

NOTICE OF PUBLIC MEETING

Amended

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular meeting on Thursday, July 7, 2005 beginning at 7:00 p.m. The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 P.M.

Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda

1. Storm Drainage/Sumps – Bruce Ward (Aqua Engineering)
2. Proposed Annexation / Randy Young Development – Mayor Fritz
3. Approval of Minutes of Previous Meetings, 6-02-05 and 6-16-05
4. Salem Hills Dr. Extension / Vacation Proposed Road – Troy Richardson
5. City Council Meeting Update — Mayor Vernon Fritz
6. Discussion/Tracking Recommendations – Ray Brown
7. General Plan Amendments
 - A. Ordinance Amendment to Land Use Element & Future Land Use Map
 - Review and Discussion – Russell Adamson
 - Motion to set Public Hearing to amend Land Use and Future Land Use Map – Ken Young
 - B. Circulation Element – Trails, Paths and Open Space
 - Review and Discussion – Ken Young
8. Development Code Amendments:
 - A. Development Code PUD Ordinance Discussion
 - Discussion & Recommendation – Ken Young
 - Reschedule Public Hearing on Ordinance Amendment to Elk Ridge City PUD Code
9. Follow-up Assignments

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 30th day of June, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 30th day of June, 2005



Planning Commission Coordinator

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ELK RIDGE PLANNING COMMISSION MEETING
July 7, 2005

TIME AND PLACE A regular meeting of the Elk Ridge Planning Commission was held on Thursday, July 7, 2005, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

OPENING REMARKS & PLEDGE OF ALLEGIANCE Chairman, Ray Brown conducted the meeting. Following welcoming remarks by Chairman Brown, an opening prayer was given by Ray Brown, followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Chad Christensen, Raymond Brown, Scot Bell, Russell Adamson, Scott Petersen

Absent: Joe Jamison (Joe has submitted his resignation, but has not been replaced and will be accounted for as absent until such time as he is replaced), Dennis Dunn and Mel LeBaron

Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Bruce Ward, City Engineer
Randy Young, Developer

Community Members:
Blain Ogden, Jim Brown, Anette Brigham, George Woodruff, Spencer Sheets, Gary Prestwich, Shari Woodruff, Russell Sly, Kent Rasmussen

APPROVAL OF AGENDA Agenda was amended as follows: Approval of minutes moved to Item 1. Blain Ogden, Troy Richardson – Item 2, Randy Young – Item 3, Storm Drains, Bruce Ward – Item 4, Mayor Fritz comments and report on City Council – Item 5. The rest of the agenda to remain the same as printed.

MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOT BELL, TO APPROVE THE AGENDA AS WRITTEN WITH THE ABOVE MENTIONED CHANGES. VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

1. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY SCOT BELL, TO APPROVE THE MINUTES OF THE MEETING ON 6-02-05 AS WRITTEN WITH THE FOLLOWING CHANGES:

Page 5: insert in the Motion “and move it forward to the City Council for approval”

Page 2, Item B: typo: change word: “development plants” to “development plans”

On all votes made, change the vote number of “yes” votes from 7 to 6.

VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

A MOTION WAS MADE BY CHAD CHRISTENSEN AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE MEETING ON 6-16-05 AS WRITTEN WITH ONE CHANGE:

Typo: Change planning commissioner’s name from “Ray Chad Christensen” to “Chad Christensen”

VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

2. BLAIN OGDEN, TROY RICHARDSON APPEAL TO VACATE PROPOSED ROAD AND EXTEND SALEM HILLS

Blain Ogden and Troy Richardson are appealing to the Planning Commission to vacate a proposed road between their two lots. Blain Ogden brought a map and showed the location of the road to the commissioners. He has built a garage at the back of his lot and Troy is also planning to build a garage at the back of his lot. They would like access to this area so they can put their own drive back there to access that portion of their lots. For 3 years they have driven through mud to access that portion of their property, as they could not pave it because of the proposed city road.

Blain mentioned he had heard rumor that the surrounding lots were possibly under purchase and there was a possibility of splitting one of the lots and deeding ½ to each adjoining owner.

The mayor mentioned being up to review the property with Troy Richardson. One of his concerns was the ability of emergency vehicles (fire in particular) to access the area if needed if all homes fronted the main street and the interior was vacant with no access from the any street. The Mayor said the Fire Department needed to go look at the property to determine access for fire vehicles.

Chairman Brown suggested that the Fire Department and the City Council review the issue so appropriate action can be taken. Scot Bell brought a CAD drawing of the existing lots with the proposed changes penciled in. His concern was that if a through street was abandoned, it would create a piece of ground on the inside of the existing lots with no access. His drawing showed an alternative that would not create a “derelict” parcel of land with no access. Blain Ogden mentioned that this drawing showed exactly what he and Troy Richardson had envisioned. This drawing created a cul-de-sac. The drawing will be labeled “draft” and copied for review by the city council.

RAY BROWN MADE A MOTION WHICH WAS SECONDED BY SCOTT PETERSEN TO FORWARD THIS ISSUE OF THE VACATION OF THE PROPOSED ROAD BETWEEN HILLSIDE DR. AND SALEM HILLS DR. TO THE CITY COUNCIL AND FIRE DEPARTMENT FOR REVIEW AND FOR RECOMMENDATION OF ACTION TO BE TAKEN BY THE PLANNING COMMISSION. VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

3. RANDY YOUNG – PROPOSED ANNEXATION AND SUBDIVISION

The Mayor invited Randy Young, developer, to the Planning Commission Meeting to gather information from them regarding the status of acceptance of his project and the proposed annexation. The Mayor had a proposal on the annexation that he passed out to the Planning Commission Members. Chairman Brown told Mr. Young that since last meeting with him, the commission has been working hard to upgrade the city’s ordinances and formulating code that is doable, acceptable, and aesthetically pleasing, and will give him directions as to what is expected from him, as a developer.

As an example of some of the work that has been done, Chairman Brown pointed out the proposed trails and paths map that had been created by planner, Ken Young’s, efforts since that last meeting which would help Mr. Young as he developed his plan. Mr. Young made the comment that he could work with that plan and put his infrastructures around the proposed trails and paths.

Mayor Fritz passed out copies of a timeline and conditions for a proposed annexation of the property Mr. Young would like to develop. (This summation is included in the file for the minutes for this meeting.) The Mayor did state that Mr. Young’s project can not go forward until we are absolutely sure of the sewer contract with Payson. The Mayor gave the possible scenario that if in Sep., Oct. or Nov. of this year, he negotiated a contract with Payson for sewer and the numbers were suitable; they would then set the date for when they start digging the trench. The Mayor said that as far as he is concerned, we have a margin of openings still connected to the Salem system and he would be willing to permit a small number of connections to occur or building sites to develop even though the sewer was not in. The risk would be on the developer in that situation.

The Mayor felt that a very safe prediction of connection with Payson sewer would be the spring or summer of next year. If it were later than that, he still felt we could handle up to 50 new connections with Salem. He has spoken to Salem about this and gotten their “quasi” acceptance, though it is not necessarily needed.

Scott Petersen mentioned concern regarding the upper range of the home prices in the proposal. The Mayor replied that there still can be higher-priced more upscale homes. Randy also said the upper range is not restricted to the \$350,000 end of the \$250,000 to \$350,000 range previously mentioned in the proposal. He reminded the commissioners that most of these type questions will be answered once he is annexed in as he goes through the development approval process. Chairman Brown expressed concerns about Randy being flexible enough to meet restrictions that had not been codified prior to his development being accepted. He gave the example of the developer who refused to put in a full width road rather than the half-plus 9’ because his application had been put in before the City Council passed the new code.

The Mayor mentioned the difficulty of two bodies not seeing eye-to-eye on everything and we are now 10 months down the road and still have not made an annexation decision. The Mayor mentioned he did not see a problem with the Planning Commission going forward with a recommendation for approval of annexation to the City Council. The Council would then study the proposal, have a public hearing, and all interested community members could give input. Mr. Young understands that after that public hearing there will be some modifications and changes. We do, however, need to get that point.

The Mayor stated he needs to have this issue settled before he goes into negotiations with Payson. Some of the elements in that discussion are directly tied to Mr. Young's decision. The Mayor recommended to the commission that they move the issue forward to the City Council with the understanding that there are certain parts of the terms and conditions of the annexation that may be modified. He suggested getting the annexation approved with a specific zoning, which could always be changed later. Mr. Young deserves an up or down vote.

Chairman Brown agreed that the commission needs to send this issue forward and not keep Mr. Young at bay. Chairman Brown asked the commissioners if any of them had problems with sending this forward to the City Council under these terms.

Scott Petersen clarified that there is a two-phase approach in this recommendation. One, being that of the petition for annexation; and two, that those things not yet formulated as ordinances that related to the proposed development could be finished up by the Planning Commission and forwarded to the City Council.

Mr. Young again mentioned that he felt these things would be worked out once he was annexed in. Once he is annexed in under a certain zone, he will begin the approval process for the proposed development.

Scott Petersen mentioned one of the reasons he is in favor of the annexation is that you have much more control over what the entrance to your city looks like if that area is actually a part of your city.

Russ Adamson questioned Randy Young, developer, as to whether or not he had reviewed the proposed changes the commissioners had made to the PUD ordinance. Randy Young said that he felt most of those things had been discussed with him. Planner, Ken Young, made Randy a copy of the amended PUD code and gave it to him.

The Mayor mentioned that he was willing to wait until the next Planning Commission Meeting if he can feel comfortable that there will be a decision made at that meeting.

Ken Young said that the recommendation will need to come after the Public Hearing on the amended PUD ordinance and Land Use element of the General Plan scheduled prior to the next meeting of the Planning Commission, though an unofficial nod could be given tonight. Chairman Brown mentioned that if nothing comes up that needs to be reviewed at the Public Hearing, then the Planning Commission can move the item forward for approval by the City Council.

Chairman Brown mentioned that they would put Randy Young's annexation as the first item on the agenda following the public hearings. Margaret Leckie mentioned that there was not time to schedule public hearings prior to the next regularly scheduled Planning Commission Meeting in order to meet the legal notification requirements. The commissioners decided to reschedule the meeting at the earliest date possible, allowing for the required 10-day notification time, and a time that Randy Young could be present.

Scot Bell questioned the Mayor as to whether adding homes on the Salem sewer would work and whether the sewage could be pumped with the existing Salem system if the Payson sewer was not in place. The Mayor did not feel this would present a problem.

**A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED RUSSELL ADAMSON TO CHANGE THE REGULARLY SCHEDULED PLANNING MEETING ON THURSDAY, JULY 21ST, 2005 TO WEDNESDAY, JULY 27TH, 2005.
VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.**

4. CITY COUNCIL MEETING UPDATE

The main item the Mayor felt needed to be reported to the Commissioners was regarding the Amendment to the Animal Ordinance that had been moved forward by the Commissioners to the City Council. The Councilmen have scheduled a meeting on July 12th to meet jointly with the Planning Commission and will discuss this issue at that time to help them understand the motivation regarding the motion forwarded to the City Council with respect to pigeons in specific and the animal ordinance in general.

The joint meeting is scheduled for Tuesday, July 12th, at 6:00 for about 45 minutes in the City Council room.

SUGGESTIONS REGARDING INTERACTION BETWEEN PLANNING COMMISSION AND CITY COUNCIL:

- Scot Bell suggested that it might be advantageous when the Planning Commission makes a recommendation to the City Council, they send a representative Commissioner to give an overview of the recommendation to the Council, answer any questions, and report back to the Commissioners the response of the council. There was general agreement among the Planning Commissioners.
- Scott Petersen suggested that because reading through the packets takes a lot of time that we bulletize in the City Councilor's packet in short form where the logic and reasoning behind recommendations comes from.
- The discussion of tracking recommendations from the Planning Commission to the City Council was tabled till later in the meeting.

5. STORM DRAIN

City Engineer, Bruce Ward, brought a summary sheet on his Storm Drain suggestions for the City. (Summary sheet on file in City office in Planning Commission Meeting File.) Some of his points included:

BRUCE WARD PRESENTATION:

- There are many things in the existing Storm Drain code that are good and don't need to be changed.
- The 25-year storm is a standard event. We very rarely see anything more. The handout sheet gave a table showing the storm intensity curves. The current Elk Ridge City Code requirements do not include a storm intensity curve. This gives the developers the numbers they need as they engineer their subdivisions. This gives our code the teeth to get adequate storm drain designs from the developers. He feels comfortable with the numbers on the curve.
- He provided run-off coefficients to provide to developers to use for their calculations. Using these coefficients, the City Engineer can then verify they are getting legitimate designs from the developers.
- The calculations method would be defined in the code as a standard for designing storm drain for subdivisions. The developers would be required to use this calculation (it is called the rational method).
- The developers would be required by code to use 2x3 grates. Right now we accept a variety of grates which are not adequate to handle run-off. Bruce passed out photos of some of these grates which easily clog and are not of sufficient quality. Another problem is the level at which the grates are installed.
- He suggested that the city code require snouts as a pre-treatment mechanism to trap floating debris and keep it from going into the pipes that flow into the sumps and clogging them. This is not required in this part of the state yet but it is required in Salt Lake. This is not a real costly item. Maybe \$100.
- He suggested increasing the size of the gravel envelope area required for a sump from 6'x4' to 10'x4'. This would improve the efficiency of the sumps.
- Bruce asked if we wanted to build in a 25% safety factor (depending on the size of the development) understanding that the efficiency of a sump drops off with time.
- He suggested we provide detailed storm drainage design criteria.
- He suggested that we not allow any release but require 100% retention and no release.
- He suggested modifying our standard detail drawings that we give to the contractors so they know exactly what is expected and can cost it out in their estimates.
- He developed a spreadsheet along with the Santaquin City Engineer to standardize calculations for storm drain design.
- On the sixth page of his handout he mentioned a standard distance between inlet boxes of 500

feet. He said we need to think about that. The distance should differ depending on the slope of the land. We need to leave that requirement open for site-specific conditions. We could specify a maximum velocity that we will retain.

- Bicycle safety was mentioned on the installation of the inlet grates
- The question of whether we want PVC or concrete pipe. Some of the issues to consider are how often the street may be dug up, ease of installation, ease of moving pipe around, coverage requirements, etc. The cost is very similar. Kent Haskell would provide good input.
- Retention basin depth was discussed. There exist basin parks 15' deep with soccer fields. Do we want these grassed and landscaped, or fenced and barbed. Do we want 3' deep basins or deeper.
- Slope of embankment on Retention Basins needs to be decided. He recommended a shallow embankment of about a 3-5 to 1 slope. This could be mowed and driven down. He needs input on this.
- Bruce suggested that it be included in the code that the storm drains be covered during construction so they don't fill with construction debris.

Bruce requested comments, either verbal or written. Comments could be turned into the City or we could meet in another meeting. Several of the issues that need to be decided are not engineering questions but more questions of how we want our city to look.

He suggested that if we don't have this ordinance in place before development comes in, we tell developers up front that we are working on the storm drain ordinance and they will be required to adhere to this new storm drain code.

QUESTIONS FROM COMMISSION:

- Scott Petersen asked Bruce if he had any recommendation as to the distance we should require between inlet boxes (500' had previously been mentioned.) Bruce felt that we needed to let that be site-specific, depending on street slopes, etc. Scott suggested that maybe it be worded such that "distance shall not be more than 500' but depending on the site, might be less".
- Scott asked about the value of concrete pipe and how hard it was to fix. He asked what Bruce's recommendation was between ADS and Concrete. Bruce likes the ADS and felt that we wouldn't have to dig up the road often enough to cause problems. He also felt our public works people would be the ones digging the road and would be doing it correctly. It is all just preference. Some cities have gone to concrete because of maintenance issues. Cities that have been around longer seem to like the concrete.
- Scot Bell commented that these suggestions offer such an improvement over the existing requirements but suggested a couple of things to maintain the integrity of the system including a regularly scheduled maintenance system to suck out debris from the sumps. The Mayor mentioned we do 1/3 a year and that can be changed and he would like input on suggested frequency. This is a policy item and not an ordinance item.
- Scot Bell also asked how to address the problem of steep grades in Elk Ridge and fast flowing water going over the top of sumps. Bruce mentioned that the location of the sumps is critical in meeting this problem. They need to be located at the low point rather than mid-point.
- Scot Bell addressed the issue of houses that are built outside of a planned subdivision. When enough homes go in to require a sump, does the last house that goes in be required to put the sump in that will handle the drainage from his and the 3-5 preceding homes? Bruce mentioned the possibility of a Storm Drain Fee that might be required from all home-builders to cover this cost. Bruce would like input on how to handle this.
- Scot Bell mentioned the problem of maintaining a road crown when there is erosion that occurs. Bruce said this needs to be done during construction, so an engineered road can be turned over to the city.

Bruce said once he received the input back from the Commissioners he could then return the recommendations in final-draft form which could be looked at by the City Council and Planning Commission jointly.

Chairman Brown asked that Margaret Leckie include in the next meeting packets all the ordinances and city requirement relating to sumps and retention ponds to review so the Commissioners at their next meeting can come up with some recommendations. They would call Bruce if they got stuck on any points.

RAY BROWN MADE AN ASSIGNMENT TO THE COMMISSION:

- Review information passed out tonight, as well as information to be included in next meetings packet on sumps, storm drains and retention basins..
- Come prepared to made recommendations to forward to City Council on these issues during the next meeting on July 27th, 2005.
- Bruce can be contacted to answer any questions.

6. DISCUSSION ON TRACKING RECOMMENDATIONS

Chairman Brown discussed a tracking system to track the recommendations made by the Planning Commission to the City Council. He asked Margaret Leckie, Planning Commission Coordinator, to create something on the computer tracking the recommendation, date forwarded, action taken, when completed or kicked back to the Planning Commission.

The Mayor displayed a sheet he had begun to accomplish the same purpose. It tracks Planning Commission motions given to the Council and their responses. This document will be kept and updated at the City Office by Margaret.

One issue was brought up that was an example of something the Planning Commission had discussed and wasn't sure of the final decision. This was the issue of road impact fees. Margaret will research where this is at.

7. GENERAL PLAN AMENDMENTS

A. Ordinance Amendment to Land Use Element & Future Land Use Map

Russ Adamson turned the floor over to Ken Young, City Planner. Ken stated that the prepared amendment to the Land Use Element & Future Land use map were in the Planning Commission packets for the June 2, 2005 meeting. The text changes have been reviews by the commissioners and no further changes have been make since that review. The next step to move the amendment forward is to hold a public hearing.

In regards to the Future Land Use Map, Ken discussed the Public Workshop held at the Elk Ridge City Office on June 30, 2005. The maps were worked on by the attendees, and some changes were made. There are even more change recommendations to be made than on the map that Ken displayed this evening.

The Pie Chart showing land use allocation is being worked on and will be presented at the next meeting at the Public Hearing on July 27, 2005.

Ken reviewed the changes that had been made to the Land Use Element and Land Use Map including some the following from the June 30th workshop, and some that were his own recommendations as follows:

- Remove future proposed annexation area west of 1600 W. It has been agreed between Elk Ridge and Payson that Payson will annex this area. It is Ken's understanding that Payson has low-density rural housing development planned for this annexation area.
- Payson has proposed business commercial zoning along the west side of 1600 W.
- The Mayor mentioned the "gentleman's agreement" we have with Payson that anything west of 1600 is open to annexation by Payson or is County property, as well as across the Highland Canal and across Loafer Canyon Rd. to the north and east. He also mentioned a similar agreement with Payson that we would not have commercial development on the Elk Ridge east side of 1600 W. In exchange for our agreement, Payson has agreed to share the tax revenue of the commercial development along the west side of 1600 W. that will be a part of Payson.
- The commercial area shown on the northeast corner of the map will be extended on the northern side. The mapper at Aqua who prepared the map showed this commercial development going all the way to the canal though that was not what Ken had meant for him to do. This will be something the commission needs to consider.

- Ken's initial thought was to take the lower portion of this area and give it a PUD zone, but save enough for a commercial office park with a commercial zone. The Planning Commission thought it would be a good idea to plan the entire area as shown from 11200 South to the canal for commercial.
- When talking about commercial development in this northeast area, the type of development that was discussed as desirable was an office-park type development. .
- The commercial area shown on the southwest corner of the intersection of 11200 N. and Loafer Canyon will be removed due to the topography of this area, and to the fact there is a large existing house in this area.
- Ken is working with Payson (Jill Spencer) on meshing the trail systems of Payson and Elk Ridge.
- The trail shown on the map along the Highline Canal needs to be moved to the other side (north side) of the canal and it will not be in the jurisdiction of Elk Ridge, but will link to an existing trail system.
- The previous cross-hatched open-space area along the canal was removed. Rather than have all this open-space along the canal, it was decided that it would be nicer to have it integrated into the surrounding development. The commercial area, which had cross-hatching through it, will be extended upwards.
- Some of the land along the Woodland Hills access road previously had a PUD zone designation. Ken suggested changing this designation to R&L-1-20,000 residential, which would be adjacent to current similarly zoned property in this area. The Mayor mentioned that there is a developer who is currently interested in developing this area with minimum 1-acre lots (Robert Nelson).
- Ken also suggested putting a park in this area, taking out the wide area of open spaces that have been suggested and concentrating it on a park.
- The Mayor mentioned the possibility of a regional fire and police service area for four cities that has been proposed in the far northeast area of Elk Ridge with a commercial zone designation. This development is at least 10 years away.
- The red lines on the map are the proposed trails. Ken would like the mapper to move these designations off the street names, perhaps making the line a little thinner.
- Ken also proposed designating a park on Loafer Canyon Road and designating future church properties.
- Ken mentioned that some of the items discussed in the June 30th planning session could be used in the proposed annexation agreement.

Ken felt the map displayed this evening represents a map closer to the reality of what is desired for Elk Ridge, with the updates as pointed out by the Mayor and discussed by Ken. He proposed that with the changes we move this Land Use Map forward to the Public Hearing scheduled for the 27th of July.

A MOTION WAS MADE BY CHAD CHRISTENSEN AND SECONDED BY SCOTT PETERSEN TO SCHEDULE A PUBLIC HEARING ON JULY 27TH, 2005 TO REVIEW THE LAND USE MAP WITH CHANGES AS PROPOSED BY KEN YOUNG AND MAYOR FRITZ TONIGHT, AND THE PREVIOUSLY AMENDED LAND USE ELEMENT OF THE GENEAL PLAN (INCLUDING THE CIRCULATION ELEMENT). VOTE: YES-ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

**B. Ordinance
Amendment to
Circulation Element
– Trails, Paths and
Open Space**

City Planner Ken Young included much discussion on the Trails and Paths Plan in his review of the June 30th Public Workshop on Land Use in the previous section of the minutes. The Trails and Paths Plan will be a part of the Circulation element of the Elk Ridge City General Plan. The amendment motion for the Circulation Element of the General Plan was included in the above motion regarding the amending of the Land Use Element and Future Land Use Map of the General Plan.

**6. DEVELOPMENT
CODE
AMENDMENTS**

**A. Development Code
PUD Ordinance**

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY RUSS ADAMSON TO SCHEDULE A PUBLIC HEARING ON JULY 27TH, 2005 TO REVIEW THE ORDINANCE AMENDING THE PUD SECTION OF THE ELK RIDGE CITY CODE. VOTE: YES- ALL (5) NO-NONE (0); ABSENT (3) JOE JAMISON, DENNIS DUNN, MEL LEBARON.

**NON-AGENDA
ITEM – ZONE
CHANGE ON
PROPERTY
OWNED BY JIM
BROWN AT
CORNER OF
GOOSENEST DR.
AND ELK
MEADOWS DR.**

Jim Brown would like to change the zoning on his property near the northwest corner of Goosenest Dr. and Elk Meadows Dr. from the existing commercial to residential zoning, R-1-15,000.

The Mayor mentioned that the entire block on the southwest corner might be changed to a residential zone. A portion of this property belongs to the City of Elk Ridge. It was recalled that this property was originally zoned commercial to accommodate Jim Brown's arena that once occupied the property but no longer exists on the property. There are 6 parcels outside of Jim Brown's that are in the existing commercial zone and two of them belong to the City.

It was City Planner, Ken Young's recommendation that all parcels south of Goosenest Dr. and west of Park Dr. be changed to a residential zone designation and leave the east side of Park Dr. now zoned as commercial as it is. (This is Lee Haskel's property). The Mayor agreed with this recommendation.

Ken stated that we would need to contact the owners of the adjoining properties (within a 300' radius) and inform them of the possible change in Land Use Designation which would be a guide for future zoning changes. This Land Use designation change would not change the zone. Margaret will determine who these property owners are and send the letters.

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

- Chairman Brown requested the commissioners give their email addresses to the Planning Commission Coordinator so information and reminders of meetings can be more easily disseminated.
- Chairman Brown asked Margaret Leckie to contact some resource people to address the Planning Commission on xeri-scape landscaping ideas that might be used in Elk Ridge and distributed to the Elk Ridge Community. Some possible resources might be found at the Jordan Water Conservancy District or at the Utah Extension Service.
- A discussion ensued on landscape aesthetics in Elk Ridge. The idea of possibly changing City Ordinances to require landscaping be put in after a reasonable amount of time following the construction of the home was brought up. The options of just requiring full sod and trees in the front yard was discussed as opposed to requiring full front and back landscaping. Another way of having some control over this was mentioned and that was having developers put yard restrictions in their CC&Rs. Ken Young felt it should be in the city code for future development so the overall look of the community grows in a more aesthetically pleasing way.
- Russ Adamson mentioned that at the next meeting we need to prioritize what items the Planning Commission should address during the next 2-3 months.
- Scot Bell mentioned that maybe we need to address the issue of high-value returns being exchanged with developers for density bonuses; i.e. community centers, swimming pools, etc., as well as open space. The residents would then not have to bond for these amenities. Chairman Brown mentioned, along these lines, Russ Adamson's comments regarding having playing fields for our youth in Elk Ridge rather than shipping them to playing fields in other communities.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 9:45



Planning Commission Coordinator

NOTICE OF PUBLIC MEETING

Amended

Notice is hereby given that the Elk Ridge Planning Commission will hold a combined meeting with the City Council on **Wednesday, July 27, 2005 beginning at 7:00 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 PM** **Public Hearing/Ordinance Amendment – PUD's**
Public Hearing on a proposed Ordinance Amending the Elk Ridge City Development Code regarding PUD's, sections: 10-14C-1, 10-7C-9, 10-14C-5 & 10-14C-6
- 7:15 PM** **Public Hearing/Ordinance Amendment – Land Use Element General Plan**
Public Hearing regarding a proposed Ordinance Amending the Land Use Element and Future Land Use Map of Elk Ridge City General Plan.
- 7:30 P.M.** **Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda
- 1. Approval of Minutes of Previous Meetings 7-7-05**
 - 2. Proposed Annexation / Randy Young Development**
- Review and Discussion
 - 3. Storm Drainage/Sumps – Bruce Ward Recommendations**
- Review and Discussion
 - 4. Planning Commission Member Vacancy**
 - 5. City Council Meeting Update — Mayor Vernon Fritz**
 - 6. Salem Hills Dr. Extension / Vacation Proposed Road (Richardson & Ogden)**
- Review and Discussion – Ken Young
 - 7. Scott Petersen – Lot Vacation / Final Plat / Public Hearing 8-04-05**
- Review and Discussion – Ken Young
 - 8. Tracking Recommendations / Discussion**
- Review and Discussion– Ray Brown
 - 9. General Plan Amendments**
 - A. Circulation Element – Trails, Paths and Open Space**
- Review and Discussion
 - 10. Development Code Amendments**
 - A. Code Amending Landscaping Requirements**
- Review and Discussion
- Arrange for speaker on xeri-scape landscaping
 - 11. Follow-up Assignments / Set Upcoming Priorities**

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 27th day of July, 2005


Margaret Leckie

Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 27th day of July, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

July 27, 2005

PUBLIC HEARINGS

1. PUD CODE AMENDMENTS

PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING THE ELK RIDGE CITY DEVELOPMENT CODE REGARDING PUDs, SECTIONS: 10-14C-1, 10-7C-9, 10-14C-5 AND 10-14C-6.

A public hearing was held from 7:00p.m. to 7:27p.m. Wednesday, July 27 prior to the Planning Commission Meeting

Those present were:

Planning Commissioners: Chairman Ray Brown, Chad Christensen, Scot Bell, Scott Petersen, Russ Adamson and Dennis Dunn.
City Staff: Mayor Vernon Fritz, Planning Commission Coordinator-Margaret Leckie, City Engineer-Bruce Ward, City Planner-Ken Young, City Councilmembers-Russell Sly and Mark Johnson.
Residents: Anette Bingham, Ed Arrington, Spencer Sheets, Joan Sheets, Shari Woodruff, George Woodruff, Nancy Clawson, Julie Cloward, Chad Brown, Elayne Brown, and Lee Brown

Chairman Ray Brown asked those in attendance if anyone wanted to address the commission regarding PUDs. Anette Brigham had reviewed the amended ordinance and pointed out a correction that needs to be made to the amended ordinance:

1. On p. 3, item 10, two sentences had been melded into one. In the amended version it said the following:

Developments which include passive open space areas such as large grass areas (at least 1/4) acre in size), barbecue areas or water features are eligible for up to a ~~ten twenty-five percent~~ (10%) (25%) minimum open space requirement.

It should read as follows:

Developments which include passive open space areas such as large grass areas (at least 1/4) acre in size), barbecue areas or water features are eligible for up to a ~~ten twenty-five percent~~ (10%) (25%) density increase. The land used for the passive open space is in addition to the ~~ten percent~~ (10%) twenty-five percent (25%) minimum open space requirement.

Chad Christensen reviewed the main proposed changes in the document.

1. Regarding the PUD zone, the current code is unclear how it related to PUDs so a sentence was added as follows in Section 10-7C-1: *This zone should only be used in conjunction and comply with the regulations of the Planned Unit Developments (PUD) section of the code in Chapter 14 of this title.*
2. Changing the minimum acreage required for a PUD from 5 acres to 15 acres.
3. A few more identifiers were added to what constitutes "open space".
4. The open space minimum requirement was changed from 10% to 25%.
5. A new requirement was added that the developer must hold a public meeting of the neighbors within a certain radius of the proposed PUD apart from the planning commission public hearing to inform them of what he is proposing.

Chairman Brown asked the developer, Randy Young, if he had seen a copy of the proposed PUD code changes and he responded that he had. Chairman Brown asked for any further comments. There were none other than comments from Anette Brigham who complemented the commission on their work.

Chairman Brown closed the PUD Public Hearing at 7:17

Chad Christensen mentioned that the commission had talked about leaving the following sentence out of Section 10-14C-5: *The Planning Commission and/or City Council shall ultimately determine what qualifies as open space.* The Commissioners decided to leave it in.

He also pointed out a typo: Section 10-14C-6 had a letter "C" after the 6 that needs to be removed.

Scot Bell brought up the idea which had been previously proposed of giving density bonus for high value structures such as community centers, swimming pools, etc. rather than have the city have to bond for such a structure. Some of the verbiage in the proposed code did refer to recreation areas and it was unclear whether further verbiage was needed. It was decided not to include more verbiage in this document at this time but maybe revisit this at a later time. If significant changes were made to the ordinance amendment now, another public hearing would be required.

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY DENNIS DUNN TO APPROVE THE AMENDED PUD ORDINANCE WITH THE FOLLOWING TWO CHANGES:

- 1. DELETE THE "C" IN SECTION 10-14C-6C, AND**
- 2. ADD BACK IN THE DELETED PORTION OF THE SENTENCE IN SECTION 10-14C-6, ITEM 10 SO THE SENTENCE READS: *Developments which include passive open space areas such as large grass areas (at least 1/4 acre in size), barbecue areas or water features are eligible for up to a ten (10%) density increase. The land used for the passive open space is in addition to the ~~ten-percent (10%)~~ twenty-five percent (25%) minimum open space requirement.***

VOTE: YES-ALL (6) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON.

2. LAND USE ELEMENT OF GENEREAL PLAN AMENDMENTS

At 7:27p.m. Chairman Brown declared the Public Hearing on the Land Use Element and Land Use Map of the Elk Ridge City General Plan open.

City Planner, Ken Young, included the following comments on his opening remarks to the public:

1. The General Plan (of which the Land Use Element is a part) is only a blueprint for the future development of the community and does not reflect or regulate current zoning.
2. Tonight we are looking at changes to the Land Use Element and Land Use Map currently a part of the General Plan.

Lee Brown addressed the commission. He thought his property was a part of the changes and did not want the commercial zone removed. As it turned out, his property was not effected. Chairman Brown stated that Jim Brown, who owns the property at the southwest corner of Goosenest Dr. and Elk Meadows Dr. has a proposal before the Planning Commission to change the zoning on his property from commercial to R-1 15,000 Residential, but this proposal is still under consideration while we hear from all property owners who would be effected by the zone change.

Planner, Ken Young, pointed out that at present there is property on the east and west of N. Park Drive near where it intersects Goosenest Dr. that is currently zoned commercial and the proposal is to leave the property on the east side commercial and change the property on the west side of park driven to residential R-1 15,000.

Chairman Brown asked Chad Brown what his feelings were regarding the zone change as he is presently in the commercial zone that would be changed. Chad stated that he would have to look at the issue.

Commissioner Russ Adamson summarized some of the proposed changes as follows:

1. Some additions were made to the code referring to the High Density PUD zone, the amended code refers to this zone as High Density Residential (R-1 12,000 PUD)
2. Verbiage was added which states:
As a general rule, High Density Residential developments should not make up a large percentage of total city acreage or total dwelling units. Care must be taken to maintain the open spaces and uncrowded rural environment that attracts residents to live in the community.
3. The paragraph once entitled: *Conditional Use*, is now entitled: *Planned Unit Development*; and contains added verbiage which states:
This designation can be applied to any existing residential zone. The purpose of the Planned Unit Development designation is to allow and encourage a flexible, efficient and imaginative development pattern, with the potential of up to a 25% Density

Bonus. Community input should be solicited for all proposed Planned Unit Developments.

4. Another significant change was in the Public Facilities paragraph under Special Uses, the following verbiage was added:

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 parks and trails for every 1000 residents.

5. The language about the zoning since March 1993 was removed.
6. The pie chart was updated reflecting new land use percentages (included in packets).
7. On page 3 where land use acreages were detailed, the were updated as follows:
Today there are approximately ~~1698~~ 1600 acres of land within the City limits, of which ~~898~~ 828 acres are zoned for residential purposes, ~~24~~ 22 acres are zoned for commercial uses, and ~~855~~ 750 acres are zoned critical environment.
7. There were the following changes made to the land use designation of Medium Density Residential, defined as R-1 15,000. Verbiage was added as follows:
Representative of uses within the Zone are one-family dwellings co-mingled with parks, playgrounds, schools, churches and other community facilities designed to serve the residents of the City.

Chairman Brown asked if there were any questions or comments from the audience.

Spencer Sheets asked for a clarification of the difference between Medium Density and High Density. Commissioner Petersen responded that Medium Density is defined as 15,000 sq. ft. per lot and High Density is 12,000 sq. ft. per lot.

City Planner, Ken Young, mentioned that also attached to the ordinance changes, were changes in the Future Land Use Map. He took some time to review those major changes and passed out a summary sheet with those changes. He pointed out on the wall map the effected areas as he referred to them.. (This sheet is included in the Packet and file in the City office for this meeting and copies can be obtained from the City.) There were 12 changes including:

- Map name change to "Elk Ridge Future Land Use Map" (rather than "Future Zoning")
- Removal of areas to be annexed by Payson
- Addition of proposed trails and parks
- Adding name designations to street and Highline Canal
- Adding church property designations
- Changed locations of proposed commercial areas
- Changed location of future residential PUD area
- Changed location of open space cross-hatch

He again explained that the Future Land Use Map represents our thought as to what is best for the future, and not the current zoning. In order for the land to be actually zoned differently, there must be an application made to change the zone and it will need to be approved by the city. Thus, the Zoning Map and the Land Use Map can be different.

One of the audience questioned what the difference was between *Residential with Animals* and *Rural Residential*. Ken Young said that the city has changed their policy and is now stating that 15,000 sq. ft. lots are too small to allow animal rights, though there are some properties of this size with animal rights that are grandfathered in, none will be allowed in the future. Chairman Brown said that half-acre lots are now required for animal rights.

One of the ladies in the audience who is new to the Community within the last month questioned the thought process behind the location of the commercial zoning. Planner, Ken Young, mentioned that the reasoning for the location of the commercial zoning is often tied to where the gateway of the community is. The Brown property will no longer be the gateway and a location further north will soon be the gateway once the proposed annexation takes place, and will thus be a more logical place for commercially zoned land. The type of commercial use that will most likely occur also enters into the thought process. For Elk Ridge, an office park appears to be a

likely possibility and the northeast corner of the community would be a good place for this type of development.

Chairman Brown mentioned that the mayor has been in communication with Payson who is planning some commercial development on the west side of 1600 West and is willing to share in the revenue for this commercial development with Elk Ridge. The Mayor added, regarding the Jim Brown property being changed to residential; the property across the street, which is about 5 acres and belongs to Lee Haskell and is proposed to remain commercial. The City has been approached by several developers who would like to put type of nursing home or old-folks home there. This would be a much different type commercial use than, say, a 7-11.

Chad Christensen did not feel we should abandon the idea of having commercial development across the street from Payson development on 1600 West. Chairman Brown said that we can always go back and make that change.

Scot Bell asked if the pie chart reflected existing or proposed land use and was told by Ken Young that it reflects existing land use percentages.

Joan Sheets expressed concern about the future R-1 12,000 zone. She wondered if all annexed property would be that zone. Chairman Brown said “no”, the annexed area would be mixed use. Ken Young confirmed that PUDs would be a mixture of different densities. The land would all be zoned R-1 15,000 but would allow for a mixture of different densities.

Chairman Ray Brown declared the Public Hearing closed at 7:56 p.m.

A MOTION WAS MADE BY RUSS ADAMSON AND SECONDED BY SCOT BELL TO RECOMMEND TO THE CITY COUNCIL FOR APPROVAL THE ORDINANCE AMENDMENT TO THE LAND USE SECTION AND LAND USE MAP OF THE GENERAL PLAN WITH THE CHANGES MENTIONED ABOVE.
VOTE: YES-ALL (6) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON.

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Chairman, Ray Brown conducted the meeting. Following the first public hearing, and prior to the second public hearing, an opening prayer was given by Scott Petersen, followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Raymond Brown, Scott Petersen, Russell Adamson, Scot Bell, Dennis Dunn and Chad Christensen.
Absent: Joe Jamison (Joe has submitted his resignation, but has not been replaced and will be accounted for as absent until such time as he is replaced), Mel LeBaron
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Bruce Ward, City Engineer
 Randy Young, Developer
 City Councilmen: Mark Johnson and Russell Sly
Community Members:
 Anette Brigham.

CHANGES MADE IN ORDER OF AGENDA ITEMS

Order of Agenda Items will be as follows:
 1. Proposed Annexation / Randy Young Development
 2. Storm Drainage / Sumps – Bruce Ward Recommendations
 3. Approval of Minutes of Previous Meeting
 4. Salem Hills Dr. Extension / Vacation Proposed Road
 5. Tracking Recommendations
 6. Scott Petersen Lot Vacation / Final Plat
 7. General Plan Amendments – Circulation Element
 8. Development Code Amendments – Landscaping Code
 9. Follow-up Assignments

1. PROPOSED ANNEXATION,

Randy Young, developer, attended tonight’s meeting to hear the commissioners review the proposed annexation. He is requesting to be annexed under the proposed Land Use Zone of R-1

**RANDY YOUNG
DEVELOPMENT**

12,000 PUD.

Randy said the proposed development is now known as Stone River Falls. This annexation encompasses 122 acres.

Chairman Brown opened the floor for discussion. The commission is still working on the codes that would be in effect once the development is actually submitted after the annexation takes place. The annexation needs to be approved by the Planning Commission and the City Council. This is just the beginning of the approval process, as the Mayor mentioned, before the City Council can give final approval, they, also, must hold a public hearing on the annexation issue.

Chairman Brown mentioned we have gotten a lot of desired changes under way in the City Code but will still be working on code changes in sumps, grading, etc.

RAY BROWN MADE A MOTION THAT WAS SECONDED BY SCOTT PETERSEN THAT WE ACCEPT THE PROPOSED STONE RIVER FALLS ANNEXATION AND MOVE IT FORWARD WITH A RECOMMENDATION FOR APPROVAL TO THE CITY COUNCIL. VOTE: YES-ALL (6) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON

**2. STORM DRAIN /
SUMPS – BRUCE
WARD**

City Engineer, Bruce Ward, did not have a formal presentation this evening, but was here to answer any questions the commissioners had as they had reviewed his suggested changes in their packets prior to the meeting this evening.

The discussion included the following:

- a. Since the last meeting he met with the Elk Ridge City Public Works Department and got some input from them. They were in favor of concrete pipes as opposed to PVC. Kent Haskell, from the Public Works Dept., also had an opinion on retention basins. He would like to see more retention basins, if possible, rather than underground sumps as they are above ground and easier to maintain.
- b. Kent mentioned concern about ownership of the retention basins, and the fact that in order to have a retention basin in a development, the owner would be giving up a lot for the retention basin.
- c. The question of government requirements on maintenance of retention basins was discussed, but Bruce stated that our ponds would be so small they would not fall into the category of basins the government is concerned with.
- d. City Engineer Ward mentioned he has seen both fenced and unfenced, deep and shallow basins. We are limited economically as to what we can do. The question was posed by Scot Bell as to whether we can impose swales or basins on private lots that the owner must maintain.
- e. Engineer Ward felt we would need a combination of both basins and sumps. Small developments will probably have sumps. Larger developments and open space might accommodate retention ponds.
- f. The curb inlet box is the key to extending the life of a sump. He felt it would double the life of a sump. The pre-treatment that the curb-inlet box and snout give is the most important piece of the puzzle. It is only effective if the boxes are cleaned (at least every year and some situations require more often.) At least a visual inspection could be required on a regular basis.
- g. The proposed required sumps are about a 20-30% larger capacity than what we have now.
- h. Bruce would like to take what we have suggested now, add Kent Haskell's (Public Works) comments and prepare a proposal to take to the City Council.
- i. Bruce has worked with the Santaquin City Engineer on this issue and will take the identical

package to Salem. He is hoping to get the cities in the same storm drain mode.

- j. Scot Bell mentioned the possibility of some sort of fee required to provide a sump once a certain number of homes was built on a street (not all in the same subdivision, but all next to each other). Bruce did not have any figures but gave a rough estimate that a \$3000 sump would be needed for every 4 or 5 houses. This would be \$600 to \$700 roughly. This might be a part of the road impact fee. Ken Young mentioned the problem that before we require this type fee, the City must have a reasonable Capitol Facilities Plan.
- k. Chairman Brown, after hearing Bruce Ward's comments, felt a bi-annual required inspection of the sumps might be something we want to look at. Bruce mentioned that sometimes you have to use common sense, i.e., inspection may be necessary right after a big storm.
- l. Bruce will get final drafts for the council to Margaret to put in the upcoming Planning Commission packets for review.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

The following corrections need to be made to the minutes of the Planning Commission Meeting held on July 7, 2005:

- 1. Remove the "e" in Blaine wherever the minutes refer to Blain Ogen.
- 2. On page 3, 9th paragraph change "a public hearing" to "public hearings"
- 3. In reference to the adjournment of the meeting, it was adjourned by Ray Brown and not Chad Christensen
- 4. On page 5, 5th bullet, removed the second "t" from Scott in Scot Bell's name

SCOTT PETERSEN MADE A MOTION THAT WAS SECONDED BY CHAD CHRISTENSEN TO APPROVE THE MINUTES OF THE JULY 7TH, 2005 PLANNING COMMISSION MEETING WITH THE ABOVE-MENTIONED CHANGES. VOTE: YES-ALL (6) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON

4. CITY COUNCIL UPDATE

Mayor had stepped out so update was not done.

5. SALEM HILLS DR. EXTENSION / VACATION PROPOSED ROAD

Mark Johnson from the City Council stated that rather than a road vacation, Mr. Ogden, as he has already paid for curb and gutter, would just like to have the road paved and curb and gutter added to the end of his property, where it would be dead-ended and could be extended by future developers.

There were several letters and emails (see File in City Office) from property owners that would be effected by a road vacation, stating strong opposition to vacating the proposed road.

Commissioner Dennis Dunn reclused himself from the vote on this issue as he is friends and neighbors with some of the owners of the above-mentioned property.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOTT PETERSEN TO MOVE FORWARD TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL TO FINISH THE PROPOSED ROAD SECTION OFF SALEM HILLS DRIVE TO THE WEST END OF THE PROPERTY OWNED BY BLAIN OGDEN. VOTE: YES (5) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON.

6. TRACKING RECOMMENDATIONS

Chairman Brown reviewed a grid type tracking recommendations to keep track of motions forwarded to the city council. (see sample in packet on file in city office.) The tracking number will reflect the date the motion was moved forward and in which order in the month the motion was made. Example motion number 05-07-001 would be the first motion made in July of 2005. A commissioner would be assigned responsibility for each motion and would attend City Council meeting to explain the motion and answer any questions of the councilmen when it was presented. It may be that more than one commissioner attends the city council meeting. Margaret will create an overall tracking sheet for the next planning commission meeting and individual sheets for each commissioner showing the motions they are responsible for presenting and tracking.

It was suggested that the tracking sheets be included in the packets for the City Council.

The following motions were assigned this evening:

05-07-001	PUD Ordinance	Chad Christensen
05-07-002	Land Use Element	Russ Adamson
05-07-003	Blain Ogden / Troy Richardson Road Finish	Ray Brown
05-07-004	Stone River Falls Annexation	Ray Brown
	(a public hearing for the annexation has been set for August 23, 2005)	
05-07-005	Recommendation Followup on Road Impact Fee	Ken Young
05-07-006	Miniature Horse Accomodation	Ray Brown

7. SCOTT PETERSEN LOT VACATION / FINAL PLAT

A Public Hearing has been set for August 4th, 2005 for the Scott Petersen request for a lot vacation and final plat.

Scott Petersen is requesting that we change the lot lines between his lot and the adjoining lot (which he also owns) . He has made an agreement with neighbors in the area to form a neighborhood association to have responsibility for the lot adjoining him where a swimming pool will be built. The lot is an odd-shaped lot for recreational purposes only and is not a buildable lot. The new final plat will reflect these actions. His lot will become larger and the neighborhood association lot will become smaller.

8. NON-AGENDA ITEM – ROAD IMPACT FEE

Last November a motion regarding road impact fees was moved forward to the city council. Chairman Brown was not sure where it is. It was recalled that it was left with councilman Prestwich. Ken Young mentioned he had had discussions with the Mayor who was looking at reviewing all impact fees and holding on this one until that was done.

Chairmain Brown was concerned that that was done 8 months ago and with the incoming development the commission wanted to set this up. The commission had forwarded to the council several of the impact fee schedules from the surrounding cities. The commission had even recommended a fee amount.

City Planner, Ken Young mentioned that an overall impact fee analysis needs to be performed. This is normally done by engineering firms. Gary Prestwich has followed up with Ken on this issue. Chairmain Brown asked Ken Young to meet with the mayor and let him know this needs to be done. We have already missed Grand View and Rocky Mountain Subdivisions (as far as requiring a road impact fee).

9. GENERAL PLAN AMENDMENTS

A. Circulation Element – Trails, Paths and Open Space

City Planner, Ken Young stated that we need to know if we want to move forward or make any new assignments. We have done some planning on our trails and added that to the Land Use Map. Do we want someone to look at the verbiage on the Circulation Element and make some modifications?

The Trails and Paths group will meet again once it has been approved and made a part of the General Plan and determine the next step.

10. DEVELOPMENT CODE AMENDMENTS

A. Code added for Landscaping Requirements

Margaret Leckie has found some people who are experts in xeriscaping who could address the Planning Commission. Chairman Brown suggested tabling this item for now.

Ken Young mentioned that we might look at some of the other citys' ordinances regarding landscaping that include xeriscaping. We may want to add an ordinance to our code that includes xeriscaping that would be included in all zones .Scot Bell mentioned that this discussion stemmed from a concern to conserve water. He felt that we might require some form of xeriscaping to be mandated in the PUD, in that case, we might consider this sooner than later.

**8. NON-AGENDA
ITEM – ROAD
IMPACT FEE**

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**NON-AGENDA ITEM –
MINIATURE HORSE
NUISANCE
COMPLAINT**

There are two families in the city with miniature horses. Chairman Brown received a letter from one of these families with an attached sample of the city code from Provo (see attachment of code in packet at Elk Ridge City Office). In the Provo City code they make an exception for miniature horses with certain provisions. The letter requested some sort of accommodation from the city of Elk Ridge for the miniature horses within the city.

The letter states that miniature horses are neither livestock, nor large animal so asks for the planning commission to make some sort of recommendation to the city council for a change in ordinance to accommodate the miniature horses.

A neighbor, looking for any city code violations, turned in the miniature horses as a code violation. The horses really are not nuisances. One family keeps their area clean but the other doesn't do as good a job. The horses do not make an inordinate amount of noise. Ken Young will inspect the situations at the two homes to make sure they are not nuisance issues.

The Mayor recommends making an accommodation for the miniature horses. After review of the Provo ordinance, and the situation within our city, the following recommendation was made to the city council in the form of a motion:

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOTT PETERSEN TO MOVE FORWARD TO THE CITY COUNCIL A RECOMMENDATION TO ALLOW THE BOARDING OF MINIATURE HORSES AS A CONDITIONAL USE PERMIT, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The animals must be kept in an enclosed, fenced yard, with fencing 6 feet high and no higher.
2. The horses are allowed only in the following zones: R-1 15000, R-1 20000, RL-1 20000.
3. All corrals or stables must be located no closer than 25 feet to an adjacent neighbor's property line and no closer than 50 feet to an adjacent neighbor's dwelling unit.
4. The owner must comply with whatever nuisance abatement programs required by the Utah County Department of health
5. American Miniature Horse Registry (AMHR) registration is required for all miniature horses
6. No more than one miniature horse may be permitted per property.

VOTE: YES- (5) NO-(1) RAY BROWN; ABSENT (2) JOE JAMISON, MEL LEBARON

Ray Brown's "No" vote was due to the fact that he feeling asking forgiveness rather than permission is not appropriate.

**NON-AGENDA ITEM –
CHIP AND SEAL
ROAD REPAIR**

Scott Petersen feels vehemently against chip and seal road repair for the following reasons:

1. It looks bad
2. It is dangerous for kids to play on (bikes, etc)
3. It causes damage to cars – chips, etc.

Mark Johnson, City Councilman, mentioned that it extends the life of the road. It is mainly for

high-traffic roads. Next week Kent Haskell will start sweeping the roads. It will not be refilled. There is a slurry fill that could be looked into as an alternative.

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

1. Drainage Systems / Sumps / Retention Ponds – make changes to ordinances
2. Landscape Code
3. Circulation Element of General Plan
4. CUP (Secondary Water)

Dennis Dunn mentioned he had talked to some people a few months ago that might consider being on the Planning Commission.

ADJOURNMENT

Co-chairman Chad Christensen adjourned the meeting at 9:30



NOTICE OF PUBLIC MEETING AMENDED

Notice is hereby given that the Elk Ridge Planning Commission will hold a Public Hearing on a proposed Plat Vacation in Oak Bluff Estates, Plat "C", and Final Plat in Oak Bluff Estates, Plat J on **Thursday, August 4, 2005, beginning at 7:00 p.m.** prior to the regularly scheduled Planning Commission meeting on **Thursday, August 4, 2005 beginning at 7:15 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 PM

Public Hearing/Plat Vacation, Final Plat Oak Bluff Estates

Public Hearing on a proposed Plat Vacation of Lots 3 & 4 of Oak Bluff Estates, Plat "C"; and Final Plat – Oak Bluff Estates, Plat "J" (Scott Petersen)

7:15 P.M.

Opening Remarks & Pledge of Allegiance

Roll Call

Approval of Agenda

1. **Approval of Minutes of Previous Meetings 7-27-05**
2. **Storm Drainage/Sumps – Bruce Ward Recommendations**
- Review and Discussion
3. **Planning Commission Member Vacancy**
4. **City Council Meeting Update — Mark Johnson**
5. **Development Code Amendments**
 - A. **Code Amending Section 10-15C-2: Streets and Roads**
- Review and Discussion – Ken Young
 - B. **Possible Landscaping Requirements Code**
- Review and Discussion -

6. Follow-up Assignments

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 28th day of July, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 28th day of July, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

August 4, 2005

PUBLIC HEARING

PLAT VACATION –
OAK BLUFF
ESTATES, PLAT C:
FINAL PLAT – OAK
BLUFF ESTATES,
PLAT J. (SCOTT
PETERSEN
PROPERTY)

PUBLIC HEARING ON A PROPOSED PLAT VACATION OF PROPERTY OWNED BY SCOTT PETERSEN IN OAK BLUFF ESTATES, PLAT C, LOTS 3 AND 4; FINAL PLAT OF SAME PROPERTY, OAK BLUFF ESTATES, PLAT J, LOTS 1 AND 2.

A public hearing was held from 7:00p.m. to 7:15p.m. Thursday, August 4, 2005, prior to the Planning Commission Meeting

Those present were:

Planning Commissioners: Chairman Ray Brown, Chad Christensen, Scot Bell, Scott Petersen, and Dennis Dunn.

City Staff: Margaret Leckie, *Planning Commission Coordinator*, Ken Young, *City Planner*.

Residents: Anette Bingham

Commissioner, Scott Petersen, recused himself from the planning commission discussion as the public hearing was concerning action on his two lots. He did answer owner-related questions from the commissioners.

The purpose of the above action is to realign the lot line on the property containing the Petersen home, enlarging it to accommodate a second garage; and to reduce the size of the second lot. The second lot would be a non-buildable lot on which a neighborhood association swimming pool would be built. The added garage would be the same style as the existing home and garage.

Scott presented a plan showing the adjusted lots for the commissioners to review. There is an updated plan with the only change being that a notation is included concerning the fact that the second lot is a non-buildable lot.

The homeowner's association will have very restrictive covenants. The lot containing the pool will also have on it a small building to house bathrooms, pool maintenance equipment and an outside shower.

At 7:15p.m. Chairman Brown declared the Public Hearing closed.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOT BELL TO SEND FORWARD TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL THE PROPOSED PLAT VACATION OF OAK BLUFF ESTATES, PLAT C, LOTS 3 AND 4; AND FINAL PLAT OF OAK BLUFF ESTATES, PLAT J, LOTS 1 AND 2. (ALL LOTS OWNED BY SCOTT PETERSEN). VOTE: YES (5) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON, RUSS ADAMSON.

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Chairman, Ray Brown conducted the meeting. Following the public hearing an opening prayer was given by Chad Christensen, followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Raymond Brown, Scott Petersen, Scot Bell, Dennis Dunn and Chad Christensen.

Absent: Joe Jamison (Joe has submitted his resignation, but has not been replaced and will be accounted for as absent until such time as he is replaced), Mel LeBaron, Russ Adamson

Others: Ken Young, *City Planner*
Margaret Leckie, *Planning Commission Coordinator*
Mark Johnson, *City Councilman* (late arrival, 7:15)
Community Members:
Anette Brigham.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

The following corrections need to be made to the minutes of the Planning Commission Meeting held on July 27, 2005:

1. Typo: P7: change Chad "Petersen" to Chad "Christensen".
2. P5, paragraph 2: Change "Planning Commission" to "City Council".

3. P2, paragraph 2: The first mention of 10% that was changed to 25% should be changed back to 10% (*water features are eligible for up to a...*)
4. Change date of meeting in page header from July 14th to July 27th

SCOTT PETERSEN MADE A MOTION THAT WAS SECONDED BY CHAD CHRISTENSEN TO APPROVE THE MINUTES OF THE JULY 27TH, 2005 PLANNING COMMISSION MEETING WITH THE ABOVE-MENTIONED CHANGES. VOTE: VOTE: YES (5) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON, RUSS ADAMSON.

Scott Petersen had to leave early (7:25 pm)

2. STORM DRAIN / SUMPS

The Planning Commission reviewed some of the changes proposed by Bruce Ward to upgrade the City's requirements for sumps and storm drains. Some of these proposed changes in the requirements include increasing the size of the sumps, adding inlet boxes with snouts, adding more gravel base, changing types of sumps used, etc. Chairman Brown felt the changes were a move in the right direction.

Chad Christensen brought up a possible problem of stagnant water in the bottom of inlet boxes that would create foul odors and a breeding ground for mosquitoes. He mentioned that to alleviate this problem the City of Bountiful puts a drain in the bottom of their inlet boxes. Chad was asked to talk to Bruce about adding the requirement for a drain in the bottom of the inlet box to alleviate this possible problem.

Another issue brought up by Chairman Brown was the statement Bruce Ward made about the necessity of having regular check-ups of the inlet boxes.

The possibility of dividing the discussion into two parts – 1) sumps and 2) retention ponds, was also brought up by Scot Bell.

Bruce Ward, city engineer, was going to meet with Kent Haskell, Elk Ridge Public Works, and incorporate his recommendations in a proposed updated city ordinance to present to the City Council. He was also going to include some more information about retention ponds.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY DENNIS DUNN TO TABLE THE STORM DRAIN, SUMP DISCUSSION UNTIL BRUCE WARD HAS SUBMITTED HIS PROPOSED STORM DRAIN/SUMP ORDINANCE. YES (4) NO-NONE (0); ABSENT (2) JOE JAMISON, MEL LEBARON, RUSS ADAMSON, SCOTT PETERSEN

3. PLANNING COMMISSION MEMBER VACANCY

Chairman Brown asked the commissioners to put forth an effort to find a replacement for the vacant position on the Planning Commission. This will be even more critical after the upcoming elections as Ray Brown and Dennis Dunn will both be running for elected offices and their positions on the Planning Commission may also become vacant.

4. CITY COUNCIL MEETING UPDATE

Mark Johnson from the City Council reported that the council wants to finish the proposed road to the end of the Troy Richardson / Blain Ogden property. Future developers will finish the rest of the road. It was decided against vacating the road and creating a cul-de-sac.

The Council has initiated a public hearing on the Randy Young annexation.

The Council has received the information to schedule public hearings for the PUD ordinance amendment and the General Plan Land Use and Future Land Use Map amendments.

There is one vacancy on the City Council, and one person who's term is up. The next council meeting is August 9th, 2005.

5. DEVELOPMENT CODE AMENDMENTS

A. Code Amending

City Planner, Ken Young, mentioned that before Ernie Folks left her employment with the City a

Section 10-15c-2: Streets and Roads / General

couple of months ago, she pointed out a problem that needs to be fixed in the city code relating to Streets and Roads.

Included in tonight's packets was a copy of this code with proposed amendments from City Planner, Ken Young. This section now does not allow for partial width roads to be permitted.

The back page of the copy contained text referring to reimbursement for full-width and fully improved rights-of-way. This was heading in the direction of the city wanting to require full-width roads rather than allow for partial-width roads.

Chairman Brown stated that this is exactly what the Planning Commission had in mind. The City does not want to allow for partial-width, or half-plus-9 roads to be built. The proposed ordinance changes will eliminate all discussion of partial-width roads in Section 10-15C-2.

When the new Stake Center was built they were allowed to do a half-plus-9 road. The Commission felt this had been very undesirable and felt if this new proposed code had been in place this would not have been allowed.

Discussion on Other Street and Road Problems

1. EGRESS PROBLEM WITH STREETS:

Another problem in relation to the Stake Center was brought up. Chad Christensen questioned whether another egress should have been provided out of the area so there would be more than one way in and one way out. Chairman Brown asked if there was any code that required a builder of more than 30 or 40 home to provide more than one egress road. Ken Young, City Planner, was not sure if or where that code would be but felt it was a necessity as the City is already talking to some developers who want to develop at the upper end of High Sierra in the Critical Environment zone.

Ken mentioned that these developers have been told that if a large development goes in, they will need to provide another way in and out. The particulars of this requirement need to be built into our code.

Scot Bell mentioned that in Oak Bluff Estates there are unhappy residents as there are no connecting streets that would make it possible for school buses to go in and out etc. He reiterated that as we develop in the CE-1 and CE-2 zones we need to provide an escape mechanism for these people.

2. STREET NAMING PROBLEMS WITHIN ELK RIDGE:

Many of the roads in the City of Elk Ridge have dual names, with a simple designation addition of "north," "south," "east," or "west" (i.e. Salem Hills Drive East). Chairman Brown brought up the possibility of looking at various street numbering systems similar to the grid system in Salt Lake. Now would be a good time to look at this possibility before the new developments come into the city.

Mark Johnson, city councilman, mentioned that the Council has looked into this for safety purposes in directing police and fire vehicles to residences in a more timely manner.

Ken Young suggested that Mark Johnson pass this question on to the City Council for discussion from an emergency standpoint. Dennis mentioned that the City Council has discussed the idea of putting the numbers on the signs as well as the street names.

Chairman Brown brought up an example of a "breaking and entry" case near his home that took the police a half hour to respond to when they were only 5 minutes away because they could not find the home. By that time the perpetrators were well out of reach.

3. ENGINEERED STREETS BEING NEGATIVELY ALTERED DURING CONSTRUCTION OR IMPROPERLY CONSTRUCTED:

Chairman Brown brought up the possibility of having our Public Works Department (Kent Haskell) inspect streets during subdivision construction to make sure:

1. they have been engineered properly and
2. that the engineered streets have not been damaged or changed so they no longer meet engineering requirements (crowns, etc.).

Scot Bell felt this was requiring too much of the Public Works Department.

Scot Bell mentioned that he has contacted the County and they have policies in place to inspect roads and require meeting engineering requirements. He has ordered a copy of those ordinances for use to consider. We may want to alter our code and include similar requirements that the county ordinances contain.

Chairman Brown mentioned that Councilman Gary Prestwich has been given the assignment of being in charge of roads. Maybe he could make sure there is a checks and balance system as the roads go in. One example was given of such engineering problems within the City. As one turns right on Gladston Drive off Elk Meadows and drops down, the integrity of the road was compromised as the Grand View North Subdivision went in. Scot mentioned that the City needs to have the discretion of stating what constitutes a safe road.

The curb and gutter issue on the Loafer Canyon Road was discussed. Curb and gutter was not required up front, but it was a requirement that they go back and install curb and gutter at a later date.

Chairman Brown stated that maybe we need to have an engineer come and give a final inspection on installation of city roads.

A public hearing needs to be scheduled for the ordinance code amending the Streets and Roads section of the code - Section 10-15C-2.

DENNIS DUNN MADE A MOTION THAT WAS SECONDED BY RAY BROWN TO SET A PUBLIC HEARING ON SEPTEMBER 1, 2005 FOR THE PROPOSED ORDINANCE AMENDMENT TO SECTION 10-15C-2: STREETS AND ROADS; ALLOWING FOR FULL-WIDTH ROADS IMPROVEMENTS ONLY.

B. Possible Landscaping Code Requirements

Before the Landscaping discussion began, a gift from one of the Payson residents along 1600 W. was acknowledged by Chairman Brown. Anette Brigham purchased a book on native plants for the Elk Ridge library, as she was aware of the City's interest in xeri-scape landscaping, which often incorporates heavy use of native plants. The book is entitled "Water-Wise."

Ken Young included in tonight's packets a copy of the Provo Landscaping Ordinance. It is maybe more complete than what we need but has some good elements that we might consider. Margaret obtained for the packets some sample ordinances from the Jordan Water Conservancy District for consideration. Ken mentioned that there is a lot of information to ingest and we need to decide on approach.

Dennis Dunn mentioned that when he was involved with Payson they borrowed some landscaping code from Park City and other places and it came down to such finite details as the type of shrubs and trees, where they could be placed, etc. Here in Elk Ridge we have the element of no secondary water so the cost of maintaining landscaping is an issue. He felt the idea of xeri-scaping and water conservation should be a primary nucleus to the development of our city landscaping requirements. Though we need to not be too restrictive, there needs to be a balance in permitting nice-looking landscaping and being able to maintain that landscaping affordably. Our water resource is an element that we cannot use up with maintaining landscaping.

Chairman Brown liked the short verbiage from the Payson ordinance. He mentioned the statements in the Payson ordinance which helped protect the city from residents storing unsightly junk in visible places.

Chairman Brown mentioned he was not sure how to mandate xeri-scaping. Ken Young stated that a city can include in their definition of required landscaping "xeri-scaping" and give a wide range of opportunities. In order to make sure the property is covered nicely, some cities specify how much of the landscaping can be concrete, or rock, etc.

Some other issues regarding landscaping and water conservation that were discussed included:

1. NOT PUTTING IN LANDSCAPING IN REASONABLE TIME.
POSSIBLE MANDATORY FRONT YARD REQUIRED BEFORE FINAL INSPECTION.
The problem of people postponing landscaping for years after completion of construction was discussed. Dennis Dunn mentioned some cities give back a performance bond if landscaping is completed within a certain amount of time.

Councilman, Mark Johnson, stated that he would like to see code requiring a front yard be landscaped before a new home could pass final inspection. Scot Bell mentioned a recent similar situation in Magna or maybe S. Jordan where big development were coming in and they were trying to address this very issue. Some follow-up on what they decided would be interesting. He recalled that somehow they did link the construction loan with the landscaping of the front yard.

2. GIVING DEVELOPERS DENSITY BONUS FOR HIGH VALUE STRUCTURES AS WELL AS FOR OPEN SPACE

Dennis Dunn mentioned that as maintenance of open space deeded to the city may be difficult and expensive to maintain. Scot Bell mentioned the possibility of giving density bonus for high value structures as well as for open space that needs to be landscaped.

3. CONSIDERATION OF "HARDSCAPE"

Using Tucson, AZ as an example, Scot Bell mentioned that we might also consider and address hardscape (concrete, etc.). While hardscape does not require water to maintain, it does require a run-off consideration. Thus, minimizing hardscape is a good thing. Something that can be penetrated by water is more desirable. The home in Elk Ridge with an astro-turf front lawn was mentioned as an example of hardscape. Chairman Brown did not feel that a front yard should be all concrete, i.e. circular driveway, RV pad, etc.

4. EFFICIENT INSTALLATION OF SPRINKLER SYSTEMS, EFFICIENT WATERING

Scot Bell mentioned that while xeri-scape is great, efficiency in watering will save the city a lot of water. Possibly there could be some way to educate Elk Ridge residents on efficient watering and provide some sort of bonus or water discount for the year if a residence meets certain water-efficiency levels.

Chairman Brown asked Mark Johnson to check out the possibility of the city giving discounts to residents who meet certain water-efficiency standards. The problem of measuring efficiency was discussed. Scot Bell mentioned Jordan Water Conservancy District had a method. During last year's drought there were places that advertised on the radio that would come out and give a free analysis. Scot Bell felt we could have more base rate connections without expanding the infrastructure if we had more water efficient use in the city.

5. GREY WATER USAGE

Chairman Brown mentioned that in Salt Lake they have just currently allowed for the usage of "grey water" (water from washing machine, tubs, showers, sinks, etc. but not sewer). When a new home was built there would be a connection to an underground system (similar to a septic system). This water could be used for outdoor irrigation. Dennis Dunn mentioned that Payson is currently set up to allow for grey water. Payson also has systems to take grey water and sewer and process it for use as secondary water. Chairman Brown mentioned that some states allow for sprinkler systems to use grey water. If this were allowed in new developments it would save a lot of water.

Chairman Brown asked Ken Young to check into grey water useage or at the minimum allowing this to happen at the individual home level.

Chairman Brown asked the commissioners to review the ordinances in their packets and come up with some reasonable landscaping ordinances to be discussed at the upcoming August 18th Planning Commission Meeting.

Scot Bell felt that as complicated as the issue is, we should invite some speakers in to give us more information and suggestions for ordinances. Chairman Brown asked Planner, Ken Young, what direction he felt we should take. Ken replied that he felt we needed a good review and understanding of what ordinances are possible before we have a speaker come in.

NON-AGENDA ITEMS

On the tracking sheet, Chad "Petersen" needs to be changed to Chad "Christensen". The header on the individual stewardship logs also needs to be changed

**Tracking
Recommendations**

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

Ken Young mentioned that he would not be able to attend the next Planning Commission Meeting on August 18, 2005.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 8:45.

Margaret Leckie

NOTICE OF PUBLIC MEETING AMENDED

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular meeting on **Thursday, August 18, 2005 beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 P.M. **Opening Remarks & Pledge of Allegiance**
 Roll Call
 Approval of Agenda
1. **Approval of Minutes of Previous Meetings 8-04-05**
 2. **Planning Commission Member Vacancy**
 3. **City Council Meeting Update — Mark Johnson**
 4. **Development Code Amendments**
 - A. **Add Conditional Use Code Allowing for Miniature Horses**
 - Set Public Hearing
 - B. **Code Amending Section 10-15C-2: Streets and Roads**
 - Set Public Hearing
 - Review and Discussion Egress
 - Review and Discussion County Road Ordinances — Scot Bell
 - C. **Possible Landscaping Requirements Code / Water Efficiency**
 - Review and Discussion
 5. **Follow-up Assignments**

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 16th day of August, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 16th day of August, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
August 18, 2005

TIME AND PLACE

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, August 18, 2005, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Dennis Dunn followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Ray Brown, Russ Adamson (left at 8 p.m.), Dennis Dunn, Chad Christensen, Scot Bell
Absent: Joe Jamison, Mel LeBaron, Scott Petersen
Others: Margaret Leckie, Planning Commission Coordinator
Mark Johnson, City Councilman (arrived late)
Anette Brigham – Resident on 1600 W.

**1. APPROVAL OF
MINUTES OF
PREVIOUS MEETING
8-04-05**

Chad Christensen asked that the following sentence be removed on Page 2, paragraph 4: "*He mentioned to alleviate this problem the City of Bountiful puts a drain in the bottom of their inlet boxes.*"

MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE AUGUST 4, 2005 PLANNING COMMISSION MEETING WITH THE ONE CHANGE MENTIONED ABOVE. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (3) JOE JAMISON, SCOTT PETERSEN AND MEL LEBARON.

**2. PLANNING
COMMISSION
MEMBER VACANCY**

There was no new input on possible persons to fill the Planning Commission vacancies. Chairman Brown reminded the commissioners to come up with some names as there may be even more vacancies after the city elections.

**3. CITY COUNCIL
MEETING UPDATE**

Mark Johnson was not present at the time this agenda item was discussed but as Chairman Brown did attend the last City Council Meeting, he reviewed the following items from that meeting:

- a. Most of the meeting was spent discussing the tax increase. The current tax rate is .002209, which is approximately 52% higher than the average tax rate of several of the other communities listed in a handout. There is a budget deficit of \$80,000. The increase was proposed to decrease the deficit by \$30,000. The tax increase did not. The proposed County rate of .002209 will apply. Chairman Brown mentioned the opportunities that were discussed to cut expenses in other areas.
- b. The status of the once proposed road impact fees was brought up. Gary Prestwich thought it had been given back to the city engineer to do a study. Chairman Brown pulled the minutes of the City Council Meeting held Jan. 25, 2005 and found that Gary Prestwich was to contact MAG to see if they could conduct a study for the city and the item was to be put on the next city council agenda. It never did reach the next meeting's agenda and needs to be followed up on immediately. Margaret remembered that Ken Young was going to discuss that issue with the mayor.
- c. Dale Bigler proposed to build about 1500 feet of trail on Salem Hills Dr. Had good economic plan. After some discussion his plan did get passed to build a trail from Salem Hills down to the Elk Ridge City office building.
- d. At the City Council Meeting on Sept. 13, 2005, there will be 3 public hearings as follows:
 - 6:05pm a public hearing for the PUD amendments will be held (Chad asked to attend),
 - 6:20 the Land Use Element (Russ asked to attend), and
 - 6:30 the Page/Crockatt Annexation.
- e. In the upcoming City elections there will be 2 seats open on the City Council. Gary Prestwich is running again and Nelson Abbott is also running. Those running for Mayor are Vernon Fritz and Dennis Dunn.

Mark Johnson arrived later in the meeting (8:10 p.m.). He discussed the Troy Richardson road.

- a. The City agreed to give Blain Ogden back his road impact fee money and allow he and Troy Richardson finish the road to the end of their property. The one other resident whose property also abuts that road section (besides Troy Richardson and Blain Ogden) – the Robertson's – may or may not have paid a road fee. Mark will bring this up at City Council.
- b. Mark will bring up the water efficiency issue and street numbers being added to signs at the next city council meeting.

- c. Chairman Brown asked Mark to check with the Council as to the status of the Road Impact Fee proposal. Mark mentioned that all the impact fees need to be reviewed including water, park and road impact fees.

4. DEVELOPMENT CODE AMENDMENTS

A. Amend code to allow Boarding of Miniature Horses in Residential Zones

Chairman Brown asked that a public hearing be scheduled for September 15, 2005 to amend the animal ordinance to allow for a conditional use allowing for the boarding of miniature horses.

B. streets and Roads: Section 10-15C-2

A public hearing has been set for September 1, 2005 at 7:00 for an amendment to Section 10-15C-2 of the Elk Ridge City code.

A. EGRESS DISCUSSION

- a. Dennis Dunn mentioned that with the proposed new development our traffic circulation patterns change. If the annexation goes through and a round-about is put in place, it changes many of the arterials to different usages. The New road would become an arterial. In the General Plan the collector system to this road would need to be identified and changed. The impact on the Loafer Canyon Road traffic needs to be considered and possible changes made to ease that in the Circulation element of the General Plan.
- b. Dennis mentioned that as a subdivision project is being planned the street system often changes. If the project is large enough to merit a second exit, this can be decided close to the end of the project development. Considerations for a second egress include: emergency and maintenance vehicle access, school bus access, emergency exit for residents in case of fire or other disaster.
- c. Scot Bell mentioned that in our CE-1 and CE-2 zones this second exit is a critical issue, especially since they are not flat-land environments. We do not have a second exit out of Oak Bluff Estates, which is in the Critical Environment Area. Chairman Brown mentioned this is hard to address after-the-fact. Scot mentioned this is difficult because with some development you do almost get “backed into a corner” you almost don’t have the choice of providing another egress. We do need to possibly look at 2-3 adjacent parcels as they develop, look at grades to make sure they allow for roads and get these secondary through streets in.
- d. As the Randy Young Annexation comes in, we need to look at the effect on the Loafer Canyon Roads.
- e. We need to be mindful of these issues as new development comes in.
- f. Dennis stated that if a new project comes in for SE High Sierra, which will be in the Critical Environment Zone, the roads need to be closely scrutinized. If the project is large enough we need to figure out how to get the people back around without too many dead ends. The SE end of this road is a dead end, but it looks like there were plans for it to continue on east as there is not a cul-de-sac at the end of the road. A possible connection might be Hillside Drive. Scot Bell mentioned that the area this road would have to traverse is very steep.
- g. Chairman Brown stated that it should be in the City code that the City will not approve any development unless there is sufficient egress from that development. School buses, emergency and maintenance vehicles need to be able to reach all new development. Dead-end roads should not be approved in the future.
- h. Dennis Dunn mentioned that in our General Plan we should have a map similar to the trails map, showing possible future trails; of a possible future road system laid out. This would not be cast-in-stone, but would show possible egress roads. They could be changed if someone submitted a proposal of an acceptable alternative with acceptable egress.

- i. Hal Shuler owns land in that area above High Sierra. He agreed to sell some of it for right-of-way to other property up in that area.
 - j. Dennis pointed out the Circulation Map in the 2001 General Plan that needs changes based on the incoming annexation. This will be reviewed when the Circulation Element is looked at. Dennis mentioned that some egress streets need to be added based on the topographic lay-of-the-land depending on the number of dwellings that might go in. This will give a base to the future development. Chairman Brown asked who might be responsible for this. Ken Young and Bruce Ward were suggested as ones who might give that input.
 - k. Dennis Dunn mentioned he has a program that he can draw a route, then do an elevation profile on that route and it will tell degree of elevation change. He said he would do this and bring some copies to the next meeting. (Will have for Sept. 15th meeting).
 - l. Scot Bell stated that regarding CE-1, the water also should have been required to be looped. This was a real problem when we had to fight a fire in that area last year. The Payson Pump truck had to be used because of this problem to fight that fire.
- B. REVIEW OF COUNTY ROAD ORDINANCES – Scot Bell
- a. Scot expressed dissatisfaction with the way the roads in the City are maintained and inspected during construction of a project. He contacted Utah County to see what road requirements they had in place that might be useful for us to examine as we consider amending our City procedures and codes. He suggested the commissioners take some time reviewing these.
 - b. Scot did talk to City Engineer, Bruce Ward this last week and asked him what his general feeling was. Bruce brought up the fact that we have challenges that the county does not have. The biggest difference is we have curb and gutter and the county does not.
 - c. If we adopted a similar code, Scot felt the power would ultimately be given back to the city to have the final word on what needs to be fixed on the roads after development construction (contours, asphalt depth, dips and bumps, etc.). These things effect road longevity, safety, ease of maintenance; and the city should have a say in these things. The developer should not have the final say as, many times, he tries to build roads as inexpensively as possible.
 - d. Scot Bell had not reviewed our public building requirements on roads, but felt that there were a few things in the County documents that had merit. One was the time-frame given to complete roadwork (the County allows 14 days). With the hills and Critical Environment areas, our City has an obligation to make sure developers get roads completed in a timely manner.
 - e. Chairman Brown mentioned that there may be some good things the City has in writing, but sometimes one individual will make a decision, or inspect the roads; and they do not have an engineering background. Scot Bell mentioned we have paid twice to have roads repaired in Loafer Canyon due to policy problems.
 - f. Another issue discussed was that our older roads are not on the same base as we require our developers to put under their roads. Some of the roads have not been built to City Code and are being rebuilt now. They will probably need to be rebuilt again in 10 years. Chairman Brown made the comment that if you don't put the road in correctly when it is first built, you will always be fixing that road.
 - g. Scot Bell mentioned that while chip and seal may not be extremely popular, it has helped to extend the life of our roads. Chairman Brown expressed concern that those with the expertise are not consulted about the methods to follow. (Public Works maybe could have more input on City road repair procedures and which roads are repaired.)

- h. Scot Bell brought up problems with developing half-plus-nine roads. Ray Brown, who has consulted for DOT, added that when you complete a half-plus-nine road the new half is higher, as it needs to settle. There are also usually differences in the asphalt mix, etc.
- i. Chairman Brown asked Scot Bell to take our ordinances, compare them with the County ordinances and present the commissioners with issues that our ordinances should address. Scot said he would, and that he has also asked City Engineer Bruce Ward to make additional recommendations to supplement the County Ordinances. Chairman Brown asked Scot to get this information to Margaret to put in the packets.
- j. Chairman Brown also mentioned the problem of heavy truck traffic negatively effecting the integrity of the road base. This needs to be considered as the new large developments come into the City. Dennis Dunn mentioned that sometimes that is specified at City access bridges. Chairman Brown again mentioned that we need to look at imposing weight restrictions on vehicles that come into our community. He mentioned that the drivers would rather pay the fine than bring more trucks up that are lighter – it is actually more economical.
- k. Chairman Brown suggested posting signs as you come into the City stating what the vehicle weight restrictions are. Without the signs it is hard to enforce.
- l. Scot Bell suggested the possibility of having a developer bond and put in the water on both sides of the street so the cut-and-patch work required on our roads will be reduced. If these laterals are put in at the time the road is built the roads won't have to be torn up later.
- m. Chairman Brown asked Mark Johnson, from the City Council, what the status was on the amended ordinance requiring development of both sides of the road. Mark mentioned that a public hearing has been set on this prior to the September 1st Planning Commission Meeting
- n. Other County requirements brought up by Scot referred to saw-cutting, compaction methods (not allowed to compact with back-hoe), etc. Rather than a patch, the County reserves the right to make the developer redo the asphalt from the curb to the crown. They also make the developer bond for \$6/sq. ft.

C. Landscaping Requirements Codes for Water Efficiency

Chairman Brown stated that we have discussed this issue at the last couple of meetings. What we are trying to do is require a certain amount of landscaping and a water-efficient landscaping system of new development. People should have their free agency within certain parameters as they plan their landscaping. Water is a definite issue. Some of the following points were discussed:

- a. Restricting amount of concrete that can be poured on a lot.
- b. Requiring limited number of trees and giving choice of trees that don't require large amounts of water.
- c. When considering total income, this community is quite rich, but that is because of a few very wealthy people. Most people in the community are concerned about the cost of water.
- d. Scot Bell mentioned that if the ground is prepared before the grass is planted, the grass will require less water. He gave the example of the LDS church requiring certain organic elements to be tilled into the ground at chapels before the landscaping is installed, causing it to require less water to maintain
- e. Dennis Dunn felt that after reviewing the Jordan requirements, that it was not in line with what we needed. They have very cheap secondary water available and we do not. He felt we needed to promote more xeri-scaping, however he didn't feel this could be put into the code.
- f. Dennis did feel but did feel that requiring landscaping be completed after being in the home for a eighteen months could added to the code. The possibility of tying the landscape requirement to "sweat equity" was discussed.

- g. Chad Christensen brought up the point that in a PUD development where the developer puts in the landscaping should have different requirements as to when the landscaping is to be in. The landscaping should be required much sooner in these developments.
- h. Some ways of conserving water consumption was discussed as follows:
 - xeri-scape landscaping
 - water efficient appliances (i.e., front-loading washers, etc.)
 - preparing soil (example: add gypsum) before landscaping
 - Ray Brown suggested educating citizens in newsletter on ways to conserve water, example: how to deal with clay soil, soil percolation (select sprinkler head with a lower percolation rate)
 - Chad Christensen suggested providing financial incentives for low-water users.
 - Scot Bell suggested offering kickbacks if residents install low-flow heads in sprinkler system
 - Dennis Dunn suggested offering incentives if residents put in drip systems in gardens to save water.
 - Ray suggested watering between sundown and 8 a.m., at other times much of the water evaporates rather than going into the soil.
- i. The water expert on the City Council is Alvin Harward. He has been looking at ways of lowering the base rate. Dennis Dunn suggested inviting Alvin to come to our Sept. 15th Planning Commission Meeting and share some of his thoughts on the water issue.
- j. Chairman Brown question whether there was a way we could say to the residents that if they did xeri-scaping, and practiced water-efficient methods we could provide some incentive. Possibly lowering the base rate.
- k. Envision Utah was complimentary of our water plan and tiered rate. Anette Brigham mentioned the requirement of Cities by the State to present a water conservation plan once you reach 500 hook-ups. She didn't think we had a plan.
- l. Educating Citizens in water conservancy, soil preparation, efficient sprinkler systems, etc. is key.

5. Follow-up Assignments / Misc. Discussion

PUBLIC HEARINGS

1. A public hearing has been set for Sept. 1st prior to the Planning Commission Meeting, for allowing for full-width roads only in our City code.
2. A public hearing has been set for Sept. 15th, prior to the Planning Commission Meeting for the amendment to City code regarding Miniature Horse Accomodation

TRACKING CHART

3. On the tracking chart the Full Width Road issue was assigned to Dennis Dunn, the Pigeon Issue (Animal Ordinance) was assigned to Scot Bell, the Scott Petersen realignment was assigned to Chad Christensen.

ANIMAL ORDINANCE (PIGEONS)

4. Dennis Dunn remembered that we had a public hearing on the pigeon issue and no residents showed up and the Planning Commission recommendation that was sent forward to the City Council was to disallow pigeons completely. That upset the pigeon owners and they showed up at the City Council Meeting. That is where it ended up. There are now city councilmen opposed to our recommendation and it has been sent back to the Planning Commission.. Chad Christensen asked Mark Johnson to let us know what the City Council wants us to do and why it has been sent back to the Planning Commission. If we change the recommendation it was suggested that we hold another public hearing.

The mayor had asked the City Council members to put their opinions in writing and get them to him. No one responded.

Mr. Clark (pigeon owner who had complaint filed against him) has a conditional use permit but there are more than two other families in the City that have pigeons and do not have a conditional use permit.

MEETING TIME CHANGE DUE TO ELK RIDGE HOSTING ANNUAL MAYORS MEETING

On November 17th the Mayor has asked us to either not have a meeting that night or have our meeting on another night as the Annual Mayors Meeting will be held at the Elk Ridge City office. Unless we see a need for a meeting, the November 17th, 2005 Planning Commission Meeting will be cancelled.

ADJOURNMENT

A MOTION WAS MADE BY RAY BROWN TO ADJOURN THE MEETING AT 9:25 P.M.. VOTE: YES-ALL (4); NO-NONE (0), ABSENT (4) JOE JAMISON, MEL LEBARON, SCOTT PETERSEN, RUSS ADAMSON

Margaret Leckie

NOTICE OF PUBLIC MEETING **AMENDED**

Notice is hereby given that the Elk Ridge Planning Commission will hold a Public Hearing on an amendment to Section 10-15C-2 of the Elk Ridge City code concerning streets and roads on **Thursday, September 1, 2005, beginning at 7:00 p.m.** prior to the regularly scheduled Planning Commission meeting on **Thursday, September 1, 2005 beginning at 7:15 p.m.** The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 PM

Public Hearing/Full Width Roads

Public Hearing on a proposed amendment to Elk Ridge City code, Section 10-15C2, Streets and Roads

7:15 P.M.

Opening Remarks & Pledge of Allegiance

Roll Call

Approval of Agenda

1. **Approval of Minutes of Previous Meetings 8-18-05**
2. **Storm Drainage/Sumps – Bruce Ward Recommendations to City Council**
- Review and Discussion
3. **Planning Commission Member Vacancy**
4. **City Council Meeting Update — Mark Johnson**
5. **Impact Fees**
- Review and Discussion – Ken Young
6. **Page / Crockatt Annexation Terms**
- Review and Discussion – Ken Young
7. **Development Code Amendments**
 - A. **Possible Landscaping Requirements Code**
- Review and Discussion
- Possibility of allowing for usage of "grey water" – Ken Young
 - B. **Ordinance Amendment for Permitted Uses in Zones Allowing the Raising, Care and Keeping of Livestock & Fowl**
- Review and Discussion – Ken Young
 - C. **Ordinance Amendment for Requirements Associated with the Keeping of Pigeons**
- Review and Discussion – Ken Young
8. **General Plan Amendments**
 - A. **Code Amending Circulation Element of General Plan -**
- Review and Discussion – Ken Young
9. **Follow-up Assignments / Misc. Discussion**
- Tracking Sheet

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 25th Day of August, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 25th day of August, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
September 1, 2005

PUBLIC HEARING

**FULL-WIDTH ROADS
– SECTION 10-15C-2
OF THE ELK RIDGE
CITY CODE**

**PUBLIC HEARING ON PROPOSED ORDINANCE AMENDING SECTION 10-15C-2
OF THE ELK RIDGE CITY CODE REGARDING STREETS AND ROADS.**

A public hearing was held from 7:00 p.m. to 7:15 p.m. September 1, 2005 prior to the Planning Commission Meeting.

Those present were:

Planning Commissioners: Ray Brown, Russ Adamson, Scott Petersen, Mel LeBaron.
City Staff: City Planner - Ken Young, Planning Commission Coordinator – Margaret Leckie, City Councilman – Mark Johnson.
Residents/Visitors: Dee and Charlotte Thatcher, Anette Brigham, Steven Nielson, Dayna Hughes, George Woodruff

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOTT PETERSEN TO MAKE ALTERNATE PLANNING COMMISSION MEMBER, MEL LEBARON, A VOTING MEMBER OF THE PLANNING COMMISSION FOR THIS MEETING. VOTE: YES (ALL-(3); NO-NONE (0), ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN, CHAD CHRISTENSEN.

Chairman Brown explained that Sterling Codifiers, hired by the City to codify our ordinances, had found some discrepancies in the code, Section 10-15C-2, that needed correcting. The amended code disallows the installation of partial-width roads in the city of Elk Ridge.

He asked those in attendance if there were any comments or questions. There were none. There were no objections to the proposed amended ordinance.

RUSS ADAMSON MADE A MOTION THAT WAS SECONDED BY RAY BROWN TO CLOSE THE PUBLIC HEARING ON THE AMENDED ORDINANCE, SECTION 10-15C-2, OF THE ELK RIDGE CITY CODE. VOTE: YES (ALL-(4); NO-NONE (0), ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN, CHAD CHRISTENSEN.

At 7:15 p.m. the public hearing was declared closed by Chairman Brown.

RAY BROWN MADE A MOTION THAT WAS SECONDED BY SCOTT PETERSEN TO MOVE FORWARD WITH A RECOMMENDATION FOR APPROVAL THE AMENDED ORDINANCE, SECTION 10-15C-2, OF THE ELK RIDGE CITY CODE REGARDING STREETS AND ROADS. VOTE: YES (ALL-(4); NO-NONE (0), ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN, CHAD CHRISTENSEN.

Chairman Brown mentioned that regarding streets and roads in Elk Ridge, that the Planning Commission was considering recommending to the city council that they come up with a street numbering grid for Elk Ridge to be added to street signs. Also there will be a recommendation to change a few of the Street names that at present are very similar.

Mark Johnson, City Councilman, mentioned that many of the residents are not in favor of changing street names. Chairman Brown mentioned that this was a safety issue and we need to look at it. There are only about 4 or 5 streets involved. It would be a matter of attrition – signs would only be changed as they wore out and needed changing any way.

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING
7:15 P.M.**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, September 1, 2005, 7:15 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Scott Peteresen followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Ray Brown, Russ Adamson, Scott Petersen and Mel LeBaron
Absent: Joe Jamison, Dennis Dunn, Chad Christensen and Scot Bell
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Mark Johnson, City Councilman
 Residents/Visitors: Dee and Charlotte Thatcher, Anette Brigham, Steven Nielson, Dayna Hughes, George Woodruff

APPROVAL OF AGENDA

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOTT PETERSEN TO ACCEPT THE AGENDA AS WRITTEN WITH ONE CHANGE: MOVING THE MISC. DISCUSSION ITEM AT THE END OF THE MEETING TO THE BEGINNING OF THE MEETING. VOTE: YES-ALL (4); NO-NONE (0),, ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN AND CHAD CHRISTENSEN.

This motion was made so that Dee and Charlotte Thatcher who came to discuss some property they own in Elk Ridge, could address the commissioners at the beginning of the meeting and then leave.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING 8-18-05

Scott Petersen mentioned that on page 6, his last name had been misspelled. It was spelled "Peterson" instead of "Petersen".

MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE AUGUST 18, 2005 PLANNING COMMISSION MEETING WITH THE ONE CHANGE MENTIONED ABOVE. VOTE: YES-ALL (3); NO-NONE (0), ABSTAIN (1) MEL LEBARON, ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN AND CHAD CHRISTENSEN.

Mel LeBaron abstained as he was present at the 8-18-05 Planning Commission Meeting.

2. MISC. DISCUSSION Dee Thatcher

Dee Thatcher and his wife, who own 40 acres of property in Elk Ridge just south of Hillside Drive. The property co-owned with Craig Paey. Mr. Thatcher presented the following scenario:

The property was purchased about 35 years ago. Over those years Mr. Thatcher and the other owners have had numerous communications with the City:

- a. About 15 years ago they were contacted by the City and asked if they would donate about an acre of ground on the ridge of their property for a City water tank. They cooperated and gave the acre along with a right-of-way to the City. The tank was installed. The trade-off was that the water would be of benefit to them when they developed their ground.
- b. About 10 years ago the City again approached them and told them that the City had another water source south of their property (Loafer Canyon, he thought). The City needed a right-of-way to get the water down to the tank. Mr. Thatcher responded that they wanted to cooperate, but they needed to know where that right-of-way would be so the property would still be developable. The City had their engineer draw up a proposed development plan which located the right-of-way so that it would be in the middle of the proposed streets in the development of the property. The owners agreed. He showed the commissioners the plan developed by the City Engineer showing how the development could occur with the right-of-way down the center of the street. The property owners agreed and gave the City the desired right-of-way.
- c. Not until 2 years ago were they made aware that this property was rezoned as Critical Environment (CE). A couple of years ago they decided that it was time to develop the property. Hillside Drive now came right up to the property. To their knowledge they had never been notified of any re-zoning.
- d. They were under the assumption that when they wanted to develop the property the City would cooperate with them because of their past history of cooperating with the City.
- e. About 2 months ago they received a call from councilman Alvin Harward who wanted to talk to them about donating an acre of the property for secondary water system storage. They said they would be glad to do that. He and Craig Paey went over and met with the Mayor and Councilman Harward. They Mayor was not sure the City was ready

to move on the secondary water source yet. While they were together Mr. Thatcher asked the Mayor and Councilman where they stood on this development considering the rezoning of the property. Mr. Thatcher wants the zoning to be changed back to R-1 20,000, which it had previously been.

- f. This is his reason for being here tonight, to check on the possibility of a zoning change. He was told by City Planner, Ken Young, that it has been changed to Critical Environment Zone and will probably not be changed. Mr. Thatcher was dismayed that after cooperating with the City for so many years, they would not work with him now as he is ready to develop the property.
- g. Mr. Thatcher recognizes that some of this topography should not be changed and roads should not be put in certain areas. Some lots may not make sense due to elevations. They are not making demands but would like to work with the City on some acceptable development.

RESPONSE

- a. Chairman Brown mentioned that the timing was fortuitous in that the commission has presently been discussing road in that area and there are other developers who are proposing developments in that same area. Ken Young mentioned that there are two developers who are putting together concept plans for development in that area and he felt Mr. Thatcher should get together with these other developers. The group could coordinate their concept plans to address the access road concerns in and out of that area.
- b. Chairman Brown mentioned that right now secondary access in that area is a main consideration because of safety concerns. School buses cannot get into that area and turn around and emergency vehicles have difficulty responding in that area.
- c. If Hillside Drive and High Sierra would connect through these developments this would be good for the community. The Commission is not opposed to development in this area.
- d. Mr. Thatcher was given contact information on the other developers by Ken Young.
- e. Mr. Thatcher was also invited to attend the Sept. 15th Planning Commission meeting where Commissioner Dennis Dunn will present some proposed roads through that area as the commission considers changes in the Circulation Element of the Elk Ridge City General Plan.
- f. The property is very steep along the ridge.
- g. Margaret Leckie mentioned that the Mayor had recently pulled some of the code regarding working in the Critical Environment area where steep slopes present special considerations. She agreed to copy this code and send a copy to Mr. Thatcher.
- h. Ken Young stated that if Mr. Thatcher decided he wanted to go forward with this type of development that he might want to go forward with a zone change request. What he and Mr. Thatcher wanted to do was present the idea to the commission before filling out the application and paying to fee to see if the Planning Commission was amenable to working with him.
- i. Chairman Brown felt that for the benefit of the City that if the 3 developers presented a plan that would solve some of the access problems in this area the City would be amendable to making some changes.
- j. Ken Young stated that this would be a good idea and that after the developers showed how they could make the whole development work, then Mr. Thatcher should come forward with an application.

3. STORM DRAINAGE/SUMPS

The Bruce Ward Storm Drain recommendations were discussed. He has proposed a few minor changes. The most recent proposal by Bruce Ward, City Engineer, was included in the packets for review for tonight's meeting.

Chairman Brown felt that Mr. Ward had done an excellent job. The recommendations include suggestions for sump sizes, catch basin drainage, etc. He asked that the commissioners review this information before the next meeting before presenting the proposal to the City Council.

Russ Adamson questioned whether some of the recommendations that don't apply to conditions in Elk Ridge should be removed. Chairman Brown felt they should be kept in case these conditions do apply to Elk Ridge in the future.

PLANNING COMMISSION MEETING – 09-01-05

Chairman Brown suggested Bruce Ward come to the first Planning Commission meeting in October in order to finalize the proposal to the City Council on Storm Drainage.

City Planner, Ken Young, said he would prepare Bruce's recommendations in an ordinance form to present to the Planning Commissioners during the Planning Commission Meeting on October 6th, 2005. This would then be forwarded to the City Council.

4. PLANNING COMMISSION MEMBER VACANCY

Chairman Brown has made one call to a prospective Planning Commission candidate – Dayna Hughes. She was present at tonight's meeting. She attended the meeting tonight to get a feel for what the Planning Commission did.

With Ray Brown running for city council and Dennis Dunn running for mayor, there may be two more future vacancies, along with the one current vacancy. We need to be pro-active in recruiting new planning commission members. We do have one alternate member. Last year there were 2 meetings cancelled for lack of a quorum.

The Planning Commission has accomplished some good things this last year for the betterment of the community.

The Mayor appoints Planning Commission members. The term is a 4-year term and 75% attendance is required. It is a non-paid position. The commission does not pass ordinances, they can only recommend to the City Council, who is the decision-making body. The City Council can accept, reject, modify or send back to the commission the recommendations that are forwarded by the commission.

Dayna was not ready to have her name submitted.

5. CITY COUNCIL MEETING UPDATE

Mark Johnson stated that the last meeting was cancelled as the City Council met with Strawberry Electric that week. He had nothing new to report to the Planning Commission.

6. IMPACT FEES

Ken Young had a discussion with the Mayor regarding impact fees as the Planning Commission has had major concerns about the road impact fees.

Ken Young and the Mayor had a sit-down meeting with Bruce Ward, City Engineer, to get his input. They decided a general review of all impact fees, including water and sewer, was needed. Some of the points discussed included the following:

- a. The proposed annexation and new development will directly impact this review. There are some finalizations that need to be made before the City knows exactly what this impact will be so it ended up being Bruce's recommendation that it would be best to wait and do an overall impact fee analysis that includes all impact fees.
- b. There will be an effort required on the engineering level with all the different impact fees being considered and it would make more sense to review and revise all the fees together rather than individually. Ken and the Mayor concurred with this opinion. The Mayor suggested that our City Engineer take the lead in this study. The City Engineer would need to show that his firm was capable and able time-wise to do this study for the City. If not we would have to send proposals to other engineers.
- c. The immediate need for having those impact fees in place will not occur till further down the road in the development of the City. Ken Young mentioned that hopefully this would be done in the next three months. He stated that we also need be online with the Payson Sewer System. Chairman Brown stated that we don't want to wait another year.
- d. Ken Young stated that we are not too far off from being able to do this combined impact fee study. We are in a waiting stage anyway with the Payson Sewer system deal. This probably won't be finalized until November. They will go forward in constructing the system and that will take at least a year.
- e. Ken mentioned that even the small 5-acre projects will have to wait until the sewer system is decided.

Chairman Brown asked Margaret to add this item of impact fees to the agenda in 60 days to see where it is at.

7. PAGE/CROCKATT ANNEXATION TERMS

Ken Young, City Planner, told the commissioners that he has drafted an annexation agreement which he faxed to Randy Young today. He has not yet received a response.

He reviewed some of the document's content as follows:

- a. The development of the Property shall be bound to follow the provisions of the Elk Ridge City Zoning ordinances, including Sections 10-7C-1, 10-7C-9, 10-14C-4, 10-14C-5, 10-14C-6C and 10-14C-9 regarding PUD developments, as amended on September 13, 2005, *(see attached in folder) (This puts forth all the items concerning "open space" etc. as discussed in previous Planning Commission Meetings and proposed amendments to the General Plan).*
- b. The development of the Property shall occur in compliance with the provisions of the Elk Ridge City General Plan, as amended on September 13, 2005.
If felt necessary the General Plan can be attached to the annexation document.
- c. The Developer agrees to pay a total sum of \$700,000 towards the cost of developing a new water well in the vicinity of the Property. This amount shall be paid in full into an escrow fund within 15 days of the effective date of this AGREEMENT.
- d. All necessary and normal impact fees shall be paid by the Developer as established by the City prior to the submittal of a development site plan, according to the site plan submission requirements of the City. The City will retain without reimbursement all water impact fees for the purpose of constructing a new water storage tank in the vicinity of the Property.
- e. The Developer shall install a secondary water system to service the development within the area of the Property.
(Ra Brown asked if this would be like capped CUP lines – Ken said "yes".)
- f. The Developer shall construct a new main entry corridor into Elk Ridge through the Property, which will be aligned to connect Park Drive with 1600 West Street at a point near and south of 11200 South Street. This corridor shall be constructed with a minimum right-of-way width of 100 feet, and shall include 1) a 10-foot wide bike/pedestrian trail, separated from the paved roadway, and 2) a minimum of 12 feet of landscaping with trees, on both sides of the right-of-way.
Ken Young stated that leaves is a 66 ft. wide traffic corridor. Ray Brown remembered and requested that the road width be changed from 100 feet to 108 feet. He also recalled discussing having a round-about, or "calming circle" at Park and Goosenest. This would help with church traffic on Sundays and slow them down. He wants this wide enough so that a truck as well as a car can maneuver it. Chairman Brown also understood that Randy Young had agreed to put in some sort of entrance sign at the main entrance to the development on 1600 West. (Statue of Elk had been discussed, rock wall had been discussed, etc., so we have some recognition of the entrance to the city.)
- g. The Developer shall provide to the City the required amount of water shares for the development (2.6 acre feet per acre) by warranty deed.
Ken stated that the Mayor wanted to make sure it was by warranty deed as there has been problems in the past with water shares supposedly granted to the city where there were two grants on the same water share.

Ken told the commissioners that he would check on the width of the corridor, add in the round-about at the intersection of Elk Ridge and Goosenest and the "Welcome to Elk Ridge" monument on 1600 West at the south entrance of the City.

The topic of lighting was brought up and Ray Brown stated that this was something that could be brought up during the development stage. The Commissioners felt the agreement looked good.

PLANNING COMMISSION MEETING – 09-01-05

8. DEVELOPMENT
CODE AMENDMENTSA. Possible Landscaping
Requirements Code

Chairman Brown mentioned that the issue of possible landscaping code has been discussed at the last two meetings. On the 15th of Sept. Councilman Alvin Harward will attend our meeting to discuss water and sewer issues. Maybe at that time we can discuss with him some options.

We have come up with ideas such as:

- a. Reward people who use less water.
- b. Reward those who landscape with xeri-scape.
- c. Give one-time bonus for low water users.
- d. Utah County auditors give veterans and handicapped a financial abatement. Maybe look at people in community in need, and give some sort of abatement.

The commissioners agreed to save the discussion until Councilman Harward spoke at the Sept. 15th meeting.

Scott Petersen said that in order to have a beautiful community we not necessarily push for xeri-scape, but for conservation practices that promote water-efficient landscaping. Chairman Brown suggested the developer be required landscape the front and side yards allowing the owner to have some options (which we need to define) which would promote attractive yet water efficient landscaping.

Russ Adamson mentioned that one of the biggest concerns is those who do nothing with their landscaping for years. Chairman Brown suggested an 18-month period after moving in when landscaping would be required. Ken Young would be the enforcer. Scott Petersen felt that landscaping should be required as a condition for an occupancy permit. Basic landscaping could be done and elaborated on at a later date.

Chairman Brown reminded the commissioners of the idea proposed at an earlier meeting of requiring a bond be posted for landscaping and in order to release the bond the landscaping had to be completed during the 18 months after the certificate of occupancy was granted.

Chairman Brown mentioned, again, that the most difficult issue is older developments. The Mayor has made a couple of visits and talked to some of these residents and 3 out of 4 have responded positively.

We hope to get some insightful opinions from Councilman Harward.

Ken Young felt the discussion of the issue of grey water should also wait until after our meeting with Councilman Harward. Ray Brown shared that he had checked with Payson about buying grey water back for secondary water. As it turned out, that would be more expensive than just using our well water.

B. Ordinance
Amendment for
Permitted Uses in Zones
Allowing the Raising,
Care and Keeping of
Livestock & Fowl

City Planner, Ken Young, stated that Items B and C will be discussed together. We as a commission have reviewed the issue of pigeons. We have talked about creating an ordinance regulating the raising and care of pigeons. The Planning Commission ultimately decided they did not want to do that, but wanted to just prohibit allowing any further pigeons being allowed in the community; so, in our animal ordinance we simply added pigeons to the list of prohibited animals. City Council was not comfortable with that. They felt there were other animals more offensive and felt we should allow them and create another separate ordinance regulating them.

C. Ordinance
Amendment for
Requirements
Associated with the
Keeping of Pigeons

We now have several options:

- a. Do nothing.
- b. Research the matter further and determine what we want in our ordinance.
- c. Take the ordinance previously reviewed that was adopted in Pleasant Grove that regulated the raising and keeping of pigeons and use that as an option.

Elk Ridge resident, Mr. Clark, is grandfathered in and will keep his pigeons. There are two other

residents who have pigeons and would be affected by the ordinance. Steve Nielson, who was present tonight, said he has about 45 pigeons. He had 90 before he moved here. The other party has even a smaller number (under 10).

Mel LeBaron recalled that the City Council did not care about this issue. He suggested we drop the issue. Chairman Brown remembered being at the joint meeting with the Planning Commission and the City Council where the pigeon issue was discussed. The Mayor had asked the councilmen to put ideas in writing in bring them to him prior to the meeting. No one did. They did not understand the ordinance or what was being presented.

The Mayor kicked it back to the Planning Commission to review the issue again with some ideas as follows:

- a. Comment about pigeon owner's complying with American Pigeon Racing Association regulations is a good one and may be the fairest answer..
- b. Wonders when birds or animals cross line into being a nuisance.
- c. Raised the difficulty of enforcing a nuisance ordinance. How important is it to have an ordinance stating what constitutes a nuisance.
- d. Some will push things to the limits so he agrees there does need to be a limit to the number of pigeons allowed.
- e. Clark is the only legal operation in the city.

STEVE NEISON COMMENTS:

Chairman Brown invited Steve Nielsen, a pigeon owner in the City of Elk Ridge, to comment.

He stated that the Pleasant Grove ordinance would be OK, but the problem with it is that it refers to racing pigeons. He does not keep racing pigeons. He has Birmingham Rollers. They are bred for competition but not the same type as racing. Nelson Abbott owns the other birds, they don't even fly. They are not let out and usually used for show purposes. They do backwards summersaults on the ground.

He felt the Pleasant Grove ordinance was good with modifications due to the fact that the pigeons in the area are not racing pigeons. The only person with racing pigeons is Jim Clark. He felt that a top limit was the only number needed.

He felt the housing requirement of 9 sq. ft. was way too much space. Breeders need more space. Some of the performing birds do better with a tighter confinement. He prefers the City have an ordinance in place so people aren't looking over his shoulder all the time. Because he has pigeons he is a target for his neighbors so he is very conscientious about making sure there are no complaints from his neighbors. If pigeon owners are responsible in that respect there shouldn't be any problems.

Russ Adamson mentioned that the reason we are addressing this issue is that there have been complaints. The subject of the relevancy of the commissioners spending time on this issue was discussed. Councilman Mark Johnson said that it is a relevant issue. The Council's concern was they didn't want to ban someone from keeping pigeons who took proper care of them and did not create a nuisance. When the ordinance came to the Planning Commission they banned pigeons. The City Council was not comfortable with this.

Ken Young, City Planner, felt we could simplify things tonight by either tabling or sending back to the Council a review of a potential pigeon ordinance and let them help us decide what they want to see.

He felt the Livestock and Fowl Ordinance would be acceptable going forward to the Council with all changes except removing the ban on pigeons. We will deal later with the pigeon issue. We can decide if:

- ◆ we want to do further research
- ◆ we want to kick it back to the City Council
- ◆ we need to hold a special meeting

Mel LeBaron suggested that Ken Young use the prototype of the Pleasant Grove Ordinance and

PLANNING COMMISSION MEETING – 09-01-05

work with that to present the material for an Ordinance to the City Council.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOTT PETERSEN TO MOVE FORWARD WITH A RECOMMENDATION FOR APPROVAL THE PROPOSED ORDINANCE ON THE CARE AND KEEPING OF LIVESTOCK AND FOWL, WITH THE ONE EXCEPTION THAT THE PROPOSED BAN ON PIGEONS BE LIFTED. VOTE: YES-ALL (4); NO-NONE (0), ABSENT (4) JOE JAMISON, SCOT BELL, DENNIS DUNN AND CHAD CHRISTENSEN.

Steve Nielson mentioned to Mark Johnson, Councilman, that he would be happy to work with whoever drafts the pigeon ordinance.

8. GENERAL PLAN AMENDMENTS

A. Code Amending Circulation Element of General Plan

Ken Young, City Planner, mentioned we are continuing our progress in having the Planning Commission review the Elk Ridge City General Plan. He noted that commissioner Dennis Dunn is currently working on this and will present a proposed road circulation map concentrating on the Critical Environment area of Elk Ridge. This will be the foundation of the changes to be made in the Circulation Element. The text will also need to be reviewed.

Chairman mentioned we have about 4 items on our plate now including:

1. Storm Drain
2. Secondary Water
3. Landscaping Ordinances
4. Impact Fees
- We can add as the fifth item...
5. Circulation Element

5. Follow-up Assignments

1. Dennis Dunn has been contacted and is working on the proposed circulation map Sept. 15th..
2. Alvin Harward has been contacted and will be here next meeting to discuss wells, sewer and water. The Mayor will also attend that Sept. 15th meeting.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 8:25 p.m.

Margaret Leckie

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a Public Hearing on an ordinance amending the Elk Ridge City Code Providing for the Boarding of Miniature Horses in Residential Zones on Thursday, September 15, 2005, beginning at 7:00 p.m. prior to the regularly scheduled Planning Commission meeting on Thursday, September 15, 2005 beginning at 7:15 p.m. The meetings will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT.

7:00 PM

Public Hearing/Miniature Horses

Public Hearing on a proposed amendment to Elk Ridge City code providing for the boarding of miniature horses in residential zones.

7:15 PM

Opening Remarks & Pledge of Allegiance

Roll Call

Approval of Agenda

1. **Motion on Miniature Horse Ordinance**
Public Hearing held on a proposed amendment to Elk Ridge City code providing for the boarding of miniature horses in residential zones.
2. **Approval of Minutes of Previous Meetings 9-1-05**
3. **Storm Drainage/Sumps – Bruce Ward Recommendations to City Council**
- Review and Discussion
4. **Discussion City Sewer and Water Issues – Councilman Harward**
5. **Planning Commission Member Vacancy**
- Review and Discussion
6. **City Council Meeting Update — Mark Johnson**
7. **Page / Crockatt Annexation Terms – Status Report**
- Review and Discussion – Ken Young
8. **Development Code Amendments**
 - A. **Possible Landscaping Requirements Code**
- Review and Discussion
 - B. **Possible Amendments to Fences, Walls and Hedges Code – Section 10-12-13**
- Review and Discussion – Ken Young
9. **General Plan Amendments**
 - A. **Amending Circulation Element of General Plan -**
- Presentation of Possible City Circulation Map – Dennis Dunn
- Review and Discussion
10. **Follow-up Assignments / Misc. Discussion**
- Scot Bell review County Road Ordinances
- Tracking Sheet

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 8th Day of September, 2005


Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 8th day of September, 2005



Planning Commission Coordinator

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ELK RIDGE PLANNING COMMISSION MEETING
September 15, 2005

PUBLIC HEARING

**MINIATURE HORSE
ORDINANCE**

**PUBLIC HEARING ON PROPOSED ORDINANCE PROVIDING FOR THE BOARDING OF
MINIATURE HORSES IN RESIDENTIAL ZONES.**

A public hearing was held from 7:06 p.m. to 7:15 p.m. September 1, 2005 prior to the Planning Commission Meeting.

Those present were:

Planning Commissioners: Ray Brown, Russ Adamson, Dennis Dunn, Chad Christensen,
Scott Petersen

City Staff: City Planner - Ken Young, City Councilman - Mark Johnson,
Brent Arnes, Aqua Engineering

Residents/Visitors: Anette Brigham

Chairman Brown opened the public hearing and invited comments from any interested parties. He asked those in attendance if there were any comments or questions. No persons present chose to comment on the proposed Miniature Horse Amended Ordinance to the Elk Ridge City Code. There were no objections to the proposed amended ordinance.

The Public Hearing was declared closed at 7:15 p.m.

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING 7:15 P.M.**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, September 15, 2005, 7:15 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Ray Brown followed by the Pledge of Allegiance.

**NON-AGENDA ITEM
RESCHEDULING OF
CITY COUNCIL
PUBLIC HEARINGS
TO OCTOBER 11, 2005**

Chairman Brown mentioned that the City Council public hearings regarding the following items has been moved from September 13th to October 11th:

- a. Ordinance Amendment to the PUD section of the City Code
- b. Amendment to Land Use Element and Future Land Use Map of the General Plan
- c. Ordinance amending City Code providing for the Permitted Uses in Zones allowing the Raising, Care and Keeping of Livestock and Fowl
- d. Ordinance amending Section 10-15C-2 of the Elk Ridge City Code, regarding Full-Width Roads
- e. The Page Farms – Crockatt Annexation
- f. Oak Bluff Estates Plate Vacation (Plat C) and Final Plat (Plat J) – Scott Petersen

ROLL CALL

Commissioners: Ray Brown, Russ Adamson, Dennis Dunn, Chad Christensen, Scott Petersen

Absent: Joe Jamison, Scot Bell, Mel LeBaron

Others: Ken Young, City Planner
Brent Arnes, Aqua Engineering
Mark Johnson, City Councilman
Residents/Visitors: Anette Brigham,

**1. MOTION ON
MINIATURE HORSE
ORDINANCE**

Ken Young, City Planner, mentioned that the zones that would be effected by this ordinance would be R-1 15,000, R-1 20,000 and R&L 1-20,000.

The proposed ordinance requires a 6-foot fenced area to board the horse. Chairman Brown was interviewed by a news reporter and gave them pertinent information about the Miniature Horse Ordinance and the history that led to the drafting of the ordinance. Chad Christensen asked if the wording regarding the height of the fence should be changed from "6 feet" to "at least 6 feet". Ken Young mentioned that the commissioners had previously decided they did not want fences higher than 6 feet and that was the reasoning behind the wording.

**A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOTT PETERSEN THAT
THE PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL APPROVAL OF**

PROPOSED ORDINANCE AMENDING SECTION 1, SECTION 10-12-38 OF THE ELK RIDGE CITY CODE TO ALLOW FOR BOARDING OF MINIATURE HORSES. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (3) JOE JAMISON, SCOT BELL AND MEL LEBARON.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING 9-01-05

Dennis Dunn found two corrections to be made, 1) Mark "Brown" on the front page, 3rd paragraph from the bottom should be Mark "Johnson" and 2) on page 7 in the 2nd to last sentence in the last paragraph "no complaints *towards* his neighbors" should read "no complaints *from* his neighbors".

MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE SEPTEMBER 15, 2005 PLANNING COMMISSION MEETING WITH THE TWO CHANGES MENTIONED ABOVE. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (3) JOE JAMISON, SCOT BELL AND MEL LEBARON.

3. STORM DRAINS/SUMPS – Discussion of Bruce Ward, City Engineer's, Recommendations in the form of an Ordinance

Chairman Brown mentioned that Bruce Ward, former Elk Ridge City Engineer, had presented about three meetings ago some ideas on different sumps, different grating, plastic verse concrete piping, etc. An Ordinance amending the Elk Ridge City Code needs to be prepared that included Bruce's recommendations to present to the City Council for Approval.

The following items were discussed this evening with Brent Arnes:

- a. Chairman Brown was concerned about water setting in the catch basin, drawing mosquitos and creating a stench. Brent did not feel that there would be enough water setting in the basins to cause these problems
- b. Chairman Brown also asked how often, from an engineering standpoint, should the sumps be inspected. Brent felt once a year would be adequate unless there was a particularly wet summer. If there was a lot of rain, it might necessitate more frequent inspection. There is some concern with the cost of inspections.
- c. Brent mentioned that during construction the sumps should be covered all the time. This is when most of the problems with debris in the sumps occur but if inspected and covered during that time, there should not be a problem.
- d. Anette Brigham asked that if the catch basin collects oils or different chemicals, how are these disposed of? Do any of the regulations dictate how these hazardous type things are disposed of? Brent said that because of the small volumes of that type deposits anticipated, he didn't think there were regulations dealing with that, but he would find out.

Chairman Brown explained that the reason the commission is pursuing this amended sump ordinance is not to cut up existing streets to redo sumps, but in a progressive nature, as we have new building coming in, we want to put in the best available system we can. We don't plan on redoing the existing unless there were problems with some of the existing sumps.

Ken Young stated that the old ordinance will not be completely replaced as there are some things that the city still wants in the code. His understanding was that Bruce's suggestions needed to be worked into the existing standards. Ken did not feel competent in this particular engineering element to do this.

Chairman Brown asked Brent Arnes, from Aqua Engineering, if he would talk to Bruce Ward and see how the suggestions he had made could be melded in with the existing ordinance in order to make a recommendation to the City Council. Chairman Brown said they would contact Brent as to when they wanted him to come back and review this. Ken Young asked Brent to email the amended ordinance to him when it was done.

4. DISCUSSION CITY SEWER AND WATER ISSUES

Alvin Harward did not come to this meeting. His presentation will come at a later meeting.

Chairman Brown discussed his recollections of the well discussion at the last City Council Meeting. The councilmen discussed, among other things, the proposed well and holding tank. Bruce Ward presented to the Council testaments of where the water is. Ray pointed out on the map the best location for drilling the well. It is in the proximity of the northeast corner of the Salem Canal and Loafer Canyon Road. There is electricity available at this location and a good aquifer. It appears the right thing to do and the right time to do it with the future development coming in since according to the state requirements, we will need another well before more development comes in. Chairman Brown stated that if we don't do this, we will need to buy water from someone in the near future.

Chairman Brown mentioned that developer Randy Young still plans to pay \$700,000 for the holding tank but is working out the avenues of how he pays for it. He is paying for holding tank and the City is

paying for the well. Mark Johnson said the City's portion could be around \$1 million. The total for the well and holding tank could add up to \$1.5-2 million.

Chairman Brown also learned at City Council Meeting that when Elk Ridge hooks up to the Payson Sewer system there will be an increase in our sewer charges of about \$15 per household per month.

Randy Young was told the impact fees (not including road impact fees) could total \$10,000 to \$12,000 per home. Ken Young, City Planner, mentioned that the City has decided to go forward with the impact fee study and have Aqua Engineering conduct the study.

Chairman Brown asked Mark Johnson if he knew any other pertinent water and sewer information. He talked about the fact that we will owe a certain percentage on our use of their sewer system. A dollar amount was not mentioned. Chairman Brown mentioned the abatements for disabled people in Utah County. He suggested we look at allowing latitude for similar situations in Elk Ridge. This would apply only to water. Sewer charges will be less flexible. There is some money in the fund. He mentioned that once we have the water and the tank, we will be beyond our capacity and may be able to sell some water to Payson and/or Salem.

Water and sewer charges are high and the Commissioners voiced concern and a desire to find ways the City might lower these charges.

5. PLANNING COMMISSION MEMBER VACANCY

Chairman Brown also mentioned that the Mayor will be offering Dayna Hughes the opportunity to be a member of the Planning Commission. Consideration for her approval is on the City Council Agenda.

It was mentioned by Chairman Brown that Dayna is willing to attend the Certified City Planner Seminar put on the Utah Local Governments Trust. He mentioned that he, Dennis Dunn and Chad Christensen have all attended the training session. Dennis has actually attended 3 different times. Each time things are a little different, presenters change, agendas change, etc. Any of the commissioners who have not had an opportunity to go should try to attend. They address changing needs of cities as they grow, etc.

Russ Adamson has also spoken to someone who might be interested in serving on the Planning Commission. He will touch base with them again before the next meeting.

6. CITY COUNCIL MEETING UPDATE

Mark Johnson stated that most of the items to take place at the last City Council meeting (public hearings mentioned above) were cancelled as they were not posted in the mandatory time frame prior to the public hearing. On Oct. 11th the City Council will hold five (5) public hearings (listed above).

7. PAGE /CROCKATT ANNEXATION UPDATE

Ken Young mentioned that the City is waiting for Developer, Randy Young's response to how he wants to approach meeting the terms of the annexation. There is some question as to whether they will have the agreement in place prior to the annexation or have a minimal agreement (you agree to agree") to these points which will be clarified at the time of development submittal.

At the present time the City is going forward with the ordinance amendments and the General Plan amendments that we have discussed that will occur prior to the annexation. Other development agreement elements can be specified more clearly at a later date.

Chairman Brown mentioned that it would probably be appropriate that when talking to Randy, the Mayor, Ken Young and Ray Brown all be present. Mr. Young still seems to be on track and intent on doing things the way he proposed to do them. He was presented with the annexation agreement so he understands the expectations of the City. He brings his own builders with him.

The original idea was to have the annexation public hearing this coming Tuesday but not make any motions on it until next month. With the time-frame change moving the public hearing to October 11th, the motion will not be made until the City Council meeting 2 weeks following the public hearing.

Chairman Brown mentioned that Mr. Young will not put forth money to do detailed drawings showing the development options until the annexation is a sure thing. Chad questioned whether the annexation public hearing would be published in the Elk Ridge City newsletter.

8. DEVELOPMENT**CODE AMENDMENTS****A. Possible Landscaping Requirements Code**

The following points were discussed regarding a proposed landscaping ordinance:

1. Chairman Brown mentioned the commissioners have discussed the possibility of requiring new developments to landscape the front and sides of homes. The builder would allow the homeowner several options. Scott Petersen proposed that the owner be given a time-frame, possibly a year, in which the back yard must be completed also.
2. Chairman Brown brought up the fact that there are some landscaping situations in the already developed sections of Elk Ridge that also need to be addressed. There are some yards that have been full of weeds only and no landscaping for years, and these need to be addressed. They could be given a reasonable time frame notice. There are not that many but there are some.
3. The Mayor has spoken to some of these families who have problem yards, and some have responded in a positive way and cleaned up their yards. One such case exists where the house has been built for 2-1/2 years and the owner still has trailers and scaffolding on the side of the house.
4. Requiring established residents to comply with new ordinances might be difficult. An example of one of these ordinances would be: If you have a boat it must be behind an 8' stockade fence (or 6') so it can't be seen from the roadway. The Planning Commission has landscaping ordinances from about 4 different communities that they are looking at.
5. Ken Young was asked if we could establish a new ordinance and require current residents to comply. He said we could as far as installation of improvements in new developments. Dennis Dunn said that such an ordinance would be called a "beautification ordinance" and he was not sure this would work. Ken Young added that as far as keeping lots clean, and free from weeds, you can do that. He did not think we could require landscaping improvements on existing homes.
6. Dennis Dunn again mentioned the idea of the performance bond, which would not be returned until the ordinance requirements were met.
7. Chairman Brown asked if maybe we don't want to have a landscaping ordinance. It was felt there should be some level of landscaping requirements.

The consensus was that a PUD would be required within 6 months to have the yard landscaping completed. For other buildings, front, sides and back should be completed within a year. The dollar amount of the performance bond the commissioners felt was reasonable was around \$1,500.

8. Russ Adamson asked if there were any existing ordinances covering beautification. It was mentioned that there may be some mention of weeds on vacant lots, but not much else. Ken Young, City Planner, stated that there are several sections in the code that we would want to massage to accomplish these goals but initially we need to decide what concepts we want to put in.
9. Chairman Brown asked Ken Young to bring these landscaping concepts forward in an ordinance form to present to the City Council.

B. Possible Ordinance Amendment for Fences, Walls and Hedges Code – Section 10-12-13

In tonight's packet was a proposal for an addition to the fencing ordinance of the Elk Ridge City Code. Ken Young has been working with several different people in Elk Ridge on their fences. Fitzgeralds wanted to put in a sports court and it needs higher than the 6' allowable fence. (combination basketball, tennis, etc.). The fence must be set back 10 feet from the property line and the type of fencing in a sports court, which would be non sight obscuring. We will want to make sure the words "non-sight-obscuring" are in the code. Currently there is no way in our ordinance to allow for a sports court and there is no reason to not allow it. The 10 foot setback requirement comes from an ordinance in Cedar Hills.

Ken Young will bring this forward in the form of an ordinance at the next Planning Commission Meeting..

9. GENERAL PLAN

AMENDMENTS

**A. Code Amending
Circulation Element of
General Plan**

Dennis presented his proposed circulation map showing two possible roads in the south east corner of undeveloped Elk Ridge. The red road on his map (enclosed in tonight's meeting packet) follows Hillside drive going south and slightly east. It has a hairpin turn, comes back along the topographical line below the water tank running west, then connects into where a dirt road is. The bottom elevation profile is just under a mile. The gain and loss – west end road is 27 feet below east end of road. The elevation gain is 230 feet at the highest point, about a 6% grade, which is within our specs. The blue road is 1.2 miles long. Has a net loss of 232 feet (starts at top of ridge). This road gives access to additional acreage in this area on the west side of the ridge from the water tank. This road also has about 6% grade. These would be collector roads.

Ken Young mentioned that the City is working with some potential developers who want to develop up in that area. He stated they are encouraging some sort of connection onto the red road. It was suggested to them that the Construction Standards currently allow for a slope of 8 percent but we can have exceptions approved. He suggested they come up with a plan that would be a workable connection in that area that hopefully would stay within a 12% grade (exceptions allowing 12% could be approved) otherwise, on that upper loop will be hard to develop some of those properties. The developers would not develop the whole loop. There would not be much development allowed in that area until the connection between Hillside and High Sierra is made. There is an existing dirt road in that area that was cut in about 20 years ago by the Army Corps of Engineers that could possibly be improved.

CHAIRMAN BROWN MADE A MOTION THAT WAS SECONDED BY SCOTT PETERSEN THAT THE CIRCULATION MAP CREATED BY DENNIS DUNN SHOWING 2 POSSIBLE COLLECTOR ROADS IN THE NORTH EAST PORTION OF UNDEVELOPED ELK RIDGE BE USED AS AN EXHIBIT IN THE CIRCULATION ELEMENT OF THE GENERAL PLAN. YES-ALL (5); NO-NONE (0), ABSENT (3) JOE JAMISON, SCOT BELL AND MEL LEBARON.

Chairman Brown reminded the commissioners that this would be a working document but as we develop we need to make sure that this area has egress and no dead-end streets.

**10. Follow-up
Assignments**

1. Most of the Commissioners need to be at the October 11th City Council Meeting to answer questions at the 6 public hearings (listed above).
2. Dennis Dunn will get Alvin Harward to come and address the commissioners regarding water and sewer.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 8:25 p.m.

Margaret Jeckie

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular meeting on **Thursday, October 6, 2005 beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

7:00 PM

Opening Remarks & Pledge of Allegiance
Roll Call
Approval of Agenda

Welcome to new Planning Commissioner – Dayna Hughes

- 1. Approval of Minutes of Previous Meetings 9-1-05**
- 2. Storm Drainage/Sumps – Proposed Ordinance to go to City Council**
 - Set Public Hearing
 - Review and Discussion
- 3. Discussion City Sewer and Water Issues – Councilman Harward**
- 4. Planning Commission Member Vacancy**
 - Review and Discussion
- 5. Development Code Amendments**
 - A. Ordinance for Landscaping Requirements in City Code**
 - Set Public Hearing
 - Review and Discussion – Ken Young
 - B. Ordinance Ammendment to Fences, Walls and Hedges Code – Section 10-12-13**
 - Set Public Hearing
 - Make sure have latest Fencing Ordinance Code – Section 10-12-10
- 6. General Plan Amendments**
 - A. Amending Circulation Element of General Plan -**
 - Set Public Hearing to approve Inclusion of Circulation Map in General Plan
- 7. Follow-up Assignments / Misc. Discussion**
 - Tracking Sheet

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 29th Day of September, 2005



Planning Commission Coordinator

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BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 8th day of September, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
October 6, 2005

- TIME AND PLACE** A regular meeting of the Elk Ridge Planning Commission was held on Thursday, October 6, 2005, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.
- OPENING REMARKS & PLEDGE OF ALLEGIANCE** Raymond Brown welcomed the commissioners. An opening prayer was given by Russ Adamson followed by the Pledge of Allegiance.
- ROLL CALL**
- Commissioners:* Ray Brown, Chad Christensen, Dayna Hughes, Russ Adamson, Dennis Dunn, Scot Bell, Mel LaBaron (*Alternate*),
- Absent:* Scott Petersen
- Others:* Ken Young, City Planner
Margaret Leckie, *Planning Commission Coordinator*
Mark Johnson, *City Councilman*
Brent Arns, *Aqua Engineering*
Shawn Eliot, *MAG, Street Signage Proposal*
Anette Brigham – Resident on 1600 W.
- INTRODUCTION NEW PLANNING COMMISSION MEMBER – DAYNA HUGHES** Chairman Brown Welcomed the new Planning Commission member, Dayna Hughes, and invited her to take a few minutes and share some of her background with the commissioners.
- Dayna has lived in Elk Ridge since 1995. Her background is in Education. She obtained her undergraduate degree at Utah State University in Business Education. She and her husband then moved to Denver where she taught in post-secondary education at business colleges. She was Director of Education at Denver Business College, then moved to Arizona where she was Director of the Denver Business College, Arizona campus. Their first daughter was born in Arizona. They then moved to Oregon where she taught computer classes at Portland Community College. They moved back to Utah where their second daughter was born. She taught at Salt Lake Community College until 7 years ago when she retired. She works from home for her husband's computer cable business. They are the parents of 3 children, two daughters and a 15-month old son.
- 1. APPROVAL OF MINUTES OF PREVIOUS MEETING 9-1-05** The following changes/corrections were suggested for the 9-15-05 Planning Commission Meeting Minutes:
- Dennis Dunn - page 2, item 4, change word "do" to "did"
 - Dayna Hughes – page 5, last paragraph, change "they developers" the "the developers" page 3, Item 5, strike sentence that says the Mayor spoke with Dayna, she said she had not spoken with him.
 - Chad Christensen – In all motions, change number absent from 4 to 3.
- A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE SEPTEMBER 15, 2005 PLANNING COMMISSION MEETING WITH THE CHANGES MENTIONED ABOVE. VOTE: YES-ALL (6); NO-NONE (0), ABSENT (1) SCOTT PETERSEN.**
- 2. STORM DRAINAGE/SUMP PROPOSED ORDINANCE** Brent Arns, representing the City Engineering Firm, Aqua Engineering, stated that he had been asked at the last Planning Commission Meeting to check and make sure the proposed Storm Drain/Sump Ordinance contained all the information from the old City ordinance that needed to be kept in, as well as the newly proposed code. He sent a letter to the City Planner, Ken Young, stating that it did.
- Brent also mentioned some questions had been asked about sumps retaining water that becomes stale and attracts mosquitoes. He said that they do accumulate a little water but there are generally no complaints. He did not feel it was an issue that needed to be addressed in the Ordinance.
- Ken Young stated that there are no more additions to the ordinance other than the two drawing exhibits. All existing standards have been incorporated into the new ordinance. He is taking the engineers word at face value that everything has been incorporated as it is very technical in nature. The new ordinance will replace the whole section of the old ordinance.
- Chairman Brown mentioned that in his review he found all changes that the commissioners had

discussed with Bruce Ward, former City Engineer, have been incorporated. He asked the commissioners if there were any questions on the ordinance before setting a Public Hearing on the proposed ordinance and recommending it be sent forward for approval to the City Council.

The following comments ensued:

- a. Russ Adamson asked about whether the City was still considering retention basins and would they be public access or fenced off. Chad asked who would decide what type retention basin went in – the City, or the developer. Brent Arns stated that the city engineer would make the recommendation subject to approval by the City Council.
- b. Brent Arns stated that the basins would be small enough so they would not fall under those required by the state for state inspections.
- c. Dennis Dunn talked about the retention pond at the mouth of Spanish Fork Canyon. It falls under non-public-access size, but it is public access. It has a side-walk all around it, sand has been hauled in to make a beach. It has a fish-cleaning station and a restroom. Dennis asked if there were things we need to be aware of if something like that were under consideration in our city. Brent stated that if it got to that point, the City Engineers would work with the City, but he did not foresee that Elk Ridge had an area appropriate for this type basin.
- d. Chad asked at what point you consider a retention basin as opposed to a sump system. Brent said that the sump system is more the standard. Scot Bell mentioned that the code is written so the sumps will not pass on more than 1% of the water to the next sump. This will minimize the need for retention basins. The current ordinance allows for 2-3% of the water to be passed on. The availability and location of land is also a big issue in considering retention basins. Dayna Hughes asked if there was a proposed retention basin behind the current Elk Ridge Sign. Chairman Brown did not think this was the case.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY CHAD CHRISTENSEN TO SET A PUBLIC HEARING FOR NOVEMBER 3RD TO CONSIDER THE PROPOSED STORM DRAIN/SUMP ORDINANCE AMENDMENT TO THE ELK RIDGE CODE. VOTE: YES-ALL (6); NO-NONE (0), ABSENT (1) SCOTT PETERSEN.

It was stated by Ken Young that the appropriateness of retention basins, including whether they be public or private, needs to be looked at on a case-by-case basis with recommendation by the City Engineer; thus retention basins are not directly addressed in this ordinance.

Scot Bell will track this motion

3. DISCUSSION OF CITY WATER ISSUES BY COUNCILMAN – ALVIN HARWARD

Councilman, Alvin Harward, deals with City water issues. He was asked by Chairman Brown to summarize some of the water issues before the City at the present. His discussion included the following points:

1. The average consumption of water in the City of Elk Ridge in the winter is about 22,000 gallons per household, and in the summer is 33,000 gallons per household. The present water bill charges each household according to a tiered charge, the first 12,000 gallons at a cost of \$40, the cost increases at each tier. The price increase tiers occur at 50,000 gallons, 75,000 gallons, and 125,000 gallons.
2. Earlier in the year he proposed to the city that the base rate be changed from 12,000 gallons for \$40, to 20,000 gallons for \$40, and leave the tiers the same. The City decided not to do this as they are looking at purchasing a new well at the approximate cost of \$1 million and a new storage tank, needed for future growth. For these reasons the rates were kept where they were. Most everyone in Elk Ridge uses more than the base rate.
3. The City engineer has done much preliminary work on the new well. A proposed site has been determined.
4. Dayna Hughes asked Councilman Harward if the City has considered using secondary water for outside use. He stated that the City has been considering CUP water. It is at the mouth of Spanish Fork Canyon now. We would need a holding pond and would be allocated so much water. There is enough pressure to get the water to the level of the City Office. Mark

Johnson mentioned we would have to pump up to the upper part of Elk Ridge. Scot Bell mentioned that the mouth of Spanish Fork Canyon is above the level of the City Center. Councilman Harward said that by the time you pay the price of the storage system and all the lines, his guess is that there would be a 15-20 year break even point.

5. Chairman Brown asked if Councilman Harward knew the cost to the City of hooking up to the Payson sewer system. As far as he knew the Councilmen had not seen the cost. It was decided that Payson will pay for the whole thing, sign a contract when we connect, and will not own a portion of the system.

Right now we own about 18% of Salem's disposal plant. We have no control over what they do, but we pay an assessed portion of whatever they decide to do. When we hook onto the Payson system, we will sell this portion back to Salem.

6. Dayna Hughes told Councilman Harward that according to a previous set of Planning Commission Meeting minutes she had read, once we hook onto the Payson system, the sewer costs will go up approximately \$15 per household. She asked if this was city-wide, or just for new hookups. He said that it would be city-wide. At present the City is not covering their sewer expenses with the revenue generated by sewer bills. There is a shortfall. The cost is about \$35,000 more a year than the incoming revenue. He had not heard of the \$15 figure. It was decided that it was just someone's guess.
7. He stated that Payson will not pay us for our grey water, but it may help determine an adjustment in what they charge us.
8. Chairman Brown asked if we get the new well and tank in, would we be able to bring water prices down. Councilman Harward said he would like to say "yes" but he doubts it. Chairman Brown mentioned that in a recent meeting with developer, Randy Young, he stated his willingness to pay \$700,000 towards the cost of the tank (and well if the tank is under that amount the rest of the amount will go towards cost of the well). Councilman Harward said there is some money in reserve to pay for the well and the City will have to bond for the rest.
9. Councilman Harward said that right now the City's income from water bills is about \$50,000 above the actual cost of water per year. At the last check, our rates were not out of line with surrounding cities. Right now it is more economical to water lawns with culinary water than develop a CUP system. Scot Bell mentioned that at some point it will be cost effective to bring in secondary water. He felt we needed to look down the road. Councilman Harward mentioned that if we do get in a secondary system now, we can get reimbursed to the tune of \$500,000. As of now the city has not applied for CUP water. The City is looking at this but has not made a decision.
10. Chad Christensen asked if there were any deadlines relative to the well. Councilman Harward said the state is doing surveys regarding the amount of water taken out of aquifers, we need to get an application in before any negative conditions arise as a result of this study.
11. Scot Bell mentioned a concern that increasing the water consumption at the base rate would discourage water conservation. He based his comments on input from Envision Utah. Councilman Harward disagreed. He did not feel that removing restrictions on water usage resulted in people using more water.
12. Dayna Hughes questioned which tier the average consumption of 22,000 fell into. It does fall into the first tier (between 12,000 and 50,000 gallons).

Chairman Brown stressed that it is important that we keep busy on trying to fill the empty position. There were no suggestions from the Commissioners present on possible replacements.

4. PLANNING COMMISSION MEMBER VACANCY

**NON-AGENDA ITEM:
STREET SIGNAGE
SURVEY OF THE
CITY OF ELK RIDGE
– SHAWN ELIOT**

Shawn is a City Advisor who works for Mountainland Association of Governments (MAG).

Shawn has done an extensive study on the street signage in the City of Elk Ridge and has a proposal for the upgrading of the signage and a proposed coordinate-grid system that can be added to the signage for safety purposes in aiding fire and police and other support units as they try and locate addresses. His study included a cost analysis for completing the proposed project in several phases. A copy of the study is on file at the City Office in the file for tonight's meeting.

His presentation has also been given to the City Council.

He passed out his extensive 12-page colored report showing actual photos of some of the signage problems within the city including:

- a. Misspelled street names
- b. Deteriorated unreadable signs
- c. Missing signs (21 within the City)
- d. Sub-standard size lettering (4" instead of 6")
- e. Hard to read at night
- f. Different names for same streets at different locations on the street
- g. Problems with sign posts and brackets
- h. Coordinates flipped on signage
- i. Confusing use of multiple names on the same streets (Park Drive becomes Elk Meadows, etc.)
- j. A lot of existing poles are shorter than recommended.

The approximate cost to replace a sign with a sign with 6" lettering and a City logo on a double blade sign on a square post with an anchor post would be about \$87. The cost per sign to add the city logo was estimated to be \$1.50 per sign. The cost of replacing the current 4" lettering sign the way we do it now is about \$58/sign. This would be standard grade. There is also a diamond grade, which is more readily seen at night and lasts longer.

Shawn mentioned that with the new proposed annexation the street names will become even more confusing unless some decisions and changes are made now. He said the new annexation will take Park Drive on down the hill to the north and it will become Elk Ridge Drive. If we then had Elk Meadows Drive becoming Elk Ridge Drive, this would be confusing. It would be easier to change the names now since there are only 7 homes along there now. Most of the homes along Elk Ridge Drive (1600 West) are in the County now and use 1600 West as their address. When the County punched that road through they named it Elk Ridge Drive, and all the signs along the road say Elk Ridge Drive. The only sign that says "1600 West" is in Elk Ridge.

A suggested alternative to renaming streets is proper signage with arrows directing which way each street proceeds. Decorative posts were suggested as an option in the new portion of the City to possibly be paid for by the developers.

Another suggestion made by Shawn was that the City come up with a list of approved names for a developer to select from (possibly following a theme – such as explorers, etc.). If a street name not on the list is requested, it would need to be approved by the City Council. He passed out an example of such a list. Dennis Dunn mentioned that we might want to add to our City code that there is a list of available names. As he recalls City code now only mandates that a developer present his suggested street names to City Council for approval. Scot Bell suggested choosing a theme for a development and letting the developer choose names based on the theme, rather than having the City come up with a list of names.

Shawn is still working on the cost analysis, including the cost of labor. He invited input of where to take his process. Chairman Brown mentioned that though budget is a consideration, there is a safety issue also that motivates moving forward with this process.

Chairman Brown felt that at least as a minimum we recommend that the City Council approve a coordinate street-naming system be added to the signage for safety reasons, help to EMTs, etc. It appears that Shawn has done a good job using the GIS system as a base for his proposed coordinate system. This would be done through attrition, as signs get replaced. Chairman Brown

has received 4 phone calls from concerned citizens regarding this issue. The original street names could be retained along with the grid then people would not have to change their addresses if they had history at that address.

Dennis Dunn felt there would not be a problem tweaking the City code to accommodate a requirement for a grid coordinate system on all new signage. The City Council can decide what they want to do regarding posts.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY DAYNA HUGHES TO RECOMMEND FOR APPROVAL A CITY SIGNAGE ORDINANCE AMENDMENT REQUIRING STREET SIGNS TO HAVE 6" LETTERING, BE HIGH REFLECTIVE, HAVE THE CITY LOGO, AND INCORPORATE THE COORDINATE GRID SYSTEM DEVELOPED BY SHAWN ELIOT USING GIS COORDINATES. VOTE: YES-ALL (6); NO-NONE (0), ABSENT (1) SCOTT PETERSEN.

Ray Brown will be in charge of tracking this motion Chairman Brown asked Margaret to put a copy of any ordinances regarding signage in the packets for the next planning commission meeting.

5. DEVELOPMENT CODE AMENDMENTS

A. Landscaping Ordinance Amendment

Ken Young referred to the proposed landscaping ordinance in the meeting packets. He mentioned the main change was to add to our ordinance a Section 10-12-36 entitled LANDSCAPING REQUIREMENTS. This code applies to standard subdivisions and single-family lots, not to PUDs or PRDs.

He referenced Section D which states:

Each dwelling unit in single-family developments shall landscape the front and side yard areas of the lot or parcel within one (1) year of issuance of a Certificate of Occupancy. To assure the installation of landscaping, the applicant shall post a performance guarantee in the sum of no less than one thousand five hundred (1,500) Dollars, in the form of a cash bond or an irrevocable line of credit. The performance guarantee shall not have a duration that exceeds one (1) year.

- a) *The lot or parcel shall be landscaped with suitable plants, shrubs, trees, grass and similar landscaping materials, Xeriscape is acceptable landscaping provided that complete erosion control and elimination of noxious weeds is accomplished.*
- b) *All grading of the parcel shall be completed prior to the issuance of a Certificate of Occupancy.*
- c) *At least fifty (50) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than thirty(30) percent of a front yard, fifty (50) percent of a rear yard, and one hundred (100) percent of one (1) side yard.*

Dayna Hughes asked how fake grass fits into the description. Ken was not sure that it was something we wanted to specifically mention. It was decided it would not fall under the category of concrete as long as there was not concrete under it. Decorative rock would fall under the category of xeriscape.

The City will not assume responsibility of landscaping if not done within one year. The performance bond is simply to motivate the owner to landscape, not to pay for landscaping if the owner does not.

There was some discussion regarding Section C – Landscape Design Standards in the new proposed code. This section specifies that all landscaping plans must be drawn, designed and certified by a licensed landscape architect. Ken Young mentioned this was not intended for single-family-home lots. This was specifically relating to subdivision developments. Ken mentioned that this does need to be clarified in the ordinance. Ken felt the single family lots and the standard subdivision landscaping code should be kept together. Possibly there could be a reference in this section of the code to the fact the landscaping requirements for PUDs can be found in (refer to section in PUD code where landscaping is found).

Chad Christensen suggested adding landscaping ordinance to the PUD and PRD ordinance. PUD and PRD development landscaping was a separate consideration. (Section 10-14A and 14C of the Development Code). The developer in this case is responsible for the landscaping. He felt that being more specific on the requirements in a PUD section would be appropriate.

Dayna Hughes felt we should be a little less vague about what is considered suitable landscaping. (Section D-a : *The lot or parcel shall be landscaped with suitable plants, shrubs, trees, grass and similar landscaping materials.*)

Chairman Brown requested that Ken Young go back and tweak the ordinance, clarifying the difference between single-family lots and subdivision lots, and add landscaping requirements which are more stringent to the PRD and PUD code (Section 10, Chapters 14A and 14C).

**B. Ordinance
Amendment to Fences,
Walls and Hedges Code
– Section 10-12-13**

Planner, Ken Young, has incorporated some code from the city of Cedar Hills. This code specifically deals with fence type enclosures for tennis courts, sport courts, batting cage, etc. Some wording was added to make it more in line with the thinking of the Elk Ridge Planning Commission, which was: *c. All portions of the enclosure above a height of eight feet (8') shall be non-sight obscuring.*

Mark Johnson, City Councilman, felt that a fence on top of a retaining wall could be a problem if the top of the retaining wall was considered grade. In our City Scot Bell recalled that the City policy is that if you go with a solid concrete retaining wall it cannot exceed 6' and you can not put the optimal 8' fence on top of this wall, but can go with a 6' fence. He did see a problem if a fence was too short around a sports court, the balls might go over into neighbors yards and cause damage.

Chad Christensen found reference in the City Code that retaining walls higher than 10' shall be terraced. He perceived as the code is written with the new proposed fencing ordinance, you could have a 10' retaining wall with an 18' fence on top of that.

Chairman Brown felt that this problem would be solved by stating that the fence cannot be more than 18 feet high including any retaining wall. Ken Young felt that this would restrict the areas where a sports court could be put in, which may be what we want to do. He felt that with this requirement, wherever you had a retaining wall, you would not put a sports court fence as it would be too short to be effective.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY DENNIS DUNN TO RECOMMEND TO THE CITY COUNCIL FOR APPROVAL THE ADDITON TO SECTION 10-12-13: FENCES, WALLS AND HEDGES, OF ITEM H, WHICH SPECIFIES REQUIREMENTS FOR FENCING AROUND TENNIS COURTS, SPORT COURTS, BATTING CAGES, ETC. AS ATTACHED, WITH THE INCLUSION OF "INCLUDING RETAINING WALLS" AFTER "NOT MORE THAN EIGHTEEN FEET (18')..."

**6. GENERAL PLAN
AMENDMENTS**

**A. Amendment to
Circulation Element of
General Plan –
Circulation Map**

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY RAY BROWN TO SET A PUBLIC HEARING FOR NOVEMBER 3RD TO AMEND THE CIRCULATION MAP PRESENTED AT THE SEPTEMBER 20, 2005 PLANNING COMMISSION MEETING TO THE CIRCULATION ELEMENT OF THE GENERAL PLAN. VOTE: YES-ALL (6); NO-NONE (0), ABSENT (1) SCOTT PETERSEN.

Scot Bell stressed the importance of involving land owners in finding creative alternatives for roads in the undeveloped southern area of Elk Ridge. Ken Young stated that the idea is that this is in the General Plan and is not cast in concrete and their input will still be considered. Chairman Brown mentioned the goal of the Planning Commission to not allow any more dead ends or cul-de-sacs and this is an effort to put that concept into the General Plan.

**7. Follow-up / Misc.
Discussion**

**1. Annexation meeting
report.**

Ray Brown reported that after meeting with developer, Randy Young, Ken Young and Gary Prestwich concerning the Development Agreement. Basically we are down to 3 homes per acre (down from the original 4.2). A copy of Chad Christensen's PUD worksheet was given to him. Ken Young stated that rather than putting a number of homes in the agreement, he put a density of 3.63 per acre with consideration for open space requirement and density bonuses. He has agreed to put in the trails and paths as designated by the City.

**2. Channel 5 article on
Summit County Court
Case – Dennis Dun**

Dennis Dunn passed out a copy of an article as an item of interest about a report on channel 5 three days ago entitled "Developers Accuse County Officials of Mafia-like Tactics".

The article states that developers are taking Summit County to court for racketeering; charging illegal fees, requiring expensive amenities, such as open space and low density construction...etc. He brought the article to let us know there are people out there that are fighting some of the things we are trying to put together in having the community grow in the right way. Chairman Brown mentioned that we are fortunate to have a developer like Randy Young who was willing to wait until we had our code in place so this would not be an issue.

**3. Planning Commission
Roles and
Responsibilities – Mel
LaBaron**

Mel LeBaron asked to address the Planning Commission. He felt the commissioners are well-intentioned and well-meaning but didn't feel we could afford a lot of what we are doing at present.

He felt many of the things the commission does are under the umbrella of the City Council and administration. There is redundancy and overlap with the City Council and Planning Commission. He felt we could be more efficient in our activities and spend much less time getting done what we need to get done.

He also felt we needed to better coordinate with the City Council. He also cautioned getting personal interests mixed up with our work. Chairman Brown did feel that the Planning Commission has given good and important input to the City Council.

Dennis Dunn did state that the Commission could do their work more efficiently and not go off on tangents. He found it confusing that the Planning Commission is an Ad Hoc committee for the General Plan and a Planning Commission at the same time. This is somewhat a conflict of interests that requires personal opinion, which we shouldn't have. Overall Dennis feels the commission has done a great job and is moving in the right direction. If we could take one thing from Mel's comments, it would be "let's edit some of the things that we do here so that our time is better spent and the Council has better recommendations.

Mel suggested that maybe once a month we have a joint study session with the Council where we compare notes and look at what each other is doing and stop some of the paper flow; become more of a team and work together.

Mel suggested other avenues of raising revenue other than raising taxes. He said that getting some commercial interests in, such as a restaurant, taking advantage of the great views in the city, would be appropriate.

Chairman Brown thanked Mel for his input and for his service as an alternate member on the Commission.

**4. Assignments to attend
Public Hearings at City
Council Mtg, Oct. 11th**

Chairman Brown requested that those with assignments to the motions on which public hearings are to be held attend the City Council meeting to answer any questions from the public or the council.

ADJOURNMENT

Chairman Brown adjourned the meeting at 9:45 pm.

Margaret Jackie

NOTICE OF PUBLIC MEETING AMENDED

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular meeting on **Thursday, October 20, 2005 beginning at 7:00 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 P.M. **Opening Remarks & Pledge of Allegiance**
 Roll Call
 Approval of Agenda
1. **Approval of Minutes of Previous Meetings 10-06-05**
 2. **Planning Commission Member Vacancy**
 3. **City Council Meeting Update — Alvin Harward**
 4. **Burke Cloward Zone Change Request**
 - Review and Discussion – Ken Young
 5. **Development Code Amendments**
 A. Ordinance for Landscaping Requirements in City Code
 - Review and Discussion – Ken Young
 6. **Follow-up Assignments / Misc. Discussion**

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 13th Day of October, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 13th Day of October, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
October 20, 2005

TIME AND PLACE

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, October 20, 2005, 7:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Chad Christensen followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Ray Brown, Chad Christensen, Dayna Hughes, Dennis Dunn, Scot Bell, Mel LaBaron (*Alternate*),
Absent: Scott Petersen Russ Adamson
Others: Ken Young, City Planner
Mark Johnson, *City Councilman*
Anette Brigham – Resident on 1600 W.

**MOTION TO MAKE
ALTERNATE
MEMBER A VOTING
MEMBER**

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY DAYNA HUGHES, TO MAKE ALTERNATE PLANNING COMMISSION MEMBER, MEL LEBARON, A VOTING MEMBER FOR TONIGHT'S MEETING. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (1) SCOTT PETERSEN, RUSS ADAMSON.

**1. APPROVAL OF
MINUTES OF
PREVIOUS MEETING
10-06-05**

The following changes/corrections were suggested for the 10-05-05 Planning Commission Meeting Minutes:

- a. Dayna Hughes
 1. The following two sentences seem to conflict: on page 3, in paragraph 6 "Alvin Harward says that we have a shortfall in water revenue of \$35,000", and in paragraph 9 "We have an income of \$50,000 above the actual cost of water". Dennis Dunn stated that the \$35,000 referred to in paragraph 6 refers to the sewer and not water. Change the reference to the \$35,000 shortfall to "sewer" rather than "water"
 2. page 4, paragraph 1, 4th line – add "s" to "addresse".
 3. page 4, paragraph that begins "Another suggestion made by Shawn...", the word "the" on line 3 should be between words "by" and "City Council"
 4. page 4 – last paragraph the word "the" should be between words "that" and "City Council"
 5. Next sentence, insert word "a" in sentence "Shawn has done good job" between "done" and "good"
 6. page 5, second to last paragraph, line 2, there is a double period.
 7. page 6, paragraph 3, delete word "to" in sentence "Chairman Brown requested that Ken Young...."
 8. page 7, paragraph 5, line 3, delete word "would" and insert "we"
- b. Dennis Dunn
 9. page 3, item 7, change "Salem" to "Payson"
- c. Chad Christensen
 10. page 3, 1st paragraph, last line – change "His guess it" to "His guess is"

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY DENNIS DUNN, TO APPROVE THE MINUTES OF THE OCTOBER 6, 2005 PLANNING COMMISSION MEETING WITH THE CHANGES MENTIONED ABOVE, AND WITH THE CONDITION THEY ARE TO BE REVIEWED AT THE NEXT MEETING. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (1) SCOTT PETERSEN, RUSS ADAMSON.

**2. PLANNING
COMMISSION
MEMBER VACANCY**

Dennis Dunn was approached by Robert Wright, who is interested in serving on the Planning Commission. He gave his name to the Mayor. He is a transplant from New York. The Mayor has his name and address and will set up a meeting with him. Chad Christensen also knows someone who is interested.

Chad questioned whether there is a vacancy right now and Chairman Brown responded that there is one alternate position open and there will be possibly two vacancies after the election.

Dayna Hughes has also been talking to a woman who is interested. Chairman Brown reminded the commissioners that any candidates for planning commissioner must be taken to the Mayor,

who interviews them and then takes his recommendation to the City Council.

3. CITY COUNCIL REPORT – MARK JOHNSON

Councilman, Mark Johnson, reported the following results of the 6 Public Hearings held at the City Council Meeting on October 11, 2005:

- 1) The Land Use Map was approved.
- 2) Realignment of lot in Oak Bluff Estates was approved.
- 3) Full-width Roads ordinance was approved.
- 4) Animal and Livestock Ordinance was approved.
- 5) PUD Ordinance was approved.
- 6) Page/Crockatt Annexation Ordinance Hearing was held, to be voted in the near future.

The following ordinance amendments are still being worked on

- 1) Pigeon ordinance – City Council is working on this.
- 2) The Miniature Horse Conditional Use Amendment – City Council Public Hearing on November 8th.

A discussion ensued on the Public Hearing process. Ken Young, City Planner, stated that for a General Plan Amendment, the City Council can vote without holding a Public Hearing, once the Planning Commission has held a Public Hearing and made their recommendation to the City Council. Ken mentioned that there are some changes with the new Land-Use Laws. There are instances in amending the zoning ordinances where Public Hearings are required, and other instances where they are not. Ken will find out the particulars on this issue and let the commissioners know.

4. BURKE CLOWARD ZONING CHANGE REQUEST

Ken Young referred to the staff report included in tonight's meeting packet. The Burke Cloward property is included in the R-1 15,000 zone on the approved Land-Use Map. Right now, his lots one-acre lots and are zoned RR-1. The requested zone change to R-1 15,000 is thus in line with the current General Plan Land-Use Map.

Also attached in the packet is the first proposed development plat. There will be some adjustments needed. Dayna Hughes asked Ken if there were any negatives in approving the proposed zone change. He answered that the only thing he could conjure up would be the value of having one-acre lots in the community, yet he felt the city made a decision when the first phase of Rocky Mountain Subdivision was approved, that this area was conducive to more of the R-1 15,000 type of development. These lots are about 1/3 acre lots. They are contiguous with other R-1 15,000 developments. (There are no longer animal rights on lots of this size, though there are some lots previously zoned R-1 15,000A nearby which have animal rights. This zone is no longer an option in the city.)

DENNIS DUNN MADE A MOTION THAT WAS SECONDED BY CHAD CHRISTENSEN TO RECOMMEND MOVING FORWARD TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL THE BURKE CLOWARD ZONE CHANGE FROM RR-1 TO R-1 15,000. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (1) SCOTT PETERSEN, RUSS ADAMSON.

5. DEVELOPMENT CODE AMENDMENTS

A. Landscaping Ordinance Amendment

Ken has changed some of the verbiage in the proposed Landscape Ordinance to fall in line with some of the discussion from the last meeting. He went back to Section A and included verbiage for Planned Residential Developments (PRDs) and Planned Unit Developments (PUDs). He removed verbiage referring to single-family lots in subsections B and C below; and D then refers to single-family lots. (See attached proposed ordinance amendment that was included in the meeting packet for tonight.)

Also in Chapter 14 (Articles A and C relating to PRDs and PUDs) the words "dwelling units" were changed to "dwelling unit space or lot".

Dayna Hughes pointed out on page 3, Chapter 14, no. 2 – the word "ot" should be "lot". The same change also needs to be made on the next page, page no. 2.

She asked what the City will do with the \$1,500 bond. Ken Young said it will be returned and will be deposited into a fund in the interim and will not be returned with interest, just principal. She suggested changing the time frame for getting landscaping done from one year to eighteen months as she didn't feel a year was enough time.

The commissioners agreed that we have different circumstances to deal with than some of the other Utah County towns and that extending the period to eighteen months was appropriate.

There are no stipulations as to when the backyards must be in on single-family lots. Dayna Hughes expressed reservations about forcing people to put their yards in in a stipulated time-frame. She questioned the ability of the City to enforce this ordinance. Ken Young mentioned that the enforcement was that they didn't get their \$1,500 back. Letters would then be sent for a period of time that the City would try to follow up on enforcement. The homeowner will still be required to put their yard in after they lose the \$1,500.

Dayna also questioned, in the case of a sale where the yard had not been put in, would the new owners be held to the original ordinance. Chairman Brown said "yes" and he also mentioned that the owner is the one who is responsible to put the yard in, not a renter. The time begins once a person gets a certificate of occupancy on the dwelling unit on the lot.

The failure to comply process on page 14-2-5 was mentioned by Dennis Dunn as something the commissioners may want to read on their own.

Chairman Brown stated there are 3 proposed changes to the ordinance Ken brought in tonight:

1. Extend bond time from one year to eighteen months (in Section D-1)
2. Correct word "ot" to "lot" in two places

DAYNA HUGHES MADE A MOTION THAT WAS SECONDED BY DENNIS DUNN TO SET A PUBLIC HEARING ON DECEMBER 1, 2005 ON THE NEW PROPOSED LANDSCAPING ORDINANCE AMENDING SECTION 10-12-35 OF THE ELK RIDGE CITY CODE AND CREATING SECTIONS 10-14A-13 AND 10-14C-11. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (1) SCOTT PETERSEN, RUSS ADAMSON.

FOLLOW-UP AND MISCELLANEOUS DISCUSSION

1. Planning Commission Training Session

Chairman Brown reminded the commissioners of the upcoming training session on November 17th. Craig Bott, with Utah Local Governments Trust, who sponsors the Certified Citizen Planner Seminar, has agreed to come do some personal training with the Planning Commission of the City of Elk Ridge on the Roles and Responsibilities of the Planning Commission, and on coordinating with the City Council. He will train for about an hour and a half, prior to the Planning Commission Meeting on November 17, 2005 beginning at 6:00 p.m.

2. Certified Citizen Planner Seminar, Dec. 15-16, 2005

There will be a Certified Planner Seminar, sponsored by Utah Local Governments Trust at their facility in Salt Lake on December 15th and 16th. The City will pay for your registration and per diem. This is very worthwhile. All commissioners are encouraged to attend who have not already attended. Call Margaret if you would like to attend and she will register you and book your hotel reservation.

3. City Council Public Hearing on Miniature Horses

The City Council will hold a Public Hearing on the proposed Miniature Horse conditional use amendment on Tuesday, Nov. 22 at 6:00 p.m.

4. Upcoming Planning Commission Public Hearings

There will be three Public Hearings prior to the Planning Commission Meeting on Nov. 3rd regarding

1. Storm Drain Ordinance (Scot Bell)
2. Fencing Ordinance (Ken Young)
3. Circulation Element (Dennis Dunn)

PLANNING COMMISSION MEETING – 10-20-05

5. Questions on maximum PUD density allowed in new ordinance

Chad Christensen mentioned that in the PUD ordinance there is no stipulation as to the maximum density allowed per lot. Dennis Dunn remembered a cap being set on the density bonus which would disallow too high a density.

Chad mentioned that Mapleton's ordinance specifies more restrictions on high density housing and maybe we should discuss this further. He mentioned the more restrictions there are, the easier it is for the City. Chairman Brown felt if we get too restrictive it may scare away good developers. Ken Young mentioned that the PUD Ordinance has been passed by City Council. Gary Prestwich, City Councilor, in a meeting with Randy Young, asked Randy how small could he build and Randy answered that theoretically he could build on 8,000 sq. ft. Ken Young mentioned that we are requiring a large amount of open space so we have to be open to the fact that there will be some smaller lots.

Chairman Brown said he would have Margaret add PUD Density Restrictions in Code as an agenda item for the Nov. 3rd Planning Commission Meeting.

6. Public Hearings

Dayna Hughes felt that we need to improve our advertising for public hearings. She felt more citizens would come if they were aware of the hearings. She suggested publishing the public hearings in the newsletter and identifying the ones that involve hot issues.

Dayna asked that we also add as an agenda item for next meeting on how to better advertise public hearings. Chad suggested having a separate flyer in the newsletter just advertising the hearings.

Mel LeBaron questioned the necessity of having public hearings on the same issue in both the Planning Commission and the City Council. Chairman Brown stated that it is the law. Ken Young stated that since the Planning Commission has jurisdiction over zoning, public hearings are required at this level. Ken Young reiterated that ordinances and amendments in the General Plan require public hearings at the Planning Commission level, but not the City Council level.

7. One-word Vision Description for Elk Ridge

Mel LeBaron mentioned as he drove into Salem, the entrance sign reads "City of Peace". He asked what is our vision of what we might put on a similar sign for Elk Ridge. What is the concept we are trying to build here. Chairman Brown felt that the word "beauty" was what he hears the most. Dayna Hughes mentioned that most of what the Planning Commission does is to beautify the City – dealing with landscaping, keeping large animals on large lots, etc.

Dennis Dunn mentioned as he has canvassed Elk Ridge during his campaign, he got a feeling that the citizens do want a beautiful community. They want curb and gutter, street lighting, safe play places, not a community with weeds. Mel suggested we work at what we need to do to get a beautiful community

8. Grant Money

Chairman Brown mentioned the grants that Eagle Mountain has gotten to beautify their community. He said he almost wished we could pay someone to research out where these grants are and how to get them as the money is there. Our per capital income is high, but the high income is highly concentrated in about 6 people.

Mel LeBaron mentioned that we also have a high percentage of seniors and there is money available for seniors. He also mentioned we have a high percentage of families with children. There is money available for children.

He stated we need to get lined up with the available resources.

Dayna Hughes mentioned she is willing to look into grant writing. Mark Johnson suggested Dayna get in contact with Katie Taylor as she writes a lot of grants. Chairman Brown mentioned that "Our Town" in the Daily Herald talks about the grants Eagle Mountain has gotten. There are grants available for trails, fire depts., etc.

Dayna Hughes queried Dennis Dunn on his comment made at the last meeting on the Planning Commission being an ad hoc committee for the General Plan and a Planning Commission at the same time. He had stated that this is somewhat a conflict of interests that requires personal opinion, which we shouldn't have.

His comment was that a Planning Commission is a body of neutral individuals who protect the rights of people petitioning the exercise of property rights and the City's codes and laws. If we bring personal opinion into this we create an unfair situation whereby arbitrary and capricious decisions can be made and this can cause problems. In the old days the ethic guidelines were that you do not have a personal opinion and you follow the codes correctly. If there are adjustments to be made, there are adjustment boards who do that, or the City Council, who has the final say. Personal opinion is very important in an ad hoc committee. There they represent public interest. What the citizens desire and want. Our problem on a planning commission is when we do have personal opinion where do we draw the line on issues we should not have personal opinions on. There was some debate as to whether we should share our personal feelings on Planning Commission issues.

An ad hoc committee should bring their opinions to the Planning Commission and see where they work.

Dayna asked when we are changing code is it appropriate to have personal opinion? Dennis stated that our understanding of situations in the community allow us to know what part of certain equations will work. The check is the public hearing. When we finally come to a decision and make recommendation to the City Council they can then 1) accept, 2) reject or 3) modify.

Scot Bell questioned Ken Young, City Planner, whether commissioners are entitled to an opinion prior to drafting ordinances. Ken said when we are talking about something that is regulated by code, we have no right to an opinion. When we are talking about preliminary planning, we do have a right to an opinion.

Dennis Dunn and Scot Bell got involved in a discussion of past involvement with developers where personal opinion was possibly used to convince a developer to change his design, rather than just adherence to code.

Ken Young did not feel anything illegal occurred in this instance. We did not put contingencies on this developer. Suggestions were made and he was not held to follow them.

Chairman Brown suggested bringing some of these issues up at our training session on November 17th. He stated this will be a good time to listen and ask questions.

ADJOURNMENT

Chairman Brown adjourned the meeting at 8:50 pm.

A handwritten signature in blue ink, reading "Margaret Jackie". The signature is written in a cursive, flowing style.

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold Public Hearings on the following ordinance amendments on **Thursday, November 3, 2005, beginning at 7:00 p.m.** prior to the regularly scheduled Planning Commission meeting on **Thursday, November 3, 2005 beginning at 7:15 p.m.** at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT:

1. General Plan Amendment: Circulation Element of Elk Ridge City General Plan, South Hills Circulation Map
2. Zoning Ordinance Amendments: Providing for tennis courts, sport courts, batting cages, etc., Chapter 10-12-13, Fences, Walls and Hedges
3. Development and Construction Standards Amendment, Section 02.23- Storm Drainage

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular meeting on **Thursday, November 3, 2005 beginning at 7:30 p.m.** The meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT, at which time consideration will be given to the following:

- 7:00 P.M. **Public Hearing/South Hills Circulation Map**
Public Hearing on a proposed amendment to Elk Ridge General Plan, Circulation Element
- 7:10 P.M. **Public Hearing/Zoning Ordinance, Fences Walls and Hedges**
Public Hearing on a proposed amendment to Elk Ridge Zoning Ordinance Code, Chapter 10-12-13
- 7:20 P.M. **Public Hearing/Development and Construction Standards Amendment, Storm Drainage**
Public Hearing on a proposed amendment to Elk Ridge Development and Construction Standards, Section 02.23-Storm Drainage
- 7:00 P.M. **Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda
1. Approval of Minutes of Previous Meetings 10-20-05
 2. Planning Commission Member Vacancy
 3. City Council Meeting Update — Alvin Harward
 4. Possible PUD Density Restrictions
- Review and Discussion
 5. Public Hearings Advertising
- Review and Discussion
 6. Amendment to Lot Line Adjustment Code
- Review and Discussion — Ken Young
 7. Follow-up Assignments / Misc. Discussion

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 27th Day of October, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 27th Day of October, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING
November 3, 2005

PUBLIC HEARINGS:

Those present were:

Planning Commissioners: Ray Brown, Dayna Hughes, Russ Adamson, Scot Bell, Chad Christensen, Dennis Dunn, Scott Petersen

City Staff: Ken Young – City Planner, Alvin Harward – City Councilman, Margaret Leckie – Planning Commission Coordinator, Jeff Budge – City Engineer

Residents/Visitors: Anette Brigham

**Public Hearing for
Amending Circulation
Element of General Plan
- Maps**

**PUBLIC HEARING ON PROPOSED CIRCULATION MAP AMENDMENT TO
CIRCULATION ELEMENT OF GENERAL PLAN.**

This public hearing was held from 7:04 p.m. to 7:25 p.m. November 3, 2005 prior to the Planning Commission Meeting.

Chairman Brown opened the public hearing and invited comments from any interested parties. He asked those in attendance if there were any comments or questions. Dennis Dunn explained that these roads are proposed to be part of a general circulation map but will not be built unless the land is developed and the developer does not propose an acceptable alternative to the plan.

CIRCULATION ELEMENT OF GENERAL PLAN AMENDMENT DISCUSSION:

Ken Young had some discussion regarding the current street map in the Circulation Element. A gentleman recently purchased some property in Elk Ridge and has proposed altering one of the proposed main corridors on the current street map in the circulation plan. The current plan on page 3.17 of the General Plan shows the extension of North Loafer Drive as a major collector extending from where it now ends, northward into 112 South, which would take it right through this gentlemen's property. Ken has met with the Mayor and the new proposal is to end North Loafer Drive where it currently ends and have the north-south collector be an extension of Salem Hills from Gooseneast Drive (see map on file in tonight's Planning Commission meeting folder). He asked the Planning Commissioners for any concerns or ideas and suggested that they include this amendment with the one being currently proposed to the Circulation Element of the General Plan.

Dennis Dunn mentioned that a similar plan had been discussed about a year and a half ago, and this new proposal was probably acceptable.

FEE SCHEDULE DISCUSSION

Ken Young stated we needed to revise our existing fee structure and include in it a fee for amending the General Plan. Ken showed a current fee schedule and noted that there is not a fee in place for amending the General Plan. Both the Mayor and Ken felt the proposal by Cory Snyder to amend the street map in the General Plan was a good one, but there was a need to put in place a fee for such amendments as the City currently covers the engineering costs of such amendments. Ken passed out a document showing proposed fee increases that was prepared last February.

The fee schedule should be considered as an agenda item for the Planning Commission. Scot Bell suggested meeting with the City Engineer to recommend a realistic fee schedule.

The Public Hearing on the circulation element was declared closed at 7:25 p.m.

**Public Hearing for
Amending Zoning
Ordinance Regarding
Fences, Walls and
Hedges**

**PUBLIC HEARING ON PROPOSED AMENDMENT TO ZONING ORDINANCE CHAPTER
10-12-13 REGARDING FENCES, WALLS AND HEDGES PROVIDING FOR TENNIS
COURTS, SPORT COURTS, BATTING CAGES, ETC.**

This public hearing was held from 7:25 p.m. to 7:45 p.m. November 3, 2005 prior to the Planning Commission Meeting.

Chairman Brown opened the public hearing and invited comments from any interested parties. He asked those in attendance if there were any comments or questions. He reminded the commissioners that this issue came to our attention when City Planner, Ken Young, was called to assist a resident who wanted to make sure they complied with city ordinances as they added a sports court to their property. He realized the City had no ordinance providing regulations for installation of such an amenity. There were no ordinances governing heights of fences around sports courts, etc. The following points were discussed:

1. There was some discussion about the allowable heights for retaining walls but it was mentioned by

City Planner, Ken Young, that this was another issue not covered in this amendment that could be addressed at a later date. Scot Bell mentioned that this might be an issue if a fence for a sports court was put on top of a retaining wall.

2. Ken mentioned that the reason for having an enclosed sports court was to keep balls within the court. What we are looking at tonight is the ability to have a sports court with an 18 foot high enclosure so balls can be kept within the court.
3. The issue of lot size required for a sports court was brought up by Scott Petersen. After some discussion it was decided that if the setback requirements were met and there was still a large enough area for the desired sports court, then it could be built on whatever size lot would accommodate the setbacks.
4. There was some discussion if requirements might be made to make such fences aesthetically pleasing by Scot Bell. Councilman Harward told the commissioners to not try and put your sways on your neighbor as to how the fence should look and said he did not feel ordinances regarding how things should look were a good idea.
4. Some discussion among the commissioners ensued as to the fact that the setback might not be large enough for such a high fence. Ken Young suggested increasing the setback to 20 feet. Dennis Dunn mentioned that a bigger bumper zone (setback) gives room for better safety, room to make the yard look nice with such a high fence, and room to get equipment in.

The Commissioners agreed that with a 20 foot setback, the ordinance was acceptable. This new setback requirement would not affect the ability of Fitzgerald's to install their sports court.

The Public Hearing on the Fences, Walls and Hedges ordinance was declared closed at 8:00 p.m.

**Development and
Construction Standards
Amendment regarding
Storm Drainage**

**PUBLIC HEARING ON PROPOSED AMENDMENT TO THE DEVELOPMENT AND
CONSTRUCTION STANDARDS, SECTION 02.23 – STORM DRAINAGE.**

This public hearing was held from 7:45 p.m. to 7:58 p.m., November 3, 2005 prior to the Planning Commission Meeting.

Chairman Brown opened the public hearing and invited comments from any interested parties. He asked those in attendance if there were any comments or questions. He reminded the commissioners that several weeks had been spent coming up with necessary changes for proper collection and distribution of storm water. City Engineer, Jeff Budge from Aqua Engineering was in attendance to answer any questions.

Chairman Brown mentioned he had reviewed the new ordinance prior to tonight's meeting and it appeared that everything the commissioners had desired was included. There were no comments from the audience or the commissioners.

The public hearing was declared closed at 7:50

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, November 3, 2005, 8:00 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Ray Brown followed by the Pledge of Allegiance

ROLL CALL

Commissioners: Ray Brown, Dayna Hughes, Russ Adamson, Scot Bell, Chad Christensen, Dennis Dunn, Scott Petersen
Absent: Mel LeBaron
Others: Ken Young, City Planner
 Margaret Leckie, Planning Commission Coordinator
 Jeff Budge, Aqua Engineering
 Alvin Harward, City Councilman
Residents/Visitors: Anette Brigham

MOTIONS ON PUBLIC HEARINGS

General Plan Amending Map and Adding Map to Circulation Element

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOTT PETERSEN TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL AMENDING THE MAPS IN THE CIRCULATION ELEMENT OF THE GENERAL PLAN AS FOLLOWS:

1. ADDING A MAP SHOWING POSSIBLE FUTURE ROADS IN SOUTH ELK RIDGE UNDEVELOPED AREA
2. AMENDING STREET MAP ON PAGE 3.17 OF GENERAL PLAN TO REFLECT CHANGING FUTURE PROPOSED COLLECTOR FROM EXTENSION OF NORTH LOAFER DRIVE TO EXTENSION OF SALEM HILLS DRIVE NORTH TO CONNECT WITH 112 SOUTH IN SALEM.

VOTE: YES-ALL (7); NO-NONE (0), ABSENT (1) MEL LEBARON.

Zoning Ordinance Amendment to Fences, Walls and Hedges Section

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY DAYNA HUGHES TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THE AMENDMENT TO CHAPTER 10-12-13, FENCES, WALLS AND HEDGES, PROVIDING FOR TENNIS COURTS, SPORTS COURTS, BATTING CAGES, ETC. AS PROPOSED WITH ONE CHANGE, THAT BEING THAT THE REQUIRED SETBACK BE CHANGED FROM 10 FEET TO 20 FEET (SUBSECTION H-d). VOTE: YES-ALL (7); NO-NONE (0), ABSENT (1) MEL LEBARON.

Amendment to Development and Construction Standards, Section 02.23 – Storm Drainage

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY DENNIS DUNN TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THE AMENDED STORM DRAIN ORDINANCE INCLUDED IN TONIGHT'S MEETING PACKET, SECTION 02.23 TO THE DEVELOPMENT AND CONSTRUCTION STANDARDS. VOTE: YES-ALL (7); NO-NONE (0), ABSENT (1) MEL LEBARON.

Ken Young mentioned that the new state law does not require public hearings on the above amended code at the City Council level. As the Public Hearings have been held here, the only further requirement for these to become code is for these items to be discussed and approved at the City Council level.

NON-AGENDA ITEM: POSSIBLE OUTSIDE FUNDING FOR ELK RIDGE CITY PROJECTS - UDOT

Chairman Brown told the planners he went last week to a UDOT meeting with the Mayor. UDOT has an enhancement program where they have a certain amount of money to give communities for certain activities. The two areas that Elk Ridge might qualify for are:

1. Roads, Trails and Walkways
2. Main Street Beautification
(putting in amenities such as sidewalks, trees and lights for safety and enhancement of your main street).

The following points were discussed from this presentation:

- a. If when our City's proposed development takes place, a 108' wide street goes in, this might be an opportunity to continue the main street (Park Drive) with nice amenities. There is up to \$500,000 available in this fund.
- b. Last year UDOT gave back a million dollars to the federal government because they did not have enough applicants. The application for funding must be in the hands of UDOT by February of the year prior to the year funding is requested for. If you put in and for some reason you don't have enough money, they when you apply the next year you will go to the top of the list. When people cannot meet the financial requirements, UDOT may give you a partial amount of the money you request. This is not a grant; it is called a Transportation Enhancement Program".
- c. They do require 20% matching funds from the cities. ("hard"-cash; or "soft"-sweat equity type thing, such as clearing shrubs and weeds. They would assign a dollar amount to your work and apply it to the 20%).
- d. If we can tie in to an existing trail it enhances our ability to get the money. They do not fund sidewalks that you tie into. This is a problem with the proposed trail near the church. The UDOT representative said that what you do in that case is put a sign at each end of the sidewalk that says "slow moving pedestrian traffic", the trail will stop at one end and restart at the other end. As long as you have a sign that the trail is contiguous the signage will offset that.

- e. They want you to have a consultant who will work with you. Chairman Brown met a lady at the meeting who would qualify. She is an approved UDOT project engineer. She is with Jones and Demill Engineers.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING 10-06-05 and 10-20-05

Dayna Hughes reviewed the corrections to the October 6, 2005 minutes and found the corrections had all been made. As there were many corrections, the Commissioners had requested taking a look at the corrected minutes before they were approved.

The following mistakes were found in the minutes of October 20, 2005.

- a. Dayna Hughes found that on p.1, Item 2, 2nd sentence, change “they” to “the”
- b. Dayna Hughes found that on p.3, under FOLLOWUP, paragraph 1, change “sponsor” to “sponsors”
- c. Margaret Leckie noted that the date of the public hearing mentioned on p.3 in the 8th paragraph needed to be changed from December 5th to December 1st

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOT BELL, TO APPROVE THE MINUTES OF THE OCTOBER 6, 2005 MEETING AND THE MINUTES OF THE OCTOBER 20, 2005 PLANNING COMMISSION MEETING WITH THE CHANGES MENTIONED ABOVE. VOTE: YES-ALL (7); NO-NONE (0), ABSENT (1) MEL LEBARON.

2. PLANNING COMMISSION MEMBER VACANCY

Chairman Brown informed the commissioners that there have been two names presented to the City Council for consideration for Planning Commissioners. One is Robert Wright. Ray assumed he would accept the position and be approved by the Mayor. The other person is Shawn Elliot, who has made known that he would like to serve on the Planning Commission.

The City Councilmen discussed the possible upcoming changes after the election, and the need to fill Planning Commission positions. It was mentioned that Mel LeBaron might become a trainer to both the City Council and Planning Commission and resign from the Planning Commission at his discretion. Shawn Elliot is standing in the wings. Thus, there are two good people available.

Once the elections take place, the successful candidates will not begin their terms until January.

Dayna Hughes has been talking to another possible candidate for the Planning Commission but told her that the positions might be filled so she will keep her apprised of the situation.

3. CITY COUNCIL UPDATE – ALVIN HARWARD

Alvin Harward reported that amended ordinance requiring full-width streets was approved by the City Council. He mentioned that all the recommendations recently sent to the City Council were approved, except the Annexation, which is still under consideration. Chairman Brown mentioned that the City Council is not opposed to the annexation, but wants clarification on 2 or 3 items in the annexation agreement.

Ken Young said his understanding was that the main thing holding up the annexation agreement was the developer desiring a Special Improvement District (SID) be set up for the well, and the City not wanting to do that. He mentioned that there would be a meeting set up with the City Attorney and others once more detailed information was gathered on this issue.

Dayna Hughes asked Councilman Harward where the Miniature Horse issue stood. He responded that the public hearing has been set in the City Council for November 22, 2005.

4. POSSIBLE PUD DENSITY RESTRICTIONS

Chad Christensen asked that this item be put on the agenda due to a concern brought up by Councilman Gary Prestwich that with the way the PUD ordinance was written homes could be built on 8,000 sq. ft lots, and this seemed small for a building lot in our community. Chairman Brown mentioned that the answer is “yes”, but the caveat is that approval must first be given by the Planning Commission and City Council.

Chairman Brown doubts that the Planning Commission and City Council would approve building on an 8,000 sq. ft. lot. Chad mentioned that a row of town homes or twin homes could be proposed with given density bonuses. Chairman Brown mentioned that with the ordinances set up as they are if the benefits to the City were great enough the City Council and Planning Commission could approve it. He felt the ordinance as written was tight enough that unless it was a win-win situation it would not be approved.

Chairman Brown congratulated Chad Christensen on doing a good job in writing the ordinance. Scot Bell posed the question of the 25% open space required, did this include roads. Chairman Brown and Dennis Dunn concurred that the roads were subtracted out before the 25% open space was figured. Chad Christensen had talked to an engineer who said that a rough estimate of what percent of land in a development that is usually given up for roads is 10%. Ken Young had the figures Chad had prepared which showed the possible building density of 3.63 dwellings per acre.

Randy Young had proposed some very nice amenities in order to receive the density bonus including sidewalks, curb and gutter, lights and trees. The way the ordinance has been written should provide some benefits to the community, as well as the developer.

It was the consensus of the Planning Commission that no further verbiage needs to be added to the ordinance as the final approval of any development will be given to the Planning Commission and City Council

5. PUBLIC HEARING ADVERTISING

Upon further checking, Dayna Hughes found that the public hearings had been advertised in the Elk Ridge Bugle, the City newsletter. She said she could not think of a better way to advertise, as it is also posted in the window and is in the newspaper. Chairman Brown mentioned that the hearings are also advertised on the Elk Ridge City web page.

Russ Adamson asked about the option of putting up a sign at the city entrance. Dennis Dunn asked the City Attorney about public posting of different meetings. He asked about having a bulletin board at the entrance to town. The attorney said this was acceptable. Dayna Hughes suggested we have signs made that state "public hearing tonight" to be posted at 3 or 4 main entrances to the City.

Another idea, posed by Scot Bell, was to have residents register on the City website and leave their email addresses. Using these addresses, the City would send them information concerning City events, including meetings and public hearings. The newsletter could publish an article stating that "anyone interested in receiving current City meeting information as well as other City events, send your email address to the City, along with your next bill and you will receive automatic emails". Jim Nicolet has agreed to set this up for the City. Chairman Brown asked Scot Bell to talk to Jim Nicolet about this and report back at the next meeting.

Scott Petersen said he would have 4 signs made (about 18" x 24") that say "Public Hearing Tonight, for info: www.elkridgecity.org" as suggested by Dayna.

While on the topic of public hearings, Ken Young said that our code needs to be amended to meet the state codes, and once it does, most of the public hearings will take place at the planning commission level. Rather than put details on the sign, the City website or phone number could be posted for those desiring further information.

6. AMENDMENT TO LOT LINE ADJUSTMENT CODE

Ken Young mentioned that we have had a couple of Lot-line Applications processed recently. In the last year or so it was put in the code that the way to handle these applications is at the discretion of the Zoning Administrator. It is good to have the City Council and Planning Commission review the process because it brings up issues that might not otherwise be thought of. This review, however, is not now required by code.

This process is usually done quickly in-house. Ken recommended we go back to the review process involving the City Council and Planning Commission. He has added this verbiage to the attached amended ordinance describing the lot-line adjustment process. This verbiage requires a Technical Review Committee review prior to review by the Planning Commission and City Council. It also requires the adjustment be recorded at the County level. Ken Young said a Planning Commission public hearing needs to be set for amending this ordinance code. This process also needs to be added to the new proposed Fee Schedule.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOT BELL TO SET A PUBLIC HEARING REGARDING AMENDING THE LAND USE ORDINANCE, CHAPTER 10-12-37(F), LOT LINE ADJUSTMENTS, AS DISCUSSED ABOVE. VOTE: YES-ALL (7); NO-NONE (0), ABSENT (1) MEL LEBARON.

Ken Young will be in charge of tracking this motion.

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

1. **Upcoming Hearings, Resolution Meetings:**
 - a) The Miniature Horse Public Hearing in the City Council is set for November 22, 2005.
 - b) The Pigeon Ordinance is in the hands of Councilman Mark Johnson. He has suggested a registration fee per bird. Mark has met with some of the pigeon owners. He will come back to the City Council with a recommendation on how and where to keep pigeons in Elk Ridge.
 - c) Craig Bott will Train the Planning Commission Nov. 17th, 6 pm to 7:30 pm prior to next PC Meeting.
 - d) Storm Drainage ordinance amendment is to be considered for adoption by City Council November 22. Scot Bell should be there to answer question and possibly Jeff Budge, City Engineer.
2. **Seminar:** Chairman Brown mentioned there have been some changes in the Land Use Development and Management Act. On December 7th there will be a one day Seminar in Salt Lake City going over some of these changes.
3. **Grants and City Aid Funds:** Eagle Mountain has received many funds. Dayna Hughes could not find record in the Daily Herald of all these grants. She found nothing on community parks and trails. The grants they did get were administered by HUD. They are for entitlement communities with slums, which we are not. She questioned whether we should not go after this money, but go after the money Chairman Brown had mentioned that was available from UDOT. She posed several questions among which were:
 - a) Should we pursue free money from the Federal government rather than grants
 - b) If we are going after this money, what are our priorities (i.e. streetlights, trails, signage)? We should have a goal in mind before we decide what direction we are going in pursuing funds. She mentioned the City of Alpine had received a grant from the Department of Parks and Trails. They applied for \$46,000. We currently have money set aside for parks and trails but could use some matching funds.

Ken Young mentioned he has been involved in the Transportation Enhancement Grant application process and it does not need to be paid back. There are sometimes matching requirements. Chairman Brown checked his documentation and said what he was referring to were Federal Aid Packages. He gave his information to Dayna Hughes to review.

Scot Bell stated that we need to do all we can as we develop to get additional funding. Dennis Dunn felt we needed to look at all the possible opportunities and not limit ourselves to looking at just one type of funding aid.

Chairman Brown told Dayna we will consider these questions as an agenda item at an upcoming meeting.

4. **Secondary Water** was discussed. Chad Christensen questioned where the CUP proposal was at. The commissioners had looked at Salem's code requirements. This was given to the Mayor. Chairman Brown mentioned that on the proposed new development, capped lines for secondary water will be installed. The economic impact of installing secondary water in old Elk Ridge will be reviewed by the City. The Planning Commission had made a recommendation to the City Council to review CUP.

Chairman Brown asked Ken Young to review our City Code and see what ordinances we have that relate to secondary water. Scot Bell mentioned that Salem applied for Federal Government Aid and of the \$9 M cost, they received funding for \$5 M of that. He stated that we should do everything we can to have the Federal Government subsidize our community. He stated that we need to put our ordinances in place to make sure we qualify. Councilman Harward mentioned that the reason we haven't applied is it is cheaper for our City to use culinary water to water yards that put in a secondary water system. Scot Bell stated that this may not be the case in the future.

Ray Brown mentioned that when they met with Randy Young, developer, they did stipulate that secondary water capability must be a part of the new development. Chad Christensen stated that though he has verbally agreed to do this, we need to get secondary water requirements in our code.

Margaret was told to add as an agenda item for the next meeting, a review of secondary water requirements in our code.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 9:07 p.m.

Margaret Seckie

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular **Planning Commission Meeting on Thursday, November 17, 2005 beginning at 7:30 p.m., to be preceded by a Training Session by Craig Bott,** of the Utah Local Governments Trust. The **Training Session will take place at 6:00 p.m.** The Training Session and the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

6:00 P.M. **Training Session – Craig Bott**
 - Roles and Responsibilities of the Planning Commission

7:30 P.M. **Opening Remarks & Pledge of Allegiance**
 Roll Call
 Approval of Agenda

1. **Approval of Minutes of Previous Meetings 11-03-05**
2. **Planning Commission Member Vacancy**
3. **City Council Meeting Update — Alvin Harward**
4. **Follow-up Assignments / Misc. Discussion**
 - Agenda for December 1, 2005 Meeting

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 10th Day of November, 2005



Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 10th Day of November, 2005



Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

November 17, 2005

TRAINING SESSION 6:30 P.M.:

Craig Bott, attorney with Utah Local Governments Trust, manager of Member Services Department, responsible for training of government officials on liability and legal issues, trained the Planning Commissioners for about an hour and a half on topics including:

1. Litigation involving Land Use issues.
2. Basic questions to ask regarding decisions of Planning Commissioners:
 - is it legal - is it practical - is it moral
3. Making decisions based on zoning ordinances
4. Public Meetings – when required, legalities of advertising
5. City appellate authority

Mr. Bott will email the City office his presentation materials and attachments used during this training session. They will be included in the packet on file at the City for this Planning Commission Meeting. A copy will also be made available to the commissioners and the City Planner.

Those present for the training session were:

Planning Commissioners: Ray Brown, Dayna Hughes, Russ Adamson, Scot Bell, Chad Christensen, and Mel LeBaron

City Staff: Alvin Harward – City Councilman, Margaret Leckie – Planning Commission Coordinator,

Residents/Visitors: Shawn Eliot, Robert Wright.

The training session concluded at 7:30 p.m.

TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, December 1, 2005, 7:30 p.m., at 80 East Park Drive, Elk Ridge, Utah.

OPENING REMARKS & PLEDGE OF ALLEGIANCE

Raymond Brown welcomed the commissioners. He expressed appreciation for the work the Planning Commissioners have done while he has been Chairman; and to the City Councilmen who have attended to coordinate between the two bodies. He has been elected to the City Council and will no longer be a member of the Planning Commission in January of 2006. Dennis Dunn will also be leaving the commission at that time as he has been elected Elk Ridge City Mayor.

Robert Wright was welcomed. He has been approved as a Planning Commissioner and will begin his term in January when Dennis Dunn and Ray Brown leave the commission.

An opening prayer was given by Chad Christensen followed by the Pledge of Allegiance.

ROLL CALL

Commissioners: Ray Brown, Dayna Hughes, Russ Adamson, Scot Bell, Chad Christensen, Mel LeBaron

Absent: Dennis Dunn, Scott Petersen

Others: Margaret Leckie, Planning Commission Coordinator
Alvin Harward, City Councilman

Residents/Visitors: Robert Wright

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY RUSS ADAMSON, TO MAKE ALTERNATE PLANNING COMMISSION MEMBER, MEL LEBARON, A VOTING MEMBER FOR THIS MEETING. VOTE: YES-ALL (5); NO-NONE (0), ABSENT (2) DENNIS DUNN AND SCOTT PETERSEN.

Chairman Brown discussed with Mel LeBaron the importance of having an alternate member of the Planning Commission. Mel will speak with the Mayor and incoming Mayor to clarify what his desires are concerning serving on the Planning Commission.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING 11-03-05

The following corrections were noted for the November 3, 2005 Planning Commission meeting minutes:

1. Ray Brown p6, item 3b, last paragraph, change "on" to "one"
2. Dayna Hughes p6, item 4, change "Sot" to "Scot"
- p5, item 6, 2nd paragraph, change "that" to "the"

3. Chad Chrstensen
- p4, item 1, 1st paragraph, change “at” to “a”
 - p4, item 4, 1st paragraph, 2nd line, change “in” to “on”
 - p3, item b, change “UDO” to “UDOT”
 - p5, 1st paragraph, change “3.63%” to “3.63 dwelling units per acre”
 - same paragraph, change references to open space from 30 to 25

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY DAYNA HUGHES, TO APPROVE THE MINUTES OF THE NOVEMBER 3, 2005 MEETING WITH THE CHANGES MENTIONED ABOVE. VOTE: YES-ALL (5); NO- (1), ABSENT (2) DENNIS DUNN, SCOTT PETERSEN.

The “NO” vote was from Mel LeBaron, who abstained from voting on the approval of the minutes as he was not in attendance at the November 3rd Planning Commission meeting.

2. PLANNING COMMISSION MEMBER VACANCY

Robert Wright was in attendance and has agreed to be on the Planning Commission starting in January, after Dennis Dunn and Ray Brown leave the commission. He has been invited to attend the meetings until that time to familiarize himself with the issues.

3. CITY COUNCIL UPDATE – ALVIN HARWARD

The City Council Meeting, which would have taken place on Tuesday, November 8th was cancelled due to the City Election that took place that day.

There will be a meeting on November 22nd. Scot Bell will attend to represent the Planning Commission on the Storm Drain Ordinance amendment that evening, which will be voted on by the Council. The Miniature Horse Ordinance public hearing will also be held that evening and Ray Brown will attend to answer any questions on that issue. Also that evening, the Council will be considering the proposed map amendment to the Circulation Element of the General Plan.

4. FOLLOW-UP ASSIGNMENTS / MISC. DISCUSSION

Agenda items for December 1st Planning Commission Meeting:

- a. **Dayna Hughes was to discuss Prioritizing of Items for Funding Requests**, as she will not be in attendance at the December 1st or December 15th meetings, this was done this evening. The priorities were decided as follows
 1. UDOT Funds for Trails, Paths and Walkways – the applications for these funds are due in February.
Mary Rugg is in charge of Parks and Trails on the City Council. Dale Bigler is heading up a committee of 4 or 5 people on Parks and Trails. There are some funds set aside in the City budget for Parks and Trails which could apply towards our 20% required matching funds.
 2. Mainstreet Beautification (lights, curb and gutters, streets) – these funds will be helpful if we extend our main street as discussed in the proposed development following the proposed annexation.

Some discussion ensued as to which streets will be considered as part of the main street, and if it will have the same name all the way through. Both of these issues will be further clarified at a future Planning Commission meeting.

The options of calling the main street “Elk Ridge Drive” or “Park Drive” were discussed. These streets must be designated as the main street in order to get funding. Including Loafer Canyon as part of the main street was discussed. Scot Bell mentioned that the slope needed to be stabilized on one side of that street before it could be considered. If Loafer Canyon were considered as part of main street we might be able to get funding for the curb and gutter along that street.

Chairman Brown mentioned that we could get funding for next year through our application in February and go in the following year and apply for even more funds. He said he was told at the seminar he attended that the best way to obtain funding was apply for all desired at one time, and if you don’t get all the funds up front, apply for more the next year.

Chairman Brown clarified that the proposal that Dayna might make in February does not have to be cast in stone. Our minds can change as to which streets will be included as main street.

Funding will be requested for both items prioritized above. He suggested Dayna talk to UDOT about what will help the funding request get approved and determine whether it would be wise to hire a consultant to help draft the proposal.

- b. Scot Bell suggested adding a third priority, that being CUP. This is another item that would be desirable in upcoming development. He thought the application for matching funds for CUP (Central Utah Water Project – secondary water) was also due in February.

He mentioned that Salem has applied for and received CUP funding and is willing to share their experience in the application process with us. Mayor Randy Brailisford (mayor of Salem who applied) has offered this. Scot Bell will get the information from him.

Councilman Alvin Harward mentioned that it might be wise to first get the approval of City Council to pursue funding for secondary water as they may not desire this. They may not want to put it in. Councilman Harward said it will cost the city more even to get the matching funds, than it is worth. The comment was made that maybe 10 years from now it will be feasible. Scot Bell mentioned that there is a lot of grey area that we do not know about regarding how secondary water would be brought here, pressure problems, pumping problems, electricity problems.

Scot Bell felt that if we could ultimately get secondary water to the lower portion of Elk Ridge and have developers put in CUP lines in that lower area, it might take some pressure off the City's culinary water system, leaving more room for development. We may never economically develop CUP water for the upper part of Elk Ridge.

Randy Young has agreed to put in capped secondary water lines in his proposed development if the annexation is passed. We need to check our City code and see if there is any code requiring secondary water systems in new developments and consider amending the code if it does not.

Scot mentioned that we might forfeit some matching funds in the new development if we don't pursue these funds now. Councilman Harward mentioned that you cannot apply for these funds unless you have a program you are going to go with.

Chairman Brown suggested that we keep our options open and do some research on the issue. Councilman Harward stated that with the next presidential administration, these funds might not be available.

Dayna asked Margaret to put on the agenda for the January 5, 2006 meeting, Funding Requests.

Other items for the upcoming Planning Commission Meeting will be the Public Hearings for the Landscaping Ordinance Amendment and Lot Line Adjustment Amendment.

The requirements for Public Hearings at the City Council level on these two items needs to be discussed with City Planner, Ken Young and possibly the City attorney.

We need to get forms for the Commissioners to file recusatory statements for conflict of interest as mentioned by Craig Bott in the training session that preceded tonight's meeting.

There were no other suggested agenda items for the next meeting.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 8:25 p.m.

Margaret Leckie

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold Public Hearings on the following ordinance amendments to the Elk Ridge City Code on **Thursday, December 1, 2005, beginning at 7:00 p.m.** prior to the regularly scheduled Planning Commission meeting:

1. Zoning Ordinance Amendments to Elk Ridge City code providing for Landscaping Requirements.
2. Zoning Ordinance Amendments to Elk Ridge City code providing for regulating Lot Line Adjustments.

Notice is hereby given that the Elk Ridge Planning Commission will hold a regular **Planning Commission Meeting on Thursday, December 1, 2005 beginning at 7:30 p.m.**, the Planning Commission Meeting will take place at the Elk Ridge City Hall, 80 E. Park Dr., Elk Ridge, UT. During the meeting time consideration will be given to the following:

- 7:00 P.M. Public Hearing/Landscaping Ordinance**
Public Hearing on a proposed amendment to Elk Ridge City code regarding Landscaping requirements. Section 10-12-36 Of The Elk Ridge City Code Is amended and Sections 10-14A-13 and 10-14C-11 are created
- 7:10 P.M. Public Hearing/Lot Line Adjustments**
Public Hearing on a proposed amendment to Elk Ridge City Code regarding Zoning Ordinance Amendments: Providing for regulating Lot Line Adjustment: Chapter 10-12-37(F)
- 7:20 P.M. Opening Remarks & Pledge of Allegiance**
Roll Call
Approval of Agenda
1. **Approval of Minutes of Previous Meetings 11-17-05**
 2. **Motions on Public Hearings**
 3. **Zone Change from RR-1 to R-1 15,000 in Area 2 of Cloward Subdivision and Amendment to General Plan Land Use Map from RR-1 to R-1 15,000**
 4. **Secondary Water Requirement in City Code**
- Review and discussion – Ken Young
 5. **Amendment to City Fee Schedule**
- Review and discussion – Ken Young
 6. **Overall City Impact Fee Adjustment**
- Review and discussion – Ken Young
 7. **Follow-up and Misc. Discussion**
- Tracking List, Upcoming Agenda Items

ADJOURNMENT

*Handicap Access Upon Request. (48 hours notice)

Dated this 23rd Day of November, 2005


Planning Commission Coordinator

BY ORDER OF THE ELK RIDGE PLANNING COMMISSION

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge, hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah and delivered to each member of the Planning Commission on the 23rd Day of November, 2005


Planning Commission Coordinator

ELK RIDGE PLANNING COMMISSION MEETING

December 1, 2005

PUBLIC HEARINGS:

Those present were:

Planning Commissioners: Ray Brown, , Russ Adamson, Scot Bell, Dennis Dunn, Scott Petersen
City Staff: Ken Young – City Planner , Alvin Harward – City Councilman, Margaret Leckie – Planning Commission Coordinator
Residents/Visitors: Anette Brigham

Public Hearing Amending Landscaping Requirements in Elk Ridge City Code

PUBLIC HEARING ON PROPOSED AMENDMENT TO ELK RIDGE CITY CODE REGARDING LANDSCAPING REQUIREMENTS. THIS CODE AMENDS SECTION 10-14A- 13 AND CREATES SECTION 10-14C-11.

This public hearing was held from 7:05 p.m. to 7:40 p.m. December 1, 2005 prior to the Planning Commission Meeting.

Chairman Brown opened the public hearing and invited comments or questions from any interested parties. The following discussion ensued:

Commissioner Scott Petersen questioned the time-frame allowed to put in the required landscaping. He felt 18 months might be more time than needed. As he had missed a couple of meetings, the discussion that led to the decision was capsulized for him. Dayna Hughes had suggested the 18-month to allow residents the ability to work around the seasonal problems which become an issue in Elk Ridge in installing landscaping. There are also issues regarding difficult terrain in Elk Ridge that sometimes must be worked with.

1. Scott Petersen questioned what the penalty would be for non-compliance, except the \$1,500 bond. Scot Bell questioned what the motivation would be for getting landscaping in if a person exceeded the 18-month time-frame, didn't get his landscaping in, and lost his \$1,500 bond. Could they then wait an indefinite amount of time with no further penalty applied? It was decided that this would not be the normal situation.
2. The question of having a minimal standard required for the back yard was also discussed. Not wanting to take away from the individuality of residents as they put in their back yard was an issue here. The cost and availability of water was also discussed as an issue.
3. Scot Bell questioned whether something should be included in the ordinance regarding ground preparation prior to planting or seeding to make the ground better prepared to conserve water. He mentioned that the LDS Church has requirements such as "the top 6" of soil must have a certain prescribed amount of organic material". He felt this would be especially appropriate for a developer developing a large track of land.
4. Chairman Brown mentioned that the Landscaping Ordinance would help keep the City cleaner and sumps and drainage system freer from debris also.
5. There was some discussion of the 30% concrete limitation in the front yard and whether that might be too restrictive. Chairman Brown mentioned that this requirement was to allow percolation of moisture and prevent runoff from overburdening the City's storm drain systems. It was decided to leave the ordinance as it is and adjustments can be made at a later date if desired.

It was decided to recommend the amended ordinance and get it on the books so the City at least has some landscaping requirements and if the commissioners want to revisit some of the details at a later date, such as the time-frame required to get landscaping in; that can be done. The City Council also has the option of tweaking the amended ordinance before they pass it.

The Public Hearing on the proposed Landscape Code was declared closed at 7:40 p.m.

Public Hearing for Amending Code regarding Lot Line Adjustment Application Procedure

PUBLIC HEARING ON PROPOSED AMENDMENT TO ZONING ORDINANCE CHAPTER 10-12-37(F) REGARDING LOT LINE ADJUSTMENTS.

This public hearing was held from 7:40 p.m. to 7:50 p.m. December 1, 2005 prior to the Planning Commission Meeting.

Ken Young, City Planner, explained that his amendment has to do with the procedure that the City goes through in looking at lot line adjustments. In most instances there are issues involved that are very similar to creating a subdivision plat. It became apparent this year in doing some of these lot line adjustments that we were missing some steps by not having the detailed review that is required by other types of similar applications. It was felt that we should bring this in line with the other applications.

Chairman Brown opened the floor for discussion of the Lot Line Adjustment amendment to the City Code. Dennis Dunn had a question for Ken concerning the Brent Ashworth property. He said that the property was registered at the County as 2 pieces but this adjustment never came through the City. He questioned the frontage measurement on the two lots and the square footage and whether the lots were buildable. Ken Young stated that the frontage requirement was 120' and he did not feel this allowed for this type of subdivision. He felt it was a legal subdivision split. Ken Young did not think these 2 lots were buildable.

The public hearing on the Lot Line Adjustment amendment was declared closed at 7:50 p.m.

**TIME AND PLACE OF
PLANNING
COMMISSION
MEETING**

A regular meeting of the Elk Ridge Planning Commission was held on Thursday, December 1, 2005, at 7:55 p.m., at 80 East Park Drive, Elk Ridge, Utah.

**OPENING REMARKS
& PLEDGE OF
ALLEGIANCE**

Raymond Brown welcomed the commissioners. An opening prayer was given by Scott Petersen followed by the Pledge of Allegiance

ROLL CALL

Commissioners: Ray Brown, , Russ Adamson, Scot Bell, Dennis Dunn, Scott Petersen
Absent: Mel LeBaron, Dayna Hughes, Chad Christensen
Others: Ken Young, City Planner
Margaret Leckie, Planning Commission Coordinator
Alvin Harward, City Councilman
Residents/Visitors: Anette Brigham

**NON-AGENDA ITEM –
CANCELLATION OF
DECEMBER 15, 2005
PLANNING
COMMISSION
MEETING**

Chairman Brown polled the commissioners to see if it would be feasible, due to the holidays and a lack of pressing agenda items, to cancel the Elk Ridge City Planning Commission Meeting scheduled for December 15, 2005. As several of the commissioners were going to be out of town, and the meeting was in close proximity to the Christmas Holiday, the meeting was cancelled.

**1. APPROVAL OF
MINUTES OF
PREVIOUS MEETING
11-17-05**

There were no corrections to the minutes of the Planning Commission Meeting held on November 11, 2005. Chairman Brown did question whether Robert Wright had been approved by the Mayor and City Council to serve on the Planning Commission. Margaret Leckie mentioned that both he and Shawn Elliot have been approved for "future assignment" on the commission. They will start once Dennis Dunn and Ray Brown leave the commission to serve the City in their new positions.

Margaret mentioned that she had passed out to the commissioners this evening for their review, the City code regarding Planning Commissioners, alternates, terms of office, etc. This will be in the City office file in the packet for tonight's meeting.

A MOTION WAS MADE BY SCOT BELL AND SECONDED BY RUSS ADAMSON, TO APPROVE THE MINUTES OF THE NOVEMBER 17, 2005 MEETING. VOTE: YES (4); NO(1); ABSTAIN (1) SCOTT PETERSEN; ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

Scott Petersen abstained from voting as he was not present at the November 17 meeting.

2. MOTIONS ON PUBLIC HEARINGS

Public Hearing Amending Landscaping Requirements in Elk Ridge City Code

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY RUSS ADAMSON TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THE PROPOSED AMENDMENT TO ELK RIDGE CITY CODE REGARDING LANDSCAPING REQUIREMENTS. THIS CODE AMENDS SECTION 10-14A-13 AND CREATES SECTION 10-14C-11 OF THE ELK RIDGE CITY CODE. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

Public Hearing for Amending Code regarding Lot Line Adjustments

A MOTION WAS MADE BY SCOTT PETERSEN AND SECONDED BY DENNIS DUNN TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THE PROPOSED AMENDMENT TO ELK RIDGE CITY CODE CHANGING THE PROCEDURE FOR LOT LINE ADJUSTMENTS AS DESCRIBED IN THE ATTACHMENT TO TONIGHT'S MEETING – CHAPTER 10-12-37(F) OF THE ELK RIDGE CITY CODE. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

3. CLOWARD SUBDIVISION ZONE CHANGE – AMENDMENT TO LAND USE MAP

Ken Young explained that this portion of Burke Cloward's property is adjacent to and has similar considerations as the property the Planning Commission approved a zone change for from RR-1 to R-1 15,000 at the October 20th, 2005 Planning Commission Meeting. That was Area 1 and we are tonight considering Area 2 of the Cloward Subdivision.

The Planning Commissioners noticed that all lots were 15,000 sq. ft. or larger and had no concerns moving this forward for approval with Area 1 (Phase 1). Scot Bell did mention a concern that the City has not adopted a CUP policy and if this development is approved prior to this ordinance being passed, we thwart the ability of having the developer pay the cost of installing CUP ready lines. Ken Young said the recommendation was that we require subdivisions of 5 acres or more to install secondary water systems. He mentioned that right now we are not talking approval of the subdivision, we are just talking about a zone change. It was agreed that the CUP ordinance needs to be addressed before we approve any more subdivisions.

Russ Adamson questioned the ratio of 1/3 acre lots to 1/2 acre lots in the community. He mentioned that we do want 1/2 lot developments. Scot Bell mentioned that this currently falls under the Land Use Map recommendations.

Ken pointed out that we will be making a General Plan Amendment and the zone change. The previous amendment took into account Area 1 (considered at the Oct. 20, 2005 Planning Commission Meeting), but not Area 2. Area 2 is currently RR-1. The intention was that Area 2 and Area 1 were to be considered together as they are contiguous (except the church is between them).

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOT BELL TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THAT THE GENERAL PLAN LAND USE MAP BE AMENDED TO ACCOMMODATE AREA 1 AND AREA 2 OF THE CLOWARD SUBDIVISION AS R-1 15,000 RATHER THAN R-R-1. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

A MOTION WAS MADE BY DENNIS DUNN AND SECONDED BY SCOT BELL TO RECOMMEND FOR APPROVAL TO THE CITY COUNCIL THAT AREA 1 AND AREA 2 OF THE CLOWARD SUBDIVISION BE REZONED FROM R-R-1 TO R-1 15,000. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

4. SECONDARY WATER REQUIREMENTS

Ken Young, City Planner, looked through the Elk Ridge City code to find areas necessary to amend for requiring secondary water systems. He suggested the following:

1. Creating a new section in Section 8: Water and Sewer, entitled 8-1-20, which would now be the last chapter of that section. It would read as follows:

8-1-20. Secondary Water Service:

All lots within Planned Residential Developments, Planned Unit Developments and large scale residential development of at least five (5) acres in size shall be served by separate connections for a secondary irrigation water system.

2. To the list of minimum improvements in Sections 10-14A-9(C) and 10-14B-13(C) add the following:
 7. Secondary irrigation water system
3. Add the following to Section 10-15C-4(E):
 3. All lots within subdivisions of at least five (5) acres in size shall be served by separate connections for a secondary irrigation water system.

Chairman Brown questioned why we are only looking at 5-acre developments. He felt anything contiguous to an area that has secondary water systems should also have secondary water systems, otherwise when secondary water is available, the City will have to put it in. Scot Bell agreed that it should be mandatory for every lot.

Scot Bell mentioned that if there were a \$12.00 flat charge for secondary water and there is secondary water available, residents would be using less culinary water and the water rates could conceivably go down. The more we can do to incorporate secondary water, the more benefit it will be to all the community, regardless of the fact that everyone will not be using secondary water.

After some discussion on who should be required to have preliminary installation at time of development for secondary water the following, as quoted from Ken Young, was decided:

All lots within residential development shall be served by separate connections for secondary water systems. The City Council may approve an exception to this requirement in certain areas and development where the installation of a secondary water system may not be deemed practical or feasible in the foreseeable future.

There was some discussion what would happen if secondary water is ever possible in areas that are not set up for secondary water and secondary water does become available in that area. Alvin Harward mentioned that if the City makes an exception, and the opportunity for connecting to secondary water becomes available to that lot, a bond can be approved and the owner can pay his portion at the current cost and then connect at that price.

A MOTION WAS MADE BY RAY BROWN AND SECONDED BY SCOTT PETERSEN TO RECOMMEND TO THE CITY COUNCIL THAT THE ABOVE STATED REQUIREMENT THAT ALL LOTS WITHIN RESIDENTIAL DEVELOPMENT SHALL BE REQUIRED TO INSTALL DRY SECONDARY WATER SYSTEMS WITH EXCEPTIONS TO BE GRANTED BY THE CITY COUNCIL, BE ADDED TO THE CITY CODE . VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

5. AMENDMENT TO CITY FEE SCHEDULE

Ken Young explained that this item has to do with application fees collected by the City for various office services. This would include all development-type applications that come in, proposals to amend the General Plan, change zoning, etc. Ken passed out a chart (to be found on file in the City office with tonight's meeting packet) that showed a comparison of fees charged by four nearby cities (Payson, Cedar Hills, Mapleton and Orem). He suggested that the City could pick up some needed revenue by bringing our fees more in line with what is being charged by other Cities.

The zone ordinance change has been set at \$500 and many residents have questioned why that is so high. It is hard to justify, so in that case the recommendation is that that fee be lowered. Burke Cloward would have been required to pay that fee as part of his zone change request. As no fee was in place for changes made to the General Plan (Land Use Map) the City could not charge him.

Scot Bell asked if our charges cover services Aqua Engineering is doing as a necessary part of many of these requests, such as preparing new Land Use Maps when zone changes are granted. Ken responded that that is something we need to look further into. He stated that we could base the fees specifically on what we get charged by Aqua and others. Some communities do this but in some cases it throws you out of the ballpark of what is average and normal for Cities to charge for these fees.

If the process is more laborious and painful than normal, Scot Bell suggested adding an hourly charge. Ken mentioned that additional fees are already in place.

He mentioned that the fees shown here are what is due the city and perhaps we should show what is due the engineer. Our applications have two boxes and show both. What we are adjusting here is just what is due the City. Right now we collect two amounts (one for the City, one for the engineer), but in one check.

Chairman Brown asked for feedback from Scott Petersen and Alvin Harward who recently went through processes that required City fees. There were no complaints other than Alvin did not feel the residents should pay so much for a Concept Plan. Ken Young mentioned that some Cities do not even have a requirement for Concept Plans. Chairman Brown stated he felt the City should recupe their expenses but should not be making a lot of money on these fees.

Ken mentioned that we can adjust engineering fees without going through the Planning Commission and City Council process.

Chairman Brown suggested letting the City Council work through any adjustments or modifications to the proposed fee schedule.

RAY BROWN MADE A MOTION THAT WAS SECONDED BY SCOTT PETERSEN TO RECOMMEND THE AMENDED FEE SCHEDULE AS PRESENTED BY KEN YOUNG FOR APPROVAL OR MODIFCATION TO THE CITY COUNCIL. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

6. OVERALL CITY IMPACT FEE ADJUSTMENT

Ken Young mentioned he had spoken with Jeff Budge today to get the most recent update of where they are at with the Impact Fee Study. Jeff is the City Engineer contracted from Aqua Engineering. Ken had understood that Aqua had been given authorization and directed to go forward with an analysis of all City impact fees. What Jeff understood was that Aqua was contracted only to do the sewer impact fee analysis. Nothing to do with roads or parks, etc. Ken was going to contact the Mayor to see what he felt.

What Jeff Budge suggested and Ken agreed, was that when Jeff went to the City Council Meeting on December 13th to give his progress report, he can talk with them about this. If he received an indication that night that they should go forward with a study on the other impact fees, they would be happy to do that.

Chairman Brown felt we might miss the boat on the new developments coming in if we do not get a Road Impact Fee requirement in place in our code. We missed the opportunity to get road impact fees from Rocky Mountain and a couple of other developments. The road impact fee issue was looked at over a year ago. Road impact fees from five local cities were looked at and they ranged from \$800 to \$1500. Some were temporary fees. Dennis mentioned that these temporary fees were assessed to building going on and stopped when the necessary money was gathered for the improvements

Scott Petersen expressed his philosophy on detailed studies that take a lot of time and money. He felt it was more important to get things about right, on time and under budget. Don't worry about getting it perfect because it never is. Many times if you ask for a cursory study you get just as good a number as you would with a full-scale, more costly, analysis. He felt when we are assessing road impact fees, we should just look at what other Cities are charging, and make the change. Dennis Dunn mentioned that this is how the commission started the assessment and most other Cities had temporary fees. Chairman Brown felt even if we set a low road impact fee and get something in place to help reimburse for the cost of road repair, etc., then these costs won't come out of the general City budget.

CHAIRMAN BROWN MADE A RECOMMENDATION THAT WAS SECONDED BY SCOT BELL THAT THE CITY COUNCIL REVIEW A CITY ROAD IMPACT FEE REQUIREMENT ISSUE. VOTE: YES-ALL (5), NO-NONE (0), ABSENT (3) DAYNA HUGHES, CHAD CHRISTENSEN, MEL LEBARON.

Scot Bell will be in charge of tracking that motion.

10. FOLLOW-UP ASSIGNMENTS / MISC. DISCUSSION

1. **Training by Craig Bott at November 17, 2005 Planning Commission Meeting:** It was decided that it would be worthwhile to have similar training sessions for the commissioners twice a year.
2. **City Council Report:** (forgot to put as a regular agenda item)
Councilman Alvin Harward mentioned that the City Council has praised the Planning

Commission for their efforts. The proposals made that came before the City Council at the last meeting and results are as follows:

- a. Miniature Horse Ordinance – did not pass
- b. Fencing Ordinance allowing for sports courts – Public Hearing set for Dec. 13th
- c. Amended Circulation Map in General Plan – approved.
- d. Amended Storm Drain Ordinance – approved.

3. **Fencing Ordinance:** Scott Petersen received a phone call from a private citizen with a concern about the proposed Fencing Ordinance allowing for sports courts, batting cages, etc. A consideration came up in the conversation that merited discussion. If the fence is next to a side road can the setback be 10 feet rather than 20 feet? Ken Young mentioned that he had just spoken to Lari Fitzgerald regarding this same issue. The location they have planned for their sports court on the street side is not 20 feet from the street. The 20 foot setback was in consideration of neighbors, which would not be an issue on the street side. Ken has made a recommendation to the City Council that the 20 foot setback only apply to adjoining property and that the streetside setback be left at 10 feet.

Scot Bell questioned whether the 10 foot setback would cause problems by obscuring sight as people turned corners. Dennis Dunn mentioned some similar problems in Elk Ridge where residents have trees planted on the corner that obscure view. It was decided to discuss this at a later date.

4. Chairman Brown asked that his assignment to **Stoney River Falls Annexation (Page Farms – Crockatt Annexation)** be transferred from himself to Chad Christensen.
5. **Trails Funding Requests.** Chairman Brown told the commissioners that Mayor Elect Dennis Dunn, Commissioner Dayna Hughes and he have been meeting to put together a funding request to UDOT. Dayna has put in a lot of work. Ray talked to the UDOT Regional 3 Director today and told him what we are trying to do. He is going to send us a letter of support. He feels this is a worthy project and if we follow the guidelines it has a good possibility of being approved. The City hopes to receive \$500,000 in the first of five phases. Dayna has a short time-frame for preparing this application and is working hard on this request. If we don't get the funding this year, we know what to do for next year. The deadline is February 1st 2006, and Dennis mentioned we are required on the application to have a public hearing on the funding request. Chairman Brown mentioned they are meeting again with Dayna on December 6th. Chairman Brown mentioned we may need help from the City Council as we may need to hire an engineer to help with the application process. Dennis mentioned that the cost of the engineer would be considered as part of our 20% matching requirement. They want us to use DOTs labor and construction materials. Dennis is lining up a state councilor to mentor them in the application process.
6. **CUP Application.** Scot Bell told the commissioners that he contacted CUP as requested in reference to filing for application. He visited with Randy Brailsford, CUP Trustee, a couple of weeks ago and he indicated that if we would set a date they would come up with their mentors and their outline, teach us and show us how to make application to the Federal Government for the two-to-one funding on CUP. In order for us to meet the deadline the preliminary filing must be done by February. The finalized filing has to be done the following month. Randy felt that if we were proactive in pursuing the application it can be done. All interested in CUP from the Council and the Commission are invited and there is no charge.

Chairman Brown stated that Scot needs to talk with Alvin Harward, City Councilman in charge of water issues. Alvin stated that it has been discussed in City Council and unless the City is going to go forward with secondary water there is not a lot of reason to go forward with the application as you must show you are going to do this or are doing it.

Dennis Dunn mentioned that he had been to a South County Mayor's meeting a few weeks ago and Randy Brailsford was the MC and gave a statement on the status of CUP. He said that there is a possible future culinary water treatment plant to be built at the mouth of Spanish Fork Canyon. He is not sure what the details on that are. Dennis felt this was still a long ways down the road.

7. **Thanks to Planning Commission from Chairman Brown** were extended as this was his last meeting before taking his position on the City Council. He felt we have all had the best interests of the community at heart and he will miss the group. He has enjoyed the experience. He felt the

Planning Commission and the City Council have come closer together. The Mayor at the last City Council Meeting complimented the Planning Commission on their work. Chairman Brown also expressed his appreciation to alternate member, Mel LeBaron on his willingness to serve on the Commission.

Scott Petersen mentioned that the commissioners would be remiss if we didn't, as Planning Commission Members, express gratitude to Chairman Brown and Dennis Dunn for their work. He told them what a pleasure it has been to work with them.

Dennis Dunn also expressed his appreciation and stated how much he has seen the Planning Commission mature. He appreciated the sacrifice of time. He encouraged the members of the commission to take advantage of the training available.

ADJOURNMENT

Chairman Ray Brown adjourned the meeting at 9:00 p.m.



