

1 **ELK RIDGE PLANNING COMMISSION WORK SESSION**

2 **May 12, 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, May 12, 2011, at 7:00 p.m. at 80 East Park Drive, Elk
7 Ridge, Utah.

8
9 **ROLL CALL**

10 *Commissioners:* Kelly Liddiard, Dayna Hughes, Debbie Cloward, Nelson Abbott, Sharon Dahlstrom, Dan Steele

11 *Absent:* Kevin Hansbrow, Randy Jones

12 *Others:* Marissa Bassir, *Planning Commission Coordinator*

13 Adam Castor, *LEI Planner*, Erin Clawson, *City Council*, Josh Abbott

14
15 **OPENING ITEMS**

16
17 **OPENING**

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

19
20 **KELLY LIDDIARD MOTIONED AND DAN STEELE SECONDED TO VOTE SHARON DAHLSTROM, ALTERNATE**
21 **MEMBER, IN AS A VOTING MEMBER. VOTE: YES – ALL (6), NO – NONE, ABSENT – (2) KEVIN HANSBROW,**
22 **RANDY JONES**

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24 **APPROVAL OF AGENDA**

25 Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

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27 **WATER CONVEYANCE CODE AMENDMENT PUBLIC HEARING**

28 Kelly Liddiard opened the public hearing at 7:06 PM.

29 Adam Castor explained that there was some discussion with city staff and LEI that was brought up by Jan Davis (*city recorder*), to look
30 at the time of conveyance for water rights during annexation. He asked if the city has gone through an annexation before. (Yes)

31 Through the discussions with the city, LEI has come up with a recommendation for an amendment to the annexation ordinance that
32 deals with water rights conveyance. It initially started as just looking at the time of conveyance and moving that and started looking at
33 what would be required at the time of conveyance. The recommendation is intended to do three things – make the amount of water
34 rights for both indoor and outdoor use more consistent with the state requirements; ensure the city receives the adequate amount of water
35 rights based on calculations per the state requirements at the time of conveyance; and last is to move the time of conveyance from “prior
36 to final action by the council” to a point in time after the annexation proceedings, but prior to any final plat approval. The reason for the
37 amendment is because it is hard to determine how many water rights should be conveyed to the city at that time because it could be
38 based on a concept plan that is submitted, which could change throughout time. It is hard to determine open space and the size of lots.
39 A lot can change between the proceedings for annexation and final plat approval.

40 Nelson Abbott commented that the city has used a chart determining the amount of water rights needed for specific lot sizes. He asked
41 if the amendment works with that chart.

42 Adam Castor indicated that it is close when they are looking at a ½ acre lot.

43 Nelson Abbott asked which is more generous, the amendment or the city chart.

44 Adam Castor replied that the city currently requires 1.3 acre feet of water per potential residential unit or lot or 2.6 per acre of
45 development. If those numbers were applied across the board, they are right in line with state requirements for a 20,000 square foot lot.
46 If there is anything under the 20,000 feet, say 8,000, those numbers are really high. The state, in some cases, will be getting more than
47 double of what would be required by the state requirements. If it is more than ½ acre – up to an acre plus, the city is not getting enough
48 by using that chart. There is a way that the state numbers can be applied. It is .45 acre feet of water per residential unit and it is 1.87
49 acre feet of water for outdoor use. The numbers can be used to calculate the outdoor use or the outdoor irrigable areas to figure out
50 exactly how much is needed. It works for a 20,000 square foot lot, but it is hard to apply that number accurately for anything above or
51 smaller.

52 Nelson Abbott doesn't think it will apply for really big lots.

53 Adam Castor said it is all determined by what is irritable and what's not. It comes down to a final plat issue. It would become an issue
54 for a PUD if there are 12,000 or 8,000 square foot lots – three to four dwelling units per acre. The city could end up with a lot more
55 water rights than would be required by the state. So the recommendation is to take those numbers out and use the state numbers and
56 start to make those calculations based on the number of lots and size of the lots and outdoor irrigation.

57 Kelly Liddiard asked if that is how other cities are doing it.

58 Adam Castor indicated that he had looked at Spanish Fork, Payson and Salem. It is all consistent with state requirements. Some of
59 them do have an actual chart based on the average number of units per acre, the numbers fluctuate because they are calculating the
60 indoor use requirement per unit and then also the outdoor requirement fluctuates because they are applying that number to smaller lots
61 versus bigger lots. It fluctuates depending on the overall lot size. He is trying to make it more consistent, easier to calculate and more
62 accurate water rights required at the time of conveyance.

63 Kelly Liddiard closed the public hearing at 7:12pm.

64 Adam Castor said he was reading through it again and he said to make sure it is clear for everyone he wanted to add some things. Part A
65 – “Water rights for indoor and outdoor use for each potential lot or dwelling unit shall be determined by the city using standard

66 engineering practices and state requirements.” “And” will go away. The next sentence will read, “Outdoor use will include, but not be
67 limited to, the space contained within a building lot excluding the footprint, hard surfaced patio, walkway, not irrigated areas and
68 roadway.” That is the determining factors for the outdoor irrigable space and that is where the 1.87 square acre/feet come into place. So
69 calculating the lot area minus the building footprint, driveway, walkway, hard surfaced patios, etc. is where that actually gets
70 determined. Item B – “Sufficient water to satisfy the projected needs of the development as determined by the city using standard
71 engineering practices and state requirements.”

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73 **DAYNA HUGHES MOTIONED AND NELSON ABBOTT SECONDED TO RECOMMEND FOR APPROVAL THE CODE**
74 **AMENDMENT FOR WATER RIGHTS CONVEYANCE TO INCLUDE THE FOLLOWING A2-A: “WATER RIGHTS FOR**
75 **INDOOR AND OUTDOOR USE FOR EACH POTENTIAL LOT OR DWELLING UNIT SHALL BE DETERMINED BY**
76 **THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE REQUIREMENTS” AND “OUTDOOR USE**
77 **WILL INCLUDE, BUT NOT BE LIMITED TO, THE SPACE CONTAINED WITHIN A BUILDING LOT EXCLUDING THE**
78 **BUILDING FOOTPRINT, HARD SURFACED PATIO, WALKWAY, NOT IRRIGATED AREAS AND ROADWAY” . A2-B:**
79 **“OTHER USE REQUIREMENTS: SUFFICIENT WATER TO SATISFY THE PROJECTED NEEDS OF THE**
80 **DEVELOPMENT AS DETERMINED BY THE CITY USING STANDARD ENGINEERING PRACTICES AND STATE**
81 **REQUIREMENTS. OTHER USES MAY INCLUDE RETAIL AND COMMERCIAL DEVELOPMENT, AND PARKS AND**
82 **OPEN SPACES”. VOTE: YES – ALL (6), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW**
83

84 **ABBOTT CONDITIONAL USE PERMIT APPLICATION - CHICKENS**

85 Kelly Liddiard opened the public hearing at 7:06pm.

86 Nelson Abbott will abstain from voting since he is a member of the planning commission. He explained their plan is to have chickens,
87 unless there are hens that turn to roosters, and then they would get rid of them. He has constructed a coop that provides for six square
88 feet per bird based on the number of birds he has currently. He designed the coop in a way to keep the predators out and keep the
89 chickens in. He also explained that his son, Josh, is putting together a tutorial for a contest online for it and he has been taking pictures
90 of the process. It is roughly 56 feet from his neighbor’s house, 90 feet from his neighbor’s to the east, 110 feet from neighbor’s across
91 the street and he has done everything possible to keep predators out. The area where the feed will be, where they will eat will be off the
92 ground to keep mice out. He also indicated his son will be helping with the maintenance. He has talked with his neighbors in the
93 immediate vicinity and they are all on board with it.

94 Adam Castor indicated that the staff reports that Mr. Abbott is in compliance.

95 Nelson Abbott said he already talked with the code enforcement officer and he was going to go look at it.

96 Planning assistant indicated that the code enforcement officer was able to see it and he indicated that Mr. Abbott’s coop is in
97 compliance.

98 Kelly Liddiard closed the public hearing at 7:18pm.
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100 **DAYNA HUGHES MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE ABBOTT CONDITIONAL USE**
101 **PERMIT AS STATED. VOTE: YES – ALL (5), NO – NONE, ABSENT – RANDY JONES, KEVIN HANSBROW**
102 **NELSON ABBOTT ABSTAINED**
103

104 **SENSITIVE AREAS MAP DISCUSSION**

105 Adam Castor indicated that he brought some maps with him. He found some CAD information from Aqua Engineering, which turned
106 out to be very helpful. Before the meeting, he went up to the area to exam it. He laid out the map to show the existing ground
107 topography. He drew in lines that are representative of drainages and/or ravines. There is criteria in the development code that stipulates
108 what a ravine actual is, but most actually qualify for it. The one in question is on the sensitive areas map and pointed to it on the map.
109 Nelson Abbott was thinking it should continue further up. Based on the topography, it tells him that it shouldn’t. He said he observed
110 that the water has naturally created two ditches that come down. He indicated that it doesn’t make sense to amend the sensitive areas
111 map because there are already houses there so no one would be developing. Nelson Abbott was thinking it needed to be amended for
112 further up the ravine. The ownership map claims ownership of Nebo Heights. He doesn’t know if there is something that can really be
113 done because it is based off the topography map. He indicated that it is flat up there so it doesn’t need to be amended.

114 Dayna Hughes asked what would happen at the bottom of the hill with all the mud and rocks collecting.

115 Adam Castor explained that the two channels that catch water will continue to catch more in the road. It’s not very big – just a roadside,
116 curb swell.

117 Nelson Abbott indicated that during Mayor Dunn’s term, there was a PRV valve off of Oak Lane that failed and water ran out so they
118 went up and re-channeled the water back down into it while they were working on it.

119 Dayna Hughes asked if the water still come off of Oak Lane – the debris. (Yes)

120 Adam Castor asked if it comes where Hillside dead-ends – running that way?

121 Nelson Abbott replied that it is coming down off the hill. He pointed out on the map where the water comes down.

122 Kelly Liddiard indicated that until they change the slope of the road, this will continue.
123

124 **APPROVAL OF 3/10/2011 PLANNING COMMISSION MEETING MINUTES**

125 There were not any changes made to the meeting minutes of March 10, 2011.
126

127 **NELSON ABBOTT MADE A MOTION AND KELLY LIDDIARD SECONDED TO APPROVE THE MINUTES FROM**
128 **03/10/2011 PLANNING COMMISSION MEETING. VOTE: YES – ALL (6), NO –NONE, ABSENT – (2) RANDY JONES,**
129 **KEVIN HANSBROW**
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132 **CITY COUNCIL UPDATE**

133 Erin Clawson indicated that they did hire a new public works employee, Rex Davis, and he will be starting on Monday. Wayne
134 Frandson will be retiring in September of 2012 so it is kind of a transition to get him up to speed. Weston Youd is planning the City
135 Celebration with his great committee. They are doing some new things, which should make it really fun. There are some new athletic
136 events for the youth this summer, T-ball, Field and Track, and a Youth Leadership team building thing. They have tentatively been
137 discussing next year's budget. Jan Davis, city recorder, does such a good job with that. She thinks everything will be approved.

138 Dayna Hughes asked what the plan is for the new playground.

139 Erin Clawson indicated that James Mayfield was voted to take Derrek Johnson's place on the city council. He is over Parks and is
140 working on getting that done. There are impact fees that have to be spent by a certain time this year for park and playground so he is
141 going to come up with some ideas and present them at the next city council meeting or the meeting after to decide whether they get
142 something new or just fixing the old and getting rid of the sliding thing where there have been some liability issues.

143 Dayna Hughes asked if the plan was to still put lights in.

144 Erin Clawson said they are talking about lights because a lot of that work has been done. There was some discussion about the light
145 ordinance in the general plan that Weston Youd brought up so they are going to comply with that – no lights after 11pm.

146 Kelly Liddiard said that is foolish because the light should be left on.

147 Erin Clawson said that is the whole purpose to have the lights.

148 Dayna Hughes indicated she thought that was just for new development. That's in the development code.

149 Erin Clawson said during those times is when it is needed for vandalism.

150 Kelly Liddiard said they talked about the motion light. If he lived next to the park, it would drive him crazy with the light going on and
151 off all night. Leave the light on.

152 Erin Clawson said she thought he had somewhere in the area to spend about \$140k and he asked Jan Davis, recorder, to set two thirds of
153 that aside.

154 Dayna Hughes asked if they already have lights.

155 Erin Clawson said they do have lights. The concrete was donated. It all got dropped with Derrek Johnson and the council not approving
156 what he wanted to go ahead with. Now James Mayfield is over it and hopefully with someone new doing it, he won't run into those
157 issues.

158 Debbie Cloward asked if they have thought to put cameras out there.

159 Erin Clawson said they had an expert come and it is a good idea.

160 Debbie Cloward said their business in Provo was gang tagged around the back and it took a lot to clean it up and they finally put
161 cameras and alarms in. They used Security Services. Even a sign that indicates there are cameras would deter some.

162 Dan Steele indicated that they could use cameras that work in the dark too.

163 Kelly Liddiard said the problem is that it makes it hard to identify people on cameras.

164 Erin Clawson said they were also thinking about when the park would be open. Currently, the park is open until 11pm, but they were
165 talking about having the curfew be at dusk, which would change from winter to summer months, which she thinks is appropriate.
166 Neighborhood watch looks over it right now.

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168 **OTHER BUSINESS**

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170 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:42 p.m.

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Planning Commission Coordinator