

**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
 t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 13 January 2011**
- Meeting Time – **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR MEETING AGENDA**

**7:00 pm OPENING ITEMS**

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

**PUBLIC HEARINGS AND ACTION (none)**

**7:05 OTHER ACTION ITEMS**

1. Elk Haven Code Amendment for Single Access..... *see attachment*

**DEVELOPMENT CODE / STANDARDS REVIEW (none)**

**7:25 PLANNING COMMISSION BUSINESS**

2. Planning Commission Duties/Responsibilities – Adam Castor..... *see attachment*
3. Review/Approval of Planning Commission 2011 Schedule..... *see attachment*
4. Review and approve minutes of 12/09/10 Commission Meeting..... *see attachment*
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, 6 January 2011 and delivered to each member of the Planning Commission on 6 January 2010.

Planning Commission Coordinator: Marissa Bassin Date: 6 January 2011

63 *Temporary Chair: In the event of the absence or the disability of both the Chair and Vice Chair, a majority vote of the Commission*  
64 *at their regularly scheduled meeting shall determine which Planning Commission member shall serve as temporary Chair until the*  
65 *Chair or Vice Chair returns. In such an event, the temporary Chair shall have all the powers and perform the functions and duties*  
66 *assigned to the Chair of the Commission.*

67  
68 **Planning Commission Members**

69 *Meeting Attendance:*

70 *Attendance of planning commission meetings is important so that the commission can be equally educated on planning issues as well*  
71 *as gain a deeper understanding of developing and administering the development and subdivision codes and general plan. To attain*  
72 *a well educated commission, an individual commission member's attendance shall remain above 70%.*

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74 **Planning Commission Coordinator - Marissa Bassir**

75 *It shall be the duty of the Planning Commission Coordinator to:*

- 76 1. *Post public notices of regular and special Planning Commission meetings, consisting of a quorum, 24 hours prior to the*  
77 *meeting.*
- 78 2. *Attend every session of the Commission, to take and record the roll, to read any communications, resolutions or other papers*  
79 *which may be ordered to be read by the Chair of the meeting and to receive and bring to the attention of the Commission all*  
80 *messages and other communications from other sources.*
- 81 3. *Keep the minutes of the proceedings of the Commission and to record them.*
- 82 4. *Keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.*
- 83 5. *Ensure Commissioners receive materials pertinent to regularly scheduled Commission meetings by the Friday prior to*  
84 *Planning Commission meeting.*

85 *Additional duties may include:*

- 86 1. *Address development application questions and concerns to the greatest extent possible;*
- 87 2. *Correspond with the City Planner on development application questions and concerns, and relay information back to those with*  
88 *questions and concerns;*
- 89 3. *Process development applications;*
- 90 4. *Assist the Planning Commission Chair and the City Planner with the preparation of Planning Commission and TRC meeting*  
91 *agendas;*
- 92 5. *Correspond with the City Planner regarding the scheduling and coordination of TRC meetings;*
- 93 6. *Participate in TRC meetings, keep the minutes of the proceedings, and to record them.*

94  
95 **Planning and Zoning Administrator – Corbett Stephens**

96 *It shall be the duty of the Planning and Zoning Administrator to:*

- 97 1. *Address planning and zoning issues to the greatest extent possible;*
- 98 2. *Correspond with the City Planner and the Planning Commission Coordinator to resolve all planning and zoning issues;*
- 99 3. *Participate in TRC meetings and assist with the review of all development applications.*

100  
101 **City Planner – Adam Castor**

102 *It shall be the duty and responsibility of the City Planner to:*

- 103 1. *Correspond with the Planning Commission Coordinator and the Planning and Zoning Administrator to resolve questions and*  
104 *concerns related to development applications and the Development Code;*
- 105 2. *Correspond with the Mayor on a regular basis to ensure that he is informed of all planning related matters;*
- 106 3. *Participate in TRC meetings and assist with the review of all development applications;*
- 107 4. *Assist the Planning Commission Chair and Planning Commission Coordinator with the preparation of all Planning*  
108 *Commission meeting agendas*
- 109 5. *Participate in Planning Commission meetings and present agenda items to the Commission;*
- 110 6. *Participate in City Council meetings and present agenda items to the Council;*
- 111 7. *Prepare staff reports for all major issues presented to the Planning Commission and City Council;*
- 112 8. *Review the Development Code periodically for inconsistencies and make amendment recommendations that will clarify any*  
113 *conflicting regulations and ensure compliance with the General Plan*

114  
115 **Technical Review Committee (TRC) – Mayor, City Planner, City Engineer, Planning and Zoning Administrator, Planning**  
116 **Commission Chair, and Fire Chief (as needed)**

117 *It shall be the duty and responsibility of the Technical Review Committee to:*

- 118 1. *Review all development applications and plans for completeness and adherence to the Development Code and General Plan;*
- 119 2. *Hold initial meetings with developers and applicants to review and discuss development application requirements;*

- 120 3. *Provide applicants with recommendations and redlines to ensure that applications are complete and that proposed*  
121 *developments will meet the requirements of the Development Code, and are consistent with the General Plan;*  
122 4. *Make recommendations to the Planning Commission on development applications and requests.*  
123 *Ensure that all issues related to development applications are resolved prior to making a recommendation to the Planning Commission.*

124 Adam Castor reiterated that he put the presentation together so it would get the commissioners thinking about the changes that will take  
125 place at the next planning commission meeting next month and also to talk about the fact that the process is really where all the issues  
126 related to planning and development should be worked out, addressed, and discussed. A lot of the issues should be worked out at the  
127 TRC level. When development applications are submitted for just about anything, they will go to the TRC first.

128 Kevin Hansbrow commented that if the developer wants to go to the planning commission first, they have that option.

129 Adam Castor indicated that is stated in the process – it is only concept review by planning commission. So that gives the applicant the  
130 opportunity to present the project and ensure that it is in compliance with the development code and the General Plan. It is important  
131 that the issues get worked out at the TRC level first and foremost and then planning commission before it goes to the city council. When  
132 city council has the application, they have the recommendations from the planning commission and the TRC so that they are well  
133 informed and all the issues that may have come up throughout the development application process are addressed prior to getting to the  
134 city council. There have been a couple of applications that have gone back and forth from city council to planning commission and it is  
135 not an efficient process and doesn't accommodate the fees charged.

136 Paul Squires asked if it would be possible to get a report of the violations for code enforcement from Corbett Stephens as part of his  
137 duties. He would like some feedback of cleanup in areas or landscaping issues.

#### 138 139 140 **PLANNING COMMISSION 2011 MEETING SCHEDULE**

141 Kelly Liddiard indicated that it had been proposed that the planning commission meet the 2<sup>nd</sup> Thursday of each month for the 2011 year.

142  
143 **JASON BULLARD MOTIONED AND KELLY LIDDIARD SECONDED TO ACCEPT THE PLANNING COMMISSION**  
144 **MEETING SCHEDULE FOR 2011. VOTE: YES – ALL (5), NO – NONE, ABSENT (3) DAYNA HUGHES, DEBBIE**  
145 **CLOWARD, DAN STEELE.**

#### 146 147 **APPROVAL OF 12/09/2010 PLANNING COMMISSION MEETING MINUTES**

148 There were not any changes made to the planning commission meeting minutes.

149  
150 **PAUL SQUIRES MADE A MOTION AND RANDY JONES SECONDED TO APPROVE MINUTES OF 12/09/2010**  
151 **PLANNING COMMISSION MEETINGS. VOTE: YES – ALL (5), NO – NONE, ABSENT – (3) DAYNA HUGHES, DEBBIE**  
152 **CLOWARD, DAN STEELE**

#### 153 154 **CITY COUNCIL UPDATE**

155 Erin Clawson, *City Council* indicated she attended the city council meeting via speakerphone in and out. The council tabled the code  
156 amendment recommendation from LEI until the meeting with Elk Haven E consultant, Krisel Travis.

157 Kelly Liddiard asked why the city council tabled it.

158 Erin Clawson deferred to Weston Youd, *city council*.

159 Weston Youd indicated the same code was being discussed twice simultaneously. The motion was to table it until Krisel Travis' Code  
160 amendment was addressed.

161 Kelly Liddiard commented that the developer already had an application in place and then the city is talking about amending the code.  
162 He asked if the developer comes in under the existing code at the time of application.

163 Adam Castor indicated that her application was submitted back in May of 2010. She would have come in under the code existing at the  
164 time. He also indicated that the planning commission recommended approval of the recommended code from LEI that was then moved  
165 on to city council.

166 Erin Clawson said she made a motion to accept the LEI code amendment and it was never seconded.

167 Adam Castor said it was tabled so it is still with the city council. At the time, her application was tabled until the city council made a  
168 decision on the code amendment from LEI. There are still two code amendments floating around. Krisel Travis called in earlier to have  
169 the code amendment from Elk Haven E removed from the agenda. He thinks she is very upset over how her code application has been  
170 handled and so she is now talking about bringing her attorney in. It's a complicated issue and that is why the process needs to be  
171 followed and efficient.

172 Kelly Liddiard asked if that hadn't been done.

173 Adam Castor indicated he didn't think it had been done since the issue had been to two planning commission meetings and three city  
174 council meetings. Based on the action on the LEI code amendment, the logical action in his mind would be to deny it.

175 Jason Bullard asked what his feeling was on the city council meeting.

176 Adam Castor said there are still a lot of issues that came up – dead end roads versus stub roads; the number of allowable lots on a single  
177 access road. It wasn't completely clear to him as to why it would have been tabled, other than the process and the fact that the  
178 developer's application had still not been acted upon.

179 Kelly Liddiard said in the minutes from December 9<sup>th</sup> that there was a discussion on the 750 feet and the IFC allowing an exception to  
180 that and he said that Adam Castor had told the planning commission that the exception is there. Later on, Adam Castor was telling the  
181 planning commission that it is 750 feet.

182 Adam Castor indicated that LEI's code amendment includes that if terrain features don't allow for a secondary access. All  
183 developments within the urban wildland interface area must provide dual access. The ordinance within the HR-1 zone says anything  
184 over 16 lots must provide secondary access. There are two different codes for the same area with an exception of 750 feet. There was  
185 some hang-ups over a cul-de-sac and stub road.

186 Paul Squires asked if a dirt road at the end of a stub or cul-de-sac be sufficient.  
187 Adam Castor replied no. It has to be built to city standards in the building code.  
188 Kelly Liddiard is concerned that he was misled at the last meeting. 750 feet is not even going to allow the 16 lots. Only 12 lots, if that.  
189 Adam Castor explained that anything beyond 16 lots is going to require special approval anyway according to the fire code.  
190 Kelly Liddiard asked if an applicant could come in and show their plan and they can only go a certain length and it will be a stub road  
191 because it will be continued later, can they go with the guidelines from the IFC to get more than 750 feet.  
192 Adam Castor said no because the IFC is not an ordinance.  
193 Kelly Liddiard said as the proposed ordinance as drafted refers back to the IFC.  
194 Adam Castor explained that it does. It recognizes certain requirements and provisions of the IFC. He is recommending that 750 feet be  
195 allowed with an exception, but the "meat" of the ordinance is a direct reflection and implementation of the General Plan which says  
196 don't allow any development in that area without providing dual access. Right now, the city doesn't have the ordinance and the zoning  
197 regulations that support that.  
198 Jason Bullard indicated at the last meeting it was voted to accept that ordinance. The developer is upset because the proposed ordinance  
199 will make it more restrictive now.  
200 Adam Castor indicated it is not making it more restrictive. It is implementing our General Plan, which is making the developers provide  
201 dual access.  
202 Kevin Hansbrow said that the plan has faults in places that have been there for so long. From the meeting on October 28<sup>th</sup>, he thought  
203 they could have 750 feet, but there could be more with an exception.  
204 Adam Castor indicated that with special approval, the fire code does allow it.  
205 Kelly Liddiard indicated that there is a double standard.  
206 Adam Castor disagreed because the IFC is not the city's ordinance so if there is a stricter ordinance in place; that trumps the IFC. The  
207 IFC doesn't take into consideration zoning regulations, minimum lot frontages, etc.  
208 Kelly Liddiard asked if the new proposed code that has been tabled by the city council is more restrictive than the IFC.  
209 Adam Castor said it is because it requires dual access, which is what the General Plan says. If there are certain features that make it  
210 impractical then a single access code up to 750 feet would be allowed with special exception.  
211 Erin Clawson commented that when the General Plan was done, it was done with specific things in mind to work with developers so  
212 they can develop, but also to be the best for the city of Elk Ridge. So it seems like there is an underlying tone to really go out of the way  
213 for the developer, such as making exceptions.  
214 Kelly Liddiard said he is not trying to go out of his way for the developer. That is why he keeps saying to the planning commission that  
215 they are looking at the code and not worrying about the developer, Krisel Travis. He doesn't want her brought into the discussion.  
216 However, he is concerned about that development and any other development in that part of town because they are going to be very,  
217 very limited due to the way the proposed code is written.  
218 Erin Clawson asked if there is something wrong with it being limited if the terrain permits it being limited or is better to have it limited.  
219 Her concern is whatever happens in that area, she is not against development, and she just knows that it is inherited in the lower part of  
220 the city. She thought the general plan was great in taking it into consideration.  
221 Kevin Hansbrow commented that no one will ever build up there with only being allowed 750 feet of road, which they can only get  
222 maybe 12 lots. It is almost being made to where they can't because to get the roads built it is very expensive.  
223 Kelly Liddiard commented that if there is a certain amount of acreage owned, and they want to develop it and 750 feet is as far as it can  
224 go and then it can't be continued, the costs are probably so prohibitive because of the area where it's at that it probably will never be  
225 developed. Then the owner past the property is probably not going to develop because they are landlocked. His concern is that it will be  
226 detrimental down the road.  
227 Adam Castor said it's going to force coordinated development in that area with multiple developers.  
228 Erin Clawson asked if coordinated development is better.  
229 Kelly Liddiard said it was good.  
230 Adam Castor said it was not impossible to do it.  
231 Kevin Hansbrow said he would like to see how it could be done because for everybody to get their ducks in a row; financing...it's not  
232 just them coming and saying they have a great idea. It is them having all the financing available. There is more to it than just here is a  
233 way that it could be done. Back when the economy was good, it was still almost impossible for it to get done. Why not the exception  
234 instead of just saying it is never going to happen.  
235 Adam Castor hypothetically said that all the developers up there get coordinated. They bring in the plan where it connects the road.  
236 They have everything in place. They could still stub off with a cul-de-sac and develop other areas. What it is designed to do and what  
237 the intent is to stop somebody from going from the end of the road that is currently there that may have 30-40 lots and creating another  
238 stub road that may have 30 lots on it that is close to half-mile long. The lot frontages have to be considered.  
239 Kevin Hansbrow said that exception has to be allowed to happen. Just because they allow the one exception doesn't mean they have to  
240 allow for another exception.  
241 Kelly Liddiard said his confusion was that the exception in the proposed code is "up to" and not "over" 750 feet.  
242 Kevin Hansbrow said doesn't think it has to be one way or the other. He is saying that to limit them and saying that is not how the city  
243 wants it. Then the developer will have to come through with another code amendment request. If there is an exception in there now,  
244 then it won't have to be fixed later to have an exception.  
245 Adam Castor said that he understands that the exception doesn't guarantee that it is going to happen. The question is the planning  
246 commission wrote the general plan, is the general plan going to be amended to allow stub road development? If there aren't the  
247 ordinances to enforce it, then there is six months of going back and forth with the city council.  
248 Kevin Hansbrow commented that they all still have to be expected. There isn't just a blanket exception on all the extra stub roads.  
249 Adam Castor said there still has to be code in place that implements your general plan and if it's not practical with terrain features that is  
250 where the exception comes into place. It is not because someone wants 30-40 lots and they can't because it is limited to 750 and they  
251 can't afford to build the road. The petitioner has to prove that – not for financial reasons. That is not smart growth.

252 Kelly Liddiard said the fact that there are still questions with the exception, he doesn't think the code amendment or the current code is  
 253 well-written the way it is. He also indicated that Randy Jones brought up a good point last meeting that if there are exceptions, where  
 will it end?

Paul Squires commented that based on the economy, an exception should be made for the area.

Kelly Liddiard said the economy will rebound. It has done it for a thousand years.

257 Kevin Hansbrow explained that if a developer came to the planning commission with a smart plan and there are fire sprinklers to protect  
 258 from fire issues. There is an exception made to have external fire sprinklers if they are going to make a stub road. He said with the  
 259 exception there could be safety measures that have to be made. If a developer came in with a smart plan and the road was over 750 feet,  
 260 right now, it could not be accepted. The code would have to be changed.

261 Adam Castor said the current code allows it, but the code amendment would not. It is only up to 750 feet. The possibility is there under  
 262 the current code, but the more astringent code has to be applied.

263 Randy Jones commented that the General Plan also prohibits it.

264 Randy Jones was corrected that the General Plan is not code, simply a guide.

265 Erin Clawson commented that the General Plan should not be counteracted against. It was voted on by the council for reasons that were  
 266 in there and because it was good.

267 Weston Youd said there are two ways to approach to support a general plan. If there is a developer who wants to use his land and has  
 268 two options. One, they can make a cul-de-sac to fit the code. The code has to allow that because they have the right number of lots on a  
 269 cul-de-sac. Whereas, if there is an option to stub the road and get three or four more lots, it will allow the general plan to take effect in  
 270 the transportation element there should be a continuous road going through there. In the future, the transportation element of the general  
 271 plan can go through it. If they just put a cul-de-sac then it won't be supporting the transportation element of the general plan. So that  
 272 should be taken into consideration, as well. There are many sections of the general plan, not just the development section and all  
 273 sections of the general plan must be taken into account.

274 Jason Bullard let's say there was a development that came in and they had a good plan and it was 850 feet in order to get two more lots.  
 275 And that was the difference in being able to build the division and not build it, how bad would it be going away from the plan by going  
 276 those extra 100 feet to get those two lots to make the development happen versus saying they can't do it and because the two lots aren't  
 277 there totaling \$100-200,000 so they can't build it. That's where he was looking at the exception of being able to go further than 750 feet  
 278 so they could look at each development individually. If the plan looked and fit; everything was good about it and the developer needed  
 279 to, could the planning commission look at that and make an exception.

280 Adam Castor commented that it is still a dead-end road without a dual access. Is the planning commission comfortable ignoring the all-  
 281 caps, bullet item in the general plan to not allow any development without secondary access by allowing stub road development or not.  
 There are a lot of other issues, such as evacuation, ability for firefighters to get up there and that is the major concern.

Kelly Liddiard commented that it may need to be re-worked and possibly come back to the planning commission.

285 Erin Clawson indicated that there needs to be a code that everyone feels comfortable with and stick by. And have developers come in  
 under that code. This is the code; develop in Elk Ridge or not.

286 Jason Bullard asked if it is going to come back to the planning commission, are they going to allow for "X" amount of feet. Can they go  
 287 1500-2000-9000 feet? Is there going to be a number on it? Or are they just going to say no and look at each one separately, which  
 288 there again, that falls back to saying there really isn't a code or guideline. The planner wrote the code to fit the plan that was written. If  
 289 the 750 feet is taken out and they want to look at each project individually, the planner is not going to come back and tell the planning  
 290 commission that they can go to 1000 feet because it doesn't fit the general plan. The only other option is to leave it wide open.

291 Adam Castor said they can cap it at whatever is wanted, but it makes sense to address the fire code because anything beyond 750 feet  
 292 requires special approval anyway.

293 Jason Bullard said when the code was read, the sprinklers did allow for a longer road.

294 Adam Castor also indicated more units on a single access if there are more than 30. He asked the planning commission to consider the  
 295 fact that the International Fire Code doesn't take into consideration the lot terrains and it doesn't take into consideration lot frontages.

296 Kevin Hansbrow liked the proposed code as the rule, but he would like to see that there could be an exception made. He doesn't like  
 297 that is the final...

298 Randy Jones commented that if one exception is allowed, why wouldn't they want to allow a second and then there is going to be a  
 299 bunch of stub roads all over.

300 Adam Castor said that is why there is a general plan to guide. Do they want to force the development in that area of town to be  
 301 coordinated so that dual access is provided?

302 Further discussion took place regarding use of cul-de-sacs and the code not allowing cul-de-sacs unless terrain features make it  
 303 impractical to provide a dual access road. HR-1 Zone Code: *"The design of the road system shall provide for continuous circulation  
 304 throughout the project. Cul-de-sacs and temporary dead-end roads stubbed for future development must have approval by the planning  
 305 commission and are only allowed where unusual conditions exist which make other designs undesirable."*

306 Adam Castor indicated that good development would provide dual access. There shouldn't be a need for an exception. Leapfrog  
 307 development is not allowed in the general plan. The proposed recommendation from LEI is to try to eliminate that kind of development  
 308 because it is not safe. There are a lot of problems associated with it.

309 Kelly Liddiard asked what standard would be used for the exception. The general plan is the standard that should be followed. The  
 310 general plan would be sidestepped if an exception was allowed and that is not good management.

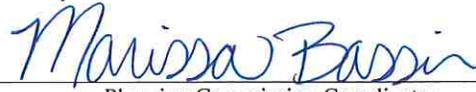
1 Jason Bullard commented it would be nice if a developer came and they have a plan and the city has the guideline and trying to get a  
 2 code amendment so they can go further. It gives the city the chance to make it the developer's responsibility to make it work it out with  
 3 the other developers and then if it doesn't work, then it can be looked at again as an exception. If the exception is not there, then it is  
 314 done.

315 Kelly liddiard said it is a difficult area to develop because of the terrain and the many land owners in the area.

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There was not any other business.

**ADJOURNMENT** – Co-Chair, Kelly Liddiard, adjourned the meeting at 8:20 p.m.



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Planning Commission Coordinator





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# ELK RIDGE PLANNING COMMISSION MEETING

February 10, 2011

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, February 10, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Randy Jones, Dan Steele, Kelly Liddiard, Dayna Hughes, Kevin Hansbrow, Debbie Cloward, Nelson Abbott  
*Absent:* Jason Bullard  
*Others:* Marissa Bassir, *Planning Commission Coordinator*  
Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Paul Squires, Deborah Squires, Jefra Linn, David Linn

## OPENING ITEMS

### OPENING

Dayna Hughes, Chair, welcomed at 7:00 PM. Opening remarks were said by Randy Jones followed by the pledge of allegiance.

Dayna Hughes, Chair, introduced new full-time planning commissioner, Nelson Abbott. He was on the city council for a term. He replaced Paul Squires. He moved to Elk Ridge in 1998. He lives on Salem Hills Drive. He felt a disconnect and wanted to get involved again. It happened quickly.

**DAYNA HUGHES MOTIONED TO MAKE DAN STEELE, ALTERNATE, A VOTING MEMBER. VOTE: YES – ALL (7), NO – NONE, ABSENT – (1) JASON BULLARD**

## APPROVAL OF AGENDA

Dayna Hughes reviewed the agenda and the process of public hearings. She added that Paul Squires wanted to take 10-15 minutes.

## LINN CONDITIONAL USE PERMIT FOR HOBBY ANIMAL (MINIATURE HORSE)

Dayna Hughes opened the public hearing at 7:04 PM.

David and Jefra Linn were in attendance, but there was not any public in attendance for this issue.

Dayna Hughes closed the public hearing at 7:05 PM.

Adam Castor explained the conditional use application for the miniature horse.

*Applicant/Owner:* David/Jefra Linn  
*Location:* 144 So. Astor Lane  
*Land Area:* N/A  
*Zone:* Residential R-1-15,000  
*Adjacent Parcel Zones:* Residential R-1-15,000  
*Proposed Land Use:* N/A  
*Current Land Use:* Low density Residential  
*Adjacent Land Uses:* Low density Residential  
*Previous Meeting Dates:* N/A

### DESCRIPTION:

This is an application for a Conditional Use Permit for a miniature horse, received on November 30, 2010. The site is located at 144 So. Astor Lane, Elk Ridge, UT 84651. The applicant is seeking a Conditional Use Permit for the keeping of one miniature horse, as stated on the application.

### RECOMMENDATION:

A site plan and management plan was submitted with the conditional use application, which indicates the corral area is located closer to the owner's residence than neighboring residential buildings. The owner was to take ownership of the miniature horse on December 25, 2010. The city staff believes the applicant is in compliance with the Land Development Code requirements, and recommends approval of the application based on the submitted plans. It is also recommended that the code enforcement officer visits the site to verify compliance upon approval of the application.

Dayna Hughes asked if the building directly southeast was a residence.

David Linn indicated it is a residence.

Randy Jones asked if the adjacent property where the corral is also their property.

David Linn indicated that is also their property. It is connected with about 60 feet of fence.

Randy Jones asked about the neighbor's property line.

David Linn explained that is their next door neighbor and their property line has a fence.

Dayna Hughes commented that they have a weird lot. Is it buildable?

David Linn said that they cannot build on the lot. It is landlocked.

Kelly Liddiard just wanted to make sure that the code enforcement officer verifies the distances because driving by, it looks like the corral is pretty close to the 131 Astor Lane.

64 **RANDY JONES MOTIONED AND DAN STEELE SECONDED TO ACCEPT THE PROPOSED CONDITIONAL USE**  
 65 **PERMIT FOR MINIATURE HORSE BASED ON THE CODE ENFORCEMENT OFFICER FINDING ALL TO BE IN**  
 66 **ACCORDANCE WITH THE CODE – VERIFY THE DISTANCES. VOTE: YES – ALL (7), NO – NONE, ABSENT (1)**  
 67 **JASON BULLARD**

69 **VOTING OF PLANNING COMMISSION CHAIR/VICE-CHAIR**

70 Dayna Hughes explained that it is her desire to step down as the planning commission chair, however, she would like to continue to  
 71 serve on the planning commission, which is a first – every other chair has quit. She has worked with three different mayors and she  
 72 doesn't seem to be able to "hitch her wagon" to the mayor so she doesn't have any desire to be involved in that part of the  
 73 chairmanship's responsibilities. She has enjoyed serving and looks forward to a new chair. She reviewed the planning commission's  
 74 terms, the rules of the alternate member and length of terms according to the planning commission bylaws. When a planning  
 75 commissioner's term is expiring, the planning commissioner should have the opportunity to express whether they would like to be  
 76 considered for another term. Debbie Cloward's term is done in February 2012 because she took Weston Youd's place on the  
 77 commission, which ends in 2012.

78 *"The terms of appointments shall become effective immediately upon passage of a motion to appoint by the city council or at such other*  
 79 *time as may be specified in said motion, and shall expire on February 1 of the scheduled year of expiration. At the expiration of terms*  
 80 *of regular members of the planning commission (everyone, but the alternate) the mayor with the advice and consent of the city council*  
 81 *may choose to reappoint a member to another term. If the city council chooses not to reappoint a regular member, the vacancy shall be*  
 82 *filled by the alternate member."*

83 Dayna Hughes said in her opinion that the city council was not aware of the procedure and it was not done correctly. The city council  
 84 did not have the opportunity to reappoint Paul Squires. The mayor did not give the city council the information that Paul Squires was up  
 85 for reappointment and whether he wanted to be reappointed or not. Her advice to the planning commission was if the member wants to  
 86 be reappointed; they should contact a member of the city council and let them know. With the information provided to the city council,  
 87 they decided to appoint Nelson Abbott as a full-time member to replace Paul Squires.

88 Randy Jones asked if there was any recourse to redo it.

89 Dayna Hughes replied that it is up to the new chair whether he or she decides to pursue it. Dayna also stated that her term is up in 2012.

90 *"The terms of the regular members first appointed following the adoption of the ordinance codified herein shall be arranged such that*  
 91 *the term of at least one member shall expire each year."*

92 The planning commission is set up for a member's term to expire every year. Randy Jones' term expires in 2013 even though he hasn't  
 93 served a full five years. He is serving out term of the person who he replaced. Jason Bullard's term expires in 2014. Kelly Liddiard's  
 94 term expires in 2014, as well. Kevin Hansbrow's term expires in 2015. Dan Steele's term as alternate expires in 2012 because the  
 95 alternate's term is only a year. Nelson Abbott has been appointed for a full five years so his term ends in 2016.

96 Randy Jones asked for clarification on the alternate. If Dan Steele decides to stay as an alternate, the city council could reappoint him a  
 97 an alternate for another year. So it is a year at a time.

98 Dayna Hughes replied yes. It has never happened though, because all the current members started out as an alternate and just moved up.

99 *"Alternate Members: The term of appointment of alternate members shall be for a period of up to one year and until their successors*  
 100 *have been appointed. The term of the alternate member shall expire on February 1 of the year following their appointment."*

101 Erin Clawson asked if there is an opening for any reason and anyone can apply for that, right. Does the mayor have to bring to the city  
 102 all applicants?

103 Dayna Hughes said no. The mayor brings to the city council someone that he has brought forward to nominate as a planning  
 104 commissioner. A person can go to the city council and express their desire to be on the planning commission, but the mayor won't  
 105 appoint him or her, the city council can recommend the person. The city council has all the voting power.

106 Randy Jones asked if there is only one alternate at any given time.

107 Dayna Hughes indicated that the bylaws say to have one, but there can be as many as the planning commission wants. However, it was  
 108 talked about to go down to a five person commission and felt that they didn't want to do that.

109 Kelly Liddiard indicated they have had two alternate members before.

110 Dayna Hughes explained the process for voting in a new chair and vice chair. Any member can nominate as many people as they want  
 111 for chair, but the person has to accept the nomination. If there is more than one nomination then it is discussed. If there is not, then it is  
 112 voted upon. That person will then nominate a vice chair.

114 **DAYNA HUGHES MOTIONED AND KEVIN HANSBROW SECONDED TO NOMINATE KELLY LIDDIARD TO BE THE**  
 115 **ELK RIDGE PLANNING COMMISSION CHAIR. KELLY LIDDIARD ACCEPTED. VOTE: YES – ALL (7), NO - NONE,**  
 116 **ABSENT – (1) JASON BULLARD**

118 **KELLY LIDDIARD MOTIONED AND DEBBIE CLOWARD TO NOMINATE KEVIN HANSBROW TO BE THE ELK**  
 119 **RIDGE PLANNING COMMISSION CO-CHAIR. KEVIN HANSBROW ACCEPTED. VOTE: YES – ALL (7), NO – NONE,**  
 120 **ABSENT – (1) JASON BULLARD**

122 **APPROVAL OF 1/13/2011 PLANNING COMMISSION MEETING MINUTES**

123 There were not any changes made to the planning commission meeting minutes.

125 **KELLY LIDDIARD MADE A MOTION AND KEVIN HANSBROW SECONDED TO ACCEPT THE MINUTES OF 1/13/2011**  
 126 **PLANNING COMMISSION MEETING AND APPROVE THEM AS WRITTEN. VOTE: YES – ALL (7), NO –NONE,**  
 127 **ABSENT – (1) JASON BULLARD**

129 **CITY COUNCIL UPDATE**

130 Erin Clawson indicated that most of the city council meeting was closed so she can't discuss more than they were talking about  
131 personnel issues.

132 Dayna Hughes asked if anyone wanted to address where Elk Haven E is at.

133 Adam Castor indicated it was tabled until further notice. Krisel Travis requested the item to be removed from the agenda for the last  
134 planning commission meeting, which was done. Until they come back to request the item be put back on the agenda, it's not going to be  
135 addressed.

136 Dayna Hughes asked if anything was coming to planning commission.

137 Adam Castor said Lee Haskell is working on a submittal for a one-lot subdivision for his assisted living facility. Then there are just a  
138 few code cleanup amendments that will be on the agenda for next month to bring everything current.  
139

#### 140 OTHER BUSINESS

141 Paul Squires explained that he is not there to whine, but he wanted to be able to tell the planning commission some things that he is  
142 passionate about. He had great involvement of some things while he was on the commission. (1) He really spearheaded and pushed to  
143 the point of lawyers contacting him; the planning commission was able to close the loop on the landscaping ordinance for those houses  
144 that were built prior to 2006. There was an ordinance already in place, but it only covered the houses from 2006 forward and that was  
145 to have the yard landscaped within two years of the ordinance passing. There was nothing that covered the houses prior to 2006 so he  
146 really pushed to get that done. Right after it was passed; there was a lot of activity in the city and saw people doing landscaping. (2) He  
147 prepared for the planning commission several copies of the planned field guide for noxious weeds so that the city inspector or the  
148 enforcement officer could contact somebody who was not in compliance with the landscaping ordinance, which the cutoff date was  
149 October 2010. He prepared the guide so the home owner could not claim that noxious weeds are part of their landscaping. Hopefully, it  
150 is being used. (3) He is also really passionate about the protection of the ravines and he thinks a lot of the members on the planning  
151 commission felt the same way. The protection of the ravines and the wildlife quarters are now protected by code. Also, the signing of  
152 preservation agreements. Someone who has a 1 acre lot and they have the footprint of the house and there is so much space around the  
153 house for landscaping. Basically, the signing of a preservation agreement to agree to keep the rest or as much as possible of the acreage  
154 in its natural state to keep some of the beauty of the hillsides. (4) He was very worried about the protection of the ridgeline. The house  
155 has to be fifty (50) feet beyond the ridgeline so it is esthetically pleasing. (5) He did prepare large charts of about ten trees that are  
156 suitable for the elevation and climate that have the best success rate of living. A homeowner can come to the city offices and get  
157 recommendations for trees. A developer who has a plan where landscaping is part of their plan, hopefully, the planning commission will  
158 ensure that they are using that chart so they don't plant trees that will not survive. He also recommends that if there is every a trail  
159 system and trees are planted; he would suggest planting 2" caliper trees that are balled (burlapped) rather than potted. (6) He was also  
160 very involved with stopping the developers from turning hillsides into walls. There was going to be a continuation of the wall done by  
RL Yergensen, but he and the planning commission helped to stop that from happening. (7) He also thought to require developers and  
homeowners to re-vegetate trees and plants that had been removed during the building process. Re-vegetation has been done on the  
water tower and hopes to see some sprouting in the spring. (8) He also asked Adam to have some maps when referring to properties and  
developments to be well-educated on the issues. (9) Any good that has come in the last two years for the city has come as a result of  
volunteer efforts, the planning commission, the city council and especially the city employees. The city employees have a real  
attachment to the area and the desire to do the best for the city. He was really hoping that Mayor Lutes was there because on record he  
wanted to say to the mayor, "If he wants to be known as a man of integrity, he has to have some first".

161 Deborah Squires commented that night of the city council meeting where Mr. Abbott was being appointed to the planning commission,  
162 the Abbott's were called and told that it was being voted upon, but the way Paul found out about it was a letter a few days later.

163 Paul Squires indicated the letter came to him from the mayor stated that the city council had decided to replace him. He indicated that  
164 he knew that the last thing he did when the mayor was in attendance was that he made a motion that the planning commission be made  
165 aware of the status of homes that did not fall within that 2006 prior ordinance, which he felt was important for the planning commission  
166 because they worked so hard to have the ordinance passed, and the planning commission unanimously agreed; he knew that when that  
167 happened the mayor was upset.

168 Dayna Hughes expressed her appreciation for Paul and the service that he put forth on the planning commission. He brought great  
169 expertise, especially environmentally, to the planning commission. He will be sorely missed.  
170

171 **ADJOURNMENT** – Chair, Dayna Hughes, adjourned the meeting at 7:58 p.m.  
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182 Planning Commission Coordinator  
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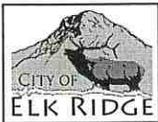
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**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
 t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 10 March 2011**
- Meeting Time – **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR MEETING AGENDA**

**7:00 pm OPENING ITEMS**

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

**7:05 PUBLIC HEARINGS AND ACTION**

1. Public Hearing and Approval Procedure Code Amendment..... *see attachment*
2. Conditional Use: Assisted Living Facilities Code Amendment..... *see attachment*
3. Regulations for Residential Facilities for Elderly Persons Code Amendment ..... *see attachment*

**OTHER ACTION ITEMS (none)**

**7:20 DEVELOPMENT CODE / STANDARDS REVIEW**

4. Sensitive Area Drainage Discussion ..... *see attachment*

**7:35 PLANNING COMMISSION BUSINESS**

5. Review and approve minutes of 02/10/11 Commission Meeting ..... *see attachment*
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, 3 March 2011 and delivered to each member of the Planning Commission on 4 March 2011.

Planning Commission Coordinator: Maissa Bassin Date: 4 March 2011

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# ELK RIDGE PLANNING COMMISSION MEETING

March 10, 2011

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, March 10, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Randy Jones, Kelly Liddiard, Dayna Hughes, Kevin Hansbrow, Debbie Cloward, Nelson Abbott  
*Absent:* Jason Bullard, Dan Steele  
*Others:* Marissa Bassir, *Planning Commission Coordinator*  
Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Paul Squires, Lucretia Thayne

## OPENING ITEMS

### OPENING

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

### APPROVAL OF AGENDA

Kelly Liddiard reviewed the agenda and there were not any changes.

### PUBLIC HEARING AND APPROVAL PROCEDURE AMENDMENT

Adam Castor indicated that the two subjects make an internal reference to a chapter within the code that has been repealed. The information is all still there. It has just been moved to a different section of the code. It was in chapter 14 and has been moved to chapter 11. The first reference is within ordinance 10-9A-15-10 that pertains to the public hearing requirement for a preliminary plat in the HR-1 zone. A public hearing shall be held with the neighboring property owners in accordance with section previously 10-14-5 now 10-11F-4D of this title. This was actually brought to the city's attention by Sterling Codifiers when they did their last batch of codifying of city ordinances. It was reviewed with city staff and it was recommended that the planning commission make a recommendation for approval.

#### DESCRIPTION:

*This is a recommendation to amend Ordinance 10-9A-15-10 regarding the Public Hearing requirement for a Preliminary Plat in the HR-1 Hillside Residential 1 Zone. The code amendment is to clarify a reference to Chapter 14 of the code, which has been repealed. The code amendment reads as follows:*

#### **10-9A-15-10: Public Hearing:**

*A public hearing shall be held with the neighboring property owners in accordance with section ~~10-14-5~~ 10-11F-4D of this title. This is a formal meeting. Concerns and comments from the public shall be taken. Staff and/or the commission shall address any comments that cite code violations or health, safety, and welfare concerns. Comments from this hearing can aid the applicant, staff, and the commission to address design elements of the development. (Ord. 08-4, 2-26-2008)*

#### RECOMMENDATION:

*LEI and City staff have reviewed and discussed this code amendment and recommend that the Planning Commission make a recommendation for approval.*

#### FINDINGS:

#### **Elk Ridge Municipal Code**

*The public hearing requirement for preliminary plats in the HR-1 Hillside Residential Zone is now described in Article F – Planned Mountain Home Developments (MHD) of Chapter 11. The procedure for approval, including the public hearing requirement, was previously written under Chapter 14 – Large Scale Developments, which has been repealed and is no longer part of the development code.*

Adam Castor explained that the second part is to amend ordinance 10-12-28B. It is the actual procedure for approval for power radio antennas and cell phone tower facilities. Again, it is to clarify and correct the reference to chapter 14, which isn't there. It is now in chapter 11 under planned mountain home development article, which was in chapter 14, which has been repealed.

#### DESCRIPTION:

*This is a recommendation to amend Ordinance 10-12-28B: Procedure For Approval regarding low power radio service antenna facilities (cellular phone transmission towers and facilities). The code amendment is to clarify a reference to Chapter 14 of the development code, which has been repealed. The code amendment reads as follows:*

#### **10-12-28B: Procedure For Approval:**

*Same as required for approval of a large scale development (see section ~~10-14-5~~ 10-11F-4 of this title).*

#### RECOMMENDATION:

*LEI and City staff have reviewed and discussed this code amendment and recommends that the Planning Commission make a recommendation for approval.*

#### FINDINGS:

#### **Elk Ridge Municipal Code**

*The procedure for approval of low power radio service antenna facilities (cellular phone transmission towers and facilities) is now described in Article F – Planned Mountain Home Developments (MHD) of Chapter 11. The procedure for approval was previously written under Chapter 14 – Large Scale Developments, which has been repealed.*

Kelly Liddiard, chair, opened public hearing at 7:04pm  
No public comment.

Kelly Liddiard, chair, closed public hearing at 7:05pm.

**KEVIN HANSBROW MOTIONED AND DAYNA HUGHES SECONDED TO RECOMMEND FOR APPROVAL OF THE AMENDMENTS AS DESCRIBED IN PLANNING COMMISSION STAFF REPORTS 1A AND 1B. VOTE: YES – ALL (6), NO – NONE, ABSENT – DAN STEELE, JASON BULLARD**

**CONDITIONAL USE: ASSISTED LIVING FACILITIES CODE AMENDMENT**

Adam Castor provided a background, which included meeting with Lee Haskell late last year for his conditional use permit regarding assisted living facilities. His application generated a lot of questions and concerns about the specific type of facility within the city. LEI is recommending to amend ordinance 10-12-31, which is part of the supplementary regulations, which lists assisted living facilities and standards and conditions that go along with them as a conditional use in all zones of the development code.

Dayna Hughes asked if it is a new part of code. There has never been anything in the code about assisted living?

Adam Castor replied that the only thing that says anything about assisted living is that it is a conditional use in all zones based on the following standards and conditions. Then it lists a handful of conditions that would go along with a facility of that type. There are actually three parts to the amendment recommendation. 1) Clarify within the development code the two different types of assisted living facilities, per Utah Code, 2) list assisted living facilities as a conditional use only in the C-1 Retail Commercial zone, and 3) include assisted living facilities as a conditional use in the Permitted and Conditional Uses table within the C-1 Retail Commercial Zone. The first part would be to take the language from the Utah code that describes assisted living facilities and the differences between the two and insert that into the development code. It is recommended to take it out of all residential zones and putting it only in the commercial zone. There is a lot of traffic that comes in and out of an assisted living facility, which may not be compatible with a residential area so it would be reasonable to make it a conditional use only in the CE-1 zone, which is to the north end of the city. Because it is a conditional use in the CE-1 Zone, it should be added to the table of permitted and conditional uses. It is currently not in there.

**10-12-31: Assisted Living Facilities:**

A. Assisted living facility means:

- I. A type I assisted living facility, which is a residential facility that provides assistance with activities of daily living and social care to two or more residents who:
  - a) Require protected living arrangements; and
  - b) Are capable of achieving mobility sufficient to exit the facility without the assistance of another person; and
- II. A type II assisted living facility, which is a residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available 24 hours per day to residents who have been assessed under department rule to need any of these services.

B. Each resident in a type I or type II assisted living facility shall have a service plan based on the assessment, which may include:

- I. Specified services of intermittent nursing care;
- II. Administration of medication; and
- III. Supportive services promoting residents' independence and self sufficiency.

*Assisted living facilities are a conditional use in all zones the C-1 Retail Commercial Zone based on the following conditions and standards:*

**10-10A-2: Permitted and Conditional Uses:**

*Amend the Permitted and Conditional Uses table in the C-1 Retail Commercial Zone to include assisted living facilities as a conditional use.*

Randy Jones asked if Lee Haskell's current proposed property within the CE-1 Zone.

Adam Castor indicated that his property is in the commercial zone.

Kelly Liddiard commented that it is not going to affect Mr. Haskell's application if this is approved.

Dayna Hughes asked if the proposed code is straight up Utah code.

Adam Castor indicated it was from the Utah code.

Kevin Hansbrow said he would like to discuss item #3 on the agenda "regulations for residential facilities for elderly person code amendment" to know the differences. They seem to both coincide and he is not sure of the differences.

Adam Castor indicated the major difference between an assisted living facility and a residential facility for the elderly are overall the type of facility that it is. A residential facility for the elderly cannot be run as a business. It is limited to eight or fewer residents of the facility. They do charge a fee. It is from the Utah code and the Utah code indicates that it has to be listed as a permitted use in all residential zones, but it has to follow the zoning regulations of the zone that it is proposed to be in. Not as much parking as a business is required. There is not any parking requirements established for that type of a facility. He is not an expert and doesn't know all the differences, but the Utah code does specify some differences in the language that is being recommended and inserted into the city's code. He thought that more medical issues were dealt with in an assisted living facility because of the two types of uses. Type I is standard care. The residents can evacuate the facility without assistance. Type II provides an array of coordinated personal and healthcare services on a 24-hour basis. Another thing that was discussed on the conditional use application, perhaps inserting a box for the kind of type of facility so it is known.

Kelly Liddiard clarified that the residential facility for the elderly would be able to be in the residential area. Assisted Living is going to be like the Seville in Orem and the residential facility would be like a Beehive home.

Randy Jones was concerned that the Beehive home is still a business.

Adam Castor said it can't be run as a business. They do charge a fee, but that is only for necessities. "It may not be considered a business because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility."

Randy Jones asked if that means that it is a non-profit organization.

133 Adam Castor agreed with Randy Jones. It has to be owned by one of the residents or family member of one of the residents so  
134 somebody doesn't come and build the facility and then collect all the fees from the residents. The city staff and LEI have reviewed both  
135 proposed amendments and would recommend approval.

136  
137 Kelly Liddiard, chair, opened public hearing at 7:15pm  
138 No public comment.  
139 Kelly Liddiard, chair, closed public hearing at 7:16pm.

140  
141 **RANDY JONES MOTIONED AND KEVIN HANSBROW SECONDED TO RECOMMEND APPROVAL OF THE**  
142 **CONDITIONAL USE: ASSISTED LIVING FACILITIES CODE AMENDMENT (2) AND REGULATIONS FOR**  
143 **RESIDENTIAL FACILITIES FOR ELDERLY PERSONS CODE AMENDMENT (3). VOTE: YES – ALL (6), NO – NONE,**  
144 **ABSENT – JASON BULLARD, DAN STEELE**

145  
146  
147 **REGULATIONS FOR RESIDENTIAL FACILITIES FOR ELDERLY PERSONS CODE AMENDMENT**

148 Previous discussion took place in the previous agenda item discussing the differences between an assisted living facility  
149 and a residential facility for the elderly. Refer to above.

150 **10-12-39: Residential Facilities For Elderly Persons:**

151 A. A residential facility for elderly persons may not operate as a business;

152 B. A residential facility for elderly persons shall:

153 1. Be owned by one of the residents or by an immediate family member of one of the residents or be a facility for which the title has  
154 been placed in trust for a resident;

155 2. Be consistent with any existing, applicable land use ordinance affecting the desired location; and

156 3. Be occupied on a 24-hour-per-day basis by eight or fewer elderly persons in a family-type arrangement.

157 C. A residential facility for elderly persons may not be considered a business because a fee is charged for food or for actual and necessary costs of  
158 operation and maintenance of the facility.

159 Kelly Liddiard, chair, opened public hearing at 7:15pm  
160 No public comment.  
161 Kelly Liddiard, chair, closed public hearing at 7:16pm.

162  
163 **RANDY JONES MOTIONED AND KEVIN HANSBROW SECONDED TO RECOMMEND APPROVAL OF THE**  
164 **CONDITIONAL USE: ASSISTED LIVING FACILITIES CODE AMENDMENT (2) AND REGULATIONS FOR**  
165 **RESIDENTIAL FACILITIES FOR ELDERLY PERSONS CODE AMENDMENT (3). VOTE: YES – ALL (6), NO – NONE,**  
166 **ABSENT – JASON BULLARD, DAN STEELE**

167  
168 **SENSITIVE AREA DRAINAGE DISCUSSION**

169 Nelson Abbott indicated he read the general plan and he was reviewing the sensitive areas map and it is identified on the map where the  
170 ridgelines and ravines are located and in looking at the map, there is an area kiddy corner from where he lives at the corner of Salem  
171 Hills and Hillside going south where there is a ravine and it is not identified as being on the map. Further down the map, the same  
172 ravine picks up on the map. He pointed it out on the map. He indicated it is a fairly substantial ravine. He wondered if it was  
173 intentionally left off the map. Some of it has been filled in by illegal dumping, but it is still a natural ravine.

174 Dayna Hughes commented that when the map was created, it was done off of a satellite image and it is possible that if it was filled in, it  
175 wouldn't show up on the image.

176 Kelly Liddiard commented that he knew of problems with the drain pipe in that area. If it is filled in, is it still drainage?

177 Adam Castor said existing ground topography would say that it is not drainage.

178 Dayna Hughes commented that back when they were looking at Dan Steele's area and the natural drainage, they had to go back to  
179 original terrain. It was her recollection that they went back to the natural topography. If it is filled in, then it isn't acting as drainage  
180 anymore.

181 Nelson Abbott explained that if it isn't identified as a ravine on the map, then they can come in and do what they want to do with that  
182 ground and fill it in and compound the drainage issues that are present right now and have been since he has been there.

183 Randy Jones asked if Nelson is currently having problems with water draining currently.

184 Nelson Abbott said that when they get heavy rainstorms, sometimes it will back up and come up over the road and run down into  
185 Brockbank's and Eppley's. There is a big corrugated drain pipe buried back there.

186 Adam Castor asked if there was a pipe put in and then backfilled.

187 Nelson Abbott explained that there is on the side where there are homes, but where it hasn't been identified as a ravine, he doesn't know  
188 if the city could require a developer or builder to address that issue if it isn't identified as such.

189 Dayna Hughes commented that the bigger problem is the runoff from the hillside – the road that is not a road anymore. That whole road  
190 just fills with mud and rocks.

191 Kelly Liddiard said he knew that Corbett has talked about the pipe going under Salem Hills Drive there.

192 Nelson Abbott indicated that they have gone up with the jet truck and cleaned it all out. But his main concern is whether or not it is  
193 identified as a ravine, then there is something going forward for when someone does want to improve that property, it is ensured that the  
194 drainage issues are addressed there.

195 Adam Castor indicated that existing slopes would help control that a little bit, but if it is flat enough through there and it is not identified  
196 as a ravine, then it could possibly be built on according to the code.

197 Randy Jones commented that as Salem hills drive goes through, there are mountains on both sides, there is actual road path for that road  
 198 to go through and it doesn't have much slope on the actual road bed itself.  
 199 Kelly Liddiard indicated that they cut through there to put the road in, but on the North side of Salem Hills Drive and the corner of  
 200 Hillside it looks pretty flat.  
 201 Nelson Abbott said it looks flat, but down in there is quite a slope. He can get in there and the road is eye level with him.  
 202 Kelly Liddiard said if it is like that then it should probably be identified as a drain – full of scrub oak. So the map needs to be amended.  
 203 It needs to be researched. Elevations need to be measured. The planning coordinator will put it on the agenda.  
 204

205 **APPROVAL OF 2/10/2011 PLANNING COMMISSION MEETING MINUTES**

206 There were a few changes made to the planning commission meeting minutes by Dayna Hughes.

207  
 208 **DEBBIE CLOWARD MADE A MOTION AND KELLY LIDDIARD SECONDED TO APPROVE THE MINUTES OF**  
 209 **02/10/2011 PLANNING COMMISSION MEETING AS CORRECTED. VOTE: YES – ALL (6), NO –NONE, ABSENT – (2)**  
 210 **JASON BULLARD, DAN STEELE**

211  
 212 **CITY COUNCIL UPDATE**

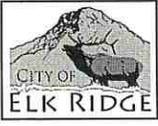
213 Erin Clawson indicated there is an opening on the city council currently if anyone wanted to apply for it.  
 214 Randy Jones asked who vacated their seat.  
 215 Erin Clawson replied that Derrek Johnson resigned.  
 216 Dayna Hughes asked what the procedure is to vote a midterm member.  
 217 Erin Clawson explained that according to state code is that anyone can apply and come before the council that night. The council votes  
 218 and it can either be secret ballot and it is suggested not to be and the mayor does not vote and if there is a tie, casting lots would be  
 219 applied (cut the deck, roll a dice, draw straws).  
 220 Dayna Hughes asked when the meeting to decide.  
 221 Erin Clawson replied March 22.  
 222 Dayna Hughes asked if there are any applicants.  
 223 Erin Clawson replied there are currently four applicants. She does not know who those are. Also, the city council voted to spend an  
 224 additional \$15,000 to upgrade the Loafer Canyon well, which will save the city considerable money over time.  
 225 Randy Jones asked what the upgrade included.  
 226 Erin Clawson said a pump house, a new submerged pump and cleaning. Pretty substantial. The state is requiring it to be inspected and  
 227 possibly cleaned. It saves the city a lot when it comes to pumping the water up from the Cloward Well. Weston Youd would like  
 228 everyone he knows to volunteer for the city celebration committee and needs someone to chair it. The city will be paying the chair  
 229 \$500. A meeting will be held at the city offices on March 17 for that committee.  
 230

231 **OTHER BUSINESS**

232 Paul Squires would like to offer his services as an alternate member for the planning commission.  
 233 Kelly Liddiard said he is going to work on getting on the city council agenda to get Paul Squires as a member.  
 234 Dayna Hughes indicated that the planning commission bylaws need to be changed first.  
 235 Kelly Liddiard asked if that has to be done in the planning commission.  
 236 Dayna Hughes explained that the planning commission bylaws have to be changed to add an additional alternate member so it would be  
 237 an 8 and 2 alternate commission.  
 238 Kelly Liddiard asked if that has to be a public hearing.  
 239 Adam Castor indicated there needs to be a public hearing first.  
 240 Kelly Liddiard asked that the planning commission coordinator put that on for the next agenda.  
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242 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:30 p.m.  
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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](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 14 April 2011**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR MEETING AGENDA**

**CANCELED**

**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, 7 March 2011 and delivered to each member of the Planning Commission on 7 March 2011.

Planning Commission Coordinator: \_\_\_\_\_

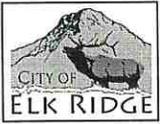
*Marissa Bassin*

Date: 7 March 2011

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**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 12 May 2011**
- Meeting Time – **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR MEETING AGENDA**

**7:00 pm OPENING ITEMS**

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

**7:05 PUBLIC HEARINGS AND ACTION**

1. Water Conveyance Code Amendment..... *see attachment*
2. Abbott Conditional Use Permit Application - Chickens ..... *see attachment*

**OTHER ACTION ITEMS (none)**

**7:20 DEVELOPMENT CODE / STANDARDS REVIEW**

3. Sensitive Areas Map Discussion

**7:35 PLANNING COMMISSION BUSINESS**

4. Review and approve minutes of 03/10/11 Commission Meeting..... *see attachment*
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, 5 May 2011 and delivered to each member of the Planning Commission on 6 May 2011.

Planning Commission Coordinator: *Maissa Bassin* Date: 6 May 2011



1 ELK RIDGE PLANNING COMMISSION MEETING

2 May 12, 2011

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6 TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, May 12, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

8  
9 ROLL CALL

10 *Commissioners:* Kelly Liddiard, Dayna Hughes, Debbie Cloward, Nelson Abbott, Sharon Dahlstrom, Dan Steele  
11 *Absent:* Kevin Hansbrow, Randy Jones  
12 *Others:* Marissa Bassir, *Planning Commission Coordinator*  
13 Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Josh Abbott

14  
15 OPENING ITEMS

16  
17 OPENING

18 Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Debbie Cloward followed by the pledge of allegiance.

19  
20 **KELLY LIDDIARD MOTIONED AND DAN STEELE SECONDED TO VOTE SHARON DAHLSTROM, ALTERNATE**  
21 **MEMBER, IN AS A VOTING MEMBER. VOTE: YES – ALL (6), NO – NONE, ABSENT – (2) KEVIN HANSBROW,**  
22 **RANDY JONES**

23  
24 APPROVAL OF AGENDA

25 Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

26  
27 WATER CONVEYANCE CODE AMENDMENT PUBLIC HEARING

28 Kelly Liddiard opened the public hearing at 7:06 PM.

29 Adam Castor explained that there was some discussion with city staff and LEI that was brought up by Jan Davis (*city recorder*), to look  
30 at the time of conveyance for water rights during annexation. He asked if the city has gone through an annexation before. (Yes)  
31 Through the discussions with the city, LEI has come up with a recommendation for an amendment to the annexation ordinance that  
32 deals with water rights conveyance. It initially started as just looking at the time of conveyance and moving that and started looking at  
33 what would be required at the time of conveyance. The recommendation is intended to do three things – make the amount of water  
34 rights for both indoor and outdoor use more consistent with the state requirements; ensure the city receives the adequate amount of water  
35 rights based on calculations per the state requirements at the time of conveyance; and last is to move the time of conveyance from “prior  
36 to final action by the council” to a point in time after the annexation proceedings, but prior to any final plat approval. The reason for the  
37 amendment is because it is hard to determine how many water rights should be conveyed to the city at that time because it could be  
38 based on a concept plan that is submitted, which could change throughout time. It is hard to determine open space and the size of lots.  
39 A lot can change between the proceedings for annexation and final plat approval.

40 Nelson Abbott commented that the city has used a chart determining the amount of water rights needed for specific lot sizes. He asked  
41 if the amendment works with that chart.

42 Adam Castor indicated that it is close when they are looking at a 1/2 acre lot.

43 Nelson Abbott asked which is more generous, the amendment or the city chart.

44 Adam Castor replied that the city currently requires 1.3 acre feet of water per potential residential unit or lot or 2.6 per acre of  
45 development. If those numbers were applied across the board, they are right in line with state requirements for a 20,000 square foot lot.  
46 If there is anything under the 20,000 feet, say 8,000, those numbers are really high. The state, in some cases, will be getting more than  
47 double of what would be required by the state requirements. If it is more than 1/2 acre – up to an acre plus, the city is not getting enough  
48 by using that chart. There is a way that the state numbers can be applied. It is .45 acre feet of water per residential unit and it is 1.87  
49 acre feet of water for outdoor use. The numbers can be used to calculate the outdoor use or the outdoor irrigable areas to figure out  
50 exactly how much is needed. It works for a 20,000 square foot lot, but it is hard to apply that number accurately for anything above or  
51 smaller.

52 Nelson Abbott doesn't think it will apply for really big lots.

53 Adam Castor said it is all determined by what is irritable and what's not. It comes down to a final plat issue. It would become an issue  
54 for a PUD if there are 12,000 or 8,000 square foot lots – three to four dwelling units per acre. The city could end up with a lot more  
55 water rights than would be required by the state. So the recommendation is to take those numbers out and use the state numbers and  
56 start to make those calculations based on the number of lots and size of the lots and outdoor irrigation.

57 Kelly Liddiard asked if that is how other cities are doing it.

58 Adam Castor indicated that he had looked at Spanish Fork, Payson and Salem. It is all consistent with state requirements. Some of  
59 them do have an actual chart based on the average number of units per acre, the numbers fluctuate because they are calculating the  
60 indoor use requirement per unit and then also the outdoor requirement fluctuates because they are applying that number to smaller lots  
61 versus bigger lots. It fluctuates depending on the overall lot size. He is trying to make it more consistent, easier to calculate and more  
62 accurate water rights required at the time of conveyance.

63 Kelly Liddiard closed the public hearing at 7:12pm.

64 Adam Castor said he was reading through it again and he said to make sure it is clear for everyone he wanted to add some things. Part A  
65 – “Water rights for indoor and outdoor use for each potential lot or dwelling unit shall be determined by the city using standard

engineering practices and state requirements.” “And” will go away. The next sentence will read, “Outdoor use will include, but not be limited to, the space contained within a building lot excluding the footprint, hard surfaced patio, walkway, not irrigated areas and roadway.” That is the determining factors for the outdoor irrigable space and that is where the 1.87 square acre/feet come into place. S calculating the lot area minus the building footprint, driveway, walkway, hard surfaced patios, etc. is where that actually gets determined. Item B – “Sufficient water to satisfy the projected needs of the development as determined by the city using standard engineering practices and state requirements.”

**DAYNA HUGHES MOTIONED AND NELSON ABBOTT SECONDED TO RECOMMEND FOR APPROVAL THE CODE AMENDMENT FOR WATER RIGHTS CONVEYANCE TO INCLUDE THE FOLLOWING A2-A: “WATER RIGHTS FOR INDOOR AND OUTDOOR USE FOR EACH POTENTIAL LOT OR DWELLING UNIT SHALL BE DETERMINED BY THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE REQUIREMENTS” AND “OUTDOOR USE WILL INCLUDE, BUT NOT BE LIMITED TO, THE SPACE CONTAINED WITHIN A BUILDING LOT EXCLUDING THE BUILDING FOOTPRINT, HARD SURFACED PATIO, WALKWAY, NOT IRRIGATED AREAS AND ROADWAY” . A2-B: “OTHER USE REQUIREMENTS: SUFFICIENT WATER TO SATISFY THE PROJECTED NEEDS OF THE DEVELOPMENT AS DETERMINED BY THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE REQUIREMENTS. OTHER USES MAY INCLUDE RETAIL AND COMMERCIAL DEVELOPMENT, AND PARKS AND OPEN SPACES”. VOTE: YES – ALL (6), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW**

#### **ABBOTT CONDITIONAL USE PERMIT APPLICATION - CHICKENS**

Kelly Liddiard opened the public hearing at 7:06pm.

Nelson Abbott will abstain from voting since he is a member of the planning commission. He explained their plan is to have chickens, unless there are hens that turn to roosters, and then they would get rid of them. He has constructed a coop that provides for six square feet per bird based on the number of birds he has currently. He designed the coop in a way to keep the predators out and keep the chickens in. He also explained that his son, Josh, is putting together a tutorial for a contest online for it and he has been taking pictures of the process. It is roughly 56 feet from his neighbor’s house, 90 feet from his neighbor’s to the east, 110 feet from neighbor’s across the street and he has done everything possible to keep predators out. The area where the feed will be, where they will eat will be off the ground to keep mice out. He also indicated his son will be helping with the maintenance. He has talked with his neighbors in the immediate vicinity and they are all on board with it.

Adam Castor indicated that the staff reports that Mr. Abbott is in compliance.

Nelson Abbott said he already talked with the code enforcement officer and he was going to go look at it.

Planning assistant indicated that the code enforcement officer was able to see it and he indicated that Mr. Abbott’s coop is in compliance.

Kelly Liddiard closed the public hearing at 7:18pm.

**DAYNA HUGHES MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE ABBOTT CONDITIONAL USE PERMIT AS STATED. VOTE: YES – ALL (5), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW  
NELSON ABBOTT ABSTAINED**

#### **SENSITIVE AREAS MAP DISCUSSION**

Adam Castor indicated that he brought some maps with him. He found some CAD information from Aqua Engineering, which turned out to be very helpful. Before the meeting, he went up to the area to exam it. He laid out the map to show the existing ground topography. He drew in lines that are representative of drainages and/or ravines. There is criteria in the development code that stipulates what a ravine actual is, but most actually qualify for it. The one in question is on the sensitive areas map and pointed to it on the map. Nelson Abbott was thinking it should continue further up. Based on the topography, it tells him that it shouldn’t. He said he observed that the water has naturally created two ditches that come down. He indicated that it doesn’t make sense to amend the sensitive areas map because there are already houses there so no one would be developing. Nelson Abbott was thinking it needed to be amended for further up the ravine. The ownership map claims ownership of Nebo Heights. He doesn’t know if there is something that can really be done because it is based off the topography map. He indicated that it is flat up there so it doesn’t need to be amended.

Dayna Hughes asked what would happen at the bottom of the hill with all the mud and rocks collecting.

Adam Castor explained that the two channels that catch water will continue to catch more in the road. It’s not very big – just a roadside, curb swell.

Nelson Abbott indicated that during Mayor Dunn’s term, there was a PRV valve off of Oak Lane that failed and water ran out so they went up and re-channeled the water back down into it while they were working on it.

Dayna Hughes asked if it the water still come off of Oak Lane – the debris. (Yes)

Adam Castor asked if it comes where Hillside dead-ends – running that way?

Nelson Abbott replied that it is coming down off the hill. He pointed out on the map where the water comes down.

Kelly Liddiard indicated that until they change the slope of the road, this will continue.

#### **APPROVAL OF 3/10/2011 PLANNING COMMISSION MEETING MINUTES**

There were not any changes made to the meeting minutes of March 10, 2011.

**NELSON ABBOTT MADE A MOTION AND KELLY LIDDIARD SECONDED TO APPROVE THE MINUTES FROM 03/10/2011 PLANNING COMMISSION MEETING. VOTE: YES – ALL (6), NO –NONE, ABSENT – (2) RANDY JONES, KEVIN HANSBROW**

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**CITY COUNCIL UPDATE**

Erin Clawson indicated that they did hire a new public works employee, Rex Davis, and he will be starting on Monday. Wayne Frandson will be retiring in September of 2012 so it is kind of a transition to get him up to speed. Weston Youd is planning the City Celebration with his great committee. They are doing some new things, which should make it really fun. There are some new athletic events for the youth this summer, T-ball, Field and Track, and a Youth Leadership team building thing. They have tentatively been discussing next year's budget. Jan Davis, city recorder, does such a good job with that. She thinks everything will be approved.

Dayna Hughes asked what the plan is for the new playground.

Erin Clawson indicated that James Mayfield was voted to take Derrek Johnson's place on the city council. He is over Parks and is working on getting that done. There are impact fees that have to be spent by a certain time this year for park and playground so he is going to come up with some ideas and present them at the next city council meeting or the meeting after to decide whether they get something new or just fixing the old and getting rid of the sliding thing where there have been some liability issues.

Dayna Hughes asked if the plan was to still put lights in.

Erin Clawson said they are talking about lights because a lot of that work has been done. There was some discussion about the light ordinance in the general plan that Weston Youd brought up so they are going to comply with that – no lights after 11pm.

Kelly Liddiard said that is foolish because the light should be left on.

Erin Clawson said that is the whole purpose to have the lights.

Dayna Hughes indicated she thought that was just for new development. That's in the development code.

Erin Clawson said during those times is when it is needed for vandalism.

Kelly Liddiard said they talked about the motion light. If he lived next to the park, it would drive him crazy with the light going on and off all night. Leave the light on.

Erin Clawson said she thought he had somewhere in the area to spend about \$140k and he asked Jan Davis, recorder, to set two thirds of that aside.

Dayna Hughes asked if they already have lights.

Erin Clawson said they do have lights. The concrete was donated. It all got dropped with Derrek Johnson and the council not approving what he wanted to go ahead with. Now James Mayfield is over it and hopefully with someone new doing it, he won't run into those issues.

Debbie Cloward asked if they have thought to put cameras out there.

Erin Clawson said they had an expert come and it is a good idea.

Debbie Cloward said their business in Provo was gang tagged around the back and it took a lot to clean it up and they finally put cameras and alarms in. They used Security Services. Even a sign that indicates there are cameras would deter some.

Dan Steele indicated that they could use cameras that work in the dark too.

Kelly Liddiard said the problem is that it makes it hard to identify people on cameras.

Erin Clawson said they were also thinking about when the park would be open. Currently, the park is open until 11pm, but they were talking about having the curfew be at dusk, which would change from winter to summer months, which she thinks is appropriate. Neighborhood watch looks over it right now.

**OTHER BUSINESS**

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:42 p.m.

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Planning Commission Coordinator



1 ELK RIDGE PLANNING COMMISSION MEETING

2 May 12, 2011

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5 TIME AND PLACE OF PLANNING COMMISSION MEETING

6 A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, May 12, 2011, at 7:00 p.m. at 80 East Park  
7 Drive, Elk Ridge, Utah.

8  
9 ROLL CALL

10 *Commissioners:* Kelly Liddiard, Dayna Hughes, Debbie Cloward, Nelson Abbott, Sharon Dahlstrom, Dan Steele  
11 *Absent:* Kevin Hansbrow, Randy Jones  
12 *Others:* Marissa Bassir, *Planning Commission Coordinator*  
13 Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Josh Abbott  
14

15 OPENING ITEMS

16  
17 OPENING

18 Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Debbie Cloward followed by the pledge of allegiance.  
19

20 **KELLY LIDDIARD MOTIONED AND DAN STEELE SECONDED TO VOTE SHARON DAHLSTROM, ALTERNATE**  
21 **MEMBER, IN AS A VOTING MEMBER. VOTE: YES – ALL (6), NO – NONE, ABSENT – (2) KEVIN HANSBROW,**  
22 **RANDY JONES**  
23

24 APPROVAL OF AGENDA

25 Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.  
26

27 WATER CONVEYANCE CODE AMENDMENT PUBLIC HEARING

28 Kelly Liddiard opened the public hearing at 7:06 PM.

29 Adam Castor explained that there was some discussion with city staff and LEI that was brought up by Jan Davis (*city recorder*), to look  
0 at the time of conveyance for water rights during annexation. He asked if the city has gone through an annexation before. (Yes)  
1 Through the discussions with the city, LEI has come up with a recommendation for an amendment to the annexation ordinance that  
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12 accurate water rights required at the time of conveyance.

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68 roadway.” That is the determining factors for the outdoor irrigable space and that is where the 1.87 square acre/feet come into place. So  
69 calculating the lot area minus the building footprint, driveway, walkway, hard surfaced patios, etc. is where that actually gets  
70 determined. Item B – “Sufficient water to satisfy the projected needs of the development as determined by the city using standard  
71 engineering practices and state requirements.”

72  
73 **DAYNA HUGHES MOTIONED AND NELSON ABBOTT SECONDED TO RECOMMEND FOR APPROVAL THE CODE**  
74 **AMENDMENT FOR WATER RIGHTS CONVEYANCE TO INCLUDE THE FOLLOWING A2-A: “WATER RIGHTS FOR**  
75 **INDOOR AND OUTDOOR USE FOR EACH POTENTIAL LOT OR DWELLING UNIT SHALL BE DETERMINED BY**  
76 **THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE REQUIREMENTS” AND “OUTDOOR USE**  
77 **WILL INCLUDE, BUT NOT BE LIMITED TO, THE SPACE CONTAINED WITHIN A BUILDING LOT EXCLUDING THE**  
78 **BUILDING FOOTPRINT, HARD SURFACED PATIO, WALKWAY, NOT IRRIGATED AREAS AND ROADWAY” . A2-B:**  
79 **“OTHER USE REQUIREMENTS: SUFFICIENT WATER TO SATISFY THE PROJECTED NEEDS OF THE**  
80 **DEVELOPMENT AS DETERMINED BY THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE**  
81 **REQUIREMENTS. OTHER USES MAY INCLUDE RETAIL AND COMMERCIAL DEVELOPMENT, AND PARKS AND**  
82 **OPEN SPACES”. VOTE: YES – ALL (6), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW**

83  
84 **ABBOTT CONDITIONAL USE PERMIT APPLICATION - CHICKENS**

85 Kelly Liddiard opened the public hearing at 7:06pm.

86 Nelson Abbott will abstain from voting since he is a member of the planning commission. He explained their plan is to have chickens,  
87 unless there are hens that turn to roosters, and then they would get rid of them. He has constructed a coop that provides for six square  
88 feet per bird based on the number of birds he has currently. He designed the coop in a way to keep the predators out and keep the  
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92 ground to keep mice out. He also indicated his son will be helping with the maintenance. He has talked with his neighbors in the  
93 immediate vicinity and they are all on board with it.

94 Adam Castor indicated that the staff reports that Mr. Abbott is in compliance.

95 Nelson Abbott said he already talked with the code enforcement officer and he was going to go look at it.

96 Planning assistant indicated that the code enforcement officer was able to see it and he indicated that Mr. Abbott’s coop is in  
97 compliance.

98 Kelly Liddiard closed the public hearing at 7:18pm.

99  
100 **DAYNA HUGHES MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE ABBOTT CONDITIONAL USE**  
101 **PERMIT AS STATED. VOTE: YES – ALL (5), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW**  
102 **NELSON ABBOTT ABSTAINED**

103  
104 **SENSITIVE AREAS MAP DISCUSSION**

105 Adam Castor indicated that he brought some maps with him. He found some CAD information from Aqua Engineering, which turned  
106 out to be very helpful. Before the meeting, he went up to the area to exam it. He laid out the map to show the existing ground  
107 topography. He drew in lines that are representative of drainages and/or ravines. There is criteria in the development code that stipulates  
108 what a ravine actual is, but most actually qualify for it. The one in question is on the sensitive areas map and pointed to it on the map.  
109 Nelson Abbott was thinking it should continue further up. Based on the topography, it tells him that it shouldn’t. He said he observed  
110 that the water has naturally created two ditches that come down. He indicated that it doesn’t make sense to amend the sensitive areas  
111 map because there are already houses there so no one would be developing. Nelson Abbott was thinking it needed to be amended for  
112 further up the ravine. The ownership map claims ownership of Nebo Heights. He doesn’t know if there is something that can really be  
113 done because it is based off the topography map. He indicated that it is flat up there so it doesn’t need to be amended.

114 Dayna Hughes asked what would happen at the bottom of the hill with all the mud and rocks collecting.

115 Adam Castor explained that the two channels that catch water will continue to catch more in the road. It’s not very big – just a roadside,  
116 curb swell.

117 Nelson Abbott indicated that during Mayor Dunn’s term, there was a PRV valve off of Oak Lane that failed and water ran out so they  
118 went up and re-channeled the water back down into it while they were working on it.

119 Dayna Hughes asked if it the water still come off of Oak Lane – the debris. (Yes)

120 Adam Castor asked if it comes where Hillside dead-ends – running that way?

121 Nelson Abbott replied that it is coming down off the hill. He pointed out on the map where the water comes down.

122 Kelly Liddiard indicated that until they change the slope of the road, this will continue.

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124 **APPROVAL OF 3/10/2011 PLANNING COMMISSION MEETING MINUTES**

125 There were not any changes made to the meeting minutes of March 10, 2011.

126  
127 **NELSON ABBOTT MADE A MOTION AND KELLY LIDDIARD SECONDED TO APPROVE THE MINUTES FROM**  
128 **03/10/2011 PLANNING COMMISSION MEETING. VOTE: YES – ALL (6), NO –NONE, ABSENT – (2) RANDY JONES,**  
129 **KEVIN HANSBROW**

**CITY COUNCIL UPDATE**

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Erin Clawson indicated that they did hire a new public works employee, Rex Davis, and he will be starting on Monday. Wayne Frandson will be retiring in September of 2012 so it is kind of a transition to get him up to speed. Weston Youd is planning the City Celebration with his great committee. They are doing some new things, which should make it really fun. There are some new athletic events for the youth this summer, T-ball, Field and Track, and a Youth Leadership team building thing. They have tentatively been discussing next year's budget. Jan Davis, city recorder, does such a good job with that. She thinks everything will be approved. Dayna Hughes asked what the plan is for the new playground.

Erin Clawson indicated that James Mayfield was voted to take Derrek Johnson's place on the city council. He is over Parks and is working on getting that done. There are impact fees that have to be spent by a certain time this year for park and playground so he is going to come up with some ideas and present them at the next city council meeting or the meeting after to decide whether they get something new or just fixing the old and getting rid of the sliding thing where there have been some liability issues. Dayna Hughes asked if the plan was to still put lights in.

Erin Clawson said they are talking about lights because a lot of that work has been done. There was some discussion about the light ordinance in the general plan that Weston Youd brought up so they are going to comply with that – no lights after 11pm. Kelly Liddiard said that is foolish because the light should be left on.

Erin Clawson said that is the whole purpose to have the lights. Dayna Hughes indicated she thought that was just for new development. That's in the development code. Erin Clawson said during those times is when it is needed for vandalism.

Kelly Liddiard said they talked about the motion light. If he lived next to the park, it would drive him crazy with the light going on and off all night. Leave the light on.

Erin Clawson said she thought he had somewhere in the area to spend about \$140k and he asked Jan Davis, recorder, to set two thirds of that aside. Dayna Hughes asked if they already have lights.

Erin Clawson said they do have lights. The concrete was donated. It all got dropped with Derrek Johnson and the council not approving what he wanted to go ahead with. Now James Mayfield is over it and hopefully with someone new doing it, he won't run into those issues. Debbie Cloward asked if they have thought to put cameras out there.

Erin Clawson said they had an expert come and it is a good idea. Debbie Cloward said their business in Provo was gang tagged around the back and it took a lot to clean it up and they finally put cameras and alarms in. They used Security Services. Even a sign that indicates there are cameras would deter some.

Dan Steele indicated that they could use cameras that work in the dark too. Kelly Liddiard said the problem is that it makes it hard to identify people on cameras.

Erin Clawson said they were also thinking about when the park would be open. Currently, the park is open until 11pm, but they were talking about having the curfew be at dusk, which would change from winter to summer months, which she thinks is appropriate. Neighborhood watch looks over it right now.

**OTHER BUSINESS**

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:42 p.m.

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Planning Commission Coordinator

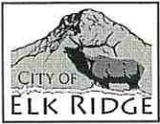
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**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
 t.801/423-2300 - f.801/423-1443 - email [staff@elkridgcity.org](mailto:staff@elkridgcity.org) - web [www.elkridgcity.org](http://www.elkridgcity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 9 June 2011**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR MEETING AGENDA**

**7:00 pm OPENING ITEMS**

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

**7:05 PUBLIC HEARINGS AND ACTION**

1. Wall Conditional Use Permit Application - Chickens..... *see attachment*

**7:10 DEVELOPMENT CODE / STANDARDS REVIEW**

2. Conditional Use Permits Reviewed by Code Enforcer..... *see attachment*

**7:15 OTHER ACTION ITEMS**

3. Simmons Conditional Use Permit for Chickens ..... *see attachment*

**7:20 PLANNING COMMISSION BUSINESS**

- 4. Review and approve minutes of 05/12/11 Commission Meeting ..... *see attachment*
- 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, 3 June 2011 and delivered to each member of the Planning Commission on 3 June 2011.

Planning Commission Coordinator: Marissa Bassi Date: 3 June 2011



# ELK RIDGE PLANNING COMMISSION MEETING

June 9, 2011

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, June 9, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Kevin Hansbrow, Debbie Cloward, Sharon Dahlstrom

*Absent:* Randy Jones, Dayna Hughes, Nelson Abbott, Dan Steele

*Others:* Marissa Bassir, *Planning Commission Coordinator*

Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Ray Brown, *Code Enforcer*, Kylee Hill, Brian Wall, Nancy Wall, Julie Christensen, Cindy Dalton, Shamayne Mason, Lucretia Thayne, Jamie Towse, Janene and Chris Thorpe, Elizabeth Weeks, Adonia Howell, Shelly Neria, Emma Neria

## OPENING ITEMS

### OPENING

Kelly Liddiard, Chair, welcomed at 7:05 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

**DEBBIE CLOWARD MOTIONED AND KELLY LIDDIARD SECONDED TO VOTE SHARON DAHLSTROM, ALTERNATE MEMBER, IN AS A VOTING MEMBER. VOTE: YES – ALL (3), NO – NONE, ABSENT – (4) DAYNA HUGHES, RANDY JONES, NELSON ABBOTT, DAN STEELE**

### APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

### WALL CONDITIONAL USE PERMIT PUBLIC HEARING

Kelly Liddiard opened the public hearing at 7:07 PM.

Lucretia Thayne indicated that she went to visit the Wall's residence when she saw there was a recommendation to deny their conditional use permit. There were two letters that were complaining about the smell of chickens and she passed out "The Seven Myths of Urban Chickens" to the planning commission. She claims the statements in the letters are inaccurate. Chickens are not noisy or messy. They are far safer than dogs and cats. She compared the feces of ten chickens to produce the same as a medium size dog. She finds that dogs are a far more dangerous thing. She read a myth of chicken noise. "Laying hens at their loudest have about the same decibel level as human conversation." So chickens are going to disturb a neighbor as much as two people talking. In her experience, chickens will occasionally squawk if something disturbs them or when laying an egg. At night, they are very quiet because they all go into the coop and snuggle down. She does have neighbor dogs that wake her up in the night. She indicated on a map the distance from the Brown's residence from the Wall Residence. The Brown's wouldn't know if they even had chickens because they are so far away. There was also mention about skunks. Ms. Thayne also indicated that they have had skunks in their window wells twice since they have been living in Elk Ridge and there were not any chickens around. Since they got their conditional use permit and have their chickens, they have not seen one skunk. Food left out for dogs and cats, etc. is far more attractive to skunks than chicken food. Mr. Van Parys' letter talked about his expectations when he moved to Elk Ridge and that was not chickens. When Ms. Thayne moved to Elk Ridge she said there were chickens all over the place. So what is expected when moving to Elk Ridge sometimes doesn't impact where the city is at presently. Mr. Van Parys worries about if chickens got into his yard with his dog. Ms. Thayne indicated that Ms. Wall has around her house a solid, high vinyl fence and he has a vinyl fence around his yard. So the likelihood of that happening is very slim. If her chickens got out into his yard, he is not responsible for what the dogs do to that chicken because they were invading his territory. If his dog got out and invaded her yard that would be a different matter. Most of Mr. Van Parys letter is a rehash of stuff that went on with adopting the code – much of it is inaccurate and written in a very emotional way. Nelson Abbott had pigeons legally under the code prior to ever initiating anything about hobby animals. Ms. Thayne indicated she thought the law seems of being applied unequally in favor of dogs over chickens. Ms. Brown should be reporting the dogs instead of worrying about chickens that won't impact her. Shamayne Mason was also in support of Ms. Wall and her chickens. She has thoughts that the constitution states that we are all created equal and it seems to her that in Elk Ridge she is seeing that the public has the right to life, liberty and the pursuit of happiness and there are many who seem to want to determine what somebody else needs to pursue to be happy. She doesn't think that she read anywhere that she has the right to impose how someone else is going to be happy on them or impose her value system on them. At the reference of dogs and adding chickens to make more noise, she was thinking that chickens will make their noise at laying an egg for about 1-2 minutes a day and it could be a little loud. But for six chickens and a full day, that is an average of 12-15 minutes of noise over the whole day. They put themselves to bed at dark and don't hear a peep until morning. They are pretty quiet. She is concerned at what appears to be the desire to force issues upon people. That is really not the way she feels the city should be working. She is also sorry to hear of intimidation or inaccurate betrayals of things that have been seen and she has been a participant of inaccurate portrayals that have happened in her personal case. She would hope that truth, justice, logic and reason may soon return to the associations and dealings in Elk Ridge.

Lucretia Thayne handed the Planning Commission a letter from her son. One of the reasons for denial was because of a code about natural enemies being boarded together and she firmly does not believe that code applies to this case because natural enemies being boarded together would refer to the same property, not someone two houses away.

66 Nancy Wall said that when she came and got her application for the permit from the city, they followed everything that was on that  
67 application to be in compliance. When Mr. Brown got back, he came and did the inspection for compliancy with them and he said there  
68 was a law – “General Regulations relating to animals: k: Incompatibility of Animals: Owners shall not allow animals which are natural  
69 enemies, temperamentally unsuited, or otherwise, or otherwise incompatible to be quartered together or so near each other as to cause  
70 injury, fear, or torment.” Mr. Brown specified that there were at least four bird dogs in the neighborhood. Ms. Wall was at a loss when  
71 he came because she felt she had done everything to be in compliance. Her chickens were wondering free. She assumed because her  
72 whole backyard was fenced in that would be okay. Mr. Brown said they need to have a run. So they have put posts in to complete the  
73 run and Mr. Brown saw those. *She asked her neighbors in the audience to stand.* Ms. Wall indicated those neighbors have dogs. Kylee  
74 Hill is the closest with a dog and Ms. Wall has not noticed any fear or torment in her chickens.

75 Kylee Hill indicated that she works in a veterinary office and there has been no sign of fear, stress or anxiety, which are all common  
76 symptoms of a dog that can see a chicken. She is pretty sure her dog is too stupid to even know what is on the other side of the fence.  
77 Ms. Hill didn't even know they were there for a month until she got the notice and she didn't notice an increase of barking with her  
78 dogs. If they haven't increased their barking and her chickens aren't stressed out, she sees no problem.

79 Nancy Wall indicated the Thorpe's also have a bird dog that is arthritic and is 11 years old.

80 Janene Thorpe said there is no problem because he doesn't even know there are chickens.

81 Nancy Wall said that Mr. Van Parys also has his two bird dogs and Ms. Wall understands that if their chickens get out and get out and  
82 get underneath the fence or get eaten, that is their responsibility. They are their pets, just like people who are pet owners understand that  
83 when their dogs or their cats get out they are responsible for them. She feels at a loss for where the specified code comes in not making  
84 them compliant. It wasn't on the application they had. Ms. Wall also indicated that she felt like she was being harassed by Mr. Brown  
85 for this code because when he was on city council he voted against chickens. So as a code enforcement officer, going to residents place  
86 to inspect the property, maybe it is better to get someone who is not living in Elk Ridge, cannot vote and hasn't voted on the city rules  
87 and regulations and laws so there may be an unbiased opinion on their compliancy.

88 Adonia Howell said she did not know that Ms. Wall had chickens until she got the notice in the mail and even after she got the notice  
89 did not know that she had chickens. She knows pretty much everyone who has a dog and how many they have and what sets them off.  
90 She can also tell when they have visited her yard. She has not known or heard Ms. Wall's chickens until that point. She also explained  
91 that they have chickens at her work and the residents love them. She doesn't hear them and she doesn't smell them when she goes out  
92 there. They are not a problem or a nuisance either. My husband agrees that Ms. Wall has done everything that she has been told to do.  
93 She is in compliance.

94 Erin Clawson indicated she has just come into a new position and has researched the code and the hobby animal code lists what has to be  
95 done in order to comply to get a permit. It doesn't say that they have to adhere to the animal code. The animal code in Title 5 is a  
96 municipal code and not a development code. She wanted the planning commission to be aware of that if they weren't.

97 Kelly Liddiard closed the public hearing at 7:24 PM.

98 Kelly Liddiard was curious to know why the staff is denying it besides the incompatibility of animals. He was there when the code was  
99 written and the intent of that code was for the same owner to have bird dogs and chickens. However, after the issue has come to light  
100 and after research, Mr. Liddiard thinks the code probably needs to be re-written to some extent because if one neighbor has dogs and the  
101 next neighbor has cats, they are incompatibility animals and that wouldn't work. He bets that they can find that on every street in every  
102 neighborhood in the city. So it is his opinion that that code has no bearing on the application in question because everyone else has been  
103 allowed to do it and it is kind of grandfathered-in in his eyes. So if there is another violation...that the coop isn't there or the run is not  
104 in existence then that is something that should be looked at. Other than that, he hasn't heard anything that she isn't in compliance.

105 Kevin Hansbrow remembers too; when the code was written and he agrees completely with Mr. Liddiard that it was mainly just to keep  
106 enemies out of the same yard more than off the same street. With just the exception of having the run done, he doesn't see why they  
107 would be out of compliance. Until they get the run done, there should be a time limit of how soon that will be done.

108 Brian Wall explained that it is just a matter of connecting the fence. It is there, they just haven't connected it yet. They need to connect  
109 the fence and put a top on it.

110 Sharon Dahlstrom indicated that she is new and needed to ask a question. In looking at code 5-2A-21k Incompatible Animals, she  
111 couldn't find the animal code and asked if there is another code for animal regulations.

112 Kelly Liddiard indicated that there is other code, but he couldn't tell her where it is. He also indicated that he read the night before and  
113 it says that there just needs to be a coop and a run area. That's as far as it goes. It doesn't say anything about letting them out.

114 Sharon Dahlstrom asked if it said anything about how big or how far.

115 Adam Castor said it has to be 24 sq feet.

116 Kelly Liddiard said the setback is 25 feet from adjacent buildings and six chickens are allowed.

117 Sharon Dahlstrom said that is a minimum of 24 sq. feet. The backyard can't be counted as a run.

118 Kelly Liddiard said the backyard cannot be counted as a run. It has to be a separate space.

119  
120 **KEVIN HANSBROW MOTIONED AND DEBBIE CLOWARD SECONDED TO APPROVE THE CONDITIONAL USE**  
121 **PERMIT FOR CHICKENS FOR THE WALL FAMILY ON CONDITION THAT WITHIN SEVEN DAYS OF TODAY (BY**  
122 **6/16/11) TO BE INSPECTED. UPON INSPECTION MEETS ALL THE REQUIREMENTS, SETBACKS AND SQUARE**  
123 **FOOTAGE FOR THE CHICKEN RUN. VOTE: YES – ALL (4), NO – NONE, ABSENT – (4) RANDY JONES, DAYNA**  
124 **HUGHES, NELSON ABBOTT, DAN STEELE**

#### 125 126 **CONDITIONAL USE PERMITS REVIEWED BY CODE ENFORCER**

127 Adam Castor indicated that the code enforcer went around verifying some of the conditional use permits – Lynn's, Simmons', and  
128 Abbott's.

129 Kelly Liddiard asked the reason why they were checked on.

130 Adam Castor explained that was the condition of the approval of the conditional use permit. This was the first time they were inspected.

131 Ray Brown indicated he had visited three residents with conditional use permits and two of them were out of compliance.

132 Kelly Liddiard asked if Lynn's horse was non-compliant.

133 Ray Brown replied that the Lynn's horse is not a miniature horse. It is a 49-52 inches and miniature horses are 34 inches or shorter. It  
134 was measured from the withers to the ground. Mr. Brown indicated that he agreed with Ms. Wall that the city should find someone else  
135 to do code enforcement because she is right that he lives in the community and nothing against Ms. Wall. Mr. Brown explained that  
136 Americans debate a lot. People think a person should be on one side or the other. Being a former law enforcement officer, he couldn't  
137 do that. Americans spend a lot of time debating and riding on an American's rights no matter which side of the political side a person is  
138 on. Americans love their rights and talk about them. It is a shame that Americans are not as enthusiastic with responsibility, which  
139 accompanies rights. To be assured, Americans have rights and the one they love the most is the right to speak freely and he is certainly  
140 no exception. Every fight that is engaged today revolves around some real or perceived human rights...Does everyone have to be  
141 responsible, as well as have rights? Mr. Brown believes Ms. Thayne has not given correct information. Mr. Brown believes there does  
142 need to be a code enforcement officer. He talked to the Lynn's who are very fine people. They do not have the horse they were sold. It  
143 was not a miniature pony. The horse is currently not on property and Mr. Brown doesn't know what they are doing. He also indicated  
144 there was another violation noted on the staff report, but not cited. [15-17 chickens on property without permit] Simmons moved their  
145 chicken coop to be in compliance. They told Mr. Brown that the Planning commission approved his chicken run as part of their  
146 changing of their non-compliance before the Planning commission would give them their conditional use permit. The chicken run is  
147 closer to the adjacent house than the owner's house. He gave them the code dimensions. The Simmons said it was in their submitted  
148 plan. Mr. Brown had the city pull the submitted plans and it is not in there. He asked them to fix that because it is not in compliance.  
149 Nelson Abbott's chicken coop and run are in compliance. He put about \$1500 into his coop and it is gorgeous.

150 Kelly Liddiard said the Lynn's should be on notice that the horse cannot come back to the property because it is not a miniature horse.

151 Sharon Dahlstrom commented that they are in non-compliance for chickens, as well.

152 Ray Brown said they can't have both, but they did have chickens without a permit. He didn't cite them. Mr. Brown told them what they  
153 needed to do to apply for a conditional use permit for the chickens, but they couldn't have both chickens and a miniature horse.

154 Kevin Hansbrow indicated that they need to be put on notice.

155 Kelly Liddiard thought that they need to be noticed and that the horse cannot come back because it isn't in compliance. They also need  
156 to do something with the chickens.

157 Kevin Hansbrow said they need to apply for a conditional use permit for their chickens and meet all the requirements. They need to be  
158 in the application process within the seven days from notice.

#### 159 160 SIMMONS CONDITIONAL USE PERMIT FOR CHICKENS

161 Kelly Liddiard personally thinks that people need to be in compliance with the code. He questions whether they should give him some  
162 time.

163 Sharon Dahlstrom asked if they were also talking about the number of chickens.

164 Kelly Liddiard said yes, they are talking about two violations – the run and the number of chickens.

165 Ray Brown indicated that in his notes, the Simmons said they were getting rid of six chickens. He did go back to check that.

166 Kelly Liddiard asked when he went back to check.

167 Ray Brown indicated it was May 31, 2011.

168 Planning Commission Assistant indicated that the Simmons was approved for a conditional use permit back on December 9, 2010.

169 Kelly Liddiard asked if there was a verbal warning or if Mr. Brown just looked at it.

170 Ray Brown said he just looked at it and gave her a copy of the letter that he submitted to the planning commission. He left the door open  
171 to fix the issues.

172 Kevin Hansbrow thinks that they would be willing to cooperate, but they just need to be given a certain amount of time.

173 Kelly Liddiard agreed and thought that the city should send the owners notice that they are out of compliance and they need to have it  
174 resolved by a certain amount of time, then their permit will be revoked.

175 Planning Commission Assistant asked for a specific time frame.

176 Mayor Pro-temp, Erin Clawson said the time frame should be the same as the others, seven days.

177 Adam Castor said that he remembered the relocation of the run was part of the conditions with the approval.

#### 178 179 APPROVAL OF 5/12/2011 PLANNING COMMISSION MEETING MINUTES

180 There were not any changes made to the meeting minutes of May 12, 2011.

181  
182 **SHARON DAHLSTROM MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE MINUTES OF MAY 12,**  
183 **2011 PLANNING COMMISSION MEETING AS WRITTEN. VOTE: YES – ALL (4), NO –NONE, ABSENT – (4) RANDY**  
184 **JONES, DAN STEELE, DAYNA HUGHES, NELSON ABBOTT**

#### 185 186 187 CITY COUNCIL UPDATE

188 Erin Clawson indicated that Mayor Lutes resigned through the newsletter. The council voted for her to be the mayor pro-temp. They  
189 are taking applications until the 21<sup>st</sup> for mayor for the next five months to be appointed by the council on the 28<sup>th</sup> of June. There will  
190 also be a special election during the regular election time so during July 1-15 anyone can put their name in for the two years remaining  
191 for Mayor Lutes' term.

192 Kevin Hansbrow asked if there were any applicants yet.

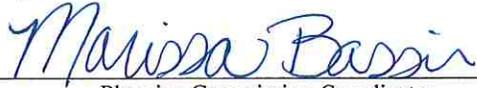
193 Erin Clawson replied that there have been applicants. There was a special meeting to accept Mayor Lutes' resignation and to vote for a  
194 mayor pro-temp. They will be hiring someone to put the fence around the water tank so Corbett and his crew can work on other things  
195 such as curb and gutter. It has been long overdue for some residents in town that have paid for it. There was some sewer breakage  
196 where some roots were growing through the pipe and backed into a citizen's home and the city will be settling with them with the

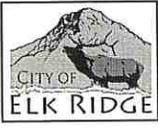
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insurance. Payson city came and helped Corbett. Corbett talked them into giving us a free demonstration. So the city council is facing some expensive issues with the insurance company and how things are being monitored.

**OTHER BUSINESS**

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:42 p.m.

  
\_\_\_\_\_  
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](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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

- Meeting Date - **Thursday, 14 July 2011**
- Meeting Time – **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION REGULAR 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, 13 June 2011 and delivered to each member of the Planning Commission on 13 June 2011.

Planning Commission Coordinator: Maissa Bassin Date: 13 June 2011

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1 ELK RIDGE PLANNING COMMISSION SPECIAL MEETING

2 July 28, 2011

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6 TIME AND PLACE OF PLANNING COMMISSION SPECIAL MEETING

A special meeting of the Elk Ridge Planning Commission was held on Thursday, July 28, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

8  
9 ROLL CALL

10 *Commissioners:* Kelly Liddiard, Kevin Hansbrow, Nelson Abbott  
11 *Absent:* Randy Jones, Dayna Hughes, Dan Steele, Debbie Cloward, Sharon Dahlstrom  
12 *Others:* Marissa Bassir, *Planning Commission Coordinator*  
13 Adam Castor, *LEI Planner*, Dorothy Cloward, Randy Cloward, David Clark, Chris Salisbury, Max Staheli, Rod  
14 Cloward

15  
16 OPENING ITEMS

17  
18 OPENING

19 Kelly Liddiard, Chair, welcomed at 7:07 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

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21 There was not a quorum of four commission members so action could not be taken.

22  
23 APPROVAL OF AGENDA

24 Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.  
25 Planning Coord. indicated City Council Member, Erin Clawson, would be tardy for the city council update.

26  
27 WILLIAMS CONDITIONAL USE PERMIT PUBLIC HEARING

28 Kelly Liddiard thought it looked like a nicely done application.  
29 Nelson Abbott indicated that he went to visit with the Williams to see where the coop was at. He said Mr. Williams was definitely thinking outside the box. Mr. Abbott said he had a neat way of locking it up so the birds are safe from predators. There is a ramp that comes down, but at night, they pull the ramp up and it locks in place. He indicated that they had a coyote get the Williams' dog. He was impressed. In looking at the proximity of the neighboring houses, Mr. Abbott wished he had the distance.

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31 Kelly Liddiard opened the public hearing at 7:07 PM.  
32 There was not any public comment and the Williams family was not in attendance because they were on vacation.  
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34 Kelly Liddiard closed the public hearing at 7:10 PM.

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37 ELK RIDGE MEADOWS PHASE 2B PRELIMINARY PLAT (3 LOTS) & ELK RIDGE MEADOWS PHASE 2 PLAT VACATION

38 Chris Salisbury, developer, was torn as to whether or not they continue with this item on the agenda. They submitted to be on the agenda a few weeks ago right after TRC and shortly after that Mr. Salisbury learned that what they wanted to do with the lots potentially required the approval of everyone that lived within the community so they took a step back to reorganize and educate the community. There were some rumors that the park and open space was going to completely go away – that Salisbury was going to sell it and develop it. There was a meeting with the members of the community to provide information and a little background on the project. Salisbury's main goal is that they would like to see the park, open space A and B, restored to its originally glory. They would like to see that done sooner than later. In the meeting with the residents on July 21, 2011, they were given 3-4 options. The first option was to form an HOA, which Mr. Salisbury didn't think anyone wanted. There was one individual who asked questions about it, but for the most part Mr. Salisbury thought the community was against that. The second option was to take the open space C and D and change it into three lots. The third option was to let the community get built out. The city is currently collecting money from Salisbury from every building permit and they are also holding money that should go to Dave Milheim for the water tank reimbursement until that issue gets resolved. It is estimated to take about two years to get that taken care of and then there will be funds there to take care of the park. The fourth option was brought up by the residents to possibly buy open space C and D. Salisbury is looking at that option and coming up with a price in preparation for the August 11 meeting with the residents. They are torn because they are not sure what is going to happen with the surety bond company, Milheim and the city. That puts option three on hold and Salisbury is not sure which direction the residents would like to go.

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54 Adam Castor added that the initial application was for the plat of the vacation of the open space to create the three residential building lots. The TRC met with Chris Salisbury and based on the initial findings, was a recommendation for approval of his application with the condition of the redline revisions get made on the plat and then a draft development agreement be written to change the terms of the development agreement that is in place currently. That was the recommendation until July 28, 2011. The correspondence that has gone back and forth with Chris Salisbury and the uncertainty of what they are going to do. There is another community meeting on August 11. So the staff report was updated to recommend the decision on the application be tabled until they have had the opportunity to meet with the residents again and see what happens with the surety bond issue.

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60 Kelly Liddiard questioned why the city would want to vacate the trail system in the open space

61 Adam Castor explained that it has to do with who assumes ownership and maintenance of the open space. Right now, with the development agreement, at 50% occupancy, the city assumes maintenance of all of that open space, including the two parcels that are proposed to be building lots. The city has not indicated the desire to maintain those small portions and it is also not shown on the general

65 plan as open space anymore. The open space map does not show it as open space, nor does the trails map. Mr. Castor thinks that the  
66 maps were changed when the development agreement was proposed.

67 Kelly Liddiard remembered going through all the trails maps with the General Plan and he didn't remember that trail not being included  
68 Adam Castor said it is basically from a maintenance standpoint from Corbett Stephens, Public Works Director.

69 Kevin Hansbrow commented that it is so the city doesn't have to take responsibility for it. And because there wasn't any HOA formed  
70 from the beginning. Mr. Hansbrow said it is right in the middle of the trail and doesn't know why it would be taken out. The main  
71 objective was to get open space. The reason for the bonus density was because of the open space.

72 Chris Salisbury indicated that the trail that exists, as it goes into Cloward's property, there are no plans to continue the trail on. Mr.  
73 Salisbury talked to Tony Trane because he was wondering what the meeting was about and he explained everything to Mr. Trane. Mr.  
74 Salisbury said they are looking at the proposed plan because there is no plan to continue the trail and the Clowards are not doing  
75 anything with their ground. If they are going to do anything with it, they are going to go with the standard zoning so they are not going  
76 to ask for additional density and they don't have to participate in the trail system.

77 Kevin Hansbrow indicated that the kids use it like crazy. His in-laws live there and the kids use the trails around there. Things can  
78 change. Even though, it is a trail to nowhere, it is still one of the few trails within the city.

79 Chris Salisbury commented that it is only the trail that is indicated on page 3 on the lots 84, 85, and 83. All the rest of the trails will  
80 remain. If it ends up staying, it stays and that's fine. The catalyst is that Salisbury wants the park in now. Changing the open space into  
81 lots and generating the revenue from those lots allows Salisbury to dump the revenue into the park. They are just trying to improve the  
82 community now rather than later. They are trying to make the best community they can.

83 Kelly Liddiard explained that the planning commission and city council went to a lot of work to get the trails in the general plan and  
84 looking into the future of having those. There was even discussion about the Cloward's property and they had some input on that and he  
85 thinks that they were going to continue those on. He doesn't know if that is still their interest.

86 Kelly Liddiard opened the public hearing at 7:20pm.

87 David Clark indicated that he lives on lot 39 – his backyard faces the Cloward's property. Dal Olsen and he are on opposite sides. When  
88 they were sold their lots, they were under the impression that there was a trail system there and that is the reason they picked those lots.  
89 It was a surprise when they found out the intentions of Mr. Salisbury. Olsen's home was built and closed. Mr. Clark's lot was excavated  
90 and the footings were poured and he had sold his home so he was in an awkward position. Mr. Clark knows that the people that are also  
91 affected by the proposed plan also have the same feelings that he does that why not leave it the way it was intended. Who is to say what  
92 is going to happen in five or ten years. He looked at the General Plan for the city and it looks like the trail connects and it goes on  
93 around the city. That is how he based his decision to buy that lot.

94 Kelly Liddiard asked why it isn't on the general plan.

95 Adam Castor indicated on the 2010 general plan map for trails/open space, that trail is not there. It was on the previous general plan.  
96 The planning commission members wanted research done on why it was changed. It was thought that it was left out due to the  
97 developer's agreement.

98 Nelson Abbott commented that there were four different options on the table and the possibility of leveraging it and restoring the park.  
99 Looking at the lots one section between the two lots is a lot narrower than the other piece. He asked Mr. Salisbury what would preclude  
100 him from maybe working something out where the trail stayed, but sold some of the additional open space to the adjacent property  
101 owners – not as building lots, but as open space.

102 Kevin Hansbrow doesn't think that is the property owner's responsibility. He doesn't see that as an option or how that is functional.  
103 Chris Salisbury said as he understands it, it allows the open space to remain there and then the city doesn't have to maintain it and the  
104 city is also not liable for it either.

105 David Clark commented that the question that was brought up was that phase I and the city was going to taking on that portion of it and  
106 people found it odd that the city was going to keep one part of it, but not the other - all to maintain a park. Mr. Clark didn't gain a sense  
107 of urgency by the residents to have the park up and running that soon. He was willing to do whatever it takes to keep the open space.

108 Adam Castor indicated that the trail shows up on the 2008 maps, but all the 2009 and 2010 maps do not have it.

109 Kelly Liddiard asked if that could be researched and see if there is a reason as to why it was removed. Mr. Liddiard referred back to Mr.  
110 Hansbrow's comment about the density because of the excess open space.

111 Adam Castor commented that the actual square footage of the open space was purposed to be applied to the west side of open space B so  
112 the open space won't necessarily be lost.

113 Kevin Hansbrow looks at it as the people bought land with the intention of it being open space and to now take that away from them or  
114 ask them to pay for it doesn't seem right. An HOA was not going to be part of it. His father-in-law wouldn't even consider an HOA  
115 when they were looking to buy. If it was at the beginning before people purchased property, then it would be a different situation. That  
116 wouldn't be fair to the current owners in any way.

117 Randy Cloward commented that they are doing a lot of excavation and digging into the hillside and taking away a lot of material from  
118 the hillside. He asked if there was a plan to put in a retaining wall or retaining with vegetation because erosion is going to occur. There  
119 is a steep cut on the east end.

120 Kelly Liddiard said he hasn't been down there and will have to take a look at it.

121 Chris Salisbury didn't know about it either.

122 Randy Cloward also commented that he can appreciate the park and beautify it and make it look nice. They just want to make sure there  
123 is some money involved to take care of it.

124 Kevin Hansbrow said that as much as he would like to see the park up and running, he sees it as Salisbury bought the subdivision and he  
125 sees that responsibility falling on them. Mr. Hansbrow is grateful they took over the subdivision, but he doesn't see charging the current  
126 owners under the contract that they have bought under.

127 Chris Salisbury responded about what people bought under and their expectation of open space C and D being there. Salisbury bought  
128 the community with the understanding the city was going to improve the open space A and B with surety bond money and that is not  
129 happening. Salisbury is still continuing and is under no contractual obligation to improve anything. They have a lot of work left to do in  
130 Elk Ridge Meadows phase 2 and they also have another phase on the west side of the open space they are talking about. Salisbury is

131 going to be in Elk Ridge for a long time and the reason why they have chosen the route that they have is because there is a question of  
132 the validity of the current developer's agreement. Right now, the developer's agreement says the city will improve the park with surety  
133 bond money, which no one knows if the city will get it. In the same document, it is requiring Salisbury Homes to pay over \$1400 per  
134 building permit to go towards to the park. The city doesn't know if they can be held liable for that surety money, but they have never  
135 said anything about not paying that \$1400. Salisbury is still paying it. They are trying to take a very convoluted and messy situation and  
136 walk away with it with something the city is proud of, something Salisbury is proud of, and something the residents are happy to live in.  
137 If that means that it is open space when they are done, then so be it. Their priority is to get the park in there knowing they have no  
138 control over the surety bond company, Milheim, or the city. So they are looking what they do have control over. They have influence on  
139 the lots because they own the majority of the lots. So that could be a solution. If not, then they will wait it out and hopefully the  
140 situation with the surety bond will be worked out. The question is still there what happens to the money that is paid for each building  
141 permit that goes to the park. He doesn't want to get attorneys involved because attorneys are the only ones that would win.  
142 Kevin Hansbrow indicated that there needs to be more information as far as the surety bond. He thinks that this discussion is premature.  
143 Kelly Liddiard said he appreciated what Mr. Salisbury has said and he doesn't want to get attorneys involved either. His concern is what  
144 is best for the city and what the intent was when it was designed. Salisbury did assume that responsibility, but he wasn't saying that it  
145 can't be changed. So Mr. Liddiard wants to know when the trail map was changed and why, and surety bond information.  
146 Randy Cloward asked if there is enough money in the bond to take care of cleaning up.  
147 Kelly Liddiard commented that since the large wall of RL Yergensen, they have tried to protect the city as much as they can so that  
148 doesn't happen.  
149 David Clark said that Salisbury estimate the surety bond would be about \$210k. \$100k would go for overlay and \$60k would go for  
150 repairs leaving \$50k for improvements to the park.  
151 Chris Salisbury mentioned that they are still paying money for every permit and there should be about \$100k from that.  
152 Kelly Liddiard closed the public hearing at 7:34pm.  
153 Kelly Liddiard tabled the issue because it cannot be voted upon until there is a quorum and there is more information brought forward.  
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#### 156 APPROVAL OF 6/9/2011 PLANNING COMMISSION MEETING MINUTES

157 The approval of the minutes was tabled due to the lack of a quorum.  
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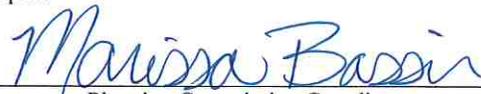
#### 159 CITY COUNCIL UPDATE

160 Erin Clawson was not in attendance for the city council update.  
161

#### 162 OTHER BUSINESS

163 The city council will be having a joint work session on Tuesday, August 9, 2011 at 6:00 pm regarding the single access code. The  
164 mayor would like to get it done and off the table.  
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166 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:40 p.m.  
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Planning Commission Coordinator







1 ELK RIDGE PLANNING COMMISSION MEETING

2 August 11, 2011

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5 TIME AND PLACE OF PLANNING COMMISSION MEETING

6 A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, August 11, 2011, at 7:00 p.m. at 80 East  
7 Park Drive, Elk Ridge, Utah.

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9 ROLL CALL

10 *Commissioners:* Kelly Liddiard, Nelson Abbott, Randy Jones, Dayna Hughes, Debbie Cloward  
11 *Absent:* Kevin Hansbrow, Sharon Dahlstrom  
12 *Others:* Marissa Bassir, *Planning Commission Coordinator*  
13 Erin Clawson, *City Council*

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15 OPENING ITEMS

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17 OPENING

18 Kelly Liddiard, Chair, welcomed at 7:03 PM. Opening remarks were said by Randy Jones followed by the pledge of allegiance.

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20 APPROVAL OF AGENDA

21 Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

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23 WILLIAMS CONDITIONAL USE PERMIT APPLICATION

24 Kelly Liddiard indicated that the public hearing was done at the last meeting, but there was not a quorum so there wasn't any action  
25 taken. Mr. Liddiard didn't recall any problems with the application.

26 Nelson Abbott said that he went to visit the Williams' and found that the coop met all requirements. He explained that the coop is  
27 moveable, but not so much now that it weighs so much. Mr. Abbott explained that the chickens roam freely in a 40 square foot fenced  
28 area below the coop and the trap door closes at night locking the chickens in place. He indicated Mr. Williams had six chickens when he  
29 went to visit, which is still within the code.

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31 **DAYNA HUGHES MOTIONED AND RANDY JONES SECONDED TO APPROVE THE APPLICATION OF THE BRETT  
32 WILLIAMS CONDITIONAL USE PERMIT FOR CHICKENS. VOTE: YES – ALL (5), NO – NONE, ABSENT (2) – KEVIN  
33 HANSBROW, SHARON DAHLSTROM**

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35 APPROVAL OF 6/9/2011 and 7/28/2011 PLANNING COMMISSION MEETING MINUTES

36 There were not any changes made to either set of minutes.

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38 **KELLY LIDDIARD MOTIONED AND RANDY JONES SECONDED TO ACCEPT THE PLANNING COMMISSION  
39 MEETING MINUTES OF JUNE 9, 2011 AND JULY 28, 2011 AS WRITTEN. VOTE: YES – ALL (5), NO – NONE, ABSENT  
40 (2) – KEVIN HANSBROW, SHARON DAHLSTROM**

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42 CITY COUNCIL UPDATE

43 Erin Clawson indicated she heard from James Mayfield that he got a bid for playground parts that came in around \$10,000 so he wanted  
44 to ask the vendor why there were some differences. The city has \$17,000 for the playground. It is just taking some time. Nothing was  
45 decided with the mower on the last council meeting. Salisbury offered their field mower free of charge to use with 48 hours notice.  
46 Woodland Hills has a field mower that the city has borrowed in the past and now it is broken and Woodland Hills would like to split the  
47 cost of fixing it since it is just wear and tear. Elk Ridge uses it every summer and so they would like to split the cost, which is needed  
48 now. Corbett Stephens, *public works*, said they weren't even to a point whether they knew if it was fixable. So he is working with the  
49 mechanic to know if it is fixable.

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51 OTHER BUSINESS

52 The resignation of code enforcement officer, Ray Brown, was discussed. The promotion of Jan Davis to office manager was also  
53 discussed.

54 The trail system in elk ridge meadows phase 2 was discussed. The city is waiting on Chris Salisbury to have his community meeting  
55 and come back with a decision on how he would like to proceed.

56 Lee Haskell's assisted living center was discussed as to whether he was going to be able to proceed with it. Financing was not available  
57 at the time.

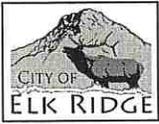
58 The city council approved the single access code, which is the dual access without the exception. The smaller serpentine road was  
59 discussed as becoming part of the general plan. It was discussed to amend the map and make sure that road meets current code, if not,  
they will just leave it alone. If code is stricter now, then it is something that should be looked at changing.

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62 ADJOURNMENT – Chair, Kelly Liddiard, adjourned the meeting at 7:25 p.m.

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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@elkridgcity.org](mailto:staff@elkridgcity.org) - web [www.elkridgcity.org](http://www.elkridgcity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

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, 8 September 2011**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, 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, 1 September 2011 and delivered to each member of the Planning Commission on 1 September 2011.

Planning Commission Coordinator: Maissa Bassin Date: 1 September 2011

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# EELK RIDGE PLANNING COMMISSION MEETING

October 13, 2011

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, October 13, 2011, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

**Commissioners:** Nelson Abbott, Randy Jones, Dayna Hughes, Debbie Cloward, Kevin Hansbrow, Sharon Dahlstrom,  
**Absent:** Kelly Liddiard  
**Others:** Marissa Bassir, *Planning Commission Coordinator*  
Adam Castor, *Planner*, Cory Pierce, *LEI Engineer*, Erin Clawson, *City Council*, Lucretia Thayne

## OPENING ITEMS

### OPENING

Kevin Hansbrow, Co-Chair, welcomed at 7:00 PM. Opening remarks were said by Randy Jones followed by the pledge of allegiance.

### APPROVAL OF AGENDA

Kevin Hansbrow, Chair, reviewed the agenda and there were not any changes.

**KEVIN HANSBROW MOTIONED AND RANDY JONES SECONDED TO MAKE SHARON DAHLSTROM A VOTING MEMBER. VOTE: YES – ALL (3) KEVIN HANSBROW, RANDY JONES, NELSON ABBOTT, NO – NONE, ABSENT – (1) KELLY LIDDIARD**

## GENERAL PLAN TRANSPORTATION MAP AMENDMENT DISCUSSION

Adam Castor, planner said LEI was tasked with the road alignment that he presented to in August regarding single access. LEI was asked to look at the ordinance in the HR-1 zone regarding road design. The road alignment was conceptually approved for the Elk Haven subdivisions, but the preliminary approval has expired since. Mr. Castor took the road alignment that received the preliminary approval to ensure that it does generally comply with the purpose of adopting it as part of the transportation plan. He would like to have a discussion with the planning commission on the findings. There are really only four sections within the HR-1 zone that deal with the situation with the cuts and fills, road grades, intersection grades and traversing 10 and 30 percent slopes.

Cory Pierce, Engineer indicated that most of the sections seem to be fine. There are just a few concerns.

Adam Castor, planner said that the first section that deals with it, the road alignment in the HR-1 zone is maximum road grades. The code indicates eight percent, but the planning commission can approve a road grade up to 10 percent for a stretch of up to 300 feet. Mr. Castor used that as the basis to grade the whole thing at eight percent, but it doesn't quite work. There are some sections that would be upwards of 10 percent to make it work. If that is the case and cuts and fills can be minimized, it may be worth looking at the short stretches of 10 percent. The next one is traversing 10 percent slopes. It says that if roads can traverse 10 percent slopes, if environmental impacts are mitigated and minimized. Looking at the maps provided, the first is the slope analysis and it represents 0-10, 10-20, 20-30, 30-40 and 40 plus. Most of the road alignment is on slopes between 10 and 20 percent and less. There are a few sections that need to be discussed that actually go through slopes that are 30 and 40 percent.

Kevin Hansbrow commented that those would be a lot of cut and fill on the slopes to get the width of the road.

Adam Castor, planner indicated that retaining walls can be put in and still meet code. It helps with the huge cuts and fills and lots of existing vegetation. So there are a lot of things to consider with this road if it ever gets built. The plan is just guidance to get it into the general plan.

Cory Pierce, Engineer said that in those areas where there are a lot of cuts and fills and where there aren't any houses fronting or a need for parking there is a possibility of narrowing the streets in those areas. There are options in the future to help minimize. Road width is huge when traversing the slopes.

Dayna Hughes asked what percentage does the cut and fill go down with the road width decrease.

Adam Castor, planner replied it is two to one.

Cory Pierce, Engineer said that with the road decrease, the biggest thing is when there is a steep slope there is 30 feet of fall out. It is dropping across the width of the road 30 to 40 feet.

Dayna Hughes asked if there needed to be half plus nine. Isn't that the minimum width? How narrow could the street be?

Adam Castor, planner said the code indicates 26 feet.

Kevin Hansbrow asked if the said road is a main arterial road or a collector.

Adam Castor, planner said it is a collector road. It can be classified however right now because it isn't there yet.

Cory Pierce, engineer said 26 feet is an international fire code minimum if the road is over 500 feet.

Dayna Hughes asked what the road width as it is drawn on the map.

Cory Pierce, engineer said the entire right-of-way is 56 feet, which is based off the cross section of the Elk Haven subdivisions.

Kevin Hansbrow asked if the road would have to be cut back because of the right-of-way.

Cory Pierce, engineer agreed, but within the standard sections. The travel lanes as well as parking lanes included - where there is not any houses is where it could neck it down through that section to minimize costs.

Adam Castor, planner said that the sidewalk could minimize costs, as well. Putting a sidewalk on just one side of the street would minimize the width.

Dayna Hughes commented in looking at the 40 percent plus stretch, she asked what kind of cut and fill would be involved.

Adam Castor, planner replied it would be about 20-25.



68 Cory Pierce, engineer indicated on one side, the highest would be around 20 feet and then spots of about 12 feet on fill.

69 Dayna Hughes asked if there was any other option.

70 Adam Castor, planner said that when he initially did the plan, he looked at making the road a little bit higher radius coming around the front of the ridge and trying to pull the road up a little higher, but in order to get across that and stay off the steep slopes. It is steep anywhere. It doesn't really change the cuts and fill all that much, but it creates a lot more fill at the bend and back around and try to stay on grade with an eight percent road. The road would go clear out and runs into a house.

71 Dayna Hughes asked if there was a way to take the road down the ravine in the yellow.

72 Adam Castor, planner said it would go right down a ridge line.

73 Cory Pierce, engineer indicated that it is a tie-in point with the existing road.

74 Adam Castor, planner commented that with retaining walls that had a couple of tiers of maybe five to six foot retaining walls it would definitely help.

75 Dayna Hughes asked if it could be seen from space because you can see the current retaining wall in Elk Ridge from space.

76 Cory Pierce, engineer said it would be visible from the freeway.

77 Dayna Hughes asked how tall R.L. Yergensen's retaining wall is.

78 Adam Castor, planner guessed about 30 feet.

79 Dayna Hughes said the retaining walls along the said road wouldn't be that high.

80 Cory Pierce, engineer said code only allows up to 15 feet.

81 Nelson Abbott said there may not be height, but it will be made up for in length.

82 Dayna Hughes asked if the ridge has to be traversed. Obviously, the road has to be connected. She asked why the ridge has to be traversed.

83 Adam Castor, planner said that he thinks that alternative road alignments could be looked at. It is just a matter of where the road connects.

84 Nelson Abbott said this road is what the previous developer came in with huge cuts and fill and it was some of the driving force behind re-writing the code.

85 Further possibilities were discussed to avoid huge cuts and fill. It was discussed taking the road up the hill further and loop around. It puts the road way out south and makes for some sharp curves. Road grade issues would be a problem instead of cuts and fill.

86 Dayna Hughes asked about the other 40 percent grade portion on the other side of the plan. She asked if there would have to be a cut and fill there.

87 Adam Castor, planner said the cut and fill wouldn't be too bad there. A profile was not cut through there. It grades out okay. At edge of right of way, it was anywhere from four to six feet of cut and/or fill on one side or the other. It looks worse than it is because of the coloring on the plan, but it is not that bad.

88 Dayna Hughes asked if it would all be under eight percent.

89 Adam Castor, planner replied yes. Coming off of High Sierra Drive, it is basically just contouring. It's like two percent. It's a cross slope. So it is really not an issue. Visually, no one will see it. It is in a ravine and following the contour there.

90 Dayna Hughes asked exactly where it is and whether or not it will be visible from the freeway.

91 Nelson Abbott commented that Dayna Hughes could see it from her house and that side of Elk Ridge would be able to see it.

92 Adam Castor, planner indicated that it could be seen from the freeway if one was looking for it.

93 Dayna Hughes asked if putting a tunnel was an option. She pointed out that Mr. Castor and Mr. Pierce were the experts, but they couldn't approve the current plan because the citizens would not like it and it would be very controversial. There is no way to stub the road and have a bulb turnaround, but it is too far and it doesn't connect.

94 Nelson Abbott wondered why there couldn't be a loop on each side and not connect the road. If it is about having an in and an out, then there would be an in and an out with a loop. Mr. Abbott doesn't see why it is absolutely important to connect the two. He hasn't understood that from day one. There will be Salem Hills Drive that will eventually connect through. Hillside will swing over that direction too. If the people below the ridgeline have got more than one way out, then they are good.

95 Debbie Cloward asked where the stubbed roads on the plan go to. Are they cul-de-sacs or what?

96 Adam Castor, planner replied that those were roads planned by the Elk Haven Subdivisions A, B, C and D plats. Those were shown as going off wherever they were going to and stopped at property lines. Mr. Castor brought the roads that far just so he could look at intersection grades where they tie-in. He also indicated that there was potential to connect those roads to what is actually shown on the transportation plan.

97 Debbie Cloward said if there was some way that the road continued down and was a connection to something else so the cuts and fill didn't have to be addressed. She thinks that the plan isn't ever going to work.

98 Adam Castor, planner said it would work, but the question is how much money do you want to spend to make it work.

99 Dayna Hughes asked if a tunnel was a real possibility.

100 Adam Castor, planner said the developer would probably not want the cost.

101 Nelson Abbott commented that he remembers the road estimate from one side to the other being about nine million dollars to put the road in.

102 Adam Castor, planner said the planning commission would be surprised at what a difference it would make by even just a six foot retaining wall. Those drastically reduce that natural two to one cut or fill without any retaining wall.

103 Dayna Hughes asked under what circumstances would there be a six foot retaining wall.

104 Adam Castor, planner replied that it could be made however they wanted it to be.

105 Dayna Hughes said that would mean no sidewalk, reducing the width of the road.

106 Adam Castor, planner said it would be six feet tall at the edge of the right-of-way so there could still be a sidewalk

107 Cory Pierce, engineer commented that it reduces how far the scar goes up the mountain because they get a section of raising six feet over a foot and a half rather than making 12 feet.



134 Nelson Abbott commented that it decreases the slope from 30-40.

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139 It was discussed that the planning commission doesn't have to take any action on this to put it into the general plan because right now, they are protected and can dictate how they would like the road to be when a developer comes in to develop. They also discussed requirements such as heights of retaining walls and re-vegetation. All of the Elk Haven Subdivisions (A thru D) are expired and Elk Haven E has not proceeded with their plans. The road would have to connect from High Sierra Drive all the way to Hillside Drive.

140  
141 Nelson Abbott said in theory, it could connect over to Canyon View Drive or one of the roads that comes off and drops down into the canyon.

142 Adam Castor indicated that it could connect to Canyon View, but he didn't look too much into that option when drawing up the plan.

143 Dayna Hughes said there is a lot of green and it could be a possibility.

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146 It was decided not to do anything with it and leave it off the general plan. Down the road when someone does want to develop, maybe there are other options that could be explored. It's not worth spending the resources and time on this just yet. The road has to be complete with dual access before any homes are built.

149  
150 **APPROVAL OF 8/11/2011 PLANNING COMMISSION MEETING MINUTES**

151 There were not any changes made to the minutes of August 11, 2011.

152  
153 **DAYNA HUGHES MOTIONED AND RANDY JONES SECONDED TO ACCEPT THE MINUTES OF THE PLANNING**  
154 **COMMISSION MEETING OF AUGUST 11, 2011 AS STIPULATED. VOTE: YES – ALL (6), NO – NONE, ABSENT (1) –**  
155 **KELLY LIDDIARD**

156  
157 **CITY COUNCIL UPDATE**

158 Erin Clawson reported that the city council had their shortest meeting ever. There were some updates from the National Guard grading up to the water tank. The city council is still working with them to get that done. If not, the city will hire Noel Hiatt to do that this year. There was an update on the public works building and it is coming in under budget right now.

160  
161 Dayna Hughes asked if the road was going to be widened.

162 Erin Clawson replied that it is going to be widened and they are starting the trail system. The trail will go right along the road. There will be lines painted and designated as a trail. The funds will come from the parks and trails and be able to plant trees along there. The trail will be 10 feet wide. The building will look like a big garage. They approved up to \$40,000 extra so it looks nice. They do not know what the exterior will look like just yet.

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165 Dayna Hughes asked what the update was on the playground.

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167 Erin Clawson replied that the equipment has been delivered and they are waiting on the installer. Councilman, James Mayfield, said that it is a busy time of year for the school yards and they have to do those before their budget time ends so they are waiting for the installer. It has to be a certified installer because of the insurance money.

169  
170 Dayna Hughes asked what they are going to do about security.

171 Erin Clawson doesn't think that is even been discussed. They have the lighting, but they are just working on the installation of the playground because they need the asphalt to come in on a good weather day. She thinks someone was thinking about doing an eagle project to paint the light poles. Possibly before the snow falls.

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174 Kevin Hansbrow asked what is being done as far as traffic calming measures.

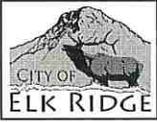
175 Erin Clawson said they are working on it. They have another eagle scout who will be doing more stop lines. And talking with some of the residents, they would like striping and she knows that is not a popular thing, but it is a traffic calming measure. The city council approved to spend \$1000 and Woodland Hills spent \$1000 and the county sheriff's department is spending the rest, which is \$6000 to have a speed trailer that does the whole analysis like the one that was borrowed from Eagle Mountain. They are always working on traffic calming measures. It just moves slowly. Ms. Clawson would like speed tables because they second as a cross walk.

180  
181 **OTHER BUSINESS**

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183 **ADJOURNMENT** – Chair, Kevin Hansbrow, adjourned the meeting at 7:51 p.m.

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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](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION - CANCELLED**

Notice is hereby given that the Elk Ridge Planning Commission has cancelled the regularly scheduled planning commission meeting at the date, time, and place listed below.

- Meeting Date - **Thursday, 10 November 2011**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION MEETING AGENDA**

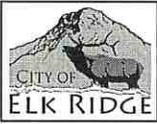
**CANCELLED**

**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, 18 October 2011 and delivered to each member of the Planning Commission on 18 October 2011.

Planning Commission Coordinator: *Maissa Bassin* Date: 18 October 2011





**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
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## **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission has cancelled the regularly scheduled planning commission meeting at the date, time, and place listed below.

- Meeting Date - **Thursday, 8 December 2011**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, 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, 2 December 2011 and delivered to each member of the Planning Commission on 2 December 2011.

Planning Commission Coordinator: *Maurisa Bassin* Date: 2 December 2011

