



HIGHLAND CITY

HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, December 13, 2022

Approved January 24, 2023

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

VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: planningcommission@highlandcity.org

7:00 PM REGULAR SESSION

Call to Order – Chris Howden, Vice Chair

Invocation – Commissioner Jay Roundy

Pledge of Allegiance – Commissioner Tracy Hill

The meeting was called to order by Commissioner Chris Howden as a regular session at 7:03 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 Jay Roundy and those in attendance were led in the Pledge of Allegiance by Commissioner Tracy Hill.

PRESIDING: Commissioner Chris Howden

COMMISSIONERS

PRESENT: Tracy Hill, Chris Howden, Audrey Moore, Jay Roundy, and Trent Thayn

CITY STAFF PRESENT: Mayor Kurt Ostler, City Planner and GIS Specialist Kellie Smith, Planning Commission Secretary Heather White, Parks Superintendent Josh Castleberry

OTHERS PRESENT: Jon Hart, *see attached Attendance Sheet*

1. UNSCHEDULED PUBLIC APPEARANCES

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

None was offered.

2. CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the Planning Commission. They are intended to be acted upon in one motion. Commissioners may pull items from consent if they would like them considered separately.

- a. **Approval of Meeting Minutes** *General City Management - Heather White, Planning Commission Secretary*
Regular Planning Commission Meeting – October 25, 2022
- b. **2023 Planning Commission Meeting Schedule** *General City Management - Kellie Smith, Planner & GIS Analyst*
Planning Commission will consider the 2023 Annual Meeting Schedule. The Commission will take appropriate action.

Commissioner Hill moved to approve consent items A and B. Commissioner Roundy seconded the motion. All present were in favor. None were opposed. The motion carried.

3. PUBLIC HEARING: PRELIMINARY PLAT - ABBIES ACRES *Land Use (Administrative) - Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a request by Peak Real Estate & Development LLC for preliminary plat approval of a 6-lot subdivision located at approximately 4943 W 11200 N. The Planning Commission will take appropriate action.

Ms. Smith reviewed the details of the preliminary plat application for Abbies Acres. She explained that the applicant tried to connect through to Timpanogos Highway, however, UDOT's requirement was that one of the neighbors would need to eliminate a driveway in order for Abbies Acres to have access to Timpanogos Highway. The neighbor was not open to eliminating the driveway. Because of this, Lots 1-5 would have drive and utility access from 11200 North and Lot 6 will continue to use existing utility laterals from Timpanogos Highway.

Commissioner Howden opened the public hearing at 7:12 PM and asked for public comment.

Resident Curt Parke, representing his dad, Resident Charles Parke, voiced concerns for the proposed road right next to his dad's property with livestock. He explained that they raised black angus beef and voiced concern regarding the smell particularly for one lot close to a barn and corral. Mr. Parke wondered if a concrete barrier fence could be installed on the corral and pasture side of the property for safety reasons. He said a charter school had been previously considered in the area but then deemed unsafe because of the proximity to the animals. Another concern was drivers consistently turning into the private driveway instead of the road to the development. He explained that the road for the development was parallel to his dad's 100-ft driveway that led to the house. He suggested installing a streetlight on the east or west side of the road so drivers could see the turn better.

Commissioner Howden wondered if curb and gutter would be on both sides of the road. Ms. Smith explained that only the west side would have curb, gutter, and sidewalk. She said a barrier fence was not required by the development code, but it could be something that Mr. Parke's father could install on his property. Mr. Parke expressed concern with potential theft on the property. He asked the developer to consider installing a wall or fence before construction started.

Commissioner Howden asked for additional comments. Hearing none, he closed the public hearing at 7:15 PM and asked for comments from the commissioners.

Commissioner Roundy wondered if Lehi approved the abandonment of the ditch. Ms. Smith explained that Highland did not have a formal letter, however, the Highland City Assistant Public Works Director was currently part of the Lehi Irrigation Board and confirmed that it was approved at the last board meeting. She explained that the stipulation was kept as part of the proposed motion to ensure that a formal notice was received.

Mr. Parke wondered if the city required fencing on future subdivisions. Ms. Smith explained that the only fencing required for subdivisions were theme walls next to arterial/collector streets or screen walls between different uses. She explained that it was not required because both properties were zoned R-1-40. Mr. Parke again stressed concerns with livestock and the agricultural area. He thought most people would be unhappy with the corral in their front yard and the possibility of cows getting out.

Commissioner Moore arrived at the meeting at 7:19 PM.

Applicant Corey Jones said he was more than happy to talk with the Parke family to see if some kind of an agreement could be reached. He said they wanted to be good neighbors. He said he tried to communicate with all neighbors, some successfully and some not.

Commissioner Trent Thayn MOVED that the Planning Commission accept the findings and recommend approval of the preliminary plat for the Abbies Acres subdivision subject to the following five (5) stipulations recommended by staff:

- 1. The final plat shall be in substantial conformance with the preliminary plat received November 16, 2022.*
- 2. The existing ditch along the east side of the property be abandoned by the Lehi Irrigation Company and filled by the developer.*
- 3. All public improvements shall be installed as required by the City Engineer.*
- 4. The civil construction plans shall meet all requirements as determined by the City Engineer.*
- 5. Right of way along 11200 N must be dedicated and improved to match the city standard park strip and sidewalk configuration as approved by the city engineer.*

Commissioner Hill SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Absent</i>
<i>Commissioner Chris Dayton (Alternate)</i>	<i>Absent</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Absent</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Jay Roundy</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

Motion carried 5:0

4. PUBLIC HEARING: PRELIMINARY PLAT – HAWKINS PROPERTY *Land Use (Administrative) – Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a request by Mike Hawkins for preliminary plat approval of a 7-lot subdivision located at approximately 11200 N and Alpine Highway. The Planning Commission will take appropriate action.

Ms. Smith reviewed the details of the preliminary application for the Hawkins property. She explained that access to the site would be from 11200 North and the applicant would provide half street improvements plus 10 feet of asphalt on the north side on the subdivision. The rest of the right of way would be completed with future development.

Commissioner Howden opened the public hearing at 7:28 PM and asked for public comment.

Resident Carl Parke said he lived on the south side of the proposed development. He said it was a livestock and agricultural area and that he sometimes had cows and bulls on his property. He currently had two mules and voiced safety concerns. He said mules were not nice to be around and could be detrimental if kids were on the property. He asked that a barrier fence be installed along the back of the development. He thought a barrier wall would be a good feature for the development so they wouldn't be looking at the back side of his barn. He mentioned that his neighbor saw kids on Mr. Parke's property, in his pasture, and pass the corrals already. He said it was a big concern for him and asked that the developers consider a barrier wall. Mr. Parke also asked about the future of the irrigation ditch that ran from the east side of the property to Alpine Highway. He said it flooded his barn in the past. He mentioned that the storm drain near the road going into the property off of 11200 North was not very good. He said water pooled in the area, it had never been cleaned or checked on very often, and that the asphalt was raised. Mr. Parke was concerned about the north/south sidewalk, the amount of water going down the road and how it would be picked up on 11200 N. He wondered if there would be a streetlight and asked about the planned jog in the road. Mr. Park voiced concern with traffic through an existing subdivision and asked that the developer limit traffic onto 11200 North. He was also concerned about losing his view of the mountains. Applicant Mike Hawkins confirmed that the irrigation ditch would be rerouted. He said the jog in the proposed road was to give the neighboring property more room off the driveway. He said they planned to install a 6-ft. precast barrier wall around the development.

Resident Mike Powell said he was Mr. Parke's neighbor to the east. He asked about the future of the irrigation ditches on the north and south of his property. He voiced concern about losing his view of the mountains. Applicant Mike Hawkins explained how the ditch would be rerouted. He said the ditch on the north would be abandoned and graded. He explained where the barrier wall would be.

Resident Steve Stow said he appreciated the concern regarding a fence for the animals. He talked about neighbors with horses or sheep that got out and others that had chicken coops destroyed by kids. He talked about property that was stopped in preparation for future development that hadn't happened yet. He asked that the stubbed edge of the development be made to look nice, useable, and friendly to the community.

Commissioner Howden asked for additional comment. Hearing none, he closed the public hearing at 7:39 PM. He asked for questions and comments.

Commissioner Thayn wondered what the future looked like for the area. He wondered if anything was planned. Ms. Smith explained that by code the city tried to provide drive and utility access to future development. She talked about stubs from previous developments. She explained that UDOT was very strict regarding the location of access onto Alpine Highway. The city could not tell property owners how to lay out their property, but staff could encourage accessibility.

Commissioner Thayn *MOVED* to approve the preliminary plat for the Hawks Landing subdivision subject to the following four (4) stipulations recommended by staff:

1. The final plat shall be in substantial conformance with the preliminary plat received November 23, 2022.
2. The Lehi Irrigation Company shall review and approve the construction plans involving relocating and piping the existing irrigation ditches.
3. All public improvements shall be installed as required by the City Engineer.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.

Commissioner Moore *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Jerry Abbott	Absent
Commissioner Chris Dayton (Alternate)	Absent
Commissioner Tracy Hill	Yes
Commissioner Christopher Howden	Yes
Commissioner Claude Jones	Absent
Commissioner Audrey Moore	Yes
Commissioner Jay Roundy	Yes
Commissioner Trent Thayn	Yes

Motion carried 5:0

5. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT - PARK OR PLANTER STRIPS *Development Code Update (Legislative) - Kellie Smith, Planner & GIS Analyst*

The Planning Commission will hold a public hearing to consider a proposal by Highland City Staff to amend Section 3-621 Park or Planter Strips to require xeriscaping in park strips and update the permitted tree list in park strips. The Planning Commission will take appropriate action.

Ms. Smith explained that Commissioners Moore and Howden recently presented to the City Council and shared the desire to require xeriscaping in the parkway detail as well as park strips for new construction. She said park strips with lawn were grandfathered in until they were changed. It would then need to have xeriscaping. She mentioned that the Council was concerned that the tree list was outdated. She agreed and referenced the updated list in the municipal code. She reviewed the proposed text changes and explained that staff would also put together a Resident Help Sheet with xeriscaping ideas on park strips as well as notes regarding tree maintenance and expectations.

Commissioner Howden opened the public hearing at 7:47 PM and asked for public comment. Hearing none, he closed the public hearing at 7:47 PM and asked for comments or questions.

Commissioner Howden wondered where the water came from for the park strips. Ms. Smith explained that it would come from the resident's secondary water line.

Commissioner Moore wondered if the tree list considered root systems. She wondered if there was a size restriction based on the size of the park strip. She asked if secondary water hookups were in the main portion of the yard. Ms. Smith explained that the trees were grouped into Class 1, 2 and 3. Class 1 consisted of smaller

trees that were permitted in park strips. Ms. Smith talked about the planting information in the municipal code. She said the park strip had to be at least four feet wide in order to plant a Class 1 tree. Parks Superintendent Josh Castleberry explained that a Class 1 tree would have less of a chance to lift sidewalks, but there was no guarantee where roots would go. Mr. Castleberry said older areas might have secondary connections in the park strip, but most secondary connections were behind sidewalk.

Commissioner Thayn asked if Mr. Castleberry had concerns with anything on the list. Mr. Castleberry did not have concerns, but said the hardest part was that residents did not check the list. He said the city needed to get the information out to residents. He said many people did not realize there was maintenance after planting trees.

Commissioner Moore MOVED that the Planning Commission recommend APPROVAL of the proposed amendment to Section 3-621 Park or Planter Strips to require new park strips to be xeriscaped or water-wise landscaping and update the tree list as presented.

Commissioner Hill SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Absent</i>
<i>Commissioner Chris Dayton (Alternate)</i>	<i>Absent</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Absent</i>
<i>Commissioner Audrey Moore</i>	<i>Yes</i>
<i>Commissioner Jay Roundy</i>	<i>Yes</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

Motion carried 5:0

6. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

The Planning Commission may discuss and receive updates on City events, projects, and issues from the Planning Commissioners and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Future Meetings

- January 3, City Council, 7:00 pm, City Hall
- January 17, City Council, 7:00 pm, City Hall
- January 24, Planning Commission, 7:00 pm, City Hall
- February 7, City Council, 7:00 pm, City Hall

Ms. Smith mentioned that the city received a notice from the State indicating that Highland did not meet the requirements of the moderate-income housing plan and they had 90 days to fix it. She said she attended a couple of trainings about the State's expectations and that city's General Plan would need to be updated in January. Commissioner Thayn asked to have a copy of the draft sooner than later.

Mayor Ostler mentioned that the Utah League of Cities and Towns thought moderate-income housing would be an important issue in legislature. He said the Council thought they were proactive with it because of recent development approvals, so receiving the notice from the State was a little frustrating.

ADJOURNMENT

Commissioner Hill moved to adjourn the meeting. Commissioner Moore seconded the motion. All were in favor.

The meeting adjourned at 8:06 PM.

I, Heather White, Planning Commission Secretary, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 13, 2022. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

/s/Heather White
Planning Commission Secretary

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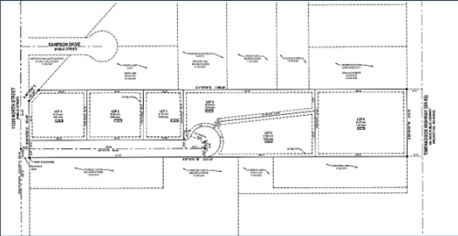
Vicinity Map



- General Plan Land Use: Low density residential
- R-1-40 Zone

7

Preliminary Plat



- 6 lots
- 1 lot under 30,000 sq ft (21,151 square feet)
- 600' max culdesac length
- Access: 11200 N and Timp Hwy

8

Citizen Participation

- Notice posted December 1, 2022
 - State and City websites
 - 3 public places
 - 500' radius letters

9

Staff Recommendation

Staff recommends the Planning Commission hold a public hearing, accept the findings, and recommend **APPROVAL** of the proposed preliminary plat with the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received November 16, 2022.
2. The existing ditch along the east side of the property be abandoned by the Lehi Irrigation Company and filled by the developer.
3. All public improvements shall be installed as required by the City Engineer.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.
5. **Right-of-way along 11200 N must be dedicated and improved to match the City standard park strip and sidewalk configuration as approved the City Engineer.**

10

Motion to Approve

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the preliminary plat for the Abbies Acres subdivision subject to the stipulations recommended by Staff.

11



PRELIMINARY PLAT – HAWKS LANDING

Land Use (Administrative)

Item 4 – Public Hearing

Presented by – Kellie Smith

Planner & GIS Analyst

12

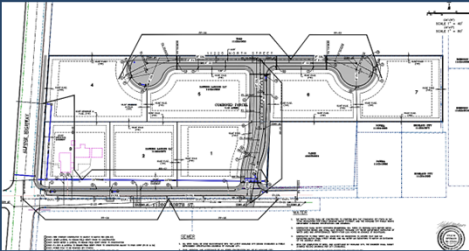
Vicinity Map



- General Plan Land Use: Low density residential
- R-1-40 Zone

13

Preliminary Plat



- 7 lots
- No lots under 30,000 sq ft
- Access: 11200 N
- Half street + 10' of asphalt to provide access to property to the north

14

Citizen Participation

- Notice posted December 1, 2022
 - State and City websites
 - 3 public places
 - 500' radius letters

15

Staff Recommendation

Staff recommends the Planning Commission hold a public hearing, accept the findings, and recommend **APPROVAL** of the proposed preliminary plat with the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received November 23, 2022.
2. Right-of-way along 11200 N must be dedicated and improved to match the City standard park strip and sidewalk configuration as approved the City Engineer.
3. The Lehi Irrigation Company shall review and approve the construction plans involving relocating and piping the existing irrigation ditches.
4. All public improvements shall be installed as required by the City Engineer.
5. The civil construction plans shall meet all requirements as determined by the City Engineer.

16

Motion to Approve

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the preliminary plat for the Hawks Landing subdivision subject to the stipulations recommended by Staff.

17



TEXT AMENDMENT - PARK OR PLANTER STRIPS *Land Use (Legislative)*

Item 5 - Public Hearing/Ordinance
Presented by - Kellie Smith
Planner & GIS Analyst

18

Prior Council Direction

- October 18, 2022
 - Commissioners Howden and Moore presented to the City Council regarding xeriscape park strips.
 - Councilmembers emphasized they like xeriscaping designs that include a certain amount of vegetation rather than 100% rock/hard surface

19

Proposed Amendment

- Requires xeriscape or water-wise landscaping in park strips (new construction); lawn in park strips is prohibited
- Added reference to Ch 10 Definitions for definition of xeriscape
- Removes outdated tree list and refers to Section 2.36.160 (J) Tree Class Divisions in the Municipal Code for permitted Class I Trees

20

Existing Definition

Xeriscape. Xeriscape is interpreted to be landscaping in a manner that reduces the need for supplemental irrigation, conserves water and enhances the beauty of the property. At least 25% of the xeriscape area within the front setback of a residence must contain plants, trees and shrubs. Residents should be conscientious of utilizing plants, trees and shrubs appropriate to the climate to avoid losing water to evaporation and run-off. Xeriscape areas shall consist of an attractive mix of plantings, rocks and other landscaping materials

21

Citizen Participation

- Notices posted December 1, 2022:
 - State and City websites
 - 3 public places

22

Staff Recommendation

Staff recommends the Planning Commission hold a public hearing, accept the findings, and recommend **APPROVAL** of the proposed amendment.

23

Motion to Approve

I move that the Planning Commission recommend **APPROVAL** of the proposed amendment to Section 3-621 Park or Planter Strips to require new park strips to be xeriscape or water-wise landscaping and update the tree list as presented.

24



HIGHLAND CITY
PLANNING COMMISSION MEETING
December 13, 2022

ATTENDANCE SHEET

	PLEASE PRINT NAME:	EMAIL	PHONE#
1	Corey Jones		
2	Kyle Spencer w/ Northern		
3	Mike Hawkins		
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HIGHLAND CITY
PLANNING COMMISSION MEETING
December 13, 2022

ATTENDANCE SHEET

	PLEASE PRINT NAME:	EMAIL	PHONE#
1	<i>Curt Parke</i>		
2	<i>Mike Powell</i>		
3			
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