



HIGHLAND CITY

HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, September 28, 2021

Approved October 26, 2021

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: planningcommission@highlandcity.org

7:05 PM REGULAR SESSION

Call to Order – Jerry Abbott, Chair

Invocation – Commissioner Audrey Moore

Pledge of Allegiance – Commissioner Mino Morgese

The meeting was called to order by Planning Commission Chair Jerry Abbott as a regular session at 7:05 PM. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Commissioner Moore and those in attendance were led in the Pledge of Allegiance by Commissioner Morgese.

PRESIDING: Commissioner Jerry Abbott

COMMISSIONERS

PRESENT: Jerry Abbott, Christopher Howden, Claude Jones, Audrey Moore, Mino Morgese,

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, City Attorney Rob Patterson, City Planner and GIS Specialist Kellie Smith, Planning Commission Secretary Heather White

OTHERS PRESENT: Doug Cortney

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

None was offered.

CONSENT ITEMS

Items on the consent agenda are of a routine nature or have been previously studied by the Planning Commission. They are intended to be acted upon in one motion. Commissioners may pull items from consent if they would like them considered separately.

a. Approval of Meeting Minutes *Administrative*
Regular Planning Commission Meeting – July 27, 2021

Commissioner Audrey Moore MOVED to approve the minutes for the July 27, 2021 Planning Commission meeting. Commissioner Chris Howden SECONDED the motion. All present were in favor. None were opposed. The motion carried.

2. PUBLIC HEARING: MINOR SUBDIVISION FINAL PLAT: MADDOX SUBDIVISION *Administrative*

The Planning Commission will consider a request by Travis Maddox for Final Plat approval for Maddox Subdivision, a proposed 2-lot single family subdivision with a remnant parcel located at approximately 4764 W 11200 N. The Planning Commission will take appropriate action.

Commissioner Abbott explained that the applicant requested to postpone the public hearing.

3. DISCUSSION: SHIPPING CONTAINERS *Administrative*

Presentation and discussion of a possible amendment to the Development Code to regulate shipping containers. This item is bring presented for discussion only.

Ms. Smith reviewed the background and concerns regarding shipping containers: long- or short-term storage, permit required or not, lot size limitations, vertical stacking, design, and location. She explained that some of the concerns were already addressed in the code for accessory structures. She wondered if the planning commission would rather have a separate code for shipping containers or include shipping containers in the existing code for accessory structures. Ms. Smith noted that accessory structures were not allowed to be used for accessory dwelling units and that this would also apply to shipping containers.

The commissioners discussed differences with home occupations and individuals needing to work from home. They discussed container placement as it related to lot size. They also discussed container color and design. They talked about the point that shipping containers were usually temporary and typically placed in the front yard or on public easements.

Mr. Patterson suggested the option to include shipping containers as accessory structures except with special limitations. He said it could apply to all containers or ones that were placed longer than 60 days. He said home businesses did not need a license if an individual was working for someone else.

Commissioner Moore asked how shipping containers were different than storage pods. Ms. Smith thought the definition could easily include pods. The Commissioners discussed the fact that pods were temporary and could stay only for a limited time.

Commissioner Howden wondered how containers with wheels or on semi-trucks would be regulated. Mr. Crane explained that they had a different set of regulations because they were classified as commercial trailers.

The planning commission talked about placement on easements. Ms. Smith said that accessory structures less than 200 ft were considered temporary structures and that it was the resident's responsibility to move the structure if someone/company needed to access anything within the easement.

The commissioners agreed with the following points relating to shipping container regulations:

- Containers placed less than 60 days would not be regulated
- Containers placed longer than 60 days would be regulated by the Accessory Structures section in the development code plus additional regulations
- Containers were not permitted to be stacked
- If on property ½ acre or less:
 - Containers had front setback of at least 10 feet from the front of the house and needed to match the color of the house
- If on property more than ½ acre:
 - Containers had front setback of at least 10 feet from the front of the house and needed to match the color of the house
 - If the container was placed behind the house, the container did not need to match the color of the house
- Containers did not need to comply with materials of the main structure, but they did need to comply with paint color.

Ms. Smith explained that there was no permitting process outside of when needing a building permit.

Commissioner Moore suggested including the code update in the Highland newsletter to let residents know of the changes.

4. PLANNING COMMISSION AND STAFF COMMUNICATION ITEMS

The Planning Commission may discuss and receive updates on City events, projects, and issues from the Planning Commissioners and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

Commissioner Abbott mentioned the recent training video and thought it was good information. The commissioners talked about public clamor doctrine. Mr. Patterson explained that there was use for public comment based on code. Discussion centered around having public comment at the beginning of processes with public noticing. The commissioners also discussed the need to have representation at Council meetings to explain decisions or actions taken by the planning commission. It was suggested that they take turns attending council meetings and that "Council Meeting Report" be added to the planning commission agenda. Commissioner Abbott said he would talk to the mayor.

Commissioner Howden mentioned the list of discussion points he sent to the commissioners that included the overall look/feel of the city, removal of conditional use permit, grading retaining wall, legal boundary, and xeriscaping and water wise landscaping. The commissioners agreed to have discussions at upcoming meetings.

ADJOURNMENT

Commissioner Moore MOVED to adjourn the regular meeting. Commissioner Morgese SECONDED the motion. All present were in favor. The motion carried unanimously.

The meeting adjourned at 8:23 PM.

I, Heather White, Planning Commission Secretary, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 28, 2021. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

/s/Heather White
Planning Commission Secretary