

1 **Highland City Planning Commission**
2 **June 9, 2009**
3
4

5 **PRESENT:** Commissioner: Jennifer Tucker, Chair
6 Commissioner: Brent Wallace
7 Commissioner: Kelly Sobotka
8 Commissioner: Don Blohm
9 Commissioner: Roger Dixon
10 Alternate Commissioner: Abe Day
11

12 **EXCUSED:** Commissioner: Melissa Wright
13 Commissioner: Tony Peckson
14

15 **STAFF PRESENT:** City Planner: Lonnie Crowell
16 City Planner: Carly LeDuc
17 Secretary: Kiera Corbridge
18

19 **OTHERS:** Angela Whitehorn, Taylor Sobotka, Jared Law, Lynn Ritchie, Kathryn
20 Schramm.
21

22 Meeting Convened at 7:00 pm
23 Prayer given by: Kelly Sobotka
24 Pledge led by: Taylor Sobotka, Scout Troop 1165
25
26

27 **Item 1: Approval of Meeting Minutes for May 26, 2009**
28

29 Item was postponed until July 14, 2009.
30
31

32 **Item 2: Temporary Outdoor Sales, Commercial Retail Zone/ Town Center**
33 **Overlay – Code Addition/Amendment ~ Public Hearing and Recommendation**
34

35 Lonnie Crowell explained that several Highland City residents and business owners have
36 requested approval for temporary sales within Highland City. Opinions have been
37 expressed that this opportunity would allow Highland businesses to gain additional sales
38 and provide Highland residents a place to gather. The intent of the proposed ordinance is
39 to allow for “sidewalk sales” which may be conducted in front of a business or within the
40 parking lots of the Commercial Retail Zone and Town Center Overlay Zone. The City
41 Council is reviewing a similar ordinance for the C-1 Zone; staff recommends that the
42 proposed ordinance for the Commercial Retail Zone and the Town Center Overlay be
43 consistent with the approved ordinance for the C-1 Zone.
44

45 Lonnie Crowell also stated that staff has added the following text to the ordinance:

- 1 ○ That 3-4351(j)(ii)A. and 3-4706(4)(b)(i) read: Temporary outdoor sales events
- 2 shall only occur for a period of 30 consecutive days per event; and
- 3 ○ That 3-4351(j)(ii)B. and 3-4706(4)(b)(ii) read: Temporary outdoor sales events
- 4 shall only occur three times per year per business.

5
6 Commissioner comments submitted in writing were reviewed.

7
8 **Jennifer Tucker opened the public hearing at 7:10 pm and hearing no public**

9 **comment closed the public hearing.**

10
11 A Commissioner suggested adding an abatement clause that authorizes the City

12 Administrator to revoke an outdoor sales permit if the applicant violates terms of the

13 permit.

14
15 Commissioners were concerned that limiting the farmer's market events to only two

16 consecutive days is too restrictive and may discourage residents from participating.

17
18 It was suggested that the Planning Commission define "farmer's market" to avoid the

19 possibility of creating a flea market atmosphere. The consensus was that a farmer's

20 market is the sale of agricultural products and related products.

21
22 Lonnie Crowell reiterated that the intent of these amendments is to provide a place for the

23 community to gather and noted that the City Council will decide the appropriate location

24 for the market to be held as well as the amount of the permit fee.

25
26 A Commissioner pointed out that the City Council has not approved an amended sign

27 ordinance that would allow the vendors to promote what they are selling. It was

28 suggested that the vendors may not need signs.

29
30 Questions of clarification were addressed.

31
32 **Roger Dixon moved to recommend that the City Council Approve an Ordinance**

33 **Amending/Adding to Sections 3-4351(j) and 3-4706(4) in the Highland City**

34 **Development Code per the recommendations of staff for the purpose of allowing**

35 **temporary outdoor sales events within Highland's commercial retail zones so that**

36 **they are all consistent, with typographical corrections and per the following**

37 **recommendations:**

- 38
- 39 • **That 3-4351(j)(iv)A. and 3-4706(4)(d)(i) read: Long term outdoor inventory**
- 40 **storage shall not be permitted as part of this permit or use; and**
- 41 • **That 3-4351(j)(iv)A.1. and 3-4706(4)(d)(i)A. be added to read: It is not the**
- 42 **intent of this ordinance to create permanent outdoor storage facilities which**
- 43 **are prohibited by other ordinances; and**
- 44 • **That 3-4351(j)(vii)B and 3-4706(4)(g)(ii)B be added so that, under certain**
- 45 **conditions, the City Administrator would have the authority to revoke a**
- 46 **temporary outdoor sales permit; and**

- 1 • That 3-4706(5)(b) read: Temporary outdoor farmer’s market events shall not
2 exceed four (4) consecutive days for each event; and
- 3 • That 3-4706(5)(c) read: The farmer’s market shall only be available
4 Wednesday through Saturday between the months of June through
5 November at a City designated location.

6
7
8
9

7 **Seconded by Kelly Sobotka. Unanimous vote, motion carried.**

10 **Item 3: Highland Village/Coventry Landscaping ~ Discussion**

11
12
13
14
15
16
17
18

12 Lonnie Crowell explained that staff has been informed of concerns regarding landscaping requirements within the Town Center Transitional Housing Overlay Zone (Coventry Subdivision) and the Town Center Overlay Urban Zone (Highland Village Subdivision). It is staff’s opinion that the current ordinance is very limiting with regards to altering or enhancing the landscaping; the ordinance states that the landscaping cannot be altered from the plan which was submitted when the ordinance was adopted.

19 Both developments have two separate and distinctly different landscaping areas. The first area is the landscaping that is immediately adjacent to and surrounding each main structure; this is referred to as “private area”. The second area is the “common area” which is comprised of all of the remaining property within the development with the exception of the building, road, and driveway. It is staff’s interpretation that the intent was to designate the “common area” as open landscaped ground as was originally approved and should be protected from encroachment by the homeowners. Staff would also suggest that the landscaping in the “private area” be flexible enough to allow the homeowners to enhance and improve the landscaping beyond the plan that was submitted with the approved ordinance.

30 Lonnie Crowell suggested replacing the word “private” with “personal” to help clarify the intent.

31
32

33 **Jennifer Tucker opened the public hearing at 7:36 pm and hearing no public
34 comment closed the public hearing.**

35

36 **Brent Wallace moved to recommend that the City Council Approve an Ordinance
37 Amending Sections 3-4747(9) and 3-4767(9) of the Highland City Development Code
38 per the recommendations of staff for the purpose of allowing certain portions of
39 landscaping within the Town Center Overlay Urban Zone and Town Center
40 Transitional Housing Overlay Zone to be equal or exceed the previously approved
41 landscaping plans. Seconded by Don Blohm. Unanimous vote, motion carried.**

42
43
44
45

44 **Item 4: Election of a New Chair and Vice Chair ~ Information**

1 The Planning Commission Chair and Vice Chair were elected by the Planning
2 Commission in January 2008 following a vacancy created by the election of two Planning
3 Commissioners to City Council. Per ordinance, the Planning Commission will vote on a
4 new Chair and Vice Chair in the meeting on July 14, 2009. This item serves as a
5 reminder of this upcoming event to provide the Commission time for consideration prior
6 to the action.

7
8
9 **Item 5: Planning Commission Recommendations ~ Discussion**

10
11 The Planning Commission requested the opportunity to present ideas, concerns, and
12 proposed Code Amendments/Additions over which they have authority. The following
13 items were discussed:

14
15 **Open Space Fees** – Lonnie Crowell explained that the open space fee debate had been
16 placed on the ballot years ago and lost the by a majority vote. He explained that the
17 Commissioners could request that the fee requirement be reevaluated by the City
18 Council, but any process to revoke the fee or previous agreements is between the City
19 Council and the residents of Highland, and not a Planning Commission function.

20
21 **Street Names** – A Commissioner relayed frustration from postal workers and residents
22 regarding street names that are too similar. Lonnie Crowell explained that the developer
23 proposes a name to the County Recorder and the County approves or denies the name;
24 however, the street names are listed on the plat for review during the approval process.
25 The Planning Commission and City Council can require that repetitious street names be
26 changed. Lonnie Crowell also mentioned that residents have the opportunity to change
27 street names through the Public Works Director.

28
29 **Weeds on Vacant Lots** - The Commission revisited the issue of vacant lots that don't
30 appear to be maintained and the potential hazards created by the weeds on those lots.
31 Commissioners shared personal experiences, such as a car nearly hitting a child because
32 the weeds obstruct the view around a corner. Lonnie Crowell explained the City's
33 enforcement procedure but mentioned that compliance is often procrastinated when the
34 property owner is out of state.

35
36 When asked for the most effective course of action, Lonnie Crowell replied that the
37 easiest route would be to have the City's Parks Division cut the weeds on vacant lots;
38 however, the City does not have the funds or the manpower to make that a reality. He
39 stated that staff would verify with the police whether a lien could be placed against a
40 property for the cost of the City cutting the weeds.

41
42 Jared Law, a Highland City resident, agreed that lots covered in weeds are a hazard. He
43 presumes that there would be an ordinance in either the City or State code that manages
44 safety hazards.

1 Lynn Ritchie, a Highland City resident, suggested that the neighborhoods gather and cut
2 the weeds. He described an instance that he personally trimmed trees and bushes that
3 were overhanging a pathway. Mr. Ritchie expressed his support of the City’s enforcement
4 process but reiterated that the neighbors could provide a solution in the meantime.

5
6 **Weeds Along the Murdock Canal** – A Commissioner remarked that the weeds along
7 the Murdock Canal are also a safety hazard and informed the Commission that two
8 Labradors had drowned in the canal; the weeds along the banks were too dense for the
9 dogs to get out of the water.

10
11 Jared Law observed that if dogs can’t escape the canal, a child would not be able to
12 escape either.

13
14 **Trails** – A Commissioner remarked that Highland City sits “at the gateway of one of the
15 best recreational areas in the world” and should be more accessible from surrounding
16 cities. Observations were expressed that many of the desired trails are existent but need to
17 be more widely advertised. It was suggested that a trail brochure showing the trails and
18 connections to surrounding cities be available for residents. Lonnie Crowell added that
19 many of the existing trails will connect with the surrounding cities’ trails in the future. He
20 also informed the Commissioners that a proposed visitor center for the Timpanogos Cave
21 should bring more people to the area.

22
23 Kathryn Schramm, a Highland City Council Member, summarized a previous meeting
24 between the City Council and the Forest and Park Service. During the meeting the Forest
25 and Park Service presented pamphlets with the reasons a trail would not be planned for
26 the American Fork Canyon.

27
28 A Commissioner questioned whether the City Council has discussed potential trails to
29 other communities. Kathryn Schramm replied that future trails have been discussed but a
30 firm plan has not been formulated. The main hindrances are timing and available budget.

31
32
33 Meeting adjourned at 8:22 pm.