ELK RIDGE PLANNING COMMISSION

August 14, 2014

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, August 14, 2014, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

ROLL CALL

Commissioners: Ann Brough, Cory Thompson, Kelly Liddiard, Colin Logue, Kevin Hansbrow, Andy Costin, David Clark
Absent: Clint Ashmead
Others: Shay Stark, *City Planner*
Marissa Bassir, *Planning Commission Coordinator*
Mayor Shelley
Public: Jim Chase

OPENING ITEMS

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

APPROVAL OF AGENDA

There were not any changes to the agenda.

JULY 10, 2014 PLANNING COMMISSION MINUTES

There were not any corrections to the minutes.

COLIN LOGUE MOTIONED AND ANN BROUGH SECONDED TO ACCEPT THE JULY 10, 2014 PLANNING COMMISSION MEETING MINUTES AS CURRENTLY WRITTEN. VOTE: YES - ALL (7), NO - NONE, ABSENT - (1) CLINT ASHMEAD

TRANSPORTATION ELEMENT GENERAL PLAN PUBLIC HEARING

Shay Stark, City Planner explained the amendment to the general plan for the transportation element. The proposed arterial classification for Loafer Canyon Drive is a concern because of the proposed subdivision with Gary Hansen's Premier Point and Wendell Hansen's property. The transportation element map has Loafer Canyon Drive as an arterial street with a connection from Canyon View Drive coming across Wendell Hansen's property dropping down onto Loafer Canyon Drive and down to 11200 South. An arterial street is 110 feet wide. There is not enough room because of the hill on the east side and the drainage ravine on the west side. If the street were to be completed as an arterial, there would need to be a retaining wall and the ravine would need to be filled in. There may not be a need for two lanes both ways. There is also a large bluff coming off of Canyon View Drive. There was also more discussion on Canyon View Drive and connection to Goosenest Drive, as well as Loafer Canyon Drive. An arterial street cannot have driveways accessing it, only intersections. Is it justified to have an arterial street with all the environmental issues? Is it justified to have four lanes of traffic? There are 630 homes approximately in Elk Ridge and Elk Ridge Drive is single lanes each direction and even during rush hour, there hasn't been any huge issues with traffic being backed up. Mr. Stark doesn't think it is justified to have four lanes.
Colin Logue, PC, asked Mr. Stark if Canyon View could connect with Rock Mountain Way.
Shay Stark, City Planner explained the issues with connecting Canyon View with Rocky Mountain Way with the terrain and possibly having to purchase lots/homes to make it work. His opinion was to remove the bottom portion of the proposed Canyon View Drive and have the traffic go through the connection at Goosenest Drive or Rocky Mountain Way.
Some opinions of the planning commission were not favorable to the aforementioned proposal/opinion.
Colin Logue, PC, commented that the connection on Goosenest Drive would at least give residents an option. There are so many residents coming down from Canyon View Drive that could choose whether to use Elk Ridge Drive or go down Rocky Mountain Way.
Shay Stark, City Planner stated that it would be difficult to connect Rocky Mountain Way because of the "Y" development of the road and would create a blind spot. If the road were to connect straight into Rocky Mountain Way, the City would have to vary from the code.
Kevin Hansbrow, PC, commented that he knows the City tries to stay away from cuts and fills, but in some places there are not other options.
Shay Stark, City Planner indicated it was going to require some work, but there is a lot of material there to work with.
Kelly Liddiard, Chair, liked the idea of the area having a different way to exit rather than going over through Hansen's property.
Kevin Hansbrow, PC, thought it was a smart place to have a road to exit the city. He didn't think it was necessary to have four lanes on Loafer Canyon Road. Eventually the area would be built out and how would the residents then exit the city.

Kelly Liddiard, Chair, opened the public hearing at 7:22 pm.
Public, Jim Chase commented that an alternate route is always a good idea. You can never know what is going to happen down the road.
Colin Logue, PC, commented if there is a major accident or something on one of the major outlets, then what?
Kelly Liddiard, Chair, looks at the fire. If there was a fire and needed to evacuate everyone, there needs to alternate routes and Elk Ridge Drive would not be able to handle all of them. There would be residents using Goosenest and Woodland Hills, but the residents would need to get out of the center of town to get to those routes. If they could use Rocky Mountain Way, that would be great, but understands that the grade may not allow for it.
Kelly Liddiard, Chair, closed the public hearing at 7:24 pm.

Alternate options were discussed on how and where to connect Canyon View. There is a gas line that goes through the property. There is also a bluff that would be a problem to develop. Loafer Canyon road is being discussed because there has been an application submitted to develop Hansen's property. It was discussed to make the road a collector rather than a major arterial. The planning commission decided to do a field trip to view the property to gain more perspective. Gary Hansen would like to preserve the natural drainage ravine along Loafer Canyon Road.

This item was tabled until a field trip to the site was taken.

MODERATE INCOME HOUSING ELEMENT GENERAL PLAN PUBLIC HEARING

Shay Stark, City Planner explained that per state code the City is supposed to update the Moderate Income Housing in the General Plan. Specifically, state code states to "Promote Moderate Income Housing". There are five main points to the State Law. The City is supposed to estimate the existing supply of moderate income housing located within the city, estimate the need for the next five years and revise every two years. The City is supposed to take a survey of the total residential land use, which was just completed for the capital facilities plan for water. The City has to evaluate how the City's regulations and policies affect opportunities for moderate income housing. The city is supposed to describe how to encourage Moderate Income Housing. U.S. Fair Housing refers to it as "affordable housing" and state law refers to it as moderate income housing. What is the definition of affordable? Anybody can afford to buy housing.

Kevin Hansbrow, PC, commented that it is a percentage of a person's income.

Shay Stark, City Planner explained that the law in Utah states that the definition for moderate income housing is "Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income for households of the same size in the county in which the city is located". The median income in Utah County is $64,200. Elk Ridge's median income is $80,871, but the information has to be based off of the county median income. Mr. Stark displayed a table describing the different tiers for the moderate income housing, which will be placed in the General Plan. How do they promote moderate income housing?

David Clark, Co-Chair, said that the city can't force residents to sell their homes for less and can't have a builder build a home for less. They can't control the housing market. Three years ago, there was a market of lower priced homes, but not now. Does the state look at the inflation?

Shay Stark, City Planner indicated that the numbers are adjusted yearly. It all comes from the fair housing law. The state is just implementing the fair housing law. Ultimately, it is saying that no city can discriminate against certain types of people, low incomes.

Ann Brough, PC, asked if the self-help homes fall under the moderate housing.

David Clark, Co-Chair, said that the city doesn't discriminate, but the market does.

Shay Stark, City Planner explained that Self-Help Homes can take people that make an income of $29,000 a year up to the 80 percent AMI. If someone wanted to build a Self-Help Home, one could qualify if they make $35,000 a year based on the median income of $64,200 in the county.

Cory Thompson, PC, asked how much those homes are worth.

Shay Stark, City Planner stated that the one Self-Help home that is for sale is $250,000. The valuations on the Self-Help Homes that are on the County site are equal to the homes surrounding them. Mr. Stark continued explaining where Elk Ridge sits with the existing homes and showed the City has tried to "encourage" moderate income housing with Self-Help Homes, as well as townhomes, that have been approved to build, but have not been built yet. In a hillside community, the environmental factors cause the cost of construction to be a lot higher. The City cannot do anything about that fact. In the plan, it is stated that the reality is that it is all market driven. A developer cannot be forced to build low income housing. As a City, the ordinances need to be in place and written to where it doesn't discriminate. In the City code, there is a PUD overlay zone, as well as a senior housing overlay zone. There are ordinances covering the elderly and homes for disabilities. There is also an appeals process where if there is a fair housing issue that comes about, they can appeal and the city has the reasonable accommodation code that would allow for a variance.

Kelly Liddiard, Chair, opened the public hearing at 8:12 pm.
There was not any public comment.
Kelly Liddiard, Chair, closed the public hearing at 8:12 pm.

KEVIN HANSBROW MOTIONED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL OF THE AMENDED MODERATE INCOME HOUSING ELEMENT OF THE GENERAL PLAN AND MOVE FORWARD TO THE CITY COUNCIL FOR ADOPTION. VOTE: YES – ALL (6), NO – NONE, ABSENT (2) CLINT ASHMEAD, CORY THOMPSON

LANDSCAPING REQUIREMENTS

Shay Stark, City Planner indicated there was a question as to whether or not Arive Homes in Elk Ridge Meadows Phase 5 was required to landscape. It turns out the ordinance was changed in 2008 so they are not required to have the landscaping completed before certificate of occupancy.

Kevin Hansbrow, PC, commented that the home owners are required to have the landscaping complete within two years and not at the certificate of occupancy.

David Clark, Co-Chair, asked if it was only a requirement with Salisbury with phase 2.

Shay Stark, City Planner explained that in 2008, the code was amended. Phase 1 had a restatement of the development agreement and there was a requirement to have the homes landscaping completed before certificate of occupancy. Phase 2 didn't amend the development agreement because the requirement for landscaping was already in the CC&Rs for Elk Ridge Meadows Phase 2. So it wasn't a requirement for future phases and isn't a requirement for the city at the current point. Does the planning commission want to

require front yard landscaping before the certificate of occupancy is issued? If the City requires landscaping before the c of o, then every home is going to have the same landscaping within a subdivision.

David Clark, Co-Chair, said it is better than weeds and dust and dirt. Currently, the City is not enforcing the backyard policy. Doesn't it say that the backyard landscaping must be done within two years?

Kevin Hansbrow, PC, explained that if there is a sight-obscuring fence, it doesn't have to be complete. The weeds still need to be cut down.

Shay Stark, City Planner also asked if two years is too long period of time.

Colin Logue, PC, agreed it was too long of time.

Shay Stark, City Planner explained another conflict in the City code that exempts subdivisions from even having to have landscaping complete within 24 months. His recommendation is to remove the phrase in paragraph H, "built on lots not constructed as part of a subdivision". Then it will apply to everybody.

Kelly Liddiard, Chair, said he was fine with everyone having landscaping complete with 24 months because the contractor is just going to add it in as the price of the house so there will be less amenities with the house. It isn't unreasonable.

Shay Stark, City Planner will work on an ordinance and will bring it forth for a public hearing to approve it.

PUD OVERLAY ZONE ORDINANCE

Shay Stark, City Planner indicated that the planning commission had discussed the item about a month ago and wants to get some clarification of what the planning commission would like to do with the PUD overlay zone. Some adjustments need to be made to the multi-family units to address some of the problems that arose with Horizon View Farms. The reality for the single family lots under the PUD overlay is that they don't work. A developer can't meet the density bonus and meet the other parts of the code, such as the setbacks, minimum 4,000 square foot buildable area. When all comes together on a 12,000 square foot lot or even a 15,000 square foot lot, unless there is a nice, clean rectangle lot, it doesn't work. There really isn't a benefit for the developer to use the PUD overlay because they actually lose lots.

Colin Logue, PC, asked if the City were to change the PUD overlay, would it mess up the moderate income housing report that was just discussed.

Shay Stark, City Planner didn't think it would mess anything up because we still have a PUD ordinance for use that could possibly help and provide a variety of housing, but currently, it doesn't work out to be a benefit for the developer. So there wouldn't be anyone requesting to use it.

Kelly Liddiard, Chair, commented that if a developer is doing that kind of development, they should be looking at the code.

David Clark, Co-Chair asked if it did work out at one time.

Shay Stark, City Planner didn't think it ever really did pencil out because the code was never tried out and tested.

Kelly Liddiard, Chair, thought it was discussed that there really wasn't anywhere else where a PUD could be used for future development.

Shay Stark, City Planner said that the PUD code could be left the way it is and more than likely there wouldn't be any developer that would come in and utilize the single family portion. The other option is to clean it up so it works, possibly adjust setbacks so the lots could fit a third car garage. If the planning commission wants to keep the PUD code, then it would need to be adjusted so the developer could get the density bonus to encourage development. The PUD overlay can apply anywhere within the city. A developer just has to request the overlay.

Kevin Hansbrow, PC, suggested just going on a case by case basis, whether a developer comes to ask for a PUD Overlay.

Kelly Liddiard, Chair, commented that he understands that the house has to be able to fit on a lot. If the city is letting the developer use the PUD overlay for smaller lots, then the setbacks could be adjusted in a PUD overlay.

Shay Stark, City Planner provided another option of having the PUD overlay and not necessarily having the developer give 25% in open space, but have the developer spend the money on a park that is planned for elsewhere in the city. The City would get the value out of it, but it is just somewhere else where the City has already planned a park.

Kelly Liddiard, Chair, doesn't think at the current time, the developer is looking for the density. They are looking for the value of the lot and an upper scale. He doesn't see that another PUD is going to be developed, but clean up the code so if one does, then it will work.

Shay Stark, City Planner explained that with the multi-family housing, does the City want to be set up to protect the City if a PUD does come in. Does the city want to require fencing as part of the code? Should there be a more stringent requirement on the architectural features? Should there be more trees required as a buffer? Should the City try to address some of the issues that arose with Horizon View Farms?

Kelly Liddiard, Chair, suggested doing something more like senior housing, one-level homes, instead of a townhome.

WATER CONSERVATION

Shay Stark, City Planner thought that the water conservation could fall within the modification of the city standards. The yards are being watered with culinary water because there isn't an irrigation system. There are a lot of areas in town that have high pressures. The residents with yards with the high water pressure are using a lot more water than they think they are using because a lot of the water is coming out more as a mist, instead of drops. So a lot of it gets absorbed into the air. Elk Ridge is using almost double the water than other cities that use culinary water for irrigation. Elk Ridge should be using less water because of the higher elevation. A solution is to put a PRV on the irrigation system so the pressure can be dialed down and save water and money. If there is a surge of pressure, it will blow out the irrigation valves so by having a PRV, it can protect those valves.

Further discussion took place to regarding PRV's, money saved and money spent on the PRV's. The PRV's are not drainable so they would have to be winterized. The conclusion was to put the money saving tip of a PRV into the newsletter, do some research and provide some options that would be viable for the resident. Maybe educate the residents with a water conservation class and offer a discount for PRV's. Some explanation of how much money residents have saved by installing PRV's would be helpful, as well.

Mayor Shelley explained that the City was going to offer a class to educate residents on noxious weeds and they would receive a free gallon of Roundup.

Kelly Liddiard, Chair, suggested putting the PRV requirement in the code and at the very least, in the newsletter. Research needs to be done before creating code because it needs to be done right and how would the code be enforced. New construction would be required to install the PRV with their sprinkling system, but if they aren't required to have their landscaping complete for two years, a certificate of occupancy could not be held. It would have to be stubbed out.

TRAILS DISCUSSION

This agenda item was tabled until the next meeting.

CITY COUNCIL UPDATE

Mayor Shelley reported that the city council held a public hearing for a proposed tax increase, but the presentation didn't happen properly so the tax increase was not approved. The City has been borrowing from the savings to balance the budget and now the City has to spend more money because of inflation. Therefore, the City will have to continue with the same tax rate and cut the budget. There will have to be additional truth and taxation hearings in the upcoming years because there is a need to raise taxes.

KELLY LIDDIARD MOTIONED AND KEVIN HANSBROW SECONDED TO ADJOURN THE PLANNING COMMISSION MEETING. VOTE: YES - ALL (7), NO - NONE, ABSENT - (1) CLINT ASHMEAD

ADJOURNMENT –Chair, Kelly Liddiard, adjourned the meeting at 9:10 p.m.

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Planning Commission Coordinator