



## AGENDA

### HIGHLAND CITY PLANNING COMMISSION Tuesday, April 24, 2012 – Regular Meeting 7:00 p.m.

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

#### **CALL TO ORDER:** Chris Kemp, Chair

- Attendance – Chris Kemp, Chair
- Invocation – Commissioner Steve Rock
- Pledge of Allegiance – Commissioner Tim Heyrend

#### **APPEARANCES:**

Time has been set aside for the public to express their ideas, concerns, and comments on non-agenda items. Speakers will be limited to two (2) minutes.

#### **WITHDRAWALS AND CONTINUANCES:**

#### **PUBLIC HEARING ITEMS:**

1. GP-12-01 A request by the Highland City Economic Development Committee to amend the General Plan Future Land Use Map to change the land use designation from Low Density Residential to Mixed Use for the property generally located at the southeast, southwest, and northwest corners of 6000 West and Timpanogos Highway (SR 92). This action does not change the existing zoning or entitlements on the property. However, it would allow the property to be rezoned for non-residential uses in the future. *Legislative.*
2. TA-12-05 A request by the Highland City Council to amend Section 3-614.7 of the Highland City Development Code revising the public notice requirements for home occupations. *Legislative.*
3. GP-11-03 A request to amend the General Plan Existing and Future Trails Map to create a new Trails Master Plan. *Legislative.*

#### **OTHER BUSINESS:**

#### **APPROVAL OF MINUTES:**

- March 27, 2012 – Regular Meeting

#### **PLANNING STAFF REPORT:**

- Recent City Council Actions

## **COMMISSION COMMENTS AND SUGGESTIONS:**

### **ADJOURNMENT:**

NEXT MEETING: *Tuesday, May 22, 2012* at 7:00 pm City Council Chambers

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

*Administrative: 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 does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 19<sup>th</sup> day of April, 2012. 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 19<sup>th</sup> day of April, 2012 the above agenda notice was posted on the Highland City website at [www.highlandcity.org](http://www.highlandcity.org).

Gina Peterson, City Recorder

**HIGHLAND CITY**  
**PLANNING COMMISSION MEETING**  
**APRIL 24, 2012**

<b>REQUEST:</b>	7:00 P.M. PUBLIC HEARING – Amending the General Plan Future Land Use Map changing the land use designation for approximately 13.76 acres located north of the northeast corner of 4800 North and Cedar Hills Drive from Low Density Residential to Mixed Use (GP-12-01).		
<b>APPLICANT:</b>	Highland City Economic Development Committee		
<b>FISCAL IMPACT:</b>	Expected positive increase in tax revenues		
<b>GENERAL PLAN LAND USE MAP DESIGNATION</b> Low Density Residential	<b>CURRENT ZONING</b> R-1-40	<b>ACREAGE</b> 86.8 ±	<b>LOCATION</b> Northwest, Southwest, and Southeast Corners of 6000 West and Timpanogos Highway (SR92)

**BACKGROUND:**

The Mayor and City Council formed an Economic Development Committee to address existing and future economic development opportunities. The Committee has been meeting since the beginning of the 2011. In March they recommended that the land use designation on the subject property be changed from low density residential to mixed use.

The purpose of the General Plan Land Use Map is to identify future uses for property throughout the community. Amending this map does not change the zoning of the property and will not affect current entitlements. However, it will facilitate rezoning of the property in the future. In addition, it will not affect property taxes.

A general plan amendment is a legislative process. The legislative body has broad discretion in reviewing a general plan amendment.

**SUMMARY OF REQUEST:**

1. The applicant is requesting an amendment to the General Plan Future Land Use Map from Low Density Residential to Mixed Use. Low Density Residential designation encourages low density, large lot development patterns and densities. The Mixed Use designation encourages residential, commercial, and institutional land uses in a single building or within the same area.

**ANALYSIS:**

- Currently, approximately 64.9%, (3,917 acres), of the City’s planning area is designated as Low Density Residential while 2.49%, (150 acres), 2.04% (123 acres) as Commercial, 0.45% (27 acres) as Office and 0.54% (32.76 acres) as Mixed Use.

- The proposed amendment will reduce the amount of land designated as Low Density Residential to 63.55% (3,830 acres) and increase the amount of land designated as Mixed Use to 1.98% (119.56 acres).
- The Mixed Use designation provides for a mix of retail, office, business park, and residential uses. Standalone commercial or office uses are also permitted. The actual mix of uses permitted at this location would be determined during the rezoning process. The Mixed Use designation would allow for the property to develop in a manner compatible with the existing neighborhood to the east.
- All of the land designated in the General Plan for Commercial or Office use has been entitled for development. Options for future commercial development are limited while a significant amount of land remains available or has been developed as low density residential development.
- The site is surrounded by existing single family residential development. The proposed amendment would encourage development that is compatible with the existing single-family residential development. The compatibility of future development with the adjacent residential neighborhood will be ensured during the rezoning and site plan review process which requires additional public involvement.
- The impact of the Mixed Use land use designation on water, wastewater, and public safety facilities is not an issue. The City will have the capacity to serve future demand under either land use designation.
- Timpanogos Highway is an arterial street and provides a direct connection from American Fork Canyon, through Highland and Lehi to I-15. It is also designated as an expressway on the Mountainland Association of Governments (MAG) Metropolitan Transportation Plan. It is owned and maintained by the Utah Department of Transportation (UDOT). 6000 West is designated as a three lane minor collector. It provides a connection from 11800 North in Highland, through Highland and American Fork to State Street. It also extends farther north than the Alpine Highway. Both roads have the design capacity to accommodate the change in land use designations.
- Residential land uses require the most public expenditures and government services. Construction and maintenance costs are necessary for roads, water, sewer, utilities, police, fire, education, and recreation. This issue is compounded in Highland because of the low density large lot development pattern as illustrated below:

<i>Future Land Use (Build Out)</i>	<i>Percentage</i>
Residential	65%
Commercial*	3.03%

<i>Existing Land Uses (2006)</i>	<i>Percentage</i>
Residential	45.4%
- Lot Size greater than one half acre	73%
- Lot Size less than one-half acre	27%
Commercial*	0.3%

\*Includes Office, Commercial and Mixed Use Categories

- The Utah Governor’s Office of Planning and Budget estimated the revenue to expenditure ratio for Utah County is \$1.23 spent by local governments for every \$1.00 collected for residential development. Conversely, the ratio for commercial development is \$0.26 spent by local government for every \$1.00 collected. Nationally the numbers are similar: residential: \$1.15 spent for every \$1.00 collected and commercial: \$0.28 spent for every \$1.00 collected.
- The amount of property tax collected varies by land use which has a direct impact on property tax rates and the need for additional sources of revenue:
  - Low Density Residential
    - Large Lot Residential (R-1-40) - \$508
    - Open Space Subdivisions - \$2,243
  - Medium/High Density Residential - \$150,233
  - Commercial - \$14,093
- The proposal is consistent with the General Plan Economic Element Goals and Policies by enhancing shopping opportunities, integrating land use, and maintaining fiscal health and stability.

**CITIZEN PARTICIPATION:**

There are thirteen property owners. Of these, one owner represents eight different parcels and one parcel is owned by the Utah Department of Transportation. Notice to the property owners was mailed on March 22, 2012. Staff has met or spoken with three of the eight property owners (Attachment B).

As required by Utah State Statute, notice to affected properties was mailed on March 26, 2012. No comments have been received.

A notice of the Planning Commission hearing was published in the Daily Herald on April 8, 2012. Notice to surrounding properties was mailed on April 10, 2012. This was sent to 102 property owners. One email in opposition to the request has been received.

**FINDINGS:**

The proposed amendment meets the following findings:

- The amendment is consistent with the overall intent of the 2008 General Plan and other adopted plans, codes, and ordinances.
- The amendment will promote future economic development opportunities.

- There is adequate infrastructure to accommodate the proposed land use designation.
- The use of the mixed use designation will encourage compatible development with the existing uses.

#### **RECOMMENDATION AND PROPOSED MOTION:**

The Planning Commission should conduct a public hearing, accept the findings, and recommend **APPROVAL** the proposed amendment.

I move that the Planning Commission accept the findings and recommend approval of the General Plan Future Land Use Map changing the land use designation for approximately 83.72 acres located at the northwest, southwest, and southeast corners of 6000 West and Timpanogos Highway (SR92) “low density residential” to “mixed use”.

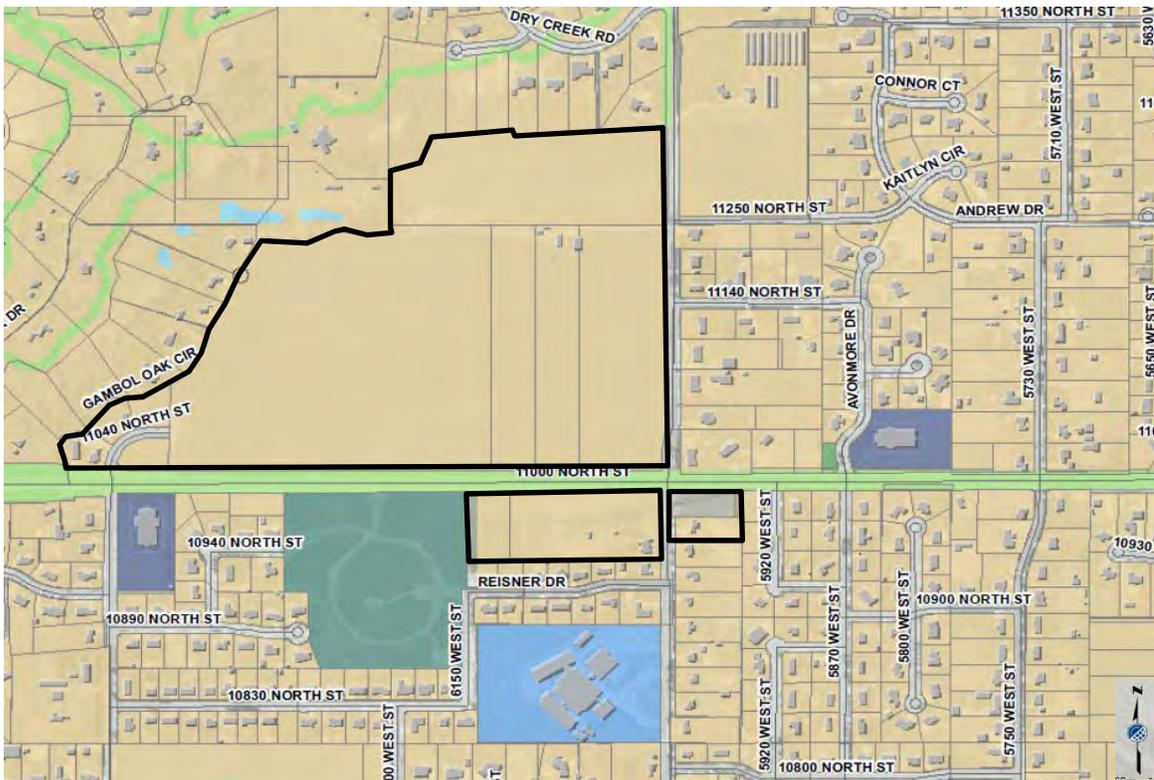
#### **ALTERNATIVE MOTION:**

I move that the Planning Commission recommend **DENIAL** of the request to amend the General Plan Land Use Map from Low Density Residential to Mixed Use based on the following findings: (The Commission should draft appropriate findings).

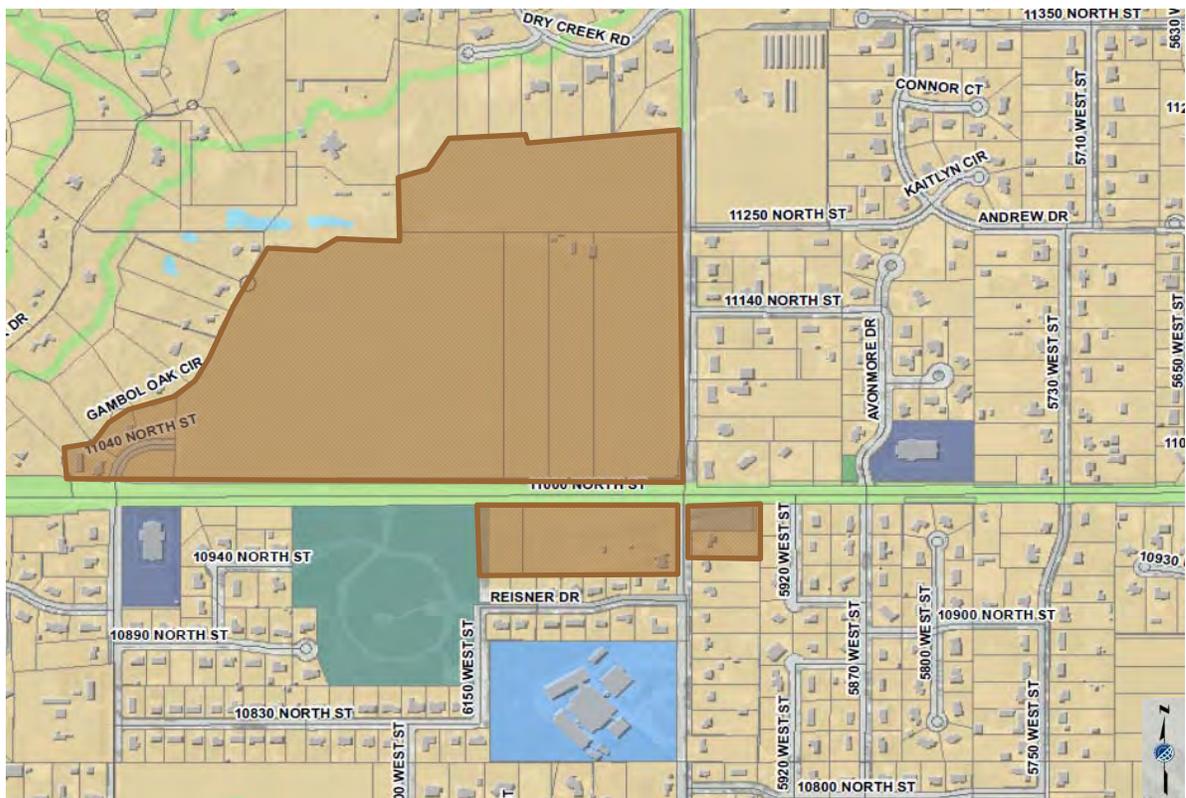
#### **ATTACHMENTS:**

- Attachment A – Existing and Proposed Land Use Map
- Attachment B – Parcel Ownership Summary

# Proposed Amendment

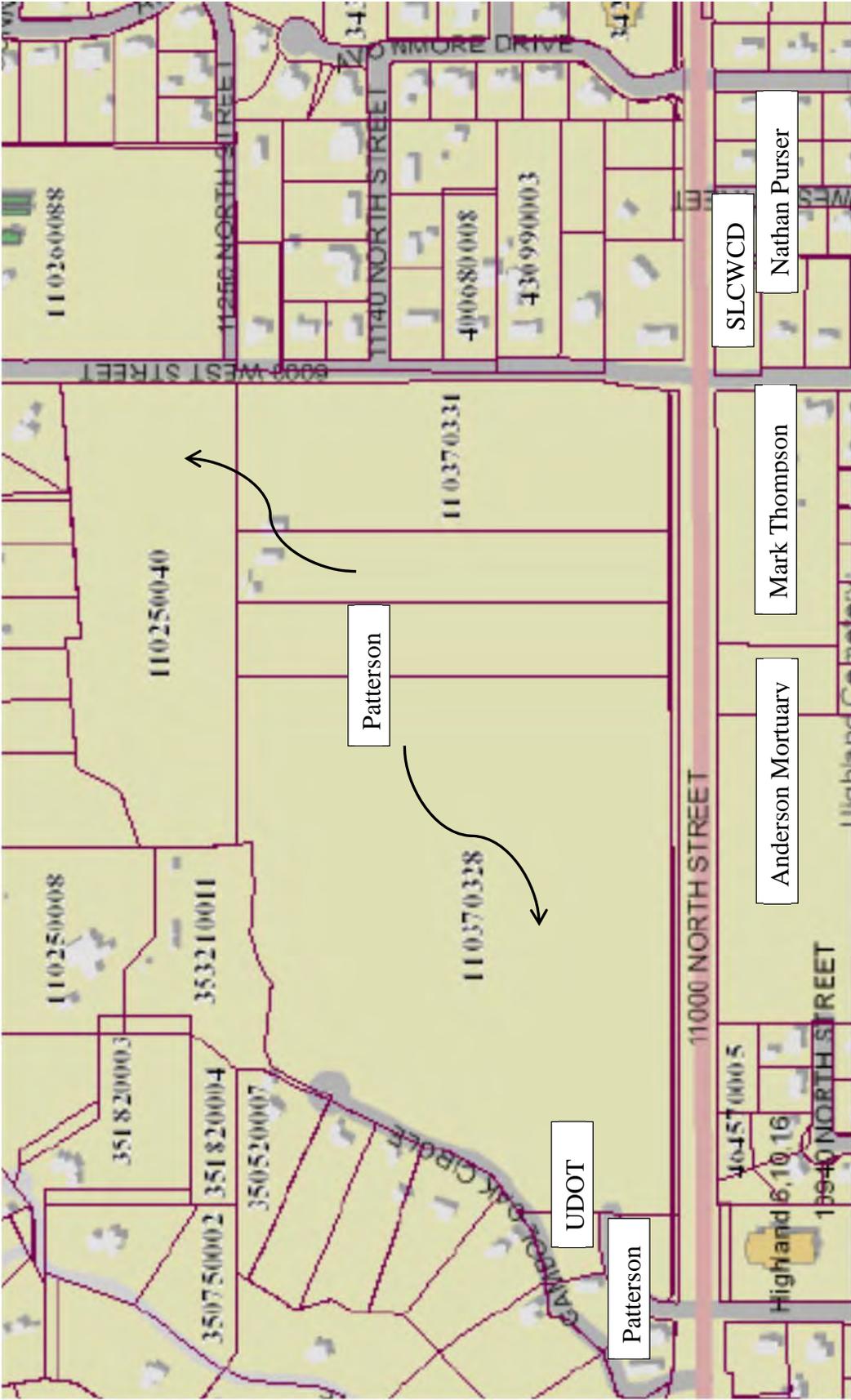


Existing Land Use Designation: Low Density Residential



Proposed Land Use Designation: Mixed Use

PROPERTY OWNERSHIP SUMMARY





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**DATE:** April 19, 2012

**TO:** Planning Commission

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

**SUBJECT:** Item #2: TA-12-05 – A request by the Highland City Council to amend Section 3-614.7 of the Highland City Development Code revising the public notice requirements for home occupations.

Home occupations are a permitted use and as such review and approval is an administrative action. If an applicant meets the requirements for a home occupation they are entitled to approval.

Currently, applicants for a home occupation are required to notify all residents within a 500 foot radius of the home. This is done by the applicant requesting each home owner sign a petition. It appears that the purpose of the petition is to notify the surrounding property owners of the proposed home occupation. The City Council was concerned about requiring the petition after several complaints had been received by the Council and staff from applicants. Staff believes a petition is an excessive burden for an administrative application.

Upon review of the existing regulations, a petition is not specifically required. A simple change to the current process requiring a letter notification, similar to what is done for general plan amendments, rezonings, conditional use permits, and site plans may be what is needed to address the issue.

Staff is continuing to research the issue and will email a report to the Commission on Monday if needed.

Please let me know if you have any questions.

**HIGHLAND CITY  
PLANNING COMMISSION MEETING  
APRIL 24, 2012**

<b>REQUEST:</b>	PUBLIC HEARING – An amendment to Highland City Development Code Section 3-614.7 revising the public notice requirements for home occupations. (TA-12-05)		
<b>APPLICANT:</b>	Highland City Council		
<b>FISCAL IMPACT:</b>	None		
<b>GENERAL PLAN DESIGNATION</b> N/A	<b>CURRENT ZONING</b> N/A	<b>ACREAGE</b> N/A	<b>LOCATION</b> Citywide

**BACKGROUND:**

A development code amendment is a legislative process.

**SUMMARY OF REQUEST:**

1. Applicants for a home occupation are required to notify all residents within a 500 feet radius of the home. The proposed amendment would either remove or modify this requirement.
2. The proposed amendment is as follows:

(7) All applications for the issuance of a home-occupation permit shall be accompanied by an application fee in such amount as may be specified by the City’s standard fee schedule established from time to time by resolution of the City Council. Such fee shall be in addition to any business license fee which may be required by other provisions of this Code. ~~The applicant shall be required to notify all residents within a 500’ radius of the property lines of their request for a home occupation license. The applicant shall provide a legible vicinity map indicating the exact location of their property and each property within 3 mile (1,320 feet). The map shall include the address of the subject property.~~

**ANALYSIS:**

- Staff researched the regulations of Alpine, American Fork, Cedar Hills, Lehi, Lindon, Orem and Provo and found:
  - None of the cities require a petition.
  - Provo City allows an applicant to obtain a petition to bypass the Planning Commission meeting.
  - Five of the cities do not require a radius notification.
  - Lehi distinguish between major and minor home occupations based on the potential impact on the neighborhood. A radius notification is required for a major home occupation.

- Home occupations are a permitted use and as such review and approval is an administrative action. If an applicant meets the requirements for a home occupation they are entitled to approval.
- Over the last four years, the City has not received any complaints regarding and applicant for a home occupation. The City has received complaints regarding illegal home occupations.

#### **CITIZEN PARTICIPATION:**

A notice of the Planning Commission public hearing was published in the Daily Herald on April 8, 2012. No comments have been received.

#### **FINDINGS:**

The proposed amendment meets the following findings:

- The amendment is consistent with the overall intent of the 2008 General Plan, the Development Code and all other adopted plans, codes, and ordinances.

#### **RECOMMENDATION AND PROPOSED MOTION:**

The Planning Commission should conduct a public hearing, accept the findings, and recommend **APPROVAL** of the proposed amendment.

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the proposed amendment revising the public notice requirements for home occupations

#### **ALTERNATIVE MOTION:**

I move that the Planning Commission recommend **DENIAL** of the proposed amendment revising the public notice requirements for home occupations based on the following findings: (The Commission should draft appropriate findings).

#### **ATTACHMENTS:**

None



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**DATE:** April 19, 2012

**TO:** Planning Commission

**FROM:** Jill Stewart, Planning Coordinator

**SUBJECT:** Continuation of the General Plan Existing and Future Trails Map

On March 27, 2012 the Planning Commission held a public hearing on case GP-11-03 an amendment to the General Plan Existing and Future Trails Map to create a new Trails Master Plan. The Commission continued this item for further discussion on trail types and uses within Highland City.

The purpose of this item is to continue the discussion and make a recommendation to the City Council on trail types and uses.

With the recommendation of trail corridor standards, the Commission is also asked to identify those corridors that would be appropriate for equestrian and other non-motorized uses in addition to bicycle and pedestrians. Staff is recommending that the Mitchell Hollow trail since it connects to Utah County Equestrian Park and the Murdock Connector trails, the Dry Creek Hollow Trails (within the Dry Creek Hollow area only), the aqueduct/power line corridor trail (connection to AF Canyon and foothills), and the Phifferhorn trail (designated and in use as a equestrian trail in Alpine) also be designated as equestrian trails. The Murdock Connector Trail has been designed for equestrian use.

Attached is the trail map that was presented to the Commission in March.

# Highland City Proposed Trails Map (Planning Commission Recommendations)



## Legend

- Main City Trail
- - - Proposed Main City Trail
- Connector Trail
- - - Connector, PROPOSED
- Neighborhood Option Trail
- - - Eliminated Master Plan Trail (Not Constructed)
- Neighborhood Trail
- Murdock Connector Trail

