

1 ELK RIDGE PLANNING COMMISSION
2 JUNE 8, 2017
3

4 **TIME AND PLACE OF MEETING**

5 A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on
6 Thursday, June 8, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah
7

8 **ROLL CALL**

9 *Commissioners:* Jared Peterson, Jim Chase, Jared Barton, Stacey Peterson,

10 *Absent:* Dave Clark, Bruce Thorpe

11 *Others:* Shay Stark, City Planner

12 Tricia Thomas

13 Royce Swensen, City Recorder

14 Laura Oliver, Planning Commission Coordinator

15 *Public:* William Taylor, Stephanie Taylor, Jamie Elder, Jennie Elder, Tricia Gunnerson,
16 Chris Bernard, Tonya Bernard, Charyn Gunnerson, Brad Bushman, Alex Smith,
17 Russ Adamson, Annette Martin, Sharon Ram, Angelique Ram, Rachel Erickson,
18 Tyce Erickson, Paul Crook
19

20 **OPENING ITEMS**

21
22 Jared Peterson welcomed at 7:00pm. Opening remarks were given by Stacey Petersen
23 followed by the Pledge of Allegiance.
24

25 **JARED BARTON MOTIONED TO APPROVE THE AGENDA STACEY**
26 **PETERSEN SECONDED THE MOTION. VOTE: YES – ALL (4) NO –**
27 **NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE THORPE**
28

29 **PUBLIC HEARING AND DISCUSSION**

30 **1. CAMELOT SINGLE LOT SUBDIVISION ON SALEM HILLS DRIVE**

31 Jared Petersen turned the time over to Shay Stark City Planner.

32 Shay Stark- Camelot is a single lot subdivision on West Salem Hills Drive on the north side of
33 the road. The property to the west is developed, the property across the street on the south
34 side is undeveloped as is the property next to Camelot to the east. The frontage of this lot is
35 450 feet and there is no other configuration. The development has had a TRC and it was
36 decided to move forward and bring it before Planning Commission and the public. Even
37 though the drawings are not 100%, from a Planning Commission's perspective, there is
38 nothing about the development that can change the configuration of the lot. Tonight is the
39 public hearing and discussion but no action will be taken tonight. The lot does conform to
40 the zone. There are no exceptions or variances as far as the configuration and buildable area
41 of the lot.
42

43 Jared Peterson opened the public hearing.
44

45 Tricia Gunnerson – Her home is next to Camelot to the west. Her home has had flooding issues.
46 Several years ago the city cut some ditches in the road to make the water travel down to
47 Mahogany Road, to the west. She wanted to make sure that the drainage is being considered.
48 Shay Stark – As improvements are made in the road there will be catch basins and sump pumps
49 installed in order to catch anything that comes onto the road. Shay would have to go to the lot
50 and look at the specific situation.
51 Tricia Gunnerson – There are a lot of four wheelers that go through that have destroyed the
52 ditches but there are culverts below on Mahogany that are set up to catch the drainage.
53 Shay Stark – Shay will review the area and see that this is taken into consideration with the
54 improvements that will be installed. The sumps and catch basin should catch the drainage.
55 Jared Peterson – The Planning Commission will make sure that is addressed.
56
57 Jared Peterson Closed the Public Hearing.
58
59 Shay Stark – He did get the revised plans and will be able to review those. He is confident that
60 the plans will be approved next Planning Commission meeting.

61 **PUBLIC HEARING AND ACTION**

62 **2. GLADSTAN VIEW ESTATES FINAL PLAT APPROVAL**

63 Shay Stark – Gladstan View Estates development has been split into Phases A and B. Splitting
64 it into 2 phases enables the plats to fit onto the Mylar. This development is on the west side
65 of Elk Ridge Dr., starting at the existing homes on the north end and runs south along the
66 golf course up to Gladstan Dr.

67 William Taylor – Asked what the frontage requirement is.

68 Shay Stark – The frontage requirement for all the lots is 120 ft. (amount corrected in line 76)

69 William Taylor – Asked what the zoning is for this development

70 Richard Donegan – Asked if the homeowners would be backing out into Elk Ridge Dr. from
71 their driveways.

72 Shay Stark – The lots are required to have a turn-around or hammerhead driveway in order to
73 prevent cars backing out into Elk Ridge Dr. Also there is a 4 ft. wide park strip and an 8 foot
74 wide trial along the road which gives clear view of vehicles leaving a driveway.

75 Jared Peterson – The zone is R-1-15,000

76 Richard Donegan – Asked what the lot sizes are.

77 Shay Stark – The lots on the north end are 15,000 sq. ft. The lots further to the south are larger at
78 30,000 sq. ft. range. Shay also corrected the frontage which is 100 ft. not 120 ft.

79 Clarified that there are not multiple entrances on to the lots.
80

81 Jared Peterson closed the public meeting.
82

83 Jared Peterson – Ask if the fire hydrant and minor matters discussed in the TRC had been
84 completed.

85 Shay Stark – The changes have been made. The new drawings, which the Planning Commission
86 has, were submitted yesterday and will double check to see that those items were done.
87

88 **STACEY PETERSON MOTIONED TO APPROVE GLADSTAN VIEW**
89 **ESTATES PRELIMINARY PLAT WITH THE CLARIFICATION THAT**

90 **THE COMPLETION OF THE FIRE HYDRANT RELOCATION AND**
91 **THE TRAIL ENDS BE CONFIRMED. JIM CHASE SECONDED THE**
92 **MOTION. YES – ALL (4) NO – NONE, APPROVED. ABSENT; DAVE**
93 **CLARK, BRUCE THORPE**

94
95 **3. AMENDMENT TO FENCING CODE 10-12-13**

96 Jared Peterson – The Planning Commission is proposing to amend the fencing and retaining
97 wall codes to make them clearer and safer.

98
99 Jared Peterson opened the public hearing

100
101 William Taylor – Asked if the proposed amendment could be read.

102 Shay Stark – The problem is on corner lots and the home next to corner lots and 6 ft. fencing
103 being brought out to the street which blocks clear view vision at intersections and
104 driveways. The code is being amended to restrict fencing in front of the home to 36 inches
105 high from the front of the home or the setback, whichever is closer. Language is being
106 clarified to where the 36 inch high fencing would be.

107
108 **JARED BARTON MOTIONED TO APPROVE THE FENCING CODE 10-12-**
109 **13 STACEY PETERSEN SECONDED THE MOTION. THE MOTION. YES –**
110 **ALL (4) NO – NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE**
111 **THORPE**

112
113 **4. AMENDMENT TO RETAINING WALL CODE 10-12-13**

114 Shay Stark – The retaining wall code is being amended to bring the city in line with
115 international building code. The original code is old and is being brought up to date. The
116 original code required that any retaining wall, even if it was a 6 inch high garden bed or
117 anything that was holding back dirt, required it to be engineered and approved by the city.
118 The Planning Commission has updated the height requirements and safety issues. The
119 heights have been updated per the international building code is measure by the bottom of
120 the footing. Retaining walls over 4 feet in height as measured from the bottom of the footing
121 to the top of the wall, or having an exposed face height greater than 30 inches, or supporting
122 a surcharge. If there is a retaining wall over 30 inches tall a rail is required for the top of the
123 retaining wall. The amendment will go into effect when it is approved by city council.

124 Jared Peterson – Any time you have a grade change more than 30 inches you have to have a rail.

125 Shay Stark – Most people terrace at 30 inches.

126
127 **JARED BARTON MOTIONED TO APPROVE THE RETAINING WALL 10-**
128 **12-13 STACEY PETERSEN SECONDED THE MOTION. THE MOTION.**
129 **YES – ALL (4) NO – NONE, APPROVED. ABSENT; DAVE CLARK, BRUCE**
130 **THORPE**

131
132 **5. AMENDMENT TO ANIMAL CODE 10-18**

133 Jared Peterson – There has been a lot of confusion on the animal code and it has been decided to
134 revise the animal code. What he presented is not perfect but a work in progress. He came up
135 with a point system to try to make it fair for all residents. Some of the points and animals

136 may need to be changed and so forth which will be discussed at length. There were some
137 letters that were submitted that will be discussed.

138 Jared Peterson opened up the public hearing.

139 Tricia Gunnerson – Asked how the change will affect those that already have animals. Their
140 property is zoned for livestock.

141 Jared Petersen – Conditional use permits that are already approved remain valid until the
142 conditional use is abandoned. If you have a goat permit in a residential area you are still
143 permitted to have them. If you get rid of the goats then the permit is considered abandoned
144 and the new code goes into effect. Goats are no longer permitted in residential areas, only in
145 areas zoned for livestock. Residents need to know what zone they are in. There are some
146 bigger lots that are zoned for grazing; a quarter acre lot does not have those rights. He has
147 tried to make the chart in line with the zones and the size of the lot.

148 Shay Stark – The code is being revised to eliminate conditional uses and having to get a permit
149 for certain animals. If a resident meets the zone requirements on their lot they do not have to
150 get a permit. A management plan will be needed which shows that there are appropriate
151 facilities to take care of the animals so that vermin do not become a problem. That plan is
152 filed and will be used if a complaint is lodged to see if the management plan is not being
153 followed.

154 Jared Peterson – The conditional use permit for chickens has been removed as well as some of
155 the restrictions for the PUDS.

156 Jennie Elder – Asked if this point system is like 2 points for a chicken and so on and if the
157 requirements for the setbacks will remain in place.

158 Jared Peterson – Yes, there are points given for all the animals and the setback requirement is
159 still in place.

160 William Taylor – Asked if they could see the chart and have it explained

161 Jared Peterson – Yes, they put the chart up with the overhead. There is a chart for residential
162 lots without livestock rights. The maximum points allowed has been set at 100 points per
163 acre. There are 2 numbers on the chart: the points per species and how many square feet per
164 habitat are needed per animal. For instance a cat has 10 points with 8 square feet for their
165 habitat and so forth.

166 Jared Barton – The intent of these changes is not so the city controls what is happening on an
167 individuals property. The city is not interested in regulating what is happening on your
168 property. If you have indoor pets and they stay indoors and are not a problem to the
169 neighbors the Planning Commission is not interested in regulating them. If you have outdoor
170 pets that is where these charts come into effect. No one wants chickens all over the road as
171 is happening now. These changes are to get some common sense regulations into place on
172 the animals that spend a majority of their time outside.

173 Stacey Petersen – Asked if everyone can only have 1 cat and 1 dog regardless of lot size.

174 Jared Petersen – Everyone is allowed a dog or a cat before the points go into effect.

175 Jamie Elder – Cats are notorious in jumping fences and roaming at large.

176 Jared Peterson – Cats and dogs need to be licensed. Chapter 5 of the code is nuisance laws
177 which are enforced by the county. This code is identical to the Utah county code.

178 Shay Stark – Animal control is enforced through the county. The city has the authority to take
179 care of minor nuisances.

180

181 Jared Peterson – The numbers can be revised. This is the first attempt at the points and areas.
182 William Taylor– The numbers for rabbits should be lowered to 5. They are in pens and quiet.
183 Jared Peterson – All of the charts he has studied have rabbits at 10 points but these numbers can
184 be revised. After the public discussion the Planning Commission will discuss the points and
185 habitat areas.
186 William Taylor – He is concerned that those that already have animal rights will lose the rights
187 they paid a premium to have. He handed out a chart that has revised figures for areas zoned
188 with animal rights.
189 Shay Stark – Through this discussion, the Planning Commission will look at the points given
190 and will take a realistic look at how many chickens, dogs, etc. will be able to be maintained
191 on a given lot and will keep in mind the concerns voiced tonight. Those that have chickens,
192 rabbits, or any number of outdoor animals need a management plan. The city would use the
193 management plan as something to fall back on if there was a problem. Waste management is
194 part of the management plan. The Planning Commission has tried to be sensitive to those
195 issues and has to deal with those that do not take care of their animals.
196
197 Stephanie Taylor– Asked since there will no longer be conditional uses, having a management
198 plan seems to be making more work for the city in maintaining and or gathering them. The
199 point system limits those who may use their land as a source of self-reliance. Rabbits can be
200 used as food; 2 rabbits can become 12 rabbits and then dinner very quickly and this system
201 would limit the food that could be homegrown.
202 Jared Peterson – There is a caveat regarding litters and how long they can be kept on the
203 property.
204 Chris Bernard – Asked why Llamas and Alpacas are not allowed. They are clean and quiet and
205 are a good source of meat.
206 Jared Peterson – It was a request from the City Council that Llamas and Alpacas not be allowed.
207 Chris Bernard – Asked what constitutes abandonment.
208 Jared Peterson – The clause states that if you have a conditional use permit that is grandfathered
209 in and you get rid of that animal(s) for more than one year then it is considered abandoned.
210 Shay Stark – Conditional use permits is attached to the land not an individual. This clause
211 mirrors the state law regarding conditional uses.
212 William Taylor – If there is a problem then address the problem and do not create busy work.
213 Angelique Ram – The tough spot is the residential lots next to the more rural lots and how to
214 appease both situations. Management plans should be required only when there is a
215 problem. She likes the different charts for those with larger lots and animal rights. She
216 appreciates what has been done.
217
218 Jared Peterson closed the public comment.
219
220 Stacey Petersen – Agrees that rabbits should have a lower point value.
221 Jared Peterson – Chukers have a point value of 15 which is a typo and should be lowered. He
222 went through the points on chart 10-18A. Chukers could be lowered to the points given to a
223 pigeon or a chicken.
224 Shay Stark – He has been told that by many people that Chukers are noisy birds. Recommended
225 that a chart be created for larger or livestock zones.
226 Jared Peterson asked if there were any numbers that needed to be adjusted or added or removed.

227
228 Discussion ensued on points and habitat size:
229
230 Everyone is allowed 2 dogs or cats and not counted towards the points allotted
231 Inside animals of any number allowed.
232
233 Discussion ensued on grazing animals only allowed in life-stock zones and habitat size
234 Note in ordinance regarding water, pasture, supplemental feed
235 Setbacks
236
237 Discussion ensued concerning management plans:
238 Management plans are needed and that the city needs to be proactive.
239 Taking steps upfront to ensure that plans are in place then the residents know what is
240 expected of them.
241
242 Discussion ensued on comfort animals
243 Letter from physician needed
244
245 Discussion ensued on acreage and the home footprint and how much of the lot is actually
246 dedicated towards a habitat
247

248 **PLANNING COMMISSION DISCUSSION**

249 **GENERAL PLAN – LAND USE**

250 Tabled
251

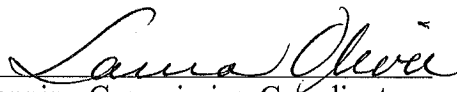
252 **CITY BUSINESS**

253 City Council Update – no updates
254 Other Business – no updates
255 Adjournment – Meeting adjourned at 9:00pm
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Planning Commission Coordinator