

1 **Highland City Planning Commission**
2 **July 28, 2009**
3
4

5 **PRESENT:** Commissioner: Brent Wallace, Acting Chair
6 Commissioner: Melissa Wright
7 Commissioner: Tony Peckson
8 Commissioner: Roger Dixon
9 Commissioner: Don Blohm
10 Commissioner: Kelly Sobotka
11

12
13 **EXCUSED:** Commissioner: Jennifer Tucker, Chair
14 Alternate Commissioner: Abe Day
15

16
17 **STAFF PRESENT:** City Administrator: Barry Edwards
18 City Planner: Lonnie Crowell
19 City Engineer: Matthew Shipp
20 Secretary: Kiera Corbridge
21

22
23 **OTHERS:** Ruben Adams, Brayden Anderson, Trevan Asay, Brian Braithwaite, Alex
24 Cahoon, Greg Collier, Peter Chapman, Garff Fitzgerald, Marianne Fitzgerald, Tori
25 Gagon, Ben Glancy, Joseph Glancy, Parker Jones, Grace Maggard, Michael Mock, Kathy
26 Mock, Greg Nield, Ryan Ollerton, Cori Ollerton, Greg Parkinson, Lynn Ritchie,
27 Benjamin Shriver, Tom Telfer, Robert Y. Valentine, Angela Whitehorn, Kevin Woods,
28 Gary Wright, Marialisa Wright, Brent Zabriskie, Helen Zabriskie, Mark Zenger.
29

30
31 Meeting Convened at 7:00 pm
32 Prayer given by: Kelly Sobotka
33 Pledge led by: Roger Dixon
34

35
36 **Item 1: Approval of Meeting Minutes for July 14, 2009**
37

38 **Tony Peckson moved to approve the Meeting Minutes for July 14, 2009, as**
39 **amended. Seconded by Melissa Wright. Unanimous vote, Don Blohm abstained,**
40 **motion carried.**
41

42
43 **Item 2: Amendment to Ordinances 3-4109(9)/3-4209(10) to Eliminate**
44 **Increased Side Yard Setbacks for Accessory Structures on Corner Lots ~ Public**
45 **Hearing and Recommendation**

1
2 Lonnie Crowell explained that several Highland City residents have requested reducing
3 setback for an accessory structure in the side yard of a corner lot. The setback for an
4 accessory structure on a non-corner lot in Highland is ten feet bordering the back and side
5 yards of the property for the purpose of allowing for the Public Utility Easement;
6 however, corner lots have a setback of 30 feet from a right-of-way, typically positioning
7 the accessory structure in alignment with adjacent homes. He noted that a smaller
8 accessory structure may not have a significant visual impact; however, an accessory
9 structure that is 25 feet tall, as permitted by ordinance, could create a substantial visual
10 impact if adjacent to a street. Lonnie Crowell added that the planting of several trees
11 between an accessory structure and the side property line would mitigate some aesthetic
12 impact. The draft of the amendment presented to the Planning Commissioners included
13 illustrations of the potential visual impact of a structure based on comments from the
14 meeting on July 14, 2009; however, Lonnie Crowell noted that the illustrations did not
15 address the visual impact of accessory structures that would extend beyond the alignment
16 of the surrounding homes.

17
18 **Brent Wallace opened the public hearing at 7:07 pm.**

19
20 Marianne Fitzgerald, Highland City resident, opposes amending the ordinance. Her
21 residence is across the street from a corner lot that would be affected by the change. Mrs.
22 Fitzgerald expressed her opinion that the structures should be consistent with the
23 alignment of the homes to maintain the open line of sight down the road; it would
24 preserve the aesthetic appeal and the property values of the neighborhood. Marianne
25 Fitzgerald then commented that the proposed graduating system of higher buildings with
26 larger setbacks would be too difficult to enforce and she feels that the system would be
27 abused.

28
29 Garff Fitzgerald, also a Highland City resident, stated that a setback for accessory
30 structures is common in many cities: Alpine and American Fork even have setbacks of 40
31 feet. Mr. Fitzgerald observed that the individuals requesting the amendment to the
32 ordinance can build their accessory structure in compliance with the current ordinance
33 but simply have a preference of the location. He added that it doesn't appear to be logical
34 to change an ordinance that maintains the aesthetic appeal of Highland for someone with
35 a preference rather than a need.

36
37 Michael Mock, owner of a corner lot in Highland, asserted that corner lots are different
38 than other lots and the amendment should be passed to create equality. He remarked that
39 many accessory structures in Highland don't appear to comply with the ordinances and
40 that a structure on his lot would be hidden by large trees. Mr. Mock acknowledged that
41 the graduated system that has been proposed is not his ideal amendment, however he
42 feels like a win-win situation.

43
44 Marianne Fitzgerald emphasized that it is essential that accessory structures be subject to
45 setbacks since they have the potential to be the size of a small house.

1 **Brent Wallace closed the public hearing at 7:20 pm.**

2
3 Clarification was requested regarding the limitations on the size of an accessory structure.
4 Lonnie Crowell explained that the structure must be smaller than 5% of the total lot size
5 or the size of the living area of the main floor of the home, whichever is less. He noted
6 that if a structure is less than 120 square feet, it does not qualify as an accessory structure
7 and is not required to meet the setbacks.

8
9 A Commissioner provided a demonstration of the visual impact a 20 foot tall structure
10 could create.

11
12 It was acknowledged that corner lots do seem to have a disadvantage but Commissioners
13 felt that property owners should research the restrictions on a lot prior to purchasing.
14 Homeowners in Highland put their “best foot forward” to maintain the aesthetic appeal of
15 the city; constructing a large structure in the line of sight would hinder this effort.

16
17 A Commissioner referenced Section 3-4101 of the Highland City Development Code:

18
19 “The objective...is to support a very low density residential environment
20 within the city which is characterized by large lots, well spaced buildings...”

21
22 The Commissioner stated that the ordinance was passed for a good reason and suggested
23 that the Planning Commission stay true to the original intent of the ordinance.

24
25 **Don Blohm moved to recommend that the City Council NOT Adopt an Ordinance**
26 **Amending Section 3-4109(9) and 3-4209(10). Roger Dixon seconded. Unanimous**
27 **vote, Tony Peckson abstained, motion carried.**

28
29
30 **Item 3: Senior Housing ~ General Plan, Future Land Use Map, and Zoning**
31 **Map Amendment and New Zone Addition ~ Public Hearing and Recommendation**

32
33 Lonnie Crowell explained that although the Town Center Overlay Zone provides for
34 some senior housing, a zone does not currently exist that would allow a facility which
35 provides care for non-ambulatory (bedridden or hospitalized) persons in need of daily
36 care. Greg Nield has submitted an application to begin the process to amend the
37 Development Code and General Plan Land Use Map to provide for this use. Mr. Nield is
38 requesting the opportunity to construct and operate a facility at 10428 North 4800 West
39 in Highland. He has proposed this site for several reasons, including expeditious access to
40 American Fork Hospital located south of the proposed project. Mr. Crowell further
41 explained the increasing need for senior housing in Highland.

42
43 Lonnie Crowell noted that the Utah Department of Transportation (UDOT) project of
44 widening 4800 West to become a State Highway as well as the development of mixed use
45 and commercial property surrounding this location will substantially impact residential
46 uses along this road.

1
2 Lonnie Crowell stated that the Planning Staff is not concerned with the proposed
3 architecture of the building as it appears to be designed like a nice office building and
4 facilities similar to the proposed use; however, the Planning Staff has concern with the
5 proposed site plan in consideration of the existing residential dwellings and residents.
6 The concerns are as follows:

- 7 1. The site plan may create less of an impact if the entire site plan was mirrored to
8 place the driveway and parking on the north side of the lot instead of the south
9 side adjacent to the remaining dwelling.
- 10 2. The parkway detail is required along 4800 West with a meandering sidewalk and
11 a total of 29 feet of landscaping from the back of the curb. It appears that the
12 landscaping is present and available however the meandering sidewalk adjacent to
13 a soon to be constructed 5 lane highway is not preferred. The Applicant should
14 work with the City engineer to design the Parkway Detail into the site.
- 15 3. Staff recommended to the applicant a future drive to the north that would connect
16 with 10370 North to provide a left turn option. While the home currently has two
17 accesses onto 4800 West, Utah County/UDOT may install a concrete median
18 which would only provide for a right-in/right-out option at this location. The
19 home to the north is currently owned by Utah County as part of the road project
20 and will be removed. Staff suggested that the applicant contact the County to see
21 if acquisition of a portion of the property would be available which may provide
22 better access to the proposed project. Staff would like to see an access easement
23 from the parking lot to the north property line at minimum in case this option
24 becomes available. NOTE: Staff has received many favorable comments from
25 neighboring residents; however, every person that has commented has requested
26 that the applicant not include access into the Wild Rose subdivision.
- 27 4. The parking lot is currently placed very near the east property line. It appears that
28 there is room to move the parking lot to the west adjacent to the building
29 providing more area for landscaping that would help buffer the existing homes to
30 the east.
- 31 5. Staff would recommend substantial landscaping along the northeast corner, east
32 property boundary and south property boundary to help buffer and screen the
33 proposed use with the residential properties that exist and will continue to exist at
34 this location. Landscaping should include a substantial amount of deciduous and
35 evergreen trees, shrubs and similar that would help mitigate some typical
36 concerns. The percentage of required landscaping has not yet been determined.
- 37 6. The proposed project will be required to be open 24 hours a day, 7 days a week.
38 Staff has added some text in the ordinance that would limit visiting hours,
39 consistent with existing requirements in Highland. The applicant will need to
40 explain to the Planning Commission how the operation will take place during
41 days and hours that Highland does not allow businesses to be open or the
42 Planning Commission will need to make a recommendation on how to address
43 this. NOTE: It was determined by the Planning Commission during the meeting
44 on July 14, 2009 that the facility was simply a residence which mitigates this
45 concern. Staff did not amend the visiting hours reference in the proposed

1 ordinance, as staff would prefer that the Planning Commission determine how it
2 should be edited or if it should be deleted.

3 7. The applicant will need to explain to the Planning Commission how the proposed
4 plan will buffer and protect the existing residential uses primarily to the east and
5 south.

6 8. The applicant will need to complete a subdivision along with this application per
7 the requirements of the Development Code (3-615, 3-208, and Chapter 5-2) or
8 bond for and install the improvements with a development agreement with
9 Highland City per the same.

10

11 A draft of the proposed ordinance was presented to the Planning Commission for
12 consideration, assembled from several sources including current zones in Highland,
13 Alpine, the U.S. Department of Housing and Urban Development website, and comments
14 from Planning Commissioners at the previous meeting.

15

16 A Commissioner expressed concern that the proposed parking would not be sufficient for
17 future expansion. Lonnie Crowell summarized research from eleven cities and one county
18 regarding parking requirements for assisted living facilities:

- 19 • Average of 0.5 parking stalls per bed
- 20 • Average of 1 additional parking stall for each employee during business hours
- 21 • Sandy City requires one additional handicapped stall for bus parking
- 22 • Wasatch County requires that 50% of the stalls be covered

23

24 Mr. Crowell summarized that based on the above ratios, the proposed parking is
25 sufficient for the current size of the facility; however, additional accommodation may be
26 required for any expansion of the facility.

27

28 Clarification was requested regarding the size and shape of the proposed location. Greg
29 Nield explained that the site plan presented to the Planning Commission includes
30 property he is in the process of acquiring.

31

32 **Brent Wallace opened the public hearing at 7:39 pm.**

33

34 Gary Wright, owner of the property to the south and the rear of the proposed location,
35 stated that he is neither for or against a Senior Housing Facility; however, he expressed
36 his opposition to an access from the facility into the Wildrose subdivision. Mr. Wright
37 declared that all accesses should connect to 4800 West, as the idea of a median installed
38 in the road at that location would be ridiculous. Gary Wright additionally recommended
39 that the site plan be adjusted with the parking in front of the facility to reduce the impact
40 on neighbors and to create a private landscaped area for the residents. He then asked that
41 additional explanation be given regarding the plan to buffer the neighboring residences
42 from the proposed facility.

43

44 Mark Zenger, owner of the property across the street to the north, echoed the opposition
45 to an access from/into Wildrose and his objection to a median in the road. Staff clarified
46 that the locations of medians along 4800 West have not yet been decided and that the

1 decision is made by the Utah Department of Transportation. Mr. Zenger stated that he
2 feels the open space to the north of the proposed property should not be altered. He added
3 that he is concerned with the amount of proposed parking; the students from the high
4 school across the street often line the streets of Wildrose with cars. Mark Zenger stated
5 that the additional parking of visitors to the facility will only add to the parking problem
6 and traffic obstruction.

7
8 Robert Y. Valentine, one of the earliest residents in Wildrose, expressed that he feels a
9 Senior Housing Facility on this property is a wonderful use. He then expressed his
10 support of the parks and open space of Highland; therefore, he is very opposed to an
11 access into Wildrose being cut through the open space to the north. Mr. Valentine also
12 voiced his opposition to medians installed along 4800 West.

13
14 Ryan Ollerton lives on the property to the east of the proposed location and emphasized
15 that the Planning Commission should have a very clear understanding of the impact this
16 facility would have on the neighbors. He explained that the living area of his home would
17 face the parking lot, meaning that the lights from vehicles entering the parking lot would
18 shine directly into his home. Mr. Ollerton strongly suggested that the parking lot be
19 located in front of the facility thus allowing the building to act as a buffer to the
20 neighboring properties.

21
22 Tom Telfer owns property north of the proposed location and added his opposition to any
23 access into Wildrose. He also questioned whether a fire truck could enter and exit the
24 front drive.

25
26 Bret Burns lives on the lot kiddy corner to the proposed location. He stated that he was
27 opposed to a Senior Housing Facility in any residential area. Mr. Burns explained that he
28 works for a Skilled Nursing Facility for over 80 people. He described the processes of
29 deliveries and care that a large facility requires and stressed that a facility would ruin the
30 residential neighborhood surrounding it.

31
32 Cori Ollerton, wife of Ryan Ollerton, reiterated the impacts that the facility would have
33 on their property. She expressed concern regarding the effect visitors would have on the
34 children in the neighborhood. Mrs. Ollerton also stated that being located between a
35 Walmart and the Senior Housing Facility would decrease the resale value of their
36 property. She summarized that she supports the facility in concept but not at the proposed
37 location.

38
39 Tori Gagon owns three acres to the south of the proposed location. She stated that she
40 would be very interested in selling her property if the area was zoned commercial, but if
41 the property remains residential she is in support of the residents of Wildrose. Tori Gagon
42 also indicated that she works for the Utah Department of Transportation and has not
43 heard anything regarding medians.

44
45 Greg Nield, sponsor of the Zone Addition, explained the differences between a Skilled
46 Nursing Facility, as before mentioned by Mr. Burns, and a Senior Housing Facility. He

1 stated that the largest difference is that a Senior Housing Facility is not a temporary care
2 or rehabilitation facility; it is the residents' home. Mr. Nield agreed that shifting the
3 parking lot to the front of the facility would be ideal for both the facility and the
4 neighborhood and that the building would be a pleasant buffer from the new highway. He
5 also shared his opinion that medians in the road could be a great hindrance to ambulance
6 departure, since his preference is to face all ingress/egress towards 4800 West.

7
8 Mr. Nield stated several of the reasons for selecting the proposed location, some of which
9 were the proximity of the American Fork Hospital, the expansion of 4800 West provides
10 easy access to the facility, Lone Peak High School across the street, and that the facility
11 would be in a residential neighborhood.

12
13 A Commissioner questioned whether locating so near to a high school is a benefit. Greg
14 Nield voiced his opinion that in past situations, the facility provides students with service
15 projects, volunteering opportunities, etc. He also noted that noise from the high school
16 students would not seem to be a concern since many of the residents may have hearing
17 difficulties.

18
19 Several Commissioners expressed concern regarding the narrow strip of land that would
20 remain if Greg Nield acquired an additional portion of property to the north. Mr. Nield
21 apologized that he did not have definite answers regarding the acquisition of the property
22 and reiterated his desire to expand the facility to the north in the future.

23
24 ***Barry Edwards arrived at 8:16 pm***

25
26 A Commissioner observed that the road expansion and the neighboring commercial
27 properties in Cedar Hills may decrease the demand for residential uses in that particular
28 area and posed the question whether the residents would prefer retail, commercial, or
29 office buildings. Mr. Wright commented that he believes the area could be residential or
30 commercial, but the property would all be commercial in the future.

31
32 Mr. Zenger stated that his main concern is the possibility of the road in front of his home
33 being connected as a thoroughfare for the commercial properties. It was noted that the
34 stubbed road in Wildrose was originally designed in anticipation of future residential
35 development.

36
37 Lonnie Crowell explained that the new zone being proposed is an overlay zone and
38 would not be rezoning the surrounding properties.

39
40 Mr. Valentine suggested creating more flexible "performing zoning" standards that
41 simply require that the property is improved from its original state.

42
43 **Brent Wallace closed the public hearing at 8:30 pm.**

44
45 A Commissioner summarized that the main topics of concern from the public hearing
46 seemed to be:

- 1 • Access into Wildrose
- 2 • Medians on 4800 West
- 3 • Location of the Parking
- 4 • Facility Located Within a Residential Neighborhood

5
6 Matthew Shipp explained that medians are used to control traffic and to avoid accidents
7 but there is not a set standard for the placement of medians along 4800 West; placement
8 and need are determined based on the surrounding area, traffic patterns, number of
9 accesses onto the road, etc. Barry Edwards added that the construction of medians
10 increases the cost of the overall project and being overly concerned about the placement
11 is an unneeded fear.

12
13 Commissioners and staff shared personal experiences with Senior Housing Facilities.
14 Barry Edwards commented that the facilities he has visited do not have a problem with
15 parking. A Commissioner echoed Mr. Edward's comment adding that visitors seem to be
16 almost nonexistent with the exception of holidays. It was suggested that the parking lots
17 of Lone Peak High School could serve as overflow parking for visitors on holidays.
18 Lonnie Crowell noted that the proposed parking provides 100% coverage of the estimated
19 employees and a visitor per resident.

20
21 A few Commissioners felt that the overall traffic impact of visitors would be nearly
22 unnoticeable, while others continued to express concern regarding accesses and traffic
23 congestion.

24
25 A Commissioner called attention to a portion of the proposed ordinance restricting
26 visiting hours and days. It was emphasized that visitors should be permitted on Sundays;
27 Sundays were identified as an ideal day for visitations, especially since many major
28 holidays fall on Sundays.

29
30 Concerns were reiterated by several Commissioners regarding the property to the north of
31 the proposed location; if Mr. Nield were to acquire only a portion of the property, a
32 narrow strip of land would be left.

33
34 A Commissioner summarized that the access into Wildrose has been met with great
35 opposition, the parking lot can be moved to the front of the structure so the building can
36 act as a buffer to the neighbors, and that hours of operation must be reconsidered.

37
38 **Tony Peckson moved that the item be continued to allow for further research and**
39 **discussion. Seconded by Melissa Wright. Unanimous vote, motion carried.**

40
41
42 **Item 4: The Pointe Performing Arts Academy ~ Conditional Use Permit ~**
43 **Public Hearing and Recommendation**

44
45 **THIS ITEM IS POSTPONED AND THE APPLICANT WILL BE PROPOSING TO**
46 **REZONE THIS PROPERTY AT A FUTURE DATE.**

1
2 Janene Shiffman, owner of The Pointe Performing Arts Academy submitted an
3 application requesting a Conditional Use Permit to locate The Pointe Performing Arts
4 Academy on property located at 5615 West 11000 North. The applicant was applying for
5 a Conditional Use Permit as a school; however, it was later determined that this would
6 not be possible due to the specific language in the ordinance and language in the Land
7 Use, Development, Management Act.

8
9
10 **Item 5: The Amending Several Ordinances to Correct Non-technical**
11 **Typographical Errors ~ Public Hearing and Recommendation**

12
13 Lonnie Crowell explained that staff recently noticed an ordinance restricting the height of
14 a “freestanding flag pole” within commercially zoned properties. This ordinance is not
15 consistent with ordinances regarding residential zones, which do not place a restriction on
16 the height of a flag pole. In addition, this requirement is located under “Substructures;
17 Storage/Refuse Collections, Etc.” where outdoor storage and dumpster regulations are
18 located. Staff assumes that this is an error that was repeated during the approval of each
19 new commercial zone as the sections were used as a template during the zone creation
20 process. If the Planning Commission determines that the restriction of the height of
21 “freestanding flag poles” remain in effect, staff would recommend that the ordinance be
22 relocated under “building height” or “landscaping” within each commercial zone as
23 provided.

24
25 Lonnie Crowell explained that staff also noticed an ordinance that references the
26 “Uniform Building Code (UBC)”. The State of Utah and Highland City adopted the
27 “International Building Code (IBC)” several years ago, replacing the Uniform Building
28 Code. The City Council recently adopted the most current version of the International
29 Building Code on June 16, 2009. The ordinance in question should refer to the
30 International Building Code as the adopted Building Code.

31
32 **Brent Wallace opened the public hearing at 9:02 pm and hearing no comment**
33 **closed the public hearing.**

34
35 **Melissa Wright moved to recommend that the City Council Adopt and Ordinance**
36 **Amending Sections 3-4314(1)(f), 3-4363(1)(d)(ii), 3-4514(1)(f), 3-4718(1)(a), 3-**
37 **4913(1)(b), and 3-603 for the purpose of correcting non-technical errors as**
38 **recommended by staff. Tony Peckson seconded. Unanimous vote, motion carried.**

39
40
41 **Item 6: Planning Commission Recommendations ~ Discussion**

42
43 The Planning Commission requested the opportunity to present ideas, concerns, and
44 proposed Code Amendments/Additions over which they have authority.

45
46 Lonnie Crowell provided updates on previously discussed items:

1
2 **Trails** - The City Council is currently considering the adoption of an amendment to the
3 trails map. The proposed changes connect a few not previously connected trails and add
4 some new trails along major city open space parks or corridors. A City's option to
5 acquire land for a trail is through development or through friendly acquisition.
6

7 A Commissioner asked if all trails need to meet regulations of the Americans with
8 Disabilities Act (ADA). Matthew Shipp clarified that it is a requirement to follow federal
9 guidelines when federal funding is provided, although Highland City endeavors to bring
10 all trails to ADA requirements.
11

12 **Open Space Fees** - The open space fee issue was brought before the people of Highland
13 as a referendum during the 2005 election and was not successful. The Planning
14 Commission will review an open space improvement plan in the future, to recommend to
15 the City Council, which will determine the development of the City's open space within
16 open space subdivisions. Any additional questions regarding this matter should be
17 directed to the City Council.
18

19 Commissioners requested the actual percentage of the votes for/against the referendum
20 and the original wording.
21

22 A Commissioner inquired as to the accounting of open space fees. Lonnie Crowell stated
23 that he would obtain the financial details from the Financial Director. It was suggested
24 that a separate General Ledger account be assigned to each open space subdivision for the
25 purpose of tracking the funds collected and spent per subdivision.
26

27 **Weeds in Vacant Lots / Along Murdock Canal** - This has been a difficult ordinance to
28 enforce because of its misrepresented perception; the ordinance assumed by many does
29 not exist. The City does not have an ordinance in the Development Code or Municipal
30 Code that regulates the height or existence of weeds; however, staff can have weeds cut if
31 the weeds exceed 36 inches within the site triangle of a public road intersection. The City
32 does have an ordinance within the Municipal Code regarding "noxious weeds" (per the
33 State of Utah noxious weed list found at <http://www.utahweed.org/weeds.htm>) and if they
34 are considered a public nuisance. The process to enforce a "public nuisance" is defined
35 within the Municipal Code Chapter 8.16.
36

37 The Murdock Canal is now controlled by the Provo River Water User's Association. Any
38 information regarding the exact location of "noxious weeds" would be necessary when
39 filing a written complaint.
40

41 For any enforcement process to begin, a nuisance complaint needs to be filed in writing
42 with the City Recorder. Following an inspection and evidence gathering period, the City
43 Council will hold a Hearing and determine whether a nuisance exists. If the City Council
44 determines that there is a nuisance, staff will be directed to enforce the nuisance
45 ordinances per the requirements as written in the Municipal Code.
46

1 The City has hundreds of acres of undeveloped and natural open space that may have
2 noxious weeds, and many residents have noxious weeds on their property as well. It is
3 easily estimated that it would cost hundreds of thousands of dollars to remove the natural
4 vegetation which may have been there for decades. The City Fire Marshall does not
5 consider this natural vegetation as a fire hazard.

6
7 The City does not have the man power or the funding for abatement of property at this
8 time. Staff is still researching city ordinances that address weeds on private property and
9 will provide the Planning Commission with information in the future regarding this issue.

10
11 **Solicitors** - The City is required to accept all applications for solicitors that solicit door to
12 door if they first obtain a solicitors license and pass a Utah background check. Residents
13 who do not wish to have a solicitor approach their door may install a “no soliciting” sign
14 on their premises. The City may suspend/revoke a solicitor’s permit and have them
15 removed from the City if there are complaints regarding poor selling habits, disregard of
16 “no soliciting” signs on properties, or if the solicitor does not leave when asked. It was
17 also clarified that the solicitor must carry proof of their current license while soliciting.

18
19 **Adding Retail vs. Non-Retail** - The City can only allow or deny development per the
20 Development Code and zoning regulations as permitted and defined. The property
21 owner/developer determines what the market will support and submits an application
22 based upon the Land Use Ordinances.

23
24 **Repetitive Street Names** - Street Names need to be verified during the subdivision
25 process by the Planning Commission and staff while reviewing a proposed plat. Street
26 names already recorded may be changed through a process with the Public Works
27 Department. All of the residents on a street do need to sign a petition and agree to the
28 change of address.

29
30 **Fire Truck Sirens Sounding Before Main Arteries** - Research indicated that a
31 Condition of Approval regarding siren volume and timing was discussed but never
32 approved. Staff has referred this item to the Mayor and City Administrator.

33
34 **Aesthetic Consistency with the Original Approval of the American Fork Irrigation
35 Pond** - The construction is consistent with the submitted plans and landscaping consistent
36 with the plans is being installed, including many trees planted adjacent to the highway.

37
38 Commissioners added the following topic for discussion:

39
40 **Early Mowing Schedule of the Alpine Country Club** - Residents neighboring the
41 Alpine Country Club have complained about the early lawn mowing schedule that creates
42 noise prior to 7:00 am, which violates chapter 8.16 Nuisances in the Highland City
43 Municipal Code. Many golfers request an early tee time, especially in the summer, and
44 the Alpine Country Club requires the lawn to be mowed before permitting golfers to play.
45 It was noted that the Alpine Country Club must comply with the nuisance ordinance;
46 however, the Alpine Country Club was built years prior to the incorporation of Highland

1 City and if early mowing schedules have always been a policy, it may be a grandfathered
2 use.

3

4 **Emergency Resource Response Time** - A Commissioner requested clarification
5 regarding the process and average response time of a 911 call. Barry Edwards explained
6 that the emergency call connects with a call taker in Spanish Fork who then logs in the
7 call and forwards it to a dispatcher. The dispatcher then dispatches the resources needed.
8 It was noted that there is occasionally a considerable delay in the arrival of the
9 emergency vehicles. Mr. Edwards stated that the city is working with dispatch to resolve
10 the delay time from when a call is made to time dispatch is issued. He then emphasized
11 that once the dispatch is issued, the emergency personnel arrive to the scene in a matter of
12 minutes.

13

14

15 Meeting adjourned at 9:30 pm.