

1                   **Highland City Planning Commission**  
2                                   **January 15, 2008**

3  
4   **Present:**

5   Commissioner: Jennifer Tucker  
6   Commissioner: Brent Wallace  
7   Commissioner: Elizabeth Macfarlane  
8   Commissioner: Roger Dixon  
9   Commissioner: Jerry Gorrell

10  
11   City Administrator: Barry Edwards  
12   City Planner: Lonnie Crowell  
13   City Engineer: Matt Shipp  
14   City Planner: Carly LeDuc  
15   Secretary: Dawn Corrigan

16  
17   Meeting convened at 7:00 p.m.  
18   Prayer given by: Brent Wallace  
19   Pledge given by: Jerry Gorrell

20  
21  
22   **Visitors: Ken Berg, Scott Bishop, Jason Burningham, Matt Carter,**  
23   **Mitch Carter, Christie Dalley, Mike Lasky, Larry Mendenhall, Ross**  
24   **Mitchell, Josh Morrison, Mitch Mortensen, Bryce Nielson, Josh**  
25   **Ostler, Josh Roberts, Tanner Smith, Ross Welch.**

26  
27  
28   **Item 1:       Appointment of Interim Planning Chair**

29  
30   Jennifer Tucker said staff indicated the commission could proceed with her  
31   acting as Pro Tem Chair, or they could vote. The commission agreed by  
32   acclamation to proceed with Commission Tucker acting as Pro Tem Chair.

33  
34  
35   **Item 2:       Highland City Town Center Business Park Amended Plat ~**  
36   **Public Hearing & Final Application**

37  
38   Lonnie Crowell explained that at the previous meeting, the commission discussed  
39   a possible code amendment concerning lot line adjustments. That code  
40   amendment is in process, but staff wanted to move some of the applications  
41   forward in case City Council doesn't adopt the new ordinance. This application is  
42   a simple lot line adjustment for the new City Hall and Public Safety Building.

43  
44   Jerry Gorrell asked if a street is being moved. Lonnie Crowell said some of the  
45   road was not included on the previous plat. The road is not so much being moved

1 as added to. He explained that one lot is being amended to make it bigger. No  
2 new lot is being created. Brent Wallace asked why the plat amendment wasn't  
3 started before the buildings. Lonnie Crowell said Planning and Engineering staff  
4 started working on a lot line adjustment in late 2006/early 2007 with Utah  
5 County.

6  
7 Roger Dixon asked why this process will help the County. Lonnie Crowell said the  
8 County requires an approved plat amendment before they'll record it.

9  
10 Jennifer Tucker opened the public hearing.

11  
12 There were no comments from the public.

13  
14 Jennifer Tucker closed the public hearing.

15  
16 **Motion by Elizabeth Macfarlane, Planning Commission to**  
17 **recommend that City Council grant final approval of the Highland**  
18 **Town Center Business Park amended plat as recommended by staff**  
19 **and the Planning Commission.**

20  
21 **Seconded by Brent Wallace.**

22 **Unanimous vote, amendment carried.**

23  
24  
25 **Item 3: Highland Hills Amended Plat C ~ Public Hearing & Final**  
26 **Recommendation**

27  
28 Lonnie Crowell explained that this item is similar to item 2. Staff has been  
29 working on this application for 3 or 4 months. Due to the terrain, the applicant  
30 had to build a wall to hold up the homes at the location where the trail was  
31 previously configured. The applicant hadn't foreseen that necessity. Alpine  
32 Homes has been agreeable in working with staff to produce the plat and to swap  
33 open space so the city gets its trail.

34  
35 Jennifer Tucker asked if the trail matches up. Mr. Crowell said it's close.  
36 Pedestrians will need to walk down the sidewalk to reach the next section. He  
37 added that right now it would be impossible to build a trail that matched up  
38 perfectly.

39  
40 Jerry Gorrell asked if it's the case that the trail is on the south on both the east  
41 and west side. Lonnie Crowell said yes. Roger Dixon said to clarify, we're shifting  
42 everything to the south. Mr. Crowell said yes.

43  
44 Brent Wallace asked why the County is so slow on these applications. Lonnie  
45 Crowell said he thinks it's because they added some language to the statute, and  
46 it's created a lot of confusion.

1 Elizabeth Macfarlane asked about naming conventions for plats, noting that the  
2 agenda item said Plat C but it's labeled Plat D. Lonnie Crowell said you have to  
3 give it a new name, so that's why it's Plat D. The convention is to take the next  
4 available letter for the amended plat.

5  
6 Jennifer Tucker opened the public hearing.

7  
8 There was no comment from the public.

9  
10 Jennifer Tucker closed the public hearing.

11  
12 **Motion by Roger Dixon, Planning Commission to recommend that**  
13 **City Council approve Highland Hills Plat D as per the**  
14 **recommendations of staff.**

15  
16 **Seconded by Elizabeth Macfarlane.**  
17 **Unanimous vote, motion carried.**

18  
19  
20 **Item 4: Katelyn's Cove Subdivision ~ Final Recommendation**

21  
22 Carly LeDuc explained that BP Developers is requesting final approval for the  
23 Katelyn's Cove subdivision. The proposal meets all requirements. The  
24 commissioners might look at recommendation 4, to look at reconfiguring the lots  
25 to make lot 1 larger, which they suggested previously.

26  
27 Jennifer Tucker asked Scott Bishop about that issue. He said he told the engineer  
28 to switch them. The engineer wanted Scott to ask the commission whether this is  
29 a requirement or a suggestion. If he switches them he'll have to adjust the  
30 property lines all the way down, so he would prefer not to do it. But if it's a  
31 requirement, he will.

32  
33 Brent Wallace said during the previous discussion the commissioners determined  
34 it was illogical for lot 1 to be smallest lot. They listed the proposed change as a  
35 recommendation, which is stronger than a suggestion. He thinks the change  
36 should be made, for safety and for salability. Roger Dixon agreed. Elizabeth  
37 Macfarlane said another reason for the change is so they don't have to take a  
38 home out when the road is widened.

39  
40 Brent Wallace asked why all the lot lines would have to be moved. Scott Bishop  
41 said because of frontage. Elizabeth Macfarlane asked about combining lots 1 and  
42 2. Scott Bishop said that was a possibility. Jennifer Tucker said if Westfield Road  
43 is widened, we might end up with a nonconforming lot. Having a buffer would  
44 help.

45  
46 **Motion by Brent Wallace, Planning Commission to recommend that**  
47 **City Council grant final approval of the Katelyn's Cove subdivision as**

1 per the recommendations of staff and the Planning Commission,  
2 specifically noting that item 4 is a requirement, not just a  
3 recommendation. The recommendations/requirements are as  
4 follows:

5 **1. That a DEED RESTRICTION be placed on lots 5, 6, and 7 and a note**  
6 **be added to the final plat stating the following: “Notice is hereby given**  
7 **that the purchaser/ owner of lots 5, 6, and 7 shall be required to use a**  
8 **TEMPORARY sewer septic system approved by the city engineer and**  
9 **shall be required to connect to the main sewer trunk line as soon as it**  
10 **becomes operational if development occurs to the south even in such**  
11 **case that a grinder pump is used”; and**

12 **2. That the DEVELOPER shall be responsible to install all of the**  
13 **improvements with this development to the south property line so**  
14 **these improvements may be connected if and when development to**  
15 **the south occurs; and**

16 **3. That the applicant include a note on the Final Plat stating “Property**  
17 **owners adjacent to this subdivision have existing large animal rights**  
18 **which may include horses, cows and goats. These rights are protected**  
19 **by both the Municipal and Development Codes of Highland City.**  
20 **There are noises, smells and other events associated with these**  
21 **animals that can occur all hours throughout the day and night, and**  
22 **prospective buyers of property in this subdivision should be aware of**  
23 **this prior to purchasing property”; and**

24 **4. That lots 1 & 2 be re-configured to allow lot 1 to have additional**  
25 **square footage which will be taken from lot 2. This will allow the**  
26 **home on lot 1 to be further away from the minor collector road to the**  
27 **north; and**

28 **5. That the applicant strictly adhere to the Dust and Mud Prevention**  
29 **Plan; and**

30 **6. That any easements shown on the title report should be clearly**  
31 **identified on the Final Plat; and**

32 **7. That the applicant obtain from the City a demolition permit for any**  
33 **buildings to be removed; and**

34 **8. That the applicant complete the requirements for the final plat as**  
35 **per the checklist (i.e., include address on lot, etc.) prior to submitting**  
36 **for Final Approval from the City Council.**

37  
38 **Seconded by Elizabeth Macfarlane.**  
39 **Unanimous vote, amendment carried.**

40  
41  
42 **Item 5: Summercreek Subdivision ~ Final Recommendation**

43  
44 Carly LeDuc explained that Stan Raass is requesting final approval of the  
45 Summercreek subdivision, which meets all requirements of the zone.

1 Jerry Gorrell said the only concern he remembered was the 4-way stop. Lonnie  
2 Crowell said Planning Commission could recommend that, but they would want  
3 to use language that says “if it warrants a Stop sign.” He explained that City  
4 Council would be the final decision maker about the Stop sign.

5  
6 Jerry Gorrell asked if the recommendation should be separate from the  
7 subdivision. Lonnie Crowell said it would be tied to the subdivision. Roger Dixon  
8 asked if residents could petition for a Stop sign. Lonnie Crowell said they could,  
9 but Matt Shipp would still have to do a study. Roger Dixon said it sounded like it  
10 would be superfluous for Planning Commission to make this recommendation.  
11 Lonnie Crowell said the Planning Commission could force the issue by putting it  
12 in the motion and making staff do the study now.

13  
14 Barry Edwards said it’s not going to warrant the sign until the subdivision’s in.  
15 You have to wait until the subdivision is built. You don’t guess what traffic will be.  
16 Brent Wallace asked if that meant the commission shouldn’t put the  
17 recommendation in its motion. Barry Edwards said the commission could  
18 mention it.

19  
20 Jerry Gorrell said the commission should provide direction. Barry Edwards  
21 suggested the commission could say it recommends that City Council do a  
22 warrant study once the subdivision is built. Roger Dixon said since citizens came  
23 and asked about it, the commission could mention it. Matt Shipp agreed the  
24 commission could do so, and said the citizens can also petition City Council  
25 directly once the subdivision is in place.

26  
27 Brent Wallace asked if the applicant had researched the buildable area on lots 10  
28 and 11. Barry Edwards said research confirmed what staff had thought, namely  
29 that the easement isn’t on the lots. At least 15 feet must be maintained between  
30 the structure and the power lines. Jennifer Tucker asked the applicant to  
31 comment on the issue. He said after hearing about the 15 feet stipulation, they  
32 feel there’s adequate space.

33  
34 **Motion by Jerry Gorrell, Planning Commission to recommend that**  
35 **City Council grant final approval of the Summercreek subdivision as**  
36 **per the recommendations of staff and, due to the finding of fact that**  
37 **all the traffic will be exiting on Jonathan Drive, with the additional**  
38 **recommendation that City Council conduct a warrant study at the**  
39 **appropriate time to consider a 4-way stop. The recommendations are**  
40 **as follows:**

- 41 **1. That the ditch on the east end of the subdivision be abandoned by**  
42 **property owner; and**  
43 **2. That the existing telephone power line is located on the property**  
44 **and is not within the designated transmission line easement as**  
45 **recorded in the Utah County records. This issue needs to be identified**  
46 **in regards to the buildable area and property rights concerning lots 9,**  
47 **10, and 11; and**

- 1 **3. That a four way stop be added at the intersection of Jonathan Dr.**
- 2 **and Sampson Dr.; and**
- 3 **4. That the applicant strictly adhere to the Dust and Mud Prevention**
- 4 **Plan; and**
- 5 **5. That any easements shown on the title report should be clearly**
- 6 **identified on the Final Plat; and**
- 7 **6. That the applicant obtain from the City a demolition permit for any**
- 8 **buildings to be removed; and**
- 9 **7. That the applicant complete the requirements for the final plat as**
- 10 **per the checklist (i.e., include address on lot, etc.) prior to submitting**
- 11 **for Final Approval form the City Council; and**
- 12 **8. That City Council conduct a warrant study at the appropriate time**
- 13 **to consider a 4-way stop, as per item 3 above.**

14  
15 **Seconded by Roger Dixon.**  
16 **Unanimous vote, amendment carried.**

17  
18  
19 **Item 6: Sunset Mountain Plat C ~ Final Recommendation**

20  
21 Carly LeDuc explained that the applicant is requesting final approval for a 1-lot  
22 subdivision. It's in the PO Zone and meets all requirements.

23  
24 Brent Wallace asked if this is the second office building. Lonnie Crowell and the  
25 applicant said yes. Ross Welch also said they are ready to apply for a Building  
26 Permit once the plat is recorded.

27  
28 Lonnie Crowell said the application follows the master plan that was approved a  
29 few years ago for the PO Zone. They are probably three more applications after  
30 this, then possibly the senior housing project.

31  
32 Jerry Gorrell asked why the applicant is only submitting one lot at a time. Lonnie  
33 Crowell said they're probably just submitting plans as they have tenants for the  
34 buildings.

35  
36 **Motion by Elizabeth Macfarlane, Planning Commission to**  
37 **recommend that City Council grant final approval of Sunset Mountain**  
38 **Plat C as per the recommendations of staff, as follows:**

- 39 **1. That the applicant continue the trail easement from the earlier**
- 40 **phase onto Plat C; and**
- 41 **2. That the plan be updated to recognize State Road 92 which has been**
- 42 **misidentified as Alpine Highway; and**
- 43 **3. That the applicant provide documentation verifying that Plat C is**
- 44 **consistent with the Sunset Mountain Properties Site Plan allowing the**
- 45 **35% open space required for the entire Subdivision; and**
- 46 **4. That the applicant complete all required improvements along**
- 47 **Highland Boulevard; and**

- 1 **5. That notes from the Development Agreement are in place for the**  
2 **entire subdivision and any conditions noted in that agreement should**  
3 **be included on the plat; and**  
4 **6. That the applicant provide a minimum of 35% of landscaping as**  
5 **required for the PO Zone per ordinance; and**  
6 **7. That the applicant strictly adhere to the Dust and Mud Prevention**  
7 **Plan; and**  
8 **8. That any easements shown on the title report should be clearly**  
9 **identified on the Final Plat; and**  
10 **9. That the applicant obtain from the City a demolition permit for any**  
11 **buildings to be removed; and**  
12 **10. That the applicant complete the requirements for the final plat as**  
13 **per the checklist (i.e., include address on lot, etc.) prior to submitting**  
14 **for Final Approval form the City Council.**

15  
16 **Seconded by Roger Dixon.**  
17 **Unanimous vote, amendment carried.**

18  
19  
20 **Item 7: Sunset Mountain Plat D Subdivision ~ Public Hearing &**  
21 **Preliminary Approval Request**

22  
23 Carly LeDuc explained that this is Plat D of Sunset Mountain. The applicant is  
24 seeking preliminary approval. The application meets all requirements.

25  
26 Brent Wallace asked Lonnie Crowell to explain the Development Agreement  
27 that's referred to in item 3 of the staff report. Mr. Crowell explained that this  
28 property was annexed years ago. As part of the annexation there was a  
29 Development Agreement that spelled out what the applicant is allowed to have. It  
30 included the Ivory subdivision as well. He said it guarantees to the applicant what  
31 they can do.

32  
33 Brent Wallace asked if the Development Agreement grandfathers in the original  
34 proposal. Lonnie Crowell said yes. He added that staff does have one concern.  
35 The whole project is comprised of several subdivisions. There's a small parcel  
36 that hasn't been included in any of the plats yet. Staff's concern is that this parcel  
37 will be left as a remnant. Highland's ordinances don't permit this. Therefore staff  
38 wants the applicant to be aware that the parcel should be included with a future  
39 plat. Lonnie Crowell showed the location of the parcel in question on the site  
40 plan.

41  
42 Jennifer Tucker asked if it would make sense to include the parcel with Plat D.  
43 Lonnie Crowell said yes, to staff it would make sense to include it now. However,  
44 he added the city can't make the applicant include it with this plat. The city can  
45 only remind the applicant that it must be included at some point, and suggest it  
46 makes sense to do so now.

1 Jennifer Tucker asked if the development included land on the other side of the  
2 Boulevard. Lonnie Crowell said yes. He showed that part of the development on  
3 the site plan.

4  
5 Brent Wallace asked if the piece has scrub oak. Lonnie Crowell said 35% of the  
6 project is required to be open space. What will be included there is up to City  
7 Council. Jerry Gorrell asked if the open space has to be landscaping. Lonnie  
8 Crowell said landscaping is attached to the site plans for the buildings, but the  
9 open space donation is separate from that.

10  
11 Roger Dixon asked what's easier for the developer. Barry Edwards said staff is  
12 telling the developer he has a choice. He can include the parcel with this phase or  
13 the next one. Jennifer Tucker asked the applicant if the intent was to include the  
14 parcel with the next phase. Ken Berg, the applicant's engineer, had arrived. He  
15 said the parcel in question is included with Plat D. So, there's no issue.

16  
17 Ken Berg said they recognized they hadn't included the stub portion and the open  
18 space, so they included it. Their goal is to stay above the 35% open space  
19 requirement as phases come in. Brent Wallace asked if any special verbiage  
20 needed to be included. Lonnie Crowell said no.

21  
22 Jerry Gorrell asked about item 1 of the staff recommendations, noting it was  
23 listed on the previous item as well. Lonnie Crowell said they've asked the  
24 applicant for a current listing of the open space in the project. If Planning  
25 Commission isn't worried, then staff isn't. Jennifer Tucker asked if the open  
26 space is measured per plat. Lonnie Crowell said it's 35% overall for the whole  
27 development.

28  
29 Jennifer Tucker opened the public hearing.

30  
31 There was no comment from the public.

32  
33 Jennifer Tucker closed the public hearing.

34  
35 **Motion by Roger Dixon, Planning Commission to grant preliminary**  
36 **approval of Plat D of the Sunset Mountain Subdivision, as per the**  
37 **following recommendations of staff:**

38 **1. That the applicant provide documentation verifying that Plat D is**  
39 **consistent with the Sunset Mountain Properties Site Plan allowing the**  
40 **35% open space required for the entire Subdivision; and**

41 **2. That the applicant complete all required improvements along**  
42 **Highland Boulevard; and**

43 **3. That notes from the Development Agreement are in place for the**  
44 **entire subdivision and any conditions noted in that agreement should**  
45 **be included on the plat; and**

46 **4. That the applicant provide a minimum of 35% of landscaping as**  
47 **required for the PO Zone per ordinance; and**

- 1 **5. That the 8' trail location be shown on the plan; and**
- 2 **6. That the applicant strictly adhere to the Dust and Mud Prevention**
- 3 **Plan; and**
- 4 **7. That any easements shown on the title report should be clearly**
- 5 **identified on the Final Plat; and**
- 6 **8. That the applicant obtain from the City a demolition permit for any**
- 7 **buildings to be removed; and**
- 8 **9. That the applicant will need to complete the remaining**
- 9 **requirements for the Final Plan per any Planning Commission**
- 10 **requirements and per the checklist prior to submitting for Final**
- 11 **Approval from the Planning Commission.**

12  
13 **Seconded by Elizabeth Macfarlane.**  
14 **Unanimous vote, amendment carried.**

15  
16 Brent Wallace asked Patterson how the assisted living project is coming along.  
17 Ross Welch said they're working with architects on some renderings and doing  
18 market studies. They're also waiting for final approval of the ordinance change.  
19 Lonnie Crowell said the applicant is producing a draft of the rewrite of the  
20 ordinance for him to look at. City Council said there isn't text in the PO Zone that  
21 would allow the use, though they put it in the General Plan.

22  
23  
24 **Item 8: Sunset Mountain Properties Office Building 3 ~**  
25 **Conditional Use Permit Application ~Public Hearing &**  
26 **Recommendation**

27  
28 Jennifer Tucker summarized the issue and asked staff to comment.

29  
30 Lonnie Crowell said discussions with Dan Van Woerkom suggested the  
31 architecture might be different for this building. If it will be different from what  
32 was approved, it will need to be reviewed.

33  
34 Ken Berg said it will be similar, but they would like the color scheme to be  
35 different to differentiate it from Building 2. Jennifer Tucker asked if the  
36 commission needs to worry about colors. Lonnie Crowell said the commissioners  
37 can choose. They can specify they'd like to see the colors, or would like City  
38 Council to see them, or they can make a condition that Lonnie will have to  
39 approve them. Jennifer Tucker said the two buildings should complement each  
40 other. The applicant agreed.

41  
42 Lonnie Crowell said if the plans come in and they are entirely different, staff will  
43 make sure the application appears again before the commission or City Council.

44  
45 Brent Wallace asked if the parking is adequate, and how that's determined.  
46 Lonnie Crowell said it's based on square footage. He said in this case the parking  
47 needs were determined by the developer. Staff is okay with less parking.

1  
2 Brent Wallace asked what if people have to park on the street. Barry Edwards  
3 said in retail centers, no one parks beyond the oil spots except at the holidays, so  
4 there's empty asphalt the rest of the time. Given the uses in the PO Zone, this  
5 parking should be adequate, except maybe for a big meeting once or twice a year.

6  
7 Jennifer Tucker opened the public hearing.

8  
9 There was no comment from the public.

10  
11 Jennifer Tucker closed the public hearing.

12  
13 Elizabeth Macfarlane said the building looks great.

14  
15 Jerry Gorrell said if all three buildings are the same size, that's 18,000 square feet  
16 total. Therefore there should be 72 parking spaces. He asked the applicant if  
17 they're close to that. They weren't sure. Lonnie Crowell counted and said there  
18 are 79 spaces.

19  
20 **Motion by Brent Wallace, Planning Commission to recommend that**  
21 **City Council grant the Conditional Use Permit for Office Building 3 of**  
22 **Sunset Mountain Properties, to include all recommendations of staff.**

23  
24 **Seconded by Elizabeth Macfarlane.**

25  
26 Roger Dixon raised the issue of ensuring the colors are harmonious. Jerry Gorrell  
27 said if you look at the recommendations, they include that. Roger Dixon said it  
28 doesn't address the issue of harmony. Barry Edwards suggested having the  
29 applicant bring the color board back. Roger Dixon thought that wasn't necessary.  
30 Brent Wallace suggested the applicant wouldn't put in a building that would  
31 degrade the look of the existing building.

32  
33 Jennifer Tucker asked if they could leave it up to Lonnie Crowell's discretion.

34  
35 **Motion by Roger Dixon, Planning Commission to amend the original**  
36 **motion to state that Mr. Crowell will be the gatekeeper to assure**  
37 **harmony.**

38  
39 **Seconded by Elizabeth Macfarlane.**

40  
41 **Unanimous vote, amendment carried.**

42  
43 **Unanimous vote, amended motion carried, Planning Commission to**  
44 **recommend that City Council grant the Conditional Use Permit for**  
45 **Office Building 3 of Sunset Mountain Properties, to include all**  
46 **recommendations of staff and the Planning Commission, as follows:**

- 1 **1. That the applicant provide architectural elevations of all four sides**
- 2 **of the proposed building; and**
- 3 **2. That the applicant continue the trail easement from the earlier**
- 4 **phase on this plat; and**
- 5 **3. That the architectural design of Building 3 be acceptable to**
- 6 **Planning Commissions standards consistent with the approved**
- 7 **elevations attached to this ordinance when adopted (see attached);**
- 8 **4. That the applicant provide a lighting plan consistent with the**
- 9 **previously approved lighting requirements for the office buildings**
- 10 **within the P.O. Zone; and**
- 11 **5. That lighting be designed to be directed away from adjacent**
- 12 **residential property and toward the ground and to be similar to**
- 13 **lighting approved for Plat A, Office Building 1 and Plat C, Office**
- 14 **Building 2. Parking lot lighting may consist of bollard lights no more**
- 15 **than 4 feet in height. Parking lot lighting shall not be operable**
- 16 **between the hours of 11:00 p.m. and 6:00 am; and**
- 17 **6. That the applicant provide a minimum of 35% of landscaping as**
- 18 **required for the PO Zone per ordinance; and**
- 19 **7. That the applicant provide a landscaping plan specific to this site**
- 20 **plan; and**
- 21 **8. That a minimum of five (5) feet of landscaping from the right-of-**
- 22 **way be provided along Highland Boulevard per Section 3-4911(9) of**
- 23 **the Highland City Development Code; and**
- 24 **9. That hours of operation between 12:00 a.m. and 6:00 a.m. be**
- 25 **limited to emergencies; and**
- 26 **10. In such case a monument sign is put in, the sign must adhere to**
- 27 **the requirements of the sign ordinance; and**
- 28 **11. That the applicant provide parking stalls as typically required; and**
- 29 **Building Permit will not be finalized until all improvements for the**
- 30 **subdivision are complete; and**
- 31 **12. That construction plans and details are not approved with this site**
- 32 **plan process. The applicant will need to follow the process for**
- 33 **subdivision improvements through the public works department and**
- 34 **construction plans need to be approved by the City Engineer prior to**
- 35 **the acceptance of a building permit; and**
- 36 **13. That the Community Development Director, Lonnie Crowell, will**
- 37 **be the gatekeeper to assure harmony.**

38  
39  
40 **Item 9: Sections 5-2, 5-3, and 5-4, “Final Plan and Final Plat” and**

41 **“Expiration of Final Approval” ~ Code Amendments &**

42 **Recommendation**

43

44 Lonnie Crowell explained that Planning Commission discussed this previously. It

45 turned out to require more code changes than originally expected. The proposed

46 edits distinguish plan from plat and also add the requested language for Planning

47 Commission final recommendation.

1  
2 Brent Wallace asked how to distinguish a minor subdivision from a major  
3 subdivision. Lonnie Crowell explained it's already defined in the ordinances. A  
4 minor subdivision is defined as three lots or less with no public improvements  
5 required.

6  
7 Jennifer Tucker said the proposed code looks good and that she likes the  
8 language about geophysical conditions. Elizabeth Macfarlane agreed.

9  
10 Brent Wallace asked if Buhler Ranch got cleared out. Roger Dixon said no.  
11 Lonnie Crowell said they're almost done. They'll need to clean up before going to  
12 City Council. Barry Edwards said they're doing the Phase II Environmental Study  
13 right now.

14  
15 Jerry Gorrell said if an applicant requests extensions on all three approval phases  
16 it could be two years after preliminary approval before the subdivision is  
17 recorded. Barry Edwards and Lonnie Crowell agreed. Elizabeth Macfarlane said  
18 she thought that was reasonable.

19  
20 Brent Wallace said, to summarize the proposed code changes, if nothing has  
21 changed since an approval was granted, then granting an extension will be pretty  
22 automatic. But if something has changed, the application has to go back to the  
23 approval body. Staff agreed. Jennifer Tucker asked if there was any reason staff  
24 wouldn't want an application to receive a second 180 days. Lonnie Crowell said  
25 no.

26  
27 Roger Dixon said the word plat does appear a number of times. Lonnie Crowell  
28 explained that when it reaches City Council it is a plat.

29  
30 **Motion by Jerry Gorrell, Planning Commission to recommend City**  
31 **Council approve a code amendment to sections 5-2, 5-3 and 5-4 as**  
32 **submitted by staff and the Planning Commission.**

33  
34 **Seconded by Brent Wallace and Elizabeth Macfarlane.**  
35 **Unanimous vote, motion carried.**

36  
37  
38 **Item 10: Approval of Meeting Minutes for December 11, 2007**  
39

40 Jerry Gorrell asked staff for information about any ordinances pertaining to  
41 individuals who stand on the streets holding signs for subdivisions. Barry  
42 Edwards said only time, place and manner regulations would apply. Otherwise,  
43 because it's not a fixed sign, trying to regulate it would be like trying to regulate  
44 what a person can wear on his shirt. Jerry Gorrell said he thinks the activity  
45 constitutes a traffic hazard.

1 **Motion by Roger Dixon, Planning Commission to approve the Meeting**  
2 **Minutes for December 11, 2007, as amended.**

3  
4 **Seconded by Elizabeth Macfarlane.**  
5 **Unanimous vote, motion carried.**

6  
7  
8 Meeting adjourned at 8:21 p.m.