 3-11 of the Original Property, has been completed pursuant to the Agreement.
- E. Thereafter, the Parties or their predecessors-in-interest executed that certain First Amendment to Development Agreement (“**First Amendment**”) dated December 15, 2022.
- F. The Parties desire to amend the signage requirements and allowances for the Development in a manner not currently permitted under the Agreement, First Amendment, and Zoning.
- G. City has, pursuant to Highland Development Code 5-1-106(7) and Utah Code § 10-20-508, and other applicable ordinances, determined that the approval of this Second Amendment with Developer, and the establishment thereby of specific requirements, elements, and aspects of the Development, some or all of which are not currently allowed under the Zoning, Agreement, or First Amendment, will result in benefits to the City and its residents that are not provided by the Zoning, Agreement, or First Amendment.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

TERMS

1. **Effect of Amendment.** Except as provided otherwise herein, this Amendment shall only apply to and affect the development of the Lots 1 through 4 of the MID-TOWN HIGHLAND MARKETPLACE SUBDIVISION – AMENDED 2, according to the official plat thereof as recorded in the office of the Utah County Recorder.
2. **Signage.** The signage set forth in Exhibit “C” of the Agreement and First Amendment is hereby amended and superseded with the signage set forth in Exhibit “C” attached hereto (the “**Signage**”).
 - a. Developer acknowledges that the Commercial Center Freestanding Signs (“**CCF Signs**”) described and depicted in the Signage will be the only CCF Signs permitted within the CR zone, because no additional CCF Sign in addition to the Signage may be constructed pursuant to the Zoning. Accordingly, Developer, and their successors and assigns, shall allow, on commercially reasonable terms and consistent with this Second Agreement and the Zoning, all owners or tenants of commercial buildings within the CR Zone to co-locate signage on the CCF Signs authorized herein, regardless of whether such owner or tenant is party to the Agreement, First Amendment, or Second Amendment. This provision is expressly intended to benefit all current and future third-party owners or tenants of commercial buildings within the CR zone.
3. **Compliance with Regulations.**
 - a. The Development remains subject to all terms, conditions, and requirements of the Agreement, First Amendment, Zoning, and all other applicable federal, state, county, and City laws, ordinances, codes, standards, and land use regulations applicable to the Development and to any building, improvement, landscaping, excavation, or other work required or related to the Development, including but not limited to application requirements, payment of fees, provision of assurances and guarantees, and compliance with design and construction standards. This Second Amendment does not constitute a land use decision, permit, or approval except as expressly set forth herein.
 - b. To the extent that the terms, conditions, and requirements of this Second Amendment expressly modify or are in direct conflict with the Agreement, First Amendment, Zoning, or another City-adopted ordinance, standard, or land use regulation applicable to the Development, this Second Amendment shall control and take precedence, but only to the extent of the express modification or direct conflict.
4. **Recording.** This Agreement shall be recorded, and its benefits and obligations shall run with the land to successors-in-interest to the Development.

5. **Other Provisions.** Except as otherwise expressly set forth herein, all provisions of the Agreement and First Amendment are hereby ratified, confirmed, and remain in full force and effect.
6. **Representations.** The persons signing this Agreement on behalf of the parties represent and warrant that they have the authority and authorization to execute the Agreement on behalf of the respective party such that the party will be bound by all rights, obligations, terms, and conditions herein, and that all steps, requirements, and processes necessary for a party to approve and execute the Agreement have each been completed.

-- SIGNATURE PAGE AND ACKNOWLEDGEMENT TO FOLLOW --

EXHIBIT C

Signage

Highland Marketplace

Presented By



Salt Lake Region

Salt Lake Office
1605 South Gramercy Road
Salt Lake City, UT 84104
801-487-8481

Package Version

OPY-78968 R0
Date: 04.29.2026

Site Address

Highland Marketplace
5374 W 11000 N
Highland UT 84003

TYPOGRAPHY NOTE

All vertical typography dimensions specified in this package are based upon the measurement from the baseline to the cap-line of an uppercase letter 'i'. The height of descenders and ascenders, below and above the baseline and cap-line respectively, are not included in the measurements unless specifically noted.



COLOR MATCHING NOTE

Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match.

PRODUCTION NOTE

The PDF format of this package may contain graphics which have been down-sampled for proofing purposes and should not be used for production purposes. Source files for this package are available upon request for production purposes.

DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com
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This drawing was created to assist you in visualizing our proposal. The original ideas herein are the property of YESCO LLC. Permission to copy or revise this drawing can only be obtained through a written agreement with YESCO.
The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.



Revisions

No.	Date / Description
Org.	2025.02.17
R1	07.22.2025 / add rfi note [LC
R2	08.07.2025 / remove sign 5 [LC
R3	08.21.2025 / no cxhg [LC]
R4	---
R5	---
R6	---
R7	---
R8	---
R9	---

J0 #

Approval

A/E Sign / Date

Client Sign / Date

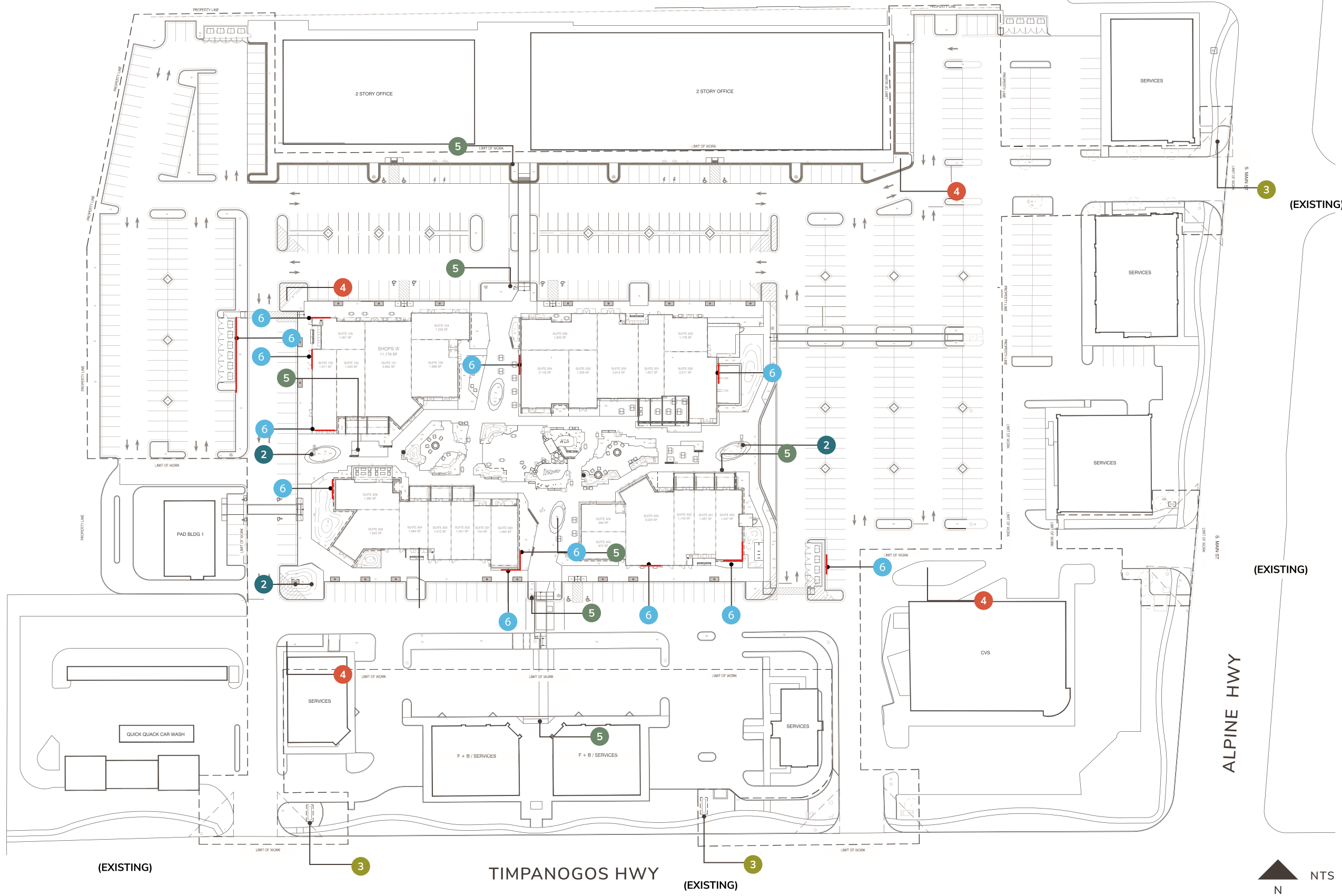
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

LOC 0.1



LEGEND:

TYPE	QTY	TYPE	QTY
2 Monument Sign Type 'B'	3	4 Vehicular Wayfinding Sign Type 'B'	4
3 Vehicular Wayfinding Sign Type 'A'	3	5 Pedestrian Wayfinding Sign	7
		6 Mural	13



3 BACK
SCALE: NTS

SCOPE OF WORK

MANUFACTURE & INSTALL **THREE (3)** D/F NON ILLUMINATED MONUMENT SIGNS.

ELECTRICAL

THIS DISPLAY IS NON-ILLUMINATED / NO ELECTRICAL.

PERMITTING INFO

AREA: 4.5 FT² (Rounded to the nearest 0.1 ft²)
METHOD: BOUNDING BOX

COLOR KEY

- P1** SW YESCO (Black)
Sherwin Williams Paint w/Satin Finish
- P2** SW YESCO (Faux Wood)
Sherwin Williams Paint w/Satin Finish

Note: Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match. Please consult your YESCO account executive for physical sample swatches.

MISSING REQUIRED INFO

VECTOR LOGO REQUIRED PRIOR TO FABRICATION, OR APPROVAL OF DESIGN.



DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

www.yesco.com
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Revisions

No.	Date / Description
Org.	2025.02.17
R1	---
R2	---
R3	---
R4	---
R5	---
R6	---
R7	---
R8	---
R9	---

J0 #

Approval

A/E Sign / Date

Client Sign / Date

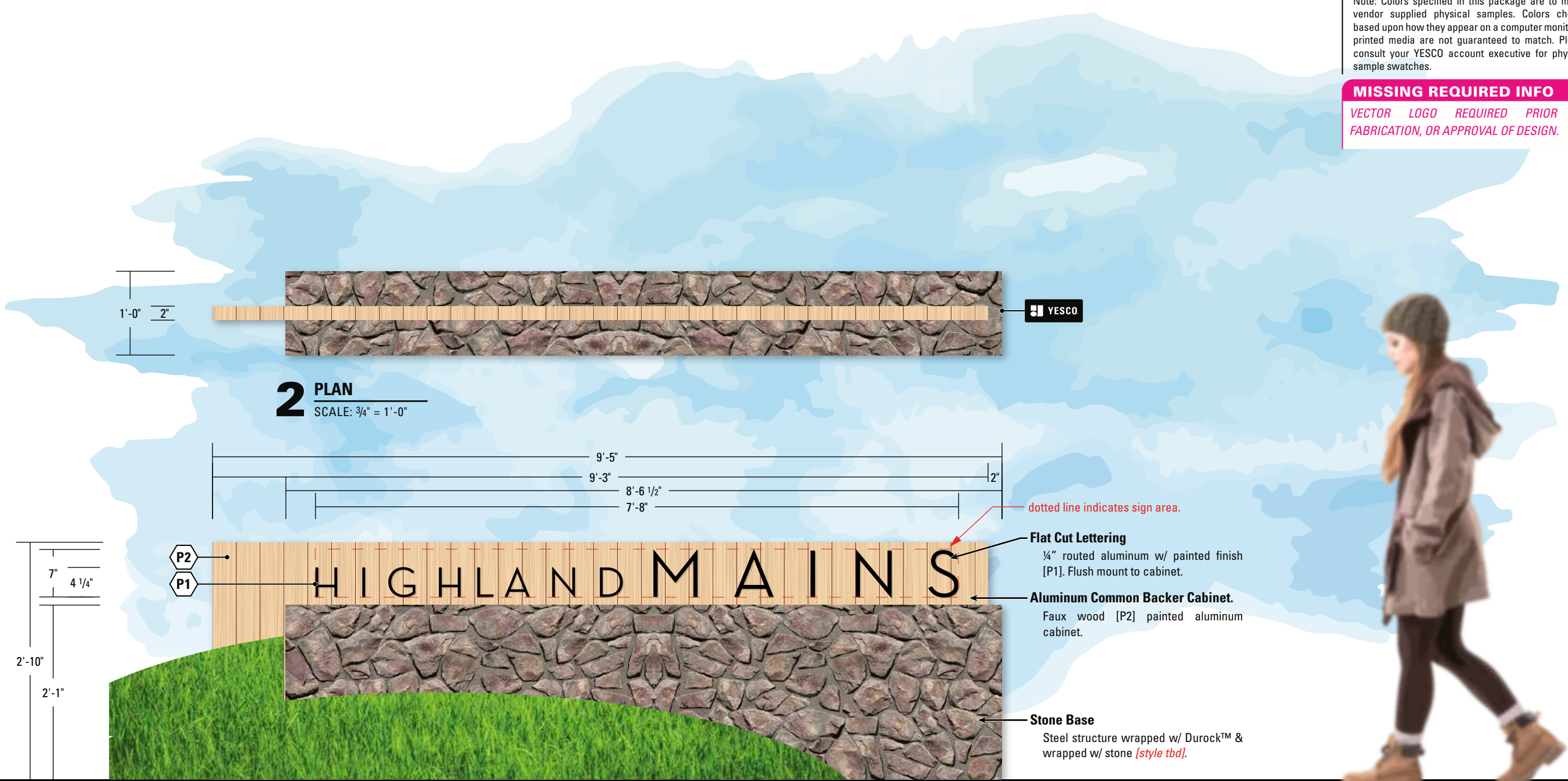
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

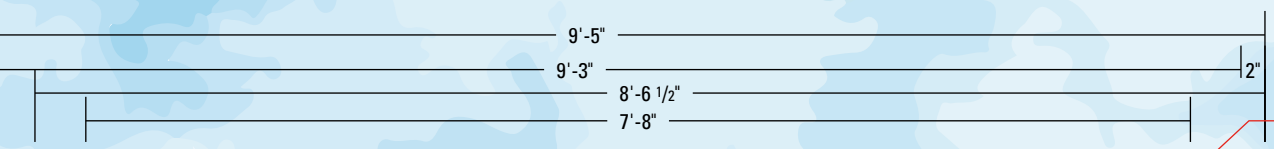
Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

ART 1.0



2 PLAN
SCALE: 3/4" = 1'-0"



1 SIGN 2 - D/F MONUMENT "B" - FRONT
SCALE: 3/4" = 1'-0"



SCOPE OF WORK

MANUFACTURE & INSTALL **THREE [3]** D/F NON ILLUMINATED DIRECTIONAL.

ELECTRICAL

THIS DISPLAY IS NON-ILLUMINATED / NO ELECTRICAL.

PERMITTING INFO

AREA: 133.7 FT² (Rounded to the nearest 0.1 ft²)
METHOD: BOUNDING BOX

COLOR KEY

P1	SW YESCO (Black) Sherwin Williams Paint w/Satin Finish
P2	SW YESCO (Faux Wood) Sherwin Williams Paint w/Satin Finish
P3	SW YESCO (White) Sherwin Williams Paint w/Satin Finish

Note: Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match. Please consult your YESCO account executive for physical sample swatches.

MISSING REQUIRED INFO

MESSAGES REQUIRED PRIOR TO FABRICATION,

DESIGN

1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

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R4	---
R5	---
R6	---
R7	---
R8	---
R9	---
JO #	

Approval

A/E Sign / Date

Client Sign / Date

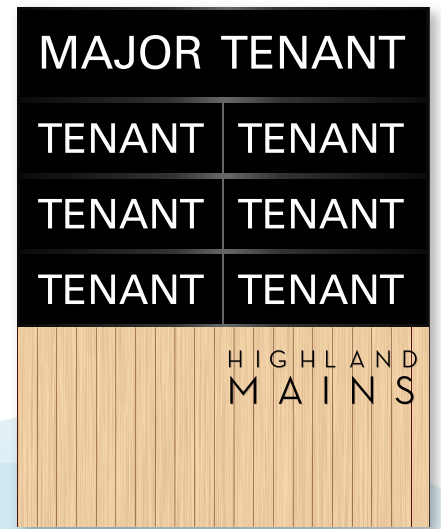
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

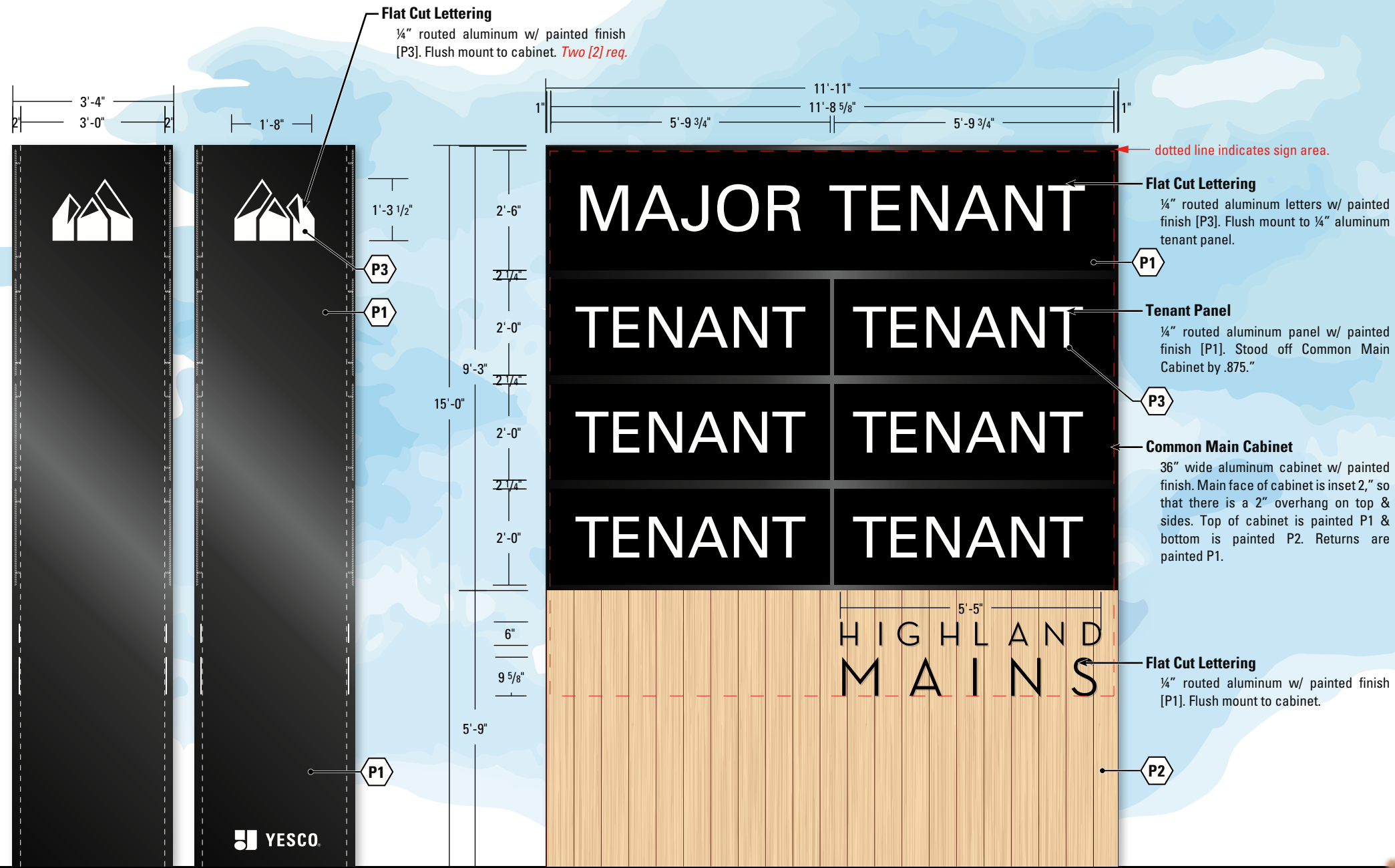
Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

ART 2.0



3 BACK
SCALE: NTS



ROAD SIDE

1 SIGN 3 - D/F VEHICULAR WAYFINDING A - FRONT
SCALE: 3/8" = 1'-0"

SCOPE OF WORK

MANUFACTURE & INSTALL **SEVEN (7)** 4 SIDED PEDESTRIAN WAYFINDING SIGNS.

ELECTRICAL

THIS DISPLAY IS NON-ILLUMINATED / NO ELECTRICAL.

COLOR KEY

P1	SW YESCO (Black) Sherwin Williams Paint w/Satin Finish
P2	SW YESCO (Faux Wood) Sherwin Williams Paint w/Satin Finish
P3	SW YESCO (White) Sherwin Williams Paint w/Satin Finish

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MISSING REQUIRED INFO

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R4	---
R5	---
R6	---
R7	---
R8	---
R9	---

J0 #

Approval

A/E Sign / Date

Client Sign / Date

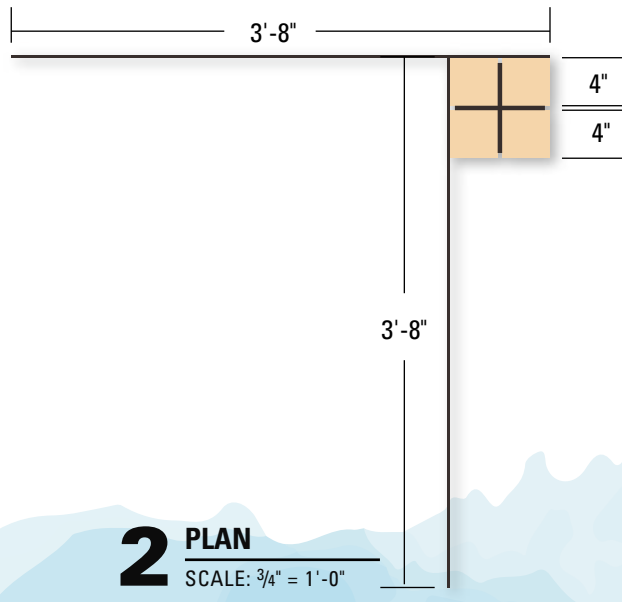
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

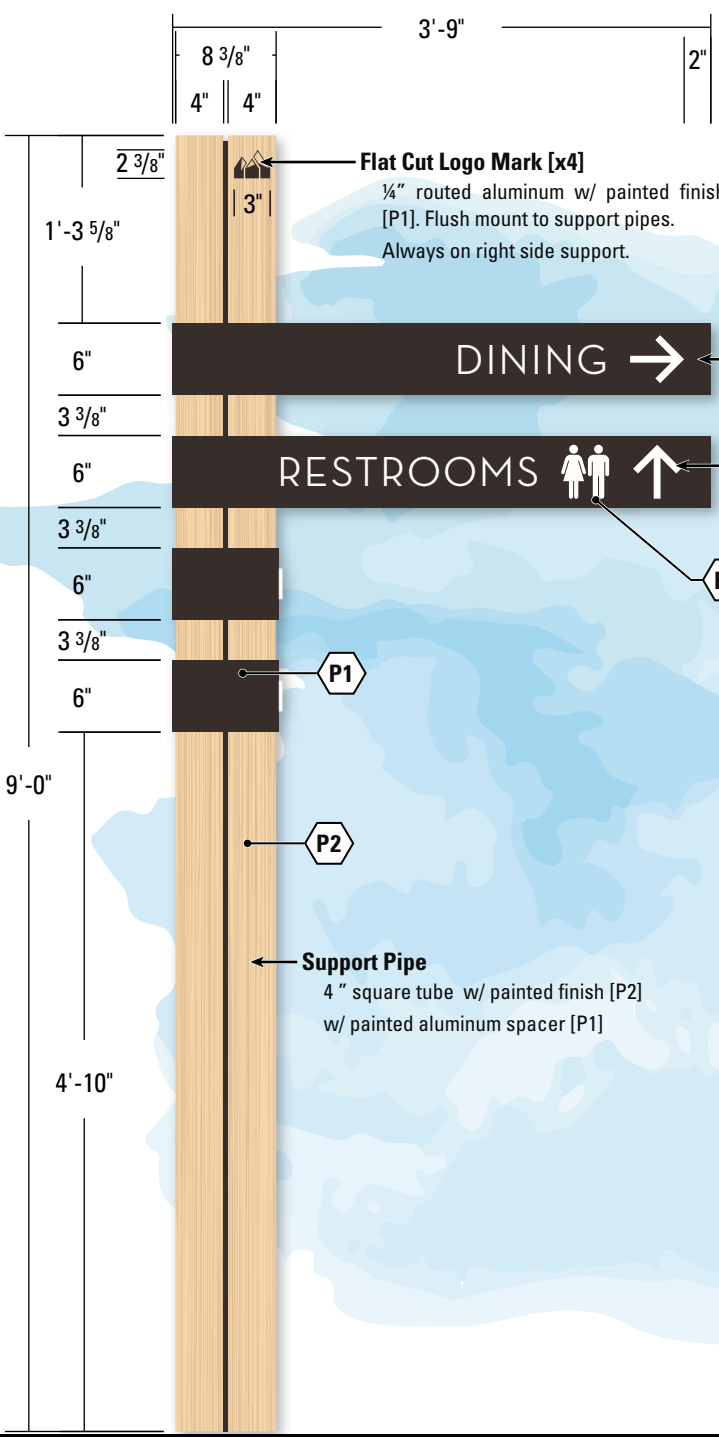
Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

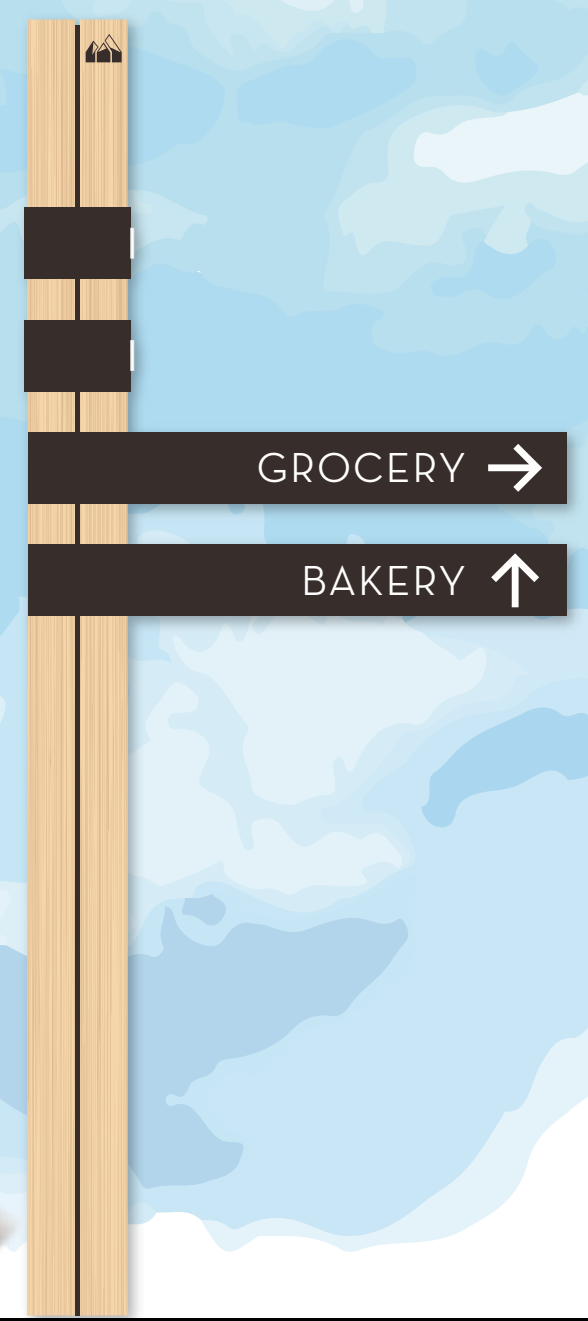
ART 3.0



2 PLAN
SCALE: 3/4" = 1'-0"



1 SIGN 5 - 4/S PEDESTRIAN WAYFINDING - FRONT
SCALE: 3/4" = 1'-0"



3 RIGHT
SCALE: 3/4" = 1'-0"

Flat Cut Logo Mark [x4]
1/4" routed aluminum w/ painted finish [P1]. Flush mount to support pipes. Always on right side support.

"L" Shaped Tenant Panel
1/4" routed aluminum panel w/ painted finish [P1]. Flush mount to support pipe.

Flat Cut Lettering
1/4" routed aluminum letters w/ painted finish [P3]. Flush mount to 1/4" aluminum tenant panel.

Support Pipe
4" square tube w/ painted finish [P2] w/ painted aluminum spacer [P1]

P1

P2

P3



SCOPE OF WORK

MANUFACTURE & INSTALL **FOUR [4]** D/F NON ILLUMINATED DIRECTIONAL.

ELECTRICAL

THIS DISPLAY IS NON-ILLUMINATED / NO ELECTRICAL.

PERMITTING INFO

AREA: 20.0 FT² (Rounded to the nearest 0.1 ft²)
METHOD: BOUNDING BOX

COLOR KEY

P1	SW YESCO (Black) Sherwin Williams Paint w/Satin Finish
P2	SW YESCO (Faux Wood) Sherwin Williams Paint w/Satin Finish
P3	SW YESCO (White) Sherwin Williams Paint w/Satin Finish

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MISSING REQUIRED INFO

MESSAGES REQUIRED PRIOR TO FABRICATION,

DESIGN

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Salt Lake City, UT 84104
801.487.8481

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Revisions

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Org.	2025.02.17
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R4	---
R5	---
R6	---
R7	---
R8	---
R9	---
JO #	

Approval

A/E Sign / Date

Client Sign / Date

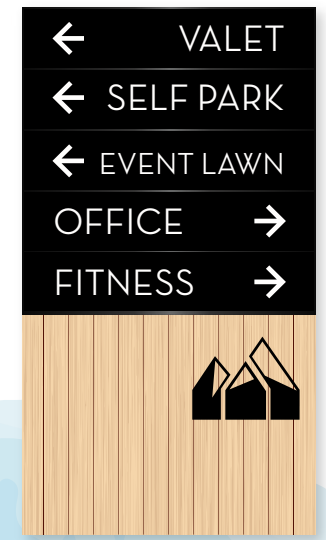
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

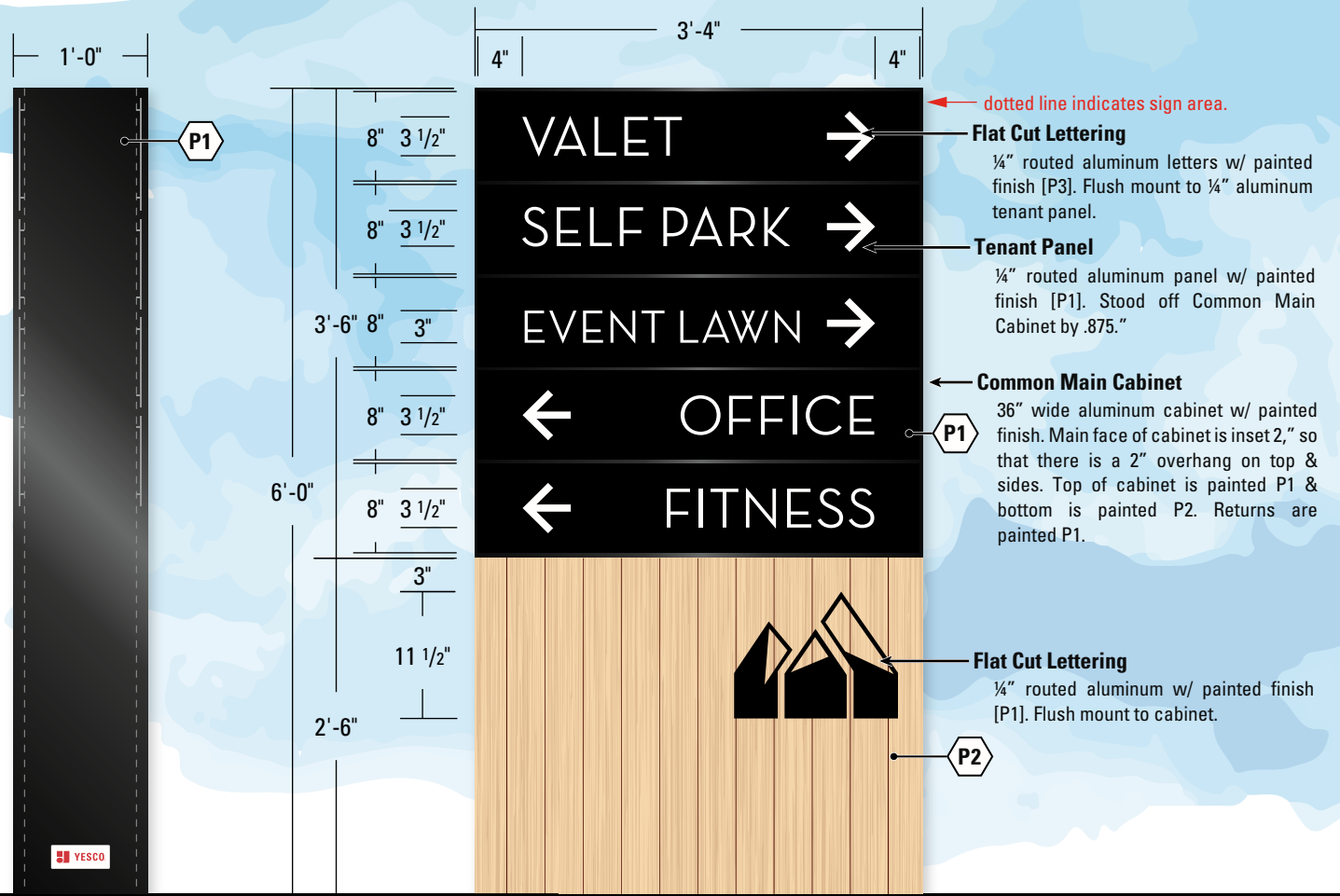
Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

ART 4.0



3 BACK
SCALE: NTS



SCOPE OF WORK

MANUFACTURE & INSTALL **THIRTEEN [13]**
MURALS

ELECTRICAL

THIS DISPLAY IS NON-ILLUMINATED / NO ELECTRICAL.

PERMITTING INFO

AREA: 00.0 FT² (Rounded to the nearest 0.1 ft²)
METHOD: BOUNDING BOX

MISSING REQUIRED INFO

DESIGNS REQ. PRIOR TO FABRICATION

DESIGN

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R4	---
R5	---
R6	---
R7	---
R8	---
R9	---

JO #

Approval

A/E Sign / Date

Client Sign / Date

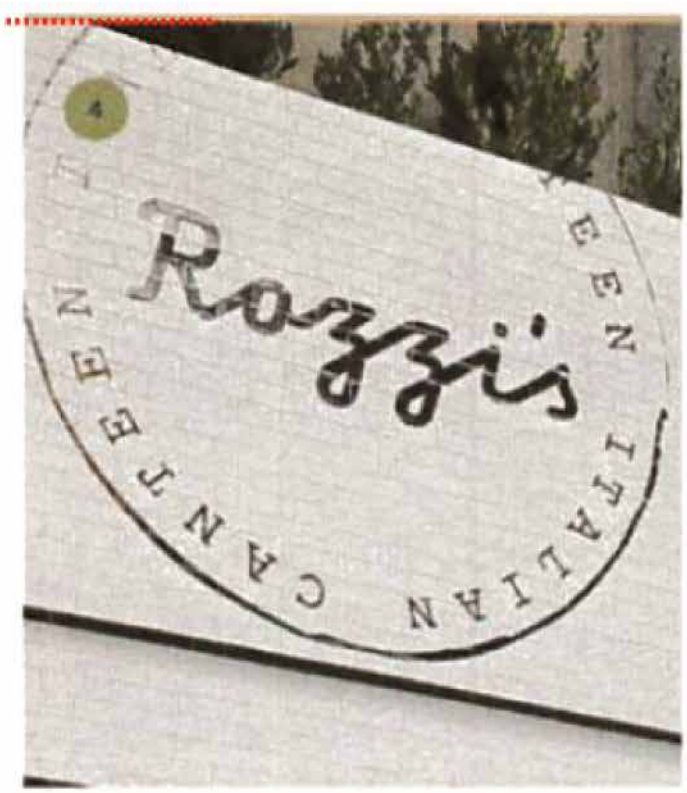
Highland Marketplace

5374 W 11000 N
Highland UT 84003-8946

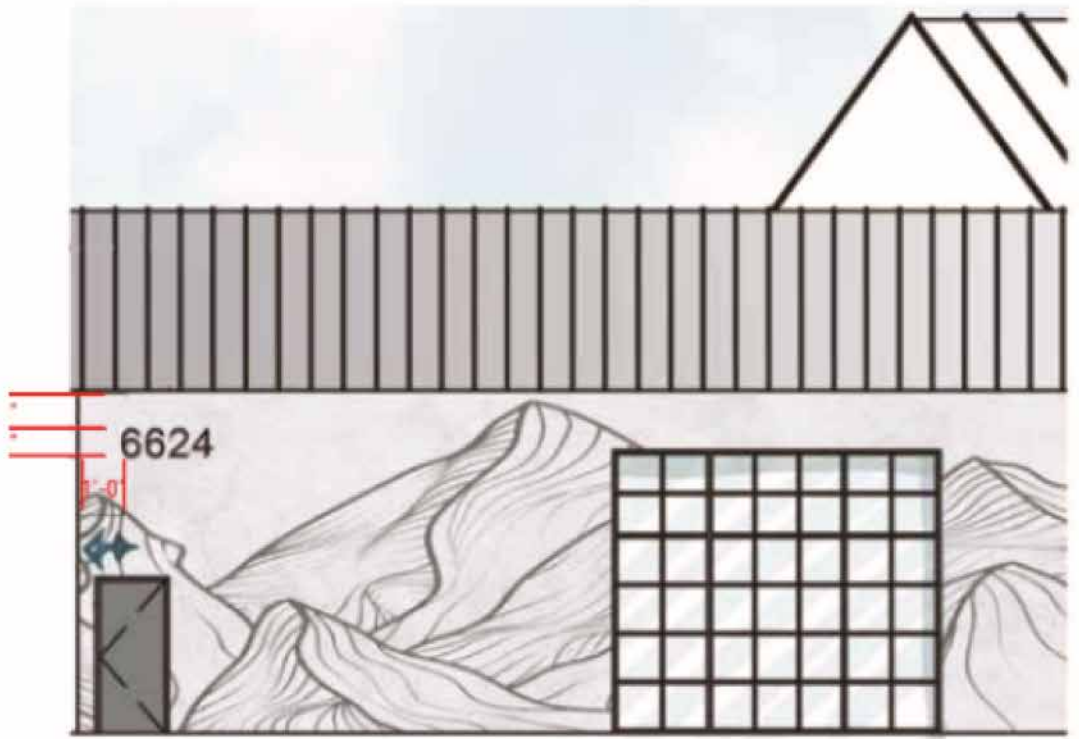
Acct. Exec: Dan Pace
Designer: Larry Cohen

OPY-78968 R0

ART 5.0



Hand Painted Murals



1 SIGN 6 - MURAL
SCALE: NTS



PLANNING COMMISSION AGENDA REPORT ITEM #3c

DATE: May 26, 2026
TO: Planning Commission
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: City Staff
SUBJECT: Amendments to Process for Approving New Business Use
TYPE: Development Code Update (Legislative)

PURPOSE:

The Planning Commission will hold a public hearing to consider amendments to the process by which a new business use may be permitted within a zone.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold a public hearing, consider the proposed amendments, and recommend approval of the proposed amendments.

PRIOR REVIEW:

In the 2025 general legislative session, the state legislature imposed a new requirement for cities to create a process for new or unlisted business uses to be evaluated and potentially added as allowed uses within a zone. In April 2025, the Planning Commission recommended an ordinance that would create this process for Highland City, which the Council later adopted. In 2025, the law seemed to require the city to treat these requests to add new allowed uses to a zone as an administrative act, rather than a legislative act. While this was seemingly contrary to the usual legislative/administrative procedures under the state Land Use, Development, and Management Act, the City complied with the state law.

BACKGROUND & SUMMARY OF REQUEST:

In the 2026 general legislative session, the state legislature adopted SB 284, which amended the requirements for the process for new or unlisted business uses to be evaluated and potentially added as allowed uses within a zone. SB 284 addressed the concern raised by city staff, the Commission, and the Council, in that authorizing new business uses within a zone is truly a legislative action akin to a rezone or zoning amendment, not an administrative action akin to a building permit or subdivision under existing zoning.

Under SB 284, evaluating whether a particular business use aligns with previously established permitted or conditional uses is an **administrative** act performed by staff, but adding a new type of business use into a zone that was not previously authorized is a **legislative** act performed by Council. This corrects the previous incongruity. Accordingly, the proposed amendment changes the process of allowing a new business use within a zone to be a legislative process:

- Requires the Council to adopt an ordinance to allow the new use (per state law, the Planning Commission does not review these requests - it goes straight to Council)

- Allows the Council to designate the new use as a permitted use or a conditional use within the zone
- Allows the Council to consider any fact, law, or policy relevant to the adoption of the ordinance, as a legislative matter
- Provides that an appeal of the Council's decision is treated as an appeal of an ordinance/land use regulation that is handled by the state district court, rather than an appeal of a land use decision that is handled by the City's administrative appeal authority.

STAFF REVIEW & PROPOSED FINDINGS:

This amendment has been prepared to ensure the City's processes align with state law and properly treat the addition of new business uses to a zone as a legislative matter, rather than an administrative matter. Staff therefore recommends the Planning Commission recommend approval of the amendments.

MOTION:

I move that the Planning Commission recommend that the City Council adopt the proposed amendments.

[Commission may specify different or additional amendments]

ATTACHMENTS:

1. Draft Amendment New Use Procedures - PC

Table 2-704A

Use Determination - Approval of New or Unlisted Business Use	DRC	ZA	CC	AADC
---	-----	----	----	-----------------

3-101 Uses Prohibited Unless Expressly Permitted, Classification And Approval Of Uses

1. Uses of land which are not expressly permitted within a zone are hereby declared to be expressly prohibited therein, except as may be approved as set forth herein.
2. Any person who may obtain state or federal properties by purchase, lease, or other arrangement must utilize such properties in accordance with the provisions of this Code. The Planning Commission, City Council, Appeal Authority, and the Zoning Administrator shall not permit a use within a zone which is not expressly permitted by the terms of this Code.
3. Use Determination – Classification Request.
 - a. An applicant may request the Land Use Authority determine whether a proposed business use aligns with an existing land use specified in a zone.
 - b. The applicant shall submit an application that includes an application form, a fee (if required), and at least the following information:
 - i. A description of the proposed business use;
 - ii. Identification of the zone or zones in which the proposed business use may be located; and
 - iii. A narrative explaining how the proposed business use is similar to or aligns with one or more existing, specified land uses and addressing the criteria set forth below.
 - c. The Land Use Authority shall determine whether a proposed business use aligns with an existing land use using the following criteria:
 - i. Compatibility of the proposed business use with the plain language of zoning regulations related to existing land uses, including restrictions or limitations on existing uses and relevant definitions;
 - ii. Compatibility of the proposed business use with the intent and purpose of the potential zones;
 - iii. Compatibility of the proposed business use with the General Plan;
 - iv. Compatibility of the proposed business use with the uses of adjacent properties within potential zones;

- v. The nature, scope, and impact of the proposed business use compared to existing or allowed uses;
 - vi. Whether the proposed business use is expressly permitted in another zone; and
 - vii. Whether the proposed business use or a similar or aligned use is expressly prohibited by applicable land use regulations.
- d. If the Land Use Authority finds that a proposed business use aligns with an existing land use, the applicant may proceed to develop or use property in accordance with the regulations applicable to the existing use.
 - e. If the Land Use Authority finds that a proposed business use does not align with an existing land use and is a new or unlisted use, the applicant may file a petition to approve the proposed business use as a new or unlisted use, as set forth herein. The applicant shall not develop or use property for the proposed business use until and unless such petition is approved by ordinance as a land use regulation.
 - f. The Zoning Administrator shall notify the applicant, in writing, of the Land Use Authority's decision, the basis for any rejection or disapproval, and the opportunity to appeal the decision.

4. Use Determination – Petition for Approval of New or Unlisted Use.

- a. An applicant may petition the Land Use Authority to adopt a land use ordinance to permit ~~approve~~ a new or unlisted proposed business use, which means a use that is not an existing land use and does not align with an existing land use specified in a zone, as a permitted or conditional use.
- b. The applicant shall submit a petition that includes an application form, a fee (if required), and at least the following information:
 - i. A description of the proposed business use;
 - ii. Identification of the zone or zones in which the proposed business use are desired to be located, if any;
 - iii. A narrative explaining how the proposed business use is compatible with the desired zone or zones and addressing the criteria set forth below

- c. The Land Use Authority shall review ~~approve, approve with conditions, or deny~~ a petition using the following criteria:
- i. Compatibility of the proposed business use with the plain language of zoning regulations related to existing land uses, including restrictions or limitations on existing uses and relevant definitions;
 - ii. Compatibility of the proposed business use with the intent and purpose of the potential zones;
 - iii. Compatibility of the proposed business use with the General Plan;
 - iv. Compatibility of the proposed business use with the uses of adjacent properties within potential zones;
 - v. The nature, scope, and impact of the proposed business use compared to existing or allowed uses;
 - vi. Whether the proposed business use is expressly permitted in another zone; ~~and~~
 - vii. Whether the proposed business use or a similar or aligned use is expressly prohibited by applicable land use regulations; ~~and~~
 - vii.viii. Any other fact, law, or policy consideration the Land Use Authority determines is relevant to the adoption of a land use regulation to permit the proposed business use as a permitted or conditional use.
- d. The Land Use Authority shall review and make a decision on a petition according to the following process:
- i. The Land Use Authority shall conduct a public hearing within forty-five (45) days after a complete petition application is submitted.
 - ii. The Land Use Authority may continue the petition to another meeting within forty-five (45) days of the public hearing to request the applicant provide additional information.
 - iii. The Land Use Authority shall make a decision ~~approving, approving with conditions, or denying the petition on a petition~~ within the later of fourteen (14) days after the public hearing or the public meeting to which the petition was continued.

- iv. The timelines set forth herein do not apply if the applicant fails to timely provide requested information or appear at the public hearing.
- v. The Land Use Authority and applicant may mutually agree to adjust the timelines set forth herein.

e. If the Land Use Authority approves a petition to permit a new or unlisted use, the Land Use Authority shall adopt an ordinance that:

i. permits the proposed business use as a permitted or conditional use, subject to any terms or conditions the Land Use Authority determines are necessary or appropriate; and

~~vi.~~ii. designates the appropriate zone or zones for the ~~approved~~-use.

e.f. The Zoning Administrator shall notify the applicant, in writing, of the Land Use Authority's decision ~~, any conditions or limitations of approval, the basis for any rejection or disapproval,~~ and the opportunity to appeal the decision to adopt or decline to adopt a land use regulation permitting the proposed business use. Any appeal shall be subject to the appeal procedures and requirements applicable to land use regulations and shall not be subject to the appeal procedures and requirements applicable to land use decisions.



PLANNING COMMISSION AGENDA REPORT ITEM #3d

DATE: May 26, 2026
TO: Planning Commission
PREPARED BY: Rob Patterson, City Attorney/Planning & Zoning Administrator
SPONSORED BY: City Staff
SUBJECT: Planning Commission Requirements Amendments
TYPE: Development Code Update (Legislative)

PURPOSE:

The Planning Commission will hold a public hearing to consider amendments to the regulations and requirements that govern the Planning Commission to conform to new state law.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold a public hearing, consider the proposed amendments, and recommend approval of the proposed amendments.

PRIOR REVIEW:

No specific prior review related to these changes.

BACKGROUND & SUMMARY OF REQUEST:

SB 284, adopted by the state legislature in the 2026 general legislative session, amended state law requirements for all city planning commissions. These changes are now effective and are found in [Utah Code Ann. 10-20-301](#). With SB 284, it seems the state legislature was concerned with ensuring that planning commissions understand their role in performing administrative and quasi-judicial functions as opposed to legislative functions, and ensuring that administrative and quasi-judicial functions are carried out in a manner that honors the due process rights of land use applicants. This includes having commissioners be trained on conflict of interest and ex parte communication standards and requiring recusal for conflicts and bias.

Many of the state law changes were already part of the City's code, so no amendments are necessary. There are some new requirements, however, that the City must address, which are:

- "Describe the causes for which a planning commission member may be removed" and include certain causes.
 - Required causes for removal are:
 - Using public funds for political purposes in violation of the Utah Political Activities of Public Entities Act
 - Violating the Municipal Officers' and Employees' Ethics Act
 - Acting with intent to influence a land use decision or appeal in a manner that creates "impermissible bias or an unacceptable risk of impermissible bias"
 - Staff has also proposed two additional causes for removal, and the Commission and

Council can designate additional or different reasons if desired:

- Failing to recuse oneself from a matter in which the member has a conflict of interest or has impermissible bias
- Repeatedly missing Commission meetings
- "Provide that a planning commission member deliberating about a specific pending land use application in a planning commission meeting with municipal staff, an elected official, or the land use applicant is not cause for removing a planning commission member"
- "Provide requirements for when a planning commission member shall recuse oneself from deliberating or voting on certain land use applications"
 - Previously, state law has only required disclosure of conflict of interests. There was not a requirement to recuse (though failing to recuse could cause problems for the city or the city official). This is a new requirement to require recusal in certain situations defined by the city. Staff has proposed two scenarios for mandatory recusal, and the Commission and Council can designate additional or different reasons if desired:
 - The member has a conflict of interest, including an ownership interest in, financial investment or interest in, or association with the land use applicant or property at issue
 - The member's participation inserts impermissible bias or an unacceptable risk of impermissible bias into the deliberation and voting process
- Planning Commissions are required to complete 4 hours of training per year, 1 of which (about general duties) is mandatory prior to voting, and 1 of which is accomplished by attending 12 commission meetings. This requirement is now directly added to the City Code. This is not a new requirement, though SB 284 clarified the added new areas for training:
 - The mandatory general duties training should include the role of the commission "in administrative, legislative, and quasi-judicial functions"
 - The other trainings should be a "combination of land use and ethics training" and may also include "ex parte communications" and "conflict of interest"

Throughout these changes, the key new addition is the requirement for commissioners to understand their role in adjudicative proceedings and ensure those proceedings are overseen by commissioners that are neutral decision-makers, without conflicts of interest and impermissible bias. "Impermissible bias" is the concept that a decision-maker at an agency performing administrative duties cannot predetermine an issue, base a decision on people rather than issues, or have an economic or financial interest in the decision. The Utah Supreme Court has described what is and is not "impermissible bias" thusly:

- (1) A prejudgment or **point of view about a question of law or policy**, even if so tenaciously held as to suggest a closed mind, **is not, without more, a disqualification**.
- (2) Similarly, a **prejudgment about legislative facts** that help answer a question of law or policy **is not, without more, a disqualification**.
- (3) **Advance knowledge of adjudicative facts** that are in issue **is not alone a disqualification** for finding those facts, **but a prior commitment may be**.
- (4) A personal bias or personal prejudice, that is **an attitude toward a person, as distinguished from an attitude about an issue, is a disqualification** when it is strong enough and when the bias has an unofficial source; **such partiality may be either animosity or favoritism**.
- (5) One who stands to **gain or lose by a decision** either way has an interest that may disqualify if the gain or loss to the decisionmaker flows fairly directly from her decision.

V-1 Oil Co. v. Dep't of Environmental Quality, 939 P.2d 1192, 1197 n.6 (Utah 1997) (emphases added).

STAFF REVIEW & PROPOSED FINDINGS:

Staff does not believe there are any issues with conflicts or bias in the Highland Planning Commission. In staff's experience, commissioners have debated issues, not people, based decisions on the adjudicative facts before them, and recused themselves when they have had a conflict of interest. This amendment has been prepared not to correct an issue but rather to comply with state law and ensure the City and commission remain compliant with these requirements. Staff therefore recommends the Planning Commission recommend approval of the amendments.

MOTION:

I move that the Planning Commission recommend that the City Council adopt the proposed amendments.

[Commission may specify different or additional amendments, particularly as to causes for removal or requirements for recusal]

ATTACHMENTS:

1. Draft Amendment PC Requirements - PC

2-202 Term Of Office

1. Each regular member of the Planning Commission shall serve for a term of four years and until their successor is appointed; provided, that the first appointments shall be for such terms that the term of at least one member shall expire annually.
2. Alternate members shall serve for a term of one year, subject to reappointment as an alternate member for additional one-year terms or appointment as a regular member, at the discretion of the Mayor in accordance with this Article.
3. The term of office for each member shall commence on the first day of February in the year in which such member is appointed.
4. The City Council may remove any member of the Planning Commission for cause, and after public hearing, if a hearing is requested by the member. **The causes for which a Planning Commission member may be removed include:**
 - a. Using public funds for political purposes in violation of the Utah Political Activities of Public Entities Act, Title 20A, Chapter 11, Part 12, Utah Code Ann., as amended;
 - b. Violating the Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13 of the Utah Code Ann., as amended;
 - c. Acting with intent to influence a land use decision or appeal of a pending land use application in a manner that creates actual impermissible bias or an unacceptable risk of impermissible bias in the Planning Commission member's administrative or quasi-judicial duties;
 - d. Failing to recuse themselves from deliberating or voting on a land use application when required by this Article; or
 - e. Repeatedly failing to attend meetings of the Planning Commission.
5. A Planning Commission member's deliberation about a specific pending land use application in a Planning Commission meeting with municipal staff, an elected official, or the land use applicant is not cause for removal.
- 4.6. Any vacancy occurring on ~~said the~~ Planning Commission by reason of death, resignation, removal or disqualification shall be filled in the same manner as an original appointment for the unexpired term.

2-203 Organization

1. At its first meeting in February of each year, the Planning Commission shall elect one of its members as Chair and a second member as Vice-Chair. The Chair shall serve for a term of one year and until a successor is chosen in the same manner. A vacancy in the position of Chair shall be filled for the unexpired term by election at the next meeting of the Planning Commission. A person may be elected to serve consecutive terms as Chair and Vice-Chair.
2. The Chair shall preside at all meetings of the Planning Commission. In the absence of the Chair, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent, the Commission may select one of its members as Chair Pro-Tem to preside at any meeting.
3. The Planning Commission shall adopt rules consistent with this Code for its own organization and for the transaction of business. Meetings of the Planning Commission shall be held monthly or more frequently as the Commission deems advisable. Reports of official acts and recommendations of the Planning Commission shall be made by the Planning Administrator in writing to the City Council and shall indicate how each member of the Commission voted with respect to such act or recommendation. Any member of the Commission may also make a concurring or dissenting report or recommendation to the City Council whenever he or she so desires.
- ~~3.4.~~ Each Planning Commission member shall complete four hours of annual land use training as required by Utah Code Ann. § 10-20-302, as amended. A newly appointed Planning Commission member shall not participate in Planning Commission meeting as a member until the member completes the required training on general powers and duties of the Planning Commission.

2-204 Duties And Powers

1. The minimum number of affirmative votes required to make a recommendation to the City Council, or any other approval as outlined in this Code, shall be a majority of the members present but shall never be less than four (4) affirmative votes.
2. The Planning Commission shall have the following powers and duties
 - a. The Planning Commission, as provided by Sections 2-101 to 2-103, shall prepare and recommend to the City Council, a General Plan and amendments to the General Plan.
 - b. The Planning Commission may make reports and recommendations relating to the planning and development of the City to public officials and agencies, and other organizations and citizens.
 - c. The Planning Commission shall prepare or recommend regulations governing the subdivision of land within the City or amendments to such regulations and to submit said regulations or amendments to the City Council for adoption.
 - d. The Planning Commission may, or by order of the City Council shall, make and recommend to the City Council a zoning plan, including both the full text of the zoning regulations and maps and amendments thereto.
 - e. The Planning Commission shall review, hear and decide such land use applications and matters for which the Planning Commission is authorized by this Code to act upon.
 - f. The Planning Commission, by order of the City Council, shall make and recommend to the City Council a multi year improvement program which shall set forth an orderly program for the acquisition of land, buildings and other facilities that are needed for City purposes.
 - g. The Planning Commission may conduct hearings and meetings with interested property owners, land use applicants, officials, and citizens in the process of carrying out its functions.
3. A Planning Commission member shall recuse themselves from deliberating or voting on a land use application if:
 - a. The member has a conflict of interest as defined by the Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13 of the Utah Code Ann., as amended, including but not limited to such

member's ownership interest in, financial investment or interest in, or association with the land use applicant or property at issue; or

- b. The member's participation would insert impermissible bias or an unacceptable risk of impermissible bias in the deliberation and voting process.

3.4. If a Planning Commission member recuses themselves from deliberation and voting on a land use application, a duly appointed alternate member that is present may participate in the recused member's place.