

**Welcome to the Highland  
Planning Commission Meeting**  
**May 26, 2026**

*Please Sign the Attendance Sheet*



1



**7:00 PM REGULAR SESSION**

Call to Order – Chair Christopher Howden  
Invocation – Chair Christopher Howden  
Pledge of Allegiance – Commissioner Debra Maughan

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**UNSCHEDULED PUBLIC APPEARANCES**

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

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

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**CONSENT ITEMS**

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2a. Approval of Meeting Minutes: April 28, 2026 *General City Management*

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**HIGHLAND MAINS OFFICE BUILDING  
ARCHITECTURE AND DESIGN**  
*Land Use (Administrative)*

Item 3a. Action Item  
Presented by: Rob Patterson, City Attorney/Planning & Zoning Administrator  
Sponsored by: Applicant Adam Orme, Drew Parcell

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Background

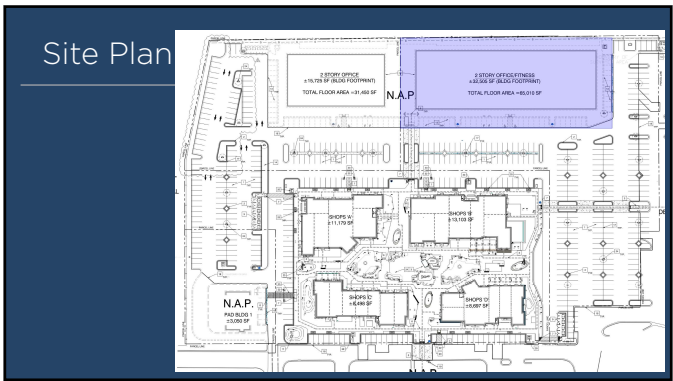
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- Highland Mains project (NW corner of SR-92 and Alpine Hwy) is subject to a development agreement (original 2007, amended 2022) and CR zoning
- Development agreement established pre-approved building and architecture themes
- Deviation from those themes is allowed, but must conform to CR zone, subject to Planning Commission approval

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### Application

- Lot 3 of the Highland Mains project was approved under DA and site plan for a 2-story office with ~32,505 SF per floor (total ~65,010 SF)
- Applicant plans to build a 2-story office, 31,500 SF per floor, total building size of ~63,000 SF
- Architecture is, in staff's opinion, different enough from pre-approved architecture themes from development agreement that Planning Commission review for compliance with CR zone is required

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### New Design

- Condominiumized project
- Designed to house multiple tenants
- Additional variety in facade, roofline, and massing
- Additional entrances

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### CR Zone Requirements

- Cannot use certain designs/materials – not used
- Up to 3 exterior materials, not including trim
  - Proposed faux wood, stone, architectural metal panels
  - Similar or complementary materials as buildings under construction in Highland Mains project
- Must be of quality and character to be consistent with community design goals
  - Maintains Highland Mains “mountain tonality” and Highland City’s requirement for earth-tone colors

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### Staff Review

- Planning Commission is land use authority per DA
- Staff believes the proposed design aligns with the Highland Mains project and the CR zone requirements
- Staff recommends approval of the building design
- Proposed findings supporting this recommendation are provided
- Administrative decision, no public hearing

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### Proposed Motion

- I move that the Planning Commission accept the findings proposed by staff and approve the building architecture and design for the lot 3 Highland Mains office building

[Commission may make a different motion. Commission would need to specify findings to support different motion]

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**HIGHLAND MAINS SIGN AMENDMENT**  
*Development Agreement Amendment*  
*(Legislative)*

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

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### Background

- Highland Mains project (NW corner of SR-92 and Alpine Hwy) is subject to a development agreement (original 2007, amended 2022) and CR zoning
- Development agreement established pre-approved signage types, dimensions, and locations
- Deviation from the signage is allowed but must conform to City zoning regulations for signs

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### Application

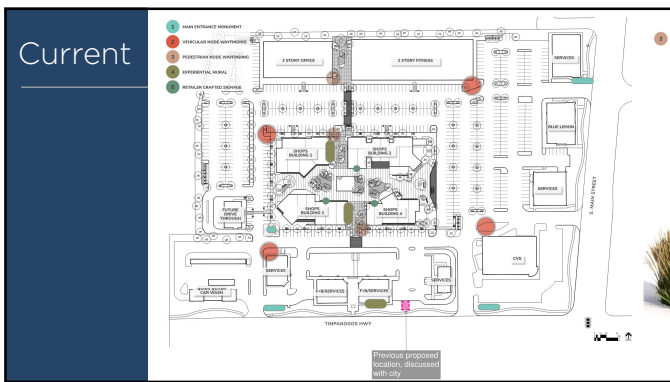
- Mid-Town National Group/MNG (Highland Mains developer) seeks to install signage that is somewhat different than previously approved in DA
- Because new signage proposal is not permitted under the DA or zoning regulations, applicant proposes amending the DA to replace the approved signage exhibit with a new approved signage exhibit (exhibit C)
- A development agreement authorizing a deviation from general zoning requirements is permissible if City follows zoning amendment and public hearing process

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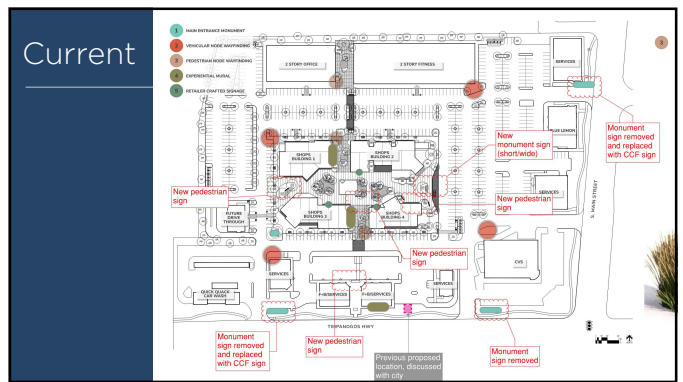
### Staff Review

- Majority of changes are relatively minor adjustments to style or relocation/addition of wayfinding signs
  - Decrease from 4 to 3 monument signs (short/wide)
  - Increase pedestrian wayfinding from 3 to 7
- Sign locations mostly the same
- Major change relates to commercial center freestanding signs (CCF signs)
  - Increase from 2 (one each hwy) to 3 (+1 on SR-92)
  - Replaced previously approved monument signs

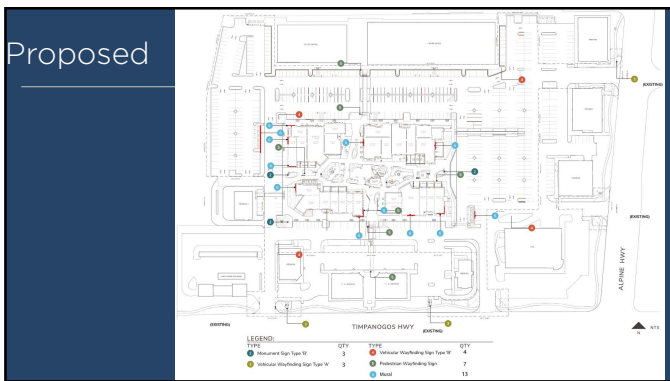
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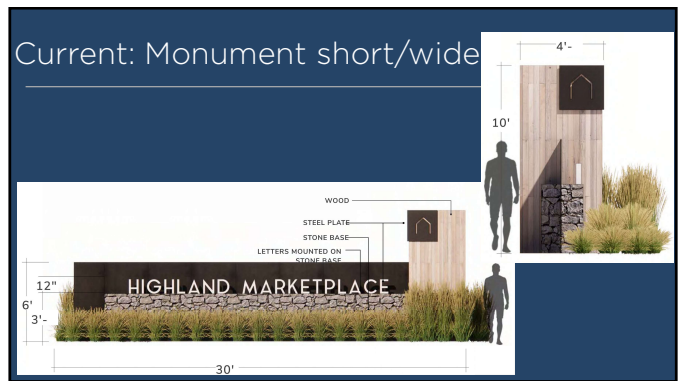
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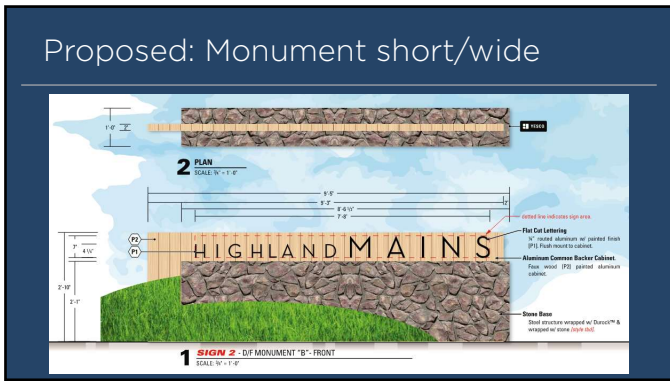
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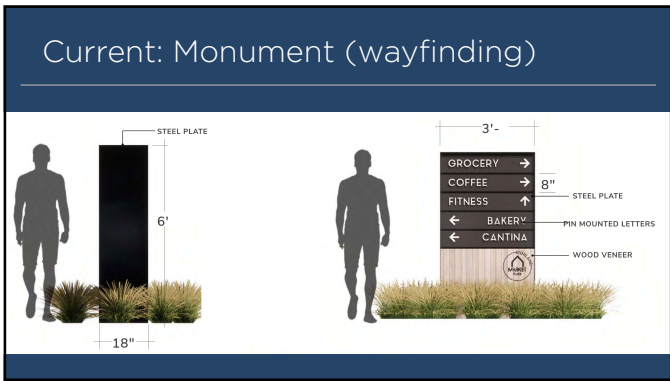
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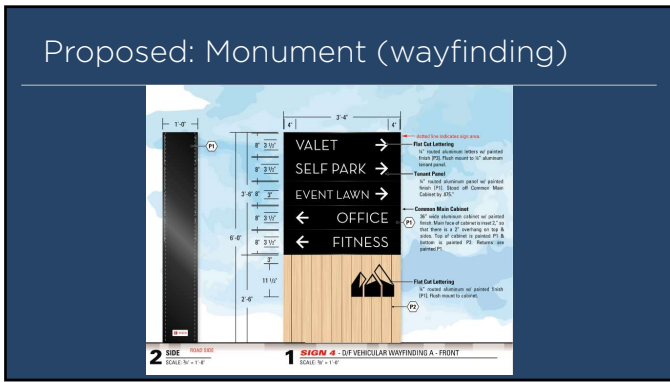
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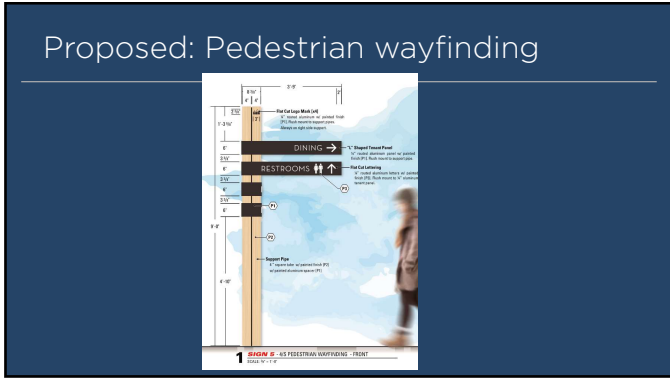
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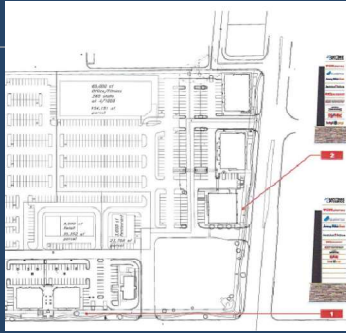
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### Current: CCF Signs

- CCF signs are not in current DA but are regulated by code
- Allowed 1 per highway (1 SR-92, 1 Alpine Hwy)
- 2022 - MNG proposed amendment to code to increase allowed height
  - As approved by Council, CCF signs can be 25 feet height (increased from 15 feet), including 3-foot stone base
  - Still limited to 1 per highway

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Current: CCF Signs Illustrative (not DA)



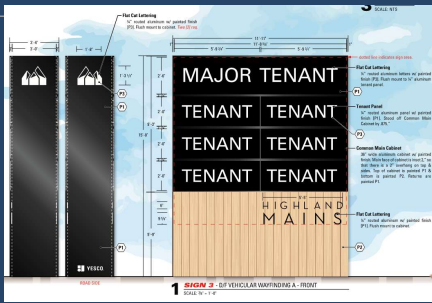
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Proposed: CCF Signs

- 15 feet high, a reduction from 25 feet
- No stone base, but rather faux wood
- 3 CCF signs (increasing by 1)
  - 1 on Alpine Highway, 2 on SR-92
- Location of CCF signs per exhibit (disregard monument sign and intersection setbacks in code)

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Proposed: CCF Signs



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Staff Review

- Staff has no concerns with signage style or location changes or increased pedestrian wayfinding signs
- With CCF sign changes, it is a policy choice
  - 25-foot height currently in code is 10 feet more than allowed for other CCF signs in other commercial zones
  - Reducing to 15 feet is consistent with other zones (existing Meiers sign)
  - Allowing 2 15' signs on SR-92 is more than other zones, but may cause less visual impact than one 25' sign
    - Buildings along SR-92 are -20'-25' high

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Staff Review

- Other tenants:
  - Staff proposed provision for consideration to require MNG to allow all businesses in CR zone ability to share CCF signs on commercially reasonable terms
  - Applicant is opposed to this requirement
    - Buildings/businesses not part of "Highland Mains" (interior) already have frontage and signage on SR-92 or Alpine Hwy
    - These businesses have opted not to build CCF sign to-date
    - MNG owns most buildings along SR-92 and Alpine Highway in CR Zone and does not seek additional signage for them
    - Interior development of Highland Mains has less visibility and needs signage for advertising and wayfinding purposes
    - Cost of CCF sign is being borne by interior lots
  - Staff does not have a strong opinion either way

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Staff Review

- Legislative decision that Commission provides recommendation to Council, and Council makes final decision
- Public hearing required
- Notice published April 16 and May 14
- No comments received
- Staff recommends the Commission hold a public hearing, hear from the applicant, and provide a recommendation

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### Proposed 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]

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### TEXT AMENDMENT - NEW USE APPROVAL PROCESS

*Development Code Text Amendment (Legislative)*

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

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### Background

- 2025 - state adopted law requiring cities to provide process for potentially approving new business uses
  - Some confusing provisions in 2025 law regarding whether adding new uses to a list of permitted uses in a zone was a legislative or administrative decision
  - City adopted code per state law
- 2026 - state revised the law to clarify that adding new businesses uses to permitted/conditional uses in zone is a legislative decision

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### Proposed Amendments

- Makes the process for reviewing and approving new uses in a zone legislative
  - Per state law, the normal requirement to have land use ordinances reviewed by commission is overridden, so request is heard directly by council
  - Requires adoption of an ordinance
  - Use may be either permitted or conditional use
  - Allows Council to consider any fact or factor relevant to a legislative decision
  - Appeals are handled as appeal of legislative item (district court) not appeal of administrative item (hearing officer)

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### Staff Recommendation

- Proposed ordinance aligns city code with state law
- Public notice posted May 14, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing and recommend adoption of the ordinance

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### Proposed Motion

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

[Commission may specify different or additional amendments]

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**TEXT AMENDMENT – PLANNING COMMISSION REQUIREMENTS**  
*Development Code Text Amendment (Legislative)*

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

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**Background**

- SB 284, 2026, requires cities to adopt certain requirements regarding planning commission duties, removal, recusal, and training

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**Proposed Amendments - Removal**

- State law requires city to have process for removal of commissioner by council and describe the causes for which a commissioner can be removed
  - Using public funds for political purposes (state law)
  - Violating Municipal Officer Ethics Act (state law)
  - Acting with intent to influence a land use decision or appeal that creates “impermissible bias” or an unacceptable risk of “impermissible bias” (state law)
  - Failing to recuse from discussion/vote when required
  - Repeatedly failing to attend Commission meetings

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**Impermissible Bias**

- Standard for agency decision-making processes to ensure due process in administrative decisions
  - Ensures that decisions are made by “neutral decisionmaker”
  - “Clear demonstration of partiality” or “a showing of direct, pecuniary interest automatically requires disqualification of the decision maker”
  - “Prior manifested prejudice” or “preconceived attitudes on points of law or policy” (though this is rarely severe enough) may constitute impermissible bias
    - Judge had demonstrated active hostility toward employment disability claimant and favoritism toward employer – impermissible bias and violation of due process

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**Avoiding Impermissible Bias**

- No financial interest in outcome of decision
- Limit outside research – review record presented by staff and applicant
- Limit outside consultation/discussion
  - Keep debate and discussion part of meeting (ex parte communication)
- Avoid predetermining issues
- Address issues, not people
- Avoid “public clamor” – denying or limiting a lawful application due to neighbors’ concerns
  - Does not restrict decisionmakers from hearing concerns that are related to city code and standards

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**Proposed Amendments - Recusal**

- State law requires city to describe when commissioners must recuse themselves from both discussion and debate on an item
  - No specific recusal requirements in state law
  - Staff proposes:
    - Conflict of interest, including financial interest, ownership, or association with applicant or property
    - Otherwise creating/introducing impermissible bias into process

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### Proposed Amendments - Training

- State law has required commissioners to complete 4 hours of training per year for some time
  - 1 hour from attending 12 commission meetings
  - 3 hours from outside sources
- New state law added new topics for training
  - Ex parte communication
  - Conflict of interest
  - 1 hour required training for new commissioners includes Commission's administrative, legislative, and quasi-judicial functions
- Proposed city code amendment states that commissions will complete training requirements per state law

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### Staff Recommendation

- Proposed ordinance aligns city code with state law
- Public notice posted May 14, 2026
- No comments received
- Staff recommends that the Planning Commission hold a public hearing and recommend adoption of the ordinance

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### Proposed 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]

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### PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

- a. **Update on DADUs**
- b. **Future Meetings and Events**
  - June 2, City Council Meeting, 6:00 PM City Hall
  - June 16, City Council Meeting, 6:00 PM City Hall
    - Final [Interim] Budget Adoption
    - If library tax increase remains in budget, hearing on tax increase held Aug 11, 6 PM)
  - June 23, Planning Commission Meeting, 7:00 PM City Hall

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