

Highland City Planning Commission

October 22, 2019

APPROVED November 19, 2019

The regular meeting of the Highland City Planning Commission was called to order by Planning Commission Chair, Christopher Kemp at 7:02 PM on October 22, 2019. An invocation was offered by Commissioner Bills and those assembled were led in the Pledge of Allegiance by Commissioner Campbell.

PRESENT: Commissioner: Christopher Kemp
Commissioner: Jerry Abbott
Commissioner: Tim Ball
Commissioner: Brittney Bills
Commissioner: Ron Campbell
Commissioner: Claude Jones
Commission Alternate: Audrey Wright

EXCUSED: Commissioner: Sherry Carruth

STAFF PRESENT: Community Development Director: Nathan Crane
Planner: Tara Tannahill
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. FP-19-05
Scott Dun is requesting approval of a Preliminary/Final Plat approval for a 1-lot subdivision of approximately .55 acres to be known as Chidester Subdivision Plat A. The property is located approximately at 5833 W 9600 N.

Ms. Tannahill reviewed the details of the application. She explained that the applicant currently owned 1.5 acres in Highland, however, they requested that the back 1 acre of property go to American Fork because it could not be serviced with Highland utilities. The remaining .55 acres will remain in Highland and accessed from 9600 North. Ms. Tannahill said the property met the requirements for the R-1-20 district.

Commissioner Kemp opened the public hearing at 7:06 PM and asked for public comment.

Resident Jim Schultz asked for clarification regarding what was to be built on the property. Ms. Tannahill understood was that the 1 acre would go to American Fork. She thought the property owner would be developing but did not know details. She said Mr. Schultz should receive notice from American Fork.

Commissioner Kemp asked for additional comments. Hearing none, he closed the public hearing at 7:09 PM and called for a motion.

MOTION: Commissioner Campbell moved that the Planning Commission 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 July 10, 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.

Commissioner Abbott seconded the motion. All were in favor. The motion carried unanimously.

2. PP-19-05

Boyer Ridgeview LC is requesting approval of a Preliminary Plat approval for a 267-lot subdivision of approximately 38 acres to be known as Ridgeview Pat A. The property is located approximately at 9800 N North County Blvd.

MOTION: Commissioner Abbott moved to continue PP-19-05 to the Nov. 19th meeting. Commissioner Ball seconded the motion. All were in favor. The motion carried unanimously.

3. TA-19-13

Highland City is requesting approval to amend Article 3 Appeal Authority in order to modernize the language to be consistent with State Law and modern practice.

Commissioner Kemp opened the public hearing at 7:12 PM.

Mr. Crane explained that the appeal authority was a representative hired by the city to hear variances and appeals regarding land use matters for the city. He said staff thought an appeal authority was best for Highland because it allowed for a person who was familiar with land use law and State Code to hear appeals and variances. Mr. Crane explained what a variance was and explained that it had to be something to do with the land. He explained that some of the decisions could be controversial and that having a land use authority provided an avenue without having to go through a court process first. Mr. Crane reviewed the amendments to the Highland City Code Article 3 Appeal Authority. He pointed out that a recent change to State Law said that the appeal authority needed to interpret and apply the land use regulation in favor of the land use application as defined in Section 2-306.7 Appeals of the Highland City Code.

Commissioner Campbell wondered how the city appeals authority fit with the State ombudsman. Mr. Crane explained that someone would need to exhaust all administrative remediation. He said the first action would be to the appeals authority. Then the next action would be to the ombudsman.

Commissioner Bills wondered how often the appeals authority was needed. Mr. Crane explained that it was needed once or twice a year. He said the proposed amendments put the city in compliance with State Law.

Commissioner Kemp closed the public hearing at 7:19 PM and asked for a motion.

MOTION: Commissioner Abbot moved that the Planning Commission accept the findings and recommend approval of the proposed amendment. Commissioner Campbell seconded the motion.

Question on the motion: Commissioner Ball wondered if there was any impact to the city. Mr. Crane explained that adopting the amendments created no liability or physical impact to the city. He said it updated what Highland was already doing.

Commissioner Kemp, Commissioner Abbott, Commissioner Ball, Commissioner Bills, Commissioner Campbell, Commissioner Jones, and Commissioner Wright were in favor. None were opposed. The motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Commissioner Jones moved that the Planning Commission approve the September 24, 2019 minutes as written. Commissioner Wright seconded the motion. All were in favor. The motion carried unanimously.

COMMISSION COMMENTS AND SUGGESTIONS

Commissioner Wright asked about the Apple Creek development and what happened during the last Council meeting. Mr. Crane explained that the developer submitted revised plans on the last day that plans could be submitted for the next council meeting. Because of the amount of revisions, the City Council sent the plans back to the Planning Commission for review and recommendations. He said staff had several concerns and was currently preparing comments for the developer. He said the revised plans were currently scheduled to be reviewed at the Nov. 19th Planning Commission meeting.

Mr. Crane mentioned that PP-19-05 was still under staff review.

ADJOURNMENT

The meeting was adjourned at 7:27 PM.

