



HIGHLAND CITY

HIGHLAND CITY PLANNING COMMISSION MINUTES

Tuesday, December 19, 2023

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

Approved January 23, 2024

VIRTUAL PARTICIPATION



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



Email comments prior to meeting: planningcommission@highlandcity.org

7:00 PM REGULAR SESSION

Call to Order – Vice Chair Christopher Howden

Invocation – Commissioner Claude Jones

Pledge of Allegiance – Commissioner Christopher Howden

The meeting was called to order by Commissioner Christopher Howden as a regular session at 7:08 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 Claude Jones and those in attendance were led in the Pledge of Allegiance by Commissioner Christopher Howden.

PRESIDING: Commissioner Christopher Howden

COMMISSIONERS

PRESENT: Jerry Abbott, Tracy Hill, Christopher Howden, Claude Jones, Debra Maughan, and Trent Thayn

CITY STAFF PRESENT: City Administrator Erin Wells, Assistant City Administrator /Community Development Director Jay Baughman, City Attorney Rob Patterson, City Engineer Andy Spencer, City Recorder Stephannie Cottle

OTHERS PRESENT: N/A

1. UNSCHEDULED PUBLIC APPEARANCES

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

Commissioner Jones mentioned that every streetlight around his area was out and requested that they be fixed. He said there were no identifying numbers on the light posts. Mr. Spencer suggested that they speak after the meeting regarding details in order to get them fixed.

2. 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** *General City Management – Jay Baughman, Assistant City Administrator / Community Development Director*
Planning Commission Meeting – November 28, 2023

Commissioner Trent Thayn moved to approve the minutes from the November 28, 2023 Planning Commission Meeting. Commissioner Jerry Abbott seconded the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Absent</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

The motion carried 6:0

3. PUBLIC HEARING: DEVELOPMENT CODE CHANGES *Land Use (Administrative) Rob Patterson, City Attorney*

The Planning Commission will hold a public hearing to consider amendments to multiple sections of the City's Development Code, including changes to subdivisions review procedures, subdivision requirements and standards, the powers and duties of Planning Commission and staff, and the creation of a new administrative board.

Mr. Patterson explained that the proposed code changes updated how the city processed subdivisions based on the new state law. He said it also updated city standards. Mr. Patterson summarized the proposed changes including renumbered, renamed, and cleaned up duplicate items. It also changed the planning commission powers and duties. He explained that the new code created the Development Administration Board (DAB) that determined final plat approval for minor subdivisions. He explained the new state law process and mentioned that city application forms would also be updated to reflect the new process. He explained that the city had up to 15 business days to review a preliminary plat and 20 business days to review a final plat for single family, two-family, and townhome subdivisions.

Commissioner Abbott asked how the application was determined complete. Mr. Patterson explained that city staff would review applications as quickly as possible; hopefully within three to five business days. If the application was not complete, a written response would be sent to the applicant listing items still needed. If a complete application was submitted, the 15 days started the date it was submitted.

Mr. Patterson explained that the review length for other types of plats and subdivision improvement plats for other subdivisions was defined in state code as "reasonable". After some discussion, the planning commission agreed to leave the wording as "reasonable" rather than defining a specific time limit. Commissioner Howden wondered what happened if the city requested changes or missed something that needed to be different. Mr.

Patterson talked about different scenarios and how the city and applicant had a responsibility to respond to comments in a timely manner.

Mr. Patterson said final plat reviews would go to DAB. He explained that he updated the development requirement expiration timeframes in order to make them more consistent. He said subdivision bonds increased to 120%, overall. He mentioned that the proposed amendment included a clarification that plat notes were covenants enforced by the city. He said he updated subdivision improvements to include current requirements for curb/gutter/sidewalk, roads, sewer, culinary, PI, drainage, streetlights, etc. He said the updated code changed the rear and side easements to be municipal easements instead of public utility easements (PUE's). Mr. Spencer explained that many cities had completely gone away from side and rear PUE's, but he didn't think Highland was ready to entirely do away with them. In general, most of the side and rear PUE's were unused and he was trying to make it a little more expeditious for Highland to be the only entity to act in regard to PUE's.

Mr. Patterson explained that the driveway standards and ditch requirements were updated. He talked about changes to the street chart and standards. Mr. Spencer said the chart regarding cul-de-sacs wasn't very clear and asked the planning commission if they were okay with it being removed. A new cul-de-sac section could be added with drawings. The commissioners discussed the usefulness of the chart and a low-impact street definition.

Mr. Spencer discussed cul-de-sacs and if the city wanted to limit fill. He said there weren't really regulations regarding fill and cul-de-sacs. He explained that each resident need to hold water on their own lot; can't increase the flow onto someone else's yard. He said they had to drain outward from the bulb to the road. He said staff could propose a limit but wondered if the commissioners had an opinion about a maximum fill height for cul-de-sacs. The commission discussed different options regarding fill heights. They discussed effects of natural grade, curb, and finish grade. Commissioner Abbott thought "alternate public owned drainage path" was needed at a minimum. Commissioner agreed. They talked about the option of establishing a limit of four feet then requiring legislative approval if higher. Commissioner Maughan didn't like having options for higher fill allowances without specific approval.

Vice Chair Christopher Howden opened the public hearing at 8:24 PM and asked for public comment. Hearing none, he closed the public hearing at 8:24 PM and asked for additional comment.

The commissioners had additional discussion regarding the cul-de-sac standards and fill heights. They discussed fill heights of two to five feet, walkout basements, how it depended on the property, and how it might affect neighbors.

Commissioner Trent Thayn MOVED that the Planning Commission recommend approval of the proposed amendments to the Highland City Development Code with the following changes:

- *Changes to the street chart, as recommended by staff*
- *Changes to cul-de-sac grading and drainage standards, as recommended by staff with a maximum fill of 4' feet*

Commissioner Christopher Howden SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>No</i>

Commissioner Audrey Moore
Commissioner Trent Thayn

Absent
Yes

The motion carried 5:1

4. PUBLIC HEARING: DESIGN CRITERIA FOR PUBLIC IMPROVEMENTS

UPDATE *Land Use (Administrative) Jay Baughman, Assistant City Administrator / Community Development Director*

The Planning Commission will hold a public hearing to consider updating the Highland City Design Criteria Manual and Standard Drawings, which consists of revised subdivision infrastructure improvement standards and specifications, including but not limited to standard road cross-sections, road alignment and connectivity requirements, and utility lines and facility standards.

Mr. Spencer explained that the changes brought city code in agreement with State law.

Commissioner Abbott talked about not being able to ride on an uneven street near the mayor's house. He said it was similar to reverse speed bumps and held water. Mr. Spencer talked about utility construction and testing utility laterals. He suggested that the city treat each lateral as a fresh trench which would require a test. He said it could be added to the code.

Vice Chair Christopher Howden opened the public hearing at 8:56 PM and asked for public comment. Hearing none, he closed the public hearing at 8:56 PM.

Commissioner Howden mentioned that he did not like current setbacks and would like to discuss them at a later time. He talked about setbacks that inadvertently ended up being 10 feet away from the property line.

Commissioner Jerry Abbott MOVED that the Planning Commission recommend approval of the proposed updates to the Highland City Design Criteria Manual and Standard Drawings with the following changes:

- A drawing be added to the standard drawings for cul-de-sacs indicating a maximum fill at the highest portion of cul-de-sacs be to 4 feet and providing for an alternate publicly owned drainage path in cases where maximum fill limits cul-de-sac placement.*
- All lateral trenches in roads be tested.*

Commissioner Brenda Maughan SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Jerry Abbott</i>	<i>Yes</i>
<i>Commissioner Tracy Hill</i>	<i>Yes</i>
<i>Commissioner Christopher Howden</i>	<i>Yes</i>
<i>Commissioner Claude Jones</i>	<i>Yes</i>
<i>Commissioner Debra Maughan</i>	<i>Yes</i>
<i>Commissioner Audrey Moore</i>	<i>Absent</i>
<i>Commissioner Trent Thayn</i>	<i>Yes</i>

The motion carried 6:0

ADJOURNMENT

Commissioner Christopher Howden MOVED to adjourn the meeting.

Commissioner Jerry Abbott SECONDED the motion.

All were in favor.

The meeting ended at 9:02 pm.



I, Stephanie Cottle, Highland City Recorder, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 19, 2023. The document constitutes the official minutes for the Highland City Planning Commission Meeting.

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Code Changes - Cleanup

- Removed many “deleted” or “reserved” sections and articles
- Consolidated several sections that overlapped
- Cleaned up numbering and internal references

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Code Changes - Organizations

- Planning Commission
 - No Council members
 - Alternates serve 1 year terms (mayor – probationary period)
 - Duties/Powers adjusted to allow final decisions on Pre-Plat
- Development Administration Board (DAB)
 - City Engineer, Development Director, Attorney, 2 PC members]
 - Decides Final Plats (minor and major subdivision)

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Code Changes – Open Space Subdivisions

- Open Space Density Bonus zoning, Parkland Density Bonus zoning, and Open Space Subdivision process are marked as “legacy” ordinances
- No new subdivisions/zoning can be applied with these bonuses

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Code Changes – Minor Subdivisions

- Correlated process to conform to new final plat process
- No preliminary plat required (same)
- Minor subdivision is for 2 or fewer lots (down from 3)
- Minor subdivision cannot include road or utility main extensions, though subdivision improvements are still required (half street improvements, utility stubs, etc.)

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Code Changes –Subdivision Review Process

- Pre-Application (Concept)
 - Not mandatory (per state)
 - Staff gives checklists, standards, and forms
 - No vesting of rights/entitlements
- Application form requirements and standards updated and clarified

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Code Changes –Subdivision Review Process

- Application Submission
 - Zoning administrator reviews for completeness
 - “Complete” means has everything on application form/checklist and can be reviewed for compliance with City regulations
 - “Complete” does not mean perfect or that no revisions are required
 - Complete application vests rights and triggers review cycle

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Code Changes –Subdivision Review Process

- Review Cycles
 - Submission of complete application/review response
 - City reviews and issues comments
 - If city fails to comment/correct item, correction is waived unless \health/safety or correction is due to applicant changes
 - 15 business days pre-plat, 20 final plat, 25 other
 - City has additional time if applicant is slow in response
 - Applicant submits complete review response

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Code Changes – Subdivision Decision

- After fourth or final review cycle, item is decided
- Preliminary plats – Planning Commission
- Final Plats (major or minor) – DAB
- Appeals to appeal authority

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Code Change – Development Requirements

- Approval expiration clarification
 - 1/5 years for preliminary plat (5 years for phased)
 - 1 year to record final plat (complete improvements or bond)
 - Extensions granted by DAB
- Subdivision bonds increased to 120%
 - (100% of cost + 10% admin fee) + 10% warranty
- Plat notes are clarified as covenants enforced by City

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Code Change – Development Standards

- Updated code on subdivision improvements to clearly include current requirements for curb/gutter/sidewalk, roads, sewer, culinary, PI, drainage, streetlights, etc.
- Municipal easements required instead of PUEs on side/rear of lots
- Driveway standards (spacing, number, prohibited roads)
- Ditch requirements, and ditch owner approval, clarified
- Blocks limited to 1320 (2x 660 ft blocks)

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Discussion Points

- Street Chart Update (new 5-5-105(1))

Minimum Requirements	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Street	Cul-de Sac
Rights-of-way Width	100 ft.	90 ft.	74 ft.	66 ft.	56 ft.	56 ft.
Pavement	62 ft.	62 ft.	58 ft.	44 ft.	32 ft.	30 ft. * 2x30 ft. alternate curb options
- Staff recommends removing cul-de-sac column, adding low-impact residential street (32 ft. asphalt), and splitting major collector into 2 (52 ft. asphalt or 60 ft asphalt with turn lanes)

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Discussion Points

- Cul-de-sacs
 - Current standards require cul-de-sacs to drain to street. This sometimes requires cul-de-sacs to be lifted/filled to meet grading
- Staff proposal
 - Max fill depth (Planning Commission recommendation)
 - For cul-de-sacs that cannot meet standard drainage requirements due to fill limitation, developer must provide public drainage conveyance from cul-de-sac

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Other Questions or Suggestions?

- Public Hearing

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Motion to Recommend

- I move that the Planning Commission recommend approval of the proposed amendments to the Highland City Development Code with the following changes:
 - Changes to the street chart, as recommended by staff
 - Changes to cul-de-sac grading and drainage standards, as recommended by staff with a maximum fill of [] feet
 - Additional changes?

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PUBLIC HEARING: DESIGN CRITERIA FOR PUBLIC IMPROVEMENTS UPDATE

Item 4 – Action Item
Presented by – Andy Spencer, City Engineer

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Timeline and Goals

- Timelines
 - Planning Commission Recommendation: December 19, 2023
 - City Council decision: January 16, 2024
- Ready to implement concurrent with Development Code update : February 1, 2024

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Planning Commission Review

- Ensure concurrence with State law.
- Opportunity for public input in standards development process.
- Planning Commission perspective and experience is extremely valuable.

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Why are updates necessary?

- Published review checklists.
- Review comments must be in harmony with code and adopted standards.
- Periodic review of standards is a good practice.

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Motion to Recommend

- I move that the Planning Commission recommend approval of the proposed updates to the Highland City Design Criteria Manual and Standard Drawings with the following changes:
 - A drawing be added to the standard drawings for cul-de-sacs indicating a maximum fill at the highest portion of cul-de-sacs be to _____ feet and providing for an alternate publicly owned drainage path in cases where maximum fill limits cul-de-sac placement.
 - Additional changes?

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PLANNING COMMISSION AND
STAFF COMMUNICATION ITEMS

a. Future Meetings

- January 16, City Council, 7:00 pm, City Hall
- January 23, Planning Commission, 7:00 pm, City Hall

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