

## LEHI CITY PLANNING COMMISSION WORK SESSION

Minutes from the Lehi City Planning Commission Work Session held on Thursday, June 1, 2006 in the Lehi City Conference Room.

Members Present: Kerry Schwartz, Carolyn Player, Ron Smith, Marlin Peterson, Derek Byrne, Steve Roll, Vaughn Pickell, Janys Hutchings, Marilyn Schiess

Members Absent: None

Others: Dianna Webb, Frankie Christofferson, Kim Struthers, Noreen Edwards, Lorin Powell, Council member Mark Johnson, Bill Elton, Mark Ryan, Darwin Christensen - Engineer with PEPG Engineering

Meeting began at 5:40 p.m.

### **1. DISCUSSION OF LEHI CITY DEVELOPMENT CODE SECTION 12.060 K CRITICAL AREAS.**

Lorin Powell explained what critical areas Section 12.060 K pertained to. Lorin explained that one of the specific items the DRC wanted the Planning Commission to consider in that section was item #4, which deals with the 4495' high water elevation of Utah Lake. He said the DRC wanted them to consider whether it was appropriate to fill below that established level. He explained that by filling in below that level, it creates a displacement issue with flood waters. He said that this particular issue was of concern to some people present. He said 4495' is the elevation picked years ago as the high water elevation of the Lake. He said the main issue is whether we should allow any development below 4495. If so, do we want to make sure it is not displaced and not just filled in?

Bill Elton described where his property is located next to Spring Creek Ranch.

Darwin Christensen talked about elevations of the property and the future Mountain View corridor. He drew a diagram showing how the Mountain View Corridor would essentially create a dike between Mr. Elton's property and the lake.

Janys Hutchings said regardless of what effect the Mountain View Corridor would have on the lake, she still has concerns with mold or water in crawl spaces because of the proximity to the lake.

Marlin Peterson said he is against higher densities in this area, and that he did not like the density of Spring Creek Ranch. He felt we should keep the VLDRRA designation and keep the least amount of density we can in that area. Derek Byrne agreed.

Janys Hutchings asked if the Commission thought they should go with the current Code and stay with no building below the 4495 elevation.

Kerry Schwartz said the way the critical areas section is written is OK, but wondered if the 4495' elevation covered all the levels of water that the City is concerned with.

Lorin Powell said he felt like there were two issues; first, do we want development that close to the lake and second, do we want to allow fill.

Kerry Schwartz said he was concerned with allowing for fill, and asked what would need to happen to allow someone to place fill.

Lorin Powell said that grading permits can be issued to allow fill. He said in Bill Elton's case, the fill was probably not done with compaction.

Bill Elton said that all roads and foundations in the area he has already filled would have to be excavated and replaced with structural fill.

Steve Roll asked what instances there may be that the City would want to allow fill or development below the 4495 elevation.

Vaughn Pickell said perhaps the City would want to allow for roads or utility lines below 4495.

Marlin Peterson noted that TSSD has never had any problems at the elevation it was built at near the lake.

Steve Roll asked the Commissioners, now that the fill is in place on Mr. Elton's property; whether the City should we let him build on the filled area.

Marlin Peterson would like to see what the elevation of the TSSD plant is in order to base his decision. He said if the area is developed, he would like to use lowest possible density to avoid potential flooding problems.

Marilyn Schiess and Carolyn Player said they would rather leave it as is, with no development regardless of fill below 4495.

Vaughn Pickell said that what happens on this piece should not control what happens on the rest of the property in the area.

Kerry Schwartz said he is still concerned if the compromise, meander line etc. are covered in the ordinance.

Lorin Powell said he believes that FEMA's flood plain line, which is the same as the 4495 elevation line, covers all of the other disputed lines. The Commission did not want fill to be placed below the 4495' elevation.

The general consensus of the Planning Commission was not to allow building or development on Mr. Elton's property below the 4495' elevation (according to where the 4495 elevation was prior to any fill). It was also the general consensus of the Commission that the future development of Mr. Elton's property and that general area should be half acre lots above the 4495' elevation original line.

McKay Christensen asked the Commission about 30% slope areas talked about in Section 12.060 K.

Steve Roll said the issue with slopes would be whether or not the commission would recommend construction on slopes above 30%.

McKay Christensen said their Traverse Mountain project is approved for 4.2 units per acre, and they want to isolate the density in certain locations to avoid a dense feeling on entire project. He said there are a couple of locations that they would like to do mass grading, but that it would not affect sky lines. He said Geneva Rock wanted to buy some of their (Traverse Mountain's) property and level radio hill. He said Traverse Mountain's plans for development will not be as extreme as Suncrest development and Geneva Rock's pit. He said in the original annexation and development agreement under item 3, it talks about special geographic and terrain conditions that would be given consideration by the City. It talks about reasonable design and engineering standards in those areas.

Janys Hutchings asked about the width and safety of the trails on the slope areas.

## **2. DISCUSSION OF AMENDMENT TO THE LEHI CITY MUNICIPAL CODE ENACTING CHAPTER 15.02 – EXACTIONS.**

Dianna Webb explained that this change was being proposed in an effort to update the City’s ordinances to comply with the recent changes in State Code.

**3. DISCUSSION OF AMENDMENTS TO THE FOLLOWING PORTIONS OF THE LEHI CITY DEVELOPMENT CODE:**

- a. **TABLE 05.040 B, AMENDING THE SIDE YARD SETBACKS IN THE BUSINESS PARK ZONE.**
- b. **CHAPTER 9, CONDITIONAL USES, CLARIFYING CONDITIONS FOR APPROVAL.**
- c. **CHAPTER 30, VESTED RIGHTS, CLARIFYING THE STATUS OF VESTED RIGHTS FOR DEVELOPMENT APPLICATIONS.**
- d. **CHAPTER 19, SPECIAL EXCEPTIONS, DESIGNATING THE PLANNING COMMISSION AS THE LAND USE AUTHORITY FOR GRANTING SPECIAL CONDITIONS AND CLARIFYING THE STANDARDS OF APPROVAL FOR FLAG LOT SPECIAL EXCEPTIONS.**
- e. **PLANNING COMMISSION DISCUSSION AND INTERPRETATION OF THE LEHI CITY DEVELOPMENT CODE, SECTION 12.060 K, AND CRITICAL AREAS.**

Kim Struthers explained most of these changes were also being proposed in an effort to update the City’s ordinances to comply with the recent changes in State Code.

Kim Struthers explained the proposed Business Park setback issue as it relates to a proposed development in the Northridge Plaza commercial development. The Planning Commission talked about allowing some discretion on the setback based on additional landscaping.

The Planning Commission discussed flag lots. They felt like flag lots or any other subdivision issues should go to them for approval rather than the Board of Adjustment, and directed staff to make this change.

Vaughn Pickell recommended that we don’t call out flag lots as a special exception, rather call it a flag lot ordinance. He said State statues allow the City to designate a land use authority for various types of approvals.

**4. DISCUSSION OF ARCHITECTURAL STANDARDS IN THE R-2 AND R-3 ZONES.**

This item was not discussed.

**5. CITY BUSINESS**

Marilyn Schiess said the City needs to avoid allowing fill to be placed before development approval.

Steve Roll directed staff to make sure no permits are granted ahead of approvals.

It was mentioned that we may need a section in the Development Code requiring that prior to construction/fill there must be an approval issued. Steve Roll stated that that language is already in Section 12.060 K.

Lorin Powell suggested that the Planning Commission issue a letter to the Public Works Director, Mr. Hewitson, who issues grading and fill permits, explaining the Commission’s concerns.

*Janys Hutchings moved to adjourn. Second by Derek Byrne. Motion carried unanimously.*

Meeting ended at 6:50 p.m.

Date Approved\_\_\_\_\_

Chairman\_\_\_\_\_

