

CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, January 12, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Conditional Use Permit - Accessory Apartment *see attachment*

PLANNING COMMISSION ACTION ITEMS

2. Parkview Corner Preliminary & Final Plat Approval*see attachment*
3. Approval of Nov. 17, 2016 Minutes.....*see attachment*

PLANNING COMMISSION BUSINESS

4. Create a One Year Plan for Updating General Plan *see attachment*

CITY BUSINESS

5. City Council Update
6. Other Business

Adjournment

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, the 29th day of January, 2017 and delivered to each member of the Planning Commission on the 9th day of January 2017.

Planning Commission Coordinator: *Lana Oliver* Date: 9th day of January 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **January 12, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, January
6 12th, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* David Clark, Jim Chase, Bruce Thorpe, Jared Barton, Jared Peterson

10 *Absent:* Stacey Petersen, Lisa Phillips, Colin Logue (Alternate),

11 *Others:* Royce Swensen City Controller

12 Dale Bigler, City Council

13 Laura Oliver, Planning Commission Coordinator

14 *Public:* Curtis Thomas, Nicole Thomas, Jim Rawle, Joann Bigler

15
16 **OPENING ITEMS**

17 David Clark welcomed at 7:00 PM. Opening remarks were said by Jim Chase followed by the pledge
18 of allegiance.

19
20 **JARED PETERSON MOTIONED AND JIM CHASE SECONDED APPROVAL OF**
21 **AGENDA. VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) STACEY**
22 **PETERSEN, LISA PHILLIPS, COLIN LOGUE (ALTERNATE).**

23
24 **PUBLIC HEARING AND ACTION**

25 **1. CONDITIONAL USE PERMIT - ACCESSORY APARTMENT**

26 Jared Peterson – Jared explained that the home is under construction right now. Jared explained that he had
27 asked Stacey if he could meet with the applicants and talk to them about the one concern he had, which
28 was the driveway. Jared met with Jim Rawle, the applicant, earlier. The home is on a corner lot and faces
29 south. The driveway comes in from the south. The home owner would like a driveway from the east so that
30 they could walk straight into the apartment. Jim, the homeowner, had 2 proposals, either a circular
31 driveway or a flat driveway. Jared did not see a problem with either one. The grades and everything are
32 good. Jared suggested that Jim Rawle sketch up what they would like to do so that a plan was locked in.

33 Bruce Thorpe – The application did say something about a possible exception to the code and asked for
34 clarification on what that exception was.

35 Curtis Thomas, the homeowner – Clarified that there is a provision in the code about corner lots and
36 having a driveway off the other street from the one that your main driveway is on. Curtis wanted to point
37 that out to make sure that wasn't a problem. His home is not a corner lot but on a loop.

38 Bruce Thorpe – He did not see a problem just as long as the Planning Commission went over the code issue if
39 there was one.

40 Shay Stark, City Planner – The issue that the Planning Commission needs to address with this, beyond meeting
41 the basic code requirements and the building and safety requirements with egress and such, there needs to
42 be 2 parking spaces available that are off-street. The other driveway provides that. The biggest issue is
43 emergency services being able to know where they need to go to access it, if they get a call from this
44 apartment. There are 2 things that will need to happen 1). Clearly addressing the apartment. Emergency
45 services is going to go to the address which is along the front facing south. There will need to be some way
46 for emergency services to be able to see that address on the house and to know that they will need to go
47 around back. Elk Ridge has other accessory apartments that have the same situation. It is not a big deal but

the city needs to make sure that the address is clear. 2). There needs to be a sidewalk between the front and apartment door so that there is a clear hard service route. Shay does not see these as impediments but need to be clearly spelled out on the plans.

David Clark – Asked if the Planning Commission had any comments before the matter was opened up for public comment.

DAVID CLARK OPENED THE MEETING FOR PUBLIC COMMENT.

Curtis Thomas – Asked how the addressing of the apartment will work and who does that.

Shay Stark, City Planner – The city will provide that address once you have received the approval on the accessory apartment. It will be the same number as the home, typically a B is added. The address would typically be placed on the corner of the house where the sidewalk is going back to the apartment.

Curtis Thomas – We do have a three car garage as part of the house which meets the requirement of the off-street parking.

Shay Stark, City Planner – You can use one of the stalls plus the area right in front of the garage as the second stall.

Curtis Thomas – The other driveway was just for convenience to access the accessory apartment.

Shay Stark, City Planner – Whichever way you would like to do it would work, the Planning Commission just needs to have it designated on the plan so there is no question in the future regarding the street parking being provided.

Bruce Thorpe – The address on the application is a Springville address and asked for clarification that the applicant is the homeowner and clarification, for future reference, that the applicant has to be the homeowner and resident.

Shay Stark, City Planner – This is a new construction. The homeowner is the applicant. A conditional permit has to be submitted by the owner of the property. In order to maintain an accessory apartment, the homeowner has to be living in the home.

David Clark – Asked if there were any other comments.

David Clark – The public hearing is now closed.

Shay Stark, City Planner – A vote cannot be taken tonight since the public hearing was not advertised. The notices were sent out but it was not advertised. The comments taken tonight will stay on record and another public hearing will be held January 26, 2017.

Jared Peterson – Jared suggested that the applicant define the design of the driveway, sidewalk and address of the apartment number to be on the house, in the meantime. The applicant can draw it on top of the application.

Shay Stark, City Planner – Yes. It can just be written on the application and turned in.

Jared Barton – Does the applicant need to provide evidence that they are the actual contractors with the builder?

Shay Stark, City Planner – We have not done this in the past with new home construction. The only person that is going to come in on a new home is the person that is going to be purchasing that home. On existing properties Shay does actually look at the Utah County Recorder Land Record to see if the applicant is the home owner. If Shay sees that the applicant is not the homeowner then he asks the question.

Bruce Thorpe – Asked once the Planning Commission gets the drawing of the plans and if there is an exception that needs to be made for the code what is the process for getting that done.

Shay Stark, City Planner – Conditional use is not saying that the Planning Commission is allowing exceptions. The idea of a conditional use is that the city recognizes that there is something out of the ordinary that is going into this zone, so the Planning Commission looks at it a little closer than just the blanket codes that

are generalized and if there is any mitigation that needs to occur to be able to make it so that it fits in. Then the Planning Commission determines what that mitigation may be.

Bruce Thorpe – Right now, in the current plan, there is no variance that needs to be addressed. Bruce thought in the write up of the application that it said something to that effect.

Shay Stark, City Planner – The way it is handle here Shay does not think that the Planning Commission needs to go through and request a variance. If the Planning Commission has to go through that process then it would be going to City Council for approval. That issue is coming from a matter that the Planning Commission will be dealing with shortly regarding a lot that was approved, that should not have been approved. The home is on a cul-de-sac and the angle of the lot does not meet the setbacks. The owner has been trying to build on this lot for years. The revision of the setbacks now may allow the property to be built. An exception will be needed on this lot. The driveway will have to be placed on the road off to the side of the home instead of the front of the home. The issue goes back to emergency services being able to find the correct location.

2. PARKVIEW CORNER PRELIMINARY AND FINAL PLAT APPROVAL.

David Clark turned the time over to Shay Stark, City Planner

Shay Stark, City Planner – Park View Corner was on the agenda on October 27, 2016 for preliminary approval. Shay was not present at that meeting. Since there are no dedication of roads or streets and the developer didn't have to put in sewer and water in the streets, just making service connections, the Planning Commission can do a preliminary and final approval together. Typically in preliminary the Planning Commission does not look so much at the engineering issues other than an overall generic look; are the roads going to work, is the sewer going to flow downhill. When the Planning Commission gets to the final, once they are vested with the lots and the configuration at the preliminary, then the Planning Commission looks specifically at the engineering issues; what do the grades have to look like, how is this going to be built. That is where the Planning Commission is with Parkview Corner.

The Planning Commission had some questions which the city and city engineers looked at quite extensively. The first issue is the street. Apparently, a resident attending the planning commission meeting who lives on Columbus, was on the Planning Commission when the senior housing was previously approved on this property. Many years ago senior housing was originally approved then everything fell apart financially, so the developer never moved on it. That approval expired. If a developer does not act on the development for a year after getting final approval, the application expires. When an application expires the city is on a clean slate again. The terms and conditions of that approval no longer apply to that property. At the time of the original development the Planning Commission was concerned with the configuration of Elk Ridge Drive. Particularly, making the left hand turn onto Park Drive., which is something that the city has discussed for several years now and looked at how to handle that. There is a bend in Elk Ridge Drive (shown on overhead projector). The city would prefer to have the extra road width taken on the east side, so that the city can straighten the road through the intersection. If the city can have a straight 90 degree "T" intersection, where everyone is coming into it, opposing at 90 degrees, that is the safest alignment. That is preferable to cars coming into the intersection at angles. What the city is addressing is the additional width that will be needed for the left hand turn lane will be taken from the other (west) side of the road. Park Side Cove that is on the other side of the street, is set up based on this plan.

Stacey Petersen joined the meeting at this time.

Another piece of the puzzle is that there is a trail, on the trail master plan, that comes up through here. The city was taking that trail from the west side and going through the roundabout, and then kicking it to the

east side only to turn around further up the road and basically accessing forest land and other areas on the west side. As the city went through the grant process, it was presented to city council with the trail being on that west side. There is a subdivision in review with city staff called Gladstan Estates. It is further south on the west side of the road. As part of this project the city had the developer develop the trail on the west side of the road. The same people have purchased the rest of the land down along the golf course and are coming back with a new proposal extending the development the full length. If everything looks good with the development and it all works out, there will be a long section of that trail constructed and the city will have to figure out how to make the tie in from the homes south of the Brown's house down to the roundabout. If the city can get that figured out then the city will have a trail almost all the way to 11200 in place.

Bruce Thorpe – Asked if the developer has allowed for the road modifications.

Shay Stark, City Planner – Confirmed that the developer had allowed for the road modification. This has been part of the discussions right up front.

Bruce Thorpe – Asked if this is part of the same group or somewhat related, that has proposed the 4 lots in Park View Corner.

Shay Stark, City Planner – They are related. There is one person that is representing all the owners. Shay Stark clarified that the parties had entered an agreement to purchase the land down along the golf course and have not yet purchased the property.

Jared Barton – Asked for clarification as to if the Planning Commission approves the subdivision as it stands with the jog in the road, and the Gladstan development falls through, when would the road actually get fixed.

Shay Stark, City Planner – The city doesn't need the road fixed yet. If the development falls through the street will still go through with in the right of way. (since the meeting the right-of-way width has been checked again and is currently the correct 66 foot width)

Bruce Thorpe – Asked for confirmation that if the city did it without the developer would that cost the city money to take advantage of the right way, but if the city does it through a developer the developer pays for it.

Shay Stark, City Planner - Yes, if development comes along and can do it for the city, the city should put itself in that position. The other thing that the city has done is these improvements are part of the capital facilities plan, so a portion of that cost is paid for by impact fees if the developer doesn't pay for that upfront. The city has tried to position itself advantageously. If the land along and above the golf course does not get developed for many years and the city gets to a point it has enough traffic up above that, the city will need that left hand turn, However, the other thing that the city is noticing is the people that are coming down the closed portion of Hillside Drive. That is taking pressure off of this intersection, which the city knew it would. When the closed section of Hillside Drive, which almost completed, opens up there is no reason for the traffic to come down past the city office any more. The pressure for the left hand turn will go away and in reality is several years out from really being needed. But if a developer comes in and provides the city the opportunity to get this completed without having to pay for it, then the city needs to do it.

The other concern the Planning Commission had was the issue of drainage. There was concern about water running down Park Dr. and across Columbus and down through the north side of a drive away and flooding the Park View Corner lots. The city has looked at this and there are a few interesting points. It is not the developer's property that is causing the problem. The city should have required drainage when this area was developed. Curb and Gutter was put in further down the road. There is no major erosion or drainage that has cut through this property that shows flooding.

Jim Chase – There is a natural drain through lot 3.

David Clark – If you look at Google Earth you can see where the water pools up.

Shay Stark, City Planner – There is some drainage that runs through here but Shay does not see evidence of flooding or erosion in the property. There is a natural depression there that catches everything. The question is what is the developer's responsibility?

David Clark – There isn't any. The developer doesn't have any responsibility here.

Shay Stark, City Planner – Basically the developer is aware of the possibility and he doesn't want the people that purchase the lots to have any problems with this and has agreed to put stipulations on these lots to build the homes up out of the ground higher than they normally would to make sure that any water would run off and away from the homes, as they would on any lot. Also the developer will put in a berm along the back of the lots, if needed.

David Clark – Asked if that will make the water go back into the existing homes.

Jared Peterson – Right where that curb is coming around that corner there might be a concentrate of water.

Shay Stark, City Planner – Out in the street, where the new curb and gutter is, they will dig across the undeveloped area, and go back towards that lot so it will catch the water that is coming down the street. That addresses the water that stays on the street and runs down. The public concerns and comments in the public records were concerns about flooding on this person's lot; this person being one of the people that choose not to pay for curb and gutter in the front of their lot.

Stacey Petersen – Commented that the city should do a land swap between the developer and the corner lot and have him run the curb and gutter all the way around and meet up with the other one and just be done.

Bruce Thorpe – Wondered if you put a berm in the back side of these new lots, is it really going to make water puddle back into that corner lot.

Shay Stark, City Planner – Federal law says that if you have a piece of property you cannot allow any more water to run off that property then would naturally run off that property in its predevelopment state.

If there is runoff off this property, in civil court, the person up above is the one responsible for it.

David Clark – That is what the Planning Commission said in the last planning commission meeting.

Shay Stark, City Planner – If someone chooses to put a berm along the back side of their property to protect themselves and that causes water to run down across this other property (which problem it is supposed to be addressing) he should probably have the berm on his side of the fence. From a legal stand point the developer is not required to do anything up above. Another item is that the developer of this property did say that if the city wanted to pay for and or work something out, he would be willing to work something out.

Dale Bigler, City Council – That was discussed and one of the options is the city putting in a drain from the storm drain fund. A lot of the water will be eliminated as Parkside Cove comes in.

Shay Stark, City Planner – Asked Royce if there was any water run-off from the park, next to the city office.

Royce – He is unaware of any run off.

Shay Stark, City Planner – With what the developer has shown in the plans, the road and the gutter will all be aligned to work. All the issues have been addressed through the TRC and through city engineer and city staff.

Jared Peterson – Asked for confirmation that the city is good with the development plans.

Shay Stark, City Planner – Confirmed that the city is good with the Parkview Corner development plans

David Clark – Asked if there were any further comments or questions.

**JIM CHASE MOTIONS TO APPROVE THE PARKVIEW CORNER RESIDENTIAL
SUBDIVISION PRELIMINARY AND FINAL PLANS SHOWINGN ON JULY 20, 2016
PRINTOUTS. STACEY PETERSEN SECONDS THE MOTION. VOTE: YES ALL (6), NO -
NONE, ABSENT – (2) LISA PHILLIPS AND COLIN LOGUE,**

3. Approve Minutes of November 17, 2016 Meeting

David Clark – Next item Approval of the November 17, 2016 minutes.

Bruce Thorpe – He did not see anything of substance that needed to be changed.

Stacey Petersen – It looked good.

David Clark – Everything looked good.

Jared Peterson – He was not at the meeting for the minutes that were approved and confirmed that he abstained from the votes on those approvals.

Bruce Thorpe – Clarified that the minutes showed he had abstained.

STACEY PETERSEN MOTIONS TO APPROVE MINUTES OF NOVEMBER 17, 2016 MEETING AS WRITTEN. BRUCE THORPE SECONDED THE MOTION YES ALL (6), NO- NONE, ABSENT – (2) LISA PHILLIPS, COLIN LOGUE (ALTERNATE).

PLANNING COMMISSION BUSINESS

CREATE A ONE YEAR PLAN FOR UPDATING THE GENERAL PLAN DISCUSSION

Shay Stark, City Planner – Proposed a plan on updating the General Plan. Shay Stark, City Planner's proposal is to have a public hearing on February 23 for public input. The Planning Commission will then cover the General Plan one chapter at a time, along with the comments made from the City Council. The chapters would span a 3 meeting schedule, 1st- read chapter, 2nd- comment and proposal, 3rd - review revised chapter. The City Council is scheduling council members to attend Planning Commission meetings so that they can communicate the thoughts of the City Council if asked. Worst case scenario would be to hold a public hearing in a joint work session December 12 or 14th with the Planning Commission and the City Council, January 25, 2018 present final document for Planning Commission approval and February 13, 2018 present final document for City Council approval. Best Case scenario City Council approval December 12, 2017.

Discussion Ensued

The Planning Commission expressed that they would like to update the General Plan with a more aggressive time line. The Planning Commission would like to use the city's general survey and the parks and trails survey data. The Planning Commission members also will look at other similar communities General Plan and will do so on their own.

4. CITY COUNCIL UPDATE

Dale Bigler, City Council, - The South Valley Trails is recommending trails be widened to 5 foot to make them wheelchair friendly.

Shay Stark, City Planner – The Planning Commission will have this on the next Planning Commission meeting

Dale Bigler, City Council, – One the items that will need to be updated on the General Plan is the trail system.

Discussion on trails and sidewalks ensued.

5. OTHER BUSINESS

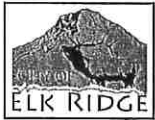
Nothing to Report

JIM CHASE MOTIONED TO ADJOURN THE MEETING

ADJOURNMENT – meeting adjourned at 7:50 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

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NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, January 26, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Conditional Use Permit - Accessory Apartment *see attachment*
2. Approval of January 12, 2017 Minutes *see attachment*

PLANNING COMMISSION DISCUSSION

3. General Plan Intro, Community Vision and Land Use *see attachment*

CITY BUSINESS

4. City Council Update
5. Other Business
Accessory Building- Height Requirement

Adjournment

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, the 25th day of January, 2017 and delivered to each member of the Planning Commission on the 25th day of January 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 25th day of January 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **January 26, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, January
6 26th, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* David Clark, Jim Chase, Bruce Thorpe, Jared Barton, Jared Peterson

10 *Absent:* Stacey Petersen

11 *Others:* Royce Swensen City Controller

12 Dale Bigler, City Council

13 Laura Oliver, Planning Commission Coordinator

14 *Public:* Curtis Thomas, Jim Rawle, Joann Bigler

15
16 **OPENING ITEMS**

17
18 **JARED BARTON MOTIONS THAT JARED PETERSON CO CHAIRS UNTIL DAVID CLARK**
19 **ARRIVES. BRUCE THORPE SECONDS THE MOTION VOTE: YES - ALL (4), NO – NONE (0),**
20 **ABSENT DAVE CLARK, STACEY PETERSEN.**

21
22 Jared Petersen welcomed at 7:10 PM. Opening remarks were said by Jim Chase followed by the pledge of
23 allegiance.

24
25 **JIM CHASE MOTIONS TO OPEN THE MEETING AT 7:08 PM. JARED BARTON SECONDS**
26 **THE MOTION. YES - ALL (4), NO – NONE (0), ABSENT, DAVID CLARK, STACEY PETERSEN**

27
28 Dave Clark enters meeting.

29
30 **BRUCE THORPE MOTIONED TO APPROVE THE AGENDA. JIM CHASE**
31 **SECONDED. VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) STACEY PETERSEN**

32
33 **PUBLIC HEARING AND ACTION**

34 **1. CONDITIONAL USE PERMIT - ACCESSORY APARTMENT**

35 David Clark – Asked if all of the Planning Commission members had a chance to review the copy of the plans,
36 submitted by the homeowner. The plans include the driveway, sidewalk and where the apartment number
37 will be fixed on the front of the home.

38 Shay Stark, City Planner – There was a public hearing on this accessory apartment on January 12th. The public
39 hearing was not advertised in the paper, although the neighboring homes had been notified. This is a
40 follow-up of that meeting.

41
42 **DAVID CLARK OPENED THE MEETING FOR PUBLIC COMMENT.**

43
44 The public comments from January 12, 2017 carry forward to this public hearing.

45
46 **DAVID CLARK CLOSED THE PUBLIC HEARING**

47 Bruce Thorpe – Confirmed with Shay Stark, City Planner that he had reviewed the diagram and that they are in
48 compliance with all city codes and requirements.

49 Shay Stark, City Planner – Confirmed that the home owners are in compliance. The Planning Commission had
50 asked the home owners to add the sidewalk around that side of the house and to designate the parking.
51 They have parking for 2 vehicles for the apartment also.

Jared Peterson – The address for the apartment is on the side of the home where the apartment is instead of the front of the house.

Shay Stark, City Planner – Confirmed that the apartment number has to be on the front of the home.

Curtis Thomas: Homeowner – He will move the apartment number to the front of the home.

David Clark – Asked if there were any further comments.

JARED PETERSON MOTIONS TO APPROVE THE CONDITIONAL USE PERMIT FOR THE ACCESSORY APARTMENT WITH THE EXCEPTION OF THE ADJUSTMENT OF THE APARTMENT NUMBER TO THE FRONT OF THE HOUSE. BRUCE THORPE SECONDS THE MOTION VOTE: YES - ALL (5), NO – NONE (0), ABSENT, STACEY PETERSEN.

2. APPROVE MINUTES OF JANUARY 12, 2017 MEETING

Bruce Thorpe – There are a couple items that Bruce needed clarified on regarding statements made by Shay Stark. Bruce asked Shay Stark, City Planner to clarify lines 135 and 163.

Shay Stark, City Planner – Will meet with Laura, Planning Commission coordinator and clarify the language regarding the left hand turning lane on Elk Ridge Drive and the right of way.

BRUCE THORPE MOTIONS TO APPROVE MINUTES OF JANUARY 12, 2017 MEETING WITH EXCEPTIONS AS NOTED. LINE 135 AND 163 WILL BE CLARIFIED BY SHAY STARK, CITY PLANNER WITH PLANNING COMMISSIONER COORDINATOR LAURA OLIVER. JIM CHASE SECONDED THE MOTION YES ALL (5), NO- NONE, ABSENT, STACEY PETERSEN

PLANNING COMMISSION BUSINESS

GENERAL PLAN INTRO, COMMUNITY VISION AND LAND USE

David Clark – Confirmed that all Planning Commission members has a copy of the General Plan.

Bruce Thorpe – Asked if the General Plan had changed in the last year.

Shay Stark, City Planner – Shay Stark sent the General Plan that they are to use. The General Plan was updated in 2014 Transportation and the Housing section. What the Planning Commission is covering tonight has not been changed from the 2010 General Plan found online.

Tonight the Planning Commission is covering the Intro and Community Vision and possibly Land Use. There are terms which need to be noted that do not fit Elk Ridge, as it is seen today, such as agricultural and commercial. Shay Stark recommended that the Planning Commission go through the 2016 survey and the park survey that were sent to them previously.

Discussion ensued on the demographics and shifts of the population from pre 2010 (during economic downturn) and today.

Bruce Thorpe -Read the first three lines of the General Plan Intro. There were several comments on the language.

Points that were discussed:

Remove the words that do not fit the city such as economic/commercial, if, at all costs, agricultural, etc.

Open space- what is it – natural/wild - park- maintained

Set up key words driving the General Plan

Rearranging areas so that same items are together.

The General Plan should reflect the citizens view of the city

Planning Commission needs to review the General Plan and the other documents (surveys, older versions of the General Plan) and comment at home so that everyone is prepared to move the process along quicker.

Start with the state law – legislative authority

Zoning/Land Use map are the most powerful part of the General Plan.

Minimize exceptions. If the code and the General Plan are in agreement the conflicts could be minimized.

Discussion ensued on how to be more efficient in gathering comments from the City Council and the Planning Commission to avoid the back and forth and rehashing the same information. A Google Drive (Google Docs) page will be created. The sections being discussed will be uploaded to the page online for all Planning Committee members and City Council can comment. Comments can be made without changing the actual document.

Jared Barton – Jared volunteered to set up the Google Drive page and send out invitations to Planning Committee members and City Council.

Shay Stark, City Planner – Will send Jared Barton the information formatted for the online page.

4. CITY COUNCIL UPDATE

No City Council updates

5. OTHER BUSINESS

ACCESSORY BUILDING HEIGHT REQUIREMENT, CLARIFICATION

Shay Stark, City Planner – The Planning Commission amended the accessory building code. What is the Planning Commission interpretation of the following line” In the accessory building is not to exceed 30 feet in height from the lowest part of the structure which is the bottom of the lowest sill plate or top the main floor nearest ground level, whichever is lower to the highest point of the roof. A maximum of 30 feet tall for the structure. In addition, the accessory building maximum height shall not exceed the maximum height of the principle building. The question is: if there is a house on a hill and the ground slopes down and I want to build a garage for the RV below the house (down the slope), can the RV garage be 30 feet in height?

What is the Planning Commission’s interpretation?

Jared Peterson – He was not here when the accessory building code was amended, but being in the construction industry, Jared would interpret that as someone could build the RV garage 30 feet in height.

Jim Chase – Clarification: The accessory building maximum height as found in 10-12-5-F of the city code. The second part of the code was put in place to protect older neighborhoods mostly in the southern end of town which are made up of single story homes with low pitch (4:12-5:12) roofs. These homes generally have a total height of 13-15 feet. If someone were to build a large 30 foot high accessory building (shed) behind one of these homes, it would not fit in with the aesthetics of the neighborhood. This tall building would be an eyesore to the neighbors. If the code were only to state the maximum height of 30 feet these tall buildings could be built. To prevent this the second part of the paragraph of the code was added stating the accessory building could not be taller than the home (principal building), thus maintaining the aesthetics of the neighborhood.

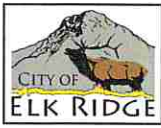
And yes there will be those requests that since the accessory building is being built on lower ground they should be allowed to make the accessory building taller, as high as the top of the roof line (same elevation) of the home. There will be other types of requests as well; and special requests sought after, but it is only 6 inches taller, etc. The code is as stated. It is not expected that a code can be written to cover every unique scenario. That is why there is a variance process in the code if one chooses to use it.

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MEETING WAS ADJOURN AT 9:00 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, February 9, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Approval of January 26, 2017 Minutes *see attachment*
2. Nomination and Voting for Planning Commission Chair and Co-Chair

PLANNING COMMISSION DISCUSSION

3. General Plan Intro and Community Vision
 - Survey Reports

CITY BUSINESS

4. City Council Update
5. Other Business

Adjournment

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, the 8th day of February, 2017 and delivered to each member of the Planning Commission on the 8th day of February 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 8th day of February 2017

ELK RIDGE PLANNING COMMISSION

February 9, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, February 9th, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Stacey Petersen, Jim Chase, Bruce Thorpe, Jared Barton, Jared Peterson

Absent: David Clark

Others: Royce Swensen City Controller

Brittany Thompson, City Council

Laura Oliver, Planning Commission Coordinator

Public:

OPENING ITEMS

Stacey Petersen welcomed at 7:00 PM. Opening remarks were said by Jared Peterson followed by the pledge of allegiance.

BRUCE THORPE MOTIONED TO APPROVE THE AGENDA. JIM CHASE SECONDED. APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) DAVID CLARK

PUBLIC HEARING AND ACTION

1. APPROVAL OF JANUARY 26, 2017 MINUTES

Jim Chase – Accessory Building Code Clarification: Line 133-134 be clarified by adding “cannot be higher than the primary building or not over than 30 feet.

JARED PETERSON MOTIONS TO APPROVE MINUTES OF JANUARY 26, 2017 MEETING WITH THE CLARIFICATION ON ASSESSORY BUILDING CODE. BRUCE THORPE SECONDED THE MOTION. APPROVED - VOTE: YES ALL (5), NO- NONE, ABSENT, DAVID CLARK

2. NOMINATION AND VOTING FOR PLANNING COMMISSION CHAIR AND CO-CHAIR

Stacey Petersen – Stacey is in the process of adopting a little boy from Latvia and will not have the time needed for the next year to be Chair. She does want to continue to be on the Planning Commission. Stacey asked the Planning Commission members if there were any nominations.

Jared Peterson – Asked if one could volunteer for the chair position.

Stacey Petersen – Said that a Planning Commission member could volunteer.

Stacey Petersen – Nominated Jared Peterson for Planning Commission Chair.

Bruce Thorpe – Thought David Clark would enjoy the chair position.

Jim Chase – Prefers not be nominated because he spends a lot of time writing code already.

Bruce Thorpe – Would like to see David Clark as co-chair.

Stacey Petersen – Asked for any other nominations.

Jim Chase – The Bylaws state that the chair is appointed.

Jared Peterson – The city code states that the position is nominated by the Commission

Jim Chase – The bylaws need to be changed. All Planning Commission members were in agreement

Jared Barton – Asked if David Clark wanted to be the chair

Jared Peterson – David had told Jared that he did not want to be chair.

51 Stacey Petersen – Asked if the Planning Commission was ready to vote. All agreed.

52
53 **STACEY PETERSEN MOTIONS THAT JARED PETERSON BE APPROVED**
54 **AS PLANNING COMMISSION CHAIR AND DAVID CLARK BE APPROVED**
55 **AS PLANNING COMMISSION CO CHAIR. JARED BARTON SECONDED**
56 **THE MOTION. APPROVED - VOTE: YES ALL (5), NO- NONE, ABSENT,**
57 **DAVID CLARK**

58
59 **PLANNING COMMISSION DISCUSSION**

60
61 **GENERAL PLAN INTRO AND COMMUNITY VISION - SURVEY REPORTS**

62 Stacey Petersen – Turned the time over to Jared Barton for his report on the city survey from 2014 and the
63 Parks and Trails Survey.

64 Jared Barton – Trending and population is younger now than 10 years ago. There is a huge desire for parks and
65 groomed, longer trails. The biggest reason people move here is to get away from things. There are
66 conflicting results in the data regarding commercial/economic development, but in his opinion, the
67 conflicting data is due to how the question was asked. In studying the surveys, Jared found that there are 3
68 main areas the Planning Commission needs to address in the General Plan

69 1). The roads: over 40% of the survey results showed people are not happy with the road system for
70 various reasons: upkeep, shape and design of the road, the roundabout. The roundabout was not even
71 built at the time of the surveys but there were some who knew it was coming.

72 2). Parks

73 Those are 2 biggest things that the Planning Commission needs to focus on. No one really reads the
74 General Plan.

75 Stacey Petersen – The General Plan is read when building a home.

76 Jared Barton – Elk Ridge is going to continue to grow. The General Plan needs to take into account
77 that growth for the next five years. The Planning Commission needs to update the General
78 Plan as a guiding principle to the code to avoid making exceptions to the code that do not
79 match the General Plan. That way the vision of the city, in the General Plan, is followed and
80 the reasons people move here stay in place.

81
82 The Planning Commission needs to also take security in to account. Are the parks and trails
83 safe? The number one thing people said they want, in the parks survey, is a splash pad.
84 Does the Planning Commission want to plan for a younger demographic or an older more
85 settled demographic? Budget has to be kept in the forefront when planning for amenities.

86 Stacey Petersen – There are grants for Splash Pads. The city would have to show a higher need for
87 that than other cities. If you get a grant for a splash pad, that land has to be used for that
88 purpose for the rest of its life.

89 Brittany Thompson – Agreed highly with Jared that the budget has to be kept in mind. The city
90 gets many request for amenities but no one wants their taxes to go up.

91 Jared Barton – Would like to see the city do an annual survey so that data can be compiled to look
92 at trends in the population in order to make the best decisions.

93
94 Discussion ensued on types of parks, demographics, and budgets.

95
96 Jared Petersen – The General Plan has a lot of fluff. It is supposed to be based on land use. The
97 individuals that come to the public hearing on the General Plan most likely will bring up

issues that do not pertain to the General Plan. It is important that the Planning Commission work together with the City Council to update the General Plan and for everyone to be able to make their comments on the Google Docs page.

Stacey Petersen – An opening statement at the beginning of next weeks' Public Meeting on the General Plan, may help in the public's understanding that this meeting it is not a time to complain about services rendered, or taxes or snow plowing and the cost of water.

Jared Peterson – The Planning Commission will take one section at time, reviewing, editing and approving each section, as Shay Stark, scheduled out previously. There is a lot of information in the current General Plan that needs to be edited out since Elk Ridge has very little commercial/economics and there is no agriculture.

Bruce Thorpe – The 2007 survey is 1000% correct. Bruce thinks that everyone South of Goosenest feels the way they have always felt. They don't want commercial. They want open spaces, quiet, rural mountain based community. Asked if the neighborhoods north of Goosenest, in the new neighborhoods, feel the same way.

Jared Barton – The further south one goes, the more support there is for commercial because they are further away from the commercial zones.

Jared Peterson – The Planning Commission is the first stop for developers and the only way for the General Plan to have teeth is if it is written correctly and the Planning Commission enforces it. The Planning Commission needs to accurately reflect what the city wants.

Stacey Petersen – Confirmed that the Planning Commission members were ready for public hearing next week.

4. CITY COUNCIL UPDATE

No City Council updates

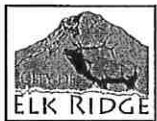
5. OTHER BUSINESS

No other business

JARED BARTON MOTIONED AND JARED PETERSON SECONDS TO ADJOURN THE MEETING.

ADJOURNMENT – meeting adjourned at 7:50 pm


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, February 23, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING

1. General Plan

PLANNING COMMISSION DISCUSSION

2. General Plan Intro and Community Vision

CITY BUSINESS

3. City Council Update
4. Other Business

Adjournment

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, the 21th day of February, 2017 and delivered to each member of the Planning Commission on the 21th day of February 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 21th day of February
2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **February 23, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday,
6 February 23rd, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, David Clark, Jim Chase, Bruce Thorpe, Jared Barton

10 *Absent:* Stacey Petersen

11 *Others:* Mayor Ellis, Royce Swensen City Controller

12 Brittany Thompson, City Council

13 Laura Oliver, Planning Commission Coordinator

14 *Public:* Ben Ewell

15
16 **OPENING ITEMS**

17
18 Jared Peterson welcomed at 7:00 PM. Opening remarks were said by David Clark followed by the pledge of
19 allegiance.

20
21 **BRUCE THORPE MOTIONED TO APPROVE THE AGENDA. DAVID CLARK**
22 **SECONDED. APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1)**
23 **STACEY PETERSEN**

24
25 **PUBLIC HEARING**

26 **GENERAL PLAN**

27 Jared Peterson – The General Plan concentrates on the land use in Elk Ridge. We are going to start updating
28 the General Plan and listening to comments, searching the survey results and updating /modifying the
29 General Plan accordingly.

30
31 Jared Petersen opens the Public Hearing

32
33 Ben Ewell – Moved in 3 or 4 weeks ago on Gooseneast Drive. He wanted to know about the commercial
34 property right across from him. He moved away from Spanish Fork due to apartments that were being built
35 around his home and the commercial properties that were being built in the area. He has never been to a
36 public meeting and didn't know how to go about voicing his opinion regarding this property and what he
37 can do about it. He is concerned that an unsightly building will be built across from him. He feels like a lot
38 of people come to Elk Ridge for this reason

39 Jared Peterson - There are three property owners in that area. Lee Haskell is planning on doing a mixed use
40 development.

41 Shay Stark, City Planner – This property has been zoned commercial since Elk Ridge has been an incorporated
42 city. That vested right for commercial has been there for a long period of time. Lee Haskell built the
43 Assisted Living Center and he would like ultimately to expand that. The city is reviewing a preliminary
44 plan submitted by Lee Haskell. It hasn't gotten to the point of public hearing. The city code supports mixed
45 use, residential on top with commercial on the ground floor. Lee Haskell, Developer, has children that live
46 in the area and is very conscientious of how it will look. As of right now there are 4 buildings planned.

47
48 When the development comes before the Planning Commission it will be posted in the paper for 10 days
49 prior and you will receive a notice in the mail of the meeting. He recommended and encouraged Mr. Ewell
50 come to the meeting and public hearings and voice his opinion. The building plans are public record.

Shay asked Mr. Ewell what he liked about the community and if there was anything he would change.

Ben Ewell – He loves the pace of the community, it is residential, and the rural feel. He would rather it be higher scale. He moved up here to raise his kids in an area where he doesn't have to worry about them going outside. He does not want commercial to be built near him and is afraid it will lower the value of his home.

Shay Stark, City Planner – Lee Haskell is looking at a phased approach. Starting at the south and moving north, if the commercial property is viable.

Jared Peterson – Asked if there was any further public comment.

Jared Peterson Closed the Public Hearing

Jared Barton brought the Google Docs document up on the overhead projector.

Jared Peterson – Is glad to see that a lot of the comments on the document had removed a lot of the extra adjectives and making it more concise.

Historical Setting – (Some but not all changes) Changes to Historical Setting: Update 2010 Census Update and 2015 projections are needed. Removed language regarding Lewis Field, at all cost, and to possibly move and incorporate the, edited, last paragraph (below) as part of the Vision Statement:

The history of the residents of Elk Ridge has always been that of a people whose priority is to live in a place where the quality of their environment must at all costs include clean air, open space, and quiet and peaceful surroundings. It is a place nestled at the base of Mount Loafer with a panoramic view found nowhere else in Utah County.

Jared Peterson – Believes that it is good to put a little bit of historical information in the General Plan. Planning Commission member were in agreement.

Shay Stark, City Planner – Part of the idea of putting the historical setting in is to set up a back drop of where the city has come from so that one can have a vision of where it is going. It has been a bedroom community. As people look it down the road they can understand where the city got to be where it is.

Jared Barton – Should the history be first?

Jim Chase – The history helps set the vision.

Shay Stark, City Planner – We need to stress in this historical setting that it is a bedroom community, created as a bedroom community and has remained a bedroom community.

Discussion ensued on what should be first: Historical, What is a General Plan and Why, Legislative Authority. As well as the Planning Commission schedule of the updating the General Plan.

Legislative Authority – Shay will update that legislative authority with the state code.

What is the General Plan

Shay Stark, City Planner – There are minor changes here. The words economic and commercial, growth, development need to stay minimal.

Add: Growth that is consistent with the overall character of the community.

Remove redundant sentence: As a guide, it is important that the recommendations contained in this document are followed by the policy and decision making organizations. Also remove "if followed" and "such and streets"

Elements of the Plan – Remove entire section as it restates what the General Plan is. Make a Table of Contents

Shay Stark, City Planner – Read what the state code states the General Code must include: Land Use, Transportation, and Moderate Income Housing. These 3 items are required. Annexation does not have to be in the General Plan. Update the maps for annexation matters in the future.

Jared Peterson – These 3 major topics are the chapters. Asked the Planning Commission members if they wanted to add any other chapters.

Jared Barton – Keep in a Parks and Trails section. Bruce Thorpe and Jim Chase agreed that Parks and Trails remain a section.

Discussion ensued on Economic/Commercial section – Address it in land use. Move Annexation to land use also.

Community Vision – Everything ties back to the vision and the General Plan supports the vision. Discussion ensued as to the wording of “small, rural”. A rough, working draft is as follows.

“To be a small, rural city that blends into our natural surroundings. A dark sky community, one that includes well-planned parks, trails and open space areas that creates a family oriented and friendly community, and is a great place to live and that fosters a positive civic identity.”

Jared Peterson – Suggested that the City Council look at the Vision Statement and send suggestions to the Planning Commission, which Planning Commission members thought to be a good idea.

Mayor Ellis – Asked what the Planning Commission wants the City Council to do: write a draft as a group or send individual suggestions to the Planning Commission?

Jared Peterson – Confirmed with Mayor Ellis that the City Council send individual suggestions on the Vision Statement. The Planning Commission will think about the vision statement and will come back to it along with the suggestions from the City Council, in the near future

Goals – Address in their perspective sections

Jared Barton – Asked about having checklists for items or planned projects.

Shay Stark, City Planner – There are several ways this can be done. This can help in grant writing or legal issues if the city is able to refer to the General Plan.

Jared Peterson – We will begin Land Use next Planning Commission meeting.

CITY COUNCIL UPDATE

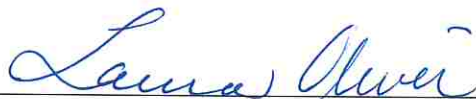
No City Council updates

OTHER BUSINESS

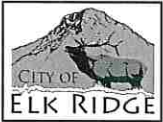
No other business

JARED BARTON MOTIONED AND JIM CHASE SECONDS TO ADJOURN THE MEETING.

ADJOURNMENT – meeting adjourned at 8:40 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, March 9, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING

1. Premier Point Preliminary Plat Amendment Approval.....see attachments
2. Premier Point Phase 2 Final Plat Approvalsee attachments
3. Haskell Corner Commercial Development Preliminary Plat Approvalsee attachments

PLANNING COMMISSION ACTION ITEMS

4. Approval of February 9, 2017 Minutessee attachments
5. Approval of February 23, 2017 Minutes.see attachments

PLANNING COMMISSION DISCUSSION

6. Five Foot Wide Sidewalks
7. General Plan - Land Use

CITY BUSINESS

8. City Council Update
9. Other Business

Adjournment

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, the 8th day of March, 2017 and delivered to each member of the Planning Commission on the 8th day of March 2017.

Planning Commission Coordinator:
March 2017



Date: 8th day of

1 **ELK RIDGE PLANNING COMMISSION**

2 **March 09, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, March
6 9, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Stacey Petersen, Jim Chase, Bruce Thorpe, Jared Barton

10 *Absent:* David Clark

11 *Others:* Royce Swensen City Controller

12 Laura Oliver, Planning Commission Coordinator

13 *Public:* Colton Peterson, Leighton Polumbo, Chris and Tanya Benard Brook Ewell, Mark
14 Elsworth, Brian Parrish, Lee Haskell, Developer,

15
16 **OPENING ITEMS**

17
18 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Colton Peterson followed by the
19 pledge of allegiance.

20
21 **JARED BARTON MOTIONED TO APPROVE THE AGENDA. BRUCE THORPE SECONDED.**
22 **APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) DAVID CLARK**

23
24 **PUBLIC HEARING AND ACTION**

25 **PREMIER POINT PRELIMINARY PLAT AMENDMENT APPROVAL**

26 Shay Stark, City Planner – Explained that Premier Point Preliminary Plat was amended due to the lot reduction
27 on the cul-de-sac. A large chunk of land was sold off and no longer requires the cul-de-sac to go further
28 back into the property. The City recently updated the city code regarding cul-de-sacs to a maximum of 16
29 homes on a cul-de-sac. The plans now have only 7 homes on the cul-de-sac. Also, there was stub road off
30 to the side for a potential future street for the Armstrong's property to the east. The Armstrong's have since
31 sold part of that property that included the house and barns. The way the street was aligned, it doesn't
32 make sense to have the stub any longer. It would require the new owner to have to have the street
33 developed partially on his property and the fields that the Armstrong's own. Originally, they had thought to
34 push this road through for a future development, which is not very likely.
35 The last thing that is changed is the phasing of the development. Phase 2, which the Planning Commission
36 will consider in a few moments, will be developed now and Phase 3 will be developed next, which
37 different than previously planned.

38
39 **JARED PETERSON OPENED THE PUBLIC HEARING.**

40 **JARED PETERSON CLOSED THE PUBLIC HEARING.**

41 Bruce Thorpe – Asked if there were any concerns in regard to the code for the preliminary plat amendment and
42 that those were the only changes.

43 Shay Stark, City Planner – There are no exceptions and those were the only changes to the preliminary plat.
44

45 **STACEY PETERSEN MOTIONS TO APPROVE THE PREMIER POINT**
46 **PRELIMINARY PLAT AMENDMENT. BRUCE THORPE SECONDS THE MOTION**
47 **APPROVED - VOTE: YES - ALL (5), NO – NONE (0), ABSENT, DAVID CLARK.**

48
49 **PREMIER POINT PHASE 2 FINAL PLAT APPROVAL**

50 Shay Stark, City Planner – This is the final plat approval. The Planning Commission is looking at
51 engineering issues and constructability. There were a few changes from the TRC that the

52 developer was asked to make. In the initial approval the city was considering purchasing the
53 lot on the corner for a well. The city has since changed the well site to Sky Hawk. Because
54 you cannot have storm water enter into the ground within a 100 feet of the well site, there was
55 a lot of storm water piping in the street. Since the well is no longer in that site the storm water
56 piping was eliminated and went back to sumps and a catch basin at the intersection of 11200.
57 One other modification is at the top of the cul-de sac to change the grade to 6% for city and
58 emergency services. Everything meets the code and the city's construction standards.

59
60 **Jaren Peterson open the public hearing**

61 **Jared Peterson closes public hearing**

62 No comments from the public or the Planning Commission.

63
64 **BRUCE THORPE MOTIONS TO APPROVE PREMIER POINT PHASE 2 FINAL**
65 **PLAT APPROVAL. JARED BARTON SECONDS THE MOTION APPROVED –**
66 **VOTE: YES ALL (5), NO- NONE, ABSENT, DAVID CLARK**

67
68 **HASKELL CORNER COMMERCIAL DEVELOPMENT PRELIMINARY PLAT**
69 **APPROVAL**

70 Shay Stark, City Planner – Lee Haskell, Developer, will go ahead and present his plan.

71 Lee Haskell, Developer – Introduced his assistant Brian Parrish who is going to present.

72 Brian Parrish – This is mixed use commercial complex which has commercial on the first floor and
73 residential units on the second. They plan for 5 buildings all together, starting with 1 unit and then
74 building one a year for the next five years.

75 Lee Haskell, Developer – Elk Ridge City commercial zoning allows mixed use. This is not something
76 that the development is asking for.

77 Brian Parrish – This could provide services for the residents of Elk Ridge. Housing for those who are
78 needing a place to live while they are building a home. Commercial space could hold office space,
79 a small restaurant. They would like to keep it a light commercial area blending with the esthetics
80 of Elk Ridge City and not a sterile commercial block that you would see in perhaps on Orem
81 Boulevard. They are looking for an attractive and inviting commercial place.

82
83 The code at this time for commercial setback is 15 feet. The developer would like an exception of
84 70 feet for parking in front of the building instead of behind the commercial building. This is
85 esthetically more pleasing and accessibility is better. The height of the buildings are 35 feet.

86
87 Another exception needed is 2 garages for 3 bedroom apartments 1 garage and 1 space for the 2
88 bedroom and 1 space for the studio apartment. This is less then what the code is but there are still
89 30 extra spaces which are available from 6 pm to 8 am in the parking lot.

90
91 The Elk Ridge city code for Multiple Family Dwellings states: Not less than three (3) off street
92 parking spaces shall be required for each dwelling unit. Each off street parking space shall be not
93 less than ten feet by twenty feet (10' x 20') per space. Not less than two (2) of the off street parking
94 spaces appurtenant to a dwelling shall be enclosed within a garage. (Ord. 07-14, 9-25-2007, eff. 9-
95 28-2007). Which is more than the industry norm.

96 Jared Peterson- Asked if the parking was covered parking.

97 Lee Haskell, Developer – It is an enclosed garage, which is the code right now.

98 Lee Haskell, Developer – Lee is asking to change that to not have a 2 enclosed garage spaces for the
99 studio apartment and the 2 bedroom apartment.

100 Bruce Thorpe- Asked if the garages are fully enclosed in the building like a residential homes.

101 Lee Haskell, Developer – No not in the building. The garages are near each building. Lee thinks they
102 are overloaded on the parking for the area. They would like to instead use some of the parking for
103 a play- ground (tot lot) and if needed, down the road, turn that into parking. We are recessing the
104 tot-lot so it becomes a catch basin for drainage.

105 Brian Parrish – The 3 bedroom unit the rent will be \$1800 a month, 2 bedroom \$1500 a month and the
106 studio \$1000 a month. There are 3 fire hydrants on the street near the lots. If the fire Marshall
107 deems it necessary another fire hydrant can easily be put in. An outside access door is being
108 provided to the fire suppression equipment for the fire department.

109 Shay Stark, City Planner – The changes from the TRC were to eliminate a drive way and islands were
110 considered to be a problem so they are now painted on. The fire suppression is to be placed in a
111 closet with outside access as mentioned previously.

112 Jared Barton – Asked about outside lighting.

113 Lee Haskell, Developer - There is no street lighting in Elk Ridge so they have not addressed that.

114 Jared Barton- Asked Lee if no outside lighting would be a concern for a business.

115 Shay Stark, City Planner – Elk Ridge does address commercial lighting. The lighting has to be dark sky
116 compliant. Any lighting on the building or in the parking lot cannot escape the bounds of the
117 property lines. Everything has to be downward facing.

118 Lee Haskell, Developer - That is what they did at the Assisted Living Center. All the lighting was on
119 the building.

120 Stacey Petersen – Taking out the poles and islands leaves just a flat unattractive asphalt with lines and
121 is not esthetically pleasing and believes there is a better solution.

122 Lee Haskell, Developer – Lee will be putting in landscaping but haven't presented the landscaping plan
123 yet. He could easily do landscaping in the center of the building instead of the corners.

124 Shay Stark, City Planner – The key issues for the Fire Chief were the places where they needed to get
125 around the building. It is tight around the buildings which is fine but the Fire Chief has to have a 45
126 foot turning radius to maneuver the fire truck.

127 Lee Haskell, Developer – There will be a lot of landscaping in other places.

128 Shay Stark, City Planner – This is a hybrid situation. The code requires a site plan approval for
129 commercial projects. It does not require a full preliminary and final plat process. As a developer
130 Lee doesn't want to have to design plans for construction yet. Another thing that will happen is
131 there are multiple owners, Lee Haskell, Developer, and Mr. Kay. That will need to be addressed
132 with an amendment to the plat. The Planning Commission needs to approve the general layout and
133 the 2 exceptions in the code. Lee can then feel comfortable in moving forward. Shay recommends
134 adding any landscaping requests to the motion.

135 Lee Haskell, Developer – He can build the project to code and put the buildings 15 feet from the road
136 but the citizens of Elk Ridge will not be happy with that. The development can actually even get
137 more parking and a better traffic flow if built to the current code. It's just more pleasing to move
138 the buildings off the road.

139 Jared Barton – Asked if there will there be any consideration to put landscaping in that hides it more.

140 Lee Haskell, Developer – If you want trees and bushes in there Lee can do it, he doesn't want to hide
141 the business though.

142 Stacey Petersen – The Planning Commission needs to make sure, through stipulation in the motion, the
143 code doesn't stamp out the esthetics.

144
145 Jared Peterson open the public hearing.

146
147 Chris Benard – Asked if they will be doing this all at once or in phases and where is Lee planning on
148 starting.

149 Lee Haskell, Developer – Lee will build 5 buildings over the next 5 years starting at the south end.

150 Chris Benard – Asked Lee if a study for the demand for this type of situation in this area was done.

151 Lee Haskell, Developer – A study has not been done yet. Lee needed to know the cost of the civil
152 engineering and such. He has done some studies on the need for apartments and feels that there is a
153 significant need there. He has talked to several home businesses that would like to get out of their
154 homes.

155 Chris Benard- Asked if Lee was going to maintain ownership of the all of the spaces and if there was
156 any contingency plan in case there is no demand and there are three empty units for many years.

157 Lee Haskell, Developer – Feels he just has to take the chance and hope that “if you build it they will
158 come”.

159 Bruce Thorpe – Asked if there is any recourse for the city in regards to rezoning if the mix use doesn’t
160 pan out.

161 Shay Stark, City Planner – There are 2 pluses in this: the residential can pay for the cost of the building
162 and the risk isn’t that high. Phasing it will give him a pretty good feel of what will work.

163 Bruce Thorpe – Asked again if it doesn’t pan out for commercial on the lower floor is there something
164 that can be done and what Lee’s timeline was for the project.

165 Lee Haskell, Developer – Lee confirmed he will build one building per year. Lee had the same issues
166 when he came before the city with the Assisted Living Center. The city was afraid of there being
167 vacant buildings in the middle of town due to a failed business. The Assisted Living Center is full
168 and thriving. This is a different animal though.

169 Stacey Petersen – Elk Ridge City does not have a down town and this could make a down town for the
170 city and she would like for it to succeed.

171 Mark Elsworth – Mark lives across the street. He does not see why zoning is necessarily the reason to
172 build this and is concerned about esthetics. He doesn’t see a timeless appeal and feels that the
173 esthetics can be improved by staggering the height of the buildings. It’s right at the roundabout, the
174 entrance to Elk Ridge, maybe not the best place for it. “Pave paradise and put up a parking lot.”

175 Shay Stark, City Planner – Asked Mark Elsworth if he preferred the buildings set back or out by the
176 street.

177 Mark Elsworth – Closer to the street. He thinks of timeless small downtowns that have a walk around
178 feel. When there is a big parking lot you are going to drive to it and drive away. If you want a
179 small town community feel it seems to lend more towards some paths, some sitting spaces, and
180 more green spaces and having the buildings all together. That won’t work with a phased
181 development. This is the only commercial property in Elk Ridge that he knows of. He wants a
182 community feel where there is outdoor space where activities can be held. He does not think Elk
183 Ridge wants to look like a strip mall that came from someplace else. He can see that appeal for tax
184 dollars. He does not care about the convenience of shops he doesn’t care for high density living, but
185 if there is a community space he can see that as being attractive.

186 Brook Ewell – Agrees with Mark. Her husband Ben was at the last meeting. They moved here to avoid
187 the commercial. This development is not as scary as she thought they would be. They paid money
188 to set their home back 10 feet further from the road. The entrance to the development is right across
189 the street from their home. That is her concern as a mom and a new resident. She feels that she is
190 not the only one that is concerned. She should have known that the property was commercial but
191 she didn’t know.

192 Mark Elsworth- Also wanted to avoid the commercial.

193 Jared Barton – Asked what is the city code on high density housing is and if the city was at its
194 maximum?

195 Shay Stark, City Planner – Controlling the size of this commercial development is the parking lot. The
196 city is requiring all onsite parking. Lee has to have a certain number of parking places. Is this
197 maxed out; no. One of the exceptions is for reducing the amount of parking for a 2 bedroom and a
198 studio apartment.

199 Chris Benard – If the Planning Commission is going to grant this request it seems that a good use of the
200 space would be to improve the landscaping. He envisions a problem with snow removal.

Jared Peterson – Asked Shay Stark what exactly the Planning Commission was doing tonight; there is a lot on this check list that is not on this plan.

Shay Stark, City Planner – The Planning Commission is approving the site plan, which are construction drawings. There is going to be a final plat approval in order to make this work. This should technically be called a preliminary site plan approval. Based on the city's approval Lee will submit a set of plans for final approval. The set of plans the Planning Commission is basing this decision tonight from is more of a hybrid

Jared Peterson – Asked for clarification as to whether the Planning Commission is going to make a motion for every exceptions and a motion for the site plan.

Shay Stark, City Planner – Clarified that it will be one motion with exceptions.

Brook Ewell – Asked how many businesses and apartment there will be per building.

Lee Haskell, Developer – There will be 4 – 5 per businesses per building and 6 apartments per building.

Bruce Thorpe – Asked if the commercial spaces remain empty if there is anything the city can do.

Shay Stark, City Planner – Maybe convert them to apartments or city office idea is a good idea.

Lee Haskell, Developer – Most of the conversation has been about wanting more landscaping and green space. Lee Haskell, Developer, is all for that but the city requires that there be 5 spaces per 1000 square feet for the commercial and 3 spaces for residential, there just isn't room for landscaping.

Jared Peterson – Asked for any further comments.

Jared Peterson – Closed the public hearing

Jared Peterson – Jared likes the buildings back from the road. He does not see any spots for retainage which forces you to do everything underground.

Bruce Thorpe – Would like to have a point of discussion in the final plans regarding green space to give some kind of separation from the building and the street. Would like to cut some parking spaces and add more landscaping.

Lee Haskell, Developer – It is required that an architectural drawing of the development be done.

Jared Barton – Asked why the code written to have the commercial next to the road in the first place.

Shay Stark, City Planner – Previous Planning Commissions and City Councils were trying to have that urban downtown feel and create a walkable community. When the commercial zoning was put in place, the Brown's property, to the east and the property to the north, the zoning did not go the full length of the street. Most of the Planning Commission, City Council and the citizens of Elk Ridge do not want that type of urban downtown look.

Lee Haskell, Developer, – It took three years for Lee Haskell, Developer, to get the zoning changed on Olympus from commercial to residential and the City Council did not want to do it.

Jared Barton – Recommended that the residents with concerns attend City Council meeting if this commercial development proceeds forward.

Jared Peterson – Asked if the Planning Commission was ready to make a motion.

**STACEY PETERSEN MOTIONED TO APPROVE HASKELL CORNER
COMMERCIAL DEVELOPMENT SITE PLAN WITH THE FOLLOWING
EXEPTIONS:**

- 1.) BUILDINGS SET BACK FURTHER FROM THE STREET THAN THE MAXIMUM 15 FEET THAT IS REQUIRED BY THE CODE**
- 2.) TO ALLOW PARKING IN THE FRONT OF THE BUILDINGS**
- 3.) 2 BEDROOM APARTMENT - ALLOWING 1 ENCLOSED GARAGE SPACE AND 1 STALL REDUCING THE REQUIREMENT OF 2 ENCLOSED GARAGE SPACES TO 1 ENCLOSED**

251 4.) ALLOWING A STUDIO APARTMENT 1 STALL, REDUCING IT FROM 2
252 ENCLOSED GARAGE SPACES

253 5.) TO REDUCE THE COMMERCIAL PARKING REQUIREMENT OF 5 PER 1000
254 SQUARE FEET TO 4 PARKING SPACES PER 1000 TO INCREASE GREEN SPACE

255 6.) LANDSCAPING OPTIONS TO BE DETERMINED AT A FUTURE APPROVAL OF
256 THE DEVELOPMENT. BRUCE THORP SECONDED THE MOTION

257 VOTE: YES – 4. NO – 1 ABSTAIN – 1 JARED BARTON, ABSENT DAVID CLARK.
258

259 **APPROVAL OF FEBRUARY 9, 2017 MINUTES**

260 Jim Chase – Change line 41 from Jim Clark to Jim Chase
261

262 JARED BARTON MOTIONED TO APPROVE THE MINUTES FOR FEBRUARY 9,
263 2017 WITH THE NOTES EXCEPTION. JIM CHASE SECONDED. VOTE: YES –
264 ALL (5) NO – 0, ABSENT DAVID CLARK
265

266 **APPROVAL OF FEBRUARY 23, 2017 MINUTES**
267

268 JARED BARTON MOTIONED TO APPROVE THE MINUTES FOR FEBRUARY 23,
269 2017 WITH THE NOTES EXCEPTION. JIM CHASE SECONDED. VOTE: YES –
270 ALL (5) NO – 0, ABSENT DAVID CLARK
271

272 **PLANNING COMMISSION BUSINESS**

273 FIVE FOOT WIDE SIDEWALKS – Discussion tabled

274 GENERAL PLAN - LAND USE – Discussion tabled
275

276 **CITY COUNCIL UPDATE**

277 No City Council updates
278

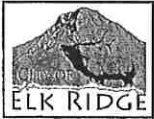
279 **OTHER BUSINESS**

280 No other business
281

282 **MEETING WAS ADJOURN AT 8:35 pm**
283
284
285
286



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, March 23, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PLANNING COMMISSION ACTION ITEMS

1. Approval of Proposed Conditional Use Permit, Hobby Animals (chickens). see attachment
2. Approval of March 23, 2017 Minutessee attachment

PLANNING COMMISSION DISCUSSION

3. Five Foot Wide Sidewalks
4. General Plan: Review Changes to Intro and Vision 10-15 minutes
Begin Land Use

CITY BUSINESS

5. City Council Update
6. Other Business

Adjournment

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, the 22th day of March, 2017 and delivered to each member of the Planning Commission on the 22th day of March 2017.

Planning Commission Coordinator: *Laura C. Oliver* Date: 22th day of March 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **March 23, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, March
6 23, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Stacey Petersen, Jim Chase, David Clark, Jared Barton

10 *Absent:* Bruce Thorpe

11 *Others:* Royce Swensen City Controller, Paul Crook City Council
12 Laura Oliver, Planning Commission Coordinator

13 *Public:* Elizabeth Moldenhaur

14
15 **OPENING ITEMS**

16
17 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Stacey Petersen followed by the
18 pledge of allegiance.

19
20 **JARED BARTON MOTIONED TO APPROVE THE AGENDA. WITH THE NOTED**
21 **EXCEPTION OF CHANGING MARCH 23 TO MARCH 09. BRUCE THORPE SECONDED.**
22 **APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) BRUCE THORPE**

23
24 **PLANNING COMMISSION ACTION ITEMS**

25
26 **APPROVAL OF PROPOSED CONDITIONAL USE PERMIT, HOBBY ANIMALS (CHICKENS)**

27 Jared Peterson – In looking at the map provided it looks like everything complies. Asked the Planning
28 Commission has if there were any questions.

29 David Clark – Asked how many chickens were permitted

30 Shay Stark, City Planner – Believes it to be 6 chickens permitted.

31
32 **DAVID CLARK MOTIONED TO APPROVE THE PROPOSED CONDITIONAL USE PERMIT,**
33 **HOBBY ANIMALS (CHICKENS) AT 467 EAST OAK LANE FOR SCOTT AND ELIZABETH**
34 **MOLDENHAUER. STACEY PETERSEN SECONDED THE MOTION**
35 **APPROVED - VOTE: YES - ALL (5), NO – NONE (0), ABSENT, BRUCE THORPE.**

36
37 **APPROVAL OF MARCH 09, 2017 MINUTES**

38
39 **JIM CHASE MOTIONED TO APPROVE THE MARCH 09, 2017 MINUTES.**
40 **STACEY PETERSEN SECONDED THE MOTION**
41 **APPROVED – VOTE: YES ALL (5), NO- NONE, ABSENT, BRUCE THORPE**

42
43 **PLANNING COMMISSION DISCUSSION**

44 **FIVE FOOT WIDE SIDEWALKS**

45 Shay Stark, City Planner – The standard sidewalk width in Elk Ridge is four feet wide. There has been a
46 movement in communities over the past decade to increase the minimum required sidewalk width to 60”
47 (five feet). This movement has been supported by FHWA and ASHTO and is reflected in their guidelines.
48 While the 60” minimum width is a suggestion the 2010 ADA Standards for Accessible Design published
49 by the Department of Justice and codified in 28 CFR Part 36 require the following:

403.5.3 Passing Spaces. *An accessible route with a clear width less than 60 inches (1525 mm) shall provide passing spaces at intervals of 200 feet (61 m) maximum. Passing spaces shall be either: a space 60 inches (1525 mm) minimum by 60 inches (1525 mm) minimum; or, an intersection of two walking surfaces providing a T-shaped space complying with 304.3.2 where the base and arms of the T-shaped space extend 48 inches (1220 mm) minimum beyond the intersection.*

It is this ADA passing requirement and the idea that a 60" width will allow two pedestrians to pass each other without interference that have driven the movement to the 60" minimum sidewalk width.

Options:

- Leave the standard with at four feet. A great deal of the land area in the City is built out with either four foot sidewalks or no sidewalks. Most of the city if built out at this.
- Move to a five-foot standard applied to all future development. While this is the easiest to enforce it will create many transitions between four foot and five foot widths.
- Move to a five-foot standard in new subdivisions that are independent from existing four-foot sidewalk except at connections to an existing street. Existing streets with four-foot sidewalk would remain consistent with four-foot sidewalk but new streets would be constructed with five-foot sidewalk. - **Perhaps the best option.**

David Clark – Asked how much of the city has sidewalk.

Shay Stark, City Planner – At the most, 1/3 to 1/2 of the city has sidewalks. Salem Hills doesn't have sidewalks. Half of the section below Park Drive doesn't have sidewalks.

Jared Petersen – Asked if the city does not go to 5 feet sidewalks, are the passing spaces, driveways, still sufficient or could it be a problem or legal issue.

Shay Stark, City Planner – That depends on who is asked. Shay Stark, City Planner is watching this and there have been different approaches in different states. When the ADA standards were originally derived, no one was thinking about streets on a mountain side. Most of the requirements were designed around a building or a site. They did not spell out architectural ADA for a site vs street; this has been a problem. There are groups that look for ADA issues and threaten cities for not being in compliance with ADA requirements. Elk Ridge City's liability is very low. There is nothing in the ADA requirements that says the city has to have 60 inch wide sidewalks. There just needs to be a 60 inch passing area.

Discussion on Five Foot Sidewalks Ensued.

This was just a discussion and no action was taken

GENERAL PLAN – REVIEW INTRO AND VISION CHANGES AND LAND USE

Planning Commission reviewed changes from previous meeting to the General Plan's Intro and Vision Statement and finalized the Vision Statement.

Jared Barton will send the changes to the City Council for their input.

Discussion ensued on the General Plan's Land Use Chapter regarding goals, elements, different zones, animal rights, the option of getting rid of PUDs, and property owner's rights.

Shay Stark, City Planner will update the population data etc.

CITY COUNCIL UPDATE

Shay Stark, City Planner – Reviewed the City Council motions on Lee Haskell, Developer's Commercial Site plan.

99
100
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104
105
106

OTHER BUSINESS

MEETING WAS ADJOURN AT 8:45 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, April 13, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Gladstan View Estates Preliminary Plat Approval.....see attachments
2. Approval of March 23, 2017 Minutessee attachments

PLANNING COMMISSION DISCUSSION

3. General Plan - Land Use

CITY BUSINESS

4. City Council Update
5. Other Business:
Fence Code 10-12-13 Briefing on side yards with an abutting street.

Adjournment

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 Hearing was emailed to the Payson Chronicle, Payson, Utah, the 12th day of April, 2017 and delivered to each member of the Planning Commission on the 12th day of April 2017.

Planning Commission Coordinator: Laura Oliver Date: 12th day of April, 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **April 13, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, April
6 13, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, David Clark, Stacey Petersen, Jim Chase, Bruce Thorpe,

10 *Absent:* Jared Barton

11 *Others:* Royce Swensen City Controller

12 Nelson Abbott, City Council

13 *Public:* Colleen Chapman, Kirk Chapman, Brian Chapman, Jan Donegan, Richard Donegan

14
15 **OPENING ITEMS**

16
17 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Bruce Thorpe followed by the pledge
18 of allegiance.

19
20 **JIM CHASE MOTIONED TO APPROVE THE AGENDA. BRUCE THORPE SECONDED.**
21 **APPROVED - VOTE: YES - ALL (5), NO - NONE, ABSENT - (1) JARED BARTON**

22
23 **PUBLIC HEARING AND ACTION**

24 **GLADSTAN VIEW ESTATES PRELIMINARY PLAT APPROVAL**

25 Jared Petersen – Turned the time over to Shay Stark, City Planner to introduce Gladstan View Estates
26 development

27 Shay Stark, City Planner – Gladstan View Estates is located along Elk Ridge Drive. These lots will be backing
28 the golf course along the west side of Elk Ridge Drive. Beginning at the end of the homes across from
29 Olympic Drive up the hill almost to Gladstan Drive. It is a single row of single family lots. There are 6
30 very large lots on the south end with smaller lots going down the hill to the north. Burt is officially the
31 developer on part of it with Dean Ingram. Shay Stark, City Planner turned the time over to Dean Ingram,
32 developer, to further explain the development.

33 Dean Ingram – Arive Homes will build the homes. It is a standard development of single family homes. The
34 owners of the lots will be able to pick out their own floor plans. There are no CC&Rs on the homes, Elk
35 Ridge City's code and ordinance will apply.

36
37 **JARED PETERSON OPENED THE PUBLIC HEARING.**

38
39 Jan Donegan – Asked if there had been any plans made for water run-off and current sump pumps and is there
40 a concern about sewage, plumbing and water.

41 Shay Stark, City Planner – Elk Ridge is very fortunate because it sits on a lot of gravel. Sump pumps are a
42 very efficient way to get rid of the water. There is a large hole dug, which is filled with gravel. Catch
43 basins catch the water above ground and sends it down into the sump and then the water trickles down
44 through the gravel and continues down subsurface, which eliminates a lot of flooding issues. Every
45 subdivision that comes in is required to provide a geo tech report on what the soil looks like. Then an
46 engineer analyses the data against 25 year storms and 100 year storm etc. He then designs the plan for
47 sewage and run off accordingly.

48 Jan Donegan – There have been 4 homes south of their home which have been flooded the last couple years,
49 not through the windows but up through the basements floor and walls. There are residents on the other
50 side of Elk Ridge Drive that have flooded as well.

51 Dean Ingram – Every hole that Arive Homes digs has a soils report done. When building on the side of the
52 mountain you will have water that comes down the mountain and will shed across. There are times that the
53 flooding is due, in part, from poor planning on the way down spouts and grading of the lots around the
54 home are prepared which puts too much water around the foundation of the home. This is all engineered
55 with the sumps and is more of a risk right now then it will be after the subdivision is finished.

56 Richard Donegan – Asked if the driveways will be graded at less than 12% to make them high enough so that
57 they can be seen by those traveling on Elk Ridge Dr.

58 Jared Petersen – Per Elk Ridge City code the driveways cannot be greater than 12% grade. They will have to
59 be filled.

60 Shay Stark, City Planner – He asked the city engineer asked where the buildable area is on the lots that are
61 lower, so that the grades will comply with the city's code. The home owners can also plan their homes so
62 that the driveways are higher.

63 Dean Ingram – There are specification on these lots that they have to have a hammer head driveway or such so
64 that they are not backing out into a 30 mph road.

65 Jared Petersen – The developer is not looking for any exceptions for the lots and they all comply with the city
66 code.

67 Richard Donegan – Asked when the water studies were completed. It has been a heavy water year and there
68 are developments in Spanish Fork that are flooding. He disagrees that the run off will be better controlled
69 with the development and believes that the water will be pushed off into the road.

70 Shay Stark, City Planner – Federal Law requires, for any lot, a developer to look at the historical water event
71 of the land

72 Richard Donegan – That doesn't necessarily happen based on what he has seen in other cities. Spanish Fork
73 did that and they had to put stop orders due to basements being flooded.

74 Dean Ingram & David Clark – Asked what area of Spanish Fork he is referring to.

75 Richard Donegan – The Bach homes, Walmart area.

76 Dean Ingram – That is a flat area as opposed to this area. The issue here is the way a owner grades his home
77 out and long with other finishes on the home. Elk Ridge City is proactive and the City Planner and
78 engineers look at every lot and house plans.

79 Shay Stark, City Planner – His office does a site review on every building permit. Every problem that the city
80 planner has found, due to flooding, is a problem that the homeowner created or their neighbor. The city has
81 created a code that a home owner cannot drain their property onto their neighbor's property.

82 Jan Donegan – Asked if there will be a retaining wall put in below her home on Gladstan Dr.

83 Dean Ingram – Yes they will put in a retaining wall if needed.

84 Jan Donegan – Asked how wide the road will be.

85 Jared Petersen – The road is 56 feet wide.

86 Shay Stark, City Planner – The road is a single lane road and will be widened at Park Drive to accommodate a
87 left hand turning lane.

88 Collen Chapman – Asked where the concrete trail is going to be.

89 Shay Stark, City Planner – The trail is the sidewalk and is behind the curb and gutter.

90 Richard Donegan – Asked where the utility easement is located.

91 Shay Stark, City Planner – The easement is going behind the sidewalk.

92 Jan Donegan – Asked when the next opportunity that the public can comment on this will be.

93 Jared Petersen – This is your opportunity right now and asked if there were any other questions or concerns.

94 Jan Donegan – Her home was built in 2000 and may not have the same requirements to protect her from runoff.

95 Shay Stark, City Planner – The building codes have not changed that much since 2000. Yards are graded
96 according to the code when they are built. Homeowners come in later and change the landscaping which
97 can cause water and flooding problems.

98 Jan Donegan – She had problems in California and asked about what happens in the future regarding homes
99 being built and about CC&Rs.

David Clark – That was California and this is Utah. The foundation of her home is built in rock and hard clay. It won't have the same problems as in California.

Shay Stark, City Planner – If this development approved it will be approved under the current code. If a home is built 20 years from now that home will be built according to the code that is affect at that time. Elk Ridge City does not enforce or record CC&Rs. Those are between the developer and the homeowner.

JARED PETERSON CLOSED THE PUBLIC HEARING.

Jared Petersen – On the cross section on 2B shows the sidewalk being lower than the curb. That needs to be corrected. Also there is a cap on the waterline up at the top on 4A. He would prefer that it is not a dead-end line and to be able to flush that line.

Shay Stark, City Planner – He talked to Scott, the engineer and they are looking at placing the hydrant in that area depending on the spacing.

Jim Chase – Asked if the drainage ditch on the back of the lots is permanent.

Shay Stark, City Planner – There is a catch basin that will go out to the retention pond. If there is significant run off it will go to the retention pond. The city is trying to protect the golf course from having dirt wash down onto the grass. The city does not expect a great deal of run off- This goes back to the site review as well in reviewing run off from properties. Once homeowners get their yards in the run off and erosion is less.

David Clark – Asked how common are sewer lift pumps in Elk Ridge and if there has ever been any issues with them

Shay Stark, City Planner – On Goosenest Drive there are 6 lift pumps. Olympic Drive has 1 or 2. There are a few scattered around. As far as he knows there has not been any issues with them. It is the home-owners responsibility. The systems have become quite reliable. There is a holding tank with 2 pumps, dependent on the system, which have alarms on them if the tanks are getting too full. They are built so that a resident can work on them.

Jared Petersen – Asked if there was anything else regarding Gladstan View Estates.

STACEY PETERSEN MOTIONED TO APPROVE THE GLADSTAN VIEW ESTATES PRELIMINARY PLAT WITH THE FOLLOWING EXCEPTIONS: NOT HAVING A DEAD END LINE AND RAISING THE TRAIL 2 INCHES TO MEET THE CURB SECONDED BY JIM CHASE APPROVED - VOTE: YES - ALL (5), NO – NONE (0), ABSENT - (1), JARED BARTON

APPROVAL OF MARCH 23, 2017 MINUTES

No changes

STACEY PETERSEN MOTIONED TO APPROVE THE MINUTES FOR MARCH 23, 2017 JIM CHASE SECONDED. VOTE: YES – ALL (5) NO – 0, ABSENT - (1), JARED BARTON

GENERAL PLAN - LAND USE –

Jared Petersen – Jared Barton, is not here this evening with the computer showing the General Plan and comments, we can continue the discussion.

Jim Chase – We talked about de-emphasizing economic growth.

Shay Stark, City Planner – Suggested, since Jared Barton was absent, that the Planning Commission look at the different zones.

Jared Petersen – The Planning Commission did talk about grouping similar zones together under one zone and doing away with some others. The zone are C1 Commercial, Public Facility, Residential there is R-12,000, R-15,000, R-20,000 and Residential R&L 30,000. Rural Residential and Hillside Residential the Planning Commission discussed combining them, with maybe critical and future Residential as well. Asked Shay Stark, City Planner why future Residential is not just zoned.

Shay Stark, City Planner – All land within Elk Ridge City is zoned. Land within the annexation boundary and currently in the county, is not zoned. This is referred to as future residential on the land use map. The city doesn't have a lot of area that is not annexed in. There is some land on 11200, some in Loafer Canyon and then some on the south end of the city. Shay is unsure about the annexation agreement between the city and Woodland Hills.

Nelson Abbott – The annexation boundary line between the city and Woodland Hills will be revisited soon. Nelson spoke with a city council member from Woodland Hills. And the new Mayor wants to try and facilitate this. Woodland Hills has a developer who is eager to build in this area and cannot until it is clear what city it will be part of.

Jared Petersen – Recommends that the future annexation areas remain labeled as future annexation area and not a specific future zone and zone it when it is annexed into the city.

Nelson Abbott – The reason the south end was labeled as future Hillside is to protect the area from a developer coming in and trying to put in commercial or R-12,000. The city has already had developers trying to put very high density lots there.

Shay Stark, City Planner – Zoning becomes a legal question as well. Showing a judge that the General Plan has had an area zoned a particular way for years, protects the city and becomes a negotiation tool against a developer building something that is not wanted in that area. The city has more power when someone is trying to come into the city and change the zoning.

Bruce Thorpe – There is an area on the north side of the round about that is showing as commercial as well as north and east it has Rural Residential has that been changed and what is the difference between Rural Residential and R-1-20,000. Asked if the map was out dated.

Shay Stark, City Planner – The map is out dated. The difference is in what rights landowners have within the zones. R-1-20,000 allows hobby animals where an R&L zone allows livestock.

Jared Petersen – Asked what the difference was between the Hillside and Critical Environment Zones.

Shay Stark, City Planner – The Critical Environment is an overlay area. The city did a study to look at the various environmental issues: ridge lines, drainages, fault lines, slope analysis. The idea behind the Critical Environmental overlay, for certain areas being developed, is to make sure they are given conditional consideration. In Gladstan View Estates, Shay spoke with Dean Ingram specifically about where the each individual lots were the most buildable. It was not good enough to just have a lot size on these. Shay had Dean do slope analysis because there are some areas on a couple of those lots that have 30% slopes that the city doesn't want the developer to touch. Because of the critical overlay the city is able to require that from the developer. Shays personal opinion is that the city should be able to require that anywhere in the city that has issues. An example of that is along Loafer Canyon Road; there is a bluff that drops off along there. When the developers come in they are going to want to put a road in across it to tie in with a road. Along Park Drive where it goes down into the canyon you can see where everyone's backyard is sloughing off and eroding. The city needs to be able to address those issues beforehand. Had slope analysis issues been dealt with when part of Park Drive was developed, the city may not have some of the issues it has today.

Nelson Abbott – This area (Loafer Canyon) needs to be updated with the critical environment overlay.

Jim Chase – Agrees that the city needs have the entire city under Critical Environment overlay.

Nelson Abbott – That Loafer Canyon area specifically though, needs to be considered Critical Environment. This is an area that the city has a chance to do it right. The city needs to get it right.

195 Shay Stark, City Planner – Agrees that it needs to be spelled out what the future zones will be. Shay also thinks
196 that there should be no building above 30% grades and up should be in the miscellaneous codes, which
197 cover all zones, and not in just one zone. There are 30% grades in more than 1 area and could have
198 given the city more power in having some of the previous developments reconfigured. The code didn't
199 give the city enough backing but the developer was very cooperative.

200 Jared Petersen – Asked if it is possible to get rid of some of these zones and call them something else.

201 Shay Stark, City Planner – Yes. He has given this a lot of thought. If the city moves everything in the hillside
202 zone into that chapter 12 misc. general requirements - does the city get rid of the Hillside Zone? No it
203 does not. There is a lot of land on the mountain that should not be developed into less than ½ acre lots.
204 There are elements of the Hillside Zone that needs to stay in place. Some of the slope requirements,
205 among other items, can move into the misc. codes so they apply to everything but because of the
206 typography, the Hillside Zone needs to be maintained. The city needs to maintain this zone for many
207 years so that city is protected against developer wanting to build high density housing there.

208 Nelson Abbott – Suggested the PUD be removed. If the land is not already annexed in, then it will be annexed
209 in with what Elk Ridge City wants. The south end of the city is too important to the city and the
210 residents.

211 Jared Peterson – If there is a reason to keep all of the existing zones then the city should keep them but
212 wondered if there is anything within these zones that need to be changed.

213 Shay Stark, City Planner – The overlays; PUD, Senior Housing, Mountain Home and Clustered home on
214 mountain side are the 4 overlays the city has in the code.

215 Nelson Abbott – The city does not need to keep in the Senior Overlay and the PUD. They have outlived their
216 purpose.

217 Jared Petersen – Agrees, if the overlays are no longer needed then the city needs to take them out. Asked if the
218 cluster home outlined in the code.

219 Nelson Abbott – It is like the PUD code but for the mountainous area.

220 David Clark – If the PUD is taken out does it affect the trail system.

221 Nelson Abbott – No. It was put in place to get the trails and since those developments are almost fully
222 invested, taking out the PUD will not affect them. The city is almost built out and most of these overlays
223 are no longer needed.

224 Jared Petersen – Asked if it was possible to make a motion and have these overlay zones changed now.

225 Nelson Abbott – Will take this to the Mayor and the city council and see if the Planning Commission can
226 move forward with changing this code now.

227 Jared Petersen – Asked if there are any other items in this section that needs to be discussed.

228 Jim Chase – There are lots that are not legal that may need special consideration.

229 Shay Stark, City Planner – There was a plat for these lots that went through approval. The property went into
230 bankruptcy. The improvements were not done. The bank had heard that the lots had been improved and
231 sold lots. All the lots in here (Belle Vista Lane) are around 12,000 and some smaller. They do not meet
232 the current zoning. He has had 3 different people come in to talk to him about these lots and in order to
233 finish this off they need to get multiple property owners to sell or sign off to pay for their part of the
234 improvements. This area is zones R-15,000.

235 Nelson Abbott – The people who want to develop are in the middle of the street, the people on the end do not
236 want to develop.

237 Jared Petersen – Asked for clarification on what was wrong with the lots.

238 Shay Stark, City Planner – They are not legal lots. They are not vested in the code. If they had been recorded
239 and legal lots they would have been vested in the code. Since they are not the city will not let them record
240 until they bond or finish the improvements, since that is what is required. None of them fit 15,000, they
241 don't fit anything in the city code.

242 Bruce Thorpe – Asked if this a big issue for the city or more or less a private owner matter and if there is
243 something the Planning Commission can address in this plan or is it up to the private owner.

Shay Stark, City Planner – The issue is someone can come in and say the city is denying them the right to use their property. They can go to court.

Bruce Thorpe – Asked if they bought the property before or after it was zoned.

Shay Stark, City Planner – That is hard to know. They bought it during a bankruptcy sale and Shay does not think it was zoned R-15,000. He would have to look at the records.

Nelson Abbott – These lots are already next to lots of the same size. It would make sense to make these allowed in the code.

Jared Petersen – Suggested that area be rezoned to fit the rest of the street.

Shay Stark, City Planner – If the land owners got together and showed that it was not zoned R-15,000 and that everyone else on the street has the same lots and the other people were allowed to develop and they weren't then the judgement would go against the city.

Jared Petersen – So the city has 2 choices: leave it as is or change the zoning.

Nelson Abbott – The chances of them not getting an exception as they come forward are pretty slim.

Further Discussion regarding the R1-15,000 and the smaller lots. Perhaps noting it in the General Plan and or waiting until the property came before Planning Commission and deal with it then with an exception.

CITY COUNCIL UPDATE

No City Council updates

OTHER BUSINESS

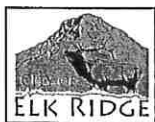
Fencing along the back side yard of corner lots, which extend to the sidewalk, that border a front yard and impede a clear view of driveways and or other motorists.

Discussion ensued with diagrams placed on the overhead projector. The Planning Commission decided to place it on the agenda for a more through discussion and possible revision of the city code.

MEETING WAS ADJOURN AT 8:35 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, April 27, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Conditional Use Permit- Hobby Animals, Dogs see attachments
2. Conditional Use Permit- Hobby Animals, Chickens see attachments
3. Approval of April 13, 2017 Minutes see attachments

PLANNING COMMISSION DISCUSSION

4. Fencing Code 10-12-13
5. General Plan - Land Use

CITY BUSINESS

6. City Council Update
7. Other Business:

Adjournment

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 Hearing was emailed to the Payson Chronicle, Payson, Utah, the 26th day of April, 2017 and delivered to each member of the Planning Commission on the 26th day of April 2017.

Planning Commission Coordinator: Laura Oliver Date: 26th day of April, 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **April 27, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, April
6 27, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Jim Chase, Bruce Thorpe, Jared Barton (late)

10 *Absent:* Stacey Petersen, David Clark

11 *Others:* Royce Swensen City Controller

12 Nelson Abbott, City Council

13 Laura Oliver Planning Commission Coordinator

14 *Public:* Shawn Ram, Angeline Ram, Don Helvey, Stephanie Taylor, Chris Helvey

15
16 **OPENING ITEMS**

17 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Jared Peterson followed by the pledge of
18 allegiance.

19
20 Jared Peterson – Requested that the Conditional Use Permit: Hobby Animals for the chickens to be moved
21 ahead of the Conditional Use Permit for the dogs as the dogs may take more time than the chickens.

22
23 **BRUCE THORPE MOTIONED TO APPROVE THE AGENDA WITH CHANGE**
24 **OF MOVING THE CONDITIONAL USE PERMIT FOR CHICKENS TO COME**
25 **BEFORE THE CONDITIONAL USE PERMIT FOR DOGS. JIM CHASE**
26 **SECONDED. VOTE: APPROVED - YES - ALL (4), NO –NONE (0) ABSENT (2)**
27 **STACEY PETERSEN, DAVID CLARK**

28
29 **PUBLIC HEARING AND ACTION**

30 **CONDITIONAL USE PERMIT, HOBBY ANIMALS, CHICKENS**

31 Jared Peterson – In looking at the information he did not see any issues with the application.

32
33 **JARED PETERSON OPENED THE PUBLIC HEARING.**

34 Stephanie Taylor – She is in favor of the application. She has seen Michelle Matys' chicken coop and it is
35 amazing.

36 Jared Peterson – Asked if there were any other comments.

37
38 **JARED PETERSON CLOSED THE PUBLIC HEARING.**

39 Jared Peterson – Confirmed that the neighbors had all been notified. They had. He did not see anything else on
40 the check list.

41 Bruce Thorpe – Asked if coop had all the correct measurements.

42 Shay Stark, City Planner – Boyd usually checks out the Conditional Use Permit applications and renderings to
43 make sure they are up to code. At this time it is unknown if Boyd had done that.

44 Jared Barton – If the diagram meets with the code then it will be fine. It has to be closer to their home than
45 anyone else.

46 Bruce Thorpe – Asked if the coop needs to be 25 feet from adjacent residence.

47 Shay Stark, City Planner – Yes, it has to be 25 feet from the adjacent residence.

48 Bruce Thorpe – He is fine with the chicken coop as long as all the distances are correct. He could not see any
49 distances on the application.

50 Jared Peterson – There are distances on the back yard sketch which has 15 feet from the property line. Plus the
51 required 12 foot set back, that doesn't include the diagonal going to the house. He thinks the distances are

ok. He let the Planning Commission know of a letter from a neighbor who is concerned about his dogs and the chickens.

Jim Chase – The code requires chickens be confined.

Jared Barton – The dog owner needs to worry about his dogs trespassing and does not think the Planning Commission should get involved with that.

Jared Peterson – Asked if there were any more comments and or concerns and asked for a motion.

JARED BARTON MOTIONED TO APPROVE THE CONDITIONAL USE PERMIT; HOBBY ANIMALS - CHICKENS FOR MICHELLE MATYS SECONDED BY JARED PETERSON. VOTE: APPROVED - YES - ALL (4), NO – NONE (0) ABSENT (2) STACEY PETERSEN, DAVID CLARK

CONDITIONAL USE PERMIT, HOBBY ANIMALS, DOGS

Jared Peterson – Turned the time over to Shawn Ram for his presentation.

Shawn Ram – Shawn and his family moved to Elk Ridge from the Bay area in January 2017. This enabled the Rams to pick where they wanted to live. The Ram's also wanted to buy some land which is not as readily available in the Bay area as it is here and finally the Ram's wanted to teach their kids to work. The land in Elk Ridge gave them the opportunity to do that. Shawn spent his career consulting companies in risk management. He has been an executive at a Fortune 500 company for the past 10 years and has spent a good portion of his career managing risk for large entities including municipalities and hopes that brings some value to this context.

He has provided pictures of his wife and dogs. They purchased a Siberian Husky a few years ago and to give her exercise they started to run her. This led to the hobby of Dog Mushing. His wife, Angelique, has competed in races, placing 4th overall in a 100 mile race. This has given their family a lot of joy and opportunity. Certainly one of the reasons for purchasing the land is to accommodate this hobby. In the Bay area Angelique was featured in the newspaper because it was interesting seeing dogs run on the road. Generally the teams associated with dog mushing are between 8-12 dogs or 6-12 dogs, depending on the race. The Ram's don't own that many dogs and have leased them in the past. On the third slide is the aerial view of the Ram's property which is 6.18 acres. They have a good amount of land. There are no adjacent homes currently. On the north side of the home, there are homes being built by Gary Hansen, but on the other side of the home, most notable the south side of the property, there are not any homes. You can see motorcycle areas (on the overhead map) and that the home is in the middle of this 6 acres. In the yellow box, on the presentation, is where the dogs will be housed in a structure. The purpose of this box is clearly not for the approval of the structure but where the dogs will be. The Ram's hope is just to describe where they intend to have the dogs. As they evaluate the concerns that there may be with, odor, noise etc. They don't want those things at all for themselves even though they are their dogs, and that location allows those issues to be alleviated. Not to mention the noise, if there were any, would be overcome by ATV and motorcycles. This area is important. They would be happy to entertain any questions as they go through this presentation.

On the next slide #4 describes this structure as a barn, it is important to recognize that this is a hobby and there are no commercial interests. This is purely recreational purposes, there is no money involved, no one is paying them to do anything; there is no desire for revenue in this experience. This is for fun and to give dogs exercise and the peace and enjoyment that it gives his wife.

This public hearing is not to discuss the approval of the structure but to describe the barn to show you how the dogs would live generally. There are 3, maybe 4 distinct areas of the barn: 1.) Enclosed free roam area 2.) Enclosed outdoor area 3.) Enclosed indoor area and 4.) The area in between those 2 sections is where they (people) would walk. At night the dogs would be indoors (in the barn). This is done by design for the benefit of the dogs and the family and everyone else. During the day the dogs would have the ability to go

into the enclosed outdoor area, which are individual sections per dog. They could go outdoors as they please into an all individualized enclosed area. A few dogs at a time would be go in an enclosed free roam area, in the spirit of the dogs being able to get along. This is enclosed but with other dogs, 2-3 at a time. The barn is being built to facilitate the team's needs as well as for a deterrent for odor and noise.

The final slide describes the breed. For those that are familiar with dog mushing, most notable is the Iditarod. The majority of the dogs that run are Alaskan Huskies. These are hybrid dogs that are bred to run. Their aspiration is to build a pure bred Siberian Husky team. Siberians are unique in a variety of ways. They love to run, they are excellent runners, they very much enjoy running. The Dog Whisperer who states that Siberian huskies are quiet, they are not known for barking. They also clean themselves. Their dogs will run through mud and a few hours later, they will be bright white again. Thereby alleviating some of the concerns with noise and odor concerns. Their dogs range in weight from 40 - 45 lbs. Many of the hobby animals, like sheep weigh 100-300 lbs., which are very large animals compared to dogs. In addition, as the Planning Commission considers the application, their aspirations as stated on the Conditional Use Permit is to allow UP to 16 dogs the reality is it would be between 8-16. They would not breed their dog more than once a year and a litter size is between 4-8 puppies. If they would obtain 16 dogs it would take a period of time, possibly years. The nature of the breed, is an excellent running dog and a great dog for a home environment. In conclusion, this is a passion for his wife which the family has gotten behind and has brought a lot of joy in their home and joy for their dogs. The lived in a Pleasanton, CA in the Bay area. They lived there for 5 years and had 3 dogs. The dogs were kept in the back yard. Their children were playing back and forth through the fence. That neighbor, in the 4th year that they lived there, said he didn't realize they had dogs. They had dogs for 4 years and the neighbors didn't know they had them. This demonstrates the nature of how quiet the dogs are. They don't really cause a disturbance. He would be happy to answer any questions.

Jared Barton – Asked how big the structure that would be used to house the dogs.

Shawn Ram – There are some things that they are considering 25-60 feet, 25-40 feet. They are aware that this size structure would require a permit.

Jim Chase - Asked how high the fencing would be for the enclosures. The dogs are known as escape artists and obviously you wouldn't want them getting out.

Angelique Ram – They are going to bury the fencing 1 and ½ feet with pavers around it. The fence would be 6 – 8 feet high with a roll bar on top. The dogs are not jumpers, they are diggers that is why they would bury the fence that deep.

Shawn Ram - In their experience with them in their fenced backyard in California, they are fairly comfortable with how the dogs behave.

Jim Chase - Asked if they had 3 dogs in California. Jim is familiar with Pleasanton as he lived in California.

Bruce Thorpe – Asked of the enclosed portion is fully enclosed, roof sides walls etc.

Shawn Ram – That is correct. You cannot see the doors on the picture but you can see where they would be.

Bruce Thorpe - Asked where the structure is on the property.

Shawn Ram – Showed the Planning Commission where the structure would be on their maps. The yellow box was not apparent on some printouts.

Jared Barton – Asked if any of the dogs would be roaming free on the property.

Shawn Ram - Only 1. They currently have 1 timid dog that roams their property.

Jared Barton – Asked what they are doing with the dogs currently and how many do they have.

Shawn Ram - 2 are leashed. Only 1 is not fixed which will be bred.

Jared Barton – Confirmed that their goal is to breed that one until you can reach the 8-16 dogs.

Shawn Ram – Confirmed, that is correct.

Jared Peterson- Opened the Public Hearing

Stephanie Taylor - She was not asked to come. The Rams didn't know she was coming. The Rams western property line is her eastern property line. When they met the Rams, Angelic shared the passion of dog mushing and her dream of what she wanted to do. The Rams have been very methodical and considerate on

where to place the structure and how to care for these dogs to have the least impact on their neighbor, As the Ram's closest neighbors, she has only heard the dogs once, the entire time the Rams have lived on the property. She and her husband also came to Elk Ridge to teach their kids how to work and to have farm animals etc. She knows Elk Ridge is developing, quite rapidly, however, she would like to think of it as a community where people can come and have animals and have experiences as a family that enrich their lives. Whether it is hobby driven or not. She wanted to come and vocalize her support so that they can achieve their goals and desires in this regard. The Rams have been very very thoughtful in where they are placing the dogs. Honestly, on their property, the easiest and best place is not what they have chosen. They have chosen the most considerate place to the surrounding neighbors. This speaks highly of who they are as people. The Ram's are animal lover's. One of her own animals became sick and she was unable to get it to a vet. Knowing that Angelic had some experience with animals she call her. Angelic was very tender and went above and beyond in helping and in following up on how the animal was. Stephanie has every confidence that the dogs will be very well taken care of and should not be a concern to the community. The Ram's standards are very high and the love and care Angelic expressed to a neighbors animal, a goat, was very impressive.

Jared Peterson- Asked if there were any other comments.

Jared Peterson closed the Public Hearing

Jared Peterson – Jared has been to the property and seen the dogs and talked to the Rams regarding the code.

Jared has spoken with Shay Stark, City Planner as there is some confusing and vague language in the code.

Jared turned the time over to Shay Stark, City Planner to go over the animal code.

Shay Stark, City Planner – Introduced himself and passed out a printout of the animal code. There is no question that the animal code is confusing and it has been discussed in Planning Commission the need to amend it quickly due to a previous matter concerning pygmy goats. There have been some other pressing issues that have needed to be addressed so the animal code has been pushed back. This will become apparent as to how it relates as we go through the code. The pygmy goats, were looked at under the hobby animals and determined that "a like" animal would allow the approval of the pygmy goats. It was discussed about the precedence that would be set by approving the goats. To bring that up to date, since then the city has had 4-6 people wanting to put goats in their back yards. Most of those have not been valid and or gone away. There is one that is not valid and the Mayor is having to go back and forth fighting this issue. If they can't come into compliance it shouldn't be approved. Basically we have seen exactly what was discussed, with the pygmy goat matter. There are 4 llamas that are illegal in some ones backyard, which the city will now have to deal with. They will try to say they are "like animals", which is just one possibility. There is a slippery slope the city is needs to be aware of. Shay's concern here is not so much this particular request. In fact, Shay Stark, City Planner is impressed with the plan the Ram's have presented. His concern is the precedence that is set with the code. This is not the purpose of this discussion but this code needs to be amended quickly so that the Planning Commission and the city can deal with some of these issues.

Shay Stark read through the animal code for R & L-20,000 zone. Which is to provide a location within the city for residential development associated with the keeping of limited livestock. This application was turned in under Hobby Animals.

In chapter 12 of the development code are 2 sections that apply specifically to conditional uses, and they are generic for all conditional uses. They state the issues that have to be considered and the process that needs to be taken to make the consideration. One of the statements that is in the approval process, in the requirements, found in 18-12-37 section H paragraph 3, the validity of the permit should be conditional upon strict compliance with applicable city ordinances. The approved site plan and any additional conditions handed down by the Planning Commission. Part of where Shay Stark, City Planner is going with this is the authority to approve conditional uses has been delegated from the city to the Planning

Commission. When the Planning Commission is considering these conditional uses, based on the code, the Planning Commission has the authority to make a decision on it. If the Planning Commission determines that the conditional use does not fit the code, at this point it is asking for an exception to the code. That exception then needs to go to city council. As the code and ordinances and the various options are looked at this evening, keep this in mind. Some of the options, in order to make something work would require them to go to city council and ask for an exception based on current code.

The first section of the city animal code is the Common Household Pets, which applies for permitted use to all homes within the city. The limits are placed at 2 dogs. Interestingly, the code says that additional cats can be permitted by obtaining a conditional use permit through Planning Commission through the process listed under Hobby Animals or Kennels of this chapter. It is interesting that cats are singled out but none of the other animals listed as common household pets are listed. There are 4 major designations Common Household Pets, Hobby Animals, Livestock and Kennels.

Hobby Animals- Where permitted by the city zoning ordinance Hobby Animals include chickens, ducks, pigeons, miniature horses and other like animals, approved by the Planning Commission. The total number of Hobby Animals allowed is 6 animals per residential lot. Under the Hobby Animal ordinance in the code, if the Planning Commission determines a dog is a "like" animal, then the number of dogs allowed would be 6. Shay pointed out that, if you look at the definition for a Hobby Animal is a dog or cat owner's or breeder that has been given a permit to keep a limited number of animal in a residential area subject to all the provisions to all the animal control ordinance in this title. The definition here dog and cat are mentioned under Hobby Animals but the total number allowed would be 6.

Stephanie Taylor - Asked how long a breeder can keep a litter in order to stay within the allowed number

Shay Stark, City Planner – Yes there is a certain amount of time the breeder is allowed to have that litter

Jared Peterson - The code says a breeder has 5 months to have the litter.

Stephanie Taylor - She thought the count was based on property size.

Shay Stark, City Planner – This is where the discussion gets interesting:

Livestock Animals.- The reason Shay Stark, City Planner brought up livestock - there is a basis based on property size. There are property size requirements in Hobby Animals but they are limited. The livestock for instance, horse, mule or cow, the code allows 2 per 1/2 acre. The point being that under livestock an application for more than 6 animals could possibly apply. The definition of livestock states all animals of the equine bovine or fowl and all the animals listed fall under those classifications. Per the city code, those are the animals that would be considered livestock. In section B it states, any animals not listed in table 10-18-B of this section can be approved by the Planning Commission finding that the animal is similar in size and nature. Those 2 criteria have to be met.

Kennels – This is the last piece of the puzzle. Kennels are commercial operations, with breeding, boarding involved, and in the city code, the only place that a kennel is allowed would be in a commercial zone. In considering having multiple dogs the kennel section of the code applies better than anything else. It gives a better guidance on how dogs should be housed and treated and what would be considered a nuisance in that type of situation. The problem is that a kennel has to be in an area zoned commercial. The bottom of the Table 10-18-9 states Conditional Use permit states that once approved, if the use later violates this code or causes situation that become a nuisance to adjoining property owners that conditional use shall be subject to revocation by the code enforcement officer.

The city received 2 letters concerning this application. The first letter is from Lawrence Wiscombe, the Armstrong property that borders the property. They are concerned about primarily with dogs howling. The second letter is from Mayor Ellis, which Shay read aloud. Mayor Ellis (paraphrasing) is not

necessarily opposed to allowing the requested individual the 16 dogs due to the lot size. The Mayor believes it is unwise for the city to allow any conditional use for hobby animals if the animals are not specifically listed in 10-18-5. Any time the city approves a conditional use, based on like animals, the city sets a precedence that can later be used and potentially abused due to the lack of specificity. Furthermore, the city could potentially deny itself the opportunity to address the conditional use parameters pertaining to the care, housing, sanitation, proper density and relative placement of the animals among other things. He highly advise careful consideration of this application based on the above. His recommendation is to deny the conditional use application at this time and immediately undertake revising the current hobby animal ordinance such that it removes any notion of hobby animals need not be specifically identified in the code. (This would remove the term "like" animals) Also, that the list of Hobby animals be updated to include dogs, in fact it is at these times and under these conditions that the city can leverage the expertise of the requestor to craft the best ordinances upon the city can then grant a conditional use permit.

Shay agrees with the Mayor in that the Planning Commission amend the ordinance and then reconsider this application at that time. Reasons why are as follows. 1). If the application is found to be in violation of the code, then the enforcement officer has to revoke the permit. 2) if the application is approved and there is an outcry and the city council changes the code to allow 4 dogs, then the user is has spent a lot of money on a building. 3) the exception has to be approved by the city council.

Shay feels this is best under Kennels. He recommends revising the code in the kennel section to add the residential livestock and the RR1 zones as conditional uses and add a paragraph in the Kennel section that gives a minimum acreage. That way requests for kennels on $\frac{1}{4}$ - $\frac{1}{3}$ acre lot and to update the table as such.

Jim Chase – Jim feels like the city is punishing someone who wants to bring something into an area that it fits because the city doesn't have a sufficient code. Essentially, punishing citizens for the city code shortcomings.

Stephanie Taylor – Asked what the timeline on amending the code would be.

Jim Chase – It would take 6 months at least.

Chris Helvey – Chris is with the Woodland Hills Finance Director's office. It is almost too late to change the code in this instance. Since the application has already been made Utah law will not let a city go back and amend a law in order to deny an application. Elk Ridge City code has a lot of ambiguity or holes in it. The law will look and say what is best for the citizen and the city will be hosed if the code isn't tight enough. Elk Ridge code is very confusing, obviously, since the Mayor wants to go back and redo it. The Planning Commission can give them a conditional use permit but tell them not to get the 16 dogs this year. Utah law is on their side right now until this ordinance gets fixed.

Jared Peterson - He is unsure if the Planning Commission can see the confusion in getting this figured out. There are certain parts of the code, the Hobby Animals table doesn't include dogs but if you go to the definition the very first thing it lists is a dog. He is in favor of the application based on several things and what he has sees. First they have gone through the process, the requestor could have gotten a big pen and 16 dogs. The size of the lot is greatly in their favor. They have a huge piece of property and they want to use a portion of that property. He doesn't think that is an issue. Jared sees "conditional use" perhaps differently than the city does. He deals with conditional use everywhere. Conditional use is a per instance. He doesn't feel that you are setting precedence by doing this. He feels that a conditional use can be issued where it is conditional use of that actual applicant. Someone wanting to put in 16 dogs on a $\frac{1}{2}$ acre lot – no He thinks that the consideration is the amount of land and the type of facility. Lastly, in regards to the comments by Jim Chase and Chris Helvey that the code is too confusing and the code needs to be amended as to not punish, or put those with 6 acre lots under the same restrictions as a $\frac{1}{4}$ acre lot. He disagrees with the Mayor Ellis's recommendation of denying it now, amending the code and then revisiting the

application. He feels the conditional use permit for up to 16 dogs should be approved and the code amended after the fact.

Shay Stark, City Planner – Respectfully disagrees with the word punishing. They applied under the current code. Current code is they are only allowed to have 2 dogs, they have 3 right now as household pets. The second piece of the puzzle is, livestock is spelled out clearly. You cannot go back and use livestock and show that the dogs size and nature, maybe size but not nature, is the same as anything that is spelled out in the livestock and it is not part of any of the classifications listed in the livestock code. Hobby Animals- He agrees that because it does list dogs in the definition, but the rest of the code in hobby animals is very clear that there cannot be any more than 6 animals- other than pigeons. If the Planning Commission wants to say that because the code mentions dogs in the definition they can be a hobby animal. Shay feels that the Planning Commission would be on solid ground with Hobby animals with the code but not definitely not with livestock which is what would be needed in order to approve 16 dogs. The Planning Commission is not punishing anyone y following the code.

Shawn Ram- When he purchased his land it was originally 3 lots which they combined into 1 lot. His understanding was that because it was 3 lots his 3rd dog was grandfathered in.

Shay Stark, City Planner – Apologized to Shawn that Shawn was given that misinformation. He also told him that his lots were combined illegally. Shawn bought 3 lots that didn't exist. They were not platted at the time. His lot was created under a deed. Gary Hansen, the developer, came to Shay Stark, City Planner and discussed the lots and has added Shawn's lot into Phase 2 of his development in order to make it a legal lot.

Shawn Ram – Under that logic then it is 3 lots.

Shay Stark, City Planner – It is not 3 lots, it never was. it is platted as 1 lot.

Stephanie Taylor - Certainly 6 acres can accommodate 3 dogs.

Shay Stark, City Planner – He is not questioning.. he thinks the idea is great. He has to look at it from the city's perspective. He has to look at it based on the code.

Jared Barton – He appreciates the discussion, he doesn't want to be rude but the public hearing is closed and he feels that the Planning Commission needs to have a discussion which they have not been able to have. He tends to agree that property owners should have the right to do what they want with their property. If there are consequences outside of that, the property owner is responsible. From that logic he is in favor of approving the application, however, the code does not say you can have more than 6 dogs. The Planning Commission has talked about this over and over and over again about how many times the Planning Commission makes an exception to the code. Jared commented amount the number of times that animal issues have come up and that the code has needed to be amended for some time. The Planning Commission can grant a conditional use permit and then go back and revisit it and then have to revoke the permit and grant a new application based on the new code that may or may not ever be written. Or we can hold to the code that the city has and grant up to the 6 dogs at this time and look at actually amending the code. If the Planning Commission continues making exceptions to the code, we don't have a code we have a bunch of exceptions that then becomes a nightmare for the city to enforce. He doesn't have an issue with the application except that it doesn't follow the code.

Bruce Thorpe – Bruce tends to agree with Shay, it doesn't fall under livestock. It doesn't fall under kennels since it is not commercial property. He thinks dogs clearly fall under the Hobby Animal definition even though the definition doesn't make sense. In the table and the like animal language, clearly a dog can be read into that. His problem is that the code only allows 6 dogs. He could easily allow 6 dogs; that would be totally within the code. That doesn't mean that if there are changes in the code, down the road, that 16 dogs on 6 acres wouldn't be a great thing. He thinks the Planning Commission's hands are tied with the 6. He wouldn't think that the Planning Commission could accept 16 dogs since it is totally contrary to the code. He asked Shay Stark, City Planner if there is a place where there can be exceptions to the code. He feels they need to follow the 6. He asked for clarification on the exception being bumped up to the city council. If it is more than 6 dogs than it will be kicked up to the city council and if it's just the 6 then it is approved on the Planning Commission Level.

351 Shay Stark, City Planner- Yes, if there is an exception being made based on this code, then it goes to city
352 council. City Council is the legislative body and can grant an exception. In other situations the Planning
353 Commission recommends an exception but the city council has to grant the exception.

354 Bruce Thorpe – Bottom line if there is no statutory language that allows it. He doesn't see how anyone can
355 change the law. If the approval is for 6 dogs then good, more than 6 he thinks it's a problem.

356 Jared Barton – Asked Shawn Ram how quickly are they looking to get up to 8-16 dogs. A few years possibly?

357 Shawn Ram – Yes, absolutely

358 Jared Barton – Suggested the Planning Commission grant a condition use permit for up to 6 amount of dogs
359 per year to give the Ram's time and the city time to update the code. That would keep the Planning
360 Commission from making the exception that violates the code.

361 Shay Stark, City Planner – If you choose to grant it for 6 dogs, which is within the code. Amend the code, and
362 actually act on it and see where it goes. Shay cannot predict what the city council would do.

363 Bruce Thorpe- Asked if the Ram's would be able to cross out 16 and put 6. He thinks that most everyone on
364 the Planning Commission would be open to approving the 16 dogs but he couldn't do that. He could
365 approve the 6.

366 Jim Chase – Based on the Mayor's letter, Jim thinks that it would be denied in city council.

367 Bruce Thorpe- Asked/stated the application doesn't need to be sent up to city council if they approve 6 dogs.

368 Jim Chase – If the Planning Commission doesn't follow code and makes an exception then it goes to city
369 council.

370 Jared Barton – Wondered if anyone had talked to the Mayor about this.

371 Jared Peterson – The Mayor has been really pushing the "no gray area" he wants things black or white. The
372 Mayor didn't say that he was against this, just that in his opinion the code needs to be amended.

373 Jared Barton – It is incumbent upon the Planning Commission to act on this.

374 Jared Peterson – He believes that conditional use permits should be issued on the individual conditions and not
375 set precedence every time it's something a little different. Chicken permits need to done on an
376 administrative level and not come to Planning Commission. His issue with this is the amount of property
377 the requestor owns be under the same restrictions as someone with a small lot. He does agree with Shay
378 Stark, City Planner that it is hard to pass a dog off as a cow or of the like. It's also not listed as a wild
379 animal or non-permitted animal.

380 Jared Barton – Asked how many square feet is in an acre.

381 Jim Thorpe and Chris Helvey – Both answered – 43,560 square feet 6 acres there is 261,360 sq. ft.

382 Jared Barton – You can have 1 miniature horse in 1500 sq. ft... obviously they have enough land. He agrees
383 with Chris, ambiguity in a law always favors the party that didn't write it. There is plenty of ambiguity
384 here, they can easily say that if you can fit 1 horse, you can say a dog is at least 2 horses on 1500 sq ft.

385 Bruce Thorpe – But the language says a total of 6 hobby animals.

386 Jared Peterson – Asked if the only hang up here is that the Planning Commission cannot use the livestock
387 chart because of the definition.

388 Jared Barton – No, these are not livestock animals. He wouldn't support that even if there was ambiguity there.

389 Jim Chase – In looking at the bottom of the chart it is saying in similar size and nature. Take a goat, what kind
390 of nature does a female goat have, what kind of size? Asked how one can interpret that.

391 Shay Stark, City Planner – That is why the definitions were included at the end the section.

392 Shawn Ram- Obviously this is confusing. As they considered it if there wasn't opportunity for it. They looked
393 at livestock, which is a definition which is defined by animals. If you look at the definition in conjunction
394 with the kind and nature. Livestock is bred for food. There are other animals such as a horse for working
395 purposes. Siberian Husky is a working dog and is classified under that breed, its intent is to work. As they
396 consider the idea like- kind and nature, size and nature the nature of working. The family is building the
397 barn to accommodate the family as well as neighbors.

398 Further discussion ensued regarding whether the dogs can be considered livestock- the consensus was no. The
399 Planning Commission Members do not want to grant an exception and that the code needs to be enforced
400 and the animal code be re-written. The code is not being re-written for the dogs but because of the issue

with ambiguity and land size. There is not enough confusion or ambiguity in the code to grant a conditional or to make a motion to approve based on livestock. A hobby animal is clearly 6 dogs there is good justification for that. There isn't anyone at the meeting that opposes what the Rams are doing, it is a matter of doing it within the code.

JARED BARTON MOTIONED TO APPROVE THE CONDITIONAL USE PERMIT; HOBBY ANIMALS – DOGS FOR SHAWN RAM FOR UP TO 6 DOGS WITH THE UNDERSTANDING THAT THE ANIMAL CODE BE ADJUSTED IN THE NEXT 6 MONTHS. JIM CHASE SECONDED YES - (3), NO – (1) JARED PETERSON ABSENT (2) STACEY PETERSEN, DAVID CLARK

APPROVAL OF THE APRIL 13, 2017 MINUTES.

Changes to be made: Jan and Richard Donegan made most of the comments, with the exception of one or 2 comments by Colleen and Kirk Chapman. Line 13 should be Brian Chapman. Line 28 change left to west. Line 29 add "to". Line 30 change south to north. Line 53 and 54 correct typos. Line 58 add greater than. Line 137 Jim Chase seconded the motion. Line 248 complete the sentence.

**JARED PETERSON MOTIONED TO APPROVE THE MINUTES FOR APRIL 13, 2017 WITH NOTED CHANGES JIM CHASE SECONDED.
VOTE: YES – (3) NO – 0, ABSTAIN – (1) JARED BARTON
ABSENT – (2) STACEY PETERSEN, DAVID CLARK**

GENERAL PLAN - LAND USE –

Jared Peterson tabled the discussion

CITY COUNCIL UPDATE

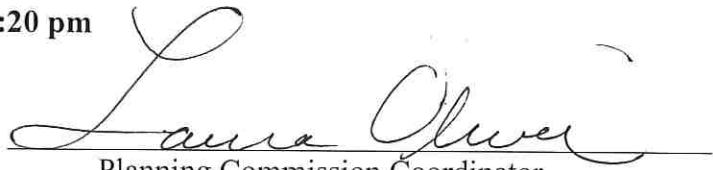
Nelson Abbott – The city council was not able to discuss removing the PUDs and Overlays because the agenda was extremely full and will be on the agenda most likely the second meeting in May.

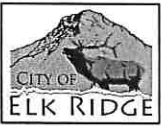
Jared Peterson – Asked if the city council has received the first completed section of the General Plan to approve.

Nelson Abbott - All he has seen was the link. The city council did not receive the completed section.

OTHER BUSINESS

MEETING WAS ADJOURN AT 9:20 pm


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, May 11, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm ACTION ITEMS

1. Elk Ridge Meadows Phase 10 Final Approval see attachments
2. Harrison Heights Phase 10-12 Final Approval see attachments

PLANNING COMMISSION DISCUSSION

3. Fencing Code 10-12-13
4. Retaining Walls 10-12-13
5. Animal Code 10-18
6. General Plan - Trails

CITY BUSINESS

7. City Council Update
8. Other Business:

Adjournment

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, the 10th day of May, 2017 and delivered to each member of the Planning Commission on the 10th day of May 2017.

Planning Commission Coordinator: *Laurea Oliver* Date: 10th day of May, 2017

ELK RIDGE PLANNING COMMISSION
MAY 11, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, May 11, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Jared Barton, Bruce Thorpe

Absent: Stacey Peterson, David Clark

Others: Shay Stark, City Planner

Tricia Thomas, City Council

Royce Swensen, City Recorder

Laura Oliver, Planning Commission Coordinator

Public:

OPENING ITEMS

Jared Peterson welcomed at 7:00 pm. Opening remarks were given by Bruce Thorpe followed by the Pledge of Allegiance.

**JARED BARTON MOTION TO APPROVE THE AGENDA JIM CHASE
SECONDED THE MOTION. VOTE: YES – ALL (4) NO – NONE,
APPROVED. ABSENT; STACEY PETERSEN, DAVID CLARK**

ACTION ITEMS

1. ELK RIDGE MEADOWS PHASE 10 FINAL APPROVAL

Jared Petersen turned the time over to Shay Stark, City Planner

Shay Stark, City Planner – Elk Ridge Meadows Phase 10 is the last Phase of Elk Ridge Meadows. There were a few items regarding water lines that were discussed in the TRC that needed address, these items have been addressed. The only item that has not been addressed, that was discussed in the TRC, is regarding the street cross section. This, however, does not change the design of the plan. Otherwise, Phase 10 meets the design standards and Elk Ridge city code. Since this phase is in the PUD the lot sizes can be as small as 7,000 square feet.

Bruce Thorpe – Asked Dean Ingram, Developer, if the Elk Ridge had lots that are small or is the small lot size unique to Elk Ridge Meadows Phase 10 and if the size of the homes will be consistent with the surrounding phases.

Dean Ingram- This phase is consistent with the rest of Elk Ridge Meadows Development.

Shay Stark- Elk Ridge Meadows is in the PUD which trades smaller lots for open space.

Bruce Thorpe – Asked where the open space is.

Shay Stark- The plan for open space is a little more complicated than when it was originally. In 2005 when Elk Ridge Meadows was approved, there was open space running through the whole development. There were open trails and parks in the self-help homes area and the large park in Phase 1.

Dean Ingram- Prior to the previous developer going bankrupt the developer sold 14 acres to Nebo School District. They incorporated some of the school property into the open space design and reconfigured the area moving and widening the trail. The city decided that the city could not handle any more parks so Dean paid a park in lieu of fee so the city took the money instead of putting in more parks.

Jared Barton- Asked if an HOA was part of Elk Ridge Meadows originally.

Shay Stark- Yes but there is no longer an HOA in the development.

**JARED PETERSON MOTION TO APPROVE ELK RIDGE MEADOWS
PHASE 10 NOTING THAT THE CROSS SECTION 56 FOOT WIDE
CROSS SECTION FOR HARRISON AND QUAKING ASPEN STREET,
BRUCE THORPE SECONDED THE MOTION. VOTE: YES – ALL (4) NO
– NONE. APPROVED. ABSENT, STACEY PETERSEN, DAVID CLARK.**

2. HARRISON HEIGHTS PHASE 10 AND 11 FINAL APPROVAL

Jared Peterson- Asked if Harrison Heights Phase 10 and 11 were being approved together.

Shay Stark – Phases 10 and 11 are on the same application and they can be approved at the same time. The issues that were noted in the TRC have been addressed. Phase 10 and 11 meet the design standards and Elk Ridge city code.

Jared Peterson – Recommended that Meadowlark Lane continue on through Meadowlark Circle and not name the circle.

Dean Ingram – He can change the name of the street

Bruce Thorpe – Asked what the little jog south of the school is for.

Shay Stark – There is going to be a street near Cottontail Street that will swing around that will tie into the intersection of Quaking Aspen. This will connect the property to the school, Which Dean will be deeding to the school. This will be additional open space that the school will maintain.

Jared Peterson – Corp detail on the water is missing on the plans.

Shay Stark – Yes, that is correct. Note that in the motion.

Jared Peterson- The plans show copper for the water detail. What is the city standard.

Shay Stark – Public Works uses poly on all the water details. Copper was used in previous developments but Public works changed to poly.

**JARED PETERSON MOTION TO APPROVE HARRISON HEIGHTS
PHASE 10 AND 11 NOTING THAT THE WATER SERVICE DETAIL BE
UPDATED TO SHOW THE CORP AND POLY, JIM CHASE SECONDED
THE MOTION. VOTE: YES – ALL (4) NO – NONE. APPROVED.
ABSENT, STACEY PETERSEN, DAVID CLARK.**

PLANNING COMMISSION DISCUSSION

3. FENCING CODE 10-12-13

Shay Stark – Jim Chase drafted the revision that was discussed in a previous meeting. In reviewing the draft Shay realized that it needed to have more detail. Shay took what Jim Chase

had drafted and incorporated that revision into the code with a little more detail. In the current code it states that “On corner lots a side obscuring fence, wall, hedge, or similarly enclosing planting or structure having a height of more than 36 inches may extend into the required side or rear set back area adjacent to the street subject to compliance with the following...” (Shay did not read the rest of the code).

Shay recommends the following revision; ‘On corner lots a side obscuring fence, wall, hedge, or similarly enclosing planting or structure having a height of more than 36 inches may **not** extend into the front setback area, side setback area, abutting street or clear vision area of the lots as defined in section 10-12-9 of this chapter.’ Shay removed items 1 and 2 and kept item 3 rewording in it slightly using “a” instead of “the”. This states more clearly what is allowed instead of trying to figure out what exceptions are.

Also pertaining to Fences under section B, regarding height, the code states-“permitted in the front and or clear view area, Shay wants to make it clear that it is the front setback area. Another small change is that tennis courts, sport courts, batting cages etc. The code states that they can be on a corner lot on that side setback, they just have to be set back 10 feet from the street. Shay recommends making this section consistent by not allowing them on a front setback, side setback or clear vision area.

Jared Petersen – Suggests that the word “object” above 36 inches be added in order to incorporate RV’s.

Shay Stark – If this is agreeable to the Planning Commission it can be placed on the agenda for Public hearing.

Jim Chase will complete the draft of the Fencing code revision.

4. RETAINING WALLS 10-12-13

Shay Stark – The city is running into problems with the current code. The way the current code is written anything that holds dirt back, even if it’s curbing around their yard or a raised garden, of any height, needs an engineering and city approval. Shay recommends that the height of retaining walls be defined as well as what kind of wall is allowed. The International Building Code states what needs a building permit and what doesn’t. Most codes define the height of a retaining wall over 4ft, which measures from the bottom of the footing to the top of the wall require a permit. Shay also discussed walls bearing surcharge on retaining walls.

Discussion ensued on code enforcement, types of walls, surcharge, and hazardous material. Suggested following the IBC code, with leaving the wording regarding flammable liquid out, as it has to be permitted anyway.

5. ANIMAL CODE 10-18

Jared Petersen – Jared has been researching animal codes, as per the discussion in the last Planning Commission meeting, and would like the Planning Commission’s input on some animal codes he has found. Jared would like to simplify the code with keeping in mind the different zones. Jared presented a code that uses a point system. The number of animals, depending on the zone, dictates how many animals are allowed. It has been discussed with removing the

conditional use for chickens and making and allowing all residents to be allowed to have chickens or making it administrative and the permit not go through the Planning Commission. By the time the city staff, Planning Commission go through a conditional use permit, the city actually loses money.

Shay Stark – Shay really likes the points idea but the Planning Commission needs to be very careful with the transitional lots that have ½ or 1 acre lots. The point system can't allow someone to put a cow on a lot that is tightly surrounded by other smaller lots. That could be dealt with by defining what livestock is.

Jared Barton – Some lots are so small that their point would allow them to have 1 chicken. The points would have to realistic.

Discussion ensued on vicious dogs/breeds, livestock, code enforcement, Utah County animal control, nuisance laws, discontinuing conditional use permits, placement of animals/management plans,

Jared Peterson – Feels like he has good direction on how to proceed and will begin drafting the animal code based on the points system.

6. GENERAL PLAN – TRAILS

Shay Stark – There are 2 questions that need to be discussed, the size of the trail and what constitutes a trail. The federal standard is 10 feet as now is recommending 15 feet. This recommendation is based on speed of travel- bikes etc. He doesn't see an issue with an 8 foot trail, which would accommodate passing bikes, strollers, roller bladders etc. The current code does not have a standard for trails. Another issue is where the trails will actually be. The current trail map needs to be updated. There is an area of the trail on Salem Hills Drive that is on the north side of the road. The west section of Salem Hills Dr. has a lot of driveways and steep slopes which would make putting the trail on the north side of the road difficult.

Jared Peterson- he does not think that the trails need to be any wider than 8 feet in Elk Ridge. He asked if certain requirements are needed in order to obtain grants.

Shay Stark – The trails requirement would be 10 feet in order to receive grant money. The city meets those requirements due to some of the existing trails in lower Elk Ridge being 10 feet. Shay does not see a problem with 8 ft. trails. The federal guidelines are based on cities across the states. The population and geography of Elk Ridge is not comparable to non-mountainous areas. Shay asked the Planning Commission if they would prefer the trail be on the north side of the road, on west Salem Hills Drive.

Jared Barton – Jared thinks that the new developments should be consistent with 10 foot trails.

Jared Peterson – Recommends that the Planning Commission go and review the area.

Shay Stark – Recommends that a field trip be with Public Works. Shay asked the new development on West Salem Hills Dr. to put the 12-14 foot trail on their plans. There are not sidewalks in this area.

Jared Peterson – Feels that for now the Elder's plans should show the trail for now

CITY BUSINESS

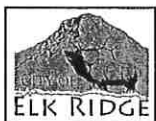
City Council Update – The City Council started reviewing the General Plan. Mayor wants to define what Dark Sky is and is passionate about becoming Dark Sky Compliant.

169 Other Business
170 No other business

171
172 Adjournment – Meeting adjourned at 8:40 pm

173
174


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

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AMENDED NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, May 25, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PLANNING COMMISSION DISCUSSION

1. Fencing Code 10-12-13
2. Retaining Walls 10-12-13
3. Animal Code 10-18
4. General Plan - Land Use

CITY BUSINESS

5. City Council Update
6. Other Business:

Adjournment

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Amended Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, the 24th day of May, 2017 and delivered to each member of the Planning Commission on the 24th day of May 2017.

Planning Commission Coordinator: Laura Oliver Date: 24th day of May, 2017

ELK RIDGE PLANNING COMMISSION
MAY 25, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, May 25, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, David Clark, Jim Chase, Jared Barton, Bruce Thorpe

Absent: Stacey Peterson,

Others: Shay Stark, City Planner

Tricia Thomas, City Council

Royce Swensen, City Recorder

Laura Oliver, Planning Commission Coordinator

Public:

OPENING ITEMS

Jared Peterson welcomed at 7:15pm. Opening remarks were given by David Clark followed by the Pledge of Allegiance.

DAVID CLARK MOTIONED TO APPROVE THE AGENDA JIM CHASE
SECONDED THE MOTION. VOTE: YES – ALL (5) NO – NONE,
APPROVED. ABSENT; STACEY PETERSEN

PLANNING COMMISSION DISCUSSION

1. FENCING CODE 10-12-13

Shay Stark – The Fence code was discussed last Planning Commission meeting. One of the issues discussed was RV's or trailers parked in the front setbacks where the Planning Commission discussed allowing a 3 foot height fence. Shay made the following draft revision to the fence code for the Planning Commission to consider. This is a rough draft.

“The added paragraph is: Long term storage of recreational vehicles, trailers and other high profile objects extending above the 36 inch requirement for fencing is prohibited in the front setback area or the clear vision area of a lot in order to retain safe viewing distances for drivers, cyclist and pedestrians. Short term parking in driveways is permitted. Short term is defined as a vehicles or objects are intermittently removed from the driveway and sits in place in the driveway no more than 14 days at a time.”

If someone parks an RV in their driveway and they are pulling out of that driveway, their view is blocked as well as the view of any drivers approaching the RV on the street.

Jim Chase – Asked for clarification that this refers clear vision area.

Shay Stark – Yes, this pertains to clear vision area.

Jim Chase – Does this only refer to corner lots?

Shay Stark – Language could be added to pertain to corner lots.

Bruce Thorpe – Asked if there was a difference between clear view area and clear vision area

Shay Stark– It means the same thing but he would change the word view to vision to be consistent.

Jared Peterson– Asked if there were any other comments pertaining to the fencing code.

2. RETAINING WALLS 10-12-13

Shay Stark – The only change on retaining walls is the language referring hazardous liquids was removed per the discussion last Planning Commission meeting.

Jared Peterson– Asked for clarification on the retaining wall shall be determined by the height of the earth being retained”.

Shay Stark– That is what is in the current code. It has been changed to be determined from the bottom of the footing to the top of the wall.

Jared Peterson– Asked if there were any other comments pertaining to retaining walls. Also, if the fences retaining walls and hedges amendment was going to be on the agenda as a public hearing next meeting.

Laura Oliver – Yes, it is hoped to have as many items ready for public hearing on June 8th.

3. ANIMAL CODE 10-18

Jared Petersen – Handed out copies of his draft of the animal code. Jared explained zones--that if it is red it has been changed, if it is blue it is up for discussion. There are 2 charts 10-18a homes without livestock rights and 10-18b with livestock rights. Jared used parts of the current code where it made sense. This draft is based on a point system. Jared added purpose chapter, property, other animals - not permitted/vicious, exotic or wild animals. Chapter 5 of the current code is identical to the Utah County animal code. This includes what the Utah County animal control can do. Jared explained chart 10-18a and how the size of the property dictates the number of animals permitted. This allows 100 points per acre. Jared researched several different animal codes based on the point system.

Jared Barton – In looking at the size of the lots and the points given per animal, many lots can barely have 1 cat.

Jared Peterson– All of these numbers can be changed. This is just a rough draft and all the numbers are up for discussion and can be changed accordingly.

Jared Barton – Asked if they should make a change in differentiating between indoor pets and outdoor pets.

Discussion ensued on indoor and outdoor pets; cats vs. dogs and leaving the limit open for indoor animals and trying to enforce indoor animals.

David Clark – is concerned that someone with 10 acres having 100 cats and the problems that would cause.

Shay Stark – That would be handled under the nuisance code.

Jared Peterson – Explained chart 10-18b livestock rights. No grazing animals in setbacks.

Tricia Thomas– Asked about emotional support animals.

Royce Swensen – The city has been getting a lot of requests for goats. Goats are becoming the new chicken.

Shay Stark – Federal disabilities act protect emotional support animals.

Jared Peterson – Something can be added to the code pertaining to emotional support animals. A permit can be sought with a letter from a doctor.

Jared Peterson – Owners and breeders have a time limit to wean litters. Jared added ducks, pheasants and quail. Jared continued through the chart. Livestock- is conditional use and needs to submit a management plan.

Discussion ensued on how much land a horse could be housed on based on the footprint of the home, size of the horse.

Jared Peterson – Recommends taking out kennels. It is discussed in chapter 5.

Jared Barton – Suggests keeping the heading and just referencing chapter 5.

Jim Chase – Define what is an indoor animal – that is determined by where their food and sleeping areas are located.

Jared Peterson – Took out Hobby Animals, it would no longer apply with this code.

Jared Barton – Really likes the points plan. The numbers just need to be tweaked.

Jim Chase – Smaller lots would only get a dog or a cat.

Tricia Thomas – Everyone should be able to have at least 1 cat and 1 dog regardless of lot size.

Jared Peterson – Under the point system even the PUD can have chickens.

Jared Barton – Restated that indoor pets and outdoor pets need to be clearly defined.

Discussion ensued on points for chickens.

David Clark – Just read about emotional support animals and the federal guidelines state that one needing an emotional support animal would need a letter from their doctor.

Jared Peterson – That can be handled by a permit administrated by the office staff.

Jared Peterson – Points for a dog will be 20, points, cats 10 points, chickens 5 points, ducks at 10 points, rabbits 10 points, quail 10 points, cows 75 points, horse 75 points with 10,000 sq. ft. dedicated as a habitat, sheep 35 points, goats (any kind of goat) 35 points, miniature horse 40 points. Many towns do not allow Llama's. Jared added Alpaca's and Camels to the prohibited list per discussion.

Jared Barton – Asked if all animals should be tagged. Not necessarily licensed but tagged.

David Clark – Asked Royce what the impact of tagging everything would be on the city staff.

Royce Swensen – It would be difficult to enforce and to keep up with.

Shay Stark – He highly recommends getting rid of conditional use all together. Emotional support can be done through permit. If someone comes in and cares enough about an animal that is not on the list then they can approach the city to change the code.

Jared Barton – Agrees that conditional use permits should be taken out completely.

Shay Stark – Asked if properties with animal rights to provide a management plan.

Jared Peterson – Yes they would need a management plan.

Shay Stark – Asked if Koi ponds should be allowed.

Jared Peterson and other members do not think they are an issue.

Jim Chase – Thinks miniature should be taken out and just leave it as horse.

GENERAL PLAN – LAND USE

Jared Peterson tabled the discussion.

CITY BUSINESS

129 City Council Update – Jared Peterson asked Tricia to get the City Council to approve the General
130 Plan vision and intro.

131 Other Business

132 Shay went through the trail plan with Dale and will be updating it for the Planning Commission
133 to review. The trail on the map by David Clark's house is not on the map. Jared marked it on
134 Shay's map.

135

136 Adjournment – Meeting adjourned at 8:45pm

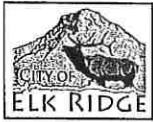
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Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, June 8, 2017**
- Meeting Time - **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND DISCUSSION

1. Camelot Single Lot Subdivision on Salem Hill Drivesee attached

PUBLIC HEARING AND ACTION

2. Gladstan View Estates Final Plat Approvalsee attached
3. Amendment to Fencing Code 10-12-13see attached
4. Amendment to Retaining Walls Code 10-12-13see attached
5. Amendment to Animal Code 10-18see attached

PLANNING COMMISSION DISCUSSION

6. General Plan – Land Use

CITY BUSINESS

7. City Council Update
8. Other Business:

Adjournment

CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Amended Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, the 07th day of June, 2017 and delivered to each member of the Planning Commission on the 07th day of June 2017.

Planning Commission Coordinator: Laura Oliver Date: 7th day of June, 2017

ELK RIDGE PLANNING COMMISSION
JUNE 8, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, June 8, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Jared Barton, Stacey Peterson,

Absent: Dave Clark, Bruce Thorpe

Others: Shay Stark, City Planner

Tricia Thomas

Royce Swensen, City Recorder

Laura Oliver, Planning Commission Coordinator

Public: William Taylor, Stephanie Taylor, Jamie Elder, Jennie Elder, Tricia Gunnerson,

Chris Bernard, Tonya Bernard, Charyn Gunnerson, Brad Bushman, Alex Smith,

Russ Adamson, Annette Martin, Sharon Ram, Angelique Ram, Rachel Erickson,

Tyce Erickson, Paul Crook

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Stacey Petersen followed by the Pledge of Allegiance.

JARED BARTON MOTIONED TO APPROVE THE AGENDA STACEY PETERSEN SECONDED THE MOTION. VOTE: YES – ALL (4) NO – NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE THORPE

PUBLIC HEARING AND DISCUSSION

1. CAMELOT SINGLE LOT SUBDIVISION ON SALEM HILLS DRIVE

Jared Petersen turned the time over to Shay Stark City Planner.

Shay Stark- Camelot is a single lot subdivision on West Salem Hills Drive on the north side of the road. The property to the west is developed, the property across the street on the south side is undeveloped as is the property next to Camelot to the east. The frontage of this lot is 450 feet and there is no other configuration. The development has had a TRC and it was decided to move forward and bring it before Planning Commission and the public. Even though the drawings are not 100%, from a Planning Commission's perspective, there is nothing about the development that can change the configuration of the lot. Tonight is the public hearing and discussion but no action will be taken tonight. The lot does conform to the zone. There are no exceptions or variances as far as the configuration and buildable area of the lot.

Jared Peterson opened the public hearing.

45 Tricia Gunnerson – Her home is next to Camelot to the west. Her home has had flooding issues.

46 Several years ago the city cut some ditches in the road to make the water travel down to

47 Mahogany Road, to the west. She wanted to make sure that the drainage is being considered.

48 Shay Stark – As improvements are made in the road there will be catch basins and sump pumps

49 installed in order to catch anything that comes onto the road. Shay would have to go to the lot

50 and look at the specific situation.

51 Tricia Gunnerson – There are a lot of four wheelers that go through that have destroyed the

52 ditches but there are culverts below on Mahogany that are set up to catch the drainage.

53 Shay Stark – Shay will review the area and see that this is taken into consideration with the

54 improvements that will be installed. The sumps and catch basin should catch the drainage.

55 Jared Peterson – The Planning Commission will make sure that is addressed.

57 Jared Peterson Closed the Public Hearing.

59 Shay Stark – He did get the revised plans and will be able to review those. He is confident that

60 the plans will be approved next Planning Commission meeting.

61 PUBLIC HEARING AND ACTION

62 2. GLADSTAN VIEW ESTATES FINAL PLAT APPROVAL

63 Shay Stark – Gladstan View Estates development has been split into Phases A and B. Splitting

64 it into 2 phases enables the plats to fit onto the Mylar. This development is on the west side

65 of Elk Ridge Dr., starting at the existing homes on the north end and runs south along the

66 golf course up to Gladstan Dr.

67 William Taylor – Asked what the frontage requirement is.

68 Shay Stark – The frontage requirement for all the lots is 120 ft. (amount corrected in line 76)

69 William Taylor – Asked what the zoning is for this development

70 Richard Donegan – Asked if the homeowners would be backing out into Elk Ridge Dr. from

71 their driveways.

72 Shay Stark – The lots are required to have a turn-around or hammerhead driveway in order to

73 prevent cars backing out into Elk Ridge Dr. Also there is a 4 ft. wide park strip and an 8 foot

74 wide trial along the road which gives clear view of vehicles leaving a driveway.

75 Jared Peterson – The zone is R-1-15,000

76 Richard Donegan – Asked what the lot sizes are.

77 Shay Stark – The lots on the north end are 15,000 sq. ft. The lots further to the south are larger at

78 30,000 sq. ft. range. Shay also corrected the frontage which is 100 ft. not 120 ft.

79 Clarified that there are not multiple entrances on to the lots.

81 Jared Peterson closed the public meeting.

83 Jared Peterson – Ask if the fire hydrant and minor matters discussed in the TRC had been

84 completed.

85 Shay Stark – The changes have been made. The new drawings, which the Planning Commission

86 has, were submitted yesterday and will double check to see that those items were done.

88 **STACEY PETERSON MOTIONED TO APPROVE GLADSTAN VIEW**
89 **ESTATES PRELIMINARY PLAT WITH THE CLARIFICATION THAT**

90 THE COMPLETION OF THE FIRE HYDRANT RELOCATION AND
91 THE TRAIL ENDS BE CONFIRMED. JIM CHASE SECONDED THE
92 MOTION. YES – ALL (4) NO – NONE, APPROVED. ABSENT; DAVE
93 CLARK, BRUCE THORPE
94

95 **3. AMENDMENT TO FENCING CODE 10-12-13**

96 Jared Peterson – The Planning Commission is proposing to amend the fencing and retaining
97 wall codes to make them clearer and safer.
98

99 Jared Peterson opened the public hearing
100

101 William Taylor – Asked if the proposed amendment could be read.

102 Shay Stark – The problem is on corner lots and the home next to corner lots and 6 ft. fencing
103 being brought out to the street which blocks clear view vision at intersections and
104 driveways. The code is being amended to restrict fencing in front of the home to 36 inches
105 high from the front of the home or the setback, whichever is closer. Language is being
106 clarified to where the 36 inch high fencing would be.
107

108 **JARED BARTON MOTIONED TO APPROVE THE FENCING CODE 10-12-**
109 **13 STACEY PETERSEN SECONDED THE MOTION. THE MOTION. YES –**
110 **ALL (4) NO – NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE**
111 **THORPE**
112

113 **4. AMENDMENT TO RETAINING WALL CODE 10-12-13**

114 Shay Stark – The retaining wall code is being amended to bring the city in line with
115 international building code. The original code is old and is being brought up to date. The
116 original code required that any retaining wall, even if it was a 6 inch high garden bed or
117 anything that was holding back dirt, required it to be engineered and approved by the city.
118 The Planning Commission has updated the height requirements and safety issues. The
119 heights have been updated per the international building code is measure by the bottom of
120 the footing. Retaining walls over 4 feet in height as measured from the bottom of the footing
121 to the top of the wall, or having an exposed face height greater than 30 inches, or supporting
122 a surcharge. If there is a retaining wall over 30 inches tall a rail is required for the top of the
123 retaining wall. The amendment will go into effect when it is approved by city council.

124 Jared Peterson – Any time you have a grade change more than 30 inches you have to have a rail.

125 Shay Stark – Most people terrace at 30 inches.
126

127 **JARED BARTON MOTIONED TO APPROVE THE RETAINING WALL 10-**
128 **12-13 STACEY PETERSEN SECONDED THE MOTION. THE MOTION.**
129 **YES – ALL (4) NO – NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE**
130 **THORPE**
131

132 **5. AMENDMENT TO ANIMAL CODE 10-18**

133 Jared Peterson – There has been a lot of confusion on the animal code and it has been decided to
134 revise the animal code. What he presented is not perfect but a work in progress. He came up
135 with a point system to try to make it fair for all residents. Some of the points and animals

may need to be changed and so forth which will be discussed at length. There were some letters that were submitted that will be discussed.

Jared Peterson opened up the public hearing.

Tricia Gunnerson – Asked how the change will affect those that already have animals. Their property is zoned for livestock.

Jared Petersen – Conditional use permits that are already approved remain valid until the conditional use is abandoned. If you have a goat permit in a residential area you are still permitted to have them. If you get rid of the goats then the permit is considered abandoned and the new code goes into effect. Goats are no longer permitted in residential areas, only in areas zoned for livestock. Residents need to know what zone they are in. There are some bigger lots that are zoned for grazing; a quarter acre lot does not have those rights. He has tried to make the chart in line with the zones and the size of the lot.

Shay Stark – The code is being revised to eliminate conditional uses and having to get a permit for certain animals. If a resident meets the zone requirements on their lot they do not have to get a permit. A management plan will be needed which shows that there are appropriate facilities to take care of the animals so that vermin do not become a problem. That plan is filed and will be used if a complaint is lodged to see if the management plan is not being followed.

Jared Peterson – The conditional use permit for chickens has been removed as well as some of the restrictions for the PUDS.

Jennie Elder – Asked if this point system is like 2 points for a chicken and so on and if the requirements for the setbacks will remain in place.

Jared Peterson – Yes, there are points given for all the animals and the setback requirement is still in place.

William Taylor – Asked if they could see the chart and have it explained

Jared Peterson – Yes, they put the chart up with the overhead. There is a chart for residential lots without livestock rights. The maximum points allowed has been set at 100 points per acre. There are 2 numbers on the chart: the points per species and how many square feet per habitat are needed per animal. For instance a cat has 10 points with 8 square feet for their habitat and so forth.

Jared Barton – The intent of these changes is not so the city controls what is happening on an individuals property. The city is not interested in regulating what is happening on your property. If you have indoor pets and they stay indoors and are not a problem to the neighbors the Planning Commission is not interested in regulating them. If you have outdoor pets that is where these charts come into effect. No one wants chickens all over the road as is happening now. These changes are to get some common sense regulations into place on the animals that spend a majority of their time outside.

Stacey Petersen – Asked if everyone can only have 1 cat and 1 dog regardless of lot size.

Jared Petersen – Everyone is allowed a dog or a cat before the points go into effect.

Jamie Elder – Cats are notorious in jumping fences and roaming at large.

Jared Peterson – Cats and dogs need to be licensed. Chapter 5 of the code is nuisance laws which are enforced by the county. This code is identical to the Utah county code.

Shay Stark – Animal control is enforced through the county. The city has the authority to take care of minor nuisances.

181 Jared Peterson – The numbers can be revised. This is the first attempt at the points and areas.

182 William Taylor– The numbers for rabbits should be lowered to 5. They are in pens and quiet.

183 Jared Peterson – All of the charts he has studied have rabbits at 10 points but these numbers can
184 be revised. After the public discussion the Planning Commission will discuss the points and
185 habitat areas.

186 William Taylor – He is concerned that those that already have animal rights will lose the rights
187 they paid a premium to have. He handed out a chart that has revised figures for areas zoned
188 with animal rights.

189 Shay Stark – Through this discussion, the Planning Commission will look at the points given
190 and will take a realistic look at how many chickens, dogs, etc. will be able to be maintained
191 on a given lot and will keep in mind the concerns voiced tonight. Those that have chickens,
192 rabbits, or any number of outdoor animals need a management plan. The city would use the
193 management plan as something to fall back on if there was a problem. Waste management is
194 part of the management plan. The Planning Commission has tried to be sensitive to those
195 issues and has to deal with those that do not take care of their animals.

196
197 Stephanie Taylor– Asked since there will no longer be conditional uses, having a management
198 plan seems to be making more work for the city in maintaining and or gathering them. The
199 point system limits those who may use their land as a source of self-reliance. Rabbits can be
200 used as food; 2 rabbits can become 12 rabbits and then dinner very quickly and this system
201 would limit the food that could be homegrown.

202 Jared Peterson – There is a caveat regarding litters and how long they can be kept on the
203 property.

204 Chris Bernard – Asked why Llamas and Alpacas are not allowed. They are clean and quiet and
205 are a good source of meat.

206 Jared Peterson – It was a request from the City Council that Llamas and Alpacas not be allowed.

207 Chris Bernard – Asked what constitutes abandonment.

208 Jared Peterson – The clause states that if you have a conditional use permit that is grandfathered
209 in and you get rid of that animal(s) for more than one year then it is considered abandoned.

210 Shay Stark – Conditional use permits is attached to the land not an individual. This clause
211 mirrors the state law regarding conditional uses.

212 William Taylor – If there is a problem then address the problem and do not create busy work.

213 Angelique Ram – The tough spot is the residential lots next to the more rural lots and how to
214 appease both situations. Management plans should be required only when there is a
215 problem. She likes the different charts for those with larger lots and animal rights. She
216 appreciates what has been done.

217
218 Jared Peterson closed the public comment.

219
220 Stacey Petersen – Agrees that rabbits should have a lower point value.

221 Jared Peterson – Chukers have a point value of 15 which is a typo and should be lowered. He
222 went through the points on chart 10-18A. Chukers could be lowered to the points given to a
223 pigeon or a chicken.

224 Shay Stark – He has been told that by many people that Chukers are noisy birds. Recommended
225 that a chart be created for larger or livestock zones.

226 Jared Peterson asked if there were any numbers that needed to be adjusted or added or removed.

227
228 Discussion ensued on points and habitat size:
229
230 Everyone is allowed 2 dogs or cats and not counted towards the points allotted
231 Inside animals of any number allowed.
232
233 Discussion ensued on grazing animals only allowed in life-stock zones and habitat size
234 Note in ordinance regarding water, pasture, supplemental feed
235 Setbacks
236
237 Discussion ensued concerning management plans:
238 Management plans are needed and that the city needs to be proactive.
239 Taking steps upfront to ensure that plans are in place then the residents know what is
240 expected of them.
241
242 Discussion ensued on comfort animals
243 Letter from physician needed
244
245 Discussion ensued on acreage and the home footprint and how much of the lot is actually
246 dedicated towards a habitat
247

248 **PLANNING COMMISSION DISCUSSION**

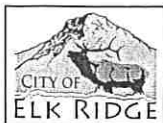
249 **GENERAL PLAN – LAND USE**

250 Tabled
251

252 **CITY BUSINESS**

253 City Council Update – no updates
254 Other Business – no updates
255 Adjournment – Meeting adjourned at 9:00pm
256

257
258 
259 Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, June 22, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION ITEMS

1. Conditional Use Permit - Chickens, Weaver..... see attachment
2. Conditional use Permit - Chickens, Purdy.....see attachment
3. Approval of April 27, 2017 Minutes.....see attachment
4. Animal Code 10-18..... see attachment

PLANNING COMMISSION DISCUSSION

5. General Plan - Land Use, Zoning, PUD see attachment

CITY BUSINESS

6. City Council Update
7. Other Business

Adjournment

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, the 21st day of June, 2017 and delivered to each member of the Planning Commission on the 21st day of January 2017.

Planning Commission Coordinator: *Samira Oliver* Date: 21st day of June 2017

ELK RIDGE PLANNING COMMISSION
JUNE 22, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, June 22, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Stacey Peterson,

Absent: Dave Clark, Bruce Thorpe, Jared Barton

Others: Shay Stark, City Planner

Royce Swensen, City Recorder

Laura Oliver, Planning Commission Coordinator

Public: William Taylor, Ken Purdy, Tricia Gunnerson, Cheryn Gunnerson

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Stacey Petersen followed by the Pledge of Allegiance.

No quorum- Agenda could not be approved.

Royce Swensen – Since a quorum is not present and poll vote will take place on the action items.

PUBLIC HEARING AND DISCUSSION

1. CONDITIONAL USE PERMIT - CHICKENS, WEAVER

Jared Peterson opened the public hearing

William Taylor – Asked how many chickens they are asking for and how many are they allowed.

Jared Peterson – They asked for 6 chickens and are allowed 6 chickens.

Shay Stark – Asked where the Weaver's are located.

Jared Peterson – Weaver's are on Amerigo in the R-1-15,000 zone.

Jared Peterson closed the public meeting

Jared Peterson, Stacey Petersen and Jim Chase are all approving of the conditional use permit. A poll vote will be held in order to approve the conditional use permit.

2. CONDITIONAL USE PERMIT - CHICKENS, PURDY

Shay Stark – Asked where the Purdy's were located

Jared Peterson – Purdy's are located on Ama Fille.

Jared Peterson opened the public hearing

Ken Purdy – They own 2 lots. The chicken coop will be located on the back lot to help with grasshoppers. They only want 2 chickens.

Jared Peterson closed public hearing

Jim Chase – Asked about the gap under the fence.

Ken Purdy – The gap will be closed. Asked if he will have to wait for 10 more days to get this approved.

Thursday June 22, 2017

Jared Peterson – They will do a poll vote and as soon as the votes are in then the Purdy's will be called and told the decision.

Jared Peterson, Stacey Petersen and Jim Chase are all approving of the conditional use permit. A poll vote will be held in order to approve the conditional use permit.

3. APPROVAL OF APRIL 27, 2017 MINUTES

Jared Peterson – Tabled approval of the minutes, a quorum was not present

4. ANIMAL CODE 10-18

Jared Peterson – Asked if Shay had sent the draft to the city attorney for his comment.

Shay Stark – He was waiting until after this meeting for more information to send it to the attorney. He would like under 10-18-1 or 1-18-2 a statement that says the intent of chapter 5 is to support the existing county animal code and if there is any conflict between this code and chapter 5 the stricter of the 2 will prevail. Shay changed “may” to “can” and a few other minor changes in formatting which helps in codifying. 10-18-7 in the existing code is kennels and he would like it to state repealed.

Jim Chase – The language regarding charts 10-18 A and B is confusing regarding allowance of dog and cats.

William Taylor – That language is vague and asked if these are indoor or outdoor dogs and cats.

Shay Stark – Asked if the Planning Commission still wanted to put limitation on male goats and on roosters. They were not permitted under the old code.

Jared Peterson – Would like it to say female and neutered males only.

William Taylor – Passed out a chart he had created of which he went through the list and the points.

Shay Stark – Cattle is broad definition which could include water buffalo. Llamas and Alpacas have been ruled out so does the Planning Commission want to use such a broad term

Stacey Petersen – Asked why Llamas and Alpacas were not allowed.

Jared Peterson – It was a request from the city that Llamas and Alpacas not be allowed. There is no real reason other than the city has had problems with them.

Jared Peterson – The plan was to have the animal code be less restrictive. This new code is more restrictive in the grazing animals and the chart that William created is fairer to those with animal rights.

Discussion ensued on points, nonconforming rights, grandfathered rights, and zone changes.

Many of the same items that were discussed last meeting.

The Planning Commission is not changing any of the zones.

Not removing zoned animal rights that are in place now.

Livestock – if points are too low then residents with small lots feel that they can have them.

Points and area/acreage for livestock

Lots that have livestock rights that are close to other residential lots like Bridger Lane

Added animals to the back to the list that were on the previous list of permitted animals.

Negligent animal owners and unknowledgeable animal owners

Treating residents equally

Protecting the health safety and welfare of the citizens

Management plans

Modifying points

5. GENERAL PLAN - LAND USE, ZONING, PUD

Discussion on removing the PUDs and other overlays which are no longer needed.

Thursday June 22, 2017

Must keep the senior overlay until the senior housing development is completed.

City Council is interested in removing the PUD from the plan.

Shay Stark – There are quite a few lots in the south part of town that are not legal lots. This is due to lots being sold and not platted prior to the code changes. Shay would like to keep the R-12,000 in the plan but only for the old Salem Hills subdivisions. Many of the lots around them are around 13,000 sq. ft. so the 12,000 sq. ft. will fit the area.

Jared Peterson – This has been talked about before so the Planning Commission needs to just make the update. The Mountain home and Hillside Zone need to be combined.

Shay Stark – These are critical environment areas and believes that the requirements of the Hillside Zone should apply to the whole city. There are parts of the city that have steep grades which are not protected against building on a large fill.

Jared Peterson – Read from the code what is allowed in the Hillside Zone and Mountain Home Zone. Believes that they can be combined into one zone which covers all the requirements.

Shay Stark – Asked if any area of the maps need to be changed.

Jared Peterson – Believes that they had discussed that before and there were no changes other than the obvious updates.

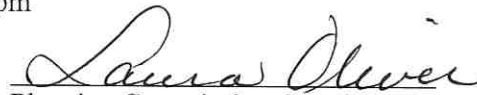
6. CITY COUNCIL UPDATE

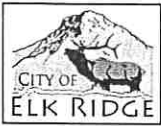
City Celebration is coming up and they have asked that the Planning Commission help if possible.

7. OTHER BUSINESS

The city has talked to several people about joining the Planning Commission and hopefully they will be another commission member or 2 in the next month or 2.

Adjournment – Meeting adjourned at 9:15pm


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

AMENDED NOTICE OF PUBLIC HEARING AND MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, July 13, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION ITEM

1. Shedhorn Development Preliminary and Final Plat Approval..... see attachments

ACTION ITEMS

2. Camelot Subdivision Preliminary and Final Approval see attachments
3. Minutes April 27 see attachments
4. Minutes May 9 see attachment
5. Minutes May 25..... see attachment
6. Animal Code 10-18 Amendment see attachment
7. Fencing Code 10-12-13 Amendment..... see attachment
8. Ratify Poll Vote for Conditional Use Permit for Weaver
9. Ratify Poll Vote for Conditional Use Permit for Purdy

PLANNING COMMISSION DISCUSSION

- 10.. General Plan

CITY BUSINESS

11. City Council Update
12. Other Business

Adjournment

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, the 10th day of July, 2017 and delivered to each member of the Planning Commission on the 10th day of July 2017.

Planning Commission Coordinator:

Lana Oliver

Date: 10th day of July 2017

ELK RIDGE PLANNING COMMISSION
JULY 13, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, July 13, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Jared Barton, David Clark, Bruce Thorpe

Absent: Stacey Petersen,

Others: Shay Stark, City Planner

Royce Swensen, City Recorder

Public: Jamie Elder, Jennie Elder, Brad Turner, Tricia Gunnerson

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Jared Barton followed by the Pledge of Allegiance.

**JARED BARTON MOTIONED TO APPROVE THE AGENDA DAVID CLARK
SECONDED THE MOTION VOTE: YES - ALL (4) NO - NONE (0) ABSENT:
STACEY PETERSEN**

PUBLIC HEARING AND ACTION ITEM

1. SHEDHORN DEVELOPMENT PRELIMINARY AND FINAL PLAT APPROVAL

Shay Stark – This is located on the corner of Lakeview Dr. and Canyon View This area had previously been subdivided in the Salem Hills Subdivision. These lots were parceled out into some strange shapes. This development consists of 3 parcels. which are being combined into 2 lots. There is an existing home on one lot. This is located in the R-1-20,000 zone. Both lots meet the size requirement. There are existing streets. There are some improvements which need to be made regarding storm-water/drainage in modifying the swell, additional pavement up to the easement line on Canyon View. At some point in the future the road will be striped for the trail. The sewer connections need to be made.

Jim Chase – Asked if there was curb and gutter.

Shay Stark – There is no curb and gutter. Brad Turner, the developer, is requesting an exception and that the requirement of curb and gutter be waived. There is no curb and gutter on any lots in this area.

Jared Peterson – Asked where the existing homes is located.

Brad Turner – The existing home is located 557 East Lakeview Dr. The Other 2 parcels are located on Canyon View.

Jared Peterson opened the public hearing

Jared Peterson closed the public meeting

Jared Peterson – Asked if the exception regarding the curb and gutter should be included in the motion.

Shay Stark – Yes the exception needs to be in the motion. Also, he did not receive the revised plans until Monday and was not able to review them until yesterday. There are no physical changes but there are some issues that need to be addressed. There removing the setbacks from the plat, showing the trail and notes from the storm water report and how the swell is going to be adjusted so that the contractor will know what needs to be done.

52
53 **JIM CHASE MOTIONED TO APPROVE THE SHEDHORN DEVELOPMENT**
54 **WITH THE EXCEPTION FOR THE CURB, GUTTER AND SIDEWALK AS**
55 **WELL AS REMOVING THE SETBACKS, ADDING TRAILS, STORM**
56 **WATER/SWELL REPORT TO THE PLAT MAP. DAVID CLARK SECONDED**
57 **THE MOTION VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY**
58 **PETERSEN**
59

60 2. CAMELOT SUBDIVISION PRELIMINARY AND FINAL APPROVAL

61 Shay Stark – The public hearing has already been held on this development. The city council
62 has already looked at this development as well. This is a single lot home. It would be too big
63 of a burden for the homeowner to complete the entire road. The road will only be done up
64 past their driveway. The fire chief has taken the fire truck and tested the existing turn around
65 and he has approved it. The drainage will be channeled into the new curb and gutter which
66 will be taken down in to a sump.

67 Jared Peterson – Asked for clarification that the road will be completed by the land owners across
68 the street.

69 Shay Stark – Yes, as things progress the gentleman across the street will complete the road. There
70 are 2 other property owners who will split up the completion of the road way.
71

72 **JARED BARTON MOTIONED TO APPROVE CAMELOT SUBDIVISION**
73 **PRELIMINARY AND FINAL PLAT. JIM CHASE SECONDED THE MOTION**
74 **VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**
75

76 3. APPROVAL OF APRIL 27, 2017 MINUTES

77 Bruce Thorpe – Asked for line 137 to state “Asked if the enclosed portion is fully enclosed.”
78

79 **BRUCE THORPE MOTIONED TO THE MINUTES FOR APRIL 27, 2017 WITH**
80 **THE ONE CORRECTION. DAVID CLARK SECONDED THE MOTION VOTE:**
81 **YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**
82

83 4. APPROVAL OF MAY 11, 2017 MINUTES

84 No changes
85

86 **JIM CHASE MOTIONED TO APPROVE THE MINUTES FOR MAY 11, 2017.**
87 **JARED BARTON SECONDED THE MOTION VOTE: YES - ALL (4) NO - NONE**
88 **(0) ABSENT: STACEY PETERSEN**
89

90 5. APPROVAL OF MAY 25, 2017 MINUTES

91 No changes
92

93 **JARED PETERSON MOTIONED TO APPROVE THE MINUTES FOR MAY 25,**
94 **2017. BRUCE THORPE SECONDED THE MOTION VOTE: YES - ALL (4) NO -**
95 **NONE (0) ABSENT: STACEY PETERSEN**
96

97 6. ANIMAL CODE 10-18 AMENDMENT

98 Jared Peterson – The Planning Commission has received word back from the city attorney David
99 Church. The attorney stated that he would like to see conditional use permits taken out of the
100 code completely. Jared and Shay had made some revisions accordingly. The whole
101 conditional use section had been repealed with the exception of the management plan
102 language for live-stock. There have been other comments regarding the confusion on the

charts. Table 10A - remained the same just added language to clarify number of animals and lots size. On Table 10B added parenthesis on the units which match with the old table for any parcel over 1 acre.

Shay Stark – These changes are in order to remove the exception for live-stock so that it doesn't have to go through an approval with Planning Commission and or City Council. This is for dedicated 1 acre or more for live-stock. In doing this the management plan is no longer needed. They have to meet the criteria for live-stock. The 2 concerns for the city would be minimum size of the live-stock management area and the buffers or setbacks in residential areas.

Jared Peterson – That is the only area of concern that he has received phone calls about.

Jared Barton – He read a section "Lots that are 1 acre or more may be allowed 50 additional points for chickens, ducks etc... 20 chickens is already allowed and is concerned the word "may" seems ambiguous as to who may or may not be allowed to have up to 50 chickens.

Shay Stark – If it says shall then it is required.

Jim Chase – Change the wording so that is clearer perhaps to "it"

Jared Peterson – The wording and the points keep changing and it is his hopes that the Planning Commission can solidify the amendment and vote to pass it and move it forward to the City Council.

Jared Barton – He thinks that some of the numbers for chickens is excessive.

David Clark – Asked who actually enforces these.

Shay Stark – This is one thing they are trying to fix in amending the code. This will free staff up from conditional use permits. Enforcement comes about through complaints. There are some that the city can deal with but the county is actually over nuisance laws.

David Clark – Since March to April, a one month period, there were 7 animal complaints.

Royce Swensen – That is from the sheriff department. The city handles a lot of the other complaints. In the last few weeks the city had 2 chicken complaints.

Jared Barton – Asked what the complaints are typically.

Royce Swensen – One had 20 chickens, they were roaming everywhere and didn't even have a permit.

Bruce Thorpe – Feels that the Planning Commission should vote to see where they are at and that 20 chickens on an acre lot seemed ok.

Jim Chase – Feels that 20 chickens on an acre is fine.

Jared Barton – He is concerned with the worst case scenario of someone having 50 chickens.

Bruce Thorpe – Thinks that anything grandfathered in should stay as long as it is within the current code.

Shay Stark – Feels that the original table with the research that Jared had done was fair. Just because something is in the existing code doesn't make it something that should be kept.

Discussion ensued on the acre lot and points given

Problems with extra points

Keeping the total points to a 100

Simplify and reduce the points

Clear Language to avoid confusion as to what a management area is

Live-stock table is only applicable to areas zoned for live-stock.

Jared Peterson – Asked each member what they would change if anything

Bruce Thorpe – After clarification of the points and table for live-stock, he is fine with everything.

David Clark – He is unsure if the Planning Commission has defined the root cause analysis in code enforcement. Wonders if it is necessary to change the whole code if there is just one or 2 areas that need to be adjusted, such as conditional use permits for chickens.

Shay Stark – The problem is that the old code is too vague and is interpreted in too many ways. The wording "and the like" needed addressed, which changed a lot of the code. Since much

154 of the code was being rewritten the opportunity to make it better was there. This is an attempt
155 to make it clear, with no interpretation due to contradictions or vagueness.
156 Jared Peterson – In his research and experience with the city's animal issues, the conditional use
157 permit was the biggest problem. A conditional use permit was an attempt to give people
158 animal rights when they were not zoned for animal rights.
159 David Clark – He does not necessarily like or dislike the new code. He wonders if they need an
160 elaborate point system. Still wonders if they need a new code instead of just addressing the
161 problems such as chickens.
162 Jared Barton – He thinks that the issues go back to the code not being clear. He believes that the
163 revision is clearer and it is not left up to interpretation. It is impossible to make everyone
164 happy.
165 David Clark – One of the things he is hearing is that this code will infringe upon the rights of
166 those that have bought large areas of land with animal rights. He doesn't want to tell someone
167 how to use their land if they own 10 acres.
168 Jared Barton – This code levels the field for everyone. Everyone has the same rights.
169 Jim Chase – This outlines everything in black and white. It allows for the animals rights of bigger
170 lots. No system is perfect but feels that this is improvement on the current code. He does not
171 feel that someone is buying land to put 50 horses on in Elk Ridge; horses are more of a hobby
172 here. A lot of the things they are talking about are a nonissue and feels that the real issues are
173 chickens, cats and dogs. That is where the enforcement problems are. He believes that this
174 code addresses the issues and that the Planning Commission should move forward with it as it
175 is.
176 Bruce Thorpe – There are some cosmetic issues he would like to address. He likes the code, and
177 the clarity of it. It's simple and does not feel like they are changing the nature of the code but
178 making it more precise and easier to understand.
179 Jim Thorpe – The points have been discussed in length and includes the feedback from the public.
180 Jared Peterson – There is a lot of the current code in the new code. If part of the code wasn't clear
181 then it was rewritten until anyone who read it would come away with the same
182 understanding. Most of the original points that were in the code came from research. Many
183 of those were lowered due to public comment.
184 Discussion ensued on cosmetic changes, grammatical corrections and redundancies.
185

186 **JARED BARTON MOTIONED TO APPROVE THE REVISION TO ANIMAL**
187 **REGULATIONS 10 -18 WITH THE CHANGES DISCUSSED. JIM CHASE**
188 **SECONDED. VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY**
189 **PETERSEN**
190

191 7. FENCING CODE 10-12-13 AMENDMENT

192 Jared Peterson – The City Council sent the Fence Code Amendment back to the Planning
193 Commission. The City Council did not like the corner lot fencing revisions.
194

195 **JARED PETERSON MOTIONED THAT THE FENCE CODE 10-12-13 TO SEND**
196 **THE AMENDMENT BACK TO CITY COUNCIL WITHOUT ANY REVISIONS. JIM**
197 **CHASE SECONDED. VOTE: YES- ALL (4) NO – NONE (0) ABSENT: STACEY**
198 **PETERSEN**
199

200 8. RATIFY POLL VOTE FOR CONDITIONAL USE PERMIT WEAVER
201

202 **JARED PETERSON MOTIONED TO APPROVE CONDITIONAL USE PERMIT**
203 **FOR CHICKENS FOR THE WEAVER'S. JIM CHASE SECONDED THE**

204 **MOTION VOTE: YES - ALL (3) NO - NONE (0) ABSTAIN: BRUCE THORPE.**
205 **ABSENT: STACEY PETERSEN**
206

207 9. RATIFY POLL VOTE FOR CONDITIONAL USE PERMIT FOR PURDY
208

209 **JARED PETERSON MOTIONED TO APPROVE CONDITIONAL USE PERMIT**
210 **FOR CHICKENS FOR THE PURDY'S. JIM CHASE SECONDED THE MOTION**
211 **VOTE: YES - ALL (3) NO - NONE (0) ABSTAIN: BRUCE THORPE ABSENT:**
212 **STACEY PETERSEN**
213

214 10. GENERAL PLAN

215 Jared Peterson tabled the discussion.
216

217 11. CITY COUNCIL UPDATE

218 The vision statement has been approved by City Council.
219

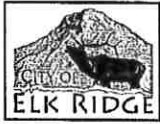
220 12. OTHER BUSINESS

221 No updates
222

223 **JARED PETERSON MOTIONED TO ADJOURN JARED BARTON SECONDED.**
224 **VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**
225

226 Adjournment – Meeting adjourned at 9:00 pm
227

228 
229 Planning Commission Coordinator
230



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NOTICE OF PUBLIC HEARING AND MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, August 10, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION ITEM

1. Senior Living and Memory Care Facility Conditional Use Permit see attachments

PLANNING COMMISSION DISCUSSION

2. General Plan

CITY BUSINESS

3. City Council Update
4. Other Business

Adjournment

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, the 9th day of August, 2017 and delivered to each member of the Planning Commission on the 9th day of August 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 9th day of August 2017

ELK RIDGE
PLANNING COMMISSION
AUGUST 10, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, August 10, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Dave Clark, Jim Chase, Stacey Peterson, Wayne Jones, Shawn Ram,

Absent: Bruce Thorpe, Jared Barton

Others: Royce Swensen, *City Recorder*

Laura Oliver, *Planning Commission Coordinator*

Shay Stark, *City Planner*

Public: Ben Ewell, Courtney Burnette, Mark Elsworth,

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Jim Chase followed by the Pledge of Allegiance.

STACEY PETERSEN MOTIONED TO APPROVE THE AGENDA JIM CHASE SECONDED THE MOTION. VOTE: YES – ALL (5) NO – NONE, APPROVED. ABSENT; BRUCE THORPE, JARED BARTON

PUBLIC HEARING AND ACTION ITEM

1. SENIOR LIVING AND MEMORY CARE FACILITY CONDITIONAL USE PERMIT

Shay Stark – Lee Haskell is applying for a conditional use permit for a memory Care Facility. Lee Haskell was not able to attend and provided a letter and floor plan explaining the facility to be located at 233 W. Gooseneck Dr. The letter stated “that the facility will be 3 floors and approximately 8000 sq. ft. The basement will only be used for storage at this time and it will contain patient and equipment rooms in the future. The main floor will be a secure center for memory Care and Alzheimer’s tenants, one wing will be dedicated for memory care and a dedicated research area and the tenants will be given the option to participate in research if they desire. There will be a closed in back yard. The second floor will be primarily for senior living for those with who do not need much assistance. It will be an elegant establishment serving warm nutritious meals, an observation deck and a home like atmosphere.”

Jared Peterson opened the public hearing.

Ben Ewell – Stated that this land was initially going to be another project and asked if the commercial project was null and void.

46 Shay Stark – Stated that there is a commercial project still in process. Originally this area
47 was to have an assisted living extension. This building is larger than originally proposed.
48 Lee has reduced the number of commercial buildings and has turned the buildings
49 perpendicular to the road. Right now the conditional use permit needs to be approved so
50 that he can move forward with the Memory Care Facility.

51 Courtney Burnette– She lives across the street from this location. She is concerned about
52 traffic flow and the amount of traffic on Elk Ridge Dr. She wondered if any traffic
53 studies that have been done. She is also concerned about outside lighting and signage.

54 Shay Stark – Lighting will be focused down and not go off sight and will comply with
55 Dark Sky requirements. There won't be large lit signage as well. The city will need to
56 look at traffic as this moves forward.

57 Mark Elsworth – Asked if there is a relationship with the Assisted Living Center that is in
58 the area and where is this in relation to that building. He feels that this type of facility is
59 more of a residential feel and the other commercial buildings do not belong in that area of
60 Elk Ridge.

61 Jared Peterson – The Memory Care Facility is directly north of the Assisted Living
62 Center.

63 Shay Stark – There is no correlation with the existing Assisted Living Center. Lee
64 Haskell no longer is involved with that facility.

65 Ryan Haskell, Lee's son- Stated that he also lives in the area and Lee Haskell loves Elk
66 Ridge and does not want to put anything into Elk Ridge that would be an eyesore. This
67 area has been zoned commercial for 20 years. Lee attempted to rezone the area to
68 residential but the councils at the time denied the petition.

69
70 Discussion ensued on the land owner's rights to pursue commercial aspects and or rezone
71 the land they own.

72
73 Jared Peterson closed the public hearing.

74
75 Jared Peterson – Asked what the Planning Commission is looking at in terms approving
76 this conditional use.

77 Shay Stark – The Planning Commission is looking to see if this will fit in with the
78 community and the surrounding property. A commercial zone allows assisted living
79 centers in it. The developer has to get approval through the health department in the state,
80 so the Planning Commission does not have to be concerned about the operation of the
81 facility and if it is going to be run correctly. The Planning Commission is looking at a
82 land use perspective and any traffic problems. The traffic generated by the facility will be
83 minimal.

84 Jared Peterson – He is concerned with the amount of driveways that exit onto the street in
85 front of the homes that are across the street.

86 Shay Stark – The developer is trying to spread the driveways out so the traffic doesn't
87 empty out in one spot.

88 Wayne Jones – He is a retired law enforcement. He is concerned about emergency
89 services being able to get vehicles and equipment into the facility.

90 Shay Stark – The fire department will have a lot of input into the development. The
91 driveways are also located to meet those needs. As the development goes forth it may
92 change. It will need to meet certain grades, ADA, fire department and state requirements.

93 Wayne Jones – He is concerned with the width of the stairwells and being able to get
94 gurneys through them.

95 Jared Peterson – Stated that this is for the conditional use permit to have this type of
96 business. The specific requirements will be reviewed through the ongoing process.

97 Shay Stark – Stated that those are good points and they will be looked at that through the
98 engineering review process.

99 Stacey Petersen – Asked what happens if the developer builds a larger facility.

100 Shay Stark – The parking, setbacks and driveways will determine the size of the facility.
101 The developer has asked for exceptions in having the parking overlap with the residential
102 units that will be in the other part of the commercial development. The developer is
103 almost starting from square one again. In reorienting the buildings, the setbacks are
104 different than what the developer asked for in the previous approval process. Since the
105 developer has changed the development he has nullified the preliminary approvals
106 because the concept is totally different. Everything has to be looked at all over again. The
107 city is not tied to anything and at this point the development is totally fluid.

108 Jim Chase – He is concerned that the larger building will trigger more fire concerns and
109 about the opening of the foyer going all the way up to the second floor and smoke filling
110 up the second story rooms.

111 Shay Stark – The Fire chief will take that into review as this goes forward.

112 Jared Peterson – He stated that he feels that the 40 rooms is extensive. He thinks that the
113 parking requirements will make the building smaller.

114 Shay Stark – The developer is passionate about this facility and feels that the commercial
115 area would be sacrificed for this facility. All of these questions are valid.

116 Jared Peterson – The letter and the plans have 2 different numbers in regards to the
117 amount of rooms.

118
119 **WAYNE JONES MOTIONED TO TABLE THE CONDITIONAL USE PERMIT**
120 **APPROVAL IN ORDER TO GET MORE INFORMATION ON THE FACILITY**
121 **STACEY PETERSEN SECONDED. VOTE: AYE – ALL (6) NAYS- NONE (0).**

122 **Absent: Bruce Thorpe, Jared Barton**

123 **GENERAL PLAN – LAND USE**

124 Jared Peterson – The City Council generally liked the vision statement and revisions of
125 the general plan.

126 Shay Stark – The City Council liked the revision of the general plan so far and sent it
127 back to you to continue. They did add some wording to the vision statement. The City
128 Council would like to remove the PUD. The Senior Living overlay needs to remain since
129 the current senior living development is still in process, but the city is not going to
130 promote senior living. Mountain Homes Development and the Mountain Cluster could be
131 combined into one overlay zone. Since there are new members for the Planning
132 Commission Shay Stark spent some time reviewing and discussing zones and the vested
133 rights land owners have and what the overlays are.

134 Shay Stark – One other item to look at is Fair Housing. Since the PUD will be exhausted
135 and will be removed and a previous townhome concept was changed to single home

residential, the state requirement for Fair Housing needs to be addressed. The Self Help homes barely met those requirements and the apartments on top of the mixed use commercial development will help. The Planning Commission needs to make sure that the general plan does not exclude Affordable (Fair) Housing in new development. The state code does not give specific numbers on it. The city has to update the Fair Housing every 2 years. As long as the city shows avenues for it then the state sees that the city is not discouraging it.

Jared Peterson – The next item of the General Plan is Commercial Center. Making revisions to the General Plan is difficult to do without Jared Barton here to bring up the General Plan on Google Docs.

Shay Stark – The only other area, besides Lee Haskell's commercial land, is across the street from Lee's. The owners of that land were going to rezone that land as residential. There is land down on the corner of 11200 that could be annexed in as commercial but Shay has been told by the owners of that land that they intend to make it residential. That land isn't part of Elk Ridge at this time.

Jared Peterson – The Public Facilities map needs to be updated.

Shay Stark - He thinks that this map can be removed and the public facilities put on the main zoning map.

Jared Peterson – Asked Shay if the trail map had been had been updated.

Shay Stark – He and Dale Bigler, of the City Council, had gone through and updated all the trails. He will bring it in for the Planning Commission to review.

Stacey Petersen – She asked about any cooperation between Payson and surrounding places on trails. She stated that she had a meeting with Mr. Shaw, Payson and the Shuler's concerning trails in the area. Elk Ridge trails need to hook into someones, whether it's Payson, Salem, or the canal trail.

Shay Stark – The road coming up from the highway to 11200 is only going to be bike lanes on each side of it, not a trail. They may do an underpass under Elk Ridge Dr. 50 years from now. The county has backed down on the Regional Highway and subsequent trail. The trails the city put in to link up with those on 11200 won't have a continuation through that trail. Mr. Shaw and the Shuler's need to be invited the night the Planning Commission discusses the trail system.

Jared Peterson – Suggested that Jared Barton make some other members of the Planning Commission administrators on Google Docs.

CITY BUSINESS

City Council Update – The City Council did not vote on the animal code amendment. The City Council is keeping it and making the changes. The Fence code was passed.
Other Business - None

JARED PETERSON MOTIONED TO ADJOURN THE MEETING STACEY PETERSEN SECONDED VOTE: ALL APPROVED

Adjournment – Meeting adjourned at 8:40 pm


Planning Commission Coordinator



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NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, August 24, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PLANNING COMMISSION ACTION ITEMS

1. Approval of Planning Commission Minutes from June 8, 2017see attachment
2. Approval of Planning Commission Minutes from June 22, 2017see attachment
3. Approval of Planning Commission Minutes from July 13, 2017see attachment

PLANNING COMMISSION DISCUSSION

4. General Plan

CITY BUSINESS

5. City Council Update
6. Other Business

Adjournment

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, the 23rd day of August, 2017 and delivered to each member of the Planning Commission on the 23rd day of August 2017.

Planning Commission Coordinator: *Lana Oliver* Date: 23rd day of August 2017

ELK RIDGE
PLANNING COMMISSION
AUGUST 24, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, August 24, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Wayne Jones, Jared Barton,

Absent: Bruce Thorpe, Shawn Ram, David Clark

Others: Royce Swensen, *City Recorder*

Laura Oliver, *Planning Commission Coordinator*

Shay Stark, *City Planner*

Public:

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Jared Barton followed by the Pledge of Allegiance.

JIM CHASE MOTIONED TO APPROVE THE AGENDA JARED BARTON SECONDED THE MOTION. VOTE: YES – ALL (4) NO – NONE, APPROVED. Absent; Dave Clark, Bruce Thorpe, Shawn Ram

ACTION ITEM

1. Approval of Planning Commission Meeting June 8, 2017

Jared Peterson – Line 8 needs to be changed from motion to approve the agenda to motion to approve the Gladstan View Estates Preliminary Plat.

Jim Chase – Line 77 should be 15,000 sq ft.

JARED BARTON MOTIONED TO APPROVE THE PLANNING COMMISISON MEETING JUNE 8, 2017 WITH THE NOTED CHANGES JIM CHASE SECONDED. VOTE: AYE – ALL (4) NAYS- NONE (0). Absent David Clark, Bruce Thorpe, Shawn Ram

2. Approval of Planning Commission Meeting June 22, 2017

No changes

JARED BARTON MOTIONED TO APPROVE THE PLANNING COMMISISON MEETING JUNE 22, 2017 JIM CHASE SECONDED. VOTE: AYE – ALL (4) NAYS- NONE (0). Absent David Clark, Bruce Thorpe, Shawn Ram

3. Approval of Planning Commission Meeting June 8, 2017

No changes

47 **JIM CHASE MOTIONED TO APPROVE THE PLANNING COMMISISON**
48 **MEETING JULY 13, 2017 JARED BARTON SECONDED. VOTE: AYE – ALL (4)**
49 **NAYS- NONE (0). Absent David Clark, Bruce Thorpe, Shawn Ram**

50 **GENERAL PLAN – LAND USE**

51 Shay Stark – The R-12,000 zone needs to stay in the General Plan. There are lots in the
52 old Salem Hills Subdivision that were split and sold and are now illegal lots. In order to
53 resolve the issue they need to be zoned as R-12,000. The language needs to be changed to
54 take out the PUD and state that this zone is specifically for lots in the Salem Hills
55 Subdivision and not intended for new development.

56 Discussion ensued on where the lots are that need to be R-12,000

57 Jared Peterson – There was a discussion on combining some zones like the Mountain
58 Home Development and Hillside Cluster Overlay zones because they are very similar to
59 each other.

60 Shay Stark – Stated that Mountain Homes Development and Hillside Cluster Overlay
61 could be combined because they both have requirements for the CE2 area. Critical
62 Environmental and Hillside Cluster difference is the lot size. The Hillside Residential
63 zone has 1 acre lots and Critical Environmental zone has 5 acre lots.

64 Discussion ensued on the how to combine Critical Environmental and Hillside
65 Residential

66 Jared Peterson – Suggested that they should stay separate zones.

67 Shay Stark - Stated that the Mountain Home Developmental is in the CE2 which has 5
68 acre lots and Hillside Cluster the HR1 zone has 1 acre lots. He thinks that the 2 zones
69 should be combined and spell out the lots size requirements.

70 Jared Peterson – Suggested that they give the changes to City Council and see what they
71 think. The wording for the Senior Overlay needs to state that it is only applicable to
72 Parkside Cove.

73 Shay Stark- Suggested adding to the Senior Overlay Zone “which was in process at the
74 time the General Plan update occurred”.

75 Jared Barton – Commercial Center – Asked if it should be deleted. The city is not
76 promoting commercial.

77 Jared Peterson – There is a TRC tomorrow concerning a commercial development.

78 Shay Stark – Suggested adding a statement that the city does not intend to expand the
79 commercial zone.

80 Shay Stark – In reading the previous General Plan it was previously planned to have a
81 downtown city center. Those views have changed

82 Discussion ensued on what items should be removed such as library, cemetery, golf
83 courses, etc. Policy statements and goals will be removed.

84 Jared Peterson – The land use map and zoning map need to be updated. Economics – if
85 Economics remains it needs to accurately state what is actually here such as home
86 businesses.

87 Discussion ensued on the Transportation section. No changes to the plan at this time.

88 There needs to be another connection onto Loafer Canyon Road. The road to I-15 is on
89 the tip funding for 2018-2020.

90 Shay Stark – Handed out the updated trails map which was done with Dale Bigler of the
91 City Council and Stacey Petersen and explained the key. Trails need to be in the General
92 Plan so that it can be completed by the developers and to be able to apply for grants.

93 Discussion ensued on trails regarding public access to forest land to the south, tying trails
94 together, maintaining trails and "open space".
95

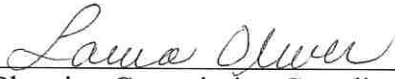
96 **CITY BUSINESS**

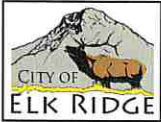
97 City Council Update – City Council passed the animal code amendment.

98 Other Business - None
99

100 **JARED PETERSON MOTIONED TO ADJOURN THE MEETING JARED**
101 **BARTON SECONDED VOTE: AYE – ALL (4) NAYS- NONE (0). Absent David**
102 **Clark, Bruce Thorpe, Shawn Ram**

103 Adjournment – Meeting adjourned at 8:37 pm

104 
105 _____
106 Planning Commission Coordinator
107



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, September 14, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PLANNING COMMISSION DISCUSSION

1. General Plan
2. Haskell Plaza Commercial Development see attachment

CITY BUSINESS

3. City Council Update
4. Other Business

Adjournment

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, the 13th day of September, 2017 and delivered to each member of the Planning Commission on the 13th day of September 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 13th day of September 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **September 14, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday,
6 September 14, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 Commissioners: Jared Peterson, Jim Chase, Jared Barton, Shawn Ram, David Clark, Wayne Jones, Bruce
10 Thorpe (late)

11 Others: Royce Swensen *City Controller*, Laura Oliver *Planning Commission Coordinator*

12 Public: Lee Haskell, *Developer*,
13

14 **OPENING ITEMS**

15 Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Jared Peterson followed by the pledge of
16 allegiance.

17
18 **JARED BARTON MOTIONED TO APPROVE THE AGENDA WITH THE**
19 **EXCEPTION OF HEARING THE HASKELL COMMERCIAL PROPERTY FIRST**
20 **SECONDED BY DAVID CLARK**

21
22 **VOTE: APPROVED - YES - ALL (7), NO -NONE (0) ABSENT**

23
24 **HASKELL PLAZA COMMERCIAL DEVELOPMENT**

25 Lee Haskell – Stated the commercial property is located on Goosenest and Elk Ridge Dr. The buildings
26 will be mixed use, with residential apartments on top. Originally the buildings were going to be parallel to
27 the road. Also there were going to be 5 buildings but there wasn't enough room for parking, so there are
28 only 4 buildings now. There is now enough parking and in the right locations according to the code. The 3
29 buildings on Elk Ridge Dr. will be the mixed use, with commercial and residential. On Goosenest will be
30 an Assistant Living Facility. The Assisted Living Facility is not really a commercial business, but Elk
31 Ridge is the only city in Utah that requires an Assisted Living Facility to be in a commercial area, as far as
32 he is aware of.

33 Shay Stark – Asked how many residential units are proposed. There are 20 parking stalls and 20 garage
34 spaces on the plans.

35 Lee Haskell, Developer – They replaced the studio apartments with 2 bedroom and 3 bedroom
36 apartments. There are 2, 3 bedroom apartments which require 4 garages and 4, 2 bedroom which requires
37 4 garages so that is a total of 8 garages.

38 Shay Stark – 2 of the units are 8,400 square feet and 1 is 7,200 square feet.

39 Lee Haskell, Developer - There is 1 less apartment.

40 Jared Peterson – The first time the Planning Commission and City Council looked at this there were
41 exceptions. Are there any exceptions that are being taken advantage of or are the exceptions now gone?

42 Shay Stark – The original buildings, 1 and 2 located on the south end and in the middle of the site, the
43 exception allowed those buildings to have setbacks of 70 feet instead of the 15-30 feet. The building on
44 the south end is at 18 feet off the road, so it is in the 15-30 feet setback. The other 2 are at the 70 feet
45 setback. The parking overall square footage of the residential units, not counting the Assisted Living
46 Facility which falls under a different set of regulations, requires 96 parking stalls. There are more than 96
47 parking stalls available, 100 + parking stalls are available. That part of it is fine. He needs to look closer at
48 the residential parking. There were 20 parking stalls and 20 garages. There are 2 garages for a 3 bedroom,
49 1 garage for 2 bedroom and then the number of stalls.

50 Lee Haskell, Developer – All that is added to that is 1 stall because for a 3 bedroom all that is needed is 2
51 garages.

52 Shay Stark – Correct.

53 Lee Haskell, Developer – For the 2 bedroom only 1 garage and a stall is needed.

54 Shay Stark – If there are 3 bedrooms in all 3 units that is 12 out of the 20 stalls and each of the 2
55 bedrooms is 1 garage. That leaves 8, 2 bedroom units. If there are 4, 2 bedroom units in each one that
56 means 1 apartment only has 2, 3 bedroom units and doesn't have anything else. He just needs to look at
57 that in a little more detail.

58 Jared Peterson – If more garage space is needed it can be stacked next to another one.

59 Shay Stark – Yes, the garages can be extended.

60 Jared Peterson – He is under the assumption that the downhill side will be commercial.

61 Lee Haskell, Developer - One of the sheets has the parking tabulation.

62 Shay Stark – Yes, it says parking required. It doesn't say how many units are in there and how many
63 square feet.

64 Lee Haskell, Developer – It says parking required 20 and 20.

65 Shay Stark – Asked where the parking required come from.

66 Lee Haskell, Developer – He has to match what is required with the apartments. In other words they can't
67 go over that.

68 Shay Stark – That is not what the exceptions said. The exceptions allowed 2 car garage for the 3 bedroom
69 apartments and a single car garage and 1 parking space for the 2 bedroom apartments.

70 Lee Haskell, Developer – Asked is that a 2 car garage or 2 garages?

71 Shay Stark – That can be done either way. There wasn't a requirement for 20 specifically it was based on
72 the units that were put in there. The math doesn't seem to work out. The apartment sizes per building need
73 to be clarified. The other four stalls per 1000 was the same.

74 Lee Haskell, Developer – When the buildings were design, the apartments were designed 2 bedroom and
75 3 bedroom, and then they designed the parking to match that.

76 Jared Peterson – The apartment size needs to be on the plans to show how the parking was figured.

77 Shay Stark – The other exception that was given was a buffer strip, an 8 foot wide planter strip and a 5
78 foot wide side walk. Right now it's an 8 foot wide planter strip and a 4 foot wide sidewalk on the south
79 end. That is not a big issue and can be worked through.

80 Bruce Thorpe- Asked if that was along Elk Ridge Dr.

81 Shay Stark – Confirmed that is along Elk Ridge Dr., the west side of the property. Shay has software that
82 scales the planter strips and sidewalk based on the scale bar and double checked it with the widths of the
83 right of ways.

84 Lee Haskell, Developer – He called Atlas and he said he could not find anywhere that defined 8 feet of
85 planter and 5 feet of sidewalk. Atlas said that is what they designed it as. The engineer knows that is what
86 is needed.

87 Shay Stark – If it ends up being a 7 foot planter and a 5 foot sidewalk up on that end, its wider there than
88 at the bottom. He is not worried about that, they can make it work. There was a meeting with Wayne
89 Jones of the Planning Commission, Lee Haskell with the Fire Chief, Seth Waite, in regards to some
90 questions concerning the Assisted Living Facility and emergency vehicle accessibility. They determined
91 that concrete pavers with holes where grass can grow, could be laid so that the emergency vehicles can
92 exit facing forward to the east and around the building. That is one of the changes that was made. All of
93 the other issues they discussed pertained to the interior of the Assisted Living Facility itself which will be
94 discussed when the conditional use permit is on the agenda.

95 Jim Chase – Asked if the pavers would hold up with being plowed in the winter.

96 Shay Stark – The Fire Chief was not concerned about that.

97 Jared Peterson – They are used a lot at access points.

98 Shay Stark – The Fire Chief thought with those in place the equipment would be able to navigate through
99 there without any issues.

100 Bruce Thorpe – Asked what the plan is for the northwest corner.

Shay Stark – That area is a detention pond for drainage. There are 2 detention ponds; this one and one at the northwest corner and between those 2 northern buildings, the assisted living facility and the commercial building. There may be a tot lot in this area.

Jared Peterson – He has a list of items to discuss. The first one, is probably for the City Council, which are the exceptions and what is being taken advantage of or perhaps going away. The second thing is there are 3 handicap stalls on the entire site. Some of those stalls will be taken up with van access, which pertains to ADA requirements. He wants to avoid any ADA issues. He inquired about the landscaping exception the City Council discussed originally.

Shay Stark – The City Council did not move forward with the landscaping exception. There were originally 5 buildings on that plan so when you take the overall square footage there was 5 units per 1000 square feet versus the exception of 4 units per 1000 square feet - there was a savings in the parking stalls. The parking stalls that were shown in that plan didn't equate to the 5 units per 1000 square feet, they were closer to the 4. There was one area, in the northwest where you could eliminate the stalls that were shown in that area on that plan and still meet the 4 units per 1000. It was built into but not specifically written into the exception because it's based on the overall square footage of the buildings.

Jared Peterson - Lastly, the north building has 7 units and 8 services are going to that building. Are the commercial units going to share one water service?

Shay Stark – All the units will be metered separately.

Discussion ensued on the water service which will be clarified later along with some water calculations.

Shay Stark – Asked what will happen with the development if the first building or 2 aren't successful.

Lee Haskell, Developer – That is too far down the road to answer. But it will be done in phases.

Bruce Thorpe – Asked what part of the property will be developed first.

Lee Haskell, Developer – That depends on what part of the plan is approved first, the Assisted Living or the commercial part.

Bruce Thorpe – If the commercial is approved first where will the first building go?

Lee Haskell – The south part of the property.

Shay Stark – Since there was a significant change to the development it will need to have another public hearing. If the Planning Commission has all the information then it's possible to have a decision that night, depending on the Public Hearing. Has the architecture of the commercial buildings and floor plans changed from the original plan?

Lee Haskell, Developer – The exteriors probably won't change.

Jared Peterson – The issues the City Council had before were the parking calculations, which need to be shown and the exceptions.

GENERAL PLAN

Jared Peterson – Moderate income housing – This was touched upon a few meetings ago. The city has provide some moderate income housing in the plan.

David Clark - Woodland Hills General Plan says it will provide it when there is a need.

Shawn Ram – He talked to the Woodland Hills treasurer and that information had been vetted and Woodland Hills is very comfortable with it.

Jared Peterson – With the removal of the PUD from the General plan, the only other way to show available moderate income housing would be to add basement apartments. Maybe the commission should change the whole section to a little paragraph concerning need.

Shay Stark – He doesn't see a problem with making a statement like that. He would add a sentence before that stating the city does not outlaw moderate income housing and that it is supportive of it when there is a need for it and when there is a need for it the city will find a way to provide it. The city does have to show the numbers, so that section never goes away. He is fine with it being that simple showing the table and the facts; this is what is here and this is what is available.

Jared Peterson – Perhaps adding a table showing what has been built.

151 Shay Stark – The state doesn't require a table but the data needs to remain.
152 Jared Peterson – Asked what exactly needs to be in the General Plan.
153 Shay Stark – The Tables and a statement that the city's land use and ordinance do not discourage it and that the
154 city supports it and if the need arises, (use whatever language Woodland Hills has). There are some things that
155 the city is actively doing. There are basement apartments and the apartments that Lee Haskell is planning over
156 the commercial.
157 Jared Peterson – Update the charts and add a paragraph as discussed, list basement apartments and Lee's
158 apartments. On to Parks and Open Space. The trails map has been updated to show more information. Remove
159 what does the zoning do on page 47. For Parks and Recreation what needs to be in the General Plan?
160 Shay Stark – The key information that is needed for grants or other information are how many acres per 1000
161 population does the city want to have and how many acres the city has, how many parks the city has and the
162 size. For grants the city needs to show the level of service and what the goal is, what the city has and what it is
163 doing. Some updates are needed on the numbers. Is 5 acres per space for a 1000 population adequate? On a
164 previous park survey it asked do you want more or less park space. It was split 50/50.
165 Shawn Ram – An increase of a population of 1000 doesn't add enough tax dollars to generate 5 acres and how
166 far off is that?
167 Shay Stark – Asked Royce if the city had a good idea of what the maintenance cost on the parks was.
168 Royce Swensen – About \$35,000 but was not sure of the top of his head what the parks budget was for the
169 year.
170 Shawn Ram – Is the 5 acres of park space an arbitrary number?
171 Shay Stark – No, there is data and research behind that number. Right now the city has roughly 17-26 acres
172 which includes open space. The built out population is just under 8,000.
173 Shawn Ram – The city would need 32 to meet the lowest standard.
174 Shay Stark – Some of what is looked at too is the trail up Elk Ridge Dr. plus the school will be counted
175 towards that. As the south develops the city will need a park up there to have access to the forest land. That
176 park could have camping sites, restrooms, day use sites etc.
177 Jared Peterson – Page 48; the info that needs updating is the map the numbers, and the legend needs to be
178 changed to park and open space. Get rid of all the survey says sentences. The next section is Trails. The
179 updated map will go in. The second paragraph is fluff and he recommends deleting it. Next is Open Space.
180 Shay Stark – Open Space and Preservation is there in order to define what it is and to give the developer a
181 guide of what needs to remain to protect such areas.
182 Discussion ensued on deleting the open space or keeping it, perhaps calling it natural space. Open space is
183 disappearing. Pavilions versus splash pads versus real natural space and maintenance.
184 Jared Peterson – It needs to stay in the General Plan. Think about this section for the next couple weeks and
185 what should be included, maybe add a graphic, rewrite the paragraph defining what open space, natural areas
186 are and the intent.

187
188 **CITY COUNCIL UPDATE**

189 No updates

190 **OTHER BUSINESS**

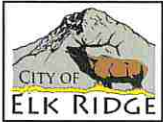
191 No other business

192
193 **JARED PETERSON MOTION TO ADJOURN THE MEETING JARED BARTON SECONDED.**
194 **APPROVED**

195
196 **MEETING WAS ADJOURN AT 8:40 pm**

197
198
199
200


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING AND MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, September 28, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

PLANNING COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION ITEM

1. LDS Church Building Preliminary Plat Approval... see attachment

PLANNING COMMISSION ACTION ITEM

2. Memory Care Facility Conditional Use Permit Approval... see attachment

PLANNING COMMISSION DISCUSSION ITEMS

3. General Plan

CITY BUSINESS

4. City Council Update
5. Other Business

Adjournment

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, the 27th day of September, 2017 and delivered to each member of the Planning Commission on the 27th day of September 2017.

Planning Commission Coordinator: Laura Oliver Date: 27th day of September 2017

ELK RIDGE PLANNING COMMISSION

September 28, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, September 28, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Jared Peterson, Bruce Thorpe, Shawn Ram, Wayne Jones, Jared Barton (late) Absent: David Clark, Jim Chase
Others: Royce Swensen *City Controller*
Laura Oliver, *Planning Commission Coordinator*
Public: Milan Malkovich, Roger Knell, Max Ditlevsen, Nancy Ditlevsen, Robert Black, Victoria Black, Lee Haskell, Larine Mortensen, Alicia Ballard, Suzanna Nielson, Stephanie Taylor, Henry Wede.

OPENING ITEMS

Jared Petersen welcomed at 7:00 PM. Opening remarks were said by Wayne Jones followed by the pledge of allegiance.

**BRUCE THORPE MOTIONED TO APPROVE THE AGENDA SECONDED BY WAYNE JONES.
VOTE: APPROVED - YES - ALL (4), NO -NONE (0) ABSENT David Clark, Jared Barton, Jim Chase**

PUBLIC HEARING AND ACTION

LDS CHURCH BUILDING PRELIMINARY PLAT APPROVAL

Shay Stark – There are 2 actions tonight. The first action is a potential zone change to allow a church to be constructed in a residential area. The second is a preliminary approval. The proposed location is on Rocky Mountain Way. It is 3.83 acres. This is the Armstrong pastureland just south of the existing home of the Taylor's. This area is zoned residential R-1-15,000. Within that zone public facilities are allowed but they have to be zoned as public facilities. The rezoning would be contingent upon the sale and construction of the church so that the same use that was proposed occurs at that site. The second action is the preliminary approval of the plat, based on the sale of the property and the construction of the church. Rocky Mountain Way has a 66 foot right of way. Originally the city's plan was to tie Canyon View into Rocky Mountain Way but on the south end of Rocky Mountain Way, as it turns on the Goosenest, there is a very steep section that made this impractical. There are better ways to handle that and a few years ago the city adjusted that in the transportation plan. There is 42 feet of pavement that was designed for a collector but this road is not going to serve as a connector so there is plenty of capacity as far as traffic is concerned. The other 2 things that were looked at are the water and sewer, which are believed to have the appropriate size lines. If this moves forward as part of the plat process then the lines will be put into the city's model and verify that there is fire flow capacity and no offsite issues. Rocky Mountain Way has a roughly 8% grade. The property has quite a bit of drop so in order to meet ADA and make the building easily accessible to all the parking, the north entrance, instead of coming straight into parking lot, will come up a grade and into the parking area. The south end will be a retaining wall or something that will handle the grade.

Jared Peterson opened the public hearing.

Robert Black – He lives on the south side of the lot. Can there be a little more information on the south slope?

Mr. Knell and Mr. Malkovich, Architects - The south side will keep the natural grade, not a retaining wall, which is a 25%-30% slope to the parking lot. The retaining wall between the parking lot and the driveway is where the majority of the grade will be taken. The mandate is to have no stairs going into the church.

Robert Black - What type of building is it going to be.

Mr. Knell and Mr. Malkovich, Architects - It is called the Granger 300. It is a meeting house set up for 3 wards, potential 4 in an emergency. This will be the first of its model built.

Robert Black - Are there any outside structures?

Mr. Knell - No.

Robert Black - Parking lot lighting?

Mr. Knell and Mr. Malkovich, Architects - Lighting will be around the interior perimeter of the building. There will be a combination sidewalk curb and gutter with 3 lights on the north and south and 2 on the east. They are shoebox LED so they shine down and don't light the night sky.

61 Robert Black - What is the elevation of the GRANGER 300?

62 Robert Black - What are the materials that will be used on the exterior

63 Mr. Knell and Mr. Malkovich, Architects - It will be brick. The stake president gets to pick the exterior colors brick

64 and shingles and then the interior color scheme.

65 Stephanie Taylor - She lives on the property north of the proposed building. How is drainage being handled?

66 Shay Stark - During preliminary approvals the feasibility is being looked at and not the technical aspects. This

67 design may change but what was proposed is a storm drain system with catch basins catching the storm water

68 in the parking lot. That water then goes in to a series of underground galleries and then it percolates down in the

69 ground.

70 Stephanie Taylor - Whatever is planned double it. There is a lot of run off.

71 Mr. Knell and Mr. Malkovich, Architects - The good news is there is a gravel bed. That gravel will percolate well

72 into the ground. He will tell his engineer so that he is aware.

73 Bruce Thorpe - Did you do any soil testing for the percolation factor with the native soil that is there?

74 Mr. Knell and Mr. Malkovich, Architects - Yes, the engineer says its 5 minutes per inch per crape.

75 Suzanna Nelson - She is concerned with the speed limit and is wondering if there are can be speed bumps

76 installed to protect the kids that play there.

77 Jared Peterson - Personally doesn't think the speed limits should have been raised but that needs to go before

78 city council.

79 Max Ditlevsen - On the preliminary drawings it appears that there are parking stalls directly north of the homes.

80 Mr. Knell and Mr. Malkovich, Architects - There is a landscape buffer.

81 Max Ditlevsen - How wide is that buffer?

82 Mr. Knell and Mr. Malkovich, Architects - You will be looking over it. The parking lot will be below 30% and 20

83 feet of slope there will be a 6 foot high fence and 6 foot elevation drop to the parking lot so effectively 12 feet

84 down to the surface of the parking lot.

85 Mr. Knell and Mr. Malkovich, Architects - We can provide a cross section. The site will general have fill in and

86 around the building. If you are familiar with the existing stake center, the local facility manager has concerns

87 about steep slopes and stairs. So they are designing this property to have easy access to the parking lot and the

88 building. They are required to do that anyhow by ADA requirements. They are spending a little bit more money

89 to do this.

90 Nancy Taylor - If this doesn't go through then does the land revert back to its original zoning.

91 Shay Stark - Yes, the approval is contingent upon the purchase of the land and the construction of the church

92 building

93 Resident, Unknown - What is the estimated time frame?

94 Mr. Knell and Mr. Malkovich, Architects - To build it would be 12 months. It could be 1-3 years before

95 construction begins.

96 Resident Unknown - In deciding the footprint and model of this building could this turn into stake center?

97 Mr. Knell and Mr. Malkovich, Architects - The determination of what is built is done in Salt Lake in the Planning

98 Department. The stake center is essentially the same building. If it is determined early enough then they put in

99 the stake suite. The church could change their mind at any point.

100

101 **Jared Peterson closed the public hearing.**

102

103 Shawn Ram - Due to the stake center being so close to this site would that deter it from being a stake center?

104 Mr. Knell and Mr. Malkovich, Architects - It's hard to tell. They can be close, sometimes next door. That is

105 discouraged through.

106 Bruce Thorpe - He recently moved from Texas where they took 2 existing stakes and made a third. Is the push

107 to make smaller stakes to give more opportunity to create service? Is that a push within Utah?

108 Mr. Knell and Mr. Malkovich, Architects - The requirement use to be 5000 members were needed to make a

109 stake. About 10 years ago they changed that to 6000 so the stakes would be larger. For general meeting

110 houses, or wards, the desire is to have smaller units. Right now the church is more concerned about having its

111 buildings filled before constructing new ones.

112 Wayne Jones - The property owners need consideration which is why he thinks they are here. On the south side

113 is there going to be much noise generated to the back of those homes. Is a sound wall needed? The second

114 item is the lighting and the third is drainage. Those are the 3 things that he feels are needed to be looked at.

115 Shawn Ram - He is concerned about traffic on mutual nights and Sundays. There are a lot of people that walk to

116 church; what happens to the traffic flow on Rocky Mountain Way on those days? He is concerned about the

117 speed limit.

118 Jared Peterson - Those items need to be addressed during the final end of it. Tonight the zone needs to

119 changed and the preliminary plat approval.

Shay Stark – One other thing that needs to be addressed is the city code allows 1 year for preliminary and then it expires. The Planning Commission needs to make an exception to allow the 2 one year extensions. That would allow them to get the building done. If there are any issues getting to the point where they can file for plat that would create a buffer to allow that to occur.

Stephanie Taylor – What fencing will be in place during construction. She has horses in the adjacent field.

Mr. Knell and Mr. Malkovich, Architects -They will be required to have temporary construction fencing to the point where the permanent fencing is installed. The fencing would be 6 feet high. They have, on another site, put in 3 wired, barbed wire fence just on the inside of that. Animals tend to lean on the fence unless its barbed wire.

Bruce Thorpe – Referring back to Wayne Jones concerns, have there been any accommodations to those items?

Mr. Knell and Mr. Malkovich, Architects -Typically, the noise occurs inside, other than the people coming and going. Lighting, no lighting will exit the site. There is 1 foot candle to .5 - 2.5 and at the property lines it will be zero. Lights go on at dusk and go off at 10:30-11 at night. There isn't any reason for them to be on after that. Sound issues, there is no pavilion on this property. If there is a concern they can test sound at an existing meeting house and see what the decimal level is.

Wayne Jones – Is there going to be a fence on top of the retaining wall?

Resident Unknown - What is the fencing requirement in the city?

Shay Stark – Fencing can go up to 8 feet in height and can be wood, metal, vinyl, and masonry.

Mr. Knell and Mr. Malkovich, Architects -Most of the concern is headlights shining into homes. There are a number of ways to deal with that with different types of fencing. They are open to suggestions. When they do the cross sections that will show any impact of headlights.

Mr. Knell and Mr. Malkovich, Architects - The situation right now is the property is under contract for option to purchase and so they want to make sure that they can actually build the church there before the sale is finalized. There is property purchased all over the country in anticipation of building a church and for whatever reason were not able to build on it, which wastes a lot of time. Now they get the approvals beforehand.

Mr. Knell and Mr. Malkovich, Architects – An extreme example of the church backing out would be that the Planning Commission wanted solid gold sculptures of all the Planning Commission across the front of the property that might be a deal breaker. Something onerous, that is not usual or reasonable, then they would build somewhere else. Also, if the soils were bad or wouldn't percolate could change where they build. One city wanted them to put in a 5 million dollar sewer line, so they didn't build there. Eventually the residents made some recommendations to the city for a compromise. They want to be careful with the donated funds of the church. The things that have been brought up to night are not extreme or unreasonable. They are things that that they deal with.

Stephanie Taylor – Is concerned about snow removable on the driveway into the church.

Mr. Knell and Mr. Malkovich, Architects - Snow is typically moved to the rear of the parking lot so it's not around the building. They tell their snow removal people not to move snow into the road or fencing.

WAYNE JONES MOTIONED TO APPROVE THE ZONE BE CHANGED FROM AN R-1-15,000 ZONE TO PUBLIC FACILITY ZONE CONTINGENT UPON THE PURCHASE OF THE PROPERTY FOR THE PURPOSE OF A CHURCH BUILDING, SHAWN RAM SECONDED VOTE: APPROVED - YES - ALL (5), NO -NONE (0) ABSENT David Clark, Jim Chase

WAYNE JONES MOTIONED TO APPROVE THE PRELIMINARY PLAT FOR THE PROPOSED 3.83 ACRE CHURCH PARCEL LOCATED APPROXIMATELY AT 1150 NORTH ROCKY MOUNTAIN WAY CONTINGENT UPON THE PURCHASE BY THE APPLICANT FOR THE CONSTRUCTION OF A CHURCH BUILDING WITH THE EXCEPTION FOR 2 ONE YEAR EXTENSIONS OF THE PRELIMINARY PLAT APPROVAL SECONDED BY JARED BARTON. VOTE: APPROVED - VOTE: APPROVED - YES - ALL (5), NO -NONE (0) ABSENT David Clark, Jim Chase

MEMORY CARE FACILITY CONDITIONAL USE PERMIT APPROVAL

Shay Stark – He passed out an email from Lee Haskell that outlines the number of rooms. This building is different than the previous plan previously submitted. There is a difference in the room count and the hall ways were widened. There arrows and numbers mean the number of people using that area. Some of these issues were brought up at TRC's and some are requirements of the state.

Lee Haskell, Developer – These plans were submitted to the state 10 days ago. Lee received a 10 page letter from the state with all the state requirements needed. The Planning Commission does not have a copy of that letter yet. The letter is extensive and there is still a lot of detail that is needed to go into this.

178 Shay Stark – The purpose of this is for a conditional use that vets the applicant with the right to develop this
179 property with a Memory Care Facility or an Assistant Living Center with a certain number of rooms. There are
180 engineering details and design details which will change, per state requirement and the commercial
181 development, which will all occur with the final approval.
182 Bruce Thorpe – Asked why this is a conditional use request.
183 Shay Stark – As of now, the city code states that assisted living centers are not a permitted use, they are
184 conditional use.
185 Bruce Thorpe – Even though it is zoned commercial it is still conditional use.
186 Shay Stark – It is a conditional use. It's not a matter of it not fitting into the community. That means that there
187 are a lot of details that need to be considered with an assisted living center such as emergency access.
188 Lee Haskell, Developer – If you look at the commercial zone there is a 10 page list that has everything on there
189 that shows whether it is permitted or conditional use.
190 Wayne Jones – Since the Planning Commission met last there were concerns of the fire department emergency
191 access of elevators and stairwells, has that been addressed?
192 Lee Haskell, Developer – Yes absolutely. The state fire Marshall governs assisted living centers. They have to
193 approve everything. The mistake that was made on the other plan was he went through the city fire chief
194 instead.
195 Wayne Jones – His concerns, having worked in a different larger city, come from responding to facilities like this
196 and dealing with issues like this is a big problem. He likes the idea of the center. The only thing he can suggest
197 is to have a meeting with the fire chief about this.
198 Lee Haskell, Developer – He spoke with Seth Waite, the city Fire Chief, and Seth said he would look into this but
199 he has not heard from Seth yet.
200 Shay Stark – He went through the plans and showed the changes to the elevator, and the hallways and
201 stairwells.
202 Lee Haskell, Developer – When he gets the review back from the State Fire Marshall he will forward it to Seth
203 Waite, Fire Chief.
204 Jared Peterson – On the main floor plan there are 16 rooms and the letter states 14 which makes the total to 45
205 instead of 43 and the one stall for handicap parking may not be enough, but that will be brought up in the final
206 review.
207 Discussion ensued to clarify the number of rooms as 43.
208 Shay Stark – Handicap parking stalls will be based on ADA requirements. The health Department will regulate that.
209 Jared Barton – On the letter it says that there is an intent to be engaged in pharmacological and non-
210 pharmacological clinical studies. He is concerned about drugs and security of those drugs on the premises and
211 transportation of the drugs.
212 Lee Haskell, Developer – They have to be in a locked cabinet, with 2 locks: a lock on the cabinet and a lock on
213 the drawer. Only qualified CNA's can distribute those drugs.
214 Jared Barton – What kind of volume will there be regarding the drugs? He is all for research but he is concerned
215 about what is being stored on the premises.
216 Lee Haskell, Developer – In speaking with the Alzheimer Association it is mostly monitoring activities such as
217 lifestyle, background, brain usage, etc. and not pharmacological. This will be a volunteer program. He doesn't
218 know what the exact drugs would be.
219 Shay Stark – Is there a Doctor that would come into the facility?
220 Lee Haskell, Developer – Doctors and Clinicians. They were going to put in a lab (Dr. office) in but they were
221 advised against it and to have the appointments in the patients rooms, since that is their home.

222
223 **BRUCE THORPE MOTIONED TO APPROVE CONDITIONAL USE PERMIT FOR THE MEMORY**
224 **CARE FACILITY WITH 43 SUITES WAYNE JONES SECONDED. VOTE: APPROVED - YES -**
225 **ALL (5), NO –NONE (0) ABSENT: David Clark, Jim Chase**

226
227 **GENERAL PLAN**
228

229 Jared Peterson – The next section is Sensitive Lands and Hazards. The Urban Wildland Interface zone needs to
230 be mentioned in this.
231 Shay Stark – Definitely mention the high risk of the wildland fire and therefore the city has adopted the State
232 code for Urban wildland areas and actively pursue educating the resident to those dangers and what they can do
233 to reduce that risk.
234 Jared Peterson – Thinks that everything currently in the General Plan should stay and add the State code and
235 WUI code. Update the map if the WUI code does not become city wide.

Shay Stark – There are 8 park spaces shown on the map, is that too many? If there is a park within a quarter mile of you, you are more likely to use that park. The city is relatively small and he doesn't see that as an issue, especially on the north end. Does the south end need a park?

Jared Peterson – That would be more trails and natural hiking areas instead of a formal playground.

Jared Barton – Maybe not a formal playground but a picnic area.

Shay Stark – Camp ground

Bruce Thorpe – He would think that the city would want to stay in the norm and plan for a future expansion of parks.

Shawn Ram – The Planning Commission talked about the cost associated with that, the city was significantly lower than were it should be.

Shay Stark – He did not think that there was a real clear picture from the last meeting.

Discussion ensued on current and previously proposed parks and open space.

Jared Peterson – Add some dots on the trails for picnic area and an area on the south for a park for future expansions.

Shay Stark – The text has almost been revised. The next step is to review the maps. The Planning Commission will get a copy of them beforehand for review.

Jared Peterson – Annexation is next. How much more land can be annexed into the city.

Shay Stark – There is some areas off 11200 and perhaps a boundary change between Elk Ridge and Woodland Hills. There is a possible area south of the golf course where residents may be taking this in their own hands and pushing for annexation. This section needs to remain.

Jared Barton – He deleted the first couple paragraphs down to the real info that needs to remain. He will send what he has to Laura so she can send it to the City Council for review.

CITY COUNCIL UPDATE

No city council update

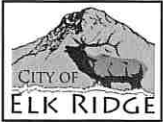
OTHER BUSINESS

No other business

BRUCE THORPE MOTIONS TO ADJOURN THE MEETING JARED BARTON SECONDED. APPROVED

MEETING WAS ADJOURN AT 8:40 pm


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING AND MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, October 12 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION ITEM

1. Haskell Corner Commercial Development see attachments

PLANNING COMMISSION DISCUSSION

2. General Plan

CITY BUSINESS

3. City Council Update
4. Other Business

Adjournment

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, the 11th day of October, 2017 and delivered to each member of the Planning Commission on the 11th day of October, 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 11th day of October 2017

ELK RIDGE PLANNING COMMISSION

October 12, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, October 12, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Jared Peterson, Bruce Thorpe, Wayne Jones, Jared Barton, David Clark, Jim Chase Absent: Shawn Ram
Others: Royce Swensen *City Controller*, Laura Oliver, *Planning Commission Coordinator*
Public: Barry Burnette, Courtney Burnette, Chelsey Tripp, Julene, Mikalowski, Chris Bernard, Tonya Bernard, Ben Ewell.

OPENING ITEMS

Jared Peterson welcomed at 7:00 PM. Opening remarks were said by Wayne Jones followed by the pledge of allegiance.

**JARED BARTON MOTIONED TO APPROVE THE AGENDA SECONDED BY BRUCE THORPE.
VOTE: APPROVED - YES - ALL (6), NO -NONE (0) ABSENT Shawn Ram**

PUBLIC HEARING AND ACTION

1. HASKELL CORNER COMMERCIAL DEVELOPMENT

Shay Stark stated that commercial plans have been revised since the first time the properties came before Planning Commission. The buildings have been turned perpendicular to the road due to the topography. The revised plans show updates on parking. There will be residential on top of the commercial which is allowed under the city code. The parking was looked at closely from the previous meeting and has since been revised to meet requirements. The residential will now be walk out apartments with a couple steps to the front door instead of being on a second floor.

Jared Peterson opened the public hearing.

Julie Mikalowski asked what benefits the commercial businesses will bring to Elk Ridge. They bought their lot, as did others, as a premium lot. It is no longer a premium lot.

Chelsey Tripp stated who is going to drive to Elk Ridge to shop? This is devaluing her home with commercial/residential buildings.

Chris Hermansen asked how many businesses will there be? Lee Haskell 4 to 5 business per building which will be mostly service buildings. They will only build one building at a time. The buildings are 140 – 150 away from their homes to the north so he doesn't feel they will obstruct their views. The land has been zoned commercial for 30 years. He lives on Goosenest to and he doesn't want to ruin his view either.

Tawny Bernard asked if the apartments give any benefit to Elk Ridge and what happens if the businesses fail. Lee Haskell pays property taxes to the city on the buildings.

Julie Mikalowski is concerned about the traffic and children playing on the residential streets around this commercial development.

Barry Burnette is concerned about narcotics in apartments.

Tawny Bernard asked if there has been an analysis on retail done.

Jared Peterson stated that the developer has the right to build commercial there. The Planning Commission has to base its decisions on the codes and regulations the city has in place.

David Clark stated the Planning Commission has always drawn from the General Plan. The property has been commercial for a significant amount of time and feels that there is a responsibility on the resident's part to look at the general plan of the city. If there is a plan in place for the past 30 years and someone fails to find that who is to blame?

Julene Mikalowski stated that the developer has the right to build there but is this really going to help the city, is it going to bring in revenue.

Courtney Burnette asked what are the codes that are in place and are there any other commercial properties.

60 Jared Peterson stated that there is a parcel across the street. There are codes in place for lighting, parking
61 etc.

62 Shay Stark pointed it out on the map. He pointed out the areas that were zoned commercial for the past 30
63 years and its history.

64 Courtney Burnette asked if there is regulations in place for lighting, parking, when a business can be open,
65 and signage, etc. She is also concerned that cars will be pulling in and out and headlights shining in their
66 windows all night.

67 Barry Burnette suggested changing the entrances off of residential streets and maybe putting in a rock wall.

68 Lee Haskell stated that the city council asked that there only be one entrance on Elk Ridge Dr. and that the
69 entrances are located for emergency services. If residential homes were built there they would block your
70 views just as much. The business will increase the value of their homes instead of a weedy field and he has
71 rented to numerous people over the years and he has not had any problems due to drug abusers.

72
73 **Jared Peterson closed the public hearing.**

74
75 Wayne Jones asked Lee Haskell if he would consider rezoning the property residential. His son stated, in a
76 previous meeting, that Lee would consider rezoning this residential.

77 Lee Haskell stated he is not interested in rezoning. He has thousands of dollars invested in this commercial
78 development. He tried to rezone it 15 years ago and the city council denied it.

79 Jared Peterson asked if previous exceptions that the city council had approved were still in place.

80 Shay Stark stated that the city council approved an exception for 4 stalls per 1000 sq. ft. instead of the
81 required 5 stalls per 1000 sq. ft.

82 Wayne Jones asked if this was approved by the council to go forward or is it still at the Planning Commission
83 stage.

84 Shay Stark stated that this commercial development has been before the City Council several times for
85 different reasons, the biggest being the city code required commercial businesses being close to the street.

86 This was not desired by anyone. Various exceptions were made in adjusting this. There has been
87 engineering changes on the plans and the commercial development has now come back to the Planning
88 Commission for preliminary plat approval. It will then go to the City Council for Preliminary approval.

89 Bruce Thorpe asked if there were any other exceptions and asked for confirmation on residential being
90 allowed above and if there is a barrier/buffer still in place.

91 Shay Stark stated there are no other exceptions and there is a buffer area in place.

92 Wayne Jones asked if there were CUPS in place.

93 Shay Stark stated there is a list of allowed businesses in the code.

94 Wayne Jones stated that he did not think there was enough information to approve this yet. He is concerned
95 about the entrances and service vehicles being able to maneuver in the development. He wants to see the
96 density and look at how much this is going to affect the residents.

97 Jared Peterson stated this is a preliminary plat approval. Each individual site will come through for approval
98 with the full plans. That is when the more extensive criteria comes through. This is conceptual, although there
99 are things that are needed on the plans which are there.

100
101 Jared Peterson stated this calls for an action today. This is a preliminary plat approval. The Planning
102 Commission needs to look at this from a zoning /code perspective. The Commission can motion to approve it
103 or not approve. The commission can also take this time to have questions answered.

104
105 David Clark asked if there were any laws concerning businesses that are permitted near an assisted
106 living facility.

107 Shay Stark stated he is not an attorney but that there might be since seniors are a protected class.
108 Those types of businesses are already not allowed in Elk Ridge per the city code.

109 Wayne Jones stated that he just needs to look at the plans closer and have some things answered
110 before he can approve this. He is concerned about signage and noise.

111 David Clark asked that those things are asked during the final phase.

112 Shay Stark stated that right now the Planning Commission is vesting the right for this development to be
113 constructed. It is better to deal with those issues up front. Are there any statements made by the public
114 that deal with land use concerns? The Planning Commission deals with land use. City Council can look
115 at some of the other concerns. The city Council purview is health, safety and welfare of the community
116 where as the Planning Commission's authority is land use side.

117 David Clark stated there are a lot of comments made by the public. The Planning Commission is making
118 a recommendation to the City Council. The City Council ultimately makes the decisions. He feels that the

residents bring their arguments and their strength and energy to the wrong fight. He recommended strongly that the residents go to the City Council: they are the ones who make the laws. Shay Stark stated that the public hearings take place in Planning Commission but that they should also take advantage of the public forum to make comment, write letters and ask that they be presented in Council.

Jared Peterson stated that he became a member of the Planning Commission because he wanted to become more involved in the community. He is a huge property rights advocate. There are regulations and laws so that people can live civilly with each other. He is in favor of that when it goes through the right process. If a piece of land is zoned commercial he is not going to trample on that owner's rights just as he wouldn't want his rights to be trampled on. There are some things that could be tweaked but those discussions will take place at the individual phase approvals. Discussion ensued whether the Planning Commission moves forward with recommendations or to have the concerns answered first.

WAYNE JONES MOTIONED TO APPROVE THE PRELIMINARY PLAT FOR HASKELL COMMERCIAL DEVELOPMENT WITH THE FOLLOWING RECOMMENDATIONS:

1. TRAFFIC ISSUES AND FLOW ON ELK RIDGE DR.
2. PARKING CONCERNS
3. INGRESS AND EGRESS PROPERLY
4. SIZE OF PARKING STALLS
5. PUBLIC SAFETY, EMERGENCY VEHICLES
6. PROJECTED CALLS FOR SERVICES
7. LIFE SAFETY CONCERNS
8. LIGHTING
9. DENSITY IMPACT
10. CUP
11. HOW IS THIS PROJECT GOING TO IMPACT THE COMMUNITY?

JARED BARTON SECONDED

VOTE: APPROVED - YES - ALL (5), NO - NONE (0) ABSTAIN (1)
ABSENT Shawn Ram

2. GENERAL PLAN

Shay Stark stated that the trails map was updated. This map shows the full trail system, parks and open space which was discussed previously. Discussion ensued on a trail from Canyon View down to Loafer Canyon. The road which has been used through the years by residents is on private property. Discussion ensued on the forest land at the south end of the city and how it could be accessed. There is a trail in place on the map that gives the city justification to have developers include the trail in their development.

CITY COUNCIL UPDATE

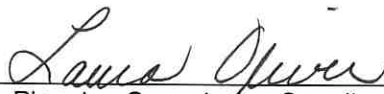
No city council update

OTHER BUSINESS

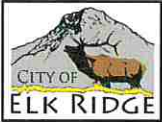
No other business

BRUCE THORPE MOTIONED TO ADJOURN THE MEETING JARED BARTON SECONDED. APPROVED

MEETING WAS ADJOURN AT 8:59 pm



Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651

t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, October 26, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

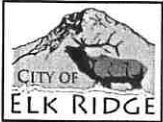
COMMISSION MEETING AGENDA

CANCELLED

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, the 25th day of October, 2017 and delivered to each member of the Planning Commission on the 25th day of October 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 25th day of October 2017



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a public hearing and meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, November 9, 2017**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Dark Sky Ordinance see attachment

PLANNING COMMISSION DISCUSSION AND ACTION ITEMS

2. Flag Lots and Private Streets see attachment
3. Accessory Dwellings see attachment
4. Approval of August 10, 2017 Minutes see attachment
5. Approval of August 24, 2017 Minutes see attachment
6. Approval of September 14, 2017 Minutes see attachment

CITY BUSINESS

7. City Council Update
8. Other Business

Adjournment

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, the 8th day of November, 2017 and delivered to each member of the Planning Commission on the 8th day of November 2017.

Planning Commission Coordinator: Laura Oliver Date: 8th day of November 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **November 9, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday,
6 November 9, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Jim Chase, Bruce Thorpe, Jared Barton, Wayne Jones

10 *Absent:* David Clark, Shawn Ram

11 *Others:* Royce Swensen *City Controller*, Paul Crook, *City Council*, Laura Oliver, *Planning*
12 *Commission Coordinator*

13 *Public:* Mike Manwill, Kamile Peterson

14
15 **OPENING ITEMS**

16 Jared Peterson welcomed at 7:00 PM. Opening remarks were said by Jared Peterson followed by the
17 pledge of allegiance.

18
19 **JIM CHASE MOTIONED TO APPROVE OF AGENDA JARED BARTON**
20 **SECONDED VOTE: YES - ALL (5), NO - NONE, ABSENT – David Clark, Shawn**
21 **Ram**

22
23 **PUBLIC HEARING AND ACTION**

24 **1. DARK SKY ORDINANCE**

25 Shay Stark stated that this has been discussed in City Council and since there are minimal meetings for the
26 next 2 months the Planning Commission was asked to hold Public Hearing on Dark Sky to make sure that
27 the updated commercial lighting code is in place. There has been a movement over the last decade against
28 light pollution. The advent of LED lights has made this easier and are Dark Sky Compliant. Temporary
29 lighting, underwater- pool or fountain lighting, emergency lighting, public works or construction are not
30 regulated by Dark Sky. There are 3 categories: residential, public facilities and commercial, and parks.
31 Lights need to be shielded and not leave the property. If it is not shielded then it needs to be a lower watt
32 bulb. Lighting needs to be pointed downward. Flood lights are allowed on the back of the house, they
33 should be motion controlled. Landscape lighting is allowed but it needs to stay on the property. Parking
34 lots limited to 2 lumens per foot. They can be adjusted by spacing, height etc.; there are a lot of options.
35 The point is not to have lights flooding onto other properties. Parks are allowed higher lumens but need to
36 be extinguished between 11am and 5am. Prohibited lighting is search lights and aerial lasers (not the
37 Christmas lights). The goal is to be in compliance in 10 years. Everyone in that time would more than
38 likely have to have changed their lights. The city doesn't want this to be cumbersome on the residents.
39 Commercial signage will not be allowed to be back lit.

40 Jim Chase asked if the landscaping lumens of 5 out of 25 lumens is that one light or the strand.

41 Shay Stark it is the whole strand.

42
43 **Jared Peterson opened the public hearing.**

44
45 Courtney Burnett is concerned that commercial parking will be lit all night.

46 Shay Stark stated the lighting will be glare reducing, not bright and will need to minimize what is coming
47 off the parking lot.

48 Mike Manwill stated that the lighting on the commercial side makes sense but is wondering if there were
49 complaints by residents regarding lighting from neighbors.

50 Shay Stark stated this ordinance was not generated from complaints. Over the years the residents have
51 expressed that they do not want streetlights etc. obstructing the night sky. Most people comply with the

ordinance already. It has always been an unofficial stance of the city. This ordinance will just make it official since it is in the General Plan

Jared Peterson closed the public hearing.

Jared Barton asked what is considered “unshielded. He disagrees that the majority of the city is in compliance. He doesn’t see the need to impose this on the residents nor should they tell residents what they can and can’t do on their property.

Shay Stark stated that the light bulb is unshielded if it has glass all around it. Recessed lighting is considered shielded.

Jared Peterson stated that it feels HOA to him. If the city is trying to implement something for commercial, then the Planning Commission should focus on that and continue the discussion regarding residential. If this is implemented then the curfew times need to be written in and lumens need to be easier to understand.

Wayne Jones asked what the plan is for enforcing this ordinance. He feels that residential should be less restrictive.

Shay Stark stated that enforcement would be complaint driven.

Bruce Thorpe asked what the max uniformity ratio was.

Shay Stark explained light is brightest in the middle and then it spreads out and fades. This fading can be mathematically figured by a ratio. Fixtures are rated and each fixture has a graph. The higher the ratio the brighter the spread of light stays.

Bruce Thorpe doesn’t necessarily disagree with Jared Peterson and Jared Barton but Bruce personally likes the dark sky and would support it.

Jared Peterson recommends that everyone take a field trip and look at homes that are compliant and non-compliant. Jared asked the Commission if they wanted to move on the commercial side of it tonight and if there is a motion.

Discussion ensued on what needs to be included in the motion.

BRUCE THORPE MOTIONED TO APPROVE THE ORDINANCE WITH THE FOLLOWING EXCEPTIONS:

1. Add G to 1.01B to make a reference to except residential
2. Eliminate 1.02 Residential Lighting section
3. Eliminate 1.01D the automatic lighting
4. Reduce the 2 Lumen requirement in 1.03A(a) to 1 Lumen
5. Define Lumens in laymen’s terms.

JIM CHASE SECONDED. VOTE: AYE 5 NAY 0 APPROVED

2. FLAG LOTS AND PRIVATE STREETS

Shay Stark, due to some property issues that have come up on Goosenest Dr., explained what flag lots and private streets are, and why they are not allowed under the current code. He wanted to know the Commissions thoughts on changing the code.

Planning Commission thought that flag lots and private streets should remain as is and not be allowed.

3. APPROVAL OF PLANNING COMMISSION MINUTES FOR AUGUST 10, 2017

JARED PETERSON MOTIONED TO APPROVE THE PLANNING COMMISSION MINUTES FOR AUGUST 10, 2017 SECONDED BY WAYNE JONES.

VOTE: AYE (3) NAY (0) ABSTAIN (2) Bruce Thorpe and Jared Barton APPROVED

102 **4. APPROVAL OF PLANNING COMMISSION MINUTES FOR AUGUST 24, 2017**

103
104 **JARED BARTON MOTIONED TO APPROVE THE PLANNING COMMISSION MINUTES**
105 **FOR AUGUST 24, 2017 SECONDED BY JARED PETERSON**

106
107 **VOTE: AYE (4) NAY (0) ABSTAIN (1) Bruce Thorpe APPROVED**

108
109 **5. APPROVAL OF PLANNING COMMISSION MINUTES FOR SEPTEMBER 14, 2017**

110 **Jim Chase change line 137 add a word and line 174 change pus to plus.**

111 **Bruce Thorpe add that he was late to line 10**

112
113 **JARED PETERSON MOTIONED TO APPROVE THE PLANNING COMMISSION**
114 **MINUTES FOR SEPTEMBER 14, 2017 WITH THE NOTED CHANGES SECONDED BY**
115 **BRUCE THORPE**

116
117 **AYE (5) NAY (0) APPROVED**

118
119 **PLANNING COMMISSION BUSINESS**

120
121 **4. CITY COUNCIL UPDATE**

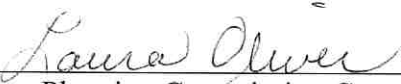
122 **No Council update**

123
124 **5. OTHER BUSINESS**

125 **Nothing to Report**

126
127 **JARED BARTON MOTIONED TO ADJOURN THE MEETING SECONDED BY JIM**
128 **CHASE**

129
130 **ADJOURNMENT – meeting adjourned at 8:50 pm**

131
132
133
134


Planning Commission Coordinator



CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651
t.801/423-2300 - f.801/423-1443 - email staff@elkridgecity.org - web www.elkridgecity.org

NOTICE OF PUBLIC HEARING AND MEETING

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission hearing and public meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, December 14, 2017**
- Meeting Time – **Commission Meeting – 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park Drive, Elk Ridge, UT 84651**

COMMISSION MEETING AGENDA

7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance
Roll Call/Approval of Agenda

7:00 pm PUBLIC HEARING AND ACTION

1. Amendment to Ordinance 10-2, Planned Unit Development Overlay Zone *see attachment*

PLANNING COMMISSION ACTION ITEMS

2. Premier Point Phase 3 Final Plat Approval *see attachment*
3. Approval of September 28, 2017 Minutes *see attachment*

PLANNING COMMISSION BUSINESS

4. General Plan *see attachment*

CITY BUSINESS

5. City Council Update
6. Other Business

Adjournment

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, the 13th day of December, 2017 and delivered to each member of the Planning Commission on the 9th day of January 2017.

Planning Commission Coordinator: *Laura Oliver* Date: 13th day of December 2017

1 **ELK RIDGE PLANNING COMMISSION**

2 **December 14, 2017**

3
4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday,
6 December 14, 2017, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

7
8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Jim Chase, Bruce Thorpe, Wayne Jones, Jared Barton (late),
10 *Absent:* David Clark, Shawn Ram
11 *Others:* Royce Swensen *City Controller*, Paul Crook, *City Council*, Laura Oliver, *Planning*
12 *Commission Coordinator*
13 *Public:* Gary Hansen, Lorri Hansen
14

15 **OPENING ITEMS**

16 Jared Peterson welcomed at 7:00 PM. Opening remarks were said by Bruce Thorpe followed by the
17 pledge of allegiance.
18

19 **BRUCE THORPE MOTIONED TO APPROVE AGENDA, JIM CHASE**
20 **SECONDED: VOTE YES - ALL (4), NO – (0), ABSENT – David Clark, Shawn Ram,**
21 **Jared Barton**
22

23 Jared Barton arrived
24

25 **PUBLIC HEARING AND ACTION**

26 **1. AMENDMENT TO ORDINANCE 10-2, PLANNED UNIT DEVELOPMENT OVERLAY ZONE**

27 Shay Stark stated that is was proposed to remove the PUD from the code. The PUD overlay is found in Elk
28 Ridge Meadows and Horizon View Farms. In the PUD overlay the land owner gave up 25% of the land
29 which went into open space in exchange for higher density. The minimum lot size is 7,000 square feet. Elk
30 Ridge Meadows last phase was recently approved. Through discussion, in updating the General Plan, City
31 Council and the Planning Commission stated that they would like to remove the PUD from the General
32 Plan and the code. The city does not want additional park land due to the maintenance costs.

33 **Jared Peterson opened the public hearing.**
34

35 No public comment was made
36

37 **Jared Peterson closed the public hearing.**
38

39 **JIM CHASE MOTIONED TO APPROVE THE REMOVAL OF ORDINANCE 10-2, PLANNED**
40 **UNIT DEVELOPMENT OVERLAY ZONE JARED BARTON SECONDED**
41

42 **VOTE: AYE 5 NAY 0 APPROVED**
43

44 **2. PREMIER POINT PHASE 3 FINAL PLAT APPROVAL**

45 Shay Stark stated that the road was changed to a cul de sac since it was very unlikely the road would go
46 through. The cul de sac fits the code requirements. Lots 23 and 24 were combined at the last minute. The
47 Most recent revisions were sent out late today. The fire Chief will need to show where he would like the
48 fire hydrant.

49 Wayne Jones asked if the Fire Chief had seen the plans.

50 Shay Stark stated that the Fire Chief had not seen the revised plans with the combined lot. Shay will find
51 out where the fire chief would like the fire hydrant.

52 Jim Chase asked about the pooling behind the homes near the drainage ditch

53 Shay Stark yes it is designed to pool there. There is a big difference in elevation there so that homes there
54 are a lot higher.

55 **WAYNE JONES MOTIONED TO APPROVE PREMIER POINT PHASE 3 FINAL PLAT JARED**
56 **BARTON SECONDED.**

57
58 **VOTE: AYE (5) NAY (0) APPROVED**
59

60 **3. APPROVAL OF PLANNING COMMISSION MINUTES FOR SEPTEMBER 28, 2017**
61

62 **BRUCE THORPE MOTIONED TO APPROVE THE PLANNING COMMISSION MINUTES FOR**
63 **SEPTEMBER 28, 2017 SECONDED BY WAYNE JONES**
64

65 **VOTE: AYE (4) NAY (0) ABSTAIN (1) Jim Chase APPROVED**
66
67

68 **PLANNING COMMISSION BUSINESS**

69 **4. GENERAL PLAN**

70 Shay Stark stated that after the Planning Commission sent the General Plan to the City Council. The Mayor
71 went through it and rearranged and added more specificity to it. The Mayor wanted to be able to see in the
72 connection between the General Plan and the City code. There are a few other changes as well. The
73 proposed change in Lee Haskell Memory Care Facility moving to Golden Eagle Way and possible
74 annexation and rezoning the possible annexation of the Smart property to a mix of commercial and
75 residential. The annexation area across 11200 to the north will also be zoned as commercial. On the Smart
76 property, there will be a buffer built in to separate the commercial and the residential. The exits and
77 entrances will be right in-right out. This will keep the commercial out of the residential area. The land
78 across the 11200 was recently sold so they may wish to rezone it residential and leave the commercial on
79 the Smart property. The Browns will also be contacted to see if they still want to rezone the property on
80 Elk Ridge Dr. and tell them the city will just do it. The lots on Bella Vista will allow R-12,000 as
81 discussed. The RR1 and the R & 1 are the same thing now that the animal code has changes so the RR1 will
82 be discontinued and be changed to R & L 20,000 zone. RR1 was the older lots on Goosenest and a few lots
83 in Harrison Heights. The biggest change is changing the Hillside Residential 1 (HR 1) to Critical
84 Environment 2 (CE 2). HR 1 is 1 acre lots, CE 2 is 5 acre lots. The Mountain Home Overlay will be
85 removed and the language of the overlay be written right into the code. A developer can develop a
86 traditional 5 acre lot or they can have the option to cluster the homes on smaller lots, 2 ½ acre lots, and
87 leave the land in open space. This mean less infrastructure that needs to be improved. There will still be
88 easements for trails. The Mayor and City Council thought the economic/commercial should remain in the
89 code

90 Jim Chase asked if the mini parks or rest areas will be marked on the map.

91 Shay Stark stated it is hard to place a park on the map with any certainty since it is unknown how it will
92 actually be developed.

93 Jared Peterson stated that he agreed with Jim that any trail or parks should be designated with at least a
94 dotted line.

95 Discussion ensued on the above items in clarification on the proposed commercial and annexation areas.

96 Shay Stark recommended the Planning Commission take some time and review the revised General Plan
97 carefully. There are still grammatical corrections, and maps to update.
98

99 **5. CITY COUNCIL UPDATE**


100 No Council update
101

102 **6. OTHER BUSINESS**

103 Jared Peterson stated that this was his last meeting since he starts with the City Council in January. He
104 has enjoyed his time on the Commission and plans on attending the meetings.
105

106 **JARED PETERSON MOTIONED TO ADJOURN THE MEETING SECONDED BY**
107 **JIM CHASE**
108

109 **ADJOURNMENT** – meeting adjourned at 8:00 pm
110

111 
112 _____
113 Planning Commission Coordinator