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5 **ELK RIDGE PLANNING COMMISSION**

6 **May 12, 2016**

7 **TIME AND PLACE OF MEETING**

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

9 **ROLL CALL**

10 *Commissioners:* Stacey Peterson, Bruce Thorpe, Jim Chase, Paul Crook, Gregg Anderson  
11 *Absent:* Colin Logue - Alt (recovering/back surgery), Lisa Phillips (son has concert), David Clark (out of town)  
12 *Others:* Mayor, Hal Shelley  
13 Shay Stark, *City Planner*  
14 Brianne Bailey, *Planning Commission Coordinator*  
15 *Public:* Garrett Palombo, Tecia Palombo, Dean Ingram  
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17 **OPENING ITEMS**

18 Stacey Peterson welcomed at 7:05 PM. Opening remarks were said by Stacey Peterson followed by the pledge of allegiance. Stacey Peterson welcomed Bruce Thorpe as a Planning Commission member. Colin Logue has been changed to the Alternate Planning Commission member.  
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22 **APPROVAL OF AGENDA**

23 There were not any changes to the agenda.  
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25 **GREGG ANDERSON MOTIONED AND JIM CHASE SECONDED TO APPROVE THE AGENDA AS CURRENTLY WRITTEN. VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) COLIN LOGUE, LISA PHILLIPS, DAVID CLARK**  
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28 **ACTION ITEMS**

29 **1. REVIEW AND APPROVE MEETING MINUTES FOR 4/28/2016**

30 No action taken at this time.  
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33 **2. DECISION ON FINAL AMENDMENTS TO THE PLANNING COMMISSION BY-LAWS**

34 Gregg Anderson was ok with how everything was worded. Bruce Thorpe had a question on Page 5, #7 which states applicants or interested parties should submit written materials by Thursday at noon one week prior to the meeting and the last sentence states that written comments may be brought at the time of the meeting and in his opinion it sounds contradictory. Shay Stark recommended that if the submitted material is brought the night of the Planning Commission meeting it will not be considered for action at that meeting.  
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39 **BRUCE THORPE MOTIONED AND GREGG ANDERSON SECONDED TO APPROVE THE PLANNING COMMISSION BY-LAWS WITH THE ONE EXCEPTION THAT WRITTEN COMMENTS WILL NOT BE CONSIDERED FOR ACTION AT THAT MEETING. VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) COLIN LOGUE, LISA PHILLIPS, DAVID CLARK**  
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43 **3. HARRISON HEIGHTS PHASE 6 FINAL PLAT APPROVAL**

44 Shay Stark explained a memo he prepared for this development and explained that everything meets code and construction standards and looking at a final plat it's more of an engineering perspective. He stated that he ran into one issue that was in regards to the cul-de-sac description for Harrison Heights Phase 6. Currently the cul-de-sac is about 500 feet from the center to the perpendicular road. Shay Stark stated the description of the cul-de-sac codes are contradicting because one code states the minimum is 1000 feet and one codes states the minimum is 500 feet and if approved, Planning Commission will need to have an exception of up to 500 feet and that way we are covered by the strictest standard we have as code. Stacey Peterson asked what the difference is between the longer or shorter distance in the lengths of the cul-de-sac. Shay Stark replied if there was an emergency that it helps to get everyone out and to safety and get the emergency vehicles in and emergency response teams will want to preserve lives first before proceeding forward with the emergency. He explained initially the idea of 400 feet is the same as the length of fire hose so he isn't sure if that's where the 500 feet comes from on the exception for the cul-de-sac. Shay Stark explained that everything complies so far. He explained the well drilling is looking good, that they are sitting on gravel and are confident they will hit water. He also explained the Cloward well is a protected well which means you can't use or store chemicals nearby, so we will need to look into a protection zone and what the limits are for the Harrison Heights Phase 6 development. Shay Stark explained the sewer lines may need couplings on each end of the sewer to help with the protection zone. He feels confident we can approve Harrison Heights Phase 6 as it is and calculate the zone of the sewer. Jim Chase asked what the slope is on the cul-de-sac. Shay Stark replied the slope is at 5% going into the cul-de-sac. Dean Ingram explained it sits really nice and looks great.  
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59 **GREGG ANDERSON MOTIONED AND JIM CHASE SECONDED TO APPROVE HARRISON HEIGHTS PHASE 6 WITH THE 500 FOOT EXCEPTION FOR THE CUL-DE-SAC. VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) COLIN LOGUE, LISA PHILLIPS, DAVID CLARK**  
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#### 4. DISCUSSION/DECISION OF PROPOSED LANDSCAPING CODE AMENDMENTS, SECTION 10-12-36

Shay Stark explained they are looking at a one year period to put in the landscaping for the single family dwellings and they will be required to pay a deposit that will be held for 3 years and it will be forfeit if the landscaping is not completed within that period of time. Bruce Thorpe explained he wasn't at the last meeting and wanted to know what caused the changes in the Landscaping Codes. Mayor Shelley explained the city can't force people to do all of these requirements and these new amendments to the landscaping codes would give residents a broader opportunity and time frame with options on their own terms. Mayor Shelley would like to see people be equal to the home they are in with their yards. Dean Ingram stated everyone is different and wants to do what they want and have options. He explained until the home is built landscaping designs change. Mayor Shelley explained it works better to landscape yard once home is already built because for some people reading grading lines on blue prints are hard to read and very few are able to landscape until the home is built and they can see it. Dean Ingram explained once the deposit is set the homeowner can do the landscaping or he can hire landscapers to do it. Mr. Ingram feels this will help with the code enforcement side of things so the city will not be so negative to the homeowners. Stacey Peterson asked will this incur more administration costs. Mayor Shelley explained that is definitely an issue that needs to be addressed. Shay Stark explained the deposit amount will be \$2,500 and he feels that this is a good amount and pretty fair for landscaping. Stacey Peterson asked if the homeowners have to wait the 1 year to get the deposit refund back if the landscaping is completed within that year. Mayor Shelley explained the landscaping deposit will be refunded fairly quick depending upon completion of the landscaping and inspection. Shay Stark stated the multi-family side of things will be a little bit different and doesn't think that you can require a bond on private improvements, the laws have changed that cities can no longer require those improvements. He isn't sure if private streets will be held responsible or not or if the city codes will apply to them. He is waiting to hear back from David Church the city attorney if this is true or not or if they will need to follow city landscaping codes. Shay Stark explained during a multi-family dwelling they will need to tear up the lawn to move to the second dwelling which is not necessary, so he is suggesting that we give multi-family homes 1 year to complete with a bond. He is hopeful that David Church will get back to him and say that everything is ok, but if not another option will be to wait until the last unit is completed in a multi-unit dwelling before issuing the Certificate of Occupancy, which is similar to the single family homes. Jim Chase explained as he was reading into these amendments it reads there is a cash bond of 125%. Shay Stark stated that will need to be looked into if we can allow a bond or not but with multi-unit developments we would have a development agreement as part of the preliminary approval and make sure all of the specific options and amenities are clearly stated. Dean Ingram recommended that we have CCR's in the development agreement. Shay Stark's recommendation is to move this forward with approval to City Council with the exception to utilize the bond on the multi-family dwellings or commercial dwellings upon David Church's approval and make revisions removing the requirement of the Certificate of Occupancy with the first unit and by the time the public hearing is held he is hopeful there will be answers from David Church regarding the bonds. Bruce Thorpe stated that Paragraph E, Section G. on street trees may need to have some clarification on the effective date of these proposed amendments. Shay Stark explained once all of this is approved there will be an effective date that the Mayor will sign after City Council approves it and the effective date will be the City Council approval date or 20 days after the City Council Approval date. Jim Chase explained the effective dates will most likely be new going forward and the past codes are grandfathered in. He also explained he wasn't sure about these amendments at first but now he likes the flexibility with the revised codes and likes what it has turned out to be and the options homeowners will have. Dean Ingram stated he feels this covers all the bases and that it's a win win. He thinks the Planning Commission body we have right now is doing a great job.

**GREGG ANDERSON MOTIONED AND STACEY PETERSON SECONDED TO APPROVE THESE AMENDMENTS AND SEND THIS TO CITY COUNCIL BASED ON UTILIZING THE BOND FOR MULTIPLE DWELLINGS AND REMOVE THE WORDING LANDSCAPING BY THE 1<sup>ST</sup> UNIT FOR MULTIPLE DWELLINGS, WITH THE ADDITION OF REMOVING ITEM D4 AND PART OF #2, WHICH REMOVES STATEMENTS TO WEATHER RELATED DELAYS.  
VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) COLIN LOGUE, LISA PHILLIPS, DAVID CLARK**

#### PLANNING COMMISSION BUSINESS

#### 5. PRESENTATION ON THE CITY SURVEY RESULTS

No discussion at this time. Waiting for the city survey results, they are not completed yet.

#### 6. DISCUSSION ON AMENDMENT OF PROPOSED ACCESSORY BUILDING CODES, SECTION 10-12-05

Jim Chase provided documents on other cities and the codes they use and likes the idea of portable sheds. Mayor Shelley asked if the setbacks were addressed. Jim Chase replied yes and that is all explained in Section D, the homeowners can't have any Accessory Building before the front wall plane of the home. He also explained the Accessory Building may not cover 25% of the side and rear yard and not more than 10% of the total lot area. Garret Palombo, public comment, stated the current code now is 16,000 sq. ft. to 17,000 sq. ft. to all of the back yard, which is very small because they have a big back yard and were wondering what these new codes would cover. Shay Stark explained the amendments will basically double the current size but the accessory building still can't cover more than 25% of the side and rear yard. Bruce Thorpe asked if this covers car ports, and are they considered a building or not. Shay Stark explained this language will need to be clarified and he explained the way these amendments read if the structure is detached it is considered an accessory building and if it's attached to the house it will need to follow all of the current codes. He also explained if you put in a car port or structure that has 4 poles with concrete in the ground then no building permit is required, if the structure requires footings then it needs a building permit which requires inspections and any power being ran to that structure will need inspections as well. Shay Stark explained we will need to have a form filled out if power is being run to the accessory building so we will have documentation on that. He explained we will need to look into this further and see if there is any other language on self-standing carports or roof only structures. Jim Chase explained we need to make sure the square footage is limited to the structure as well. Bruce Thorpe mentioned he would look into this and see what information he can come up with on defining the language of car ports. Shay Stark explained we need to clarify the language on car ports regarding the 25% coverage of the side yard and the rear yard, and make sure we have the setback minimums covered and clarified in these amendments regarding the structure.

133 **7. DISCUSSION ON COMMERCIAL SIGNAGE/DESIGN CODES, SECTION 10-7A**

134 Jim Chase discussed the documents he prepared, he looked into other cities and what their commercial design standards are as a starting point. Shay  
135 Stark feels this is a great start to what we want this community to look like. Jim Chase would really like to see people come to Elk Ridge because of  
136 the atmosphere and asked what type of commercial atmosphere we want for Elk Ridge that would draw in commercial benefits. Mayor Shelley  
137 explained that every time there is a budget talk or meeting almost exclusively the talk is about what the city needs to cut. He asked will commercial  
138 development impact residents moving or living here which is a big factor in this. Mayor Shelley explained he had a resident come up to him the  
139 other night that was sure commercial development would not make it here at all. He loves the bedroom community feel to Elk Ridge and just wants  
140 to make sure this is the right decision. He explained if residents don't want commercial then they will need to pay higher taxes and a lot of residents  
141 are ok with that but we are waiting on the survey results to find out for sure. Bruce Thorpe stated we really need to make a decision on if we really  
142 want a bedroom community or not and is fascinated to see what the city survey results will show. Mayor Shelley really wants to see as many  
143 residents as possible come to the Truth in Taxation meeting to discuss a tax rate increase and see those against it and for it but the reality of it is that  
144 most who come to the Truth in Taxation meeting are opposed to it and the tax increase gets cut. Stacey Peterson and Mayor Shelley asked all  
145 Planning Commission members to review these codes and really take the time to look into all the options and do the research. Jim Chase feels it  
146 might help to compare the 2007 City Survey with the current 2016 City Survey and see where we are at now with what the residents want in the  
147 community. Mayor Shelley explained Ty Ellis is working hard to get the survey results together.

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149 **8. DISCUSSION/REVIEW OF THE GENERAL PLAN**

150 No discussion at this time. Waiting for the city survey results.

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153 **CITY BUSINESS**

154 **9. CITY COUNCIL UPDATE**

155 Mayor Shelley explained the Elk Ridge City Celebration will be on June 24<sup>th</sup> and June 25<sup>th</sup> this year.

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157 **10. OTHER BUSINESS**

158 Mayor Shelley explained at the last Planning Commission meeting only about one committee member spoke up and he asked them this time going  
159 forward to please speak up and help with research and participation and he feels this was a very well run meeting and we need to continue this. He  
160 feels that Dean Ingram's comment on this being a great Planning Commission body was right and he is very pleased. Shay Stark said one more item  
161 he would like to bring up is that Parkside Cove asked about lighting on the trail because it's basically a senior community and the developers are for  
162 this and want to line the trails with them. He explained we need to look into this more and use the down facing lights that will not affect the dark  
163 sky community that homeowners are wanting. Shay Stark feels we need further discussion and clarification with this issue.

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165 **JIM CHASE MOTIONED AND GREGG ANDERSON SECONDED TO ADJOURN THE MEETING.**  
166 **VOTE: YES - ALL (5), NO - NONE, ABSENT - (3) COLIN LOGUE, LISA PHILLIPS, DAVID CLARK**

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168 **ADJOURNMENT** – meeting adjourned at 9:15 pm

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Planning Commission Coordinator