

1 **ELK RIDGE PLANNING COMMISSION WORK SESSION**

2 **February 10, 2011**

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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, February 10, 2011, at 7:00 p.m. at 80 East Park Drive,
7 Elk Ridge, Utah.

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9 **ROLL CALL**

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

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17 **OPENING**

18 Dayna Hughes, Chair, welcomed at 7:00 PM. Opening remarks were said by Randy Jones followed by the pledge of allegiance.
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21 Dayna Hughes, Chair, introduced new full-time planning commissioner, Nelson Abbott. He was on the city council for a term. He
22 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
23 again. It happened quickly.
24

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

29 Dayna Hughes reviewed the agenda and the process of public hearings. She added that Paul Squires wanted to take 10-15 minutes.
30

31 **LINN CONDITIONAL USE PERMIT FOR HOBBY ANIMAL (MINIATURE HORSE)**

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

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

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

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

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

45 **DESCRIPTION:**

46 *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,*
47 *Elk Ridge, UT 84651. The applicant is seeking a Conditional Use Permit for the keeping of one miniature horse, as stated on the application.*

48 **RECOMMENDATION:**

49 *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*
50 *residence than neighboring residential buildings. The owner was to take ownership of the miniature horse on December 25, 2010. The city staff*
51 *believes the applicant is in compliance with the Land Development Code requirements, and recommends approval of the application based on the*
52 *submitted plans. It is also recommended that the code enforcement officer visits the site to verify compliance upon approval of the application.*

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

54 David Linn indicated it is a residence.

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

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

57 Randy Jones asked about the neighbor's property line.

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

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

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

61 Kelly Liddiard just wanted to make sure that the code enforcement officer verifies the distances because driving by, it looks like the
62 corral is pretty close to the 131 Astor Lane.
63

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 as
 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 to
145 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
161 RL Yergensen, but he and the planning commission helped to stop that from happening. (7) He also thought to require developers and
162 homeowners to re-vegetate trees and plants that had been removed during the building process. Re-vegetation has been done on the
163 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
164 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
165 volunteer efforts, the planning commission, the city council and especially the city employees. The city employees have a real
166 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
167 wanted to say to the mayor, "If he wants to be known as a man of integrity, he has to have some first".

168 Deborah Squires commented that night of the city council meeting where Mr. Abbott was being appointed to the planning commission,
169 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.

170 Paul Squires indicated the letter came to him from the mayor stated that the city council had decided to replace him. He indicated that
171 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
172 aware of the status of homes that did not fall within that 2006 prior ordinance, which he felt was important for the planning commission
173 because they worked so hard to have the ordinance passed, and the planning commission unanimously agreed; he knew that when that
174 happened the mayor was upset.

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

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178 **ADJOURNMENT** – Chair, Dayna Hughes, adjourned the meeting at 7:58 p.m.

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Planning Commission Coordinator