



AMENDED AGENDA

AGENDA

HIGHLAND CITY PLANNING COMMISSION Tuesday, April 23, 2013 – 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 Tim Heyrend
- Pledge of Allegiance – Commissioner Abe Day

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 three (3) minutes.

PUBLIC HEARING ITEMS:

1. TA-13-01 Highland City is requesting to amend the Highland City Development Code Section 3-4209 Accessory Building to increase the size of accessory buildings in the R-1-20 District. *Legislative*
2. PP-13-02 Ivory Homes is requesting approval on a seven lot preliminary plat on approximately 5.36 acres. The property is located at 9976 N Alpine Hwy. *Administrative*

APPROVAL OF MINUTES:

- March 26, 2013 – Regular Meeting

PLANNING STAFF REPORT:

- Review of recent City Council Actions

COMMISSION COMMENTS AND SUGGESTIONS:

NEXT MEETING: To be announced

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

Administrative: An action reviewing an application for compliance with adopted laws and policies.

FOR SPECIAL ACCOMMODATIONS

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4505 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 18th day of April, 2013. 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 18th day of April, 2013 the above agenda notice was posted on the Highland City website at www.highlandcity.org.

Dorinda King, Secretary

**HIGHLAND CITY
PLANNING COMMISSION MEETING
APRIL 23, 2013**

REQUEST:	PUBLIC HEARING – Preliminary Plat Approval – Timp Shadows Subdivision, a seven lot residential subdivision (PP-13-02).		
APPLICANT:	Daron Young, Ivory Development		
FISCAL IMPACT:	Unknown		
GENERAL PLAN DESIGNATION	CURRENT ZONING	ACREAGE	LOCATION
Low Density Residential	R-1-40	5.36	9976 North Alpine Highway

PRIOR REVIEW:

The public hearing for this item was continued from the April 9, 2013 Planning Commission meeting to the April 23, 2013 Planning Commission meeting.

BACKGROUND:

The property was zoned R-1-20 on November 17, 2013. The rezoning limited the maximum number of lots to seven.

A preliminary plat is an administrative process.

SUMMARY OF REQUEST:

1. The applicant is requesting preliminary plat approval for a seven lot residential subdivision at a density of 1.30 units per acre. The lot sizes are as follows:

Lot	Square Feet
101	21,080
102	24, 678
103	31,318
104	38,212
105	35,823
106	32,411
107	25,782

2. Access to the site will be available from Alpine Highway via Timp Shadows Lane road which will align with Windsor Park Drive.

CITIZEN PARTICIPATION:

Notice of the March 27, 2013 Development Review Committee meeting was mailed to all property owners within 500’ of the proposed plat on March 12, 2013. No residents attended the meeting.

Notice of the Planning Commission public hearing was published in the Daily Herald on March 24, 2013 and mailed to all property owners within 500' of the proposed plat on March 25, 2013. No comments have been received.

ANALYSIS:

- The property is designated as low density residential on the General Plan Land Use Map. The proposed subdivision density of 1.30 units per acre is consistent with the General Plan.
- The property to the north is zoned R-1-40 and is part of the Quail Hollow Subdivision. The density of this development is: 1.3 units per acre. The two lots immediately adjacent to the parcel are 1.076 acres and 1.32 respectively.
- The property to the east is zoned R-1-20 and is part of the Mystic Cove Subdivision. The density of this development is: 1.12 units per acre. The three lots immediately adjacent to the parcel are 0.91, 0.67, and 0.69 acres.
- The property to the west is zoned R-1-40 and is part of the Windsor Meadows Subdivision. The Windsor Meadows Subdivision is an open space subdivision with lot sizes ranging from 0.25 to 0.42 acres. The density of this development is: 1.6 units per acre.
- The property to the south is zoned R-1-20 and is part of the Cobble Creek Subdivision. The density of this development is: 2.4 units per acre. The three lots immediately adjacent to the parcel are 0.34, 0.37, and 0.51 acres.
- The proposed subdivision is compatible with the existing surrounding uses.
- Utilities will be extended into the site by existing water, and pressurized irrigation lines in Alpine Highway. A sewer line will be extended through a public utility easement between lots 102 and 103 south through lot 4 Cobble Creek Subdivision. The developer has entered into an agreement with the owner of lot 4 and the City Attorney is reviewing the easement. A stipulation has been included requiring the recording of the agreement prior to the final plat recordation or issuance of a permit for site construction.
- The applicant has proposed an entry monument and perimeter fence. The fence will be installed along SR74.
- Water shares are required to be dedicated/paid as part of the approval.

FINDINGS:

The proposed plat meets the following findings with stipulations:

- It is in conformance with the General Plan, the R-1-20 District, and the Highland City Development Code.
- It is in conformance with the approved rezoning.

RECOMMENDATION AND PROPOSED MOTION:

Staff recommends that the Planning Commission hold a public hearing and recommend **APPROVAL** of the proposed preliminary plat to the following stipulations:

1. The recorded plat shall conform to the final plat date stamped April 18, 2013 except as modified by these stipulations.
2. Water shares shall be dedicated, or documentation of dedication shall be provided, prior to recordation of the final plat as required by the Development Code.
3. All required public improvements shall be installed as required the City Engineer.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.
5. Prior to final plat recordation or issuance of a permit for site construction, the sewer agreement shall be recorded.
6. The owner shall provide a letter from UDOT approving the location of Timp Shadow Lane. Prior to the issuance a permit for site construction or recording of the final plat.
7. The perimeter fence and entry monuments shall be installed in the first phase and completed prior to the issuance of a certificate of occupancy. The entry monuments shall be located within an appropriate easement. Further, the perimeter wall and entry monuments shall be owned and maintained by a private entity.
8. The design of the wall shall meet the requirements of Section 3-612 of the Development Code.

I move that the Planning Commission accept the findings and recommend **APPROVAL** of the case PP-13-02 a request for preliminary plat approval for Timp Shadows, a seven lot residential subdivision subject to the seven stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the Planning Commission recommend **DENIAL** of case PP-13-02 based on the following findings: (The Commission should draft appropriate findings.)

ATTACHMENTS:

- Attachment A – Proposed Preliminary Plat
- Attachment B – Proposed Entry Monument and Perimeter Fence
- Attachment C – Ordinance #2012-16

**HIGHLAND CITY
PLANNING COMMISSION MEETING
APRIL 23, 2013**

REQUEST:	PUBLIC HEARING – An amendment to Highland City Development Code Section 3-4209, Accessory Buildings increasing the size of accessory building from 5% to 7% of the gross lot area in the R-1-20 District. (TA-13-04)		
APPLICANT:	Highland City		
FISCAL IMPACT:	None		
GENERAL PLAN DESIGNATION	CURRENT ZONING	ACREAGE	LOCATION
N/A	N/A	N/A	Citywide

BACKGROUND:

A development code amendment is a legislative process.

SUMMARY OF REQUEST:

1. The purpose of the amendment is to increase the size of accessory building from 5% to 7% of the gross lot area in the R-1-20 District. The amendment is as follows:

Section 3-4209 Accessory Buildings

...

(2) Size: Accessory buildings shall not cover more than ~~five percent (5%)~~ SEVEN PERCENT (7%) of the total gross lot area.

...

ANALYSIS:

- The purpose of limiting the size of accessory buildings is to ensure that the accessory buildings do not exceed the size of the home and to maintain and open/large lot character.
- The minimum lot size in the R-1-20 District is 20,000 square feet. However many of the lots in the R-1-20 District range from 11,500 square feet to 16,000 square feet. These are located in subdivisions that were either approved prior to incorporation of the City. The following chart illustrates the size of accessory building permitted based on lot size:

Lot Size	Accessory Building Square Footage at 5%	Accessory Building Square Footage at 7%
11,500	575	805
12,000	600	840
13,000	650	910
14,000	700	980

15,000	750	1050
16,000	800	1120
17,000	850	1190
18,000	900	1260
19,000	950	1330
20,000	1,000	1400

- There is no limit on the number of buildings if they are less than 200 square feet.
- The Commission will need to discuss whether or not there is a need to increase the size of accessory building and whether or not it is in the best interest of the community.

CITIZEN PARTICIPATION:

A notice of the Planning Commission public hearing was published in the Daily Herald on April 7, 2013. No comments have been received.

RECOMMENDATION:

The Planning Commission should conduct a public hearing and determine if:

- The proposed amendment is consistent with the purpose of the Development Code.
- The proposed amendment will not adversely affect the community.
- The proposed amendment will result in compatible land use relationships.
- The proposed amendment is needed to update the Zoning Ordinance.

If the Planning Commission determines that the amendment is in the best interest of the community, the Commission should draft findings and recommend approval of the proposed amendment.

ATTACHMENTS:

- Attachment A – Section 3-4209 Accessory Buildings
- Attachment B – Highland City Zoning Map

ATTACHMENT A

3-4209: Accessory Buildings. All accessory buildings within this zone shall conform to the following standards, setbacks and conditions:

- (1) An accessory building is any building or structure which is not attached to the main dwelling on the lot that is:
 - (a) Greater than 200 square feet, or
 - (b) That is attached to a permanent foundation as defined by the building code.
- (2) **Size.** Accessory buildings shall not cover more than five percent (5%) of the total gross lot area.
- (3) **Height.** No accessory building shall be erected to a height greater than twenty-five feet (25') from grade.
- (4) **Setbacks.** All accessory buildings shall comply with the following setbacks:
 - (a) All accessory buildings shall be set back from the front property line a minimum of thirty feet (30') or consistent with the primary dwelling, whichever is less.
 - (b) An accessory building shall be set back from the rear property line a minimum of ten feet (10').
 - (c) All accessory buildings shall be set back from the side property line a minimum of ten feet (10').
 - (i) All accessory buildings shall be set back at minimum an amount of ten feet (10') from the side lot line which abuts a street or ten feet (10') from the Parkway Detail.
 - (d) All accessory buildings shall be placed no closer than six feet (6') from the main building. Said six feet shall be measured to the closest part of the structures including any roof overhang.
- (5) **Materials.** Accessory buildings shall be constructed out of exterior materials consistent with the primary dwelling if the lot is 1/2 acre or less.
- (6) Any accessory building used for a home occupation shall comply with the regulations governing a home occupation business.

