

ELK RIDGE PLANNING COMMISSION WORK SESSION
May 17, 2007

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

A work session of the Elk Ridge Planning Commission was held on Thursday, May 17, 2007, at 6:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Paul Squires, , Kelly Liddiard , Scot Bell and Kevin Hansbrow
Absent: Dayna Hughes
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Bob Allen, Mountainland Consultant for General Plan Review

WORK SESSION

**Review of Survey for
General Plan Rewrite**

Bob Allen, consultant to Elk Ridge City from Mountainland Association of Governments (MAG), wrote the survey and was at the first hour of the work session to review with the commissioners suggestions and changes to the survey. He is a city planner with Mountainland and has an office next to commissioner Eliot.

For tonight's meeting, the commissioners and Mr. Allen worked off a copy of the survey that had been marked with Mayor Dunn's comments. The following discussion ensued:

1. The reason for the survey is to get public involvement before revising of the Elk Ridge City General Plan.
2. **Questions 1 and 2:** involve the Elk Ridge vision statement. During the April 19th meeting, the commissioners reviewed 2 different versions and came up with the following statement to combine the two as the current vision statement:
"Elk Ridge City's General Plan Vision: To create an environmentally sensitive residential community with limited commercial activity in a rural, beautiful and safe family-oriented city with well-planned open spaces and recreational areas, wildlife habitat, trails, and placement of development in the most suitable locations."
3. **Question 1:** is regarding whether citizens have read the Elk Ridge Vision Statement. At the April 19, 2007 meeting, the commissioners decided this question was not necessary
4. **Question 2:** regarding how citizens feel about the vision statement, was left in.
5. **Question No. 3:** Mr. Allen stated that if the commissioners come up with other reasons (in question no. 3) for people wanting to live in Elk Ridge, let him know, and he will add it. Or if they want to take out some of the listed reasons, let him know.
6. **Explanation between questions 4 and 5:** Talks about change in Elk Ridge. It is a precursor to the growth questions 5-10.
Commissioner Hansbrow expressed concern about raising issues with questions concerning things that cannot be changed, such as growth options, which get citizens frustrated because they voice their opposing opinions and it makes no difference. It is not something we can change, as property owners have land use rights on land they own.
7. **Question No. 4:** regarding how long people have lived in Elk Ridge can be left in.
8. **Question No. 5:** question residents favoring or opposing residential growth, the only change was adding the word "*managed*" as suggested by Scot Bell. Now the question reads:
(5) Do you favor or oppose encouraging managed residential growth in the city?
Bob Allen suggested with following this question with *Do you feel the City is adequately managing growth at this time.*
9. **Question No. 6:** *Where do you favor residential growth.....?* (not sure what was decided for this question.)
10. **Questions No. 7 and 8:** OK
11. **Question No. 9:** Remove *South of Golf Course* option, change to *North of Golf Course*.
12. **Question No. 10:** Change types of growth, see list from Mayor from committee. Maybe put in

- broad categories so not so many choices. Bob Allen said he would glean from the Mayor's list. Scot Bell suggested more generic terms such as "light industrial," "office buildings or space".
13. **Questions 11 and 12:** Regarding annexation. As our annexation is pretty well set, Mayor Dunn suggested removing these two questions.
 14. **Question 13:** This question is regarding merging with another City. The commissioners were OK with leaving this question as is.
 15. **Question 14:** Leave in.
 16. Scot Bell suggested adding another explanatory question regarding if you are in favor of merging, why? (water, more commercial, youth recreation, etc.). Scot Bell mentioned we have to pay special fees for such things as youth recreation, libraries, etc. This would be an incentive for some to merge. Bob Allen said he would craft an appropriate question.
 17. Sean Roylance expressed concern with the length of the survey. Bob Allen responded that there is some fat that can be trimmed off.
 18. **Questions 15-18:** Mr. Allen stated these are just general questions about different possible housing needs in Elk Ridge.(retirement, condos, twin homes, apartments, etc .) It was suggested combining these questions and Mr. Allen agreed to do that. He would make it a block with "yes, no and maybe" responses available.
 19. **Question 19:** As there are not many options for mixed commercial and residential. It was decided to remove this question.
 20. Ken Young questioned whether the Mayor and City Council will have a chance to look at the survey, knowing which questions were removed, and have some say on the final form. They will. The Mayor did not want to influence the commissioners, but the commissioners do want his input.
 21. **Question 20:** Regarding a green belt buffer. It was decided to remove this question. The possibility was mentioned of rephrasing the question such as: *Would you be willing to bond for open space, including a green belt buffer?* or *How important is open space to you, or green belt buffer? If you say "yes," would you be willing to bond for it, and if so, which areas would you be more likely to want your money spent on?* Options might include: *protect the hillside, buffer, leave canyon open, buy orchards on corner, etc.* There could be a write-in option also. Bob Allen stated that open space can be different things to different people. Another possible question regards "rural-ness". What makes Elk Ridge rural, and how do we protect those attributes?
 22. **Questions 21 and 22:** Mr. Allen said these could be combined. (Regulating aesthetics, architecture and landscaping.) The commissioners responded that certain aspects of architecture (building height), and landscaping (when landscaping needs to be in), are regulated by code. It was decided to leave this in.
 23. **Question 23 and 24:** The Mayor suggested removing this question as we already have an ordinance on this. Mr. Allen suggested maybe changing this question to ask whether citizens feel these ordinances are adequately enforced. Kelly Liddiard suggested taking out the specifics and just asking whether citizens feel City ordinances are adequately enforced in general. Shawn felt the two questions on junk vehicles and RTV's, along with the dog issues were the most problematic. Scot Bell mentioned the problem that neighbors don't want to file complaints against their neighbors. They don't want to alienate them. Bob Allen suggested the commissioners think about 23 and 24 and let him know later via Shawn.
 24. **Question 25 and 26:** These questions can be combined into one. The goal, Mr. Allen stated, is to see what is important to the people regarding development. He said he could combine them and reword them. Sean Roylance questioned whether they should be ranked. Mr. Allen said these are ways to glean from people their major concerns with the City. Mr. Allen said he would kill question 25. On question 26 the comment was made that there were too many numbers – possibly change the answers to have fewer responses – maybe 3 basic choices. Mr. Allen explained that this present way gives a mean number. Most commissioners still felt they would still like the fewer questions.

Questions 26 is concerned with the things residents want managed as growth occurs. Mr. Allen suggested the commissioners give the elements in this question some thought. When asked if there were things they would like to add that came to mind tonight, Kelly Liddiard mentioned Public Safety. Sean Roylance suggested removing "Preservation of Agriculture/Livestock".

25. **Question 27:** Bob Allen stated this question talks about different ways of increasing the City's tax base to pay for infrastructure, etc.. Sean Royslance suggested removing the "other" option. It was suggested on the first option to change it to: *imposing adequate impact fees on building permits.*
26. **Question 28:** is regarding bonding, and what things people are willing to bond for. It was suggested adding "Protection of Open Space and Hillsides" to this list. He will have this question twice, but was OK with that.
27. **Question 29:** regarding animal rights, the Mayor suggested removing. The commissioners agreed that this could be removed.
28. **Question 30:** The Mayor suggested removing this question. No. 31 covers this abuse by the citizens.
29. **Question 31:** ask about increasing tax rates to improve code and law enforcement. Our enforcement is presently through the County. The question of imposing penalties to cover enforcement was brought up. It was suggested by Shawn Eliot to ask if our level of enforcement for code violations was adequate. This was kind of addressed in Question 24. Bob Allen asked if he should move the question regarding leash laws and RTVs closer to this question and it was agreed that would be better.

Bob suggested saying "these are the specific things....., are we adequately enforcing them?" The commissioners felt this would be good. Maybe list and make a block with (adequate, not adequate... etc.), make it a big grid question.
30. **Question 32:** regarding streetlights at major intersections – leave in.
31. **Question 33:** regarding need for cemetery – leave in.
32. **Question 34:** regarding ATVs – leave in.
33. **Question 35:** regarding how people find out about what happening – leave in
34. **Questions 36 and 37:** go with 35, Mayor suggested removing. Let me know. Some commissioners wanted to keep in, they would be interested in knowing if people were happy about the way the City advertised public meetings and events.
35. **Questions 38 and 39:** regarding Elk Ridge celebrations and their impact – leave in.
36. **Question 40 and 41:** regarding recycling – Sean Royslance suggested combining by asking *how much would you be willing to pay for a curbside recycling program? 0, 5 -10, etc.* Zero indicated they don't want it. Maybe the first option be "I don't want it" rather than 0.
37. **Questions 42 and 43:** regarding planned trail system. No changes suggested .
38. **Question 44:** regarding rating agencies performance on activities or services. Bob Allen asked the commissioners to take a look at this one and see if there are issues. Ken Young felt the response should be narrowed to 3 (excellent, good, poor) rather than six options.
39. **Question 44:** provides way to determine what types of commercial might be needed in town based on how far people drive for goods and services. He is OK with slimming down this list. Commissioner Royslance stated this might be interesting to know but would not help us with the choice options we have in this community. Ken Young suggested combining the list into broader categories. Mr. Allen stated that would probably work since we really aren't going to use this question for changes.
40. Mr. Allen stated the rest of the questions are statistical information to help figure out demographics, moderate income housing issues, etc.
41. **Question 57:** Ken Young mentioned concern about this question. It doesn't cover all the income categories listed in Question 55. There is too much figuring out to do. Maybe just ask them what portion of their income goes towards housing costs, etc. He felt this question was too complex for the survey. Mr. Allen said he would take the question down to a simpler mode. The reason the question is being asked is the law requires moderate income housing so there needs to be a way to assess how many people are living in housing that is affordable to them and how many are not. Thirty percent of your income is considered affordable.

Ken Young stated that the General Plan must have a Moderate Income Housing element, but there is no law stating that we need this kind of question in a survey. There are other ways of getting this information. Bob Allen felt this was a quick and easy way of doing it.

Ken Young mentioned that you don't get enough responses to make the data valid for that type

assessment. This is not a census type thing. Scot Bell suggested saying “if you make t hus and such amount, are your expenses in this category?”

42. Bob Allen asked what the return rate was on the last surveys sent out by the City. Shawn Eliot thought it was around 27%. He suggested we be more aggressive about getting this to people and getting it back from them.

He said he is a facilitator. He is here to do what we want. He will give his opinion and expertise. Ken Young mentioned he has done similar surveys and there are ways of getting better return rates. If the City is willing to offer at the top of the survey a statement such as: *“if you return this by thus and such a date and are willing to put your name and address on the survey, your name will go into a drawing and if you win – you get \$100 off your utility bill.”* This encourages people to return the forms.

43. Shawn Eliot suggested deferring the last item on the work session to after the regular meeting is held. This was discussion of the CE1 zone.

A MOTION WAS MADE BY KELLY LIDDIARD AND SECONDED BY PAUL SQUIRES TO NOMINATE SHAWN ELIOT AS TEMPORARY PLANNING COMMISSION CHAIRMAN TO CONDUCT THE MEETING UNTIL CHAIRMAIN RUSSELL ADAMSON ARRIVED. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES. LATE (1) RUSS ADAMSON.

ELK RIDGE PLANNING COMMISSION MEETING

May 17, 2007

TIME AND PLACE OF PLANNING COMMISSION MEETING ROLL CALL

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, May 17, 2007, 7:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

Commissioners: Russ Adamson, Shawn Eliot, Sean Roylance, Paul Squires, Kelly Liddiard, Scot Bell, Kevin Hansbrow
Absent: Dayna Hughes
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Cardee Ewell, Brian Ewell, RL Yergensen, Cheyn Gunnerson, Michelle Calcote, John Calcote, Carson Brockbank, Margo Brockbank, Paula Eppley, Michael Brockbank

OPENING REMARKS & PLEDGE OF ALLEGIANCE

KELLY LIDDIARD NOMINATED SHAWN ELIOT AS ACTING CHAIRMAN FOR TONIGHT UNTIL CHAIRMAN ADAMSON ARRIVES. PAUL SQUIRES SECONDED THE NOMINATION. ALL WERE IN FAVOR.

Acting Chairman, Shawn Eliot, welcomed the commissioners and guests and opened the meeting at 7:30 p.m.. Opening remarks were given by Kevin Hansbrow, followed by the Pledge of Allegiance.

APPROVAL OF AGENDA

The agenda order and content were reviewed.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY KELLY LIDDIART, TO APPROVE THE AGENDA FOR THE PLANNING COMMISSION MEETING FOR MAY 17, 2007. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES, LATE (1) RUSS ADAMSON.

Russ Adamson arrived at 7:35 and took over as Chairman.

1. FAIRWAY HEIGHTS, PLAT C, CONCEPT

Ken Young stated that the only comments he had were included on the Staff report. The new and old concept plans were included in the packets so the commissioners could note the changes made. As stated in the memo, the first concept plan did not meet the code objectives and RL Yergensen was directed to go back and revise his proposal. He is anxious to meet the desires of the commission with his new proposal. The following discussion ensued.

- a. Scot Bell stated that RL had approached him on what he could do to better meet the requirements of the City. He gave RL some suggestions, which were incorporated in this concept. Scot, because of this, is recusing himself from tonight's vote and discussion on this agenda item.
He feels this new development has some nice offerings to the city, including the fact that it completes two unfinished road sections. These are the unfinished portion of Salem Hills, and the extension of Fairway Drive to connect with Salem Hills. It will allow bus service to the upper area, as buses can now turn around. They have not had this service for 12 years. It will provide access and easements into one of the city's water tanks. It will connect the old part of the city with the new part.
- b. Shawn Eliot mentioned he likes this new concept better than the first one presented. There are some nice traffic calming effects in the new proposed design of Fairway Drive. This street does not go through the Peterson property. He also feels it treads lightly on the hill and the ravine, as was requested at the last concept review. Shawn questioned what the average slope of the whole lot was – as this is what the current code looks at. Brian Ewell stated that they can show that it does not exceed 20% on any of the proposed lots.
- c. There was a discussion between planner, Ken Young, and commissioner, Shawn Eliot on what the code states regarding what is required once you entered into the density bonus situation allowing 15,000 sq. ft. lots, do all the lots have a 20% requirement. Ken stated that the code does not say this. Shawn agreed that the code is not clear on this issue. Shawn stated that since these are larger lots, rather than small, clustered, lots; they should be 1 acre and fall under the 15% slope requirement rather than 20%. In order to cluster the lots, a little steeper slope is allowed.
- d. Shawn Eliot stated you could almost create two developments out of this one. One with clustered, smaller lots and density bonus open space; and one with larger lots.

Ken Young felt that it is only one development, and since they are providing 20% open space, this allows them to do 15,000 sq. ft. lots throughout. The larger lots should also be allowed with the same slope requirements.

- e. Chairman Adamson asked the code be read. It was decided afterwards, that as long as the developer gives 20% open space, all the lots fall under the 20% or less requirement, no matter how large they are. (Section 10-9A-1-C)

C. Characteristic of the uses in the zone ~~are~~ is one-family dwellings on lots that vary in size depending on the average slope of each lot.

- *One acre lots are allowed on lots with an average slope over 15%.*
- *Half acre lots are allowed on lots with an average slope of 15% or less.*
- *Additionally, third acre lots can be approved on lots with an average slope of 20% or less in return for larger areas of open space.*

Russ Adamson referred to Section 10-9A-4: Area and Width where it reads:

10-9A-4: AREA AND WIDTH:

One acre and half acre lots are considered the standard lot size for the CE -1 zone based on the average slope of each lot. Third acre lots are considered a bonus of density in trade for additional open space and amenities as detailed in section 10-9A-10G. The minimum area and width requirements for a zoning lot, ~~except when located within a Planned Residential Development,~~ shall be as follows:

<i>Use</i>	<i>Minimum Area</i>	<i>Minimum Width</i>
	<i>Average Slope of Lot</i>	<i>(At Minimum Setback Line)</i>
<i>40,000 - 1 acre</i>	<i>Over 15%</i>	<i>100 feet</i>
<i>20,000 - 1/2 acre</i>	<i>15% and Under</i>	<i>100 feet</i>
<i>15,000 - 1/3 acre</i>	<i>20% and Under</i> <i>(must meet open space requirement)</i>	<i>100 feet</i>

- g. Based on the code in existence, Chairman Adamson stated that as long as they dedicate 20% open space they have the right to have 1/3 acre lots.
- h. Shawn Eliot referred to Section 10-9A-10-G-4-d
 - d. Third Acre Lots As A Bonus: since third acre lots in the CE -1 zone are considered an exception to the underlying intent of the zone, if a developer/owner can not negotiate with the city over the useable open space areas for a proposed development, the owner/developer shall be required to follow the half (1/2) acre and one (1) acre requirements in the CE-1 zone.
- i. Ken Young did not feel “d.” applied. He felt the applicant when reading the code, would feel that if he gave 20% of the development as natural open space, then he can do all the lots as 1/3 acre. If they are larger, that is fine, it does not put him in a different category. Chairman Adamson felt that the way the code is worded would imply this also.
- j. Chairman Adamson is more concerned with the roads, connectivity and slopes. The road on the top end appears to be going directly uphill as the road makes the bend. Brian Ewell showed on the road cross-section that the road does not achieve any more than a 10% grade all the way up. Chairman Adamson mentioned that the code allows for 8% with short stretches of 10%. Brian thought the 10% stretch was 20-30 feet, RL thought it was over 100’. The top ridge is less than 8%. The cul-de-sac is less than 8%. The intersection is less than 3% - almost flat.
- k. Brian Ewell also stated that there will be no more than 4’ of cut and fill on the road. This was one of the main concerns on the last concept.
- l. Brian Ewell stated that nowhere in the development is 30% terrain altered.
- m. Chairman Adamson reviewed the questions on Ken Young’s memo to make sure they were all addressed:

- 1.) *Does the revised development proposal better meet the intent of the CE -1 Zone?*

We have discussed this a lot – it does.

- 2.) *Is the clustering of lots proposed meeting the objective of using flatter terrain?*

There is clustering on the bottom end. Brian Ewell mentioned that in the last meeting Shawn brought up the fact that the developers were encroaching on 30% terrain. They have eliminated that in this most recent proposal.

- 3.) *Are the building envelopes meeting the objective of conforming to the natural terrain?*

Brian Ewell showed the building envelopes are all 20% or less. The steepest terrain has been dedicated to open space. There were lots eliminated from the last concept that were on the steeper terrain. These lots have been dedicated to open space.

- 4.) *All lots show a buildable area of under 20% slope. Lots#14 -17 may have an average slope over 20% of the whole lot though it is not shown.*

These are the lots up on the hill. Brian Ewell said these lots and their building envelopes all have average slopes under 20%.

- 5.) *Does the realignment of Fairway Drive as shown, sufficiently lessen any adverse visual, environmental, or safety impact concerns in the area?*

Russ Adamson stated that the alignment has moved over to the edge of the development. RL Yergensen stated they took Shawn Eliot's ideas and brought the road closer to Salem Hills before it headed up. They have eliminated all 12% grades with this plan. This plan also leaves the hill undisturbed – no cutting on the hill.

The cul-de-sac is about 450' long.

Shawn Eliot mentioned a concern about having the road so close to the back of the Hillside Drive lots. Brian Ewell stated they would like to dedicate 10' of the developers property to these property owner's lots so they can put up a privacy fence. Ken Young stated this road is approvable based on the slopes but not desirable for the Hillside lot owners. If it is the best case scenario for the development slopewise; however, it is approvable.

The lots between Salem Hills Drive and Fairway were also discussed – Lots 11 and 12. Brian mentioned their access will be on the less busy of the two roads – Fairway Drive. The length of the cul-de-sac does limit some of the other possibilities also. Lot 12 in particular almost has 3 sides on roads.

Ken Young stated that for double frontage lots the code does require a specific approval based on the inability or practicability of developing the property. Shawn read from the code, Section 10-15-F-3

10-15F-3: LOTS ABUT ON PUBLIC STREET; DOUBLE FRONTAGE LOTS PROHIBITED, EXCEPTIONS:

*Each lot in a subdivision shall abut on a street dedicated to the city by the subdivision plat or an existing public street, either dedicated or which has become public by right of use, and is more than fifty six feet (56') wide. **Interior lots having frontage on two (2) streets are prohibited except in instances where topographic conditions make such design desirable.** (Ord. 97-7-8-8, 7-8-1997)*

Ken Young stated this is subjective. The city council would have to give their opinion.

Chairman Adamson questioned the open space. Brian Ewell stated they put the open space in between the clusters. The open space in some cases is steep. The useable open space that is flat will be developed into a park using developer funds. They would install swings and picnic tables. There would be a walking path from the cul-de-sac and another path connecting all the areas to the park.

Brian mentioned putting in trees on the east side of the cul-de-sac to protect the

privacy of the homes along Hillside Drive.

- 6.) *The road slopes in the new alignment have not been identified. Need to show evidence that road will be built with minimum environmental damage and within acceptable public safety parameters.*

Ken Young stated that the developers should show that any other road alignment would increase the cuts and fills. This is desirable over dual -frontage lots. Russ stated that the one lot along Salem Hills is like an island.

- 7.) *Need to show that cutting and filling will be minimized.*

The grading plat shows no more than 4' of cut and fill. There is minimum cuts and fills for the cul-de-sac. Russ stated that the end of the cul -de-sac on the top side is most tricky. The cul-de-sac is on a steep slope. Kelly Liddiard mentioned guard rails might be appropriate there. Shawn Eliot questioned having the cul -de-sac bend west rather than east to keep it off the slopes. Brian Ewell mentioned the design was done for a reason, he is not sure what that was, but trusts the designer.

He also mentioned there will be a little bit of fill on the east side of the cul -de-sac. Kelly Liddiard mentioned concern over the stability of the Hill.

Shawn mentioned preservation of natural environment. RL stated the subdivision he is working on now will have some very nice rock walls.

- 8.) *Does the revised plan for the cul-de-sac better meet the objective for use under unusual circumstances, and is the Planning Commission willing to approve its location?.*

Russ mentioned we can't talk about this now, but there will be a discussion when the Preliminary is brought forward. The steepness of the cul -de-sac will closely be examined for safety issues. RL would like the cul -de-sac lowered about 3' so it would be on native soil. The road could then go down to about 6%. Shawn Eliot mentioned that RL would have to show the cuts and fill.s In order to do this he would have to remove some of the top of the hill, or increase the road slope (Kelly Liddiard brought up the fact that RL needs to stay on the top of the hill.)

Russ stated that when they come in with the next proposal, they balance the steepness of the road and how much cutting is done on the road. RL said they had to bring it in this way in order to meet the code.

Shawn read from the code that the planning commission can approve a smaller setback (10-9A-5-a-1)

He also read from 10-9A-6G-1

G. Continuous Circulation:

1. *Cul-De-Sacs:All cul-de-sacs shall provide pedestrian connectivity to open spaces, public facilities, sidewalks or trails as described in section 10-15D-3.*

He wondered about the cul-de-sac on Cove Drive and the lot RL is working on there – we should connect to that, and that easement on the Cove Drive lot needs to be maintained as the lot is developed.

- 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?*

Already addressed.

- 10.) *Other issues regarding how this proposal meets the intent and letter of the CE -1 code.*

Chairman Adamson stated that this is a sticky point for the planning commission. As a body we have the obligation to follow the code whether we like it or not.

Shawn mentioned that the intent of the CE -1 code is minimizing the impact on the natural environment and this concept seems to be doing a pretty good job. Brian Ewell mentioned this plan will cost them more money, but it meets the intent of the code.

Shawn Eliot mentioned that Lots 20 and 21 are awkward lots. If there were a way to

rearrange and get more useable space in the back that would be nice. Brian Ewell mentioned if they took back the park they were dedicating to the city, they could do that.. RL mentioned that Fitzgerald owns some of the property involved.

Russ Adamson is still worried about the dual frontage lots, in particular Lot 12, which is almost an island. He wondered if code would disallow peninsulas. Shawn again read from the code - Section 10-15-C-4-a.

... Building sites shall not be designed to contain areas which are determined to be a peninsula unless the exclusion of said area would result in the creation of residual or remnant property or parcels ...

Ken Young stated that if that lot were not there, it would just have to be open space. Maybe for the sake of the commissioners – on the next iteration show what the impact will be for some of the different options.

- n. Chairman Adamson invited comments from the audience. The following discussion ensued:
1. **John Calcote:** My house is on the abutting side of Hillside Drive. I'll be honest with you. If there is any development going on in this area, I lose all interest in CE -1 issues. If this road (Fairway) goes through it will drastically reduce the value of our property.
 Russ: Drastically reduced because...?
 John: A road going along two sides with houses looking down into our back yard.
 Brian Ewell: They won't be looking down into your yard, they are on the other side of the street. The houses are actually lower than the road.
 Ken Young: There are a lot of situations in many communities where homes look down into other lots. That is not something that can be regulated by code
 John: I understand that. People who choose to buy lots in this development with dual frontage lots have that choice. We have no choice. We already own our lot.
 Brian: You as a resident bought your home knowing the land behind you was private property and could be developed.
 Michelle: When we purchased the lots the city told us there would be no development because this property was too steep.
 Shawn Eliot: We are also concerned about making the road not border your lots.
 2. **Mike Brockbank:** Another concern we have is we have people coming down both these roads using them as take-off spots for four-wheelers at tremendous speeds. We have lots of kids living there. Now we will find ourselves with roads on three sides. My question: Is not safety a consideration. As far as I am concerned the children are much more valuable than the land.
 3. **Michelle Calcote:** I understand there is an easement behind our land. How can the developers plant trees there? Would this not interfere with the road. There is a pipeline or waterline there.
 RL: That waterline is far from where the trees would be planted.
 Ken Young: If there is an easement that would have to be shown. The width of the easement may or may not cause concern.
 4. **John Calcote:** I understand to do this right you have to follow the details in the code. But it feels to me that this is a case of winning the battle to lose the war.
 5. **Kevin Hansbrow:** As private land owners, they have rights to develop as long as they follow the code.
 6. **Ken Young:** The name of the zone is misleading. CE-1, Critical Environment implies environmentally sensitive areas that do not allow any kinds of development. That is not the intent of this zone. It is a residential zone and allows for residential development; though it is more strict in its requirements. There are residential development rights for the property owner who owns that property. You can't tell them they can never develop in that area, only that it will be restricted by what the code allows.
 7. **John Calcote:** Frankly, I liked their first plan better so I am not interested in CE -1 code restrictions. If they had topped off the mountain the houses would all have been on the back

side.

8. **Ken Young:** It is a balancing of issues. There are a lot of different issues involved in the code here. **Mike Brockbank:** Safety is a big issue. **Ken Young:** Safety of the road on the previous plan was a big issue.
9. **Paula Eppley:** I have seen the rock walls RL spoke of and feel they do little to replace the natural foliage. They look fake and planned and not natural. **RL:** I guess it is in the eyes of the beholder. Most of the people who have bought lots from me have rock walls they put in to decorate around their houses. I am not proposing a rock wall in this new development.
10. **Chairman Adamson:** In summary we have heard the citizen's concern that this road is close to the back of their property. We will review the new plan coming in but be aware that that is an issue that it is close to the back of the lots. **Ken Young:** If you did deed some of the property at the back of the lots to the Hillside residents you would still have to maintain the 20% open space. **Russ:** The road could be moved further back from the property owners and still maintain the correct slope? **Brian Ewell:** Yes. Let me ask this, if we moved the road off the backs of the houses, but had to have special permission on a grade or percentage of slope, would you (commissioners) approve it?
11. **Chairman Adamson:** Is the cul-de-sac length once of the constraining factors? We could change the code, potentially, but does that allow you to have a further distance from the backs of those lots. **RL:** It would give us options. **Russ:** What I am hearing from the community is that if there was enough of a buffer so you didn't feel like you had a road looking down, does that make the citizen's fee better and get you closer to saying you can live with that? Well, we have given you some input.
12. **Ken Young:** I think the cul-de-sac needs to stay with the 450' length as there are concerns about serviceability, water flow, a lot of different concerns. Many cities have a 400' maximum length. I would hesitate increasing that if you don't need to. **Shawn Eliot:** Couldn't the head of the cul-de-sac come over a little? **Brian Ewell:** We might lose lots. **Chairman Adamson:** My little speech....you don't have lots yet.
13. **Sean Roylance:** My concern is the safety point with roads on two or three sides. If you can move it that would help me with my approval.
14. **RL:** I feel a lot better meeting with you tonight. The input is good. Talking things over is good. We want to do the best thing for the City of Elk Ridge and have the least effect on the people. I have worked with these people for 3 years. It took me 12 years to get Mr. Liddiard's lot approved.
15. **Margaret Leckie:** RL, did you want to tell us a little about your meeting with Mr. Peterson who owns the southwest corner of where your development is going in? **RL:** Here is a new plan, essentially the same, but it includes the Peterson property. (RL showed a new plat he brought in for tonight's meeting. We did not get a copy). The one catch is we don't know how workable Peterson's are going to be. They did say we could show this to you. If we have to, between Ewells, Petersons, Fitzgeralds and myself; we are going to have to spend a lot of money putting in Salem Hills Drive and it's really not a whole lot of benefit to us. We are going to put a 20" drain line in. We don't know how willing Peterson's will be in participating in these offside improvements including the park. This all has to be worked out. This is a plan we would like to see work. **Brian Ewell:** If we can work with Petersons, great, if he wants to participate in the improvements. If not, we will move forward without him.
Ken Young: The arrangements of the lots on the corner is better. You have more usable open space for the park.

New commissioner, Paul Squires, questioned what was just done. Ken Young explained that the developer just wanted to meet with the commissioners and residents before he turned in his concept to find out what everyone thinks will work. Ken felt that this is a very good idea. Before a lot of time and effort is spent on a preliminary plan that will not be approved, come get a feel from the commissioners and residents. This was only a discussion item and feedback session. I am going to suggest we do this with all new development.

2. SET PUBLIC HEARING FOR ELK RIDGE MEADOWS

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO SET A PUBLIC HEARING TO CONSIDER THE FINAL APPROVAL OF ELK RIDGE MEADOWS, PHASE 3 FOR JUNE 7, 2007. VOTE: YES -ALL (6), NO-NONE (0), ABSENT (1)

**PHASE 3, FINAL
PLAT FOR JUNE 7,
2007**

DAYNA HUGHES, LEFT EARLY (1) KELLY LIDDIARD.

Russ Adamson questioned regarding the huge retention area. Ken Young stated it would be a grassed retention area. Shawn Eliot questioned whether the roundabout was gone. Ken Young stated that during the technical review they will address that, this is a concern of his.

There has been a lot of discussion as to how to make that round -about work. They have come up with a proposal that will alter the intersection. Ken Young stated that the development agreement that was signed along with the annexation agreement did include the round -about and this was a big thing.

Another issue, Elk Ridge Drive is not showing correctly what was required and how they agreed to put it in as far as trails and landscaped areas. There was supposed to be a minimum of 16’ on each side which included landscaping plus trails.

**3. SET PUBLIC
HEARING TO
AMEND ELK RIDGE
CITY CODE
REGARDING
MINIMUM
IMPROVEMENTS
REQUIRED PRIOR
TO BUILDING
PERMIT: SECTION
10-12-24**

Chairman Adamson read the memo from the council which explained that the council had had an in-depth discussion about the future building in the Goosenest area that does not have the flow or the pressures to sustain fire hydrants., there are no hydrants in the area at all. This becomes a concern each time a building permit request is considered. As a municipality responsible for the safety of the citizens, fire protection is at the top of the list and so the council is considering requiring a sprinkling system in new dwellings. The council is not in favor of the waiver process and is directing the planning commission to consider putting into the code for the Goosenest As of 9 May 2007 this request will start a 180 day period where any new development requests will be under th e nebula state of change. The goal is to look over the issue, assess the problem and make a recommendation to the council.

The following discussion ensued:

1. Chairman Adamson summarized that the council is basically saying they are starting the 180 process for the planning commission to revise the code. If anyone comes in requesting a permit they will be told there are some changes in progress that may effect their ability to build without fire surpression in the Goosenest area.
2. Scot Bell suggested changing the designation from “Goosenest” to “anything on the Shuler Water System”. Ken Young added that we add “approximately in the area of the west portion of Goosenest Drive.
3. Shawn Eliot mentioned that we had talked about this for the CE -1 zone previously and part of that discussion was that we not only needed to change the code, but we needed some standards in the Development and Construction Standards. We have the Woodland Hills code but we need to work on the standards. We may want to look at implementing t hese requirements in the CE-1 zone.
4. Scot Bell mentioned there was at one time talk of putting a meter on the end of the Shuler water system that attached to the City Water System. It could be a one -way valve with a meter and it could increase their pressure. Fire suppression capability would be improved but their system is still very substandard.
5. Chairman Adamson asked that if we had any proposed code, in preparation for the public hearing. Ken Young mentioned that as far as sprinkler systems, “no”. Margare t mentioned that there was some code in the packet regarding the code on Minimum Level of Improvements required for Building Permits.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY KEVIN HANSBROW TO SET A PUBLIC HEARING TO CONSIDER AMENDING THE ELK RID GE CITY CODE REGARDING MINIMUM IMPROVEMENTS REQUIRED PRIOR TO BUILDING PERMIT, SECTION 10-12-14. VOTE: YES-ALL (6), NO-NONE (0), ABSENT (1) DAYNA HUGHES, LEFT EARLY (1) KELLY LIDDIARD.

Chairman Adamson suggested adding as an agenda item on the same meeti ng as the Public Hearing a discussion item for fire sprinkler code. Russ Adamson said that we would hold off incorporating the sprinkling system in the CE-1 Code.

Ken Young said he would find some verbiage that meets the intent of the Mayor’s memo. Shawn mentioned the Woodland Hills verbiage was good except it referred to the Development Standards for sprinkling systems which we don’t have. Shawn called Woodland Hills and they said to contact Utah

County as they were passing some code for the mountainous areas and they would have some standards. Ken Young felt that initially we could require a sprinkling system, then come back later and put something in the standards.

4. ROAD IMPACT FEES

Chairman Adamson stated that this item relates to giving our feedback to the City Council on the road impact fee portion of the impact fee study done by Aqua Engineering (road impact fees being a part of that study).

Margaret read from the minutes, which quoted from the Mayor's memo to the planning commission, what feedback we were to give:

- *Do the roads being considered in the impact fee fill the intent and purpose of the impact fee?*
- *Is the list complete?*
- *Are we comfortable with the list?*
- *Can we take action with the list?*
- *Are there additional concerns regarding the Road Impact Fee Study?*

Priorities of projects proposed were discussed. Each project proposed in the study was discussed in order. The commissioners discussed whether they felt the project should stay on the list and if so, what should the priority be.

A) On the first pass, priorities were not discussed, just whether the commissioner felt the project was appropriate. The following discussion ensued:

Item No. 1: Extend new curb and gutter on Loafer Canyon Road from intersection of Park Drive and Loafer Canyon Road, south about 1250 feet. New curbing will be placed on both sides of the road, for a total of 2500 feet to protect the existing road shoulders and aid in erosion control. **YES**

- a. The commissioners felt this project was appropriate for road impact fees.
- b. There are erosion issues.

Item No. 2: Complete the unimproved section of Salem Hills Drive, including asphalt and curbing, approximately 1080 feet. **NO**

- a. The commissioners felt this project was not appropriate as developers will pay for this. There are two subdivisions currently under discussion in that area – Fairway Heights, Plat C on the north side, and on the south side, Nebo Heights Subdivision.

Item No. 3: Widen and install curb and gutter to the section of Salem Hills Drive from the intersection of Canyon View Drive east approximately 870'. **NO**

- a. The commissioners questioned why this item was on the list. Because there is infill, why not have the owners develop as they build. Also, is there more advantage in doing Canyon View Drive when the master plan shows it as a major collector? It might be wiser to do the portion with drainage problems.

Item No 4: Widen and install curb and gutter to north side of Goosenest Drive from the intersection of Elk Ridge Drive, west, approximately 1780 feet. **NO**

- a. This is along Cloward's property towards the new church. Scot Bell stated that if Cloward is entertaining developing this property, we should allow him to improve this portion of Goosenest. There was a question from Sean Roynance as to whether there is a pressing need to have this done now in case Cloward does not develop this portion of his property during his lifetime. Shawn Eliot did not feel there was heavy traffic here nor were there drainage problems. He did state that once the southern portion of the city is developed it may be part of a major traffic pattern going south. (Doe Hill and Rocky Mountain Subdivisions). All the roads in these developments will have curb and gutter.) Thus, if Cloward is planning a development in the future, we should hold off. He has talked about doing a gated community here.
- b. Scot Bell mentioned that these improvements will be done one at a time, probably one every three years. If we could just pick our main road improvement priority now, the priority for the rest may change two years from now.

Item No 5: Extend Hillside Drive east approximately 830' including asphalt and curbing to Ild Ridge Drive. (should that be west?). **NO**

- a. Shawn Eliot mentioned that the considerations are similar to Item No. 4. This is

Cloward's property. He has talked about putting senior residences on this property. Thus, development can pay for this extension.

Item No 6: Widen High Sierra Drive from 56' Right-of-way to 66' Right-of-way, including new asphalt and new curb and gutter on both sides. **NO.**

- a. Chairman Adamson stated that our circulation map does not show this street as being a major collector.
- b. Shawn Eliot mentioned that when we met with the council there was some discussion that impact fees could not be used to develop a proposed road behind High Sierra Drive. He was not sure why not? Kevin Hansbrow said he remembered that these fees could only be charged to those who would be effected, so that would be the people on and above this proposed new road. Ken Young felt this was a policy and procedure type thing and not a legal issue. The City can choose to apply impact fees based upon some overall community need.

Item No 7: Construction of two new access roads into the proposed city's commercial and industrial area approximately 500 feet each, including asphalt and new curbing and gutter. **NO**

- a. The commissioners were not in favor of this one, they felt the developers could do this. .

B) Projects that could be included but were not on the list:

1: The Dugway. The portion of Park Drive that goes down to Loafer Canyon Road.

- a. Russ Adamson mentioned slope problems. He stated there needs to be a retention wall. Scot Bell felt that there was a case for this. He stated there have been people look at this and it would be a horrendously expensive project. Maybe the city could accomplish more throughout the whole city than spend such a large amount on such a small part of the city.
- b. Kevin Hansbrow mentioned it is a safety issue. Russ felt it should be a consideration and at least a study should be done showing the cost of improving it. He proposes it be added to the list and have a study done to show the cost. We know what some other City's are charging for road impact fees. See if what we want to do would be covered by an impact fee of a similar amount.
- c. Sean Royslance mentioned that the time is now, before the lots in the southern portion of town are sold, and building permits issued in the south part of town, to collect some of these impact fees to aid the City in these improvements. If we are ever going to do this improvement, now is the time, when we can collect impact fees on the new growth.
- d. Russ Adamson mentioned he turned Highland City's impact fees in to the Mayor showing him that we are way below some of the other City's. There are also some other impact fees we could be charging, including public safety.

2: On Elk Ridge Drive from the proposed roundabout south to Olympic Lane..

- a. Shawn Eliot mentioned this will be part of the main entrance to town. At Olympic Lane along Elk Ridge Drive, the Haskell Subdivision developers will be installing curb and gutter on Elk Ridge Drive, so this is where the proposed improvement project would end and tie into their improvements, making a much nicer entrance into town.

3: Hillside drive between new development in the south, going north to the John-Henry Subdivision..

- a. This will be part of the heavily traveled roads into the proposed new section of town.

4: Intersection of Park Drive and Elk Ridge ..

- a. Shawn Eliot mentioned this was altered last year and made more of a T -intersection.. It needs to be realigned correctly.
- b. Margaret Leckie mentioned that a developer (Eric Allen) just brought in a concept map involving this corner (Park View Estates) and he might correct this corner.

5: The south end of Canyon View Drive (intersection of Salem Hills Drive) to the new development

- a. There has been talk of another access to the southern portion of town to the west towards Loafer Canyon Road. Ken Young mentioned that Elk Haven, Plat E, is being reworked to show just such an exit.

- b. Curb and gutter improvements were suggested, not widening, because of the potential of new development connecting to it.
- C) Ranking of the suggested projects (combines some from city’s impact fee study with new ones suggested by commissioners) was suggested as follows:
 - a. **No. 1:** Elk Ridge Drive from proposed round-about to Haskell Subdivision (Olympic Lane).
 - b. **No. 2:** The portion of Park Drive going down to Loafer Canyon Road, also known as the Dugway
 - c. **No. 3:** Loafer Canyon Road. Extend new curb and gutter from intersection of Park Drive and Loafer Canyon Road, south about 1250 feet. (Impact Study’s No. 1)
 - d. **No. 4:** Hillside Drive from Salem Hills Drive going south to the proposed Elk Haven Plat E.
 - e. **No. 5:** Alignment of intersection of Park Drive and Elk Ridge Drive
 - f. **No. 6:** Canyon View Drive from Salem Hills Drive to Park Drive.
 - g. **No. 7:** Canyon View Drive from Salem Hills Drive south to the end of the existing road.

Margaret Leckie will email the considerations to the commissioners, let them correct, revise or add and then send it to the Mayor.

(The only comments from commissioners were that all projects included adding asphalt and curbing except the dugway on Park Drive which would include hillside retention and minor road improvements)

City Planner, Ken Young, had to leave at this portion of the meeting. He will be here for the field trip next week.

5. DISCUSSION OF SUBDIVISION PLATTING PROCESS

Shawn Eliot looked at our concept application and compared it to other cities. The following comments ensued:

DISCUSSION OF CONCEPT APPLICATION

1. We require a lot at concept and do charge a fee. I polled other cities and discovered the following. Most cities do not charge a fee.
2. Our problems seem to come from requiring so much and requiring a fee at concept level.
3. Springville requires a concept and it is a 6 month process. Spanish Fork does not require a concept. Lehi does but their code states you are not vested, though they take an application and a fee.
4. When we talked to the City Council they did not want vesting at concept. Our PUD does require concept, as do most big cities. Concept should not be a big production. There is not enough information to see if it fits the code, but enough to see if it looks plausible. If we accept a fee and application, we are vested.
5. The Mayor liked the idea of not requiring a lot and not charging a fee at concept. I also spoke with our attorney, David Church. He said that is why Preliminary Plat is preliminary. You are still working with the developer and working through things. Why not work with the developer at preliminary when you have enough information and can adjust things.
6. I suggest toning down the application at concept. The state law is you are vested when you turn in a complete application and a fee. Maybe we tone down the concept application and don’t charge a fee and increase our preliminary fee. Looking at other cities, our preliminary fee is quite low.
7. We charge \$400 for preliminary. Spanish Fork charges \$980.
8. Shawn said he could draft a new concept application. Most of the items required at our concept are already in the preliminary application. He will check to make sure they are there. He has an email version. The commissioners agreed to this idea.

DISCUSSION OF CE-1 CODE

9. Going back to our work session on CE -1. The Mayor read the moratorium idea in the CE-1 zone. He was not comfortable. Shawn told the Mayor we accomplish the same thing by just officially stating we are working on the CE-1 code. We have entered into the 180 day period where anyone

who comes with a project in that zone is subject to our final changes after this 180 day period ends. Anyone already vested is only subject to the current code. As long as staff, Mayor and the council agree, we are OK.

10. The Mayor questioned what the two issues were that we wanted to work with the council to change. I told him they were the open space issue and the lot sizes. These are things they turned down in November. We want to clarify the language and work with the city council on those issues.
11. Russ Adamson stated that if we hurry and get our General Plan revised, we will have more ability to give appropriate direction.
12. Russ asked if we have any other eminent developments in the CE -1 zone who would be grandfathered out of the new 180 code. Nebo Heights has already paid for concept so they are grandfathered.
13. Shawn Eliot felt that it had to be officially announced that they were entering the 180 day period. Ken Young concurred. There was some discussion on being specific as to which portion of the code we were starting the 180 day period on, rather than generalizing that we are working on the CE-1 code, for example, state we are working on the density requirements in the CE -1 code.
14. Shawn mentioned that right now he is totally rewriting and clarifying the CE -1 code. He is working on the whole thing and may have something to us in the next 2 weeks.
15. Shawn said the moratorium will be for the whole zone. If we do pieces we will have people coming in and major confusion. I think we should do the whole thing. We should put on the agenda for next meeting "Rewrite of the CE-1 Code". Also make official statement that this is the start of the 180-day period.
16. Shawn stated one error we made was on the density. We stated in that we say "the average lot slope" for acre lots, half acre lots and third acre lots. We should have said "slopes under". So for 20%, it should have been slopes under 20%. If you do average, half are higher and half are lower. You should say that lot should not have slopes over 20% anywhere.
17. I would also like to suggest that once I get done, I would like a committee of 2 or 3 to go through it and question it and understand it. Last time we did this it was just me and Chad. As long as there is less than a quorum (three would work) it will not be considered a public meeting. Then we can try and sell it to the council
18. Sean Roylance volunteered, as did Kevin Hansbrow and Russ Adamson.

ELK HAVEN

19. Concerning the memo – things to consider when reviewing Elk Haven – asked Margaret to make sure developers have this before field trip.

6. APPROVAL OF MINUTES OF PREVIOUS MEETING – MAY 3, 2007

The following corrections to the May 3, 2007 minutes were brought forth:

Russ:
p.9 – 1st p. – last sentence, change "entitles" to "entitled"

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY SHAWN ELIOT TO APPROVE THE PLANNING COMMISSION MEETING MINUTES FOR MAY 3, 2007 WITH THE ABOVE MENTIONED CHANGES. VOTE: YES -ALL (5), NO-NONE (0), ABSENT (1) DAYNA HUGHES, ABSTAIN (1) KEVIN HANSBROW , LEFT EARLY (1) KELLY LIDDIARD

Kevin Hansbrow abstained from the vote on the minutes as he was not in attendance at that meeting.

7. PLANNING COMMISSION BUSINESS

1. Chairman Adamson reminded the commissioners of the 6:30 field trip next week with the Elk Haven developers and work session to follow. Shawn mentioned that the main topics of discussion will be Plats A and B. Walking the terrain and seeing the ravines will give you a better feel of what is happening.
2. Shawn mentioned that when he was on the Payson Planning Commission, they had a work session for every subdivision that came in. The developers came in for a work session first conceptually for feedback then went back and did their plans based on the interchange. This would be on a

night that we are not approving the plan. Some cities have every other meeting a work session.

3. Russ asked Margaret to remind the commissioners when a work session is in order and work it into the agenda.
 4. There will be no agenda but the list Shawn made that will be sent to all the developers will guide the discussion.
 5. There was some some discussion on public and private open spaces and fences around private open spaces.
1. Ken Young will work on the fire sprinkler code.
 2. Sean Roylance mentioned that we did not add any questions to the survey. It was decided to look at the survey again after Bob Allen's rewrite. Russ Adamson asked if we could have an updated draft for the next meeting. Shawn was not sure.

**8. FOLLOW-UP
ASSIGNMENTS /
MISC. DISCUSSION**

ADJOURNMENT

Chairman Russ Adamson adjourned the meeting at 10:20 p.m.

Planning Commission Coordinator