

NOTICE OF MEETING
HILLSIDE REVIEW BOARD
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Hillside Review Board of the City of St. George, Washington County, Utah, will hold meetings at the referenced site on **Wednesday, August 24, 2022**, commencing on-site at approximately 8:30 a.m.

The estimated site times are in bold. The agenda for the meeting is as follows:

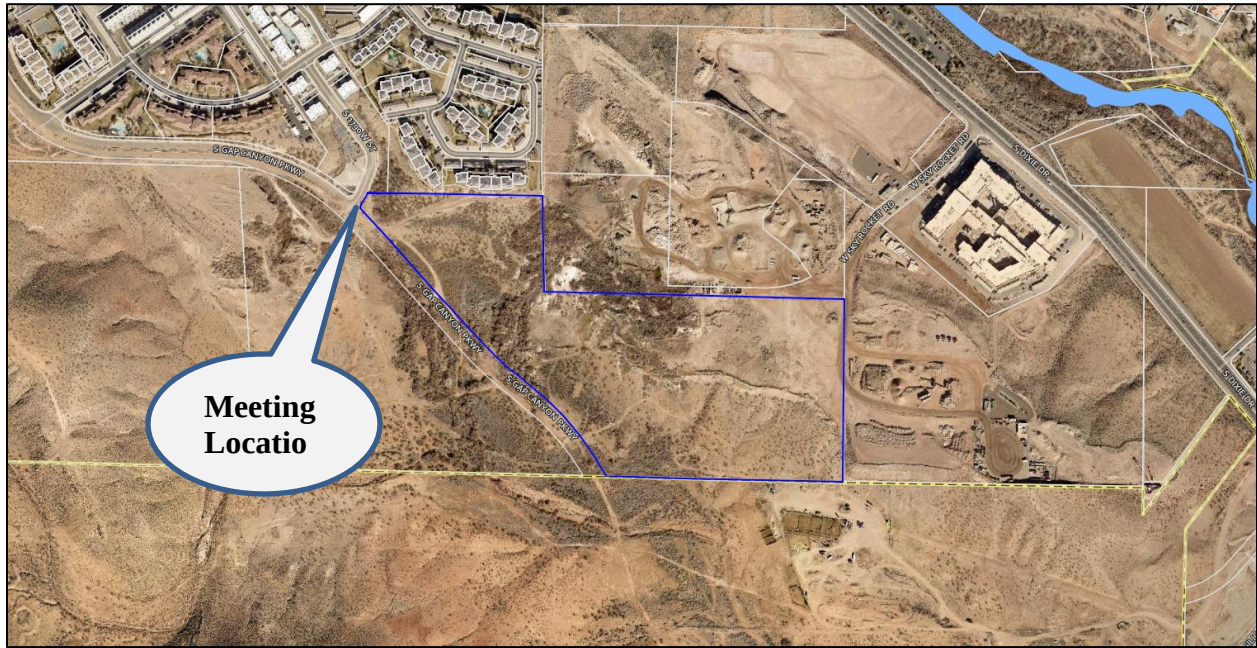
1. Consider a request for a hillside development permit at the Divario Development. The applicant is requesting that the Hillside Review Board consider the unimprovable open space designated on the Divario land use map to be improvable on PA-1 (Planning Area 1). The property is currently zoned PD-R (Planned Development Residential). The property is generally located south-east of the Gap Canyon Pkwy and 1790 West intersection (*See 'Meeting Place' exhibit below*). The applicant is St. George 730, LLC. Case No. 2022-HS-014. **Meeting time is approx. 8:30 am**
2. Consider a request for a hillside development permit at the Divario Development. The applicant is requesting that the Hillside Review Board consider the unimprovable open space designated on the Divario land use map to be improvable on PA-2 (Planning Area 2). The property is currently zoned R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size). PA-2 is generally located south-west of the Gap Canyon Pkwy and 1790 West intersection (*See 'Meeting Place' exhibit below*). The applicant is St. George 730, LLC. Case No. 2022-HS-013. **Meeting time is approx. 8:30 am**
3. Consider a request for a hillside development permit to adjust the location of the ridgeline and ridgeline setback on lot 89 of the South Rim at Foremaster Ridge Phase 4 subdivision in anticipation of the construction of a residential home. The property is generally located at 1751 Ridgeline Circle and is currently zoned Single Family Residential, minimum lot size 10,000 sf (R-1-10). The applicant is MG Homes, LLC, Carl Ford. Case No. 2022-HS-015. **Meeting time approx. 10:00 am**
4. Consider approval of the meeting minutes from August 3, 2022.

Carol Davidson, AICP
Senior Planner
Development Services

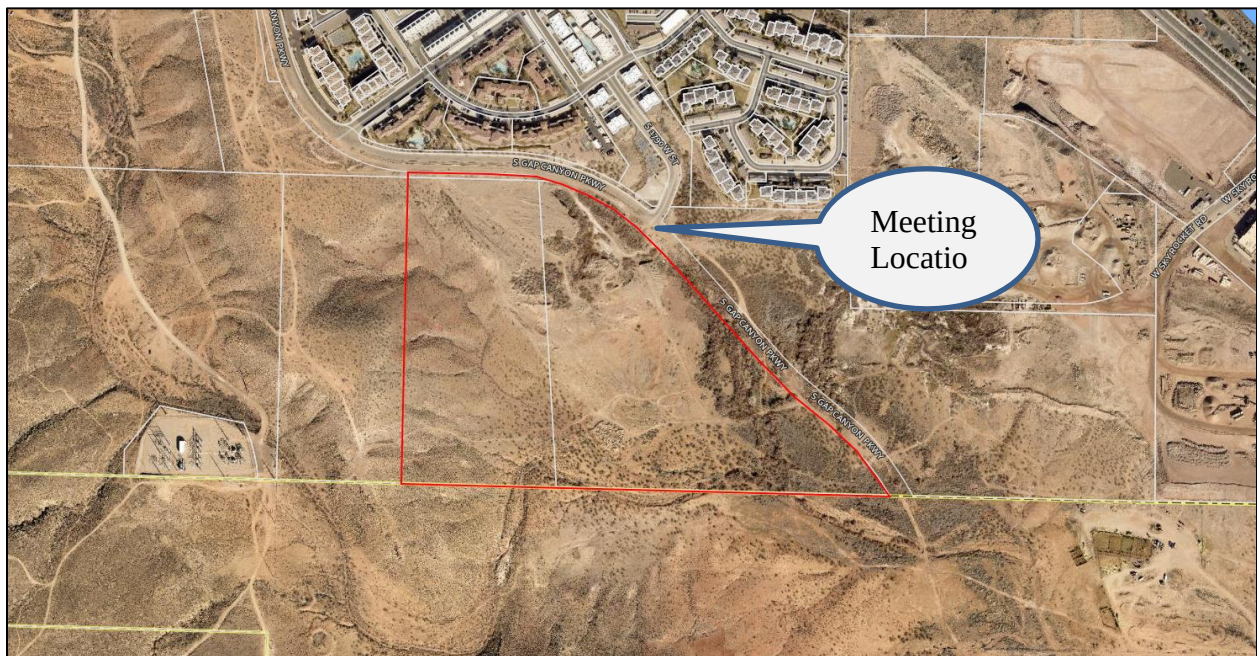
Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance if you have special needs.

Meeting Locations

Item #1 Intersection of Gap Canyon Pkwy & 1790 West



Item #2 Intersection of Gap Canyon Pkwy & 1790 West



Item #3 1751 E. Ridgeline Circle



Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: **08/24/2022**

HILLSIDE DEVELOPMENT PERMIT

Divario (Formerly “The Lakes”) PA-1

Case No. 2022-HS-014

Request: This is a request for the Hillside Review Board to review the unimprovable open space in PA-1 (Planning Area 1) and consider it to be changed to improvable open space. More on this request will follow.

Hillside History: 1) 2005 - Case No. 2005-HS-013 “The Lakes” (7/21/2005 - agenda item #2) – An overall conceptual hillside development permit review for 730 acres. Rosenberg Associates.

2) 2008 - Case No. 2008-HS-006 “PA-17” The Lakes (7/16/2008) – 12.30 acres. Rosenberg Associates.

3) 2008 - Case No. 2008-HS-012 (10/30/2008) Determine which PA areas have sensitive slopes and will require future hillside meetings for subdivisions; being PA-3, PA-4, PA-12, PA-13, PA-14, PA-15, PA-16, and PA-17 will require HS review (Note: PA’s # 1, 2, 4, 5, 6, 7, 8, 9 (if less than 10 ft.), 10, 11, & 18 will not require hillside review).

4) 2016 - Case No. 2016-HS-001 (1/20/2016) – Approx. 45.73 acres. The Hillside Review Board met and reviewed PA-14 and PA-16 and at that time approved the exclusion of washes and rock outcroppings in these 2 areas. However, following that review meeting, Rosenberg Associates met with City staff to revisit two additional rock outcroppings that were not looked at as closely by the board. One of these was located in PA-14, labeled as Item #1. Following the meeting with City staff it was determined to re-design the lot layout and grading around the feature and preserve it as a subdivision amenity in order to avoid scheduling another hillside review board meeting. The project design proceeded with that feature preserved.

5) 2021 – Case No. 2021-HS-001 (01/27/2021) – Approx. 19.78 acres. The Hillside Review Board reviewed a request for PA-9 to allow cuts and fills in excess of 10 feet in height. This was a requirement from the original hillside review in 2008. This was ultimately approved by the City Council.

6) 2022 – Case No. 2022-HS-003 (01/26/2022 & 02/23/2022) – Approx. 35.64 Acres. The Hillside Review Board reviewed a request for PA-4 to allow construction in areas designated between 20% -39%. They also reviewed the

preservation of a small wash that runs through that area. Ultimately the City Council approved the hillside permit.

7) 2022 – Case No. 2022-HS-004 (02/23/2022) – Approx. 9.47 acres. The Hillside Review Board reviewed a request for PA-18 to allow the developer to fill in an area of a wash that had been piped and was no longer used as a drainage area. The City Council approved the request.

8) 2022 – Case No. 2022-HS-012 (07/27/2022) – Approx. 6,500 sq ft. (0.14 acres). The Hillside Review Board reviewed a request to allow the applicant to construct in the area shown on the slope map labeled 20-29%. This was specifically in the PA-3 area which is situated just west of the Canyon View Drive and Gap Canyon Parkway. This request is still under review at this time.

Exhibits Provided:

1) Exhibit A - Overall Divario Land Use Plan

“Exhibit A” in the packet shows the overall Land Use Plan which details which areas are to be low density, medium density, high density, and open space. The open space designation is further broken down to “Improvable Open Space” or “Unimprovable Open Space.”

2) Exhibit B – Slope Map

When Divario was reviewed in 2008, part of that review was an overall Hillside review of the entire project. That review determined that further review of hillside items was not required in certain areas (see Exhibit B). PA-1 was one of the areas determined to not need further review.

Background:

Open Space - The total proposed undisturbed open space and improved open space area for “The Lakes” will be approximately 217 acres (*which is about 30 % of the total project area*).

Unimprovable open space is to be left open with no improvements. It is to be left in its current, natural state. Unimprovable open space should not be included to determine residential densities.

Improvable open space is space that may be improved, graded, incorporated into parks & trails, etc. This type of open space may be used to calculate densities.

“Exhibit A” depicts areas that have been identified as unimprovable and improvable open space. The applicant is requesting that the Hillside Review Board consider areas now required as unimprovable to be changed to improvable.

Manmade Slopes - Manmade slopes were identified and excluded (see blue area in “Exhibit B”)

Exclusions - The hillside board allowed exclusions for small washes and rock outcroppings (see pink area in “Exhibit B”)

Future Hillside Review - In 2008 the Hillside Board didn’t visit all the small washes and outcroppings but left them for future consideration as plans would be submitted (with subdivisions). It was determined that some would require further review by the Hillside Board.

Owner: Circolo Villas, LLC

Location: PA-1 is generally located south-east of the Gap Canyon Pkwy and 1790 West intersection.

Acreage: 31.52 Acres (3.43 Acres Open Space)

Zoning: PD-R (Planned Development Residential)

Powers & Duties: Section 10-13A-8.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations to “adopt, modify or reject a proposal” to the Planning Commission (PC).

Permit required: Section 10-13A-7 requires that all major development (i.e., cut greater than 4’, etc.) on slopes above 20% requires a ‘hillside development permit’ granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

Applicable Ordinance(s):
(Selected portions)

10-13A-1: Density and Disturbance Standards

A. The hillside development overlay zone (HDOZ) limits development densities and provides specific development incentives to transfer underlying zone densities from hillsides (sending areas), to less steep slopes or more safe development areas (receiving areas), within a development.

Percent Natural Slope	Dwelling Units (DU) / Acre
0-19	See underlying zone
20-29	2 DU/acre, provided the units are clustered on 30 percent (30%) or less of the land area within this slope category. 70 percent of this slope category shall remain undisturbed. The 70 percent area is based upon the overall area/development rather than per lot. Also see subsections A1, A2, and A3 of this section.

30-39	1 DU/10 acres, provided no more than 5 percent (5%) of the site is disturbed, and 95 percent of the site remains undisturbed. If the cumulative area is at least 1 acre but less than 10 acres, the cumulative area shall be allowed 1 DU.
40	Development is not permitted (0%), <u>except</u> as provided for in subsection A4 of this section.

Section 10-13A-1: Density and Disturbance Standards

F. The applicant may:

1. Transfer all development density from steeper slope categories (sending areas), to areas within the development with natural slopes of twenty percent (20%) or less (receiving areas); and
2. Develop additional bonus density, calculated from each slope category, as follows:
 - a. Natural slopes twenty percent (20%) or less transferred on a one-to-one (1:1) unit basis; plus
 - b. One (1) additional density unit for each density unit transferred from natural slopes of twenty-one percent (21%) to thirty percent (30%); plus
 - c. Two (2) additional density units for each density unit transferred from natural slopes of thirty-one percent (31%) to forty percent (40%).
3. Unit calculation for the receiving area shall be based on the requirements of the sending area zone.

G. Density transfers to the receiving area may occur without a zone change within the receiving area even though the resulting density or configuration may exceed the density limits of the receiving area zone. Other than density, the receiving area's zoning requirements apply to development in the receiving area. For instance, lot sizes may vary, but single-family zoning districts only allow single-family detached dwellings.

H. If the applicant proposes to develop within the twenty-one percent (21%) to forty percent (40%) slope area, the applicant cannot employ partial density transfers from the sending area and must propose a design, site development plans, and a grading plan that blends and harmonizes all aspects of the proposed development into the natural topography, and that minimizes road cuts and fills.

I. Non-disturb areas within a residential lot as shown on the slope analysis map shall not be used to calculate minimum lot size.

J. Disturbance standards do not apply to the city for limited city facilities: trails, parks, and utilities.

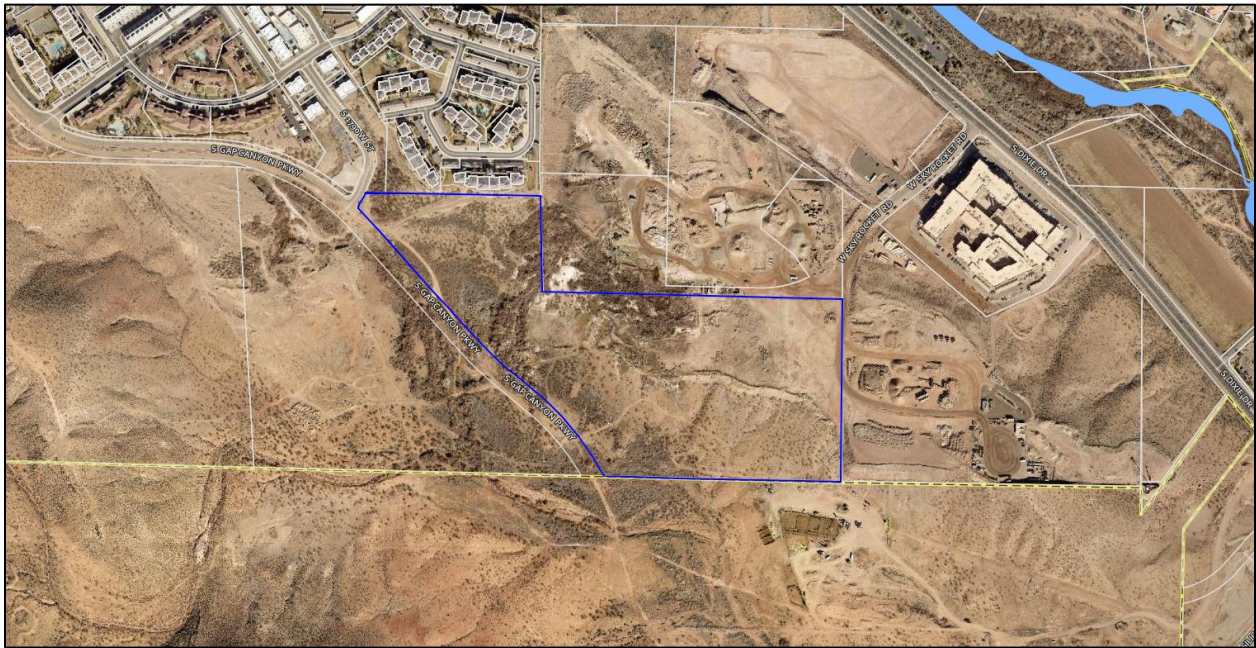
HSRB Motion Options: The Hillside Review Board can recommend several different options to the Planning Commission and the City Council:

1. Denial
2. Approval as presented
3. Approval with specific conditions and comments added as required.

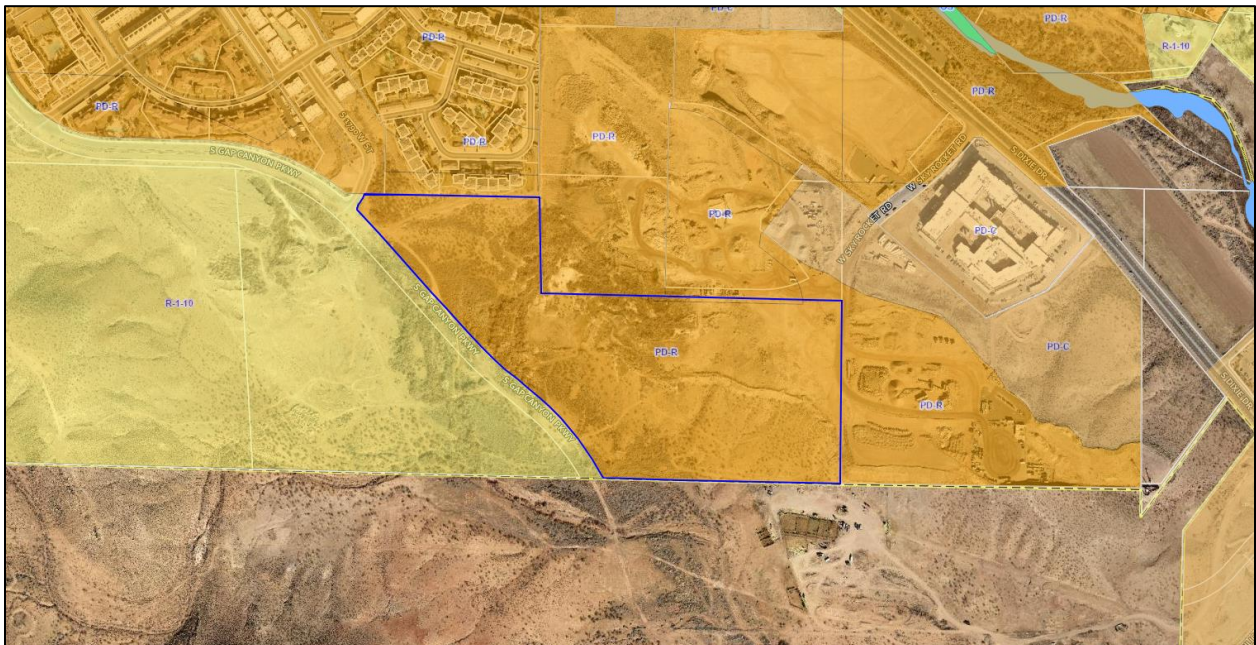
Example Motion: The hillside board recommends _____ of the request for a Hillside Development Permit as it pertains to unimprovable, and improvable open space as requested and outlined the staff report and has the following comments:

1. _____
2. _____
3. _____

Vicinity Map



Zoning = Planned Development Residential (PD-R)



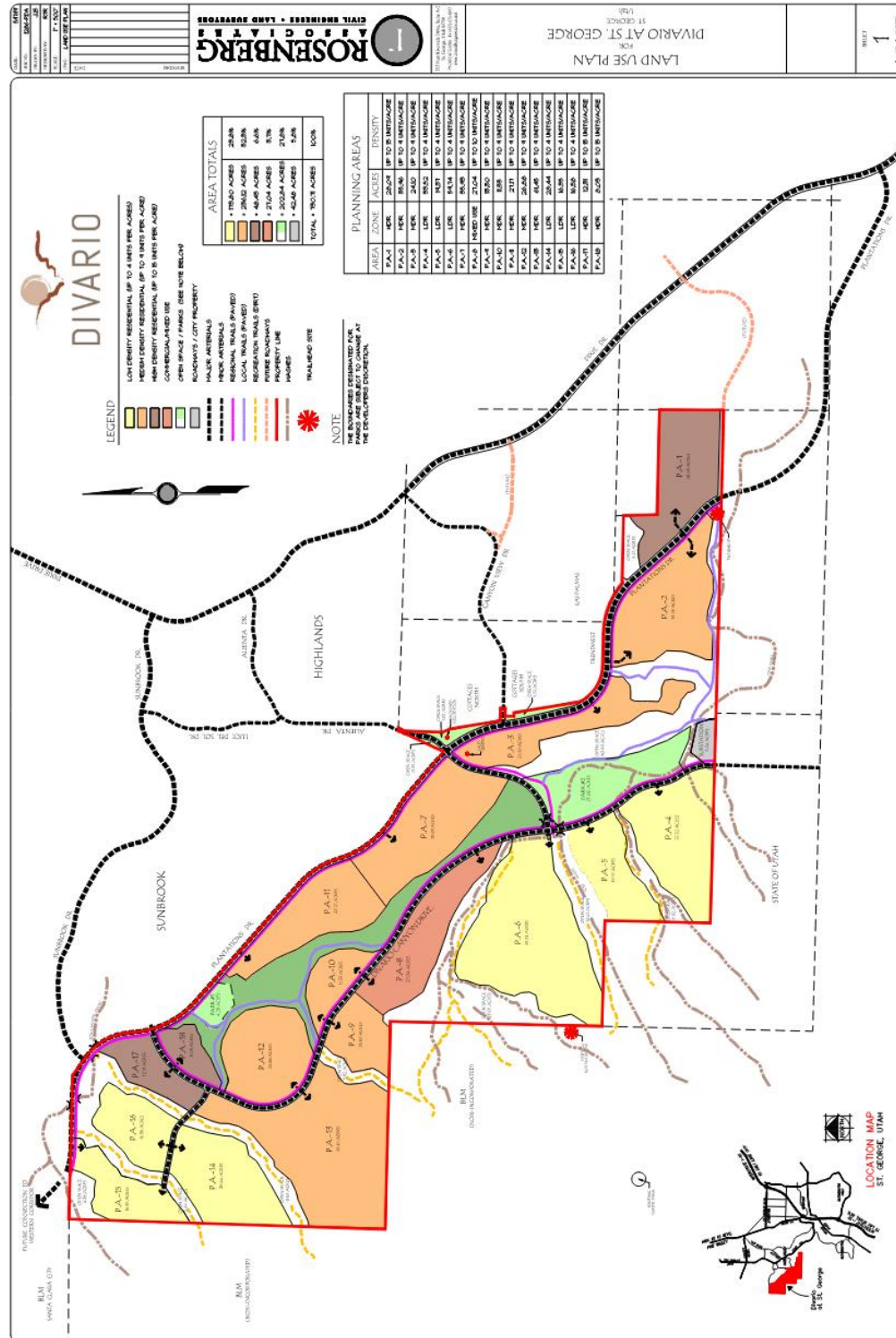
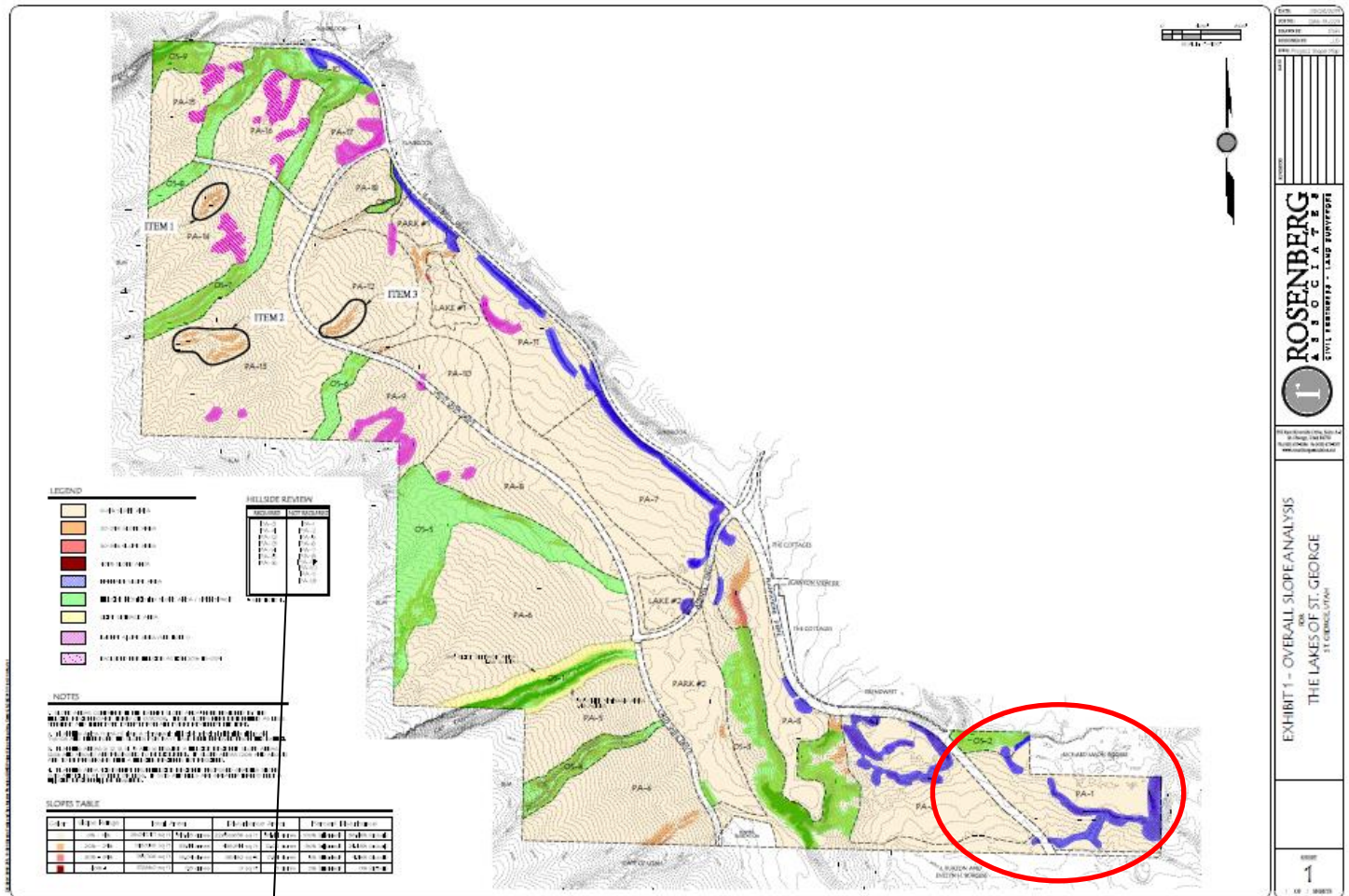


Exhibit B

Slope Map



HILLSIDE REVIEW

REQUIRED	NOT REQUIRED
PA-3	PA-1
PA-4	PA-2
PA-12	PA-5
PA-13	PA-6
PA-14	PA-7
PA-15	PA-8
PA-16	PA-9*
	PA-10
	PA-11
	PA-18

* SEE NOTE 4.

NOTES

1. SLOPE AREAS CONTAINED IN THE 'EXEMPT SLOPE AREA' WERE REVIEWED BY THE HILLSIDE REVIEW BOARD (HSRB) ON 10/30/08. THESE SLOPES WERE DETERMINED AS LESS SENSITIVE AND THEREFORE EXEMPT FROM ANY FUTURE REVIEW BY THE HSRB.
2. PLANNING AREA 17 (PA-17) HAD A SEPARATE HILLSIDE REVIEW MEETING HELD ON 7-16-08 AND THEREFORE THE SLOPES FOR PA-17 HAVE BEEN REMOVED FROM THIS EXHIBIT.
3. PLANNING AREAS 3, 12, 13, 14, 15 AND 16 REQUIRE A HILLSIDE REVIEW IF SLOPE AREAS (20% AND ABOVE) ARE PROPOSED TO BE DISTURBED. IF SLOPE AREAS (20% AND ABOVE) ARE TO BE PRESERVED, THEN A HILLSIDE REVIEW IS NOT REQUIRED.
4. PLANNING AREA 9 IS EXEMPT FROM HILLSIDE REVIEW IF PROPOSED GRADING SHOWS CUTS AND FILLS AT 10 FEET OR LESS. IF CUTS AND FILLS ARE GREATER THAN 10 FEET A HILLSIDE REVIEW WILL BE REQUIRED.

Hillside Permit

HILLSIDE REVIEW BOARD AGENDA REPORT: **08/24/2022**

HILLSIDE DEVELOPMENT PERMIT

Divario (Formerly “The Lakes”) PA-2

Case No. 2022-HS-013

Request: This is a request for the Hillside Review Board to review the unimprovable open space in PA-2 (Planning Area 2) and consider it to be changed to improvable open space. More on this request will follow.

Hillside History: 1) 2005 - Case No. 2005-HS-013 “The Lakes” (7/21/2005 - agenda item #2) – An overall conceptual hillside development permit review for 730 acres. Rosenberg Associates.

2) 2008 - Case No. 2008-HS-006 “PA-17” The Lakes (7/16/2008) – 12.30 acres. Rosenberg Associates.

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Future Hillside Review - In 2008 the Hillside Board didn't visit all the small washes and outcroppings but left them for future consideration as plans would be submitted (with subdivisions). It was determined that some would require further review by the Hillside Board.

- Owner:** URE Fund 1 – Allora Village LLC
- Location:** PA-2 is generally located south-west of the Gap Canyon Pkwy and 1790 West intersection.
- Acreage:** 35.96 Acres
- Zoning:** R-1-10 (Single Family Residential, 10,000 sq ft minimum lot size)
- Powers & Duties:** Section 10-13A-8.B.1 of the “Hillside Review Board Powers and Duties” states that the hillside board can make recommendations to “adopt, modify or reject a proposal” to the Planning Commission (PC).
- Permit required:** Section 10-13A-7 requires that all major development (i.e., cut greater than 4', etc.) on slopes above 20% requires a 'hillside development permit' granted by the City Council upon recommendation from the Hillside Review Board and the Planning Commission.

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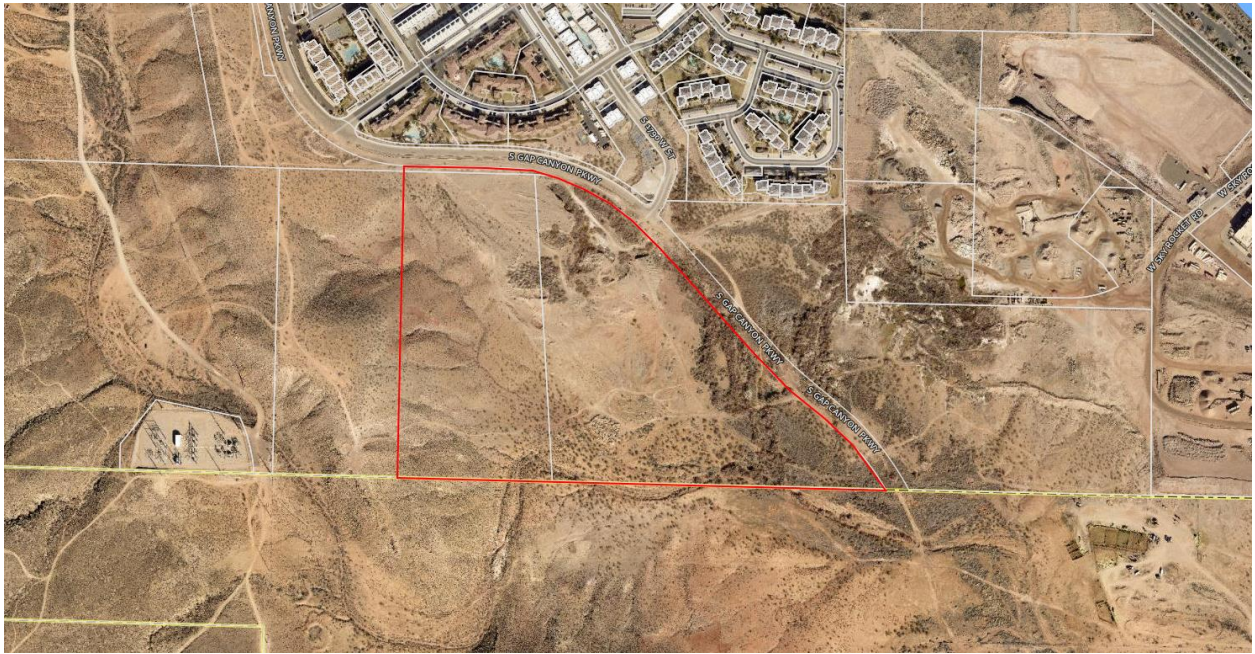
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1. _____

2. _____

3. _____

Vicinity Map



Zoning = R-1-10 (Single Family Residential, 10,000 sq ft lots)

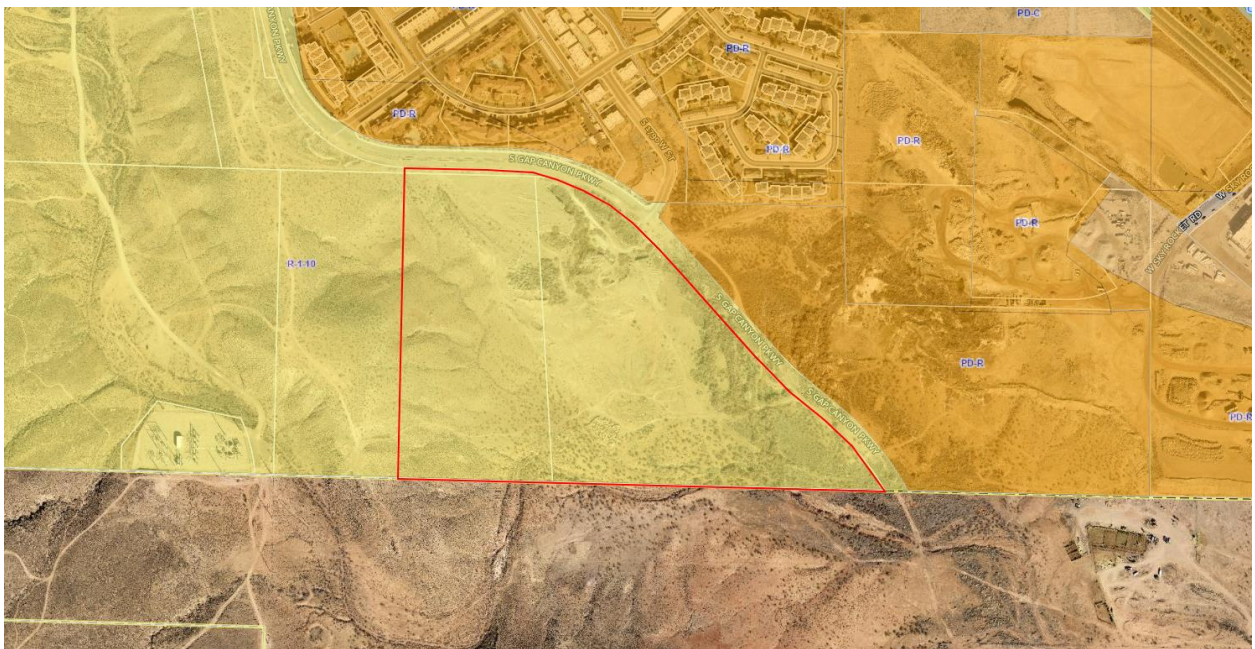
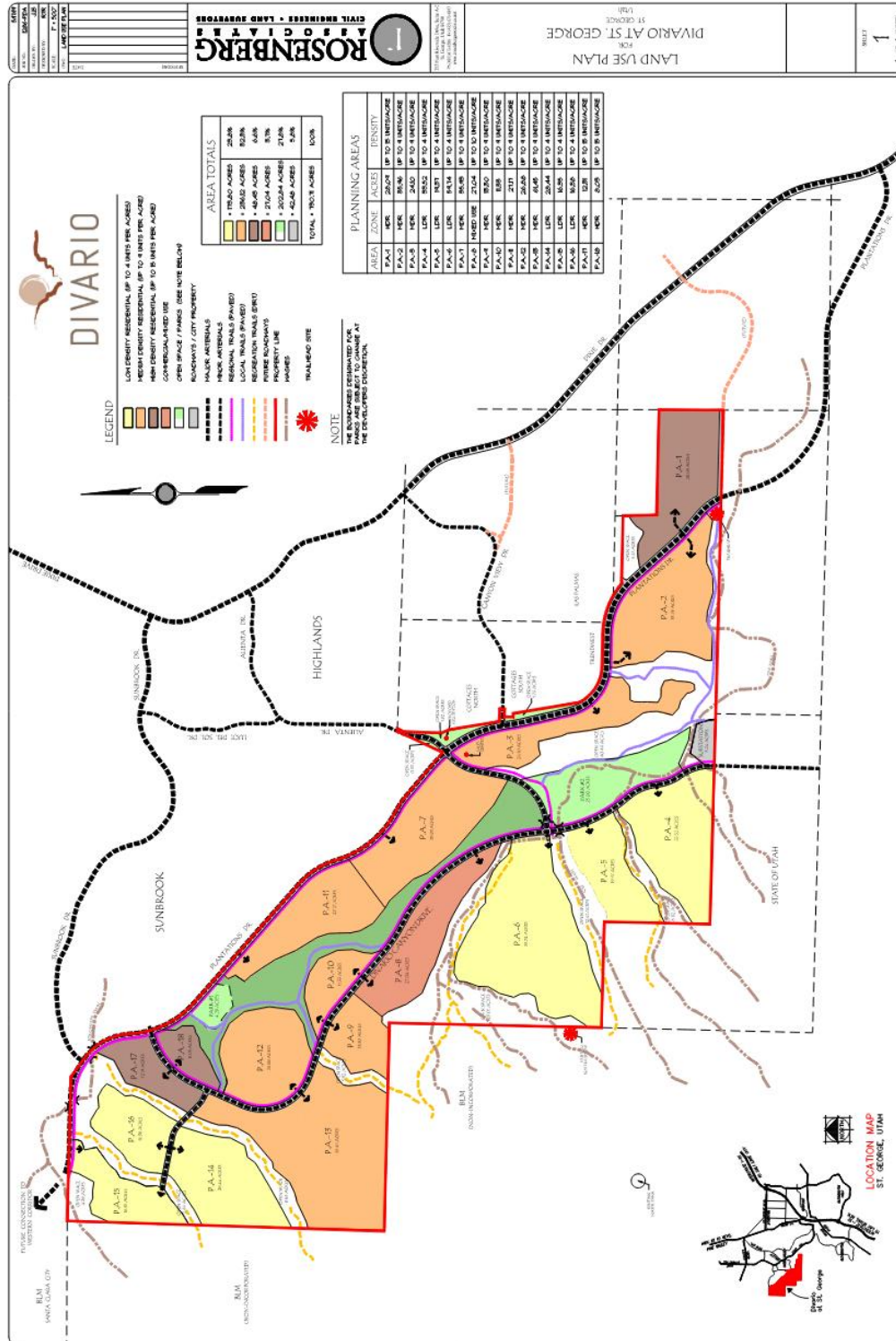


Exhibit A

Land Use Map



LEGEND

Orange	1.0 - 1.5
Yellow	1.5 - 2.0
Green	2.0 - 2.5
Light Green	2.5 - 3.0
Dark Green	3.0 - 3.5
Blue	3.5 - 4.0
Purple	4.0 - 4.5
Red	4.5 - 5.0
Dark Red	5.0 - 5.5
Black	5.5 - 6.0

NOTES

1. The slope analysis was performed using the method of slices. The factor of safety was calculated for each slice. The minimum factor of safety was used to determine the overall factor of safety. The overall factor of safety was found to be 1.5. The slope is considered stable.

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SLOPE TABLE

SLOPE	STABILITY
1.0 - 1.5	1.0 - 1.5
1.5 - 2.0	1.5 - 2.0
2.0 - 2.5	2.0 - 2.5
2.5 - 3.0	2.5 - 3.0
3.0 - 3.5	3.0 - 3.5
3.5 - 4.0	3.5 - 4.0
4.0 - 4.5	4.0 - 4.5
4.5 - 5.0	4.5 - 5.0
5.0 - 5.5	5.0 - 5.5
5.5 - 6.0	5.5 - 6.0

HILLSIDE REVIEW

HILLSIDE	REVIEW
1.0 - 1.5	1.0 - 1.5
1.5 - 2.0	1.5 - 2.0
2.0 - 2.5	2.0 - 2.5
2.5 - 3.0	2.5 - 3.0
3.0 - 3.5	3.0 - 3.5
3.5 - 4.0	3.5 - 4.0
4.0 - 4.5	4.0 - 4.5
4.5 - 5.0	4.5 - 5.0
5.0 - 5.5	5.0 - 5.5
5.5 - 6.0	5.5 - 6.0

EXHIBIT 1 - OVERALL SLOPE ANALYSIS OF THE LAKES OF ST. GEORGE

1

REQUIRED	NOT REQUIRED
PA-3	PA-1
PA-4	PA-2
PA-12	PA-5
PA-13	PA-6
PA-14	PA-7
PA-15	PA-8
PA-16	PA-9*
	PA-10
	PA-11
	PA-18

NOTES

1. SLOPE AREAS CONTAINED IN THE 'EXEMPT SLOPE AREA' WERE REVIEWED BY THE HILLSIDE REVIEW BOARD (HSRB) ON 10/30/08. THESE SLOPES WERE DETERMINED AS LESS SENSITIVE AND THEREFORE EXEMPT FROM ANY FUTURE REVIEW BY THE HSRB.
2. PLANNING AREA 17 (PA-17) HAD A SEPARATE HILLSIDE REVIEW MEETING HELD ON 7-16-08 AND THEREFORE THE SLOPES FOR PA-17 HAVE BEEN REMOVED FROM THIS EXHIBIT.
3. PLANNING AREAS 3, 12, 13, 14, 15 AND 16 REQUIRE A HILLSIDE REVIEW IF SLOPE AREAS (20% AND ABOVE) ARE PROPOSED TO BE DISTURBED. IF SLOPE AREAS (20% AND ABOVE) ARE TO BE PRESERVED, THEN A HILLSIDE REVIEW IS NOT REQUIRED.
4. PLANNING AREA 9 IS EXEMPT FROM HILLSIDE REVIEW IF PROPOSED GRADING SHOWS CUTS AND FILLS AT 10 FEET OR LESS. IF CUTS AND FILLS ARE GREATER THAN 10 FEET A HILLSIDE REVIEW WILL BE REQUIRED.

HILLSIDE REVIEW BOARD AGENDA REPORT: 08/24/2022

South Rim at Foremaster Ridge Phase 4 – Lot 89 Hillside Development Permit (Case No. 2022-HS-015)		
Request:	A Hillside Development Permit to adjust the location of the ridgeline and ridgeline setback on lot 89 of the South Rim at Foremaster Ridge Phase 4 subdivision in anticipation of the construction of a residential home.	
Applicant:	MG Homes, LLC	
Representative:	Carl Ford	
Location:	1751 E. Ridgeline Circle	
General Plan:	Low Density Residential (LDR), Open Space (OS)	
Existing Zoning:	Single Family Residential, minimum lot size 10,000 sf (R-1-10)	
Surrounding Zoning:	North	R-1-10
	South	R-1-10
	East	R-1-10
	West	Open Space (OS)
Land Area:	Approximately 0.30 acres	



BACKGROUND

This is a request to obtain a hillside permit for the property located at 1751 E. Ridgeline Circle (Lot 89, South Rim at Foremaster Ridge Phase 4). (See Exhibit A, South Rim at Foremaster Ridge Phase 4 final plat.) This location is a residential neighborhood, and the applicant would like to build a house on this lot. The rear of the applicant's property abuts the ridge line of Foremaster Ridge. The plat identifies this ridge line as having a 30' ridge line setback area and states, "No structures, walls, or solid fences are allowed within the 30' foot ridge line setback area."

The applicant is proposing to move the location of the ridgeline and the 30' ridge line setback shown on the plat, stating the actual ridge line does not follow the marked line on the plat. They are proposing to move the ridgeline to the west, to follow a line, they feel is the more accurate ridgeline. This will move the ridgeline up to 10.5 feet to the west. The ridgeline setback will remain 30' from the ridgeline but, it will also move to the west. (See Exhibit C and D, Map of Existing and Proposed Ridgeline and Ridgeline Setback) If approved, the applicant will be required to file an amended plat showing the changes. This proposal will keep the property line in the same location and only adjust the location of the ridgeline and ridgeline setback for Lot 89.

APPLICABLE ORDINANCE(S) (Selected portions)

10-13A-6: Building Setbacks and Additional Design Standards:

- A. *Front Setback along Streets:* Along streets where the slope of the adjacent property to the street is over fifteen percent (15%), the minimum setback is twenty feet (20').
- B. *Setbacks:* All setbacks shall conform to the underlying zone criteria except as provided herein. No structure or accessory structure shall be constructed within the setback area as defined below. However, a see-through wrought iron fence with at least fifty percent (50%) of the fence open, landscaping, and a nonvertical swimming pool are permitted in the setback area.
 1. *Ridgelines:* All ridgelines as shown on the ridgeline map shall be subject to the setback provisions contained herein. Setbacks from ridgelines not identified on the ridgeline map shall be a minimum of thirty feet (30'), or greater if recommended in the geotechnical reports.
 2. *Plateaus:* On plateaus, the setback from the ridgeline shall be a minimum of fifty feet (50') unless a greater setback is recommended in the geotechnical reports.
- C. *Cuesta:* Where a ridgeline occurs on a cuesta, the minimum setback shall be one hundred feet (100') measured normal (perpendicular) to the closest point of the ridge, unless a greater setback is recommended in the geotechnical report.

D. Additional Design Standards:

1. Retaining walls shall be colored to blend into the surrounding natural geology.
2. Retaining wall height is limited to the heights set forth in chapter 18 of this title and the standards for rock wall construction.
3. Building exterior colors shall be earth tone and blend with the surrounding natural landscape.
4. In residential zones, “no disturbance” areas shall be held as the “common area” of a project. Common areas shall be owned and maintained by the homeowners’ association or may be deeded to the city when accepted by the city.
5. In nonresidential zones, any “no disturbance” area shall be identified on the final site plan or final plat.
6. Any required no disturbance area shall be identified on the ground with temporary fencing or other approved means to prevent accidental disturbance of the area during construction and such fencing shall be installed prior to issuance of a grading permit.
7. The building site shall be located on the flattest portion of the parcel.
8. No structure shall extend over any natural ridgeline. The structure shall be in contact with the ground at all edges. (Ord. 2019-10-002, 10-10-2019)

EXHIBITS PROVIDED

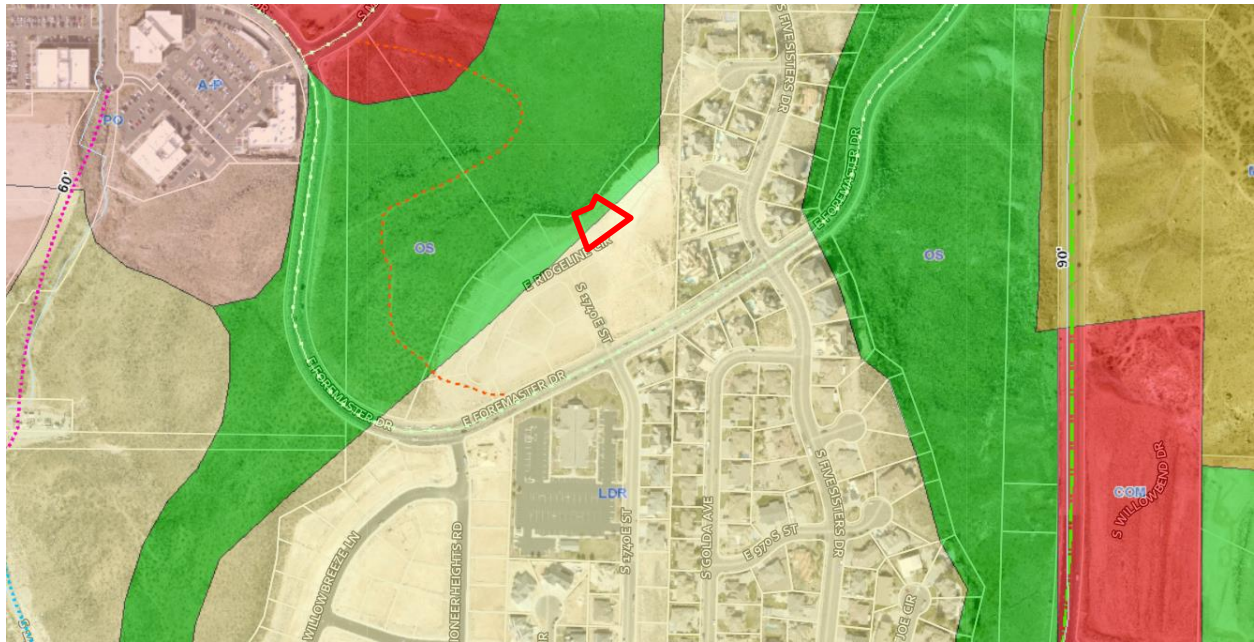
1. Exhibit A – South Rim at Foremaster Ridge Phase 4 Final Plat
“Exhibit A” in the packet shows the final plat of Foremaster Ridge Phase 4.
2. Exhibit B – Aerial of Existing Ridgeline and Ridgeline Setback
“Exhibit B” is an aerial map showing the location of the existing ridgeline and ridgeline setback with the proposed ridgeline of Lot 89.
3. Exhibit C – Map of Existing Ridgeline and Ridgeline Setback
“Exhibit C” is a map showing the location of the existing ridgeline and ridgeline setback with the proposed ridgeline of Lot 89.
4. Exhibit D – Map of Proposed Ridgeline and Ridgeline Setback
“Exhibit D” is a map showing the location of the existing ridgeline and ridgeline setback with the proposed ridgeline and ridgeline setback of Lot 89.

RECOMMENDATION

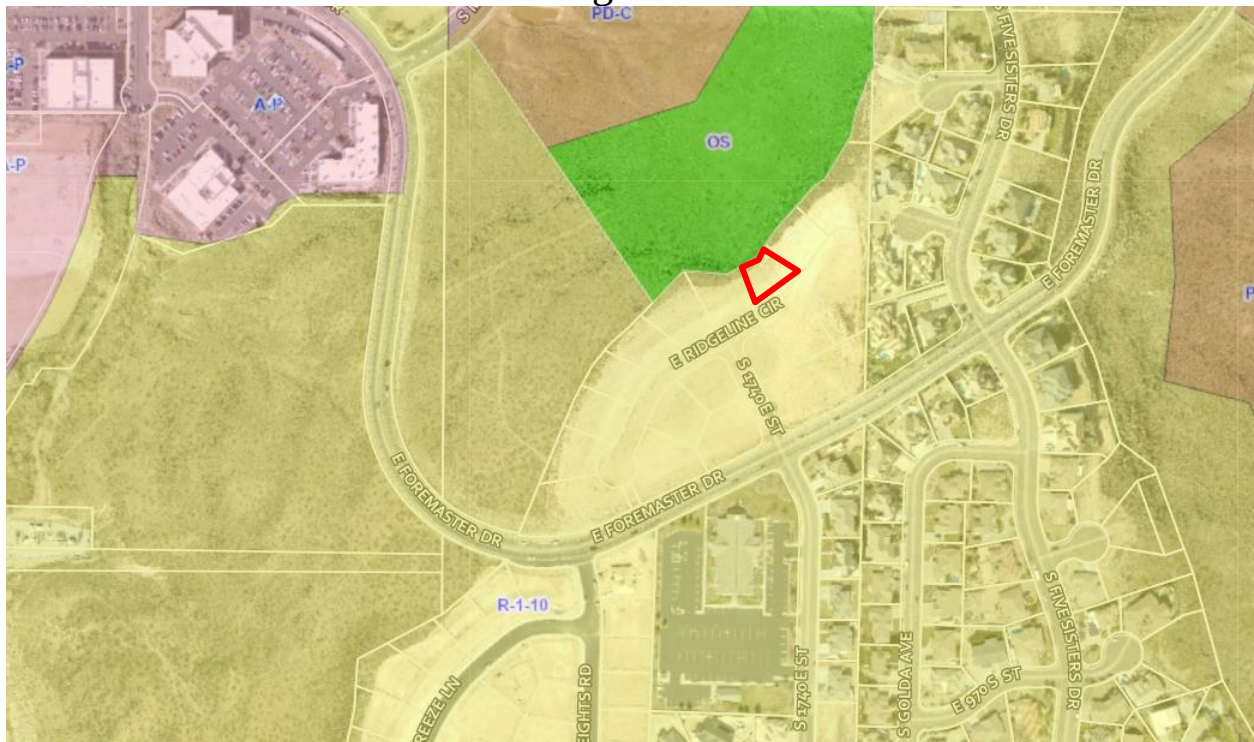
The applicant is requesting that the ridgeline and the ridgeline setback be adjusted for Lot 89 of the South Rim at Foremaster Ridge final plat. If approved, staff recommends to make this conditioned on the following:

1. An amended plat is filed and recorded for Lot 89 of the South Rim at Foremaster Ridge final plat.

General Plan - COM



Zoning - R-1-10



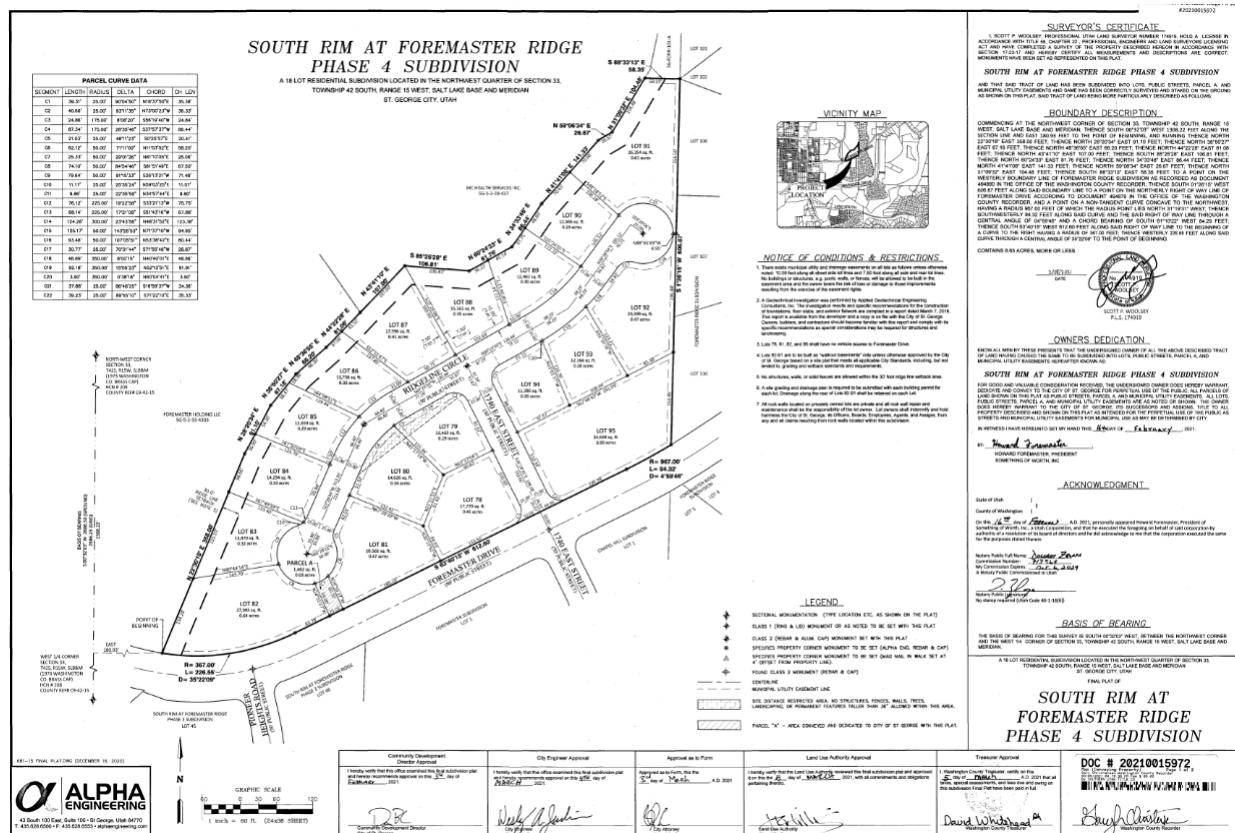


Exhibit B

Aerial of Existing Ridgeline and Ridgeline Setback

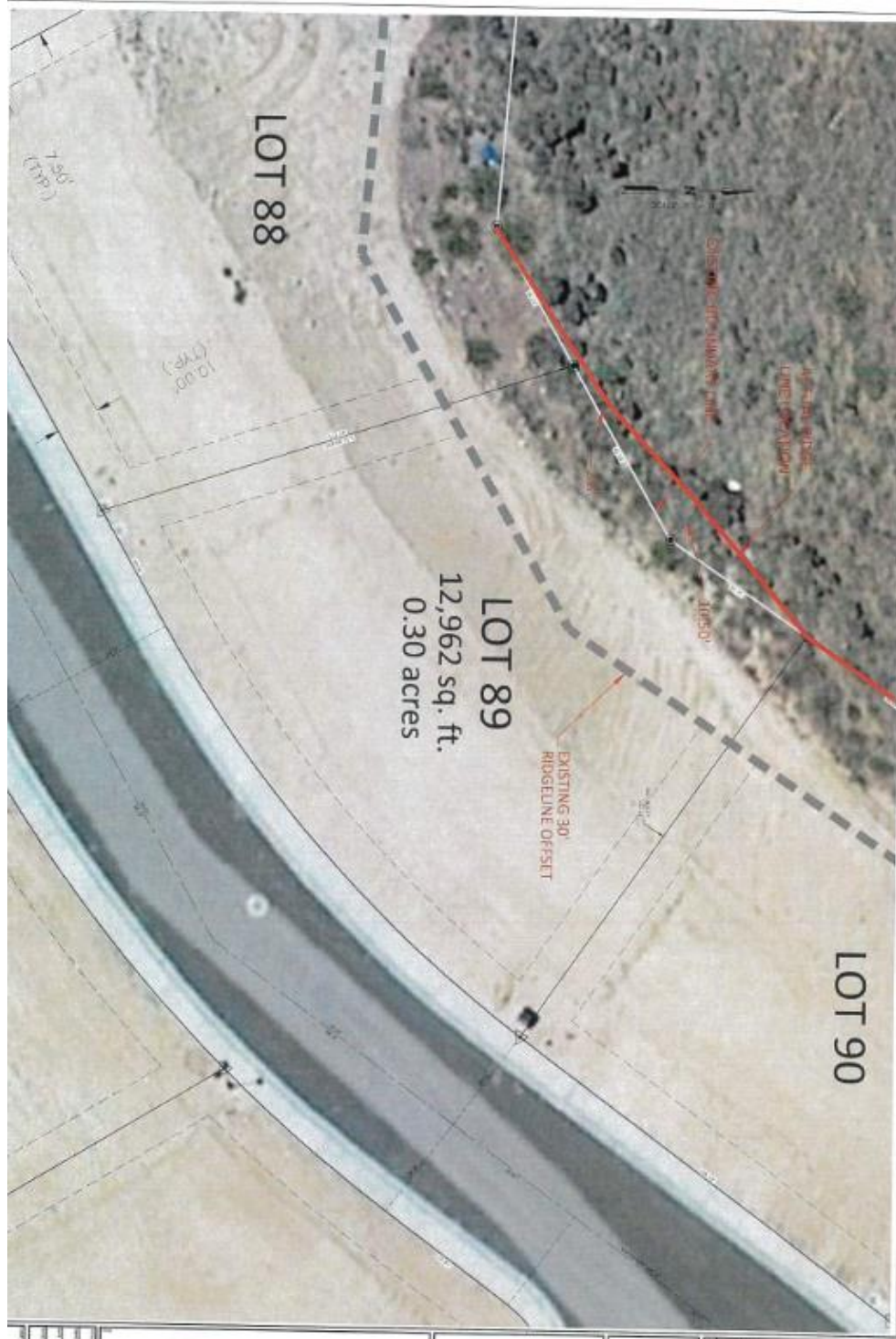


Exhibit C

Map of Existing Ridgeline and Ridgeline Setback

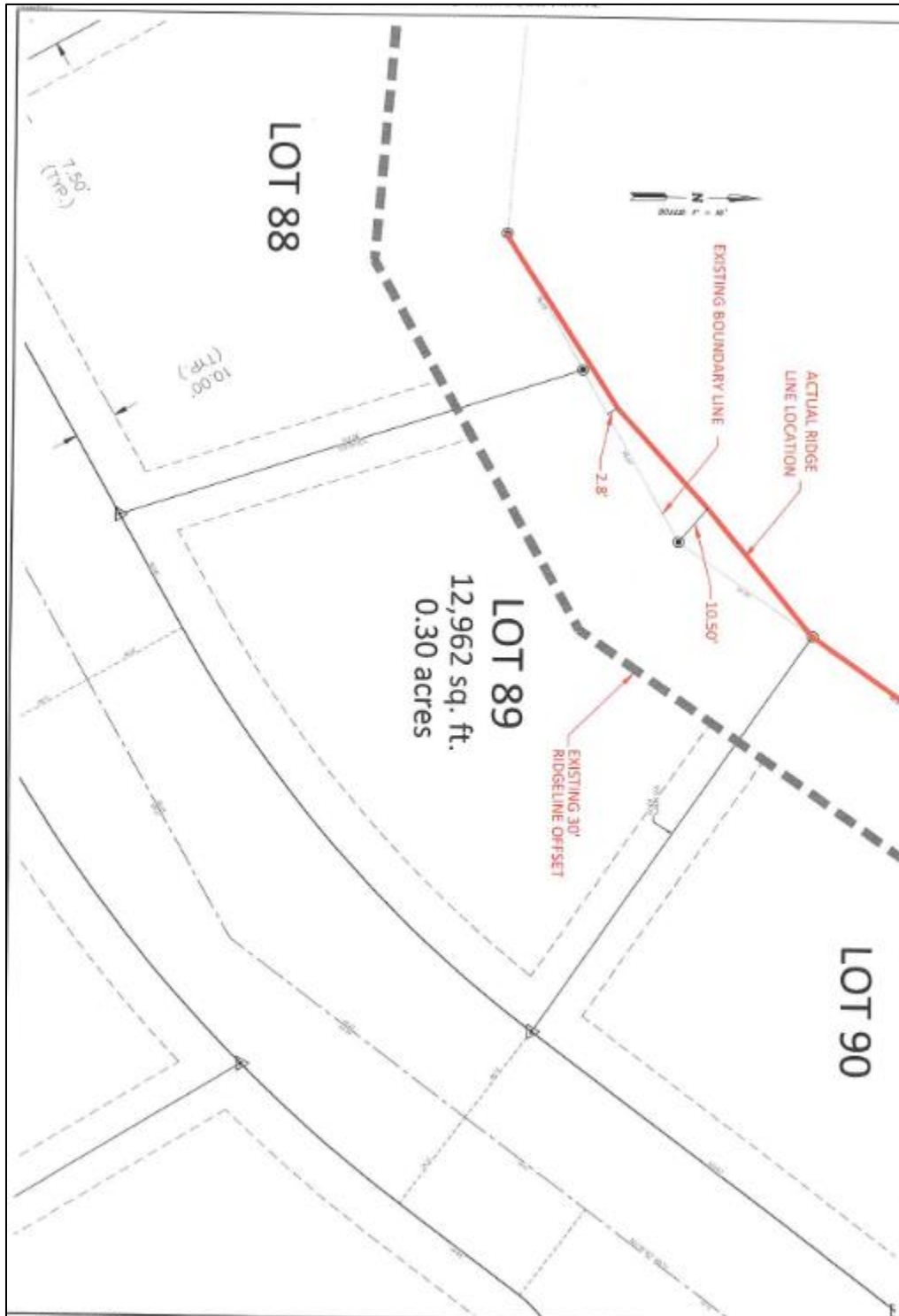
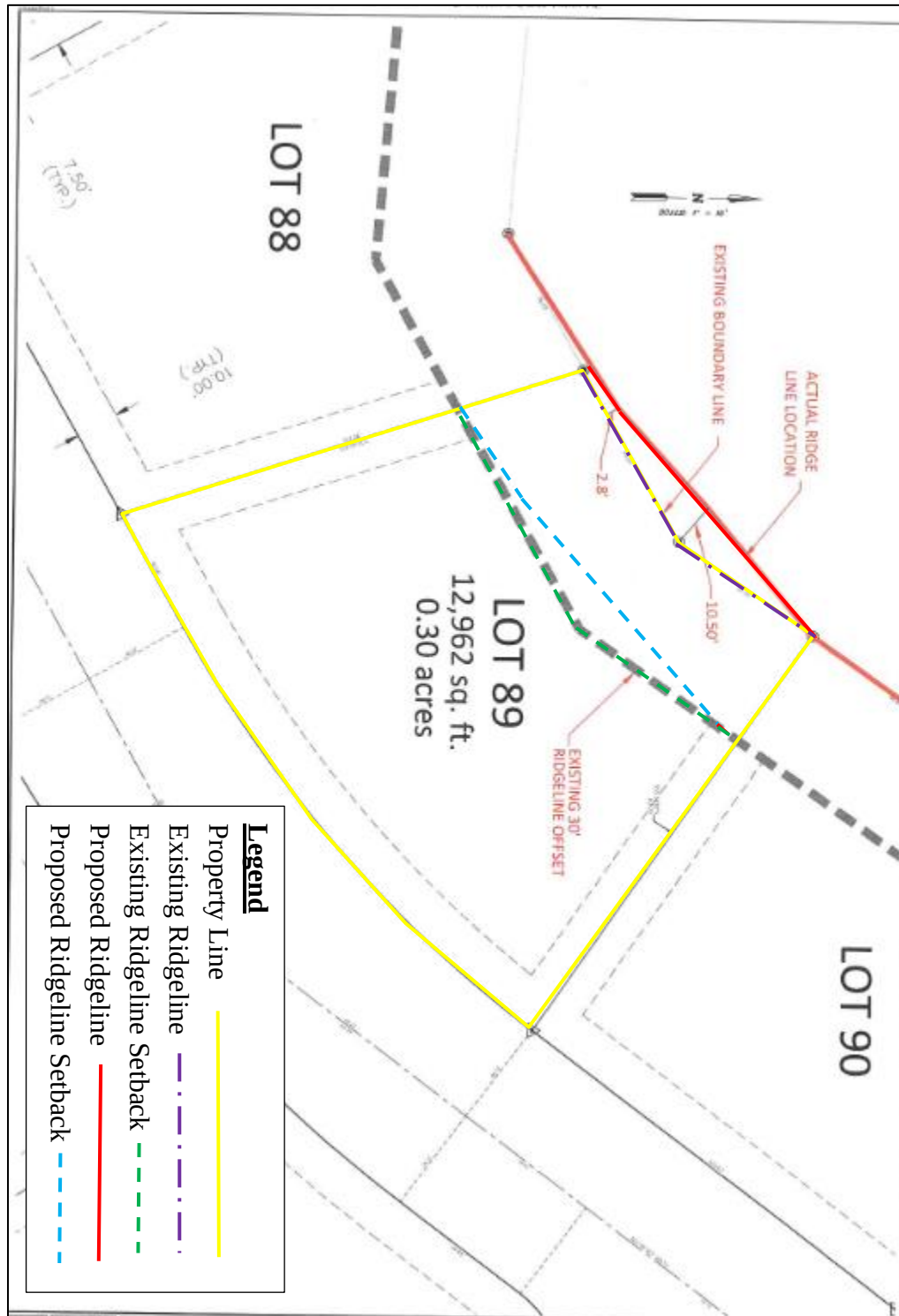


Exhibit D Map of Proposed Ridgeline and Ridgeline Setback



NOTICE OF MEETING
HILLSIDE REVIEW BOARD
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

Public Notice

Notice is hereby given that the Hillside Review Board of the City of St. George, Washington County, Utah, will hold meetings at the referenced site on **Wednesday, August 3, 2022**, commencing on-site at approximately 8:30 a.m.

PRESENT:

Dave Black
James Dotson
Russ Owens

EXCUSED:

Jeff Mathis
James Sullivan

CITY STAFF:

Assistant Public Works Director, Wes Jenkins
Planner III, Dan Boles
Planner III, Carol Davidson
Development Office Supervisor, Brenda Hatch

James Dotson called the meeting to order.

1. Consider a request for a hillside development permit at the Divario Development. The applicant is proposing to construct in the area shown on the slope map labeled 20-29%. This is specifically in the PA-3 area which is situated west of the intersection of Canyon View Drive and Gap Canyon Parkway. The property is currently zoned PD-R (Planned Development Residential). The applicant is URE Fund 1 – Rillisante Villas, LLC. Case No. 2022-HS-012. (*See 'Meeting Place' exhibit below*).

Jared Bates – What we are looking at today is there is a portion of the road that is in the 20 to 30 percent slope. We staked where that line is at. As we were adjacent to Gap Canyon Pkwy we are pretty close to existing ground. As we got here to the west, it kind of drops off and we are placing fill in that area. As we go from the south we are cutting the hill out to tie into existing ground.

Dave Black – So most of this color is in this bowl up here? So, the only disturbance in the slope is that area?

Jared Bates – That's right.

Dave Black – So there are some things that we've mentioned on other projects that would be similar to where we are cutting down on a ridge. If a cut comes down and daylights

then we want to be very specific about not allowing materials to be pushed over the edge. All the cut has to come back. Was there a penalty or something that we did on Knetta's Knoll? There was a disturbance line and then construction fence, but was there anything that would give it some teeth?

Wes Jenkins – We couldn't give them a penalty so basically we just went out and had them stake.

Dave Black – What about restoration if they go over the side?

James Dotson – A bond or something.

Wes Jenkins – We could do that.

Wayne Rogers – I think you could have a bond for 10% of the construction cost is what I think it was. Then we would come in and inspect and write a letter saying that it complied with the condition. We haven't done that in a long time.

Dave Black – I don't know that it would necessarily talk about disturbance. The letter would say that the grading was done correctly with the right cuts and fills and things. So that would have to be something very specific that you would have to address if you want to be responsible to do that.

Wayne Rogers – I don't have a problem with it as long as it's spelled out what it is so it's not vague. I'm totally in agreeance with what you're saying. Russ and I talked about it before you brought it up, not pushing out and over it. That's one of the worst things I see done.

James Dotson – In the fill area, these are retaining walls that you show.

Jared Bates – That's right.

James Dotson – What are they going to be?

Dave Black – The motion can say that they will be natural rock or block that is similar in color to the surrounding nature. I think the next issue is where we actually expand into the steep slope area, is there something that allows you to disturb a certain amount there?

Discussion on what they will do with the hill.

Dave Black – The only other thing I would want to bring up is that you need to be very site specific if you are building rock walls in a blue clay area.

Wayne Rogers – Ok I can provide that.

Wes Jenkins – What did you want to do if spill over occurred?

Dave Black – I think we probably need to address some type of a bond and then some type of an inspection.

Wes Jenkins – We used to do that like Wayne said. We just haven't really done it lately.

Discussion on what kind of bond can be required for spillover.

Dave Black – We probably also need to declare any potential conflicts of interest. James works on this project and I work for Rosenberg and Associates.

MOTION: Russ Owens made a motion to approve the Rillisante at Divario project with the stipulations that there is a construction fence on the downhill side of the slope to identify the limits of excavation, that there is a restoration bond or similar bond that is consistent with the City Ordinances in the case of if a contractor gets carried away and materials get deposited on the slope and also that the walls area constructed out of rock or block that are similar to the color out here and that the walls are constructed in accordance with the rock wall ordinance as far as height and setback.

SECOND: James Dotson

AYES (3)

Dave Black

James Dotson

Russ Owens

NAYS (0)

Motion carries

2. Consider approval of the meeting minutes from May 25, 2022.

MOTION: Russ Owens made a motion to approve the minutes from the last meeting.

SECOND: Dave Black

AYES (3)

Dave Black

James Dotson

Russ Owens

NAYS (0)

Motion carries