

1 **Highland City Planning Commission**
2 **April 23, 2013**

3
4 The regular meeting of the Highland City Planning Commission was called to order by Planning
5 Commission Chair, Christopher Kemp, at 7:00 p.m. on April 23, 2013. An invocation was offered
6 by Commissioner Tim Heyrend and those assembled were led in the Pledge of Allegiance by
7 Commissioner Abe Day.

8
9 **PRESENT:** Commissioner: Christopher Kemp
10 Commissioner: Jay Roundy
11 Commissioner: Steve Rock
12 Commissioner: Scott Temby
13 Commissioner: Tim Heyrend
14 Commissioner: Sherry Carruth
15 Commissioner: Abe Day

16
17 **EXCUSED:**

18
19 **STAFF PRESENT:** Community Development Director: Nathan Crane
20 Secretary: Dorinda King

21
22
23 **OTHERS:** Daron Young, Dani Bree Young, McKal'den Carruth

24
25 **A. PUBLIC APPEARANCES**

26
27 Commissioner Chris Kemp read an opening statement for the Planning Commission.

28
29 “This Planning Commission is composed of Highland City citizens who have been
30 appointed by the City Council to serve on the Commission as a civic responsibility. In the
31 interest of maintaining a fair and efficient hearing, the Commission adheres to the following
32 steps:

33
34 The Chair calls the agenda item;
35 Staff gives a brief report and recommendation;
36 Applicant then may give a presentation;
37 Opposition and support give testimony, no more than three minutes per speaker;
38 Applicant may give a response, and
39 The Commission has a discussion and makes decision.

40
41 Anyone wishing to speak before the Commission must fill out a speaker information form
42 and hand it to Nathan Crane, Community Development Director. We expect all that
43 participate will be civil in their public discourse and that they will be respectful of others
44 whether they agree or disagree with any action taken. The Commission will stand against
45 any incivility when we see it.

1 We thank you in advance for your participation.”

2
3 **B. PUBLIC HEARING ITEMS**

- 4
5 1. **TA-13-04** Highland City is requesting to amend the Highland City Development Code
6 Section 3-4209 Accessory Building to increase the size of accessory buildings in the R-1-20
7 District. *Legislative*

8
9 Commissioner Kemp opened the public hearing.

10
11 Mr. Crane stated the purpose of the amendment is to increase the size of an accessory building from
12 5% to 7% of the gross lot area in the R-1-20 District. He stated there have been several inquiries
13 from residents regarding the size requirements. He stated most of the lots in the R-1-20 District are
14 below 20,000 square feet. Staff did a brief inventory showing lot sizes within the R-1-20 District
15 ranging from 11,500 to 20,000 square feet or more. He stated the amendment does not affect any
16 open space subdivision and its impact is limited in its applicability to the R-1-20 District.

17
18 Mr. Crane displayed a chart showing the range of sizes from 5% to 7%. He stated that any structure
19 below 200 square feet does not require a building permit. He informed the Commissioners that no
20 comments have been received regarding the request. He stated the Commission will need to discuss
21 whether or not there is a need to increase the size of accessory buildings and whether or not it is in
22 the best interest of the community.

23
24 Commissioner Temby questioned if the request would apply to stand alone garages. Mr. Crane
25 stated the request would apply to structures over 200 square feet which are detached from the home.
26 Commissioner Temby questioned if attached means by foundation or structure. Mr. Crane stated
27 the definition of attached in the Development Code.

28
29 Commissioner Roundy mentioned a study from years ago stating within in the United States, Utah
30 has the largest amount of recreational vehicles and Utah County has the largest amount within Utah.
31 He explained while driving around Highland City he noticed several recreational vehicles, along with
32 up to 7 tough sheds on one lot. With that in mind he believes increasing the size of accessory
33 building size to 7% would clean up the lots. He believes that when the Development Code was
34 created it was appropriate for that time. However, at this present time people have more
35 accumulation of recreational vehicles. He believes larger accessory buildings would enhance the
36 look of the neighborhoods, protect the recreational vehicles residents have invested in and also he
37 believes the request meets the spirit of the Development Code. He believes larger accessory
38 buildings would make Highland a neater and cleaner community.

39
40 Commissioner Rock questioned if any other cities are higher than 7% and/or what the average is.
41 Mr. Crane stated he didn't look into any other cities Codes. Commissioner Rock believes the
42 request would add to the City to allow the 7% increase.

43
44 Commissioner Heyrend questioned the material of the accessory buildings. Mr. Crane stated that
45 there is a requirement on lots less than 20,000 square feet to have material consistent to the main

1 structure. He stated the accessory building does not have to be identical to the main structure but
2 something that would be compatible with the home.

3
4 Commissioner Rock was concerned how someone would put in a metal accessory structure because
5 the metal would not be consistent with the home. Mr. Crane stated they would need to put on
6 wainscot or stucco to make the structure match, but it can be metal based. Mr. Heyrend questioned
7 what the requirements are if the lot is greater than 20,000 square feet. Mr. Crane stated there is not
8 requirement for any lots larger than 20,000 square feet.

9
10 Commissioner Rock questioned who is requesting the amendment and wondered why staff
11 proposed 7%. Mr. Crane explained staff believed 7% to be reasonable after looking at various
12 percentages; he explained the requested amendment was initiated by staff.

13
14 Commissioner Day questioned if a specific applicant brought the request to attention. Mr. Crane
15 explained there is an applicant; he mentioned this request has been brought to attention numerous
16 times, so staff believed the size of accessory building needed to be addressed.

17
18 Commissioner Day questioned if the applicant would be grandfathering in an accessory structure
19 which was built to large. Mr. Crane stated the amendment is to address new structures.

20
21 Commissioner Rock questioned if the City requires footings and foundation. Mr. Crane stated
22 anything over 200 square feet will have footing and foundation requirements.

23
24 Commissioner Heyrend questioned how the request would influence a home occupation. Mr. Crane
25 stated home occupations are not allowed in accessory buildings. He stated if the Code changed then
26 there would be an impact.

27
28 Commissioner Rock questioned if the accessory structures would require an engineer. Mr. Crane
29 stated it depends on the structure but usually an accessory structure would require an engineer.
30 Commissioner Rock questioned if barns are allowed. Mr. Crane stated barns are acceptable under
31 both the present regulations and proposed amendment.

32
33 Commissioner Heyrend questioned if the 25 foot height would limit a barn. Mr. Crane stated in an
34 R-1-20 zone there are not a lot of barns. Commissioner Day believed barns are protected by the
35 State. Mr. Crane was not sure if barns are protected.

36
37 Commissioner Heyrend was concerned about having no limit on the amount of accessory structures
38 if they are less than 200 square feet. Mr. Crane stated we could bring the concern to the
39 Commission at a later date, so staff could prepare and advertise for the public hearing.

40
41 Commissioner Kemp closed the public hearing

42
43 **MOTION: Commissioner Steve Rock moved to amend the development code in the R-1-40**
44 **zone to go from 5% to 7% in the size of accessory building that are allowed.**

1 **Motion seconded by Commissioner Carruth. Those voting aye: Abe Day, Tim Heyrend,**
2 **Christopher Kemp, Jay Roundy, Sherry Carruth and Steve Rock. Those voting nay: Scott**
3 **Temby.**

4
5 Commissioner Temby stated that he opposed because the motion didn't address the non-
6 conforming R-1-20 lots.

7
8 **AMENDED MOTION: Commissioner Scott Temby moved to recommend approval of the**
9 **amendment to reflect the increase size of accessory buildings is also applicable to legal non-**
10 **conforming R-1-20 districts.**

11
12 **Motion Seconded by Commissioner Roundy. Unanimous vote, motion carried.**

- 13
14 2. **PP-13-02** Ivory Homes is requesting approval on a seven lot preliminary plat on
15 approximately 5.36 acres. The property is located at 9976 N Alpine Hwy. *Administrative*

16
17 Commissioner Kemp opened the public hearing.

18
19 Mr. Crane stated the request was continued from the April 9, 2013 Planning Commission meeting.
20 He stated the property was re-zoned R-1-20 on November 17, 2012. He stated the rezoning limited
21 the maximum number of lots to seven, the lots range from 21,080 to 38,212 square feet. He stated
22 access to the site will be available from Timp Shadows Lane which connects to Alpine Highway. He
23 mentioned staff is currently reviewing easement to the south.. He mentioned there has been a
24 stipulation added stating the agreement needs to be completed before Timp Shadows continues
25 forward with the final plat. Mr. Crane stated there is a stipulation to upgrade the theme wall so it
26 meets the Development Code. Mr. Crane stated the Development Review Committee meeting was
27 held in March, no residents attended. He mentioned City Staff sent a radius notification and
28 submitted an ad into the Daily Herald, staff received no comments. He stated City Staff is
29 recommending approval and believes the request is in conformance with the General Plan, the R-1-
30 20 District, and the Highland City Development Code.

31
32 Daron Young, applicant, thanked Mr. Crane and City Staff. He believed the staff report was
33 accurate and thorough. He recommended the Planning Commission move to recommend approval
34 to the City Council based on the 8 stipulations which are outlined within the staff report.

35
36 Commissioner Rock questioned if Timp Shadows Lane is lined up with the road across the street.
37 Mr. Young stated the streets are lined up. Commissioner Rock questioned if the theme wall will be
38 on the east side of the development and wondered if there will be fencing. Mr. Young stated the
39 wall is on the east of the development. He mentioned he would like to speak to the property owners
40 neighboring the project to see if fencing makes sense; currently fencing is not required.

41 Commissioner Rock questioned if Ivory Homes will be installing the trees. Mr. Young stated the
42 park strip is already in place along the Alpine Highway, the lots within the development will have
43 landscaping plans and requirements for the homeowners.

44

1 Commissioner Kemp questioned if they are getting sewer from the Alpine Highway. Mr. Young
2 stated in order to get sewer they had to go south towards another subdivision. He mentioned the
3 water and irrigation water will come from the Alpine Highway.
4

5 Commissioner Kemp closed the public hearing at 7:10:12.
6

7 **MOTION:** Commissioner Roundy moved that the Planning Commission accept the
8 findings and recommend **APPROVAL** of the case PP-13-02 a request for preliminary plat
9 approval for Timp Shadows, a seven lot residential subdivision subject to the eight
10 stipulations recommended by staff.
11

12
13 1. The recorded plat shall conform to the final plat date stamped April 18, 2013 except as
14 modified by these stipulations.
15

16 2. Water shares shall be dedicated, or documentation of dedication shall be provided, prior
17 to recordation of the final plat as required by the Development Code.
18

19 3. All required public improvements shall be installed as required the City Engineer.
20

21 4. The civil construction plans shall meet all requirements as determined by the City
22 Engineer.
23

24 5. Prior to final plat recordation or issuance of a permit for site construction, the sewer
25 agreement shall be recorded.
26

27 6. The owner shall provide a letter from UDOT approving the location of Timp Shadow
28 Lane. Prior to the issuance a permit for site construction or recording of the final plat.
29

30 7. The perimeter fence and entry monuments shall be installed in the first phase and
31 completed prior to the issuance of a certificate of occupancy. The entry monuments shall be
32 located within an appropriate easement. Further, the perimeter wall and entry monuments
33 shall be owned and maintained by a private entity.
34

35 8. The design of the wall shall meet the requirements of Section 3-612 of the Development
36 Code.
37

38 Motion Seconded by Commissioner Rock. Unanimous vote, motion carried
39

40
41 **C. APPROVAL OF MINUTES**
42

43 To be continued to the next meeting.
44

45 **D. PLANNING STAFF REPORT**
46

1 Mr. Crane mentioned the amendment on how to measure frontage of a cul-de-sac and the
2 amendment on how to calculate density in the R-1-40 zone was approved by City Council on April
3 16, 2013.

4
5 He stated the Skye Estates both preliminary and final plats were approved by City Council.

6
7 He reminded the Commissioners about the training on May 8th given by Utah League Cities and
8 Towns. He stated if they would like to go he can get them signed up, he stated it is free for the
9 Commissioners.

10
11 Mr. Crane also reminded the Commission about the budget open house which will be held on May
12 9th from 5pm-8pm at the Highland City Hall and encouraged the Commissioners to come and
13 participate.

14
15 **E. COMMISSION COMMENTS AND SUGGESTIONS**

16
17 Commissioner Heyrend questioned if setbacks changed due to the change in size of the accessory
18 buildings.

19
20 Commissioner Kemp questioned if Highland holds a most beautiful yard contest. Mr. Crane stated
21 the City used to hold the contest but has been since been cut from the budget. Commissioner
22 Kemp inquired about the dollar amount of the previous budget. Mr. Crane stated he was unsure
23 what the dollar amount was. Commissioner Kemp expressed it would be nice to hold that contest
24 again within the City. He has seen the contest in other cities and the winners get a sign in their yard
25 so nothing of great expense.

26
27 Commissioner Day questioned the status of Walgreens. Mr. Crane stated he has not heard anything.

28
29 **Commissioner Day Moved to adjourn, Commissioner Temby seconded.**

30
31 **Adjourned at [7:38:20 PM](#).**