

1 **ELK RIDGE PLANNING COMMISSION WORK SESSION**

2 **December 9, 2010**

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5 **TIME AND PLACE OF PLANNING COMMISSION WORK SESSION**

6 A work session of the Elk Ridge Planning Commission was held on Thursday, December 9, 2010, at 7:00 p.m. at 80 East Park Drive,
7 Elk Ridge, Utah.

8
9 **ROLL CALL**

10 *Commissioners:* Randy Jones, Debbie Cloward, Paul Squires, Kelly Liddiard, Jason Bullard
11 *Absent:* Dayna Hughes, Kevin Hansbrow, Dan Steele
12 *Others:* Marissa Bassir, *Planning Commission Coordinator*
13 Adam Castor, *LEI Planner*, Seth Waite, *Fire Chief*, Lucretia Thayne, Jamie Towse, Lee Haskell
14

15 **OPENING ITEMS**

16
17 **OPENING**

18 Kelly Liddiard, Co-Chair, welcomed at 7:10 PM. Opening remarks were said by Randy Jones followed by the pledge of allegiance.
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21 **APPROVAL OF AGENDA**

22 The agenda was reviewed and no changes were made.
23

24 **SIMMONS CONDITIONAL USE PERMIT**

25 Adam Castor provided a background of the permit application. Last meeting, it was recommended for denial based on the current
26 violations that were listed and discussed those issues. It was voted upon that if Mr. Simmons was in compliance with his chicken coop
27 location by November 11, he would be allowed to resubmit an application and a site plan that showed compliance, he wouldn't have to
28 pay an additional application fee. He did submit on November 11 a new site plan that does show compliance of the location of the
29 chicken coop.

30 Kelly Liddiard said he remembered that it needed to be moved closer to his house.

31 Adam Castor indicated that was the case and it was moved closer to his house.

32 Randy Jones asked if there was any issue with the number of chickens.

33 Adam Castor said there weren't any issues.

34 Planning Coordinator indicated that Corbett Stephens is filling in as the code enforcer while Ray Brown is out of town. It was also
35 suggested that if the motion is to approve the application, have a contingency to have the code enforcer to go look at the coop.

36 **JASON BULLARD MOTIONED AND RANDY JONES SECONDED TO APPROVE THE SIMMONS CONDITIONAL USE**
37 **PERMIT WITH A CONDITION THAT IT BE CHECKED AND VERIFIED THAT IT MEETS THE CODE. VOTE: YES –**
38 **ALL (5), NO – NONE, ABSENT – (3) DAYNA HUGHES, DAN STEELE, KEVIN HANSBROW**
39

40 **SINGLE ACCESS ROAD CODE AMENDMENT**

41 Adam Castor indicated that this was discussed at the last planning commission meeting. It is based on recommendation from LEI to
42 make a code amendment regarding single access roads. The TRC has reviewed and recommended that they be approved. During the
43 last planning commission meeting this was discussed and there was a motion to recommend to the city council that they adopt the code
44 amendments as recommended by LEI with an additional exception that the overall length of the road could be discussed through the
45 normal application process. It was recommended by LEI a length of road not greater than 750 feet. It was discussed and decided that
46 the 750 feet was too restrictive. The motion was made and voted on, however, the item was not properly noticed on the agenda and it
47 was sort of mixed in the with the other code amendment request so the motion and the vote are null and void. It needs to be voted on
48 again. The recommended code amendment from LEI supports the Transportation element of the General Plan. He read goal #2 from
49 the Transportation element – "Minimize impact to our unique natural environment by requiring placement of facilities in the most
50 suitable, lowest impact locations." With regard to roads, following the contours, minimizing cuts and fills, etc. Objective B: "Dual
51 access to areas in the higher hillside areas must be obtained." Lastly, Implementation strategy says "DO NOT ALLOW ANY
52 DEVELOPMENT in the upper part of the city without dual access." The code amendment fully supports the general plan because it
53 requires dual access. There is already a proposed exception – steep terrain or natural geographic, geologic. "Where terrain features or
54 other physical obstacles make provision of a secondary access impractical, a single access of not more than 750 feet in length, and which
55 is in accordance with the provisions of the IFC, may be approved by the city council after obtaining the recommendations of the fire
56 chief and the planning commission."

57 Jason Bullard thought that if the planning commission agrees to that amendment, they are pretty much stopping the development of that
58 area from here on out.

59 Adam Castor said they are not stopping it, but limiting any single access road, dead end, or cul-de-sac at 750 feet, which is in
60 compliance with the International Fire Code, as well. Beyond 750 feet, according to the fire code, requires special approval. It is
61 treating each application on a case by case basis; that there is sufficient evidence for reasoning to allow a road beyond 750 feet.
62 The motion was made to include an additional exception that the length of road beyond 750 feet be included in that language. It wasn't
63 specifically written, but the fire code basically does that. LEI is trying to eliminate any confusion between the fire code and the city
64 code whether it is in the HR-1 zone or the Urban Wildland Interface. It is just a code amendment to address the single access.

65 Jason Bullard asked if this language is preventing the developer up in the HR-1 zone from developing more houses.

66 Adam Castor said it is preventing anything beyond 750 feet without special approval.

67 Jason Bullard said that if there is a meeting and they grant special approval, the planning commission cannot approve for more than
68 sixteen lots.

69 Adam Castor indicated that the planning commission can recommend it and the city council can approve it.

70 Jason Bullard was concerned that to get a dual access road, the other subdivisions has to be developed.

71 Adam Castor said they are trying to eliminate a lot of piece meal development, stub roads that may have the intention of going and
72 connecting elsewhere, but terrain features may not allow it. There are a lot of things that are a factor - it jeopardizes civilian evacuation.
73 It jeopardizes emergency response. It causes problems for school buses.

74 Kelly Liddiard confirmed that with the special exceptions, if that were to be approved, it comes with all the things, such as turn-arounds,
75 etc.

76 Paul Squires asked if the fire chief approved it.

77 Adam Castor indicated that it was discussed at TRC where the fire chief was in attendance.

78 Paul Squires asked if there were any special recommendation like making the turn-around larger.

79 Adam Castor answered that there was anything beyond that because the fire code does provide minimum standards for putting in
80 whether it be a hammerhead or a cul-de-sac at certain distances.

81 Randy Jones confirmed that if a development occurs and they only have a single access, the road can be no longer than 750 feet unless
82 there is an exception.

83 Adam Castor said that is the exception. The language states that there needs to be a dual access provided and the exception is that if
84 terrain features make that impractical, then the length of a single access road up to 750 feet may be allowed. The initial code
85 amendment supports the general plan by requiring dual access for any new developments in the HR-1 zone and anything beyond that in
86 the Urban Wildland Interface.

87 Mr. Lee Haskell asked what is considered upper Elk Ridge.

88 Adam Castor indicated anything in the HR-1 Zone and the urban wildland interface zone. He indicated on a map the area that is
89 considered upper Elk Ridge.

90 The previous motion was reviewed in the October 28, 2010 minutes.

91 “*Dayna Hughes motioned and Kevin Hansbrow seconded to recommend to the city council to adopt the code amendment with all the*
92 *changes as submitted by LEI with an addition at 2C, which would basically read “exceptions can be made on the length of the road*
93 *through the normal application process”.*” *Vote: yes – (6), No – (1) Randy Jones, Absent – (1) Dan Steele*

94

95 **KELLY LIDDIARD MADE A MOTION AND PAUL SQUIRES SECONDED TO RECOMMEND TO THE CITY COUNCIL**
96 **TO ADOPT THE CODE AMENDMENT WITH ALL THE CHANGES SUBMITTED BY LEI. VOTE: YES – (5), NO – (1)**
97 **JASON BULLARD, ABSENT – (3) DAYNA HUGHES, KEVIN HANSBROW, DAN STEELE**

98

99 *Commissioner Jason Bullard explained his vote that there needs to be a better way to look at it. He is looking at it from a developer’s*
100 *standpoint. If that property is owned and it is probably restricted to build on if the developer can only get 16 lots. His thought is that*
101 *the developer is going to be responsible for the cost if anything has to be done; if it requires some grades, etc. He feels that if the*
102 *developer is restricted and feels they can’t do anything with the property then who will buy it. He is concerned about the development of*
103 *that area and whether it is possible or not with the proposed code.*

104

105 9-3-4: ROADS:

106 *B. Exceptions: Where terrain features or other physical obstacles make provision of a secondary access impractical, a single access of*
107 *not more than 750 feet in length, and which is in accordance with the provisions of the IFC, may be approved by the city council after*
108 *obtaining the recommendations of the fire chief and the planning commission.*

109

110 10-9A-13-11 SECONDARY ACCESS:

111 ~~*Any development over sixteen (16) building lots must have a secondary public access street (Ord. 08 4, 2 26 2008)*~~

112 *All development in the urban/wildland interface area HR-1 Hillside Residential I Zone shall have more than one access route which*
113 *provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into*
114 *consideration traffic circulation and provide for looping of roads as required to ensure at least two (2) access points. Looped roads*
115 *with a single access are not allowed.*

116 *A. Exceptions: Where terrain features or other physical obstacles make provision of a secondary access impractical, a single access of*
117 *not more than 750 feet in length, and which is in accordance with the provisions of the IFC, may be approved by the city council after*
118 *obtaining the recommendations of the fire chief and the planning commission.*

119 *B. Specifications: All roads shall conform with the city development code, subsection 10-15C-2A of this code, streets and roads. (Ord.*
120 *69-12-10-10, 12-10-1996).*

121

122 HASKELL ASSISTED LIVING FACILITY

123 Adam Castor provided a background on the application that was discussed at the previous planning commission meeting. On October
124 22, 2010, the TRC reviewed the application and the drawings provided and the application was complete, but at that time there were
125 some issues that were brought up mostly regarding the number of calls for an ambulance that may be generated by a facility. The
126 response time was a big concern. It then turned into a discussion of whether Elk Ridge could provide an ambulance service. If so, what
127 would be needed to do that; what fees? Impact fees to cover the cost of providing that service. If there needed to be additional volunteer
128 EMT on staff to operate the ambulance. It was recommended by the TRC that the planning commission table a decision on this
129 application until further information is available to address some of those concerns. At the planning commission meeting on October
130 28, 2010, a couple of additional items were discussed – the number of emergency response calls to similar assisted living centers in the
131 area and determine whether the response time is going to be detrimental to residents of the facility. Since the last planning commission

132 meeting, Seth Waite, Lee Haskell, and Kelly Liddiard have compiled some information in response to the questions and concerns
 133 brought up by the TRC and the planning commission. It was talked about at a staff level and it was decided to move it to an action item
 134 so the planning commission could take action on it because if the planning commission feels that the information provided tonight is
 135 sufficiently addressed, then the issues could be remanded back to the TRC to take a further look or they could make a vote if there is
 136 enough information.

137 Kelly Liddiard asked who supplied the invoice from Utah Valley Dispatch.

138 Planning Coordinator replied that there is only a flat fee for a year, not per call.

139 Seth Waite, Fire Chief indicated that is for the paging service. No matter what they do, the city only pays that flat fee amount. He said
 140 that if it gets to the point where there are so many calls they would then evaluate it and if they need to charge more, but right now it is a
 141 flat amount. The fees have never been an issue.

142 Kelly Liddiard reviewed his research. He contacted four different assisted living centers and Hearthside located in Spanish Fork was the
 143 most comparable to what is being proposed. In 2009, they had four medical calls and in 2008, they had nine medical calls. They did
 144 have some other calls for law enforcement. With 31 beds in two years time, 13-14 calls it is not concerning.

145 Mr. Haskell explained when he was talking to some of the facilities, the feeling he got was that because the residents have 24-hour care,
 146 CNA or RN, a lot of these people are in contact with them if they are sick or an emergency and a lot of the time the issue is taken care of
 147 right there before an emergency arises. He said the facilities did not see an increase in calls.

148 Kelly Liddiard said there were memory units in some of the facilities and he asked if Mr. Haskell was planning on having a unit for
 149 dementia and Alzheimer's.

150 Mr. Haskell replied there would not be any memory unit.

151 Kelly Liddiard said that wouldn't be a medical problem, but more of a law enforcement problem.

152 Debbie Cloward asked what the level 1 and level 2 mean.

153 Mr. Haskell explained that type 1 assisted living is where the resident should be able to evacuate the building on their own without
 154 assistance. Type 2 assisted living is where the resident needs at least one person to help them evacuate the building.

155 Randy Jones commented that there would have to be ten assistants to help them out.

156 Mr. Haskell said not necessarily. There could be one person assisting multiple residents, obviously not at the same time. So they are
 157 proposing a type 1/Type 2 facility. Those classifications are the state's classifications.

158 Randy Jones commented that it is not necessarily the ability to take care of themselves, but the ability to evacuate the building.

159 Mr. Haskell indicated if the resident can't get out on his own, then that resident would require more help than an assisted living facility.

160 Randy Jones said that Seth Waite, *Fire Chief*, made a comment in his remarks about the state agency having jurisdiction over whether
 161 this facility could be placed in the area. He asked Mr. Haskell if he asked the state for approval to build a facility in Elk Ridge.

162 Mr. Haskell indicated he has not contacted the state because he didn't want to waste any time if he wasn't going to get a conditional use
 163 permit from the Planning Commission.

164 Randy Jones commented that there was another comment about the Beehive house having first right of refusal. He doesn't know how
 165 that works.

166 Seth Waite, Fire Chief has not been able to verify that. Mr. Waite contacted the owner of Beehive Assisted Living, Craig Elder and he
 167 was under the understanding that Beehive owned the rights in Southern Utah County to do assisted living centers. Mr. Waite indicated it
 168 is rumor right now and he can't verify it. The owner also said there isn't a moratorium on assisted living facilities. The only
 169 moratorium with the state is on nursing centers and if there was going to be a Medicare-aided center; it has to be 150 beds or more. Or if
 170 anyone is trying to convert to Medicare subsidized centers, they cannot do it. Mr. Waite also talked with the Kami at the Utah
 171 Department of Health, Health Facilities Licensing, Certification and Resident Assessment Division and she said they have to have the
 172 plans and application submitted to them before it ever goes to the city. So it does not concern the city at this point.

173 Adam Castor explained that the conditional use permit is determined by the city. The question is whether the condition is right for the
 174 parcel. Mr. Haskell will have to go through the process with the state in order for him to come to the city with a site plan. A conditional
 175 use permit does not guarantee Mr. Haskell anything; he is not vested. There are a lot of other approvals he will need to obtain prior to
 176 building the facility.

177 Jason Bullard asked Mr. Waite, *Fire Chief*, if he had any concerns about the facility endangering anyone for its location.

178 Seth Waite, Fire Chief said he didn't have any concerns.

179 Jason Bullard then asked Mr. Haskell when possible tenants fill out their application is there something in there where it tells the
 180 applicant the distance of the hospital and estimated response time and they sign it and understand it.

181 Mr. Haskell indicated he would have that and that it was part of the state's requirements.

182

183 **RANDY JONES MOTIONED AND JASON BULLARD SECONDED TO APPROVE THE CONDITIONAL USE PERMIT**
 184 **FOR THE ASSISTED LIVING CENTER. VOTE: YES – ALL (5), NO – NONE, ABSENT – (3) DAYNA HUGHES, KEVIN**
 185 **HANSBROW, DAN STEELE**

186

187 **TRAFFIC CALMING/GENERAL PLAN DISCUSSION**

188 Lucretia Thayne presented some articles on traffic control as opposed to traffic calming. She indicated there were studies done where an
 189 engineer found that the less control with stop signs, etc. lead to fewer accidents.

190 Kelly Liddiard doesn't think that is true. The problem is if there is an uncontrolled intersection, the city becomes liable in an accident.
 191 That's what needs to be prevented.

192 Jason Bullard asked if Elk Ridge Drive has ever been striped.

193 Debbie Cloward indicated that at one time, there was stripes where the bus stops down on Goosenest Drive and Elk Horn Drive. She
 194 thinks it was good. The other thing they did was put up a caution sign for kids and for awhile there was flashing lights on it.

195 Jason Bullard said he meant striping to make lanes.

196 It was commented that there was striping at one time, but it has long since been covered by asphalt. If the lines are there and the road
 197 seems narrower, people will drive slower.

198 Adam Castor indicated there are some references for traffic calming in the General Plan and requiring developers to implement traffic
199 calming devices in new developments. The objective is to study some alternatives or some solutions to the traffic-calming measures.
200 Under the General Plan in the transportation element Goal #3 states “Minimize impact to residential neighborhoods by adhering to the
201 road classification system layout and city requirements” and one of the implementation strategies is to “Study the best methods of traffic
202 calming that will work in Elk Ridge”.

203 Some traffic calming tools were discussed, such as painting lines, bulb-outs at intersections, speed bumps, speed humps, speed tables,
204 stop lines at stop signs, additional speed limit signs and flashing yellow lights within school zones.

205 Paul Squires also suggested putting in reflectors on the asphalt in addition to the striping.

206 It was suggested to do a speed study in the research before any plan is created.
207

208 **APPROVAL OF 10/14/2010 AND 10/28/2010 PLANNING COMMISSION MEETING MINUTES**

209 There were not any changes made to the planning commission meeting minutes.
210

211 **PAUL SQUIRES MADE A MOTION AND RANDY JONES SECONDED TO APPROVE MINUTES OF 10/14/2010 AND**
212 **10/28/2010 PLANNING COMMISSION MEETINGS. VOTE: YES – ALL (5), NO –NONE, ABSENT – (3) DAYNA HUGHES,**
213 **KEVIN HANSBROW, DAN STEELE**
214

215 **CITY COUNCIL UPDATE**

216 There was not a city council member present to provide an update.
217

218 **OTHER BUSINESS**

219 There was not any other business.
220

221 **ADJOURNMENT** – Co-Chair, Kelly Liddiard, adjourned the meeting at 8:10 p.m.
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224
225

Planning Commission Coordinator