AGENDA
HIGHLAND CITY PLANNING COMMISSION
Tuesday, September 24, 2019, 7:00 p.m.

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

CALL TO ORDER: Chris Kemp, Chair
• Attendance – Chris Kemp, Chair
• Invocation – Commissioner Jerry Abbott
• Pledge of Allegiance – Commissioner Sherry Carruth

APPEARANCES:
Time has been set aside for the public to express their ideas, concerns, and comments on non-agenda items. Speakers will be limited to three (3) minutes.

PUBLIC HEARING ITEMS:

1. **FP-19-04** Sterling Gardner is requesting approval of a Preliminary / Final Plat approval for a 2-lot subdivision of approximately 1.68 acres to be known as Arabian Meadows Subdivision. The property is located approximately at 10530 N 6000 W. 
Administrative

2. **GP-19-01** In accordance with SB 34, Highland City is requesting to amend the Moderate Income Housing (MIH) section and qualified subsection of the General Plan. *Legislative*

APPROVAL OF MINUTES:

• Approval of the [*July 9, 2019 meeting minutes.*](#)
• Approval of the [*August 27, 2019 meeting minutes.*](#)

ADJOURNMENT:

NEXT MEETING: *October 22, 2019* at 7:00 pm City Council Chambers

*Legislative: An action of a legislative body to adopt laws or polices.*  
*Administrative: An action reviewing an application for compliance with adopted laws and policies.*

FOR SPECIAL ACCOMMODATIONS

Any individual with a qualified disability may request a reasonable accommodation by contacting the City Recorder at (801) 772-4506 at least 48 hours prior to the Commission meeting.
CERTIFICATE OF POSTING

The undersigned does hereby certify that the above agenda notice was posted in three public places within Highland City limits on this 19th day of September, 2019. These public places being bulletin boards located inside the City offices and located in the Highland Justice Center, 5400 W. Civic Center Drive, Highland, UT; and the bulletin board located inside Lone Peak Fire Station, Highland, UT. On this 19th day of September, 2019 the above agenda notice was posted on the Highland City website at www.highlandcity.org.

Tara Tannahill, Planning Coordinator
DATE: September 24, 2019

TO: Planning Commission

FROM: Tara Tannahill
Planner and GIS Analyst

SUBJECT: PUBLIC HEARING AND ACTION – Sterling Gardner is requesting Preliminary/Final Plat Approval for a 2-lot subdivision. The property is approximately 1.68 acres and is located at 10530 N 6000 W.

Administrative

STAFF RECOMMENDATION:
The Planning Commission should hold a public hearing, accept the findings and recommend approval subject to the three recommendations of staff.

BACKGROUND:
The property is approximately 1.68 acres and located north of 10530 N 6000 W. The applicant is requesting to create a 2-lot subdivision.

The property is designated as Low Density Residential on the General Plan Land Use Map. The current zoning is R-1-40. The R-1-40 District allows for one home per 40,000 square feet of land within the development. The minimum lot width is 130 feet.

SUMMARY OF THE REQUEST:

1. The applicant is requesting approval of a 2-lot subdivision. Each lot is .842 acres or 36,677 square feet.

2. Access to the site will be from 6000 West.

CITIZEN PARTICIPATION:
Notice of the September 9, 2019 Development Review Committee meeting was mailed to all property owners within 500 feet of the proposed site on August 22, 2019. Two residents attended the meeting.

Notice of the Planning Commission meeting was published in the Daily Herald on September 9, 2019 and posted on the state website September 5, 2019. Notification of the public hearing associated with this meeting was mailed to all property owners within 500 feet of the proposed site on September 9, 2019. No written correspondence has been received.
ANALYSIS:

- The General Plan designation for this property is Low Density Residential. The surrounding properties are zoned R-1-40 and non-conforming R-1-20. The proposed subdivision is in conformance with the General Plan and compatible with the surrounding uses.

- Access to the site will be from 6000 West.

- The standard ten (10) feet public utility easements have been included on the plat.

- The setbacks for each lot meets R-1-40 standards for setbacks of 30’ for the front, 30’ for the rear, and 15’ for the sides.

- Each lots frontage is 153.78’, which is above the 130’ requirement for R-1-40.

- Proposal meets all criteria for a 2-lot subdivision within the R-1-40 zone.

CONCLUSION:

With the proposed stipulations, the proposed Preliminary/Final Plat appears to meet the required findings for approval.

RECOMMENDATION AND PROPOSED MOTION:

The Planning Commission should hold a public hearing, accept the findings, and recommend approval of the proposed plat with the following stipulations:

1. The recorded plat conforms to the final plat date stamped August 27, 2019 except as modified by these stipulations.
2. All public improvements shall be installed as required by the City Engineer.
3. The civil construction plans shall meet all requirements as determined by the City Engineer.

I move that the Planning Commission accept the findings and recommend approval of the Preliminary Plat subject to the three (3) stipulations recommended by staff.

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year’s budget expenditure.

ATTACHMENTS:

1. Vicinity Map
2. Proposed Plat
CONSTRUCTION PLANS

ARABIAN MEADOWS

A MINOR SUBDIVISION

LOCATION
LOCATED IN THE SOUTHEAST 1/4 OF
SECTION 35, T6S, R3E, SB&M
HIGHLAND CITY, UTAH COUNTY, UTAH
AUGUST, 2019
NOTES:
1. All materials and work shall conform to Highland City standards and specifications for construction.

ROW 4' 1'
4" CRUSHED GRAVEL

1. Typical layout is shown. Field verify cross slope on new pavement is between 1% and 4%.
2. Sawcut to be a minimum of 12 inches from edge of existing asphalt.

NOT TO SCALE

4843.02 4843.58 4844.33 4844.78 4845.15 4845.79 4846.03 4845.87 4844.62 4844.17 4843.72 4843.27 4843.18 4843.32 4843.88 4844.33 4844.78 4845.15 4845.79 4846.03 4845.87 4844.62 4844.17 4843.72 4843.27 4843.18

9+50 10+00 11+00 12+00 13+00 13+50

Proposed Top Back Curb

Existing Top Back Curb

9.5'±

Exist Existing Grade

2.0'

4" Asphalt

8" Untreated Base Course

Undisturbed Native Material

4" Concrete Sidewalk

Existing Pavement

4830 4840 4850 4860

Engineering and Surveying, LLC

PO Box 374
Annabella, Utah 84711
Tel: (801) 420-2180

Verify Scale Bar is one inch in Original Drawing.
If not one inch on this sheet, adjust scales accordingly.

8/27/19

Grading / Drainage Plan

1" = 20'

Preliminary Planning Commission 9/24/2019

Page 9 of 38
DATE: September 24, 2019
TO: Planning Commission
FROM: Tara Tannahill
Planner and GIS Analyst
SUBJECT: PUBLIC HEARING AND ORDINANCE – Highland City is requesting to amend the Moderate Income Housing (MIH) section and qualified subsection of the General Plan (GP-19-01).

STAFF RECOMMENDATION:
The Planning Commission should conduct a public hearing, accept the findings, and recommend approval to the City Council.

BACKGROUND:
Two bills the Legislature passed (and ULCT supported) in the 2018 session provide the foundation for SB 34 – HB 259 (Moderate Income Housing Amendments) and SB 136 (Transportation Governance Amendments).

In 2019, the Legislature passed SB 34 which added to the foundation of HB 259 and SB 136 in two main ways: (1) adding elements that reinforce transportation-efficient land use into cities’ general plans; and (2) providing specific strategies cities must consider adopting in their MIH plans.

SB 34 requires cities to include at least three of the twenty-three strategies in their general plan and submit to workforce services by December 1, 2019.

Cities must be up-to-date on the MIH plan and reporting requirements in order to be eligible for Transportation Investment Fund (TIF) and Transit Transportation Investment Fund (TTIF) money. The TIF was $702 million last year, and 65 out of 81 (80%) of cities that are subject to the MIH requirements either have funds currently programmed or are in phase 1 of the TIF process.

On July 16, 2019 Highland City contracted with Planning Solutions to update Highland City’s General plan for Moderate Income Housing.

On September 10, 2019 the City Council and Planning Commission hosted a joint work session to go over the twenty-three (23) eligible options in SB 34.
A general plan amendment is a legislative process.

**SUMMARY OF THE REQUEST:**

1. The request is to review and update several sections of the 2008 General Plan as follows:
   - Executive Summary
   - Glossary of Terms
   - Community Profile and Demographics
   - Land Use Element
   - Affordable Housing Element (replace entire section)
   - Senior Housing

   All changes have been identified in legislative format on Attachment 1.

2. Based on the joint session meeting with the City Council and Planning Commission the following four strategies are suggested:
   - Goal to examine regulations for Senior Housing projects in the land use code and the specific examination of parking requirements for such.
   - Goal to examine the regulations in mixed-use zones in the land use code to provide for a variety of housing types.
   - Goal to examine any potential programs or partnerships with the Mountainlands Association of Governments (MAG).
   - Goal to examine the regulations in the Accessory Dwelling Unit (ADU) ordinance in the land use code for potential modifications and incentives to encourage a variety of housing options for residents.

**ANALYSIS:**
- The updates to the General Plan are needed to meet the state law for SB 34 reporting and are required to be turned into workforce services by December 1, 2019.

- Reporting will be due annually on December 1st going forward. As part of the annual review, staff will need to demonstrate that the City reviewed the goals and also demonstrate why it does or does not work for Highland City.

- The four goals meet the reporting requirements for SB 34.

**CITIZEN PARTICIPATION:**
Notice of the Planning Commission meeting was published in the Daily Herald on September 8, 2019 and posted on the state website September 5, 2019. Mailed notification to Mountainlands Association of Governments (MAG), State Planning Coordinator (GOPB office), and the Automated Geographic Reference Center (AGRC) was on September 9, 2019. No written correspondence has been received.

**RECOMMENDATION AND PROPOSED MOTION:**
I move that the Planning Commission accept the findings and recommend **APPROVAL** of
the proposed amendment.

**FISCAL IMPACT:**
This action will not have a financial impact on this fiscal year’s budget expenditures.

**ATTACHMENTS:**
1. Proposed updated wording to Highland City General Plan Moderate Income Housing Section
Executive Summary

1.0 Introduction and Background

The Highland City General Plan (2007) is a guiding document adopted by the community to help identify future land uses, transportation and traffic ideas, and other elements that make up the community. The General Plan generally has a life of 5 to 10 years. When the Highland City General Plan (2007) is adopted, zoning ordinances, development guidelines, and other implementation tools should be revised and updated accordingly.

The Highland City General Plan (2007) documents existing conditions, analyzes important community issues, and proposes future visions and growth directions. Understanding key demographic trends is critical for preparing the plan. Some of the key demographic profiles of the community (updated 2019) follow:

- As of February 2007, Highland City’s population was estimated at 14,600. It is estimated that by the year 2017 the population of Highland City will reach 22,833 and 24,304 by 2027.
- As of late 2006 the average household income in Highland City was $94,510 much greater than the county average of $50,553.
- As of 2006 the estimated population in 2019 is 19,183 according to the most recent United States census estimates. Highland is the 43rd largest city in Utah based on official 2017 estimates from the US Census Bureau.
- As of 2017 the median household income in Highland City was $129,938 much greater than the county median income of $78,937.
- As of 2017 there were an estimated 6,986 jobs located in Highland City. The largest industries in Highland are Retail Trade...
In order for the Highland City General Plan (2007) to remain a vital, living document, interim adjustments may be necessary. However, amendments should only be considered semi-annually, at special meetings devoted entirely to that process, and not within a year of adoption.

6.0 Affordable Moderate Income Housing Element

Utah State Code section 10-9a-403 Part 4 requires that an affordable Moderate-Income housing element be included in every General Plan. This plan addresses the requirements outlined in Utah State Code section 10-9a-403 Part 4 to create a housing plan that “facilitate[s] reasonable opportunities for a variety of housing, including moderate income housing.” In order to meet these requirements, the demographic forces shaping housing needs, the current stock and cost of housing found in Highland City, as well as possible solutions for filling the demand for moderate-income housing, are analyzed in greater detail in Chapter 6 of this plan.

The following policy options are recommended to facilitate Highland City’s ability to provide reasonable opportunity for a variety of housing, including moderate income, while still maintaining the existing character of the City:

- Allow for the creation of neighborhood enhancing accessory dwelling units, and examine land use regulations for any barriers in implementation.
- Permit additional open space housing development that considers a variety of single family configurations.
- Permit senior housing facilities in a selected area or areas, and consider parking reductions for such developments.
- Adopt reasonable design guidelines for medium/high density housing based on neighborhood community character.
- A mixed-use zone should be created within the Town Center and on the state school site in the southeast corner of Highland City to accommodate a mix of commercial uses and several types of housing, including affordable housing.
- Second- and third-story housing should be allowed in the Town Center with street level retail.
- Examine the regulations in mixed-use zones in the land use code to provide for a variety of housing types.
- Investigate the concept of a partnership with a Community Land Trust in Utah County.
- Examine any potential programs or partnerships with the Mountaillands Association of Governments (MAG) for the creation of moderate-income housing opportunities.

Highland should be proactive in promoting affordable housing in areas such as the Town Center and the State School Site.
Community Profile and Demographics

The following is a review of key demographic conditions in Highland City. These provide a snapshot of how the community is structured, how it has changed over the years, and what can be anticipated in the future.

Population

While transitioning out of an agricultural community, Highland City’s rural legacy has influenced the physical and demographic composition of the City. In 2000, families in Highland City continued to be some of the largest in the state and also the youngest. Highland City’s median age was 20.9 years old - far younger than the state median of 27.1. The average household size was 4.53 in 2000 compared to the statewide average of 3.13. As of February 2007 Highland City’s population was estimated at 14,600. It is estimated that by the year 2017 the population of Highland City will reach 22,833 and 24,304 by 2027. As of the 2000 Census Highland City’s population was 97.5 percent white.

Socioeconomic

As of late 2006 the average household income in Highland City was $94,510—much greater than the county average of $50,553. This is due in part to higher educational attainment in Highland City. As of the 2000 census, 98 percent of the population age 25 and older had completed high school and 46 percent had a bachelor’s degree or higher. In comparison, only 91 percent of the Utah County population age 25 and older had completed high school and only 32 percent had achieved a bachelor’s degree or higher.

Housing Units

Highland City was home to 1,864 housing units in 2000. As of January 2007 there were 3,150 occupied units. Highland City is composed mainly of owner-occupied single-family dwellings. Ninety-five percent of Highland City’s housing is owner occupied. According to Wasatch Front Multiple Listing Service data, the median sale price for single-family homes between January 2003 and March 2006 was $310,000. Only one percent of the housing in Highland City is attached.
Highland City had a total of 4,320 housing units in 2017. Owner occupied units comprised 4,206 of those total units with 426 being renter occupied units. The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00 significantly lower than average for the Highland City. Monthly housing costs for owner occupied units was estimated at $1,900. Median gross rent in 2017 was $1,750. Average household size was 4.27 and 4.55 for rental units. The median home value in 2019 in Highland is $585,900. Highland home values have gone up 8.7% over the past year and Zillow predicts they will rise 5.0% by 2020.

Senior Housing

Senior housing uses are currently limited to the Town Center located south of SR-92 (also referred to as 11000 N, or Canyon Road) and west of Alpine Highway (known as SR-74). There are two separate but similar architectural designs within similar development pattern however the scale is distinctly different. These projects were considered with the intent to provide affordable and well designed housing for the aging population in Highland City.

The senior housing zone allows for the construction of assisted living facilities in the community. It has been used to develop a 58 bed 47,685 memory care facility.

The roughly 91-acre Highland Town Center has been slow to develop. The site is only half-built, with approximately 43 acres of undeveloped land earmarked and/or approved for a variety of commercial/residential and mixed-use projects.

A detailed set of guidelines has been developed for both the Town Center and Highland Marketplace. These and other implementation tools are discussed in greater detail in Element 7 - Community Design.

LAND USE ISSUES

Early in the planning process, Highland City residents identified several issues related to land use. This input was provided both through a community survey and a series of Public Scoping Meetings. Members of the Highland General Plan Update Development Review Group provided additional input. Further insight was ascertained by reviewing existing plans and reports, and through on-site field investigations.

Some of the key land use issues in Highland City include the following:

- Highland City has been consciously developed as a low-density, large-lot community;
- Current and past planning has allowed relatively limited residential options, focusing on large-lot, one-acre single family uses;
- Some development of half-acre lots has been allowed, together with some development on smaller lots in Open Space Bonus Density Overlay Residential neighborhoods has also been allowed;
- Access to moderate-income housing opportunities is limited;
- Preserving the traditional form of the City is important to many residents;
- There is a general desire to preserve, protect, and enhance established residential neighborhoods;
- There is limited desire to provide a wider range of housing options for older and younger residents. For example, senior housing development in the Town Center and PO Zone have recently been approved, and consideration in the Town Center and property south of the Lone Peak High School for mixed use opportunities has been discussed;
- Maintaining a low-density profile is a concern to some residents;
- The provision of parks in exchange for residential density is somewhat controversial, particularly for residents near envisioned projects;
- There is desire for enhanced community services (library, community center, meeting places, etc.);
- Maintenance of animal rights is supported;
- There is some concern that some public services are limited at present;
- There is strong desire for connected trails and trail access points in the City;
- There is a general desire for sports fields and parks;
Proposed Draft to Highland City General Plan September 24, 2019  
Note: Red font with underline denotes new text

- There is some concern for the preservation of agricultural land;
- There is some support for a balance between various uses, residential and commercial in particular;
- Some residents would like to see zoning changes implemented which support a comprehensive land use vision for Highland City;
- The limited development opportunities of a community fast approaching build-out should be carefully implemented;
- There is a general desire to preserve open space, support pedestrian connections, and provide a better mix of uses;
- Land use decisions should be integrated with transportation needs in order to create a more functional and better-balanced community; and
- There is a desire to maintain traditional agricultural uses on large-lot sites including animals and animal rights.

Land Use

Adopted February 19, 2008

Land Use Analysis

Senior Housing uses are also limited at this time however, recent discussions have considered alternatives and opportunities to include these uses in Highland. Two projects that have been implemented in Highland include twin homes and mansion homes (3 unit dwellings appearing as one large home) within the Town Center. It is perceived that rising costs and market constraints will have limited the success of these projects as intended for seniors only.

Highland City could easily accommodate additional commercial uses in the future, although the size and location should be carefully considered. In general, commercial uses should be located in areas where they will best serve the populace. In all cases, commercial development should be implemented according to strict design guidelines to help define the imagined result. Office uses and higher-density residential uses should be encouraged as part of larger, mixed-use commercial projects. One potential mixed-use site to provide a range of commercial and residential options, including moderate income housing opportunities, may be the State School site located on southeast edge of the community however this has not been decided at this time.

Land Use Vision

As illustrated on Map 2-3 and described below, future land uses should build upon the established residential pattern of the community, with subtle shifts to help meet the demand for a wider range of housing options. Concept highlights follow:

- Continuation of the well-established low-density, single-family development pattern;
- Consider Open Space Bonus Density Subdivision development as transitions between existing low-density and higher-density uses and as buffers between municipal boundaries;
- Development of infill properties according to the scale and use of surrounding areas;
- Completion of the Highland Town Center as a mixed-use place, with the possibility of commercial uses located at ground level and residential uses above. This will provide a wider range of housing options and improve access to moderate-income housing;
- Public uses (community buildings, for example) should be located at Highland Town Center and larger infill sites as available;
- Parks, Recreation, Open Space and Trails facilities should be provided to meet future needs; and
- Higher density, mixed-use residential/commercial uses are encouraged in the Town Center and may be considered for the State School site near the south/southeast edge of the community.
**Goal:** To promote a wider range of housing options to meet Highland City’s fair housing share of moderate-income housing.

**Policy:** Revise existing policy to allow higher density housing in diverse areas of the City.

Implementation Measure: Allow basement apartments to be occupied by no more than two (2) people per bedroom.

Implementation Measure: Allow mixed-use development in the Highland Town Center, with commercial uses on the ground floor and higher density housing above.

Implementation Measure: Consider higher density alternatives, such as an integrated mixed-use development, in master planned predetermined locations.

Implementation Measure: Consider Open Space Bonus Density Subdivision development as transitions between existing low-density and higher density uses and as buffers between municipal boundaries.

Commented [MR11]: Suggest deleting this section and updating in MH section as updated by the City.
Moderate Income Housing Element

Introduction and Background

The Moderate Income Housing Element is one of the required components of a general plan as outlined by Utah State Code Section 10-9a- 403 Part 4. The community is required to create a plan to “facilitate reasonable opportunities for a variety of housing, including moderate-income housing.” This plan addresses the demographic forces shaping housing needs and outlines policies for addressing moderate-income housing in Highland City.

Demographic and Housing Data

The cost of housing in Highland City is high. The majority of Highland City’s housing stock is composed of owner-occupied single-family housing units. Highland City had a total of 4,320 housing units in 2017. Owner occupied units comprised 4,206 of those total units with 426 being renter occupied units.

Rent vs Own

89%

2017 HOMEOWNERSHIP

89.8%

2016 HOMEOWNERSHIP

89%

In 2017, 89% of the housing units in Highland, UT were occupied by their owner. This percentage declined from the previous year’s rate of 89.8%. The percentage of owner-occupation is higher than the national average of 63.9%. This chart from the Census Bureau shows the ownership percentage in Highland compared to neighboring communities.
Highland’s estimated population in 2019 is 19,183 according to the most recent United States census estimates. Highland is the 43rd largest city in Utah based on official 2017 estimates from the US Census Bureau.

As of 2017 there were an estimated 6,986 jobs located in Highland City. The largest industries in Highland are Retail Trade (980 people), Health Care & Social Assistance (815 people), and Educational Services (774 people), and the highest paying industries are Utilities ($195,208), Wholesale Trade ($127,917), and Information ($121,944).

The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00 significantly lower than the average for Highland City.

Monthly housing costs for owner occupied units was estimated at $1,900. Median gross rent in 2017 was $1,750.

Average household size was 4.27 and 4.55 for rental units.

The median home value in 2019 in Highland is $585,900. Highland home values have gone up 8.7% over the past year and Zillow predicts they will rise 5.0% by 2020.

There are 10,582 adults, (1,317 of whom are seniors) in Highland as 2018.
Moderate Income Housing Requirements

The Utah State Code requires all municipalities to propose a plan for moderate-income housing as part of a General Plan. “Moderate-income housing” is defined as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income or “area median income (AMI)” for households of the same size in the county in which the City is located.

According to the Department of Housing and Urban Development for housing to be considered affordable, no more than 30 percent of a household’s income should go towards paying for housing. The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00, significantly lower than average for the Highland City.

The intent of the statute passed in 2019 is to ensure that moderate-income households have a reasonable opportunity to live in Utah’s growing communities. Cities should provide reasonable opportunities for moderate income households to obtain housing in their municipality. Cities should also ensure that moderate-income households be able to benefit from and fully enjoy all aspects of neighborhood and community life.

PLANNING FOR POPULATION GROWTH

- UTAH’S POPULATION IS PROJECTED TO INCREASE BY 2.8 MILLION PEOPLE IN THE NEXT 45 YEARS.
- PROJECTED GROWTH IS MOST PREVALENT IN SALT LAKE AND UTAH COUNTY
- BY 2065, 28% OF THE STATE’S POPULATION WILL RESIDE IN UTAH COUNTY
- HIGHLAND’S POPULATION IS PROJECTED TO BE 20,252, BY 2026

According to the Department of Housing and Urban Development, housing for to the development for housing to be considered affordable, no more than 30 percent of a household’s income should go towards paying for housing. The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00, significantly lower than average for the Highland City.

Planning Commission 9/24/2019
The intent of the statute passed in 2019 is to ensure that moderate-income households have a reasonable opportunity to live in Utah’s growing communities. Cities should provide reasonable opportunities for moderate income households to obtain housing in their municipality. Cities should also ensure that moderate-income households be able to benefit from and fully enjoy all aspects of neighborhood and community life.

To better understand who moderate-income households are the table below has been included as a sampling of professions that qualify as moderate-income. This table includes the median income for the Provo-Orem Metropolitan Statistical Area (MSA) as well as the monthly cost of housing that would be considered affordable for each household assuming 30 percent of gross monthly income goes to housing costs.

### HOUSING COSTS FOR WORKERS IN SELECTED OCCUPATIONS Provo-Orem MSA June 2019

<table>
<thead>
<tr>
<th>Job Title</th>
<th>Average (Median) Annual Wages</th>
<th>(% of AMI)</th>
<th>Affordable Housing Costs per Month*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary School Teachers, Except Special Education</td>
<td>$28,310</td>
<td>36%</td>
<td>$708</td>
</tr>
<tr>
<td>Police</td>
<td>$53,864</td>
<td>68%</td>
<td>$1,347</td>
</tr>
<tr>
<td>Office Clerk</td>
<td>$30,340</td>
<td>38%</td>
<td>$759</td>
</tr>
<tr>
<td>Firefighters</td>
<td>$44,171</td>
<td>56%</td>
<td>$1,104</td>
</tr>
<tr>
<td>Executive Secretaries and Administrative Assistants</td>
<td>$51,380</td>
<td>65%</td>
<td>$1,285</td>
</tr>
<tr>
<td>Machinists</td>
<td>$51,510</td>
<td>66%</td>
<td>$1,288</td>
</tr>
<tr>
<td>Real Estate Sales Agent</td>
<td>$51,900</td>
<td>66%</td>
<td>$1,297</td>
</tr>
<tr>
<td>Registered Nurses</td>
<td>$61,160</td>
<td>77%</td>
<td>$1,529</td>
</tr>
<tr>
<td>Bank loan Officer</td>
<td>$59,250</td>
<td>75%</td>
<td>$1,481</td>
</tr>
</tbody>
</table>

**Barriers to Moderate Income Housing**
The high price of land is a major barrier to affordable housing in Highland. Highland is also close to being built out, under the current zoning strategy. A partial solution that may assist in reducing land costs could be to allow for higher density housing to offset the land cost per unit, however, this does not guarantee affordable housing. To achieve moderate income affordability, the City may have to require a developer to sell at affordable prices through some sort of agreement, given the market conditions.

Since Highland City has a unique character in comparison to Utah County as a whole it is unreasonable to assume the City will be home to the same percentage of affordable housing as is found in the overall county. To find a more accurate measure for affordable housing opportunity in Highland City, the Utah County percentage of affordable housing will be adjusted using the basic owner and renter-occupied housing rates found in the City. This methodology assumes that Highland City should reasonably provide the same opportunity for affordable housing by a percent for both owned and rental housing stock as is observed in the county as a whole.

The zoning ordinance does allow for accessory dwelling units which provide a partial solution to the affordable housing deficit. Consideration to examine potential barriers will be examined in the Goals and Policies section of this element.
GOALS AND POLICIES

With the zoning pattern already established and a mostly infill expectation for new development, support for alternative housing types is a difficult goal to achieve. The City can still find creative ways to make a reasonable allowance for affordable housing types that would be acceptable and even welcomed by residents. The City may choose to focus on solutions, such as basement accessory dwelling units, senior housing (some of which may include deed restrictions to maintain affordability) and multi-family housing mixed-use developments. The goals, policies, and implementation measures below build on these ideas.

Goal:

Policy: Proactively encourage the development of moderate income and senior housing as follows:

Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.

Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.

Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).

Implementation Measure: Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.

Policy: Maintain quality housing stock and the current aesthetic style of Highland City.

Implementation Measure: Adopt design guidelines for medium and higher density housing based on residents' opinions and perceptions of the community character. The guidelines should not be cost prohibitive to affordable housing.
The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:04 PM on July 9, 2019. An invocation was offered by Commissioner Campbell and those assembled were led in the Pledge of Allegiance by Commissioner Bills.

PRESENT: Commissioner: Christopher Kemp
Commissioner: Ron Campbell
Commissioner: Sherry Carruth
Commissioner: Brittney Bills
Commissioner: Claude Jones
Commissioner Alternate: Audrey Wright

EXCUSED: Commissioner: Jerry Abbott
Commissioner: Tim Ball

STAFF PRESENT: Community Development Director: Nathan Crane
Planner: Tara Tannahill
Planning Coordinator: JoAnn Scott
Planning Commission Secretary: Heather White

OTHERS: See attached attendance list

PUBLIC APPEARANCES
Chair Kemp asked for public comment. None was offered.

PUBLIC HEARING ITEMS

1. TA-19-04
A request by Tyler Jackson to amend Section 3-623 Temporary Use Permits to allow Produce Stands in residential districts.

Commissioner Kemp opened the public hearing at 7:06 PM.

Ms. Tannahill explained that there was a request to allow produce stands as a temporary use in residential zoning along arterial streets. Crane explained that the city reviewed applications to ensure there was proper parking, access to the site, that public safety requirements were met, and
that the applicants had a business license. He said arterial streets in Highland were SR-92 (Timpanogos Highway), SR-74, North County Boulevard, and 100 East.

Commissioner Campbell wondered about the word ‘adjacent’. He thought ‘adjacent’ meant that there was something between the stand and the road. He wondered if ‘adjoining’ would be a better word to use since the idea was that the stands would be on the arterial streets. Mr. Crane thought using ‘adjacent’ worked fine.

Mr. Crane noted that regardless of where the stands were, they would need property owner permission.

Resident Helene Pockrus talked about drivers dashing across the highway, parking on the wrong side of the street, and messing up traffic. She talked about the noise on 92nd and thought fruit stands would be one more thing that would cause traffic issues. She thought it was a real safety hazard.

Applicant Tyler Jackson mentioned that he owned the Sugar Sweet stand. He said there was a grandfather clause which only allowed his stand in one location, which was fine for him. He said it was his fourth summer in the same location, that it had not cause traffic problems, and that it was a critical piece of what he did. He said he had many Highland customers.

Commissioner Bills asked about the wording in the proposed code amendment. Mr. Crane explained that, because of the application, the amendment would only allow produce stands in residential districts. He said other stands would be permitted in the C-1, CR, and the Town Center Overlay zoning districts.

Commissioner Wright wondered about individuals who sold produce from family gardens. Mr. Crane explained that the requirements and amendment only applied to commercial uses.

Commissioner Kemp asked for additional comments. Hearing none, he closed the public hearing at 7:19 PM and called for a motion.

Commissioner Wright asked about the mentioned traffic issues. Mr. Crane explained that the city reviewed each application and site plan to ensure that there was adequate ingress and egress, that it was far enough away from intersections, and as safe as possible.

Commissioner Bills wondered if the city would have to permit other uses in residential districts in the future. Mr. Crane said the Planning Commission would need to have a discussion if other applications were received.

**MOTION**: Commissioner Jones moved that the Planning Commission accept the findings and recommend approval of the proposed amendment to Highland City Development Code Section 3-623. Commissioner Wright seconded the motion. Commissioner Kemp, Commissioner Bills, Commissioner Campbell, Commissioner Carruth, Commissioner Jones, and Commissioner Wright were in favor. None were opposed. The motion carried.
DISCUSSION

2. R&J HIGHLAND ESTATES
   Discussion and direction regarding the concept plan for a 70-lot subdivision to be known as R&J Highland Estates Subdivision. The property is approximately 64.46 acres and is located at 9968 N 6630 W.

Ms. Tannahill reviewed some of the proposed changes to the application. She said there were now 70 lots with no access to the trail on the east. She said staff recommended adding a knuckle between lots 61 and 62 to discourage southbound traffic, adjusting the connection to 9810 N in order to meet engineering requirements, and keeping access to 10250 N.

Bruce Baird, counsel for R&J Highland Estates, talked about the previous application that the Planning Commission recommended denial. He said the new concept plan was 100% compliant with the code. He said his client was willing to agree to the three requests from staff. He said there was zero ability for the city to turn the project down and that the developer would not provide a park. He said his client was willing to slow-walk the subdivision request if the city was willing to fast-track a reconsideration of the rezone to 30,000 sf lots. Mr. Baird said that if the city approved a 30,000-sf rezone that was not subject to a referendum his client would withdraw the current application for the concept plan. Until that happened, his client insisted on fast-tracking the application for the current concept plan. Mr. Baird said his client would rather do what he first proposed with 30,000 sf lots. Mr. Baird did not understand why a city would not want a 7-acre park.

Commissioner Campbell thought Highland had trouble taking care of current parks, so an additional park was not that alluring to him.

Mr. Crane explained that it was a concept plan and would still need to go through the engineering review process. He said the developer asked to address the commissioners because of comments made with the last request. They thought it was prudent to get comments with the concept plan. Commissioner Kemp said that the Planning Commission would have no choice to approve the application if it met the code.

TRAINING

3. Mr. Brent Bateman from the Utah Property Ombudsman Office will discuss current State Law as it relates to the review and approval of Conditional Use Permits.

Mr. Bateman explained that his job was to protect the property rights of the citizens of Utah. He said the main goal was to keep citizens and cities from being in law suits with each other. He said the underlying right of property owners was to use the land any way they wanted to, except for local zoning laws. Property rights were violated when cities impose rules, requirements, or
restrictions that were not in the ordinances. He explained that a legislative action would be one
that changed the law and an administrative action was one that applied the law. Mr. Bateman
explained that a CUP (conditional use permit) was an administrative action. He talked about
public comment for conditional use applications and said considering public clamor when
deciding about an application at the administrative stage was not legal. He said there was no
room for subjectivity. He mentioned that denying a CUP should be rare. He talked about
Planning Commission responsibilities to make recommendations to update the code.

Commissioner Wright wondered about the circumstances in which a CUP application would be
denied. Mr. Bateman explained that it would be denied if it was illegal in the zone or if it was
impossible to impose conditions to mitigate the detrimental effects. He said the conditions would
have to relate back to the code.

Commissioner Jones wondered when something would be subject to interpretation. Mr. Bateman
explained that it was very limited. He said there was a difference between interpretation and
discretion. He said discretion was preference and that there was very little room for it. Mr.
Bateman gave the example of mitigating the detrimental effects of a dog kennel. He explained
that a condition relating to noise could not be imposed if there was nothing in the code regarding
noise.

Mr. Crane mentioned his proposal to do away with CUPs. Mr. Bateman mentioned that some
cities eliminated all CUPs from their city code and other cities just eliminated some CUPs. He
suggested reviewing and considering what was best for Highland. He suggested reviewing
conditional use codes from Midvale, South Salt Lake, and Weber County. Mr. Bateman offered
his services and suggested that the commissioners call him if there were questions.

PLANNING COMMISSION AND STAFF DISCUSSION ITEMS

4. DEFINITION OF A FAMILY and 5. ACCESSORY DWELLING UNITS

Mr. Crane explained that there was a proposal in 2010 or 2011 by the council to make basement
apartments easier for residents. He said the intent was to circumvent the building code and the
zoning process approvals for basement apartments. He said as a result, the council adopted a
modification to the definition of family. Mr. Crane reviewed the current definition of a family
and explained that two families living under the same roof was permitted. He said basement and
above garage apartments were currently allowed as conditional use permits, but detached
dwelling units were not. He explained that some things were problematic such as separate
utilities, separate entrances, and off-street parking requirements. Residents were ignoring the
separate utilities requirement because it was cost prohibitive. He also mentioned that there
needed to be compliance with the building code, which included fire separation like a fire wall.

Mr. Crane explained that lately the city received a lot of calls about apartments because of
parking, owners occupied vs. multiple renters, or other issues. Additionally, he said there was
recent legislation adopted by the state for moderate income housing. He said the commissioners
would see a proposed general plan amendment in the fall with strategies of handling housing issues. He said proposed changes would include modifying the definition of a family and change basement apartment regulations to accessory dwelling units with a certificate of occupancy process that required off-street parking. He said utilities were currently in the owner’s name regardless of who was living at the unit. Mr. Crane said fire separation would still be required and that the commissioners and council would need to decide if dwelling units should be owner occupied or not.

When asked his opinion, Mr. Bateman thought the proposed changes to the family definition and apartment units looked good. He suggested broadening it from basement apartments to all accessory dwelling units and to define who was permitted to live there.

Mr. Crane talked about detached units including yurts and tiny houses. He said it was important for the commissioners and council to consider what would be permitted in the future.

Resident Brian Braithwaite thought that if an owner did not live in the dwelling unit, but it was occupied by two different renters, the unit should be defined as a duplex. He pointed out that duplexes were not permitted in Highland. When asked to voice his opinion, he thought that a unit that was owner occupied would be better taken care of. He thought a rental on the top and bottom would eventually run into problems and would negatively impact other property owners.

Mr. Crane mentioned that staff would bring draft revisions in August.

OTHER BUSINESS

Election of Planning Commission Chair position

MOTION: Commissioner Campbell nominated Chris Kemp as the Planning Commission Chair. Commissioner Jones seconded the nomination. All present were in favor. None were opposed. The nomination carried.

MOTION: Commissioner Kemp nominated Ron Campbell as the Planning Commission Vice Chair. Commissioner Wright seconded the nomination. All present were in favor. None were opposed. The nomination carried.

APPROVAL OF MINUTES

MOTION: Commissioner Campbell moved to approve the June 25, 2019 minutes. Commissioner Jones seconded the motion. All present were in favor. None were opposed. The motion carried.

ADJOURNMENT
MOTION: Commissioner Wright moved to adjourn the meeting. Commissioner Carruth seconded the motion. All present were in favor. The motion carried.

The meeting was adjourned at 8:28 PM.
Highland City Planning Commission
August 27, 2019

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:05 PM on August 27, 2019. An invocation was offered by Commissioner Jones and those assembled were led in the Pledge of Allegiance by Commissioner Ball.

PRESENT: Commissioner: Christopher Kemp
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Commissioner: Ron Campbell
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Commission Alternate: Audrey Wright

EXCUSED: Commissioner: Sherry Carruth

STAFF PRESENT: Community Development Director: Nathan Crane
Planner: Tara Tannahill
Planning Coordinator: JoAnn Scott
Planning Commission Secretary: Heather White

OTHERS: See attached attendance lists

TRAINING
Members of the Planning Commission were given instructions on how to use the electronic voting system.

PUBLIC APPEARANCES
Commissioner Kemp asked for public comment. None was offered.

PUBLIC HEARING ITEMS
1. TA-19-07
A request by Cynthia Thorsen to amend the RP Zoning District to allow Reception and Event Centers as a Conditional Use.

Commissioner Kemp opened the public hearing at 7:07 PM.
Ms. Tannahill reviewed the details of the application. She said according to staff analysis, reception centers had different parking needs compared to what was currently seen in the RP (residential professional) zone. She encouraged the commissioners to discuss parking requirements as defined in Section 3-509.2. Commissioner Kemp mentioned that parking was the main concern.

Applicant Cynthia Thorsen said that she hoped to put a facility that would run events inside the lower portion of the Elevated Dentistry building. She said there were 50 parking stalls. She explained that the dentist office was not open on Friday or Saturday and she could work with them to accommodate parking for daytime events. Ms. Thorsen said she had a lot of experience with large events and was experienced with large and small groups. She said shuttling had always been an option and something they did a lot of the time. She said she had experience containing people and utilizing spaces that were provided. She wasn’t sure but thought the maximum occupancy for the interior space was 200-250 people. She said she would never have two events at the same time so anyone renting the space would have access to both inside and outside, weather permitting. Ms. Thorsen explained that some events might be during the time the dentist was working. She said it depended on the needs of the event and that they could transport from other locations so parking was not needed. She explained that the dentist owned the building and that she hoped to be his tenant. Ms. Thorsen said they did not have other locations where they operated. She said she had affiliations with most venues in the state. She had been doing this for about 20 years and had clients come to her to customize events. She said parking needs were very dependent on the needs of the event. The portion of the building that she was interested in was 2,500 square feet.

Commissioner Abbott asked if the building had other vacant space. Ms. Thorsen thought there was one other area that was currently vacant. Commissioner Abbott pointed out that if all three spaces were being used, it would be under parked.

Commissioner Kemp asked for public comment. Hearing none, he asked for additional discussion.

Commissioner Abbott thought the benefit with the RP zone was that businesses were closed on weekends. He pointed out that the change might introduce parties and events right by residential areas during weekends. The Planning Commission discussed other areas in which the amendment might affect. They discussed parking requirements that would be appropriate for potential uses. They were concerned that there would not be enough space if all tenets needed parking at the same time. They talked about potential hours of operation.

Commissioner Kemp wondered why Ms. Thorsen was interested in this location. He voiced concern with potentially loud music bothering residents in the evenings. She explained that smaller locations like this were difficult to find and were frequently booked out early. She said the smaller space allowed her to bring in her own vendors. She talked about the beauty of the surrounding area. She said it might not be the right venue for evening parties with loud music. She explained that the building had a huge parking lot which would be a noise buffer for neighbors. She said some neighbors thought the lights were a safety measure. She talked about
the wall and thought it would also be a noise buffer. Ms. Thorsen explained that the space was not currently finished and that she did not plan on adding a kitchen.

Commissioner Bills was concerned with specific home owners and remembered how they were concerned with noise when the dentist office was approved. She understood the difficulty in finding space like this, but thought her responsibility was to the Highland residents. She explained that she would need to see what the benefit was to Highland and residents.

Commissioner Wright was concerned about changing the code without knowing how it might affect other locations in the RP zoning district.

Commissioner Abbott agreed and said a reception center was a higher parking use that might affect areas that were already developed. He didn’t see a use for changing the code unless a parking lot could be upgraded.

Commissioner Campbell talked about standards that were generally used to calculate parking for reception centers; per person or per square feet. He said parking worked for this location based on those calculations, but they couldn’t know if it worked for other locations in the RP zone.

Commissioner Kemp asked Mr. Crane his thoughts on the matter. Mr. Crane said the commissioners made good observations. He said parking enforcement was a challenge in this situation. He said reception centers in general, not necessarily this application, had large parking demands. He said staff had many of the same concerns as the commissioners unless parking was addressed adequately.

Commissioner Kemp thought the venue would be good in Highland and hoped something could be worked out maybe at a different location. Commissioner Campbell wondered if there were any provisions that could be created having to do with shuttling people after a specific number of dedicated stalls were used. Mr. Crane said enforcement would become problematic.

Ms. Thorsen explained that being able to be local was a benefit to the city. She said most people wanted to stay close to their home and neighborhood. She mentioned that she ran the Sandy City parade for about 10 years with 65,000 people. She worked closely with law enforcement and that it was possible to create an event while containing people. Commissioner Kemp said the concern was with the other areas in the RP zone if the code were changed.

MOTION: Commissioner Campbell moved to deny TA-19-07; Request for a Text Amendment for Permitted Use, based on the following findings:

1. Problems associated with parking
2. Hours of operation that might not coincide with the expectancy of a residential buffer zone

Commissioner Wright seconded the motion. Commissioner Kemp, Commissioner Abbott, Commissioner Ball, Commissioner Bills, Commissioner Campbell, Commissioner Jones, and Commissioner Wright were in favor. None were opposed. The motion carried.
Abbott voted in favor of the motion, but the results of electronic voting were incorrect and showed that he was opposed.

Alison Larson, Dr. Larson’s wife, said they talked to the property owner of the adjacent vacant lot. She wondered if the vacant lot could be used for additional parking. Commissioner Kemp said staff needed to see if something could work with the parking. He wanted to talk to neighbors about potential lights and noise during weekends. The planning commission talked about other options and ways to make the use fit this location. They talked about parking and the need for a buffer zone to residential areas. They agreed that more information was needed.

Commissioner Kemp closed the public hearing at 7:47 PM.

2. **PC-19-03**

McKay Christensen is requesting approval of a Planned Development (PD) District of approximately 5.80 acres named Apple Creek. The property is located approximately at 5532 W Parkway West Dr. The planned development will include a 10,200 square foot commercial space and a maximum of 121 residential units.

Commissioner Kemp opened the public hearing at 7:48 PM.

Ms. Tannahill reviewed the details of the PD application and pointed out that the developer proposed 20.72 units per acre. She reviewed the parking plan, landscaping plan, amenities, commercial space, and height requirements. She pointed out that the council had the ability to approve a building height of up to 50 feet. Ms. Tannahill reviewed the details of the residential units and said it would be modern farmhouse style architecture. She noted that access for the commercial district would be from Alpine Highway and a shared access with Ace Hardware. Access for the residential district would be from Alpine Highway, 10700 N, and a share access with Ace Hardware. She reported that a traffic study indicated that a light would not be needed on 10700 North and Alpine Highway because the project was anticipated to utilize 7.8% of Alpine Highway’s road capacity. For general reference, she reviewed density, parking, and building heights of surrounding developments. She mentioned that Apple Creek proposed 300 parking stalls and a density of 20.72 where the town center district requirement was 403 parking stalls and the development code defined 12 units per acre.

McKay Christensen, representing Apple Creek LLC, said they planned to partner with Holmes Homes. He reviewed the history of the application. He mentioned that the proposed development was similar to the previous application except that it was now a PD district. He said Apple Creek made all 38 recommended changes from city staff.

Commissioner Campbell wondered who made the decision about the light. He said traffic was already a problem and wondered how there could not be a light on 10700 N. Commissioner Kemp said the traffic at the intersection had always been a concern.

Mr. Christensen mentioned that he met with UDOT (Utah Department of Transportation) and that Apple Creek commissioned the traffic study. He said the property was currently zoned
commercial and if they only did commercial development it was estimated that the number of trips per day would double compared to the estimated trips per day from the proposed development. UDOT representatives told him they were in favor of one access point on Alpine Highway and that the signalized intersection would not happen because there was no room for it and UDOT would have to purchase property. He explained that the traffic study indicated that the development would increase traffic on SR 74 (Alpine Hwy) by only 7% and did not warrant a traffic light. He said the entrance and exit to the commercial area would not be using that intersection. Commissioner Kemp asked who controlled the road. Mr. Crane explained that any access or improvements to Alpine Highway would have to go through the UDOT access permit process. Approval was needed from UDOT before anything was constructed.

Commissioner Kemp asked for public comment.

Resident Sara Begill thought the proposed plan had not changed much from what was previously proposed. She voiced concern with current lighting issues and talked about the proposed height of the project. She said traffic was already a problem even though Highland Vista wasn’t finished. She thought high density should be spread out to other areas in Highland. She said the lighting came straight into her neighborhood. She said the proposed development would be a huge impact on her neighborhood. She pointed out that the proposed building would be 10 feet higher than the Toscana development.

Resident Amber Gardner did not want high density in the area. She thought a 7% increase in traffic was a lot. She talked about traffic and having no choice but to turn right out of the neighborhood at 7:30 AM. She mentioned that the trees and median were traffic hazards. She was not opposed to town houses, but concerned with having the light, high density, and commercial all together.

Resident Michelle Ririe agreed with previous statements. She acknowledged that it was zoned for high density but thought it didn’t have to be so high. She said it was impossible to turn left out of their neighborhood and had a hard time believing that the traffic wouldn’t have much of an impact. She and her husband were opposed to the proposed development. She said the trees and median made visibility terrible.

Resident Wesley Warren read from the General Plan that high density, commercial, and mixed use were encouraged in the town center district. He thought high density in the town center would invigorate the area. He thought it was a good opportunity to make the area more walkable. Mr. Warren said it was important to keep the town center consistent and walkable and thought it would encourage less traffic. He thought less traffic could be encouraged in other ways.

Resident Kay Therman said traffic was horrible. She talked about city officials wanting a rural community and thought that that idea was going away. She was opposed to the development.

Resident Bryce Ririe talked about moving into Highland and seeing plans for big parks in the town center area with a more rural location.
Mr. Christensen addressed some of the comments. He explained the lighting plan with shielded low voltage lights on the main level and no commercial lighting on levels 2 or 3. He pointed out that neighboring backyards were barely within 500 feet of the building and that lighting was pushed back from the road. He explained that the property was zoned town center commercial for 20 years and that it was created for the express purpose of high-density housing and commercial use. He talked about the median, how UDOT did not like it, how it was hard to maintain, and how it reduced visibility. He said Apple Creek would be willing to pull out the median in order to make a center turn lane. Mr. Crane said the city would need to refer to UDOT and the city engineer regarding the median. Mr. Christensen continued and compared the proposed density with the Toscana development. He explained that the footprint of one of his units was much smaller than those in Toscana. He said the unit per acre number was deceiving. He explained that his building was smaller, and the visual impact was much lower. Regarding building height, Mr. Christensen explained that the commercial units would have 16-foot ceilings. He pointed out that 43% of the site was open space. He thought the development would raise the value of existing home. He talked about possible uses that were currently permitted, including gas stations and car dealerships, but thought their proposed development was better. He talked about the amenities.

Commissioner Jones wondered how many people would be in the development if all units were occupied and he wondered if all the buildings would be 50 feet tall. Mr. Christensen explained the demographics for each residential product. He said it was difficult to estimate because family size was unknown. He explained that only the building with commercial use might need to go higher than 45 feet due to building requirements.

Commissioner Wright wondered if the units were owned or rented. Mr. Christensen explained that the apartment section would be rented, all the others were for sale, with a small fraction of units that might be nightly rentals. He said the entire property would be managed by an HOA.

Commissioner Abbott talked about his relative living in a similar development and said parking was very restricted. He pointed out that even though parking was less than what was required, it was very controlled. Mr. Christensen agreed that parking was restricted. He reviewed the parking plan. Commissioner Abbott talked about what could be constructed on the property and thought this was a good plan. He had concerns with the parking and building height and thought they were mitigated well.

Commissioner Bills voiced concern with traffic. She talked about how the development and the upper deck would affect residents across the street. Mr. Christensen reviewed the ingress and egress. He thought traffic from the development using Alpine Highway would only be southbound traffic. He talked about the two sides of the deck and said the east side was a 500-ft passive deck with fire pits and lounge chairs.

Commissioner Campbell was concerned with traffic and impact to neighbors, but his overall role was to look at what was best for Highland. He considered other uses that could be developed on the property and thought this seemed to be the best use. He said he would love to do something about a traffic light but did not have the authority. He saw the proposed development as the least restrictive and least impactful compared to what might be developed.
Commissioner Wright thought concerns were addressed and thought the proposed development would be better than what was currently on the property. She said the open space was addressed, commercial would probably be there anyway, and she appreciated the buffer for residents. She thought the plan would have minimal impact to existing residents compared to something else. She was very concerned with traffic and didn’t think the use or plan was ideal for traffic, however, she thought requirements were met.

Commissioner Kemp asked Mr. Christensen to consider berms in the landscaping plan so car lights were not shining directly into backyards. He recommended taking out the median. He talked about traffic issues and sympathized with residential impacts. He thought the proposed plan was well thought out and that it would be good for the town center area. He thought it was a unique development that would encourage people to walk to the town center.

Resident Willard Spikes talked about his frustration over the years with his property within the town center district. Steven Christensen explained that property was purchased from Mr. Spikes and Martha Braithwaite. He said their property was incorporated into the plan and that most of the things Mr. Spikes mentioned had been incorporated. He said Mr. Spikes and Ms. Braithwaite were taken into consideration. He talked about traffic release points on the town center plan and said there were many different ways for traffic to go.

Commissioner Kemp closed the public hearing at 9:08 PM and called for a motion.

MOTION: Commissioner Abbott moved that the planning commission recommend approval of the PD Zoning District with the following six stipulations as recommended by staff:

1. Development shall comply with the Apple Creek Plan and Narrative date stamped August 19, 2019 except as modified by these stipulations.
2. All public improvements shall be installed as required by the City Engineer and City Fire Marshall.
3. The civil constriction plans shall meet all requirements as determined by the City Engineer.
4. Access approval for UDOT shall be required prior to approval of a site plan or preliminary plat.
5. The private road needs to be 28 feet in width as requested by the City Fire Marshall.
6. There shall be a minimum of 10,200 square feet of commercial space.

Commissioner Jones seconded the motion. Commissioner Kemp, Commissioner Abbott, Commissioner Campbell, Commissioner Jones, and Commissioner Wright were in favor. Commissioner Ball and Commissioner Bills were opposed. The motion carried with two opposed.

Commissioner Campbell asked that the Council seriously consider the removal of the median.

DISCUSSION ITEMS
3. **Review and discussion of current and conditional permitted uses.**

Ms. Tannahill said staff was recommending that a Table of Uses be created and implemented. Mr. Crane asked the commissioners to go through the list of uses marking out uses that were not wanted as well as adding uses that they did want. He asked the commissioners to return feedback to staff by the end of next week.

4. **Review and discussion of Article 3 Appeal Authority**

Mr. Crane explained that the city attorney and appeal hearing officer had concerns the last time there was an appeal. Staff was updating the language to be consistent with changes to the State Code.

**APPROVAL OF MINUTES**

MOTION: Commissioner Campbell moved to continue the approval of minutes from July 9, 2019 to the next meeting. Commissioner Abbott seconded the motion. All were in favor. None opposed. The motion carried unanimously.

**ADJOURNMENT**

MOTION: Commissioner Campbell moved to adjourn the meeting. Commissioner Abbott seconded the motion. All present were in favor. The motion carried.

The meeting was adjourned at 9:17 PM.