

TO: Mayor Haddock, the Elk Ridge City Council, and Planning Commission

Date: 8/17/2022

FROM: Karl Shuler

RE: CE3 Zone Draft

Dear Sirs:

As a property owner in the proposed CE3 Zone I would like to comment on the recent changes and draft of the CE3 Zone.

I appreciate the time and effort that has gone into drafting this zone change. I believe we all have the same goal of creating a safe, aesthetically pleasing and environmentally sensitive residential area. A development that will provide a balance of rights and long-term interests of property owners, and the citizens of Elk Ridge. One aspect is that development in this area could eventually allow citizens access to roads, trails, and public lands in the Forebay and Payson Canyon area.

Over the last few months great improvements and clarity have been incorporated into the draft of the new zone. The latest changes and draft still have several major concerns:

Lot Size. Lot size in the zone is my greatest concern. If you would, recall the 7/26/2022 joint planning commission and city council meeting, after 2 hours of discussion, almost everyone on both the PC and CC had voiced their opinion that 1 acre lot size was the better choice, as opposed to 4-acre minimum lot size. It was then brought up that the city currently only has 96 sewer connections left with Salem City. This seemed to make several question their judgement on the 1 acre per lot basis. When the next draft came out it was back to 4 acres with 1 acre option after giving up significant open space and amenities - As currently written, it is 4 acres with the option of 1 acre if the owner gives up 40% of their property as common open area, plus trails and other possible amenities.

As part of the lot size issue, clustering has been removed in the current version. It was initially promoted by many on the city council and planning commission. I suspect it was removed because 1 acre lots could hardly be considered clustering as the mere size of 1 acre lots would spread them out across the zone. I believe clustering should be left in as a viable option. The previous version V4.5 has "½ acre lots size" removed and "no less than 1 acre are allowed", was inserted creating the issue. Clustering helps in avoiding many of the sensitive areas and protecting the natural environment. Again 1 acre lots are too large for clusters. 1 acre lots are the largest of any other zone in the city.

I believe, as a practical matter, lot size should be on a 1 acre basis and go back to a minimum of ½ acre minimum when clustering or grouping lots to avoid sensitive areas. Most clustered lots would still be larger than ½ acre and would still give up 40% of a subdivision as open space, avoiding ridge lines, ravines, wildlife corridors. This could be an advantageous option. This clustering option would likely only be used owners of larger parcels, in areas where there are large sensitive areas and/or large areas of open space.

2. The second major area of concern is the overall restrictive and complicated nature of the 21-page draft. It has been significantly revised and improved but, in my opinion, it is still the most restrictive and complicated of any sensitive, critical environmental, or hillside residential zone along the Wasatch front. The draft includes restrictions on lot size, slope, requirements trails requirements, as well as

requirements for reports plans, and studies well beyond those required by other cities in the area. This puts an undue burden on the landowners.

Sincerely,

Karl Shuler