



HIGHLAND PLANNING COMMISSION MINUTES

TUESDAY, APRIL 28, 2026

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

Approved May 26, 2026

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

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.

**Welcome to the Highland
Planning Commission Meeting**

April 28, 2026

Please Sign the Attendance Sheet



1



7:00 PM REGULAR SESSION

Call to Order – Vice-Chair Trent Thayn
Invocation – Commissioner Audrey Moore
Pledge of Allegiance – Commissioner Wesley Warren

2



UNSCHEDULED PUBLIC APPEARANCES

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

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

3

CONSENT ITEMS

2a. Approval of Meeting Minutes: March 31, 2026 *General City Management*

4




**HIGHLAND MAINS SIGN AMENDMENT
– POSTPONED**

*Development Agreement Amendment
(Legislative)*

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

5



DETACHED ADU ORDINANCE

Development Code Text Amendment (Legislative)

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

6

Background

- Allowing detached ADUs is part of City's moderate income housing plan
- Planning Commission has discussed detached ADUs on numerous occasions from 2023 to now
- SB 284, passed in 2026, requires cities to allow detached ADUs and allows cities to regulate detached ADUs in specific ways

7

Proposed Ordinance - Overview

- Incorporates detached ADUs into existing regulations
- Provides general regulations for both internal and detached ADUs, where they overlap
- Provides separate regulations for internal and detached ADUs where they differ
- Updates definitions

8

Proposed Ordinance - General Terms

- General
 - Each ADU must be registered and approved by with, with owner-occupancy requirement recorded
 - ADUs used for short-term rentals subject to STR and business regulations
 - 1 ADU per lot or parcel
 - All properties with an ADU must be owner-occupied
 - ADUs must conform to building, fire, health, and other safety codes, subject to inspection and approval by building official and fire marshal

9

Proposed Ordinance - General Terms

- General
 - ADU requires separate certificate of occupancy
 - Separate utilities not permitted - all ADUs must connect to main dwelling utilities
 - Must be adequate utility service to property, including septic as approved by County
 - ADUs must receive separate address
 - Required parking lost for ADU must be replaced
 - ADUs cannot be separately sold/transferred

10

Proposed Ordinance - Internal ADU

- Internal ADU
 - 6,000 SF lots or more (state law)
 - 1 off-street parking space required
 - Home cannot be modified to show second unit except for addresses (avoid duplex appearance)

11

Proposed Ordinance - Detached ADU

- Detached ADU
 - 11,000 SF lots or more (state law)
 - Existing accessory building can be converted to include DADU if conforms to current city code and building, fire, health, and safety codes
 - Accessory building can have DADU and areas that are not part of DADU
 - Architecture of accessory building compatible with home

12

Proposed Ordinance – Detached ADU

- Detached ADU – Final Clarifications
 - DADU in accessory building that meets **current city code** (setbacks [30’/10’/10’], height [25’], lot coverage [5-7%])
 - DADU living area limited to **1250 SF**
 - does not include garage, decks/porches, stairs/access (not living area) rooms that are not internally accessed from DADU, or HVAC rooms
 - **DADU accessory building cannot exceed height or size of home or located between home and front property line**
 - 1 parking space for each Dadu <650 SF, **2 for 650+ SF**

13

Staff Review

- General Plan/MIH plan directs City to “Begin the process of drafting an ADU ordinance that aligns with Highland’s community goals, housing needs, neighborhood character, and alignment with city infrastructure (consider owner-occupied requirements, rental license requirements, consistent enforcement, etc). Adopt the ordinance by the end of 2026.”
- Ordinance meets these requirements
- Next step is to “monitor development” to determine impact and effectiveness of detached ADUs

14

Staff Recommendation

- Public notice posted April 16, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing, provide any final clarifications or changes, and recommend adoption of the ordinance

15

Proposed Motion

- I move that the Planning Commission recommend that the City Council adopt the proposed regulations related to detached accessory dwelling units, incorporating the changes and specifications agreed to by the Planning Commission.

16



TEXT AMENDMENT – SETBACKS FOR COVERED PATIOS AND DECKS

Development Code Text Amendment (Legislative)

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

17

Background

- Currently, decks (covered or uncovered) and covered patios (unless cantilevered) attached to a home are subject to home setbacks
- In open space neighborhoods, this means that decks and covered patios must be at least 25’-30’ from rear property line, which often prohibits or severely restricts decks/covered patios due to the smaller size of the lot
- Currently there is an exception for this rule for cantilevered covered patios (no support posts for the covering/roof structure). Cantilevered covered patios would be considered accessory buildings

18

Background

- Some residents have had issues with decks and covered patios – some built in violation of code, others have significantly reduced their deck/covered patio size
- Council directed staff to prepare options to potentially change setbacks for decks and covered patios for Commission’s recommendation

19

Deck and Patio Setbacks Proposal

- Treat decks (covered or uncovered) and covered patios as accessory buildings, even if attached to home, if certain conditions are met
 - Deck/patio must meet all accessory structure regulations
 - Height - 25', which is less than home height limit of 35'
 - Lot coverage - counts against the 5%/7% allowance
 - Deck/patio must be open (options TBD)
- If deck/patio does not or cannot meet these requirements, considered part of home as usual

20

Deck and Patio Enclosure Options

- Option 1: Require fully open except against home – no walls, screens, etc. except open-style deck railing, support posts, and fences per city code
- Option 2: Require 66% open on all sides except against home– allows lattices, open-style railing, and fences per city code
- Option 3: Allow one enclosed wall in addition to sides against home, other sides open per option 1
- Many other variations that are possible

21

Other Changes

- Updated language throughout setback regulations to align with defined terms in city code (use “main dwelling”/“main building” etc.)
- Updated definitions to reflect current regulations (6’ accessory building setback vs 10’) and coordinate definitions with detached ADU ordinance
- Staff recommends, even if Commission does not support setback changes, adopting all other code amendments for clarification purposes

22

Staff Review and Recommendation

- Public notice posted April 16, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing and consider which proposed amendments, if any, should be adopted.
 - As to deck/patio setbacks, staff supports allowing some flexibility, due to open space neighborhoods, but this is not an essential change
 - As to other changes, staff’s recommends adoption for clean-up purposes

23

Proposed Motion

- Motion to adjust setbacks and other changes
 - I move that the Planning Commission recommend adoption of the proposed amendments with Option [1, 2, or 3, or other] as to enclosure regulations
- Motion to not adjust setbacks but still adopt other changes
 - I move that the Planning Commission recommend that setbacks for decks and covered patios not be changed, but that the other proposed changes be adopted

[Commission may specify other amendments]

24



**PLANNING COMMISSION AND
STAFF COMMUNICATION ITEMS**

a. Future Meetings and Events

- April 29, City Council Budget Work Session, 6:00 PM City Hall
- May 5, City Council Meeting, 6:00 PM City Hall
- May 19, City Council Meeting, 6:00 PM City Hall
- May 26, Planning Commission Meeting, 7:00 PM City Hall