



## AGENDA

### HIGHLAND CITY PLANNING COMMISSION Tuesday, September 28, 2010 – Regular Meeting 7:00 p.m.

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

#### **CALL TO ORDER:** Melissa Wright, Chair

- Roll Call – Kiera Corbridge, Planning Commission Secretary
- Invocation – Commissioner Jay Roundy
- Pledge of Allegiance – Commissioner Tim Irwin

#### **A. APPEARANCES:**

Time has been set aside for the public to express their idea, concerns, and comments on non-agenda items. Speakers will be limited to two minutes.

#### **B. WITHDRAWALS AND CONTINUANCES:**

None

#### **C. PUBLIC HEARING ITEMS:**

1. CU Scott Dunn of Patterson Construction is requesting a Conditional Use Permit for an 8,800 square foot office building in the Professional Office zone. The property is located at 11442 North Highland Boulevard, Highland, Utah. *Administrative.*
2. TA City staff is requesting an amendment to the Highland City Development Code Section 3-622, Public, Private, and Individual Utilities, to permit alternative energy conversion systems as a permitted use, modify the setback requirements for small wind towers, and increase the height of small wind towers from 51' 8" to 52'. *Legislative.*
3. TA City staff is requesting an amendment to the Highland City Development Code City Section 3-708, Wall Signs and Table 3-707A, relating to the requirements for window and wall signs. *Legislative.*

#### **D. OTHER BUSINESS:**

4. DR Scott Dunn of Patterson Construction is requesting site and architectural approval for an 8,800 square foot, two story professional

office building. 1. The property is located at 11442 North Highland Boulevard, Highland, Utah. *Administrative.*

5. Fencing – Discussion of a proposed amendment to 3-612 Fences, Walls, and Hedges relating to the requirements for fencing along arterial and collector streets and open space areas. This item is being presented for discussion and direction only.
6. General Plan Discussion – The Planning Commission will review and discuss the following elements of the General Plan:
  - Kelly Sobotka – Community Design Element
  - Steve Rock – Affordable Housing Element

**E. APPROVAL OF MINUTES:**

- September 14, 2010 – Regular Meeting

**F. PLANNING STAFF REPORT:**

- Staff Reports and Packets

**G. COMMISSION COMMENTS AND SUGGESTIONS:**

**H. ADJOURNMENT:**

NEXT MEETING: October 12, 2010 at 7:00 pm City Council Chambers

*Legislative Action: An action of a legislative body to adopt laws or polices.*

*Administrative Actions: An action reviewing an application for compliance with adopted laws and polices.*

**FOR SPECIAL ACCOMMODATIONS**

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4506 at least 48 hours prior to the Commission meeting.

**CERTIFICATE OF POSTING**

The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 9th day of September, 2010. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this 9th day of September, 2010 the above agenda notice was sent by email to local newspapers located in Utah County and posted on the Highland City website at [www.highlandcity.org](http://www.highlandcity.org).

Kiera Corbridge, Planning Secretary



# COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** Conditional Use Permit – Sunset  
Mountain Office Building #2

**MEETING DATE:** September 28, 2010  
**AGENDA ITEM:** 1

**TO:** Planning Commission  
**FROM:** Nathan Crane, Community Development Director  
**THROUGH:** John Park, City Administrator

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**REQUEST:** Conditional Use Permit approval for a 8,800 square foot office building  
**PARCEL SIZE:** 0.610 Acres  
**LOCATION:** 11442 North Highland Boulevard  
**APPLICANT:** Scott Dunn, Patterson Construction

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**BACKGROUND:**

The property is part of the Professional Office (PO) Zoning District that was approved by the City Council in December 2003. The PO District included a master site plan which was also approved in December of 2003. The master site plan was subsequently amended in February of 2005. The master site plan included 26.22 acres, which consists 4.51 acres of office uses, 9.655 acres of storage units, and 8.13 acres of open space. The master site plan designates this property for office uses.

A site and architectural plan application has been submitted and will be considered as a separate agenda item.

A conditional use permit is an administrative action. Consideration is limited to compliance with existing development standards and regulations and three required findings.

**SUMMARY OF REQUEST:**

1. The applicant is requesting a conditional use permit for an 8,800 square foot, two story professional office building. This is the second of a planned six building office complex.
2. Office Uses are permitted in the PO District subject to a conditional use permit.

## **CITIZEN PARTICIPATION:**

A notice of the Planning Commission hearing was published in the Daily Herald on September 19, 2010. Notification letters were mailed out to 10 property owners and 10 other interested parties on September 15, 2010. No comments have been received to date.

## **REQUIRED FINDINGS:**

**The City Council must determine that the proposed use meets three findings prior to granting a Conditional Use Permit. The burden of proof rests with the applicant. Each finding is presented below along with staff's analysis.**

- 1. The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The subject property is designated as office on the Land Use Map of the General Plan. The existing PO zoning is consistent with the Office designation of the General Plan. The proposed use will not adversely affect the desired character of the surrounding area.

The property to the north is vacant and zoned PO. Another professional office building is shown on the master site plan. The property to the south is zoned PO and a professional office building has been constructed. The property to the west is the Micron facility in the City of Lehi. The property to the east is zoned R-1-40 (Single Family Residential). The proposed office building is located approximately 300 feet from single family homes to the south. Of this, approximately 90 feet is open space. This distance will ensure compatibility between the two uses.

There are twelve, 42" tall bollard style lights. All lights will be fully shielded and directed downward. Lights mounted on the building will also be directed downward. Light levels will not exceed 1 foot candle at the property lines.

The proposed offices will not substantially change the look or character of the surrounding area or be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

- 2. The use complies with all applicable regulations in the Development Code.**

Primary access to the site is available from Highland Boulevard. No changes are proposed to the proposed points of access for the office park. Highland Boulevard is designed to accommodate the traffic generated by the office uses.

The proposed site is a proposed office park that features adequate parking and circulation. There are 31 parking spaces for a parking ratio of one space per 300 square feet which is a typical ratio for professional office uses. The site has been designed provide safe access from adjacent streets, good circulation throughout the site, and adequate parking for the office uses.

The proposed site plan meets all development standards set forth in the Development Code, including setbacks and landscaping.

**3. Conditions are imposed to mitigate any detrimental effects.**

Two routine stipulations have been included in the staff recommendation.

**CONCLUSION:**

The proposed conditional use appears to meet the required findings for approval.

**RECOMMENDATION:**

The Planning Commission conduct a public hearing and recommend **APPROVAL** of the Conditional Use Permit subject to the following stipulations:

1. The development shall conform to the site plan and lighting plan date stamped September 23, 2010.
2. In accordance with Section 4-109 of the Zoning Ordinance, the Conditional Use Permit shall expire within one year from the date of approval if the use has not commenced.

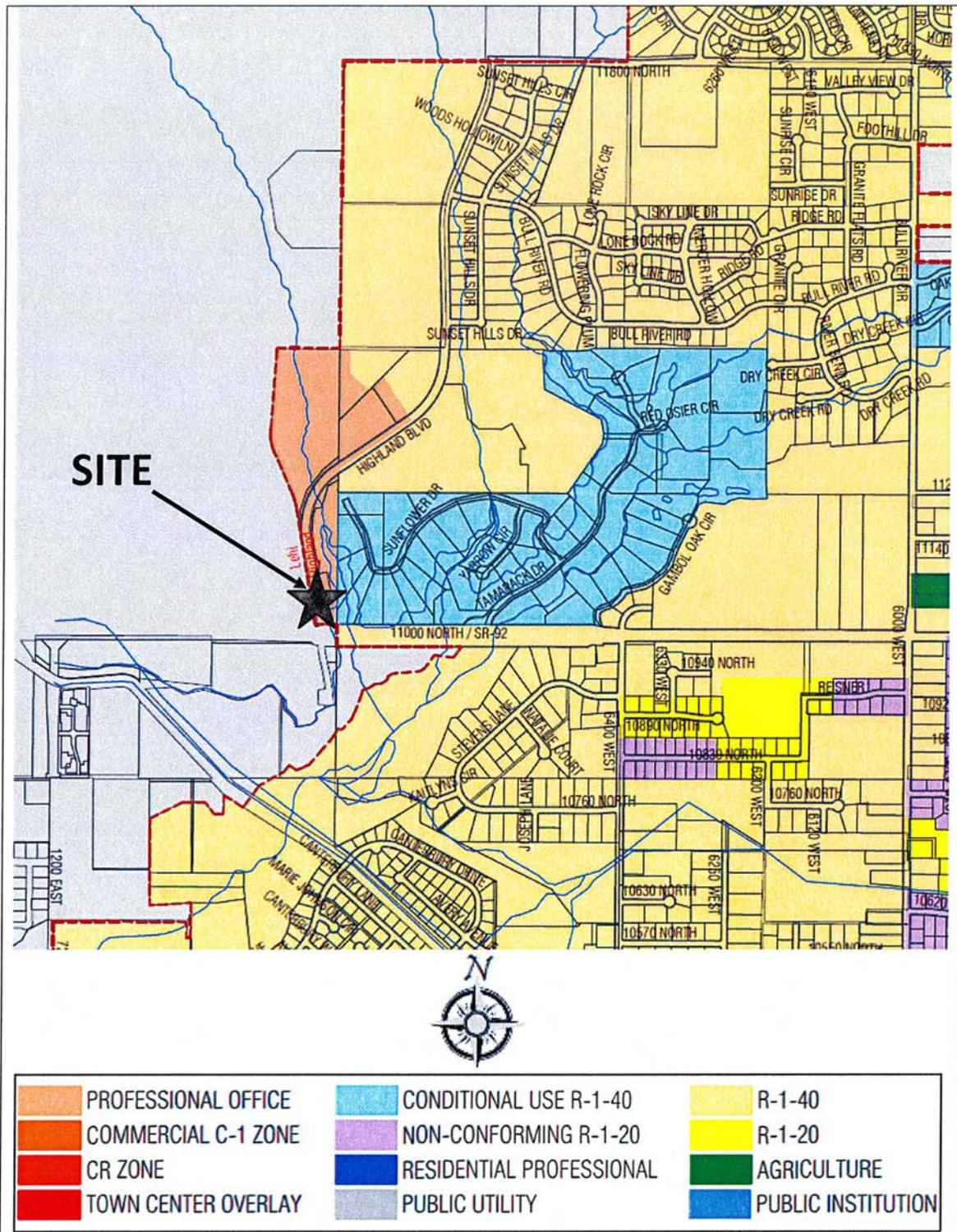
**PROPOSED MOTION:**

I move that the Planning Commission accept the findings and recommend approval of the request for a Conditional Use Permit for Sunset Mountain Office Building #2, subject to the two stipulations recommended by staff.

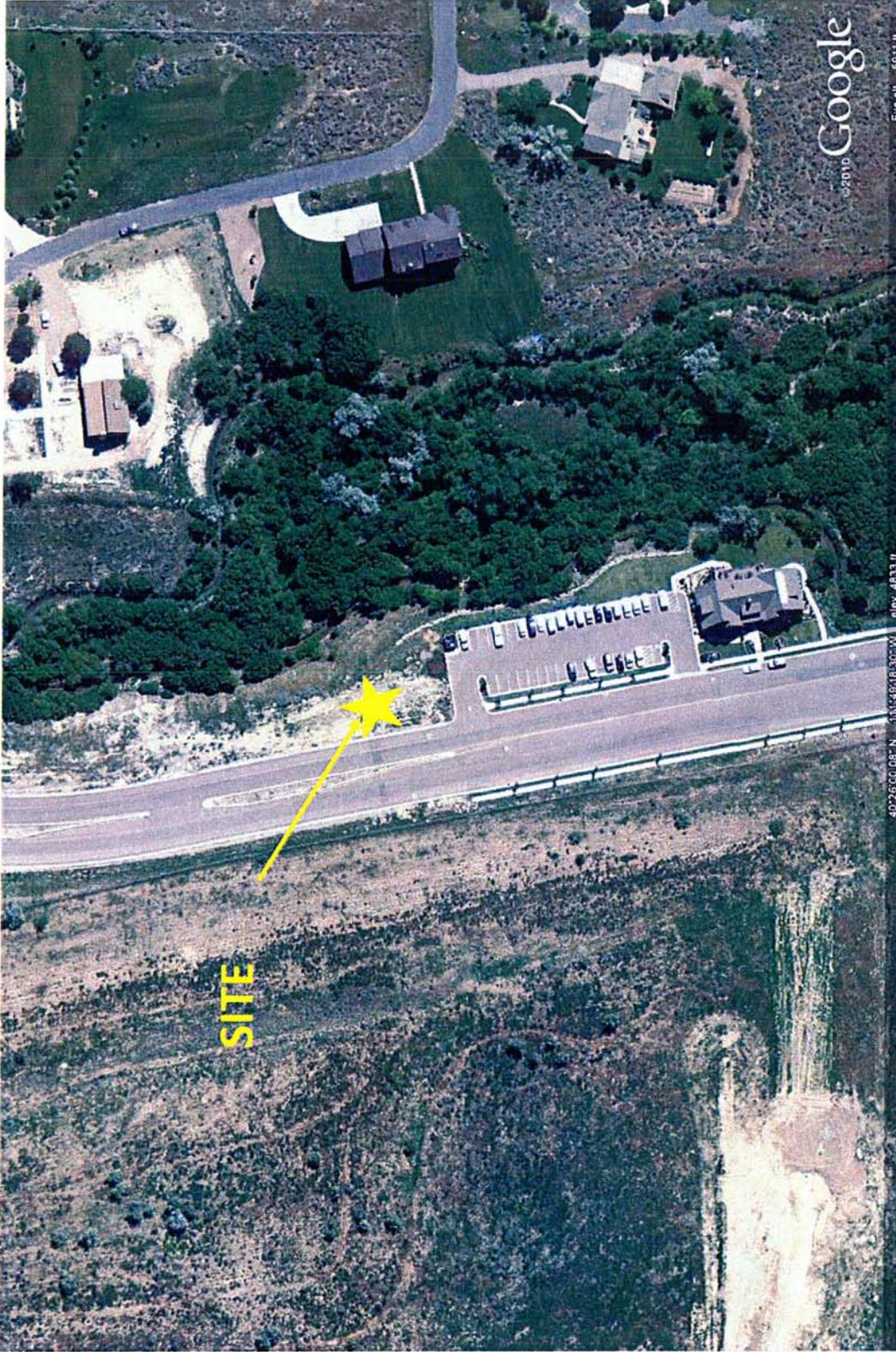
**ATTACHMENTS:**

- Exhibit A – Zoning Map
- Exhibit B – Aerial Photo
- Exhibit C – 2005 Approved Amended Site Plan
- Exhibit D – Site Plan date stamped September 23, 2010
- Exhibit E – Lighting Plan date stamped September 23, 2010

# HIGHLAND CITY ZONING MAP

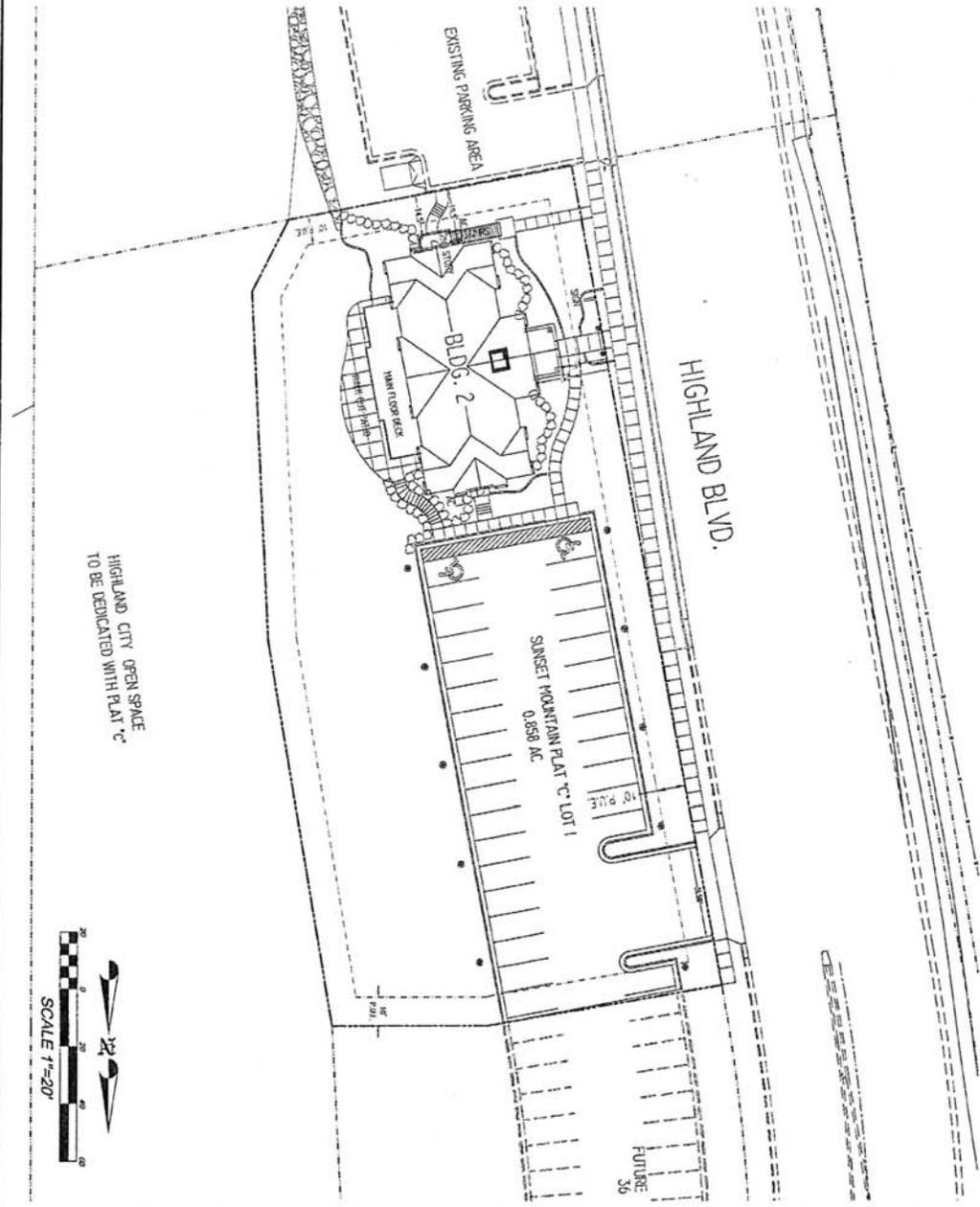


AERIAL





# SUNSET MOUNTAIN PROFESSIONAL OFFICE BUILDING 2 - SITE PLAN



**SHEET INDEX**

- 1 PLANNING SHEETS
  - 2 COVER SHEET - SITE PLAN
  - 3 LANDSCAPE PLAN
  - 4 MASSING & HORIZONTAL CONTROL PLAN
  - 5 LIGHTING PLAN
  - 6 SITE UTILITY PLAN
  - 7 SITE GRADING & DRAINAGE PLAN
  - 8 OVERALL SUNSET MOUNTAIN PD ZONE CONCEPT PLAN
- CONSTRUCTION SHEETS**
- 9 STOP SIGN DETAILS
  - 10 TROUSON CONTROL PLAN
  - 11 CONSTRUCTION DETAILS
  - 12 CONSTRUCTION DETAILS

**TABULATIONS**

LOT 1	0.858 AC. - 37,316.57 SF	100%
LANDSCAPING	22,800.57 SF	61%
BUILDING FOOTPRINT	3,062.57 SF	8%
PARKING LOT	11,453.43 SF	31%

**PARKING ANALYSIS**

BASEMENT FLOOR	3,062.57 SF
MAIN FLOOR	2,252.57 SF
OFFICE FLOOR	3,062.57 SF
TOTAL BUILDING	8,377.71 SF
PARKING PROVIDED	31 STALLS
PARKING RATIO	1 STALL PER 266.39 SF

**GENERAL NOTES**

1. ZONING, PROFESSIONAL OFFICE PLAT C.
2. DEVELOPMENT REQUIRES, IMPROVE STUDY BUILDING AREAS, A GRASSY LOT, PARKING ACCESS LOCATIONS, ADEQUATE STAIRS, AS PER SETTING AGREEMENT BETWEEN CITY, SUNCREST, SHEET NO. 4, AS PER THE PROFESSIONAL OFFICE CODE.
3. HIGH AND LOW, GROUNDWATER, SANDSST DRAINAGE HAS BEEN CONDUCTED BY SUNCREST DEVELOPMENT AS PER SETTING AGREEMENT. ADDITIONAL HIGH AND LOW STUDY REQUIRED AS PART OF THE LOT, SO TO PROTECT ENVIRONMENTAL CONCERNS AND TO PROTECT THE LOT, SO TO PROTECT ENVIRONMENTAL CONCERNS AND TO PROTECT ENVIRONMENTAL CONCERNS.
4. UNDERGROUND UTILITY TRENCHING HAS ALREADY BEEN CONDUCTED AS PART OF SETTING AGREEMENT. THESE PHOTOGRAPHS ARE SHOWN FOR REFERENCE ONLY.
5. BUILDING TANK HAS BEEN SIZED TO ACCEPT ALL STORM WATER FROM THIS BUILDING.
6. ALL CONSTRUCTION TO COMPLY WITH HIGHLAND CITY STANDARDS AND SPECIFICATIONS.

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DATE	27 APR 2008
SHEET NUMBER	C1

**PATTERSON CONSTRUCTION**  
(801) 756-7303  
11038 N HIGHLAND BLVD  
HIGHLAND, UT 84003

**SUNSET MOUNTAIN PROFESSIONAL OFFICE**  
BUILDING 2  
AMENDED SITE PLAN







## COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** Public Hearing – Alternative Energy  
Conservation Systems Text Amendment

**MEETING DATE:** September 28, 2010  
**AGENDA ITEM:** 2

**TO:** Planning Commission

**FROM:** Nathan Crane, Community Development Director

**THROUGH:** John Park, City Administrator

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**REQUEST:** Amend Section 3-622.4 of the Development Code to change alternative energy conversion systems uses from a conditional use to a permitted use, modify the setback requirements for small wind towers, and increase the height of small wind towers from 51' 8" to 52'.

**APPLICANT:** Highland City

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### **BACKGROUND:**

An amendment to the Development Code is a legislative process.

### **SUMMARY OF REQUEST:**

1. Alternative Energy Conversion Systems (AECS) are individual systems that produce electricity from alternative sources. These include roof and ground mounted solar and wind systems. These systems are currently permitted subject to a conditional use permit in all zoning districts.
2. The proposed amendment will allow AECS as a permitted use in all zoning districts if the use meets all applicable development standards. AECS which cannot meet the development standards will be permitted subject to a conditional use permit.
3. The proposal will modify the setback requirement for Small Wind Energy Conversion System (SWECS) by measuring setbacks from accessory structures on adjacent property rather than structures on the applicants/owners property.
4. The proposal will increase the height of SWECS from 51' 8" to 52'.
5. The proposed amendment identifies conditions that the Zoning Administrator or City Council can consider to assist in mitigating any impacts of an SWECS on adjoining properties.

## **CITIZEN PARTICIPATION:**

A notice of the Planning Commission hearing was published in the Daily Herald on September 19, 2010. No comments have been received to date.

## **ANALYSIS:**

- The Utah State Code considers conditional use permits as administrative decisions and limits the authority of jurisdictions in administrative actions. With administrative actions, if an application is submitted that meets all applicable regulations they are entitled to approval. If a proposed conditional use meets all development standards and any reasonable conditions to mitigate detrimental effects, the applicant is entitled to approval. A conditional use permit can only be denied if the reasonable anticipated detrimental effects cannot be substantially mitigated by reasonable conditions in accordance with the standards in the ordinance. Further public testimony can only be considered if it meets the substantial evidence criteria.
- The purpose of a conditional use permit is to ensure that any potential detrimental effects are mitigated. Staff believes that the existing development standards ensure that any detrimental effects are mitigated; therefore a conditional use permit should not be required.
- The current setback requirements for SWECS require that the structure be setback 50% of the tower height from the property and 110% of the tower height plus the height turbine blade length from all overhead utility lines, dwellings, accessory structures, and public roads. The purpose of the setback is to protect adjacent structures from a catastrophic event. However, in some cases a property owner may want to locate the SWECS closer to a structure. In addition, this requirement may prohibit the construction of a SWECS on some lots. The proposed amendment will continue to protect the general public while allowing the property owner additional flexibility in the placement of the SWECS.
- Currently the height of an SWECS is limited to 51' 8". However, in reviewing typical standards for these structures, it appears that the height requirement did not consider the generation equipment mounted on the top of the pole. Adding an additional four inches to the height will accommodate the generation equipment (Exhibit B). This minor increase will not have a substantial impact on surrounding properties.
- Section 3-622.4.f includes the following conditions that the Planning Commission or City Council can consider as part of a SWECS application. The purpose of these conditions is to mitigate any potential impacts a SWECS may have on adjacent property. Staff believes that the Zoning Administrator should also consider these conditions as part of the review of a SWECS.
- Staff is recommending a minor change to the placement of the emergency procedure sign which will ensure that the sign remains visible.

**FINDINGS:**

- The proposed text amendment is consistent with the purpose of the Development Code and will not adversely affect the community.
- The existing and proposed development standards will ensure the public health, welfare, and safety and mitigate any potential detrimental effects.

**RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a public hearing and recommend **APPROVAL** of the proposed text amendment.

**PROPOSED MOTION:**

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed text amendment to Section 3-622 Public, Private, and Individual Utilities relating to the requirements for alternative energy conversion systems.

**ATTACHMENTS:**

- Exhibit A – Proposed Section 3-622 Public, Private, and Individual Utilities
- Exhibit B – Typical SWECS Structure

## Proposed Amendments to Section 3-622

(rev. September 15, 2010)

**3-622: Public, Private, and Individual Utilities.** (Amended: 11/11/03, 4/20/04, 8/6/04) Public, Private and Individual Utilities shall be regulated and governed as indicated below. Objects that are placed upon an individual lot for the sole purpose of serving that individual property are exempt from locating within a Public Utility Zone.

- (1) **Above-Ground.** Any above ground device or structure of a culinary water, irrigation, reservoir, or private utility system not owned or operated by Highland City or controlled on Highland City owned property, which is intended to regulate the function of a storage device or distribution line or which receives or transmits a signal, shall only be located within the Public Utility Zone (Article 3-4.10 in this Code) and shall be required to obtain a Conditional Use Permit prior to installation. Any above ground device or structure of a culinary water, irrigation, reservoir, or other utility system owned or operated by Highland City or other similar municipal public utility controlled on property owned by Highland City, which is intended to regulate the function of a storage device or distribution line or which receives or transmits a signal, shall be required to first obtain a Conditional Use Permit prior to installation.
  - (a) **Exception.** The replacement or repair of existing above ground transmission power lines or distribution power lines require a Conditional Use Permit but are not required to be within a Public Utility Zone. All new distribution power lines (less than 34 kV) which may be constructed shall be installed under-ground. Emergency replacement of power poles and or lines does not require compliance with this section of the code. It shall be a requirement that replacement power lines and poles shall be placed in a location that is consistent with the transportation element of the Highland City General Plan, unless the City Council determines that placement in said location is not in the best interest of the City. This exception does not apply to telecommunication facilities (Municipal Code; Chapter 13.44).
- (2) **Under-Ground.** Any landscape or structure removed during installation of an under-ground utility or utility system shall be restored to original condition or replaced accordingly (*consistent with State Law*). The replacement or repair of existing under ground utilities shall not be required to be within a Public Utility Zone however the installation of any new facilities shall be required to first obtain a Conditional Use Permit prior to construction.
- (3) **Individual Utilities.** Individual utilities that are placed upon an individual lot for the sole purpose of serving that individual property and not for creating profit or for commercial purposes are not required to obtain a Conditional Use Permit. Individual Utilities are not permitted to locate within a Public Utility Zone. Individual utilities include:
  - (a) **Lot Improvements.** Utility, irrigation, and sewer lines associated with individual building permits connecting individual residences or commercial users to an existing distribution line.
  - (b) **Antennas.** (including: single user transmitters, receivers, antenna facilities and other types of installation used for the provision of personal wireless services, personal Satellite dish receiving antennas eighteen inches or less in diameter, personal television broadcast receiving antennas, personal radio broadcast receiving antennas, personal amateur radio antennas used for receiving and transmitting)
  - (c) **Location.** Antennas shall be located only on a roof or in rear or side yards unless such restriction precludes reception of an acceptable quality signal (the City does not enforce subdivision requirements which may require additional restrictions on the placement of personal antennas). In such case such antennas may be placed anywhere on the lot except within a public utility easement. Proof of the inability to receive an acceptable quality signal shall be provided to the Zoning Administrator upon request.
  - (d) **Height.** The vertical apex of the receiving device shall not exceed the greater of the Zone Height Limit or twenty (20) feet in height from ground level.
- (4) **Alternative Energy Conversion Systems.** Individual alternative energy conversion systems that are placed upon an individual lot for the sole purpose of serving that individual property and not for creating profit or for commercial purposes are ~~required to obtain a Conditional Use Permit and~~ not required to locate within a Public Utility Zone. Individual alternative energy conversion systems include:
  - (a) **General Requirements.**

- (i) **Safety.** There shall be sufficient safety measures in place established by the property owner to prevent any alternative energy towers from becoming a climbing hazard or from twisting or falling over due to natural events.
  - A. **Emergency Procedure Sign.** Procedures for emergency shutdown of power generation units shall be established and posted prominently and permanently within three (3) feet of the meter panel **AND VISIBLE FROM THE METER PANEL.**
  - B. **Existing Power Line Facility.** The applicant shall obtain approval from the local power company indicating that the proposed location for the tower(s) will not interfere with existing electric utility facilities.
- (ii) **Net Metering.** Net metering or interconnect systems shall meet any cost or regulation required by the local power company's guidelines.
- (iii) **Trees.** It is not recommended that trees are removed or destroyed for the purposes of better access for alternative energy.
- (iv) **Guy Wires.** Alternative Energy Facilities shall not use guy wires or other similar peripheral supporting devices in order to provide structural support but shall be installed upon one independent pole that is adequately engineered to support that system.
- (v) **Building Permit.** All Ground Mounted Alternative Energy Facilities (GMAEF) shall be required to include the following information:
  - A. All GMAEF applications and plans shall be stamped by a qualified engineer identifying each specific site indicating that the tower will withstand a minimum of a 100 m.p.h. wind load; and
  - B. The qualified engineer, or his designee, shall be present during installation and verify in writing that the construction of the tower meets or exceeds the minimum wind load and/or requirements as indicated within the submitted plans; and
  - C. Manufacturer specifications for components and installation shall be required with each application; and
  - D. Net metering locations and connection details; and
  - E. The application shall include a detailed site plan showing the location of the proposed tower with elevations; and
  - F. GMAEF must comply with applicable Federal Aviation Administration (FAA) regulations; and
  - G. All other information required to be submitted and inspected by the current International Building Code related to the specific alternative energy facility proposed.
- (vi) **Abandonment.** If an alternative energy facility is not functional, operational or maintained for a period of one (1) year then the owner shall have the facility immediately removed from the property.
- (b) **Roof Mount Solar Energy System.** A roof mounted solar system may be installed upon the roof of the primary structure or an accessory structure within any zone.
  - (i) **Sloped Roof.** On a sloped surface, in no instance shall any part of the system extend beyond the lower or upper roofline. Panels shall not exceed more than one (1') foot in height measured from the finished roof to the top of the panel.
  - (ii) **Flat Roof.** On a flat surface, panels shall be set back a minimum of five (5') feet.
- (c) **Ground Mount Solar Energy System (GMSES).** Ground mounted solar systems are permitted within all commercial zones and only permitted within a residential zone if the following applies:
  - (i) **Number.** Each homeowner may install one (1) Ground Mount Solar Energy System on their lot based upon the size of the lot as follows:
    - A. Lots 20,000 square feet or less may have one (1) ground mounted alternative energy facility installed on that property; and
    - B. Lots between 20,000 – 40,000 square feet may have two (2) ground mounted alternative energy facilities installed on that property; and
    - C. A property owner may install one (1) additional ground mounted alternative energy facility for each additional acre above 40,000 square feet.
  - (ii) **Rear Yard.** All GMSES shall not be located within the minimum front yard setback of any lot, nor within the minimum side yard setback facing a street on a corner lot, nor on the roof of a residential structure; and

- (iii) **Height.** The height of the system is not to exceed twenty-two feet (22') in height at its maximum peak; and
  - (iv) **Setbacks.** In all cases the minimum setback shall be no less than ten feet from a property line, and one-hundred ten percent (110%) of the height of the solar facility from all overhead utility lines; and
  - (v) **Density.** The GMSES shall be considered an accessory structure when determining the size within a residential lot. The GMSES combined with any accessory structures shall not exceed five percent (5%) of the size of the lot.
- (d) **Small Wind Energy Conversion Systems (SWECS).** A SWECS shall be any wind tower and wind generator that is specifically constructed as an individual utility as specifically defined in this ordinance. A small wind energy conversion system (SWECS) shall not be permitted that is designed without an automatic braking, governing, or managing system for the purpose of preventing uncontrolled rotation, overspeeding, and excessive pressure on the tower structure, rotator blades, and turbine components. The following regulations shall apply to all small wind energy conversion systems:
- (i) **Number.** Each homeowner may install one (1) Small Wind Energy Conversion System on their lot.
    - A. Lots 20,000 square feet or less may have one (1) ground mounted alternative energy facility installed on that property; and
    - B. Lots between 20,000 – 40,000 square feet may have two (2) ground mounted alternative energy facilities installed on that property; and
    - C. A property owner may install one (1) additional ground mounted alternative energy facility for each additional acre above 40,000 square feet.
  - (ii) **Setbacks.** Except as provided for in this ordinance, no portion of the SWECS shall be set back a distance no less than fifty percent (50%) of the total height from a property line, and one hundred ten percent (110%) of the tower height plus the turbine blade length from all overhead utility lines, dwellings, and roads. **THE SETBACK FROM ACCESSORY STRUCTURES ON ADJACENT PROPERTY SHALL BE ONE HUNDRED TEN PERCENT (110%) OF THE TOWER HEIGHT PLUS THE TURBINE BLADE LENGTH.**
  - (iii) **Location.** No part of the SWECS shall be located within the minimum front yard setback of any lot, nor within the minimum side yard setback facing a street on a corner lot, nor on the roof of a residential structure.
  - (iv) **Height.** A SWECS may not exceed a total of ~~fifty-one feet eight inches (51' 8")~~ **FIFTY-TWO FEET (52')** in height from grade to the highest point of the facility including the generator and turbine blades.
    - A. The minimum distance between the ground and any protruding blades utilized on a small wind energy system shall be 15 feet as measured at the lowest point of the arc of the blades.
  - (v) **Material.** SWECS towers shall maintain either a galvanized steel finish or a finish in a color approved by the Home Owner's Association/Architectural Approval Board of the subdivision the property is located in (if one exists) and Planning Commission as part of the Conditional Use Permit Process, and shall not be artificially lighted unless required by the FAA.
  - (vi) **Noise.** SWECS shall not exceed sixty (60) decibels as measured at the closest property line except during short term severe wind events. A manufacturer's sound report shall be required with an application for a small wind energy system.
- (e) **Roof Mount Wind System.** Roof mount wind energy conversion systems are prohibited in residential zones but are permitted in commercial zones on a flat roof however each facility shall be set back a minimum of five (5') feet from the roofline.
- ~~**Conditional Use Permit Requirements for Alternative Energy:** If the minimum standards defined above can not be met and it is indicated in this ordinance that a Conditional Use Permit application is available, the Planning Commission and City Council may require additional conditions (in addition to those conditions defined in Chapter 4, Conditional Use in this Code) as follows:~~
- ~~(i) Additional landscaping along an affected property line not exceeding ten feet (10') in height to help mitigate any visual or other impact created by the new facility; and~~
  - ~~(ii) Painting, coloring, and other agreed upon method of concealing the material the pole is constructed from to mitigate any visual or other impact created by the new facility; and~~

~~(iii) Increased engineering stability and construction requirements exceeding the above specifications may be included if it is proven that the requirements above are not adequate for a specific location.~~

~~(iv) The City may require the facility to be reasonably moved within the property boundary to help mitigate aesthetic concerns of adjacent property owners only if it does not negatively affect the power output of the facility significantly.~~

- (f) **ADDITIONAL STANDARDS. THE ZONING ADMINISTRATOR OR CITY COUNCIL MAY REQUIRE ADDITIONAL CONDITIONS TO MITIGATE POTENTIAL IMPACTS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:**
- (I) **ADDITIONAL LANDSCAPING ALONG AN AFFECTED PROPERTY LINE NOT EXCEEDING TEN FEET (10') IN HEIGHT TO HELP MITIGATE ANY VISUAL OR OTHER IMPACT CREATED BY THE NEW FACILITY; AND**
  - (II) **PAINTING, COLORING, AND OTHER AGREED UPON METHOD OF CONCEALING THE MATERIAL THE POLE IS CONSTRUCTED FROM TO MITIGATE ANY VISUAL OR OTHER IMPACT CREATED BY THE NEW FACILITY; AND**
  - (III) **INCREASED ENGINEERING STABILITY AND CONSTRUCTION REQUIREMENTS EXCEEDING THE ABOVE SPECIFICATIONS MAY BE INCLUDED IF IT IS PROVEN THAT THE REQUIREMENTS ABOVE ARE NOT ADEQUATE FOR A SPECIFIC LOCATION; AND**
  - (IV) **THE CITY MAY REQUIRE THE FACILITY TO BE REASONABLY MOVED WITHIN THE PROPERTY BOUNDARY TO HELP MITIGATE AESTHETIC CONCERNS OF ADJACENT PROPERTY OWNERS ONLY IF IT DOES NOT NEGATIVELY AFFECT THE POWER OUTPUT OF THE FACILITY SIGNIFICANTLY.**
- (g) **CONDITIONAL USE PERMIT REQUIREMENTS FOR ALTERNATIVE ENERGY. IF THE MINIMUM STANDARDS DEFINED ABOVE CAN NOT BE MET, A CONDITIONAL USE PERMIT SHALL BE REQUIRED.**

# SKYSTREAM 3.7™ 45 ft (13.7 m) Monopole Tower

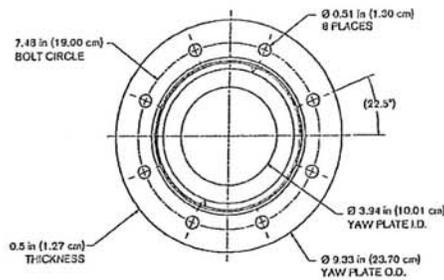
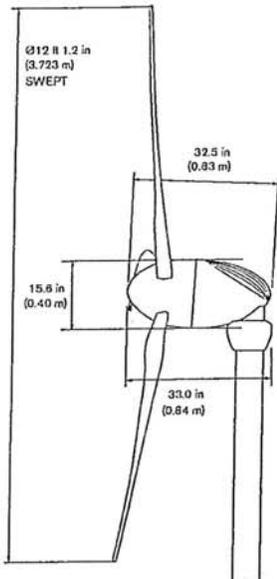
## Technical Specifications

Tower: Freestanding Tapered Tubular Steel / Galvanized Finish  
 Tower Weight: 932 lb (423 kg)

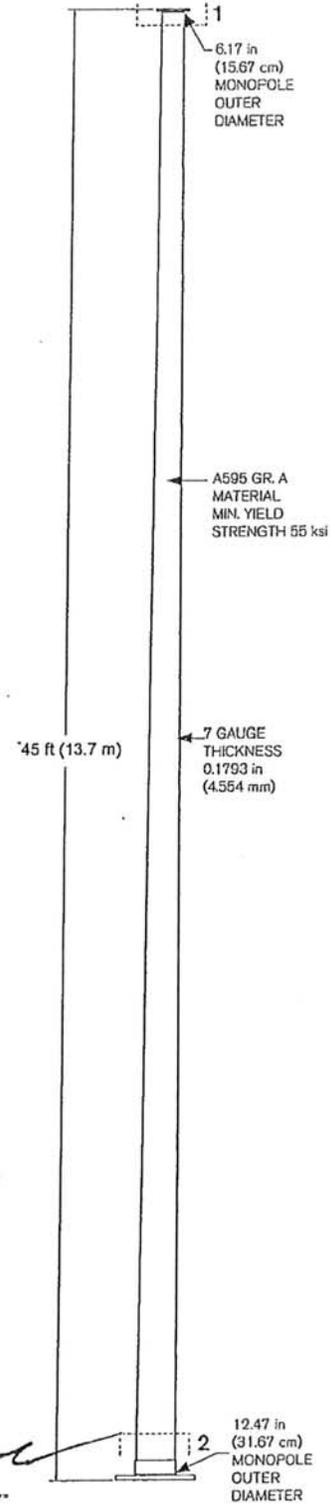
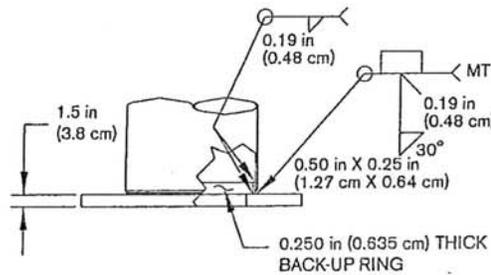
**Top of Tower Loads at 146 mph (65.3 m/s) wind speed**

Thrust Force: 630 lb (2802 N)  
 Peak Bending Moment: 1130 ft-lb (top of tower) (1532 N-m)  
 Downward Axial Force: 230 lb (1023 N)

\*Loads do not include safety factor. SWWP recommends minimum safety factor of 1.5.

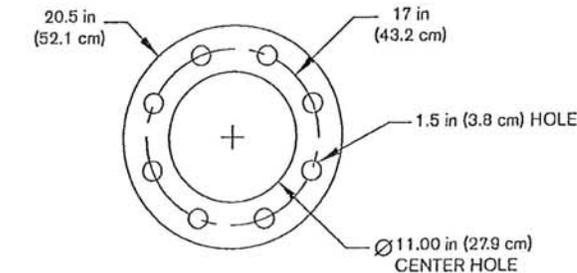


1. Tower Top



**Dimensions**

Prop Tip to Center of Tower: 31 in (79 cm)  
 Minimum Tip Clearance: 27 in (69 cm)  
 Max Tower Diameter at Tip: 8 in (20 cm)



2. Tower Base

Southwest Windpower  
 1801 W. Route 66 • Flagstaff, AZ 86001  
 Tel 928.779.9463 • Fax 928.779.1485  
 www.skystreamenergy.com

Highland City  
 APPROVED  
 DATE 9-8-09  
 SIGNED *[Signature]*

Tower



# COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** Public Hearing – Wall and Window Signs  
Text Amendment

**MEETING DATE:** September 28, 2010  
**AGENDA ITEM:** 3

**TO:** Planning Commission  
**FROM:** Nathan Crane, Community Development Director  
**THROUGH:** John Park, City Administrator

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**REQUEST:** Amend Section 3.708 and Table 3-707A of the Development Code relating to the requirements for window and wall signs (Exhibit A and B).

**APPLICANT:** Highland City

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**PRIOR REVIEW:**

The Planning Commission held a public hearing on July 13, 2010 and recommended approval of a text amendment increasing the size of window and wall signs.

On September 7, 2010, the City Council requested that staff revise the amendment to eliminate confusion between different standards.

On September 14, 2010, the Planning Commission discussed their July 13, 2010 recommendation and directed staff to prepare a revised amendment for further discussion.

**BACKGROUND:**

An amendment to the Development Code is a legislative process.

**SUMMARY OF REQUEST:**

1. The proposed amendment will increase the amount of window signage from 20% to 50% of the total window area.
2. The proposed amendment will revise the current regulations for wall signage by:
  - Increasing the amount of wall signage from 5% to 15%.
  - Clarifying placement restrictions.

- Allow wall signs on more than one wall if the wall faces an arterial street or the interior of a shopping center.
- Clarifying that wall signs are regulated by area not number.

#### **CITIZEN PARTICIPATION:**

A notice of the Planning Commission hearing was published in the Daily Herald on September 19, 2010. No comments have been received to date.

#### **ANALYSIS:**

- Staff researched other Utah County cities requirements for wall and window signs (Exhibit C). A summary of the findings of the research is as follows:
  - 6 of the 7 cities allow wall signs larger than Highland City
  - Lehi allows the most wall signage but includes window signs as part of the square footage
  - American Fork is the only city that includes an aggregate sign restriction
  - Orem prohibits wall signs on buildings with an integral roof
  - Four cities allow window signs greater than Highland
  - Alpine and Cedar Hills prohibit window signs
- Wall signs are common in other Utah County cities. The proposed amendment is needed to update the ordinance and improve the level of business identification within the community.
- The current ordinance creates a hardship for businesses located in Highland City by restricting the amount of sign area in comparison with adjacent communities. The proposed amendment will help to restore equity between businesses within the community and adjacent communities.
- The proposed sign regulations will help to ensure that these signs are legible and do not detract from the desired character of the community.

#### **FINDINGS:**

- The proposed text amendment is consistent with the purpose of the Development Code and will not adversely affect the community.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a public hearing and recommend **APPROVAL** of the proposed text amendment.

**PROPOSED MOTION:**

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed text amendment to Section 3-708 and Table 3-707A relating to the requirements for window and wall signs.

**ATTACHMENTS:**

- Exhibit A – Proposed Section 3-708 Wall Signs
- Exhibit B – Proposed Table 3-707A
- Exhibit C – Utah County Sign Regulation Summary

**Proposed Section 3-708 Amendment**

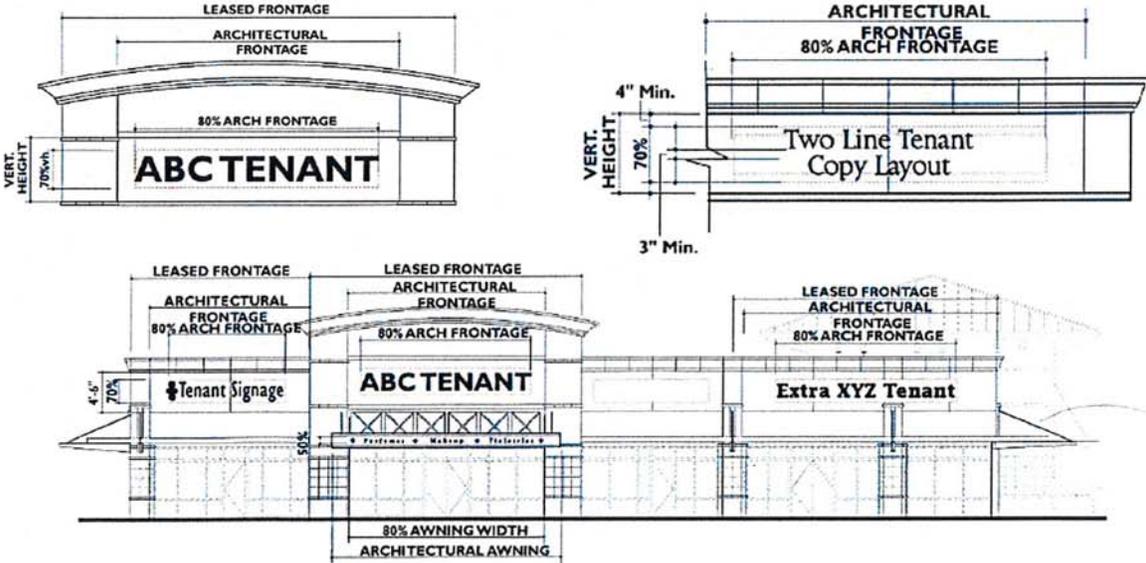
(rev 9-21-10)

**3-708: Wall Signs** (Amended 7/15/08). This Section shall permit a business within a commercial zone to apply for a permit to install a permanent wall sign upon their place of business in Highland City (see wall sign definition within this Section). A wall sign shall be installed by a licensed sign contractor\* for a commercial business if the following requirements are met (additional requirements may apply within separate zones B see above Table 3-707A). The applicant shall be the owner of the business for which the sign will be installed or a licensed sign contractor representing the said owner. All wall signs within commercial zones of a sign type that has not been previously approved shall require specific approval by the Highland City Planning Commission. The following restrictions shall apply to all wall signs:

- (1) **Location:**
  - (a) WALL SIGNS ARE ALLOWED ONLY ON THE EXTERIOR ELEVATION OF THE SPACE OCCUPIED BY THE BUSINESS.
  - (b) A wall sign may SHALL be affixed parallel to a permanent part of the exterior of a building and shall project less than 18 inches from that wall.
  - (c) Shopping centers or office buildings shall provide a band or other sign location within the architecture of the building to provide for a wall sign for individual businesses. A wall sign may not extend above or below the "band" or designated sign area.

WALL SIGNS SHALL BE CENTERED HORIZONTALLY AND VERTICALLY WITHIN THE ARCHITECTURAL FRONTAGE AND LOCATED OVER THE TENANT SPACE. THE OVERALL LENGTH OF ANY SIGN SHALL NOT EXCEED 80% OF THE ARCHITECTURAL FRONTAGE ON WHICH IT IS PLACES. THE OVERALL HEIGHT SHALL NOT EXCEED 70% OF THE NARROWEST PORTION OF THE VERIDICAL FASCIA HEIGHT ON WHICH IT IS PLACED.

**WALL SIGN LOCATION EXAMPLES:**



- (d) **A MINIMUM OF 3" LINE SPACING SHALL BE USED BETWEEN ALL MULTIPLE LINES.**
- (e) A wall sign may never extend above the eave, horizontal roof line or roof parapet or located within twelve (12) inches from the eave or parapet.
- (f) **WALL SIGNS SHALL BE PROHIBITED FOR STRUCTURES WITH INTEGRAL ROOFS.**
- (g) **WALL SIGNS ARE PROHIBITED ON REAR OR SIDE ELEVATIONS ADJACENT TO SINGLE FAMILY RESIDENTIAL USES.**

(2) **Size SIGN AREA:**

~~The size of a wall sign is calculated by the building frontage from which the applicant for the wall sign operates business. A wall sign is calculated by a percentage of the front wall of the business from eave or cornice to grade multiplied by the linear foot of building width or width of a leased space whichever is less. The maximum size for a wall sign is defined in Table 3-707A (above).~~

**THE SIGN AREA FOR EACH BUSINESS SHALL NOT EXCEED FIFTEEN (15) PERCENT OF FAÇADE OF THE BUSINESS WALL ELEVATION ALONG THE STREET FRONTAGE ON WHICH THE SIGN IS DISPLAYED. IN NO EVENT SHALL THE SIGN AREA FOR A SIDE OR REAR ELEVATION EXCEED THE AREA PERMITTED ON THE FRONT ELEVATION.**

(3) **Material:** ~~A wall sign shall consist of typical can type with single letters (may be applied onto a pan channel or similar device to mount the sign to be internally lighted) or solid single letters of any quality metal material.~~

- (a) **SIGNS SHALL BE EITHER INDIVIDUAL PAN CHANNEL LETTERS AND LOGOS; REVERSE PAN CHANNEL LETTERS AND LOGOS, OR CUSTOM CABINETS.**
- (b) Wall signs may incorporate an insignia, business logo or registered trademark as a cabinet type sign. Only 20% of the sign size shall be permitted to be the insignia, business logo or registered trademark as a cabinet type sign.
- (c) Wall signs shall be designed to be consistent with a sign theme for each commercial development project. If a sign theme has not been officially established, then all signs shall be consistent with the majority of the existing signs within an existing development project.
- (d) **SIGNS SHALL BE INDIVIDUALLY MOUNTED. RACEWAYS ARE PROHIBITED EXCEPT ON EXISTING BUILDINGS WITH EXISTING RACEWAYS.**

(4) **Lighting:** A wall sign shall be internally illuminated from within the individual letters, down-lighted by an architecturally significant fixture(s), or may be installed without lighting. All wall sign lighting may only operate between the hours of 6:00 a.m. and 12:00 a.m. (7:00 a.m. until 10:00 p.m. in the P.O. Zone). Sign lighting shall not create light pollution beyond the sign area.

(5) **Number of Signs:** ~~A business may have one wall sign for each exterior wall face that is leased or owned by that business. The size of each wall sign is determined by the leased or owned area of the facade the sign will be placed on. Any individual business may not install more than one wall sign per exterior building wall with the maximum number of wall signs not to exceed three (3). The allowable size of any wall sign is defined in Table 3-707A in this code.~~

**EXHIBIT B**

**Proposed Amendment to Table 3-707A**  
(rev 9-21-10)

<b>Type/Zone</b>	<b>PO</b>	<b>TC</b>	<b>C-1</b>	<b>CR</b>	<b>RP</b>	<b>PU</b>	<b>PI</b>
<b>Wall</b>	See Section 3-708						
<b>Window</b>	Not Permitted	50% Maximum	50% Maximum	50% Maximum	Not Permitted	Not Permitted	50% Maximum

Utah County Sign Regulation Summary

Walls Signs		
City	Requirement	Notes
Highland	5% of the façade or 100 sqft	Number of signs
Alpine	15% Per Wall	
American Fork	Varies based on wall area.	Maximum of 350 sqft.
Cedar Hills	15% Per Wall	Street side only
Lehi	15% or 600 sqft primary wall whichever is less 5% of Secondary Wall	Additional requirements based on sign type.
Orem	20% Per Wall	No permitted on buildings with an integral roof
Pleasant Grove	10% Front 5% Sides and Rear	
Springville	50 square feet total	

Window Signs		
City	Requirement	Notes
Highland	20% of the window	
Alpine	Not permitted	
American Fork	Not addressed	
Cedar Hills	Not permitted	
Lehi	Included as part of wall signs	
Orem	80%	
Pleasant Grove	50%	Neon is limited to two – two sqft signs
Springville	50%	



## COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** Site and Architectural Plan Review –  
Sunset Mountain Office Building #2

**MEETING DATE:** September 28, 2010  
**AGENDA ITEM:** 4

**TO:** Planning Commission  
**FROM:** Nathan Crane, Community Development Director  
**THROUGH:** John Park, City Administrator

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**REQUEST:** Site and Architectural Plan Approval for Sunset Mountain Office Building #2  
**PARCEL SIZE:** 0.610 Acres  
**LOCATION:** 11442 North Highland Boulevard  
**APPLICANT:** Scott Dunn, Patterson Construction

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### BACKGROUND:

The property is part of the Professional Office (PO) Zoning District that was approved by the City Council in December 2003. The PO District included a master site plan which was also approved in December of 2003. The master site plan was subsequently amended in February of 2005. The master site plan included 26.22 acres, which consists of 4.51 acres of office uses, 9.655 acres of storage units, and 8.13 acres of open space. The master site plan designates this site for office uses.

Professional offices require conditional use permit approval in the PO zoning district. A conditional use permit application has been submitted and will be considered as a separate agenda item.

In the PO District the City Council is the approval body for a site plan, after receiving a recommendation from the Planning Commission. The approval body for the architectural plans is the Planning Commission.

Site and architectural plan review are administrative actions. Consideration is limited to compliance with existing development standards and regulations.

## **SUMMARY OF REQUEST:**

1. The applicant is requesting site and architectural approval for an 8,800 square foot, two story professional office building. This is the second of a planned six building office complex.
2. Vehicle access will be provided by one existing driveway on Highland Boulevard. This driveway will provide full turning movements.
3. The proposed architecture is a combination of Victorian and Colonial styles comprised of cultured stone and stucco with distinguished pediments. The building will have architectural treatment on all four sides of the building. Accent features include covered entryway and a balcony. All windows include casings and mullions. Colors are earth tone with a mahogany accent.
4. The height of the building is 35 feet. This is consistent with the maximum height allowed be the PO District. The rear of the building features a walkout basement that overlooks open space.

## **CITIZEN PARTICIPATION:**

Notification of a site plan application is not required.

## **ANALYSIS:**

### General Plan

- The site is designated as Office on the General Plan Land Use Map. The proposed use is consistent with the General Plan.

### Compatibility with Surrounding Land Uses

- The property to the north is vacant and zoned PO. Another professional office building is shown on the master site plan. The property to the east is zoned R-1-40 (Single Family Residential). There will be approximately 300 feet between the office building and any single family homes. Of this, approximately 90 feet is open space. The property to the south is zoned PO and a professional office building has been constructed. The property to the west is the Micron facility in the City of Lehi.
- There are twelve, 42" tall bollard style lights. All lights will be fully shielded and directed downward. Lights mounted on the building will also be directed downward. Light levels will not exceed 1 foot candle at the property lines.
- The proposed use is compatible with existing and planned land uses in the area.

### Building Design

- The proposed building is 2,400 square feet larger than what was shown on the master site plan. The PO District does not prohibit changes to the building size as long as all development standards including parking can be met.
- The PO District and master site plan identify architectural requirements for the building. Staff believes, the proposed building is consistent with the architectural renderings and meets the architectural requirements of the PO District and the Highland City Commercial Design Standards. In addition, the proposed architecture is compatible with the existing building.

### Access, Circulation, and Parking

- All improvements to Highland Boulevard have been completed with the exception of the sidewalk which will be constructed with this project. The existing driveway provides adequate access to the proposed site. If needed emergency service personnel can access the building from the site to the south.
- A traffic analysis was completed as part of design for Highland Boulevard. Highland Boulevard has the capacity to accommodate the traffic generated by the proposed use.
- Due to the construction of SR92, Micron has approached the City to discuss the possibility of extending a road that will connect to Highland Boulevard. The purpose of this road is to allow access to the HOV lane. The proposed road will align with existing driveway. In the future depending on traffic warrants, this intersection may be signalized.
- The PO District states that parking would be provided as shown on the master site plan. The master site plan identifies 16 spaces for this building. This results in a parking ratio of one space per 400 square feet which does not provide enough parking for professional office uses. As a comparison, the first office building provides one space per 200 square feet. The site plan shows 31 spaces. This results in one space per 300 square feet. This is a typical ratio for professional office uses. Two handicap spaces have been provided which is consistent with the requirements of the Americans with Disabilities Act.
- The site is able to accommodate the additional square footage due to the enclosure of the Bull River ditch. With this action, additional fill can be provided to add the additional required parking.
- A two foot berm is provided along Highland Boulevard to screen the parking.
- The site plan shows a connection to a future parking lot for building 3. A stipulation has been included requiring a cross access agreement to be recorded.
- Sunset Mountain Plat C will need to be amended to accommodate the additional parking. A stipulation has been included to address this issue.

### Landscaping and Open Space

- The minimum landscaping requirement in the PO District is 35%. The landscape shows 61% of the site in landscaping which exceeds the minimum requirement.
- Hardscape details include a walkout patio and connecting sidewalks with pedestrian oriented landscaping. These are consistent with the requirements of the PO District.

### **FINDINGS:**

The proposed site and architectural plans meet the following findings:

- It meets the objectives of the General Plan.
- It meets the requirements of the PO Zoning District.
- It meets the requirements of the Highland City Development Code.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission **APPROVE** the architectural plan subject to the following stipulations:

1. The development shall conform to the elevations and materials board date stamped September 21, 2010, except as modified by these stipulations.
2. All roof mounted mechanical equipment shall be screened. All mechanical equipment and screening shall be shown on the construction plans.

Staff recommends that the Planning Commission recommend **APPROVAL** of the site plan subject to the following stipulations:

1. The development shall conform to the site plan, conceptual landscape plan, and lighting plan date stamped September 23, 2010, except as modified by these stipulations.
2. Final landscape plans shall be approved prior to issuance of a building permit.
3. A cross access agreement shall be recorded prior to the issuance of a certificate of occupancy.
4. All ground mounted mechanical equipment shall be screened. All mechanical equipment and screening shall be shown on the construction plans.
5. Handicap accessible parking shall be provided as required by the American with Disabilities Act.
6. An amended plat shall be and recorded prior to issuance of a certificate of occupancy.
7. A minimum of 35% open space shall be provided as part of amendment to Plat C.
8. The civil construction plans shall meet all requirements as determined by the City Engineer.

**PROPOSED MOTIONS:**

I move that the Planning Commission accept the findings and **APPROVE** the architectural plan subject to the two stipulations recommended by staff.

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the site plan for Sunset Mountain Office Building #2 subject to the eight stipulations recommended by staff.

**ATTACHMENTS:**

- Exhibit A – Zoning Map
- Exhibit B – Aerial Photo
- Exhibit C – 2005 Approved Amended Site Plan
- Exhibit D – Site Plan date stamped September 23, 2010
- Exhibit E – Conceptual Landscape Plan date stamped September 23, 2010
- Exhibit F – Building Elevations date stamped September 21, 2010
- Exhibit G – Lighting Plan date stamped September 23, 2010

**FULL SIZE ATTACHMENTS:** (Commission only)

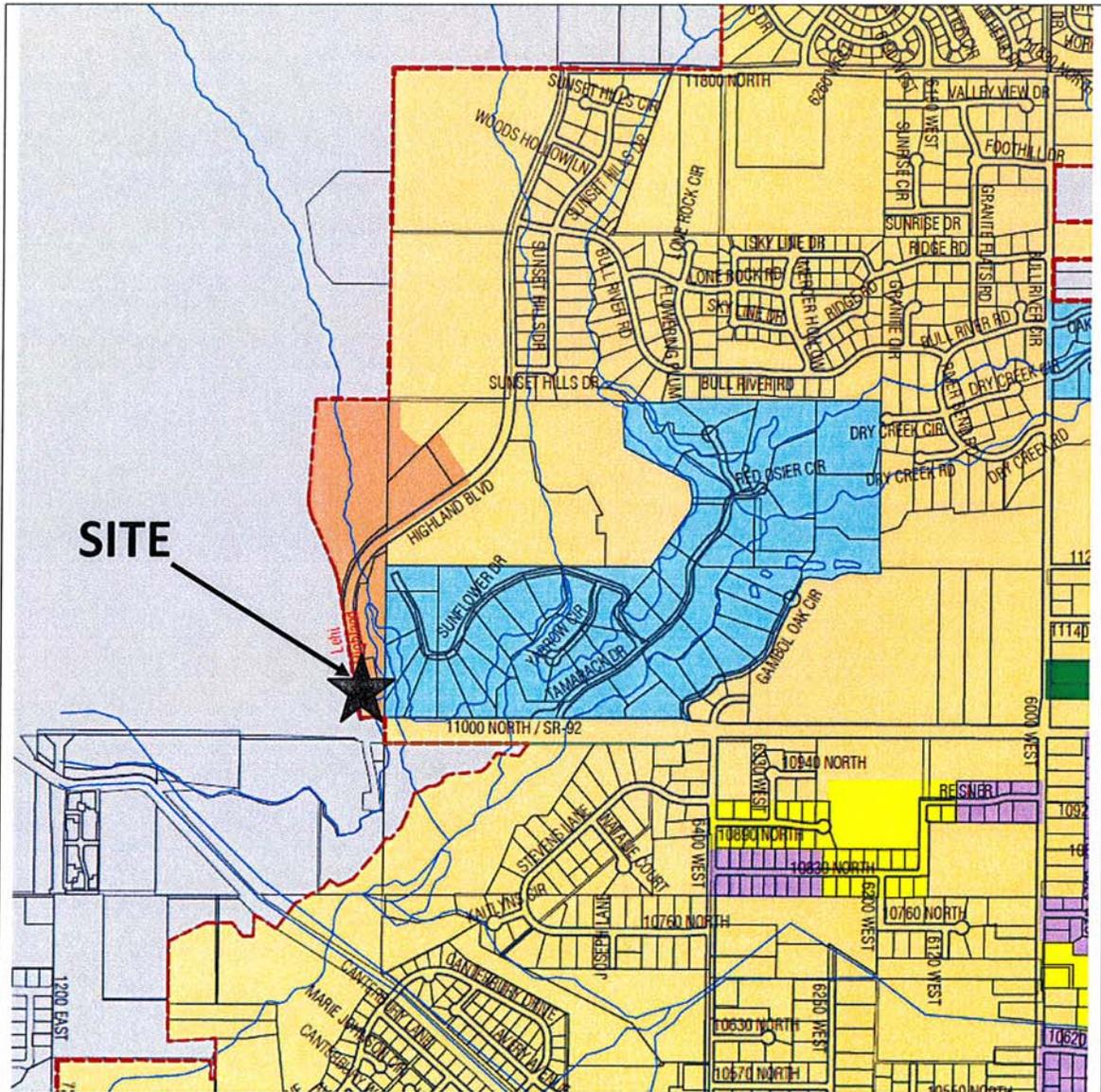
Site Plan dated September 23, 2010 (11 X 17)

Conceptual Landscaping Plan dated September 23, 2010 (11 X 17)

Building Elevations dated September 21, 2010 (11 X 17)

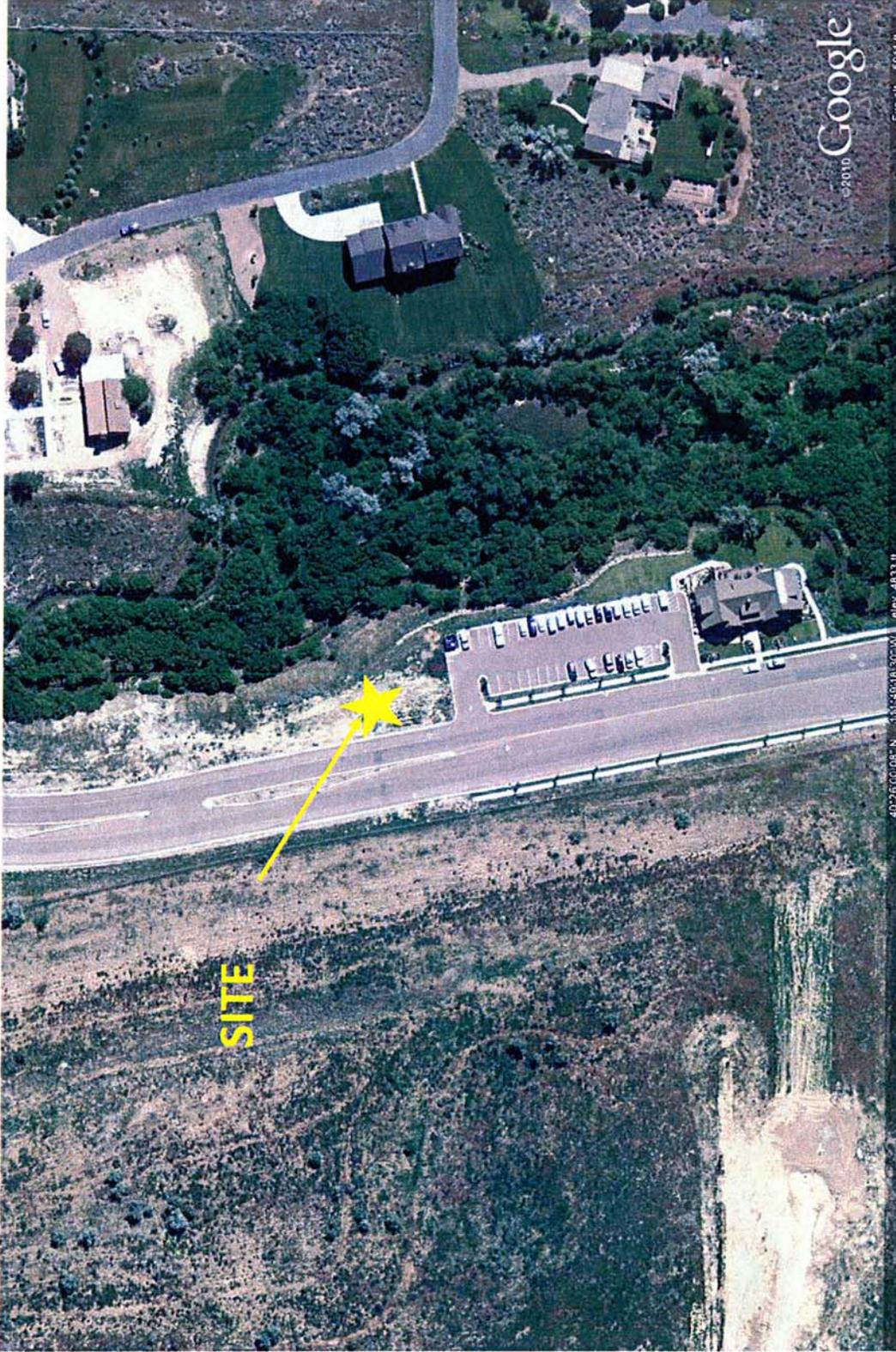
Lighting Plan date stamped September 23, 2010 (11 X 17)

# HIGHLAND CITY ZONING MAP



	PROFESSIONAL OFFICE		CONDITIONAL USE R-1-40		R-1-40
	COMMERCIAL C-1 ZONE		NON-CONFORMING R-1-20		R-1-20
	CR ZONE		RESIDENTIAL PROFESSIONAL		AGRICULTURE
	TOWN CENTER OVERLAY		PUBLIC UTILITY		PUBLIC INSTITUTION

AERIAL



SITE



©2010 Google

Eye alt. 5811 ft

40°25'00.08"N 111°48'18.50"W elev. 4833 ft

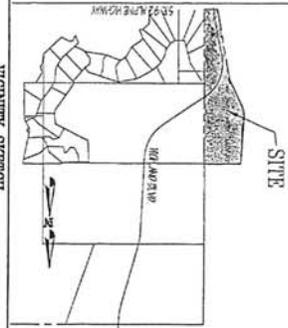
# SUNSET MOUNTAIN PROPERTIES LANDSCAPE ANALYSIS & PLAN

## LANDSCAPE NOTES

THE PURPOSE OF THIS LANDSCAPE ANALYSIS AND PLAN IS TO ESTABLISH LANDSCAPE GUIDELINES THAT WILL BE FOLLOWED TO ENHANCE THE PROPOSED SUNSET MOUNTAIN PROPERTIES PROJECT AND LESSEN ITS IMPACT ON ADJACENT PROPERTIES. THE PLAN CONSISTS OF THE MAIN ITEMS LISTED BELOW:

1. COMPLETE LANDSCAPE OF THE HIGHLAND BLVD. ROWWAY BEHIND OF WAY INCLUDING THE MEDIAN AND PLANTER STRIPS ON THE SITE. THIS PLAN GIVES DETAILS OF ROCE PROPOSED PLANTING.
2. ENHANCE AND MAINTAIN THE EXISTING OPEN SPACE ON THE EAST SIDE OF THE DEVELOPMENT (BOTH THE PARK, ACRES OPEN, NORTHWEST AREA AND THE SOUTH EAST, MORE HEAVILY VEGETATED BILL FERRY DITCH AREA) AS SHOWN ON THE PLAN. SEE NOTES ON THIS PLAN FOR DESCRIPTION OF THE VEGETATION, SCREENING, PLANTING, ETC. THAT ARE SUGGESTED.
3. LANDSCAPE AROUND THE NEW BUILDINGS & PARKING LOT AT THE TIME OF CONSTRUCTION. A COMPREHENSIVE & DETAILED LANDSCAPE & ILLUMINATION PLAN FOR EACH BUILDING AND PARKING LOT AREA WILL BE COMPLETED AT THE TIME OF EACH BUILDING PERMIT.
4. LANDSCAPE MAINTENANCE FOR THE ENTIRE PROJECT IS TO BE COMPLETED BY THE PROFESSIONAL OFFICE ASSOCIATION. EACH UNIT OR OWNER IS TO CONTRIBUTE AS PER THE CC&R'S TO BE ESTABLISHED.

VICINITY SKETCH  
SHEET 2-2500

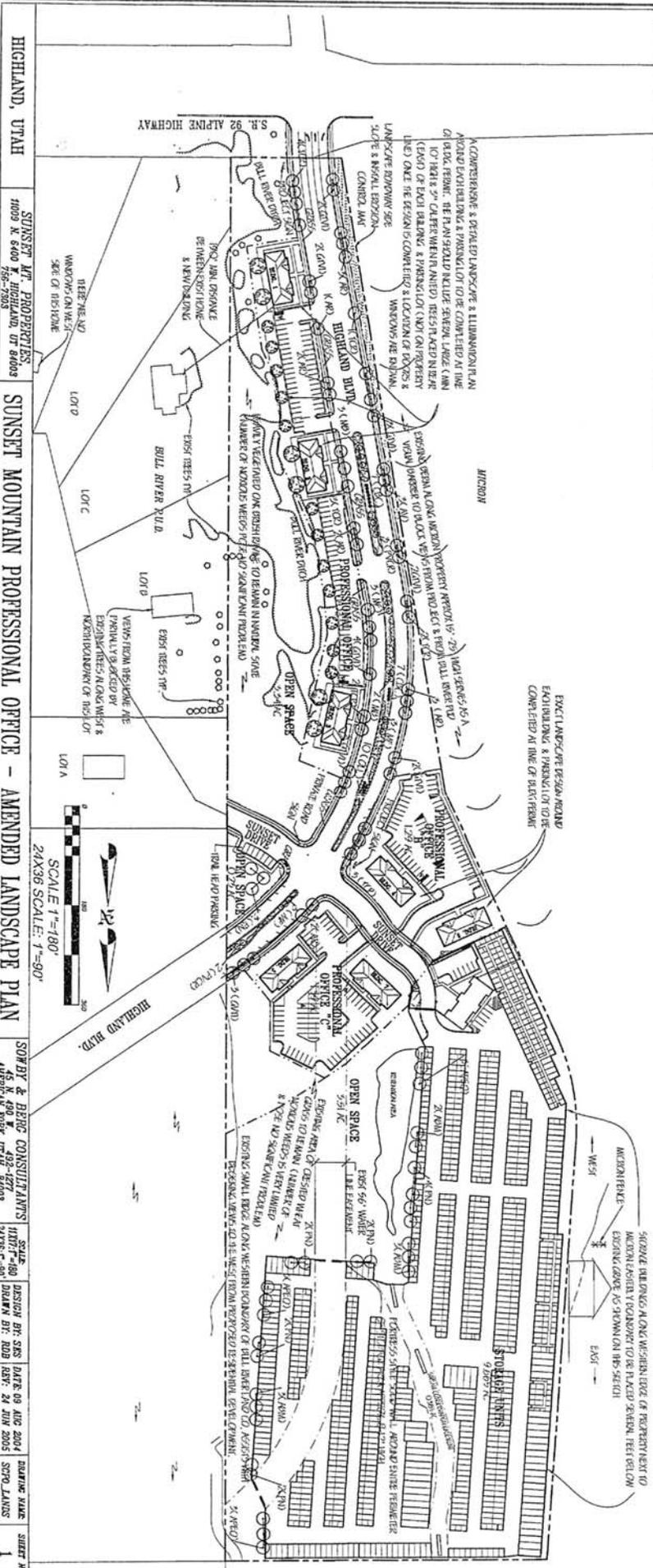


### LEGEND

[Symbol]	MEDIUM BARK WHITE FERN	5'-6" SLASH AS VARIETY: DUAL T. L. (1.5" DIA)
[Symbol]	9'-6" RIVER BOX	
[Symbol]	3'-4" LANDSCAPE BOLLERS	
[Symbol]	SPREADING WHITE CEDAR COVER	

### TREE PLANTING LIST

CITY SYMBOL	BOTANICAL NAME	CITY SYMBOL	BOTANICAL NAME
9	MAHOGANY	11	GRACIA
5	PINE	10	QUERCUS
9	ASH	2	QUERCUS
15	YEW	15	YEW
5	MAPLE	15	YEW
16	ACER	9	YEW



HIGHLAND, UTAH  
 SUNSET MOUNTAIN PROPERTIES  
 1009 N. 6400 W. HIGHLAND, UT 84005  
 SUNSET MOUNTAIN PROFESSIONAL OFFICE - AMENDED LANDSCAPE PLAN  
 SCALE 1"=180'  
 24X36 SCALE: 1"=60'  
 SCALE 1"=180'  
 24X36 SCALE: 1"=60'

















# COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** Work Session – Fencing Requirements

**MEETING DATE:** September 28, 2010  
**AGENDA ITEM:** 5

**TO:** Planning Commission

**FROM:** Nathan Crane, Community Development Director

**THROUGH:** John Park, City Administrator

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## **DISCUSSION:**

### Fence Heights

Section 3-612: Fences, Walls, Hedges regulate location, height, and design of fencing within the City. The following is a summary of the regulations for rear and side yard fencing requirements:

#### *No Abutting Open Space*

- Opaque 6' fences are allowed along the public right-of-way if they are setback 14' from the back of curb.

#### *Abutting a Trail less than 40' of Open Space*

- A 4' solid
- A 5' fence that is 55% open

#### *Abutting a Trail with more than 40' of Open Space*

- A 4' solid
- A 4' solid fence with a 2' extension that is 55% open
- A 6' fence that is 55% open

#### *Abutting Open Space without a Trail*

- A 4' open or solid
- A 4' solid fence with a 2' extension that is 55% open
- A 6' fence that is 55% open

#### *Abutting Open Space or Trail with 30,000 lots square foot or larger*

- A 4' open or solid
- A 4' solid fence with a 2' extension that is 55% open
- A 6' fence that is 55% open

These requirements have led to several concerns by property owners with homes that abut open space and are either adjacent to or in close proximity to a public street or active open space areas (Exhibit A). The concerns expressed have focused on privacy and security issues. The Open Space Committee is recommending that the fencing requirements be changed to allow 6' opaque fences adjacent to main transportation corridors.

The purpose and intent of open space fencing is to create a defensible space area in what would otherwise be a poorly lit fenced off areas which may create potential safety and security issues for users of the open space or trail. If an open space or trail is adjacent is open to public view from an adjacent street or streets, the purpose of the open space fencing is met and an opaque fence would be appropriate. However, if the open space or trail with minimum width is not open to public view; open space fencing is needed to address potential safety and security issues.

### Design and Materials

Fencing along arterial and collector streets have a direct impact on the quality of life of residents and the aesthetics of a community. Fencing along these streets has three primary purposes:

1. Security and Privacy
2. Compatibility
3. Aesthetics

Arterial and collector streets are streets that carry a medium to high volume of traffic. The primary purpose of these streets is the movement of goods and services regionally and throughout a community. Properly designed fencing will provide security and privacy for a property owner, assist in mitigating some of the negative impacts of living adjacent to a busy road, and create a sense of place for the community. A landscape tract adjacent to the public right-of-way is a key component to address compatibility. Staff believes that subdivisions should have common theme walls along arterial and collector streets and open space areas. These theme walls should be installed by the developer.

### **KEY CONSIDERATIONS:**

The key considerations for discussion by the Commission include:

- What are the characteristics of areas that may create safety and security issues?
- What are the characteristics of areas that have sufficient public visibility to ensure safety of users? Should all homes be allowed to have six-foot opaque fencing adjacent or abutting an arterial or collector street?
- Should a theme wall or fence be required along arterial and collector streets and who should be required to construct it?
- Should requirements be adopted of existing subdivisions to have similar fencing along arterial and collector streets and open space areas?

**RECOMMENDATION:**

No action is required at this time. This item is being presented for information only.

**ATTACHMENTS:**

Fence Issue Summary

# Fence Issue Summary

(rev. 9-22-10)

## Open Space Abutting an Arterial or Collector Street



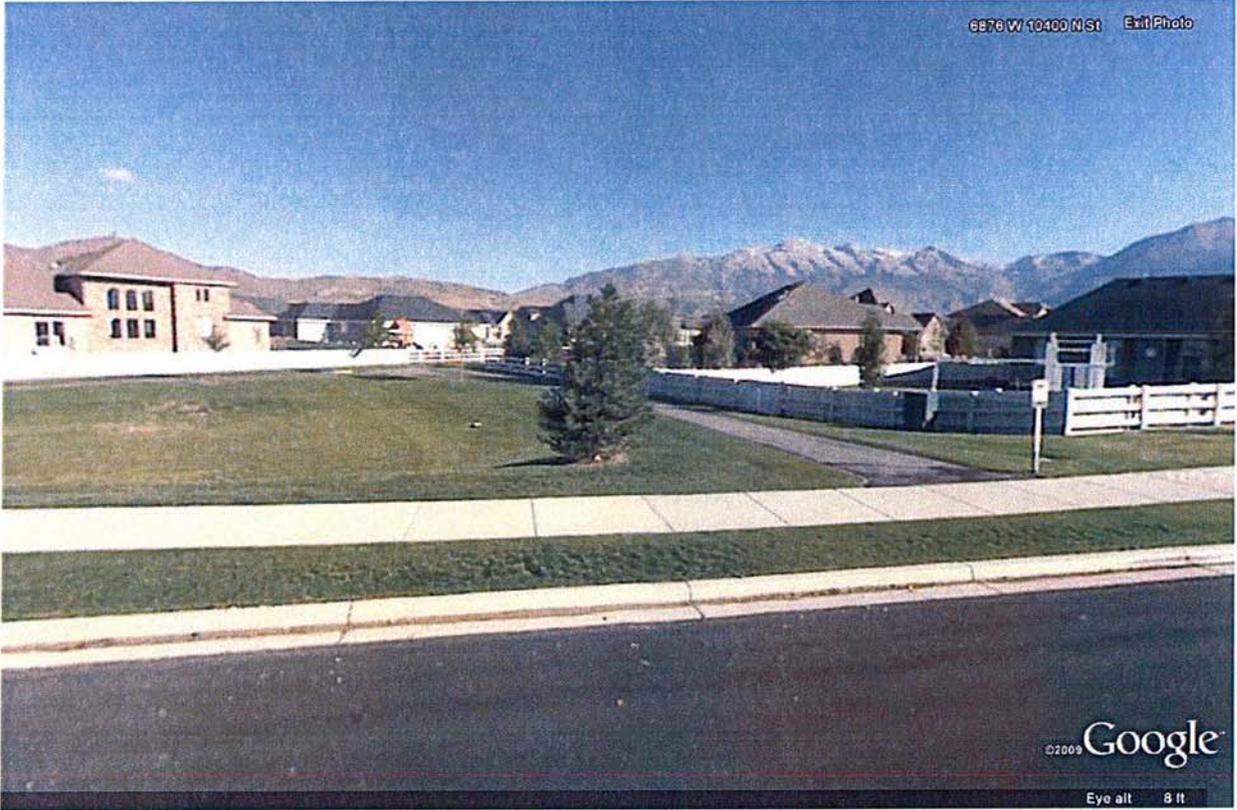
# Fence Issue Summary

(rev. 9-22-10)



# Fence Issue Summary

(rev. 9-22-10)





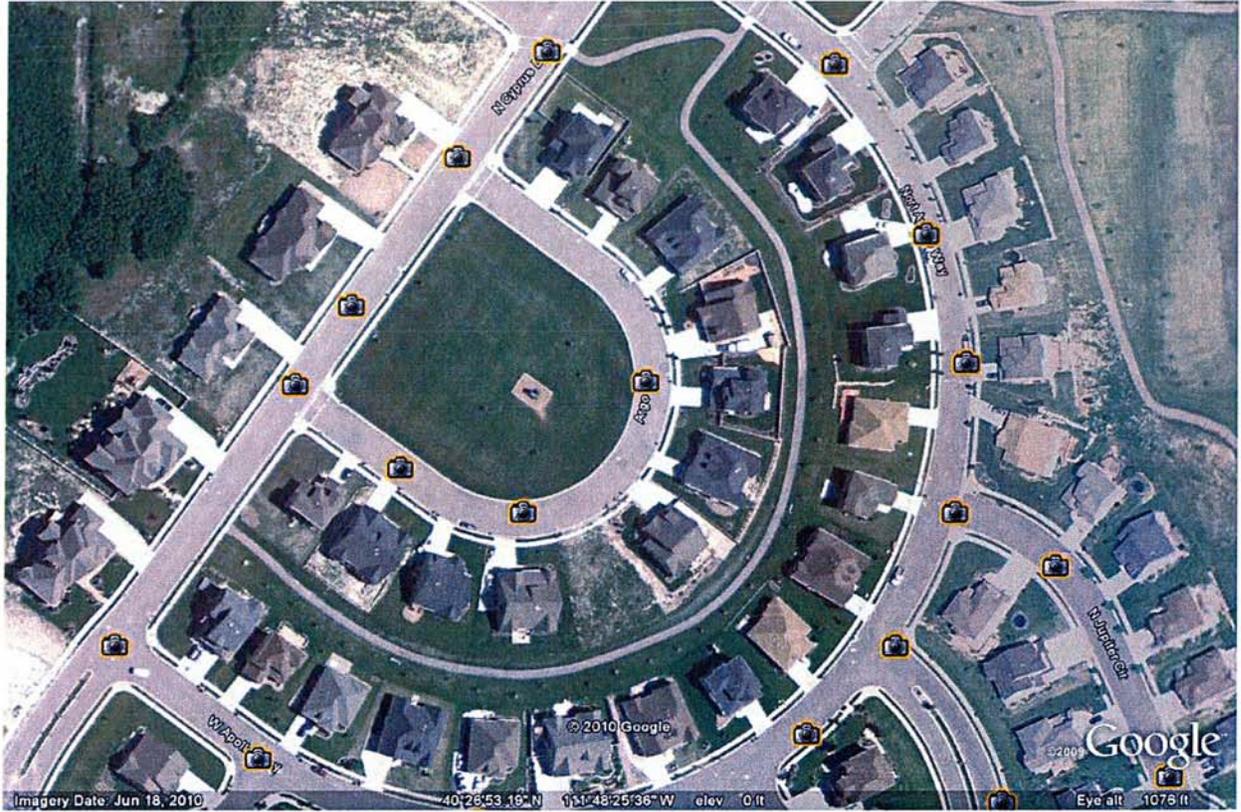
# Fence Issue Summary

(rev. 9-22-10)



# Fence Issue Summary

(rev. 9-22-10)



# Fence Issue Summary

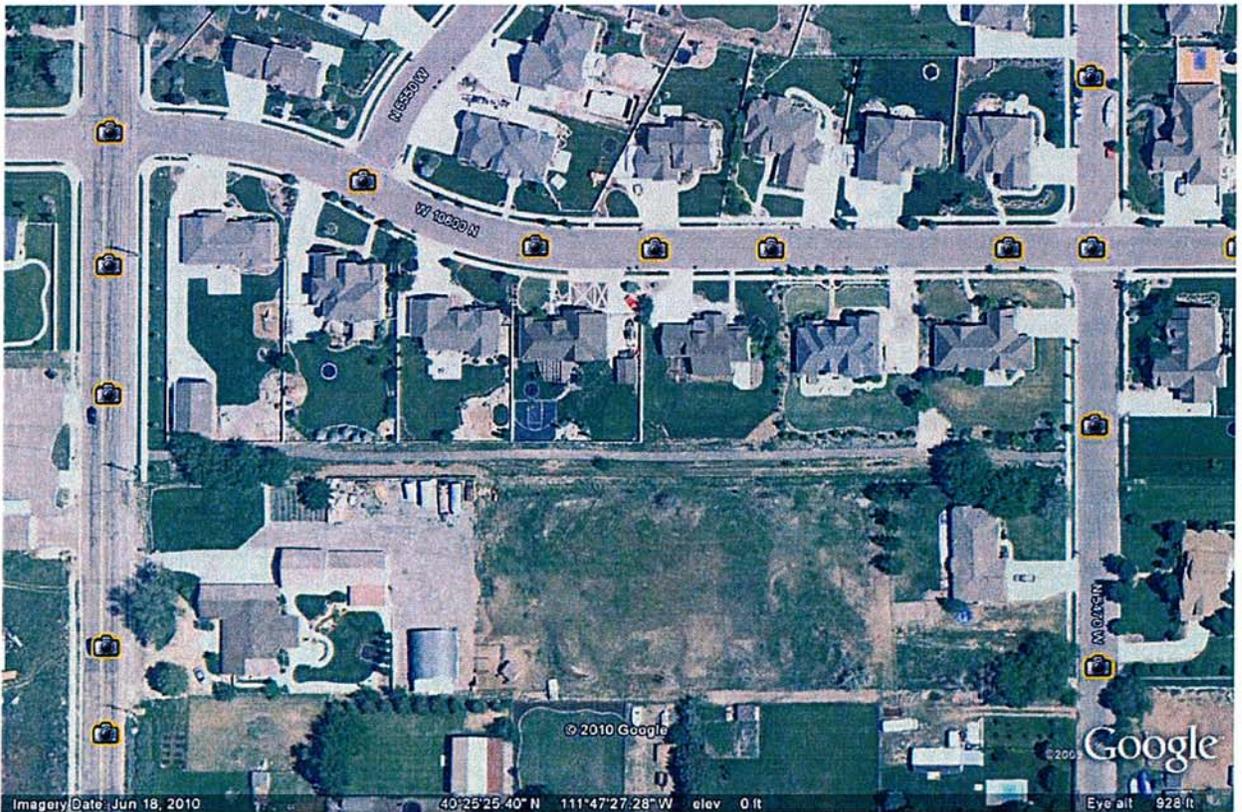
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## Non-Defensible Open Space



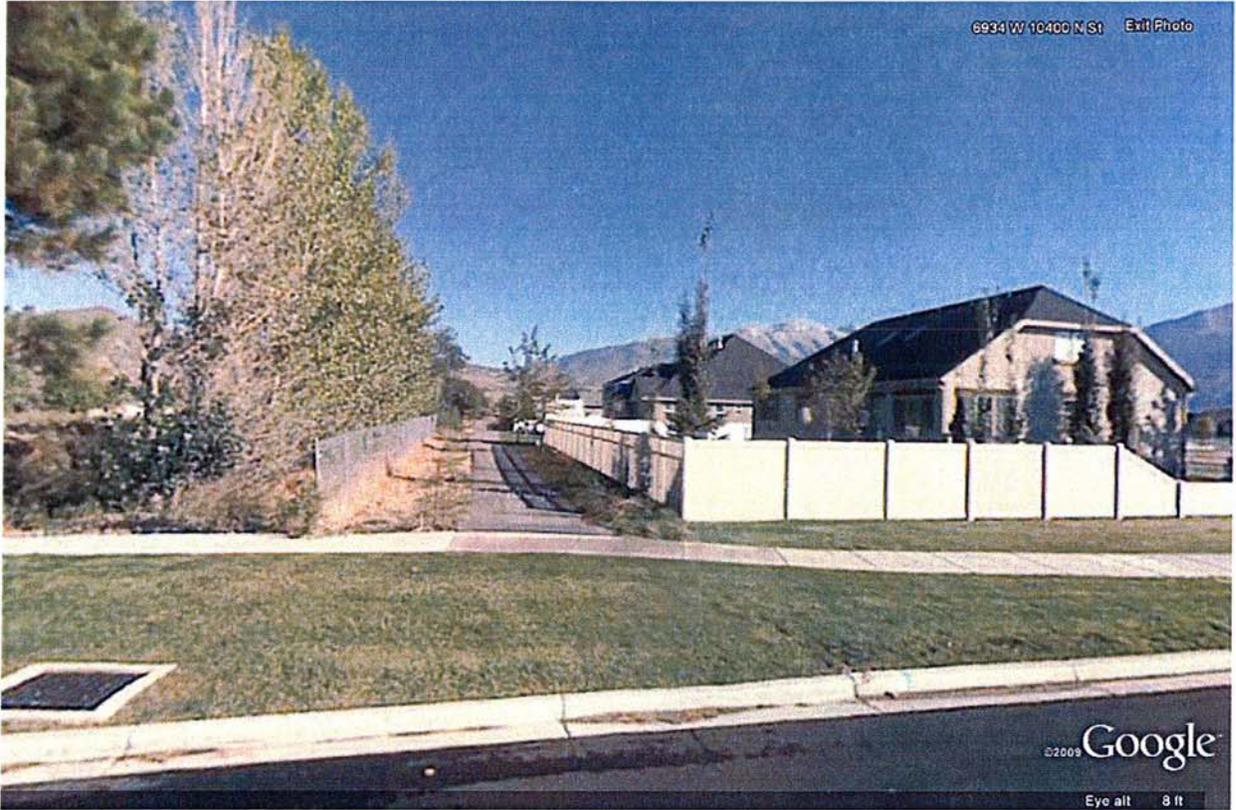
# Fence Issue Summary

(rev. 9-22-10)



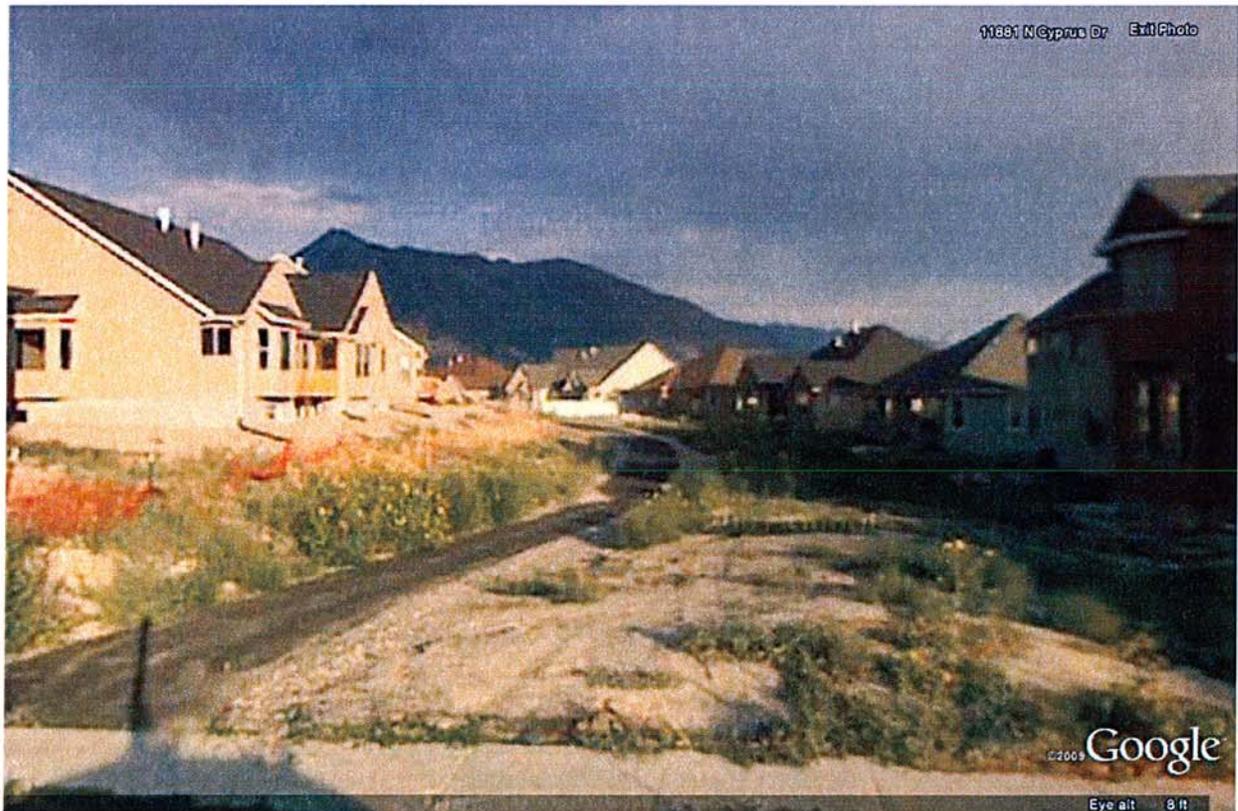
# Fence Issue Summary

(rev. 9-22-10)



# Fence Issue Summary

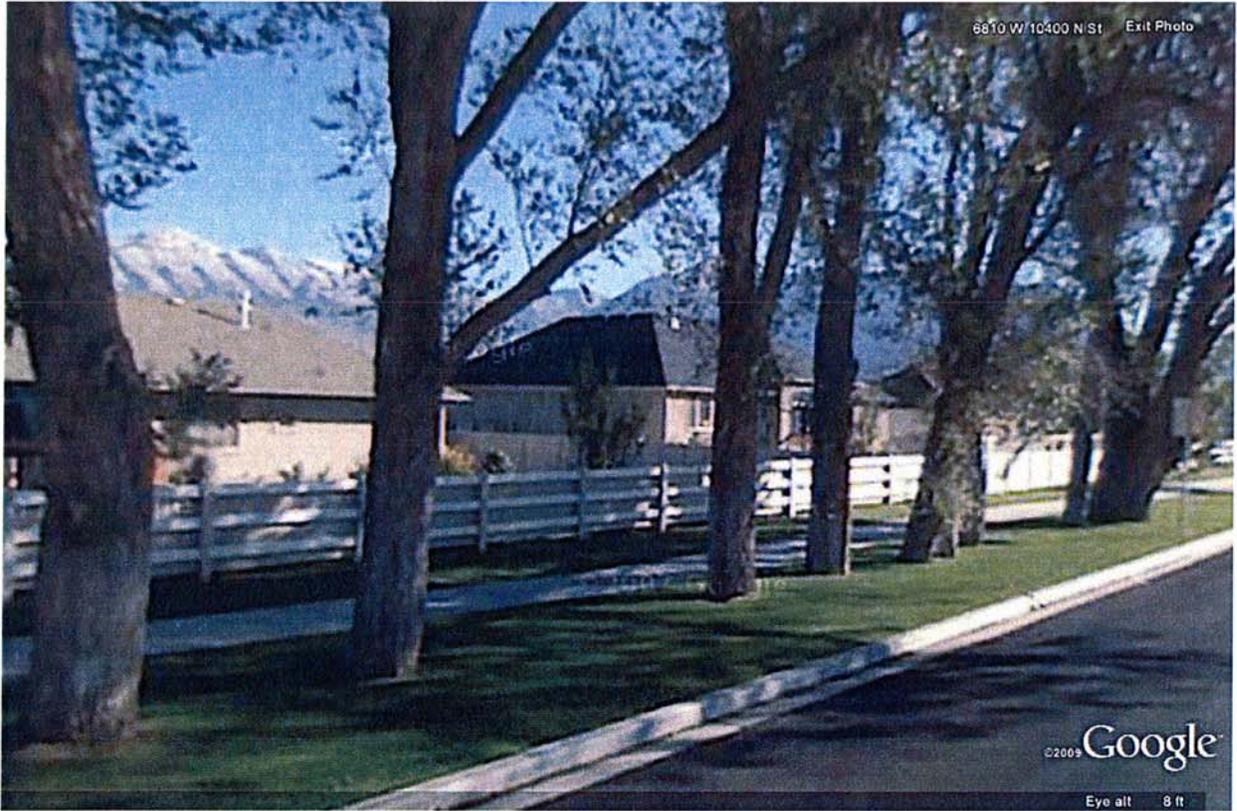
(rev. 9-22-10)



# Fence Issue Summary

(rev. 9-22-10)

## Design Consistentcey



# Fence Issue Summary

(rev. 9-22-10)

