

ELK RIDGE PLANNING COMMISSION
JULY 13, 2017

TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge City Planning Commission was held on Thursday, July 13, 2017 at 7:00 pm at 80 E. Park Drive, Elk Ridge City, Utah

ROLL CALL

Commissioners: Jared Peterson, Jim Chase, Jared Barton, David Clark, Bruce Thorpe

Absent: Stacey Petersen,

Others: Shay Stark, City Planner

Royce Swensen, City Recorder

Public: Jamie Elder, Jennie Elder, Brad Turner, Tricia Gunnerson

OPENING ITEMS

Jared Peterson welcomed at 7:00pm. Opening remarks were given by Jared Barton followed by the Pledge of Allegiance.

**JARED BARTON MOTIONED TO APPROVE THE AGENDA DAVID CLARK
SECONDED THE MOTION VOTE: YES - ALL (4) NO - NONE (0) ABSENT:
STACEY PETERSEN**

PUBLIC HEARING AND ACTION ITEM

1. SHEDHORN DEVELOPMENT PRELIMINARY AND FINAL PLAT APPROVAL

Shay Stark – This is located on the corner of Lakeview Dr. and Canyon View This area had previously been subdivided in the Salem Hills Subdivision. These lots were parceled out into some strange shapes. This development consists of 3 parcels. which are being combined into 2 lots. There is an existing home on one lot. This is located in the R-1-20,000 zone. Both lots meet the size requirement. There are existing streets. There are some improvements which need to be made regarding storm-water/drainage in modifying the swell, additional pavement up to the easement line on Canyon View. At some point in the future the road will be striped for the trail. The sewer connections need to be made.

Jim Chase – Asked if there was curb and gutter.

Shay Stark – There is no curb and gutter. Brad Turner, the developer, is requesting an exception and that the requirement of curb and gutter be waived. There is no curb and gutter on any lots in this area.

Jared Peterson – Asked where the existing homes is located.

Brad Turner – The existing home is located 557 East Lakeview Dr. The Other 2 parcels are located on Canyon View.

Jared Peterson opened the public hearing

Jared Peterson closed the public meeting

Jared Peterson – Asked if the exception regarding the curb and gutter should be included in the motion.

Shay Stark – Yes the exception needs to be in the motion. Also, he did not receive the revised plans until Monday and was not able to review them until yesterday. There are no physical changes but there are some issues that need to be addressed. There removing the setbacks from the plat, showing the trail and notes from the storm water report and how the swell is going to be adjusted so that the contractor will know what needs to be done.

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53 **JIM CHASE MOTIONED TO APPROVE THE SHEDHORN DEVELOPMENT**
54 **WITH THE EXCEPTION FOR THE CURB, GUTTER AND SIDEWALK AS**
55 **WELL AS REMOVING THE SETBACKS, ADDING TRAILS, STORM**
56 **WATER/SWELL REPORT TO THE PLAT MAP. DAVID CLARK SECONDED**
57 **THE MOTION VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY**
58 **PETERSEN**
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60 2. CAMELOT SUBDIVISION PRELIMINARY AND FINAL APPROVAL

61 Shay Stark – The public hearing has already been held on this development. The city council
62 has already looked at this development as well. This is a single lot home. It would be too big
63 of a burden for the homeowner to complete the entire road. The road will only be done up
64 past their driveway. The fire chief has taken the fire truck and tested the existing turn around
65 and he has approved it. The drainage will be channeled into the new curb and gutter which
66 will be taken down in to a sump.

67 Jared Peterson – Asked for clarification that the road will be completed by the land owners across
68 the street.

69 Shay Stark – Yes, as things progress the gentleman across the street will complete the road. There
70 are 2 other property owners who will split up the completion of the road way.

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72 **JARED BARTON MOTIONED TO APPROVE CAMELOT SUBDIVISION**
73 **PRELIMINARY AND FINAL PLAT. JIM CHASE SECONDED THE MOTION**
74 **VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**
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76 3. APPROVAL OF APRIL 27, 2017 MINUTES

77 Bruce Thorpe – Asked for line 137 to state “Asked if the enclosed portion is fully enclosed.”
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79 **BRUCE THORPE MOTIONED TO THE MINUTES FOR APRIL 27, 2017 WITH**
80 **THE ONE CORRECTION. DAVID CLARK SECONDED THE MOTION VOTE:**
81 **YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**
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83 4. APPROVAL OF MAY 11, 2017 MINUTES

84 No changes
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86 **JIM CHASE MOTIONED TO APPROVE THE MINUTES FOR MAY 11, 2017.**
87 **JARED BARTON SECONDED THE MOTION VOTE: YES - ALL (4) NO - NONE**
88 **(0) ABSENT: STACEY PETERSEN**
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90 5. APPROVAL OF MAY 25, 2017 MINUTES

91 No changes
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93 **JARED PETERSON MOTIONED TO APPROVE THE MINUTES FOR MAY 25,**
94 **2017. BRUCE THORPE SECONDED THE MOTION VOTE: YES - ALL (4) NO -**
95 **NONE (0) ABSENT: STACEY PETERSEN**
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97 6. ANIMAL CODE 10-18 AMENDMENT

98 Jared Peterson – The Planning Commission has received word back from the city attorney David
99 Church. The attorney stated that he would like to see conditional use permits taken out of the
100 code completely. Jared and Shay had made some revisions accordingly. The whole
101 conditional use section had been repealed with the exception of the management plan
102 language for live-stock. There have been other comments regarding the confusion on the

103 charts. Table 10A - remained the same just added language to clarify number of animals and
104 lots size. On Table 10B added parenthesis on the units which match with the old table for any
105 parcel over 1 acre.

106 Shay Stark – These changes are in order to remove the exception for live-stock so that it doesn't
107 have to go through an approval with Planning Commission and or City Council. This is for
108 dedicated 1 acre or more for live-stock. In doing this the management plan is no longer
109 needed. They have to meet the criteria for live-stock. The 2 concerns for the city would be
110 minimum size of the live-stock management area and the buffers or setbacks in residential
111 areas.

112 Jared Peterson – That is the only area of concern that he has received phone calls about.

113 Jared Barton – He read a section "Lots that are 1 acre or more may be allowed 50 additional
114 points for chickens, ducks etc... 20 chickens is already allowed and is concerned the word
115 "may" seems ambiguous as to who may or may not be allowed to have up to 50 chickens.

116 Shay Stark – If it says shall then it is required.

117 Jim Chase – Change the wording so that is clearer perhaps to "it"

118 Jared Peterson – The wording and the points keep changing and it is his hopes that the Planning
119 Commission can solidify the amendment and vote to pass it and move it forward to the City
120 Council.

121 Jared Barton – He thinks that some of the numbers for chickens is excessive.

122 David Clark – Asked who actually enforces these.

123 Shay Stark – This is one thing they are trying to fix in amending the code. This will free staff up
124 from conditional use permits. Enforcement comes about through complaints. There are some
125 that the city can deal with but the county is actually over nuisance laws.

126 David Clark – Since March to April, a one month period, there were 7 animal complaints.

127 Royce Swensen – That is from the sheriff department. The city handles a lot of the other
128 complaints. In the last few weeks the city had 2 chicken complaints.

129 Jared Barton – Asked what the complaints are typically.

130 Royce Swensen – One had 20 chickens, they were roaming everywhere and didn't even have a
131 permit.

132 Bruce Thorpe – Feels that the Planning Commission should vote to see where they are at and that
133 20 chickens on an acre lot seemed ok.

134 Jim Chase – Feels that 20 chickens on an acre is fine.

135 Jared Barton – He is concerned with the worst case scenario of someone having 50 chickens.

136 Bruce Thorpe – Thinks that anything grandfathered in should stay as long as it is within the
137 current code.

138 Shay Stark – Feels that the original table with the research that Jared had done was fair. Just
139 because something is in the existing code doesn't make it something that should be kept.

140 Discussion ensued on the acre lot and points given

141 Problems with extra points

142 Keeping the total points to a 100

143 Simplify and reduce the points

144 Clear Language to avoid confusion as to what a management area is

145 Live-stock table is only applicable to areas zoned for live-stock.

146 Jared Peterson – Asked each member what they would change if anything

147 Bruce Thorpe – After clarification of the points and table for live-stock, he is fine with
148 everything.

149 David Clark – He is unsure if the Planning Commission has defined the root cause analysis in
150 code enforcement. Wonders if it is necessary to change the whole code if there is just one or 2
151 areas that need to be adjusted, such as conditional use permits for chickens.

152 Shay Stark – The problem is that the old code is too vague and is interpreted in too many ways.
153 The wording "and the like" needed addressed, which changed a lot of the code. Since much

154 of the code was being rewritten the opportunity to make it better was there. This is an attempt
155 to make it clear, with no interpretation due to contradictions or vagueness.

156 Jared Peterson – In his research and experience with the city’s animal issues, the conditional use
157 permit was the biggest problem. A conditional use permit was an attempt to give people
158 animal rights when they were not zoned for animal rights.

159 David Clark – He does not necessarily like or dislike the new code. He wonders if they need an
160 elaborate point system. Still wonders if they need a new code instead of just addressing the
161 problems such as chickens.

162 Jared Barton – He thinks that the issues go back to the code not being clear. He believes that the
163 revision is clearer and it is not left up to interpretation. It is impossible to make everyone
164 happy.

165 David Clark – One of the things he is hearing is that this code will infringe upon the rights of
166 those that have bought large areas of land with animal rights. He doesn’t want to tell someone
167 how to use their land if they own 10 acres.

168 Jared Barton – This code levels the field for everyone. Everyone has the same rights.

169 Jim Chase – This outlines everything in black and white. It allows for the animals rights of bigger
170 lots. No system is perfect but feels that this is improvement on the current code. He does not
171 feel that someone is buying land to put 50 horses on in Elk Ridge; horses are more of a hobby
172 here. A lot of the things they are talking about are a nonissue and feels that the real issues are
173 chickens, cats and dogs. That is where the enforcement problems are. He believes that this
174 code addresses the issues and that the Planning Commission should move forward with it as it
175 is.

176 Bruce Thorpe – There are some cosmetic issues he would like to address. He likes the code, and
177 the clarity of it. It’s simple and does not feel like they are changing the nature of the code but
178 making it more precise and easier to understand.

179 Jim Thorpe – The points have been discussed in length and includes the feedback from the public.

180 Jared Peterson – There is a lot of the current code in the new code. If part of the code wasn’t clear
181 then it was rewritten until anyone who read it would come away with the same
182 understanding. Most of the original points that were in the code came from research. Many
183 of those were lowered due to public comment.

184 Discussion ensued on cosmetic changes, grammatical corrections and redundancies.

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186 **JARED BARTON MOTIONED TO APPROVE THE REVISION TO ANIMAL**
187 **REGULATIONS 10 -18 WITH THE CHANGES DISCUSSED. JIM CHASE**
188 **SECONDED. VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY**
189 **PETERSEN**

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191 7. FENCING CODE 10-12-13 AMENDMENT

192 Jared Peterson – The City Council sent the Fence Code Amendment back to the Planning
193 Commission. The City Council did not like the corner lot fencing revisions.

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195 **JARED PETERSON MOTIONED THAT THE FENCE CODE 10-12-13 TO SEND**
196 **THE AMENDMENT BACK TO CITY COUNCIL WITHOUT ANY REVISIONS. JIM**
197 **CHASE SECONDED. VOTE: YES- ALL (4) NO – NONE (0) ABSENT: STACEY**
198 **PETERSEN**

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200 8. RATIFY POLL VOTE FOR CONDITIONAL USE PERMIT WEAVER

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202 **JARED PETERSON MOTIONED TO APPROVE CONDITIONAL USE PERMIT**
203 **FOR CHICKENS FOR THE WEAVER’S. JIM CHASE SECONDED THE**

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**MOTION VOTE: YES - ALL (3) NO - NONE (0) ABSTAIN: BRUCE THORPE.
ABSENT: STACEY PETERSEN**

9. RATIFY POLL VOTE FOR CONDITIONAL USE PERMIT FOR PURDY

**JARED PETERSON MOTIONED TO APPROVE CONDITIONAL USE PERMIT
FOR CHICKENS FOR THE PURDY'S. JIM CHASE SECONDED THE MOTION
VOTE: YES - ALL (3) NO - NONE (0) ABSTAIN: BRUCE THORPE ABSENT:
STACEY PETERSEN**

10. GENERAL PLAN

Jared Peterson tabled the discussion.

11. CITY COUNCIL UPDATE

The vision statement has been approved by City Council.

12. OTHER BUSINESS

No updates

**JARED PETERSON MOTIONED TO ADJOURN JARED BARTON SECONDED.
VOTE: YES - ALL (4) NO - NONE (0) ABSENT: STACEY PETERSEN**

Adjournment – Meeting adjourned at 9:00 pm


Planning Commission Coordinator