

**ELK RIDGE PLANNING COMMISSION MEETING**  
**February 15, 2007**

**TIME AND PLACE OF  
PLANNING  
COMMISSION  
MEETING  
ROLL CALL**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, February 15, 2007, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

*Commissioners:* Dayna Hughes, Scot Bell, Sean Roylance, Shawn Eliot, Russ Adamson  
*Absent:* Kevin Hansbrow, Ed Christensen  
*Others:* Ken Young, City Planner  
Margaret Leckie, Planning Commission Coordinator  
Teresa Cain, Tony Trane, RL Yergensen, Isaac Workman, Derrek Johson, Jed Shuler, Lyndell Lutes, Cheyn Gunnerson, John Calcote, Michelle Calcote, Paula Eppley, Shane Eppley and Brian Ewell

**OPENING REMARKS  
& PLEDGE OF  
ALLEGIANCE**

Chairman, Russ Adamson, welcomed the commissioners and guests at 7:00 p.m.. Opening remarks were given by Russ Adamson followed by the Pledge of Allegiance.

**INTRODUCTION OF  
NEW PLANNING  
COMMISSION  
MEMBER**

Sean Roylance was introduced as the new Alternate Planning Commission member. He told a little about himself. He has lived in Elk Ridge close to a year. A few months ago there were some issues that affected his part of Elk Ridge and he attended some Planning Commission meetings. He was intrigued by the process and after speaking with Chad Christensen decided to join the Planning Commission.

**APPROVAL OF  
AGENDA**

The agenda order and content was reviewed and approved.

**1. PUBLIC HEARING –  
PROPOSED  
AMENDMENT TO  
THE ELK RIDGE  
CITY CODE  
PROVIDING FOR  
STREETS AND ROAD  
REGULATIONS IN  
THE CE-1, CE-2 AND  
SUBDIVISION CODE**

Chairman Adamson opened the public hearing at 7:05 p.m. Ken Young introduced the topic by explaining that what we are doing is trying to take the information that has been approved in certain parts of the code and in the CE-1 zone and Subdivision code and put it in all the appropriate areas of the ordinance.. The code includes street grades and other requirements for streets and roads. The sections of the code that would be effected are 10 -9A-6, 10-9B-10, and 15C-2 . Some of these sections had part of the information but not all of it.

Basically the information being added is:

- No roads greater than 8% shall be allowed in the community on arterial streets
- No greater than 10% slopes on local streets
- An additional 2% can be approved on a case -by-case basis
- Intersection grade was 4% for 100 feet, an added alternative is 3% for 50 feet.

Chairman Adamson asked for public comment. The following comments and questions ensued:

1. Shawn Eliot mentioned that the 10% and 8% road grades have already been passed and approved by the City Council in the CE-1 and Subdivision Code. As a house-cleaning measure, we are now putting these standards into our code so it is more accessible to developers. Right now any developer in the CE-1 area does have to follow these standard s.
2. He read the code which will be inserted as follows:

*“Grade: No major collector / arterial street shall have a grade of more than 8% and no local street shall have a grade of more than 10%, except that the city council may approve up to an additional 2% grade for short stretches of roadway where, in its opinion, the 8/10% standard would result in undesirable extra earthwork or circuitous routes and that the proposed steep grade section will not result in the establishment of a hazardous condition. It is the responsibility of the developer to present evidence that the additional allowance in grade is desirable. The City Engineer shall provide recommendation regarding hazardous conditions and any other concerns on the proposed steep grade sections.*

  1. *Roads that cross slopes greater than thirty percent (30%) must be reviewed by the Planning Commission and the City Engineer; they must conclude that such streets or roads will not have significant adverse visual, environmental, or safety impacts.*
  2. *Streets and roads proposed to cross slopes greater than (10%) are allowed, subject to the following:*
    - a. *Proof that such street and/ or road will be built with minimum environmental damage and within acceptable public safety parameters.*
    - b. *Such street and road design follows contour lines to preserve the natural character of the land, and are screened with trees or vegetation.*

3. *Cutting and filling is minimized and must be stabilized and re-vegetated to a natural state within 1 year. A stabilization and re-vegetation plan must be approved by the Planning Commission and City Engineer.*

*Intersection Grade: The maximum grade of intersecting roads shall be either 4% extending a minimum of 100 feet on each leg of the intersection, or 3% extending a minimum of 50 feet on each leg of the intersection. The grade shall be measured from the edge of the asphalt of the intersecting roadway to the nearest grade break/vertical curve.*

*Slope: No street providing access to a lot shall be constructed in a location or in such a manner which results in the creation of a slope arch exceeding the critical angle of repose or a disturbed cross section which exceeds the cut and fill slope standards for streets in the city. Any driveway providing access to a buildable area shall have a slope of not more than 12% and shall not result in any cut or fill slopes greater than 7 feet. Any cut or fill between 5 feet and 7 feet shall be subject to planning commission approval.”*

3. Ken Young mentioned there is nothing new or that is changing other than the intersection code allowing 3% for 50 feet prior to an intersection. Right now our code states you must have 4% grade for 100 feet prior to an intersection. Shawn Eliot mentioned there are a lot of city intersections that do not meet this standard.
4. Shawn Eliot mentioned that this code would make it so that roads followed more closely the contours of the land rather than cutting across large slopes.
5. Scot Bell stated that we are not to alter any land in excess of 30% slope. He felt we needed more restrictions on allowing increases to the 8% and 10%. He felt adding verbiage “*when all other alternatives have been exhausted*” to the wording that talked about going beyond the required grades. Russ Adamson interjected that in these cases, the protection is that the variations must be approved by the Planning Commission. He definitely felt that 30% slopes should not be disturbed by building or roads.
6. Scot also discussed the revegetation concept. He felt we needed to add some verbiage indicating it needed not only to be revegetated but also be maintained for 2 years.
7. Russ Adamson suggested not voting on this motion tonight but having further review how this code applied to the some of the proposed developments.
8. Ken Young felt that additional discussion might need to occur in relation to slopes or language or whatever, but felt tonight’s motion is a simple house-keeping motion and needs to go forward. If further review is desired, it can be done at a later date; but we need to go forward with this motion and not add any changes. The intent is to make all the chapters fit together and be consistent. We can continue this discussion at another time and bring it forward as a different proposal.

Chairman Russ Adamson closed the public hearing.

**A MOTION WAS MADE BY SHAWN ELIOT AND SECONDED BY DAYNA HUGHES THAT THE PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL ADOPTING THE PROPOSED AMENDMENT TO THE ZONING CODE PERTAINING TO STREETS AND ROADS IN SECTIONS 10-9A-6, 10-9B-10 AND 10-15-C2, SUCH THAT THE LANGUAGE WILL BRING THE CODE UP TO WHAT THE CURRENT DEVELOPMENT STANDARDS ARE. VOTE: YES -ALL (4), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.**

Ken Young, City Planner, suggested that all further agenda items relating to CE-1 code be grouped together (including the above discussed items by Scot Bell and Agenda Item 4 regarding guard rails and curb types in the CE-1 and CE-2 zones) and discussed at one time.

**2. FAIRWAY HEIGHTS, PLAT C, CONCEPT**

Ken Young introduced the topic by referring to Shawn’s comments in the staff report which summarized the problem issues. There are 30 lots being proposed on almost 20 acres with a density of about 1.5 units per acre. The connection of Fairway Drive to Salem Hills Drive is the area of the proposed subdivision.

Ken began by pointing out where the applicant has come into compliance with the code:

1. Show the average slope on each lot.
2. Show missing contour lines on the east and west sides of the development.
3. Change slope of road on Fairway Drive to be under 10% as much as possible.
4. Show buildable area on lots with over 20% slope (Lots 11 and 12)

5. Correct buildable areas to not include any areas which exceed 30% slope.
6. Show secondary water system lines.
7. Correct the typical street section to show 2 -1/2" asphalt and a 1" overlay.
8. Meet all engineering, drainage and public works requirements

Ken Young then addressed some of the concerns and questions of the commission:

The following issues have been identified by staff and Planning Commissioner Shawn Eliot in review of this proposal, which will need to be addressed by the Commission and City Council:

1. Does this development meet the intent of the CE -1 Zone?
2. Is the clustering of lots proposed meeting the objective of using flatter terrain?
3. Are the building envelopes meeting the objective of conforming to the natural terrain?
4. Is the Planning Commission willing to approve building upon lots #11 and #12, which have an average slope of over 20%?
5. Are there significant adverse visual, environmental, or safety impacts to the plan for Fairway Drive to go through an area having 30% slopes?
6. Where the road is planned to have a slope of 12%, is there evidence that road will be built with minimum environmental damage and within acceptable public safety parameters?
7. Is cutting and filling minimized?
8. Is the plan for cul-de-sacs meeting the objective for use under unusual circumstances, and is the Planning Commission willing to approve them?
9. Does the plan provide for good location of buildings, roadways, open areas and other elements to accommodate the natural conditions, and will not result in adverse or unsafe conditions?
10. Does the plan provide for re-vegetation of disturbed areas?

He presented these in question form as many of the requirements can be subjective. If anyone has concerns on something that is subjective, we need to understand what they are.

The following discussion ensued:

- a. Shawn Eliot read the following from our code regarding the CE-1 zone: He stated that the intent has never changed for the zone. He read from the code:

*"The CE-1 zone consists of those areas of the city which, because of the presence of steep slopes, unique soil characteristics, natural vegetation, or similar natural condition, are susceptible to erosion, flooding, wildfire hazard, or are otherwise environmentally sensitive.*

*It is hereby declared the intent and purpose of the CD -1 zone is to:*

1. *Delineate environmentally sensitive areas within the city and to establish standards and guidelines for the uses and development activities occurring therein which recognize and appropriately balance the diverse interests arising from development, including: 1) the need to the preservation of the natural environmental conditions; b) the need to mitigation of potentially adverse or unsafe conditions arising from development activities; c) the protection of the interests of subsequent purchasers and occupants; and d) the rights of current owners to the reasonable use of the property.*
2. *Avoid or mitigate the potential impact of natural hazards from earthquakes, landslides, floods, fires and similar calamities upon development, and reduce the extent of public involvement of expenditure in subsequent mitigation of the adverse or unsafe conditions.*
3. *Protect and conserve the culinary water supply, sensitive vegetation, soil, wildlife habitat and other natural resources within the area.*
4. *facilitate and encourage the location, design and construction of uses, development projects and building sites in the zone area, which provide maximum safety and human enjoyment, consistent with the natural limitations and the need for protection of the environment.*
5. *Preserve the aesthetic appearance of the landscape. Because of the sensitive nature of the land in this zone, special conditions and requirements are attached to developments occurring therein to promote the implementation of the purposes stated above and to mitigate the potential adverse aspects of developments in the area. The requirements hereinafter set forth are considered the minimum required for the accomplishments of the intent of this*

zone.

- b. Shawn Eliot summarized by stating we are supposed to “tread lightly” in this area.
- c. Dayna Hughes pointed out that in the Land Use Element of the General Plan (Policy No. 10) states *“In order to minimize the environmental hazards and protect the natural character of the hillside, potential development on drainage ways and hillsides should be transferred to land more suitable for development.”*
- d. Shawn stated that the developers are invoking the density bonus in this development. The zone currently allows for 1-acre lots on any slope (building envelope for the house has to be on 30% or less slopes; half-acre lot homes can be on 15% slope or under). If you trade open space for a higher density and build on flatter areas you can do that and have 15,000 sq. ft. lots. The density bonus is trading ability to build on steeper slopes and keep the building on the flatter slopes. There is a 20% minimum requirement of land that can be given .
- e. Regarding the building envelopes meeting the requirement of conforming to the natural terrain, our code states that the building envelope must conform to the natural terrain and can be much smaller than the actual lot. The normal setbacks give you a large envelope on a large lot. You can have a much smaller envelope so it will conform to the slopes.
- f. The dark blue areas on the maps passed out by the developer represent slopes between 20% and 30% Normally you would want the houses off this area. The proposal here is to flatten that area. This goes against the portion of the code which talks about staying with the natural terrain.
- g. Shawn added that on the road plan the road does not follow the natural terrain in order to avoid property owned by another person who does not want to be a part of this development. Our code discourages cul-de-sacs. We might allow a stub road longer than 400 feet so that when these people do want to develop, the road can go through as planned. This might be one option – to change our code to allow for a longer cul-de-sac. Looking at other cities, we are one of most restrictive in the cul-de-sac requirements.
- h. Our code talks about trying to avoid hillsides and ravines – this area has an underlying requirement of one-acre lots. If you can do one-half-acre lots on really flat land that is great. The code is written to keep the density low. This proposed development is high density.
- i. Russ Adamson mentioned that this development does not meet the intent of the zone.

The applicants were invited to speak

- j. Tony Trane mentioned that commissioner Eliot has gone through a number of iterations of possibilities with them. Scot Bell showed an iteration. He felt if we shifted one of the roads it would minimize the cut by 30%.
- k. Tony mentioned there are two reasons they keep coming back with this same plan:
  - The more they move the road down the hill, the more they impact the natural corridor they want to preserve.
  - They have exhausted the issue of working with Randy Peterson who owns the property in the lower corner. They are trying to impact his property as little as possible.
- l. Tony mentioned three items that are in nonconformance with the code:
  - That they go across the 30% slope
  - That they utilize the 12% slope; (this is workable)
  - They have two lots that cross into higher than 20% ground. They felt that if they request this extra slope, it allows for a straighter, less steep road.
- m. Chairman Adamson asked, re: Lots 10-13, is this terrain all graded such that the original terrain is all gone. Tony answered that this is a hilltop, and typically developments flatten these domes down and it will be graded to be flat. RL Yergensen said the dirt will be removed and not just pushed down.
- n. Chairman Adamson mentioned his concern being that the code calls for maintaining the original condition of the land. When you take the top of the knoll off you have removed all the topographical uniqueness of this area. This goes against the whole intent of the CE -1 code and is where you will have challenges with the commission and with residents in the community.
- o. RL stated that if they did not cut off that area, they would not have fill for another area of the development. Russ asked what the problem would be with leaving those areas for the open space so you don't change the permanent contour, and build the development where it is flatter? RL said they feel this plan will create a more beautiful place, with more desirable lots than any other place in Elk Ridge and people would like to buy them and would build beautiful homes there. To him this is the proper use of land. To provide some thing for someone to have a house on. Russ reiterated that the vision of the people in the community

- was that the natural hilltop was more beautiful than homes and they want to preserve it. There is a difference of opinion on what beauty is. We have some challenges to overcome.
- p. Shawn Eliot mentioned that the first development RL did which included his home, 75% of the land was left in it's natural state and RL did tread more lightly. When the Mahogany Development was approved it was done so reluctantly with the intention that no more of this type development would be approved. We feel there is too much cutting and filling going on that takes away from the natural environment. RL mentioned there is a wildlife corridor being preserved. RL mentioned there is very little cut.
  - q. One of the residents told RL that the cutting is creating an eyesore in the community. Russ stated that there are a lot of people in the community have seen this development and do not like it and do not want to see more. Someone else complained that this area (RLs unfinished development on Mahogany) is nothing more than a gravel pit and storage area.
  - r. RL Yergensen showed a sample of what the homesites will look like once the Mahogany development is done. Shawn Eliot mentioned that the issue with Mahogany is that it did not conform like it should have, with the terrain of the land. It is almost a complete cut and fill development.
  - s. Shawn Eliot mentioned that the homes on the top of the hill mostly conform to the code, but it is getting up to it that does not conform. Following contour lines and keeping 20% slopes is not adhered to in the design.
  - t. Tony Trane said the City Council has told them they don't want them to come off Salem Hills Drive, and they like this design. They have met with the City Engineer and the City Council a number of times. Trane said they wanted to limit the impact to 30% slope but the people they have talked to have not been as concerned about the hillside as they have with the road coming through and preserving the corridors with significant oak brush. Shawn helped them with one of the designs. Shawn again reiterated the concern with the amount of cutting and filling in taking the hillside down. Filling the ravine to the extent they are doing is a concern. Salem Hills Dr. is high and there will have to be a lot of fill to join into it.
  - u. Tony Trane felt that some of the scenarios Shawn had given them earlier would still have impact in the ravine. Shawn did not feel they would have as much impact as the present plan.
  - v. Shawn mentioned that many of the roads in this area are stub roads, such as Fairway Drive. He did not see a problem stubbing the road into Petersons in order to preserve the Hillside.
  - w. Shawn read from the code regarding slopes greater than 20% *"All land surface outside the buildable area delineated in a grading plan and site plan having a slope of 20% or greater shall remain in its natural state and shall not be graded or otherwise disturbed except for the planting of additional vegetation, or sprinkler irrigation systems. If the establishment of fire breaks and/or access easements is required, or when such disturbance is specifically provided under an approved site plan these areas will be required to be retained or revegetated in manner that can stabilize the slope while maintaining fire breaks.*

*...Removal of natural vegetative material. Natural vegetative material shall not be removed except for those portions of the site committed to the dwelling and attendant yard area generally thirty (30) feet around the dwelling and required to accommodate roadways, driveways, retention walls and fire breaks. All areas proposed for removal of vegetative material shall be shown on the grading plan, the site plan, and required revegetation shall be shown.*

- x. Tony Trane, engineer, stated that they only wanted to remove vegetation for the dwelling and the attending yard which would be thirty feet around the home.
- y. Chairman Adamson stated that this is a very powerful paragraph that Shawn read and if you go with the letter of our zone we have to deny this whole development because it states that *"all land surfaces outside the buildable area delineating grading plan and site plan having a slope of 20% or greater shall remain in it's natural state."* The fact that you want to flatten that whole area flies in the face of that sentence. Flattening something is not leaving it in it's natural state. We have a major disconnect, you as a developer and we as a Planning Commission. Our code is very clear. The CE-1 zone does not allow for what you have presented. You have got to start over. It does not work.
- z. Scot Bell made the comment that using the development that is about to happen in the south area of town as an example, the precedence has been set that you can cut across 30% with a road. One other problem we have is up in the Oak Bluff Estates Area – there is a lovely cul-de-sac but it has many of the similar challenges this has. Russ Adamson brought up the fact that that area is not in the CE-1 zone. Scot stated that if RL flat topped that knoll and did not

push the dirt out, but left the natural vegetation, when it comes to cuts and fills and developing land, that concept will do more to preserving the natural vegetation than burying it with a backhoe.. Shawn Eliot mentioned that it is not R -1 15,000 and the current code does not allow for that to take place. Tony Trane said the code is subjective and the development is appropriate. He said they could just not push the dirt back though it would decrease the yard and not give a trail for the game to go through. They could just do the home and buildable pad and not push back 30 feet.

- aa. Shawn asked when the City Council had seen this. Ken said they have met with some of the members but it has not gone officially before the City Council.
- bb. Dayna asked if there was any way to use this land and comply with the intent of the CE -1 zone. Many of the feedback forms referred to the fact that they want to keep as much natural environment as possible.
- cc. Russ Adamson said maybe the cold reality of the issue is that the area is not buildable. Maybe you can't get 30 homes in there. Maybe there is only a fourth of it that is really developable. RL stated that it might not be worth developing unless it is done in the way it is presented. Russ stated that that is the risk of being a developer. Right now this does not meet our code. Tony Trane stated that if that land is developed, the hilltop will come down. Chairman Adamson stated that the community's vision is not to cut hilltops down. This commission has to approve this proposal before it can be developed. Right now it does not meet the intent, nor the letter, of the code. You will have to come up with something more creative than you have presented here that maximizes the number of lots using the bonus to the nth degree using the terrain you've got. Again, the intent of the CE -1 zone is to preserve the natural features of the land. I know that is hard for you to hear but that is the reality. If you want to apply for an R-1 15,000 zone change, you can, but right now, it is CE-1.
- dd. RL Yergensen said that in our code it says that for short spaces we are able to do these things we have asked to do. Cut the road in and take off the top of the hill.
- ee. Dayna Hughes said there are too many violations. If there were just one little issue, but there are too many things that do meet the intent of the code.
- ff. Developer's engineer, Tony Trane, stated that Ken did a good job putting the questions together and maybe his (Tony's) recommendation would be to have the commissioners quickly state why these statements (or questions) are not met, then pass the project on to the City Council and get their recommendations after a presentation by the developers. Tony asked if this were an appropriate request.
- gg. Commissioner Eliot stated that our code states that if a project does not meet the code the commission can deny it and withhold it from going to the City Council until it comes back to us in a manner that we feel meets the code.
- hh. Tony Trane: If we could present to City Council with your recommendations and comments on those ten questions, I would think that would be an appropriate request.
- ii. Shawn Eliot: I will say that the characteristics of the land up by the Peterson property is more R-1 15,000-type. The upper area is not. You could come back and present two subdivisions here. Doing the hillside ravine with one acre lots would be good. Going back and forth is not fun, but this plan does not look a whole lot different than what we looked at in December.
- jj. Tony Trane stated that the three criteria they are asking for had been suggested to them as appropriate requests. That is why we presented it as we did to you. (The location of the road in the 30% that cuts across contours).

Chairman Adamson invited public comment. Since this is not a public hearing and we want to keep this short, Ken Young suggested taking comments but with the admonition that if someone else has already said something, don't repeat it. The following comments ensued.

- a. Michelle Calcote: That hilltop may not have tall pine trees on top of it, but you can see it for miles and if you cut it down and put a house on it, it will be an eyesore. It should be protected by its zoning.
- b. Isaac Workman: I think we have an issue here. There is a big disparity here tonight between what you can do and what the code is allowing for. I think the commission has done a good job of focusing on the code itself and preserving the vision of the community. Commissioner Adamson summed it up nicely when he said there is no question that those hilltop lots would have fabulous views and have beautiful homes on them; but the terrain as it is now is far more beautiful and desirable to the residents of Elk Ridge.
- c. Paula Eppley: Maybe the perspective that this retaining wall in no way personifies beauty to

- me compared to the view I have in my back window. The fall colors and wildlife.
- d. Derek Johnson: A question... You stated that right now this project could be dead until it meets the code. Mr. Trane asked if he could at least present to City Council. Personally, I have some fears because of the pro-developer bent of the City Council. Can we keep this in the planning commission until it meet code? Chairman Adamson: That is the plan and the rules.
  - e. Brian Ewell: I understand what the residents here are saying about the hill and preserving it. From my point of view (I am the owner of the hill), it wasn't my intent to buy the hill and make money off it. I wanted to live there. That did not work out. As we looked at our options we considered the residents and that is why we have volunteered to donate almost half of all our property to the City and proposed putting in a nice trail the citizen's can use. If it is in acre lots it is all private property and cannot be used by the citizens of the town.
  - f. Teresa Cain: The residents in the subdivision down below (where Holmans and Grahms live) [Cove Drive] get water in their basement regularly. With the big open center you will have a giant retention pond down there.
  - g. Scot Bell: Question for Ken Young. Can the owner contour as he desires anything under 20%. If any of this development were to encroach on 20.1% that is where we draw the line and there is no flat-topping? Ken Young: I don't know if this applies over the whole property. My understanding is that it is applied to the lots and where you are developing. I don't know if that means you can't do anything to land outside the buildable area greater than 20%.

Chairman Adamson wrapped up this session after going through the 10 questions.

1. Does this development meet the intent of the CE -1 Zone?  
Russ Adamson: I don't think anyone here feels it does. Dayna Hughes: because of the terrain. Shawn Eliot: the road code following contours and cutting across 30% slopes is a major factor also.
2. Is the clustering of lots proposed meeting the objective of using flatter terrain?  
I don't think it meets the code which encourages aggregating the homes in the flat terrain.
3. Are the building envelopes meeting the objective of conforming to the natural terrain?  
No.
4. Is the Planning Commission willing to approve building upon lots #11 and #12, which have an average slope of over 20%?  
No.
5. Are there significant adverse visual, environmental, or safety impacts to the plan for Fairway Drive to go through an area having 30% slopes?  
Yes, because of the cut and fill.
6. Where the road is planned to have a slope of 12%, is there evidence that the road will be built with minimum environmental damage and within acceptable public safety parameters?  
Russ: I think the question there is why do we have to go 12%. Is there some way we can follow the natural terrain. I don't think enough ways have been explored to avoid the 12%.
7. Is cutting and filling minimized?  
Dayna: No. There is a great deal of cutting and filling.
8. Is the plan for cul-de-sacs meeting the objective for use under unusual circumstances, and is the Planning Commission willing to approve them?  
Ken Young: The code recommends not using cul-de-sacs unless there is not another way to develop the land. You would probably need some cul-de-sacs.
9. Does the plan provide for good location of buildings, roadways, open areas and other elements to accommodate the natural conditions, and will not result in adverse or unsafe conditions?  
Dayna: We are not accommodating natural conditions.
10. Does the plan provide for re-vegetation of disturbed areas?  
Russ: We haven't seen the re-vegetation plan. Ken Young: there are some comments on the plan referring to re-vegetation.

Chairman Russ Adamson asked the commissioners what recommendations we have for these developers.

Tony Trane asked if there was a more appropriate location for a through -street other than through Peterson’s property. Is this the only alternative the planning commission will send forward to the City Council? Shawn Eliot stated that taking it to the Peterson’s and stubbing it would provide for less cuts and fills. The road system is providing all the fill at the expense of cutting out the ravine. Russ: I think we would be more accommodating if the road was less impactful. If stubbing at Petersons would cause less impact then we would be much more open to it.

Tony Trane: either way you go you would probably end up with a section of 12% road.

Ken Young: In conversation with the Mayor today prior to the meeting, (I am not sure where this comes from) but he mentioned that perhaps there is not a dead-end with the Peterson property and the door is not necessarily closed. Before the City makes this determination we should have some official statement from the Petersons. Brian Ewell: For the record, I talked to them for about an hour a week ago and he is very much against doing anything with his property.

Shawn Eliot: The Fitzgerald property is flatter and can handle smaller lots. The other portion of the property is much like Woodland Hills and we ought to do something to keep the open feeling of the area and preserve the terrain. I feel having larger lots would do that.

**SHAWN ELIOT MADE A MOTION THAT WAS SECONDED BY DAYN A HUGHES THAT WE DENY THIS REQUEST FOR FAIRWAY HEIGHTS, PLAT C CONCEPT APPROVAL AND WE ASK THE DEVELOPER TO GO BACK AND LOOK AT OTHER OPTIONS;**

1. **WORK WITH THE PETERSONS, EITHER STUBBING THE ROAD TO THEIR LOT FOR FURTHER ACCESS OR WORKING SOMETHING ELSE OUT WITH THEM.**
2. **LOOK AT THE OTHER SIDE OF THE PROPERTY WHICH HAS THE HILLSIDE AND THE RAVINE, CREATING LARGER LOTS, WHICH FOLLOWS MORE CLOSELY THE INTENT OF THE CODE.**
3. **IN YOUR ROAD AND LOT DESIGN, GO MORE WITH THE LAY OF THE LAND AND FOLLOWING THE NATURAL TERRAIN, THUS MEETING THE INTENT OF THE CE-1 CODE.**

**VOTE: YES-ALL (4), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.**

**MOTION TO MAKE SEAN ROYLANCE, ALTERNATE MEMBER, A VOTING MEMBER FOR TONIGHT.**

**SCOT BELL MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO MAKE SEAN ROYLANCE, ALTERNATE PLANNING COMMISSION MEMBER, A VOTING MEMBER FOR THE REMAINDER OF TONIGHT’S PLANNING COMMISSION MEETING. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.**

**3. ELK RIDGE CITY GENERAL PLAN REVIEW**

Element 2 – The Land Use Element.  
Chairman Adamson explained that for tonight we will go through any comments and will revisit the assignment of asking commissioners to read sections 1 and 2 and we will revisit the review for next week. Updates will be drafted. The following discussion ensued:

1. Russ Adamson’s changes he suggested last year, which were handed out, were never incorporated into the General Plan.
2. Dayna Hughes reviewed Element 1 using Russ’s update.
  - She found one typographical error on page 1 in the last paragraph. It reads “*The community will come full circle...*” There either needs to be a semi-colon or a new sentence started after that statement.
  - On page 2.3, in the middle, there is a pie chart – it should be re-titled so it does not appear that Critical Environment is not residential. That is how it appears now. Shawn Eliot mentioned that when he went before the City Council they stated that the title “Critical Environment” is not good because it leads people to think that this area is not buildable. It might be in our good interest to find a new name, for example “Hillside Zoning” or something similar. Russ Adamson questioned whether we want to

differentiate between CE-1 and CE-2. Ken Young stated that maybe a zoning pie chart would be better, otherwise it could just be eliminated. If it remains, Dayna suggested that Critical Environment be included in the Residential Zone.

Chairman Adamson liked the idea of having “Zoning” be the title for the pie chart. Ken Young stated that it would be a good idea after the “Critical Environment” designation to add in parentheses (Residential).

Shawn suggested possibly changing the titles “CE-1 and CE-2” to “Hillside 1 and Hillside 2”. Ken Young state that if any text is changed in the code, no matter how minor, a public hearing is required.

- On page 6 of Russ’s edits, regarding the “High Density Residential, R-1 12,000 The question was posed whether a developer could put in a 4-dwelling-unit per acre PUD in the CE-1 zone. Ken Young stated that you would only be able to do this as the bonus density in CE-1 allows so you would not be able to put in a 4-unit per acre development. Shawn Eliot mentioned that PUDs are a conditional use and the code states that PUDs are allowed throughout the City. This could be construed as allowing them in the CE-1 zone, though in the CE-1 zone section under “Conditional Uses,” PUD is not listed. This is an area where our code could be cleaned up for clarification.
- On page 9, Policy No. 7, Scot Bell discussed how to use this open space that we are trading for. This states that we should encourage developers to leave open space in it’s natural form. Do we need to update the policy to include the desire for open space to also include parks, ball fields, etc. Shawn Eliot did feel that since we required such a large amount of open space in order to invoke the density bonus, maybe we do need some clarification, as exists in the PUD code. Russ Adamson mentioned he had suggested this on page 12 – stating that the open space referred to in the following text needs to be turned into some type of public facility. He, in his edit, added some verbiage to the public facility section as follows:
 

*”As the community continues to grow care must be taken to adequately plan for adequate public parks, ball fields, picnic areas, swimming pool, etc. The intent should always be to maintain adequate facilities within our boundaries to accommodate our growing population. As established in the Public Facilities Element the City should plan for a minimum of 10 acres of park and trails for every 1000 residents...”*

If there was some code that reflected this, then we can say that certain open space, to meet this requirement, has to be turned into some type of public facility. Shawn stated there are about 2,300 residents in Elk Ridge presently. Dayna Hughes indicated that we then should have about 20 acres of park space in the City. We now only have a few acres, the City Park. Ken Young mentioned we are acquiring the golf holes and when Randy Young’s development comes in, we will get much more, though the population will also increase. Dayna mentioned we really need to work on the “Public Facilities” section. The General Plan is very important, though, as Shawn stated, it does need to be implemented in the City code. We need to fix the PUD code to reflect the General Plan. Dayna asked Margaret to add this to the agenda (reviewing the Public Facilities Section).

- Dayna Hughes referred to Policy 6 on page 13 – *“Transitions between different land uses and intensities should be gradually with compatible uses, particularly where natural or man-made buffers are not available.”*

I am not sure this really applies to us. This is talking about putting a sound barrier up when you put a freeway in. I wonder if we are doing a good job in transitioning between the PUD and the R-1 15,000 zone. Ken Young mentioned we need a new zoning map as this area designated as animal rights (near the new church) has been changed, and is no longer allowing animals.
- Policies 9 and 10 on page 14. Dayna read:
 

*“Density increases should be considered only upon demonstration of adequate infrastructure and resource availability and amenities and/or open*

*space preservation.*

*In order to minimize environmental hazards and to protect the natural character of the hillside, potential development on drainageways and hillsides should be transferred to land more suitable for development.”*

The message I got tonight as we reviewed RL’s project is that they need to supply some density bonus as this land is too steep. That is not a reason, just because they cannot build the way they want. This statement backs up tonight’s actions regarding Fairway Heights, Plat C. A good job was done tonight in sticking with the code.

Chairman Adamson asked that for the next meeting, we read again, Element 1, Community Vision, and Element 2, the Land Use Element.

Shawn Eliot mentioned that as he read through these in preparation for tonight, these sections seemed very mechanical and there was a lot of things in them that did not relate to the City of Elk Ridge. They appeared to be “boiler-plated”. As an example, they took UDOT’s definition for the various types of roads. When we read through we should think of our citizens and make the General Plan more understandable for the lay person..

**4. CE-1 & CE-2 CODE AMENDMENT RE: GUARD RAIL AND CURB TYPE**

Scot Bell explained that his assignment was to determine whether or not guard rails had any bearing on Nebo School District’s willingness to service certain areas. The answer is “yes” and was confirmed by City Recorder, Jan Davis. The question to the commission is do we want to approach Nebo or our City Engineer and find out what the national standard is for guard rails and railings. We need to check with the Mayor to see if we can ask them.

The recommendation by UDOT was to utilize a specific handbook of instructions, which our City Engineer does have. Our Engineer will do that research once he gets authorization from the City Council. Nebo turned Elk Ridge down for bus transportation on the dugway for two reasons. The grade, and no guard rails.

The proposed development on the south end of town is in the same situation slope-wise as the dugway.

Chairman Adamson suggested having the Mayor get our City Engineer to talk to Nebo School District. If this is going to cost money we need to get the Mayor involved. The standard to refer to is: The American Standard Travel Edition. This will then comply to Federal regulations. We can then take these recommendations to Nebo School District and ask if we comply to this, will they take their buses up into that area?

Shawn Eliot mentioned that the fact that we will have shoulders on the roads in this area will make the situation better than that of the dugway. Our current curb and gutter standards did come out of this manual. This manual is also online.

Russ stated that if the cost is under \$500 the Mayor can approve it without having to go to the City Council.

**5. PROPOSED AMENDMENT TO CODE REGARDING GATED COMMUNITIES**

In doing research, Dayna Hughes had a hard time finding code from other cities related to gated communities. What she would like to see in our code is a statement which says that the vision for Elk Ridge is that it is a community-based, family-oriented community and gated communities are discouraged in the community.

Shawn Eliot asked if we currently allow private roads. City Planner, Ken Young, responded that there is a provision in the code allowing for private roads but it would be a good policy to not have them when we don’t need to.

Dayna suggested including this topic with the gated community discussion in the code. She requested that City Planner, Ken Young, write verbiage for the code which discourages or prohibits gated communities or private

Shawn Eliot suggested putting in our street code the statement that private streets are not allowed.

**6. APPROVAL OF MINUTES OF PREVIOUS MEETING – FEBRUARY 1, 2007**

There were no corrections to the minutes.

**DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY RUSS ADAMSON TO APPROVE THE MINUTES OF THE FEBRUARY 1, 2007 PLANNING**

**COMMISSION MEETING. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (2) KEVIN HANSBROW, ED CHRISTENSEN.**

**7. PLANNING  
COMMISSION  
BUSINESS AND  
FOLLOW-UP  
ASSIGNMENTS**

Review Elements 1 and 2 of the General Plan and please make sure you have read the feedback forms.

The feedback forms were discussed.

- Dayna Hughes asked the commissioners what they felt about the citizen response towards economic development.
- Russ Adamson felt that they wanted very limited development.
- Shawn Eliot was surprised at the number of people who would like a small neighborhood commercial.
- Scot Bell felt there are those who would not mind annexing into Salem, taking advantage of their commercial tax base and lower our tax base.

**ADJOURNMENT**

Dayna Hughes made a motion to adjourn the meeting at 9:30 p.m.

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Planning Commission Coordinator