



MINUTES – Planning Commission

Thursday, May 9, 2019

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

Call to Order - 6:00 p.m. by Chairman Kirk Wilkins

5 **Present:**

Commission Members: Kirk Wilkins, Bryan Chapman, Bryce Anderson, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele
Staff: Dave Stroud, Planning Director; Gordon Miner, City Engineer; Nicolette Fike, Deputy Recorder

10 1. **Pledge of Allegiance** - led by Sandra Steele

2. **Roll Call** – A quorum was present

15 3. **Public Input**

Public Input Open by Chairman Kirk Wilkins

No public comment was given.

Public Input Closed by Chairman Kirk Wilkins

20 4. **Public Hearing: Amendment to City Code, Section 19.02, definition of “Sensitive Lands” and amendment to Section 19.25, by enacting chapter (6) Jordan River Erosion Hazard Area. City Initiated.**

25 Planning Director Dave Stroud presented the item. The Jordan River Erosion Hazard Zone is based upon the Meander Corridor in the Jordan River Corridor Preservation Study by CH2MHill dated March 2007. Bank stabilization methods may be implemented to remove property from the Jordan River Erosion Hazard Zone.

Public Hearing Open by Chairman Kirk Wilkins

30 Lillian Allred owns property along the River. She heard they couldn't build within 250 feet and asked where that was measured from. She is concerned it will affect her ability to develop her property. She noted other homes that are very close to the river and now she feels she can't build that close.

35 Steve Larsen owns the oxbow piece on the river. His understanding is that they are asking for additional oversight to protect the corridor. If that is accurate, and he thinks it's a good idea to protect the properties; as a developer he thinks it needs to be defined better and not left so open.

40 Paxton Guymon represents the Thompson family, Hyrum and Leland Thompson were present. He feels it is appropriate to designate this sensitive zone, but it should be designed to do just that and not more. They want to allow for professional input to mitigate risk but still allow property owners to develop and have the ability to develop.

45 Brian Carlisle, Salt Lake City, echoed the previous comments that it should be mitigated but not limit the ability of the landowner. He asked if an engineer's approval would be enough so they can know ahead of time how to mitigate the concerns. He would like a clear process needed, and clear boundary.

Leslie Armsten, Lillian's daughter, wondered what the actual footage was that she heard couldn't be used. Is there a footage? She wondered if there was a new study done or if the City just now decided to take action. She is concerned about the value of the land.

Public Hearing Closed by Chairman Kirk Wilkins

50 Planning Director Dave Stroud addressed public comment questions. He noted the 250 feet refers to the waterfront trails and buffer overlay zone. It is not 250 feet of property that can't be developed. The land is still

55 fully developable. A house structure could be as close as the high water mark. (85ft.). Right now our code does not have anything that says you need to protect the river bank from erosion and scour, so we are doing this to protect the property owners and value of the property. As this is a first go at the code it could be clarified better in the future as they work with it. This is something to put in place now. He advised there is a buffer currently in place with the high water mark, this says if you are going to develop along that corridor you need to shore up the bank for erosion. Regarding the Thompson property there is not a trail requirement because of the narrowness of their property. He advised that developers would work with an engineer and the Army Corp of Engineers to get the property ready to build. There was some stabilization measures when current developments were put along the river, this further addresses the issue.

60 Commissioner Carn received confirmation from staff that the river was controlled by Forestry Fire and State Lands. He received further confirmation that this new code does not restrict any development, it only adds protection to shore up the bank against erosion.

65 Commissioner Kilgore received confirmation from staff that this didn't impose anything on a property owner until a person wanted to build. Also that when passed the development check list would be updated. Ken wondered if this needed to address wildlife and endangered species.

70 Commissioner Steele saw this as a protection of the land more than restricting development. She isn't sure where the 250 ft. idea came from other than if they have property within that footage they need to do something to mitigate risks if they build. It's not really taking rights away from developing, it's a protection, not an onerous regulation.

75 Commissioner Anderson wondered where we draw the line on who is grandfathered in in. Planning Director Dave Stroud advised there were no current applications in the city for these properties and this will fall under pending code.

80 Commissioner Chapman asked for the purpose of having this code. Planning Director Dave Stroud advised it was to protect the property owners in the city. Anything within the confines of FFSL would need to be mitigated anyway, this helps protect against what the river could do to the property. Commissioner Chapman felt there was nothing here saying an owner can't do something, it didn't take away property they could use. He felt that there needs to be better specificity for what is required to develop the land such as the need for an engineer's report.

85 City Engineer Gordon Miner advised that there are professional standards engineers would adhere to and that the City would respect what is in the reports. Because it is not a fast river he doesn't see vast amount of infrastructure would be needed to mitigate.

90 Commissioner Cunningham noted that in section 1, the statement that stabilization can be done to remove property from the hazard zone shows there is the option to remove it from the zone. He thinks this is going in the right direction.

95 **Motion made by Commissioner Steele that Based upon the evidence and explanations received today, I move to forward a positive recommendation to the City Council for the proposed amendments to Chapters 19.02 and 19.25 as identified by staff with the Findings and Conditions contained in the staff report dated May 9, 2019. Seconded by Commissioner Kilgore. Aye: Bryce Anderson, Bryan Chapman, Christopher Carn, Troy Cunningham, Ken Kilgore, Sandra Steele, Kirk Wilkins. Motion passed 7 - 0.**

100

5. Approval of Minutes:
 - a. April 25, 2019

105

Motion made by Commissioner Chapman to approve the minutes of April 25, 2019. Seconded by Commissioner Cunningham. Motion passed unanimously with Commissioner Anderson abstaining.

6. Reports of Action. - No Reports were needed.
7. Discussion of City Code Title 19.06 Landscaping and Fencing.

110 Time was spent briefly to discuss this section of code. No motion or action was taken.

8. **Commission Comments.**

Commissioner Chapman noted he would be absent at the next meeting.

115 Commissioner Wilkins had been approached about the property east of Papa's Carwash. Planning Director Dave Stroud noted the developers have a concept plan, and comments and corrections were communicated. There has been no further application submitted.

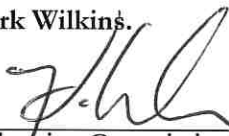
120 Commissioner Anderson noted in his subdivision they get a lot of motorized vehicles in the park and slip-n-slides that destroy the grass. He asked what was permissible and what can they do to enforce it. Planning Director Dave Stroud advised he can let the Parks dept. know to keep an eye on it. Commissioner Steele suggested some signs may be appropriate to post.

125 9. **Director's Report.** – Planning Director Dave Stroud gave a quick report of upcoming applications.

10. **Possible motion to enter into closed session** – No closed session was held.

11. **Meeting Adjourned Without Objection at 7:30 p.m. by Chairman Kirk Wilkins.**

130 23 May 2019
Date of Approval



Planning Commission Chair
Kirk Wilkins

135 

Deputy City Recorder

