

1 **Highland City Planning Commission**
2 **July 10, 2007**

3
4 **Present:**

5 Commissioner: Larry Mendenhall
6 Commissioner: Jennifer Tucker
7 Commissioner: Brian Braithwaite
8 Commissioner: Brent Wallace
9 Commissioner: Roger Dixon

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

16
17 Excused: Elizabeth Macfarlane, Jerry Gorrell

18
19 Meeting convened at 7:04 pm
20 Pledge given by: Jacob Butters
21 Prayer given by: Jennifer Tucker

22
23
24 **Visitors: Christie Dalley, Christena Hoyal, Steve Hoyal, Donna**
25 **Kitchen, Weldon Kitchen, Michael Raymond, Dan Van Woerkom.**

26
27
28 **Item 1: Day's Meadows Plat C ~ Public Hearing & Preliminary**
29 **Subdivision Approval Request**

30
31 Larry Mendenhall said the first item would involve a public hearing and asked
32 Carly LeDuc to summarize.

33
34 Carly LeDuc explained this is a 2-lot subdivision forming Plat C of the Day's
35 Meadows subdivision. Density is measured for the entire subdivision, not just for
36 this plat. Previously, Commissioner Dixon had asked whether the church was
37 included in the density calculations, so staff did the calculations both ways, with
38 and without the church. Either way, the subdivision meets the ordinance.

39
40 Larry Mendenhall invited the commissioners and the applicants to speak, but
41 they had no comments.

42
43 Larry Mendenhall opened the public hearing.

44
45 There were no comments from the public.

1
2 Larry Mendenhall closed the public hearing.

3
4 **Motion by Roger Dixon, Planning Commission to recommend**
5 **preliminary approval of the Day's Meadows Plat C subdivision,**
6 **subject to all conditions and recommendations of staff and the**
7 **Planning Commission.**

8
9 **Seconded by Brent Wallace.**
10 **Unanimous vote, motion passed.**

11
12
13 **Item 2: LDS Church ~ Day's Meadows Plat A ~Conditional Use**
14 **Permit ~ Final Recommendation**

15
16 Larry Mendenhall invited Carly LeDuc to speak about this item.

17
18 Carly LeDuc explained that the LDS Church is requesting approval for a
19 Conditional Use Permit for Day's Meadows Plat A, Lot 2. On the current proposal
20 the applicant has met the previous recommendation regarding the 20-foot trail
21 easement. One item the commission might want to discuss is additional
22 landscaping around the dumpster, which wasn't on the landscape plan. Setting
23 such a requirement would be consistent with similar Conditional Use Permits
24 that have been granted.

25
26 Mike Raymond said the applicant will add the additional landscaping. He also
27 observed it was a recommendation from staff to add two additional parking stalls,
28 and said he's done so already on a revised plan, which he showed to the
29 commissioners.

30
31 Roger Dixon said he'd rather have 198 adequate parking spaces than 200 that
32 don't fit. Mike Raymond showed Commissioner Dixon the revised plan and he
33 was satisfied the applicant had met the staff recommendation without narrowing
34 the parking spaces. Larry Mendenhall mentioned that the additional parking
35 spaces are on the south end.

36
37 Brent Wallace noted that staff recommendations included the sentence, "If the
38 recorded easement does not work, a new easement will need to be granted to
39 allow the trail to connect across the street as it currently exists." He asked
40 whether staff knew yet whether the recorded easement will work. Lonnie Crowell
41 confirmed it does, and Barry Edwards added that the trail is being put in now and
42 will be complete this week. Brent Wallace suggested the sentence could therefore
43 be removed from the recommendations.

44
45 Jennifer Tucker said the fence needs to be more than chain link with slats, and
46 Mike Raymond said the new submittal shows solid vinyl. Larry Mendenhall

1 thanked him, and asked if the trash enclosure was moved outside the PUE. Mike
2 Raymond confirmed it was.

3
4 Larry Mendenhall asked whether the applicant had a letter from the irrigation
5 company about the ditch. Mike Raymond said he didn't yet, but that the ditch will
6 be piped. Steve Hoyal asked which ditch and Barry Edwards pointed out its
7 location on the aerial. Steve Hoyal said the ditch has already been piped, since it
8 was a condition of approval of the subdivision.

9
10 Lonnie Crowell said he'd like to have that confirmed, because during the approval
11 process Steve Hoyal said the ditch wasn't on the subdivision property. Steve
12 Hoyal said he piped it anyway. Larry Mendenhall asked if the gap was closed, and
13 Steve Hoyal said yes, they adjusted it back.

14
15 Larry Mendenhall asked if any of the ditch sits on the church property, or if it will
16 be 50/50, and Steve Hoyal confirmed it's on their property. Larry Mendenhall
17 asked staff whether a letter would still be required and Lonnie Crowell said if it's
18 piped, no, but if it's not piped, then yes. Steve Hoyal said the city already has
19 letters on file. Lonnie Crowell said it hadn't been made a requirement during
20 approval, so he wasn't sure there was a letter. Steve reiterated that there was.
21 Larry Mendenhall asked if Steve could provide another copy of the letter if
22 necessary and Steve said sure.

23
24 Larry Mendenhall asked Mike Raymond if he was familiar with the other staff
25 conditions. He said yes, and to his knowledge they'd complied with them.
26 Jennifer Tucker asked if the commission needed to do anything with lighting.
27 Mike Raymond said they plan to use standard parking lighting that will be
28 directional and boxed. Roger Dixon pointed out that there's also a height
29 restriction.

30
31 Brian Braithwaite asked Lonnie Crowell whether the recent City Council change
32 to hours of operation applies to all conditional use permits, or just to the ones for
33 businesses. Lonnie Crowell said just the ones for businesses. Commissioner
34 Braithwaite asked in that case why staff recommendations for this proposal use
35 the language "That hours of operation between 12:00 a.m. and 6:00 a.m. be
36 limited to emergencies." Lonnie Crowell explained that previously the city has
37 made the language for churches consistent with businesses, and asked if that
38 should be changed.

39
40 Brian Braithwaite said yes, his preference would be to change that sentence to say
41 "between 10:00 p.m. and 7:00 a.m.," 7 am being consistent with the requirement
42 for construction work. However, Brent Wallace said he thought 7 am would be
43 too restrictive for church activities, and Commissioners Dixon and Mendenhall
44 agreed. Brian Braithwaite said 10 pm to 6 am, then. He stressed that he didn't
45 want to restrict emergencies, just regular business hours, and asked Mike
46 Raymond if that would be an issue. Mike Raymond said no.

1 **Motion by Brent Wallace, Planning Commission to recommend that**
2 **City Council approve the Conditional Use Permit for an LDS Church at**
3 **6000 West 10700 North, as per the recommendations of staff and**
4 **with the following clarifications from Planning Commission: that the**
5 **sentence, “If the recorded easement does not work, a new easement**
6 **will need to be granted to allow the trail to connect across the street**
7 **as it currently exists” be eliminated from the recommendations; that**
8 **the fence be solid vinyl; and that the emergency only hours be defined**
9 **as 10:00 p.m. to 6:00 a.m.**

10
11 **Seconded by Brian Braithwaite.**
12 **Unanimous vote, motion carried.**

13
14
15 **Item 3: Sunset Mountain Properties Plat C ~ Public Hearing &**
16 **Preliminary Subdivision Approval Request**

17
18 Larry Mendenhall invited Carly LeDuc to summarize the issue. She explained
19 that Patterson Construction is requesting preliminary approval of a 1-lot
20 subdivision, and said an important requirement is that the applicant continue the
21 trail easement. Lonnie Crowell added that staff’s requirements are the same as
22 those for the previous two subdivisions in the PO Zone.

23
24 Roger Dixon asked for clarification on the trail easement and Ken Berg showed it
25 to Commissioners Dixon, Mendenhall and Wallace on the plat.

26
27 Brian Braithwaite asked if this building has the same setbacks as the one on Plat
28 A. Ken Berg said it does. Brian Braithwaite observed that the first building looks
29 closer than what the required setbacks call for. Ken Berg agreed, but said it meets
30 the setbacks.

31
32 Larry Mendenhall opened the public hearing.

33
34 There were no comments from the public.

35
36 Larry Mendenhall closed the public hearing.

37
38 Brent Wallace asked Ken Berg if the new building will take as long to complete as
39 the first one did and he said no.

40
41 **Motion by Brian Braithwaite, Planning Commission to grant**
42 **preliminary approval of the Sunset Mountain Plat C subdivision,**
43 **subject to the recommendations of staff and the Planning**
44 **Commission.**

45
46 **Seconded by Roger Dixon.**
47 **Unanimous vote, motion carried .**

1
2
3 **Item 4: Sunset Mountain Properties Office Building 2 ~**
4 **Conditional Use & Public Hearing**
5

6 Larry Mendenhall explained that this item is a request to build the second office
7 building at Sunset Mountain. He asked about the material on the exterior of the
8 first building and Ken Berg said it's Hardi Plank.
9

10 Lonnie Crowell said he was assured by Dan Van Woerkom that this time it will
11 look much more like the rendering that was approved.
12

13 Larry Mendenhall invited Carly LeDuc to speak about this issue. She apologized
14 to the commission, explaining that the Background notes on the agenda should
15 say this is a request for Preliminary Conditional Use Permit approval rather than
16 Preliminary Subdivision Approval. Lonnie Crowell added that normally at this
17 stage, Planning Commission reviews landscaping and lighting, but such materials
18 weren't submitted with the application. The commissioners might want to
19 instruct the applicant to do the same thing in regard to these issues as what was
20 approved for the first building, or they might ask the applicant to return with the
21 materials for review.
22

23 Brian Braithwaite said he'd like to change the recommendation regarding hours
24 of operation to say that the time frame of 10:00 pm to 7:00 am be limited to
25 emergencies, rather than 12:00 am to 6:00 am as written in the agenda. He asked
26 Ken Berg if the typical hours will be 8 am to 5 pm, and Ken said yes. Roger Dixon
27 asked about cleaning.
28

29 Barry Edwards clarified that the commission cannot limit what's in the ordinance
30 by conditional use. Brian Braithwaite said in that case he recommends the
31 ordinance be changed. Larry Mendenhall suggested the commission could
32 discuss that next. Brian Braithwaite said he'd like the hours of operation listed in
33 staff recommendations to list the actual hours of operation first, rather than just
34 defining the emergency-only hours. Larry Mendenhall said it should say the
35 hours of operation are between 6:00 am and 12:00 am, except for emergencies.
36

37 Larry Mendenhall opened the public hearing.
38

39 There were no comments from the public.
40

41 Larry Mendenhall closed the public hearing.
42

43 **Motion by Roger Dixon, Planning Commission to recommend that**
44 **City Council approve the conditional use permit for Sunset Mountain**
45 **Properties Office Building 2 as outlined by staff except that bullet**
46 **point 7 be changed to say the hours of operation are from 6:00 am to**
47 **12:00 am, except for emergencies.**

1
2 **Seconded by Brent Wallace.**

3
4 **Motion by Jennifer Tucker to amend the original motion to specify**
5 **that the applicant provide staff with lighting and landscaping plans**
6 **for this building consistent with Plat A Building 1, subject to approval**
7 **by staff.**

8
9 **Amendment seconded by Brian Braithwaite.**

10
11 **Unanimous vote, amendment passed.**

12
13 **Unanimous vote, amended motion passed.**

14
15
16 **Item 5: Patterson Senior Housing General Plan Land Use Map &**
17 **Zoning Map Amendment Application ~ Public Hearing & Discussion**

18
19 Larry Mendenhall asked Dan Van Woerkom to state his intention with this
20 request.

21
22 Dan Van Woerkom said the applicant plans for a senior housing center that will
23 include assisted living; independent living, which will feature larger units and
24 fewer services; and an enclosed Alzheimer's unit. He said they've been working
25 with the architects for several months and they have a plan they feel is
26 substantial, unique, and does a good job of meeting the needs of the three
27 separate communities under one roof.

28
29 Brent Wallace observed that on the site plan the building didn't appear to have
30 three separate wings, and asked how access will be regulated. Dan Van Woerkom
31 asked Lonnie Crowell if he had a floor plan and he said no. Barry Edwards
32 suggested they would have key codes with badges that allow entry. Dan Van
33 Woerkom sketched out the floor plan on the site, explaining that the cafeteria and
34 kitchen will be in the center on the main floor, with the Alzheimer's unit to the
35 right. Assisted living is on the second floor.

36
37 Brent Wallace asked if the residents in the assisted living and independent living
38 sections will be eating together. Dan Van Woerkom said yes. However, there is
39 also a smaller space on the second floor where assisted living residents can stay
40 on their own.

41
42 Barry Edwards asked if those in independent living will have kitchens. Dan Van
43 Woerkom said they'll have mini-kitchens, and those in assisted living may have
44 microwaves, or at least may be permitted to bring them in.

45
46 Brent Wallace asked if staffing has been addressed, noting that staffing is a huge
47 issue in the assisted living facility where his mother resides. Dan said the

1 applicant hasn't considered staff issues, which are generally a matter of meeting
2 state requirements.

3
4 Brian Braithwaite asked about an item on the site plan. Dan Van Woerkom
5 explained that it's an access road to a Lehi water tank, and that Lehi has said they
6 can change the location as long as they still have access. Commissioner
7 Braithwaite asked if it's dirt or paved and Dan said it's paved.

8
9 Brian Braithwaite asked if the applicant is proposing that the whole area change
10 zones to match the PO Zone. Dan Van Woerkom said yes and that the applicant
11 also wants to add assisted living to the permitted uses in the PO Zone.

12
13 Barry Edwards asked if this property is subject to the annexation agreement and
14 Dan said yes. Barry Edwards further clarified that it's not part of the piece that
15 was brought in for the storage units, and Dan agreed.

16
17 Barry Edwards explained to the commissioners that they were obligated to
18 approve the one to the south because it was subject to a larger agreement and a
19 lawsuit. This one, however, is not subject to that agreement. Larry Mendenhall
20 suggested that meant the commission has a true choice about its
21 recommendation in this case and Barry agreed.

22
23 Brian Braithwaite asked staff what value they saw in changing the zoning and the
24 general plan map for this location. Barry Edwards said assisted living is
25 something we need in the area. Commissioner Braithwaite asked what the
26 advantage would be of putting such a facility in the PO Zone as opposed to in the
27 R-1-40 Zone. Lonnie Crowell said it's more limiting to put the facility in the PO
28 Zone; otherwise, such facilities could go in all over the R-1-40 Zone. Barry
29 Edwards said a rezone is the appropriate way to deal with this request.

30
31 Larry Mendenhall wondered if, should the commission approve this item, it
32 means that later requests for senior living would have to be zoned as PO Zone as
33 well, and Barry Edwards said yes.

34
35 Brian Braithwaite asked about the bulb on the proposed cul de sac shown north
36 of the building on the site plan. Ken Berg said he extended the bulb because it's
37 open space. Commissioner Braithwaite asked why not have the entrance from the
38 road to the east, or put the bulb higher. Dan Van Woerkom said if the back
39 parking is for staff, then they want to direct traffic away.

40
41 Lonnie Crowell asked if the layout was designed because of other proposed uses,
42 but Dan said not really. The applicant has talked about possibly having a school
43 or a church on this property, though realistically, there probably isn't room for
44 both.

45
46 Larry Mendenhall asked if he'd understood correctly that if someone were to
47 request senior housing elsewhere it would require a different zone. Barry

1 Edwards and Lonnie Crowell agreed. Commission Mendenhall asked if that
2 meant this would be a spot zone. Lonnie Crowell said no, because it's attached to
3 the rest of the PO Zone, and Barry Edwards stressed that there is no spot zoning
4 in Highland City.

5
6 Larry Mendenhall opened the public hearing.

7
8 There were no comments from the public.

9
10 Larry Mendenhall closed the public hearing.

11
12 Lonnie Crowell mentioned that if this item is approved there will also be a code
13 amendment to the PO Zone required. Brian Braithwaite asked if that meant that
14 the applicant wouldn't be able to build until after the code amendment was
15 approved, and Lonnie said that was correct.

16
17 Barry Edwards asked if the applicant intends to complete this project before or
18 after the storage units. Dan Van Woerkom replied that he has often had time
19 limits set and has never complained. Barry Edwards said previously the city has
20 set a time line of two years.

21
22 **Motion by Brian Braithwaite, Planning Commission to recommend**
23 **that City Council approve the General Plan Land Use Map & Zoning**
24 **Map Amendment as proposed by the applicant, making note of the**
25 **fact that this change will not be effective until the PO Zone ordinance**
26 **is amended.**

27
28 **Seconded by Jennifer Tucker.**
29 **Unanimous vote, motion passed.**

30
31
32 **Item 6: Parkstrip Ordinances Sections 3-4107(3); 3-4207(4); 3-**
33 **610(5)-(6); 3-621 ~ Public Hearing & Code Amendment**

34
35 Larry Mendenhall asked Lonnie Crowell if he wanted to say anything regarding
36 this item.

37
38 Lonnie Crowell explained that he's cleaned up all sections so they refer to 3-621,
39 where he defined the trees that are on the list, specified how the percentage of
40 coverage is measured, required pavers instead of poured concrete so water can
41 get in, as per Matt, and defined xeriscaping. The new code uses 50% as the
42 required percentage of living material.

43
44 Brian Braithwaite said he thinks this is a great starting point, in that it talks about
45 xeriscaping and attaches it to a standard. However, he wondered if the standard
46 is defined clearly enough. For example, the phrase "if commonly practiced
47 xeriscaping practices are followed" seems too vague.

1
2 Lonnie Crowell agreed, but observed there are a lot of different xeriscape
3 standards available now. Commissioner Braithwaite said he'd like the city to
4 define a plant list. Lonnie Crowell explained he was trying to avoid weeds. Since
5 the language currently says "living material," that can include morning glory and
6 other nuisance plants. Roger Dixon observed that in an onion field, a petunia is a
7 weed. Barry Edwards suggested the language should say that plants on the
8 noxious plant list are prohibited.
9

10 Larry Mendenhall asked if the commission could define what rocks can be used.
11 He said he'd like to specify decorative rocks, because the junk rocks some people
12 use look terrible. Barry Edwards observed that the city has rocks in the medians,
13 but they are part of a landscaping plan.
14

15 Lonnie Crowell said in regard to xeriscaping the goal is to have standards that
16 aren't too lax but that also don't require a college degree to understand. Brent
17 Wallace mentioned that Colorado, where the term xeriscape was invented, has a
18 7-step procedure and a list of plants available. He added that Jordan River has a
19 great list of acceptable plants and none of them is ugly. Roger Dixon said he
20 would put Pink pussytoes in the category of ugly, and asked if the tree list from
21 section 3-612(2)(d) was comprehensive. Lonnie Crowell said it's the complete
22 Highland City parkstrip tree list. Roger Dixon said he was surprised not to see
23 flowering pear on there. Lonnie Crowell agreed. Barry Edwards said there are
24 certain pears you can't put in, but he thought there was one version you could.
25 Roger Dixon said his community's been promoting them. Barry Edwards
26 observed that planning would probably say flowering pear isn't a good parkstrip
27 tree, because it doesn't get much mass, but Roger Dixon pointed out that's true of
28 most of the trees on the list.
29

30 Brent Wallace said he thought the commission needed to define a size limit for
31 pavers. His neighbor has some that are 18" by 18", which would be too big for a
32 parkstrip. Matt Shipp agreed that overly large pavers would defeat the purpose of
33 using pavers instead of poured concrete.
34

35 Brent Wallace asked about measuring coverage at two-year growth, pointing out
36 that's not very long for a tree. Lonnie Crowell said it is a long time for Highland
37 though. Barry Edwards suggested that the policy lends itself to small trees and
38 tree wells.
39

40 Brent Wallace asked if the canopy was being included and Lonnie Crowell said
41 yes. He added that planting one tree and knowing that in 15 years it will be 15 feet
42 doesn't mean you've met the requirement. Brent Wallace suggested that four or
43 five year growth might be a more reasonable timeline. Barry Edwards said the
44 city wants a compromise that says residents still need to put in some other living
45 material. Larry Mendenhall said he liked the ordinance as written in the
46 proposal.
47

1 Brent Wallace asked the commission to address the paver issue, suggested they
2 might want to define a maximum size of 12 inches. Barry Edwards agreed and
3 asked if the commission had decided to specify that rocks should be decorative.
4 Larry Mendenhall said yes, but Jennifer Tucker observed that “decorative” is a
5 subjective standard. Barry Edwards agreed. Jennifer Tucker wondered if there
6 was an already-defined standard regarding rocks that the code could reference.
7 Lonnie Crowell suggested that a minimum size could at least be defined, and
8 Barry Edwards said a maximum size could be defined as well. Brent Wallace
9 suggested the commission define both a minimum and a maximum size.

10
11 Ex parte discussion about rocks ensued.

12
13 Lonnie Crowell suggested a maximum size of two feet in diameter, but Barry
14 Edwards said two feet is much too large for a parkstrip, and that smaller rocks
15 should be used. Brian Braithwaite said the commission wanted to allow residents
16 some flexibility. Barry Edwards agreed but reminded the commission that the
17 parkstrip belongs to the city. Brent Wallace suggested one inch minimum, six
18 inches maximum. Larry Mendenhall agreed, but Lonnie Crowell asked the
19 commissioners whether, realistically, they expected Carly to measure rocks. Brian
20 Braithwaite said no, the purpose would be just to keep people away from using
21 extremes. However, Lonnie pointed out that if the commission does define
22 minimum and maximum sizes, residents will call the city to report their
23 neighbors because their rocks are too small.

24
25 Jennifer Tucker pointed out that if no guidelines are defined, people will say
26 gravel is rock. Larry Mendenhall suggested again that the commission simply use
27 the phrase “decorative rock.” Chris Dalley suggested having residents bring their
28 proposals for the parkstrip to staff for approval. Lonnie Crowell asked if they
29 wanted to disallow white quartz and lava rock, which Barry expressed a distaste
30 for, but Brian Braithwaite pointed out some people like them. Lonnie Crowell
31 suggested using the phrase natural rocks, observing that it’s been in the
32 ordinance since 1977 or so.

33
34 Larry Mendenhall asked if the commissioners wanted to add flowering pear to
35 the list of permitted trees and several people assented.

36
37 Larry Mendenhall opened the public hearing.

38
39 There were no comments from the public.

40
41 Larry Mendenhall closed public hearing.

42
43 **Motion by Brian Braithwaite, Planning Commission to recommend**
44 **that City Council amend sections -4107(3); 3-4207(4); 3-610(5)-(6); 3-**
45 **621 of the code as proposed by staff and as modified by the Planning**
46 **Commission so that the last sentence of the introductory paragraph of**
47 **3-621 be edited to say “This shall not contain noxious weeds but may**

1 **include approved drought tolerant plants”; that section 3-621(1)**
2 **include the word “decorative” in front of “rocks,” and that the size of**
3 **the rocks be defined as a minimum of one inch diameter and a**
4 **maximum of six inches diameter; that section 3-621(2)(c)(i) identify**
5 **pavers as no larger than 12 inches; and that Pyrus fauriei, Korean sun**
6 **pear, be added as 3-621(2)(d)(xiii) and Pyrus salicifolia, Willowleaf**
7 **pear, be added as 3-621(2)(d)(xiv).**

8
9 **Seconded by Jennifer Tucker.**
10 **Unanimous vote, motion passed.**

11
12
13 **Item 7: Adding 3-4810 to the Development Code ~ “Exchange of**
14 **Open Space and Development Rights” ~ Public Hearing & Code**
15 **Amendment/Addition**

16
17 Larry Mendenhall asked Lonnie Crowell to summarize this issue.

18
19 Lonnie Crowell said this is an issue that has been presented to the commission
20 before. He’s made the changes suggested by the commission.

21
22 Larry Mendenhall said he thought this was a great way for the city to go.

23
24 Brent Wallace asked staff if they will notify property owners about this policy.
25 Lonnie Crowell said yes. There will be a notice on the web site and probably an
26 item in the newsletter if this item is passed. Also, word will get out, since
27 residents call the city every week wanting permission to improve the open space
28 near their property.

29
30 Jennifer Tucker asked what would happen if someone wanted to buy all the open
31 space in Highland City. Larry Mendenhall said that wouldn’t be permitted,
32 because the property has to be contiguous to your property for you to be eligible
33 under this proposal. Jennifer Tucker said she didn’t think that was fair.

34
35 Chris Dalley asked what would happen if there were one holdout in a long strip.
36 Lonnie Crowell said in that case the transaction wouldn’t occur. Brian
37 Braithwaite asked if it’s clearly defined that there will be a list of the available
38 properties. Lonnie Crowell said he’ll need to create a map once the code is
39 approved. Commissioner Braithwaite asked if it would come to the commission
40 and Lonnie said that would be up to City Council. Brian clarified that he would
41 like the commissioners to receive a copy of the map, whether they’re asked to
42 review it formally or not. Roger Dixon agreed he’d like that but said he didn’t
43 think the commission needed to be involved in the approval process.

44
45 Larry Mendenhall opened the public hearing.

46
47 There were no comments from the public.

1
2 Larry Mendenhall closed the public hearing.

3
4 **Motion by Roger Dixon, Planning Commission to recommend that**
5 **City Council approve adding Section 3-4810, “Exchange of Open Space**
6 **and Development Rights,” to the Development Code, with the**
7 **stipulation that properties eligible for this policy be identified.**

8
9 **Seconded by Brian Braithwaite.**

10
11 **Motion passed with Roger Dixon, Brent Wallace, Brian Braithwaite**
12 **and Larry Mendenhall voting in favor and Jennifer Tucker voting**
13 **opposed.**

14
15
16 **Item 8: Approval of Meeting Minutes for June 26, 2007**

17
18 Brian Braithwaite said he'd like to move that City Council modify the hours of
19 operation defined for businesses. Lonnie Crowell pointed out that Council just
20 modified that code recently because of applicants in the CR Zone.

21
22 Barry Edwards explained that the commissioners could ask their Chair to write a
23 letter to City Council suggesting it amend the Municipal Code, but they cannot
24 make recommendations directly concerning the Municipal Code.

25
26 Larry Mendenhall said he will write that letter.

27
28 **Motion by Brent Wallace, Planning Commission to approve the**
29 **Meeting Minutes for June 26, 2007, as amended.**

30
31 **Seconded by Roger Dixon.**

32 **Unanimous vote, motion carried, with Jennifer Tucker abstaining.**

33
34 Meeting adjourned at 8:57 p.m.

35