

NOTICE

Notice is hereby given that the Mayor and City Council will hold a Work Session on Wednesday, October 2nd, 2013 in the Council Chambers, 45 West 100 South, beginning at 6:00 pm.


DISCUSSION ITEMS

1. Discussion – Santaquin City's Position Regarding the Sunroc Conditional Use Application with Utah County
2. Discussion – Regarding Upcoming Meeting Schedules through Calendar Year-End (*e.g. Advertisements, Public Hearings, Impact Fee Implementations, Special Service District Creation, Budget Departmental Review, Budget Amendments, Holidays, etc.*)
3. Discussion – Review of the Draft Culinary Impact Fee Ordinances - (*formal consideration anticipated on October 16th*)
4. Review of Agenda Items
5. General Discussion

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651.


By: Susan B. Farnsworth, City Recorder

Posted:
City Offices
Post Office
Zions Bank

**MINUTES OF A COUNCIL WORK SESSION
HELD IN THE COUNCIL CHAMBERS
OCTOBER 2, 2013**

The meeting was called to order by Mayor James E. DeGraffenried at 6:00 pm. Council Members attending: Keith Broadhead, Matthew Carr, Kirk Hunsaker, James Linford, and Rick Steele.

Others attending: City Manager Ben Reeves, Director Dennis Marker, Director Dennis Howard, Legal Counsel Brett Rich, J-U-B Engineering Mark Christensen, Mandy Jeffs, Nick Miller, and Andrea Urban.

DISCUSSION ITEMS

Review of the Draft Culinary Impact Fee Ordinances - (formal consideration anticipated on October 16th)

Mr. Christensen reported on a question that was asked during the last Council Meeting with regard to water line looping. J-U-B Engineering recommended making a change to the Master Plan to include looping of the water lines.

Santaquin City's Position Regarding the Sunroc Conditional Use Application with Utah County

Director Marker reviewed the proposed memo pertaining to the Sunroc Sanitary Landfill Request within the County's boundaries. Council Member Carr indicated he has reviewed the documents and was in agreement with the memo's content. Council Member Hunsaker requested City Manager Reeves attend the meeting to voice the concerns of the Council (see attachment "A" for the Memo with the addition of a 5 year max usage). After the discussion it was decided Mayor DeGraffenried would also attend the meeting.

Regarding Upcoming Meeting Schedules through Calendar Year-End (e.g. Advertisements, Public Hearings, Impact Fee Implementations, Special Service District Creation, Budget Departmental Review, Budget Amendments, Holidays, etc.)

City Manager Reeves reviewed a proposed meeting schedule throughout the year of the calendar year (see attachment "B" for a copy of the schedule).

Review of Agenda Items

Not enough time to review the agenda items.


General Discussion

Not enough time review the agenda items.

At 6:55 pm the meeting adjourned.

Approved on October 16, 2013.


James E. DeGraffenried, Mayor


Susan B. Farnsworth, City Recorder



MEMORANDUM

October 1, 2013

To: Utah County Board of Adjustment
From: Santaquin City
RE: Sunroc Sanitary Landfill Request
15800 South Frontage Road, Sec. 15, T.10S., R.1E. SLB&M

Zone: M&G-1
Appeal#1530

Santaquin City received timely notice of the Utah County Board of Adjustment hearing scheduled for October 3, 2013 regarding the Sunroc Corporation request to operate a Sanitary Landfill at "15800 South Frontage Road (I-15), Section 15, T10S R1E, in the Santaquin area of Utah County."

Santaquin City acknowledges the Utah County Board of Adjustment as the Land Use Authority for Conditional Use Permits in Utah County as per the Utah County Zoning Ordinance (UCZO) §7-12-C. It also recognizes that the request for a sanitary landfill use on the subject property requires a Conditional Use Permit under UCZO §5-C-9. Any approval of a conditional use permit under Utah County Code must comply with Utah State Code, 17-27a-506 and UCZO §7-20: Rules for Hearing and Deciding Appeals for Conditional Uses. Appeals of the Board of Adjustment decision must be received within 45 days of the action as per UCZO §7-14.

After obtaining a copy of the application and staff report concerning the proposed landfill, Santaquin City feels it is appropriate to make the following comments and requests for consideration.

Santaquin City Requests for Consideration

Under UCZO §7-20, the Board of Adjustment is authorized to impose conditions "to mitigate reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Santaquin City respectfully requests the Utah County Board of Adjustment consider the following standards and reasonable detrimental effects before approving the Sunroc request.

1. As referenced in the Utah County Community Development staff report (Report) UCZO, §7-20-C-2 states, "[The Conditional Use] shall be consistent with the general purposes and intent of the land use ordinance." While the Report cites two purpose statements under UCZO §1-2, it does not address, or limits the application of, the following purpose statements:

- A. UCZO, §1-2. The intent and purpose statement of the UCZO states, **“It is the intent and purpose of [Utah County], to avail itself of the powers granted under ... Utah Code..., in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Utah County.”** (emphasis added)

Since Santaquin City is situated in Utah County, its citizens are Utah County residents and must be afforded full consideration when determining possible detrimental effects from the proposed conditional use. These considerations must also extend to future residents, who are of particular significance due to adjacent properties being master planned, and contracted by development agreement with Santaquin City, to have residential uses (See Exhibit A, Summit Ridge Communities Concept Plan).

- B. UCZO, §1-2-C, purpose statement says, **“To promote efficient and economical utilization, conservation, and production of land, water, and other resources and facilities.”**

The Report notes the proposal’s “economical utilization of land by facilitating the needs of two uses (construction and demolition debris disposal and mining reclamation) at one existing site location.” This does provide an effective way to handle two processes on the subject property, but there are additional economic impacts that should be considered on adjacent properties.

Underutilized lands adjacent to the subject property are slated for many, higher and better economical uses. Future neighboring uses include a commuter rail station with supporting transit oriented development, high density residential, highway commercial, destination retail, office and cultural uses, as well as light industrial and manufacturing. The mentioned uses are contractually binding on the City and the property owner. The timing of these uses is within the anticipated duration of open pit extraction and reclamation activities currently authorized by the County. Prolonged activities in the quarry also prolong the visual, noise, and heavy traffic impacts of the operation. It is hoped that by granting a conditional use for the landfill, the pit operations will conclude sooner than expected and not detrimentally affect the timing or attractiveness of new development on adjacent properties.

One way to assure the pit reclamation process takes less time, and that the property can be built upon, is to not allow additional extraction of material beyond the currently approved limits (and depths) of disturbance. Also, that a strict landfill monitoring system being implemented to assure compaction and fill standards are met. This latter requirement is especially warranted based on the concept grading plan submitted by Sunroc, which would allow an additional 150 feet of material to be excavated on the property if approved (See Exhibit B).

- C. UCZO §1-2-I, **“To promote a more attractive and wholesome environment.”**
D. UCZO §1-2-K, **“To protect both urban and non-urban development.”**

As new homes are constructed and businesses scout the south Santaquin area, the presence of mineral extraction activities is obvious along the railroad corridor. This area of disturbance is currently operated by Sunroc and anticipated to end within four years. At the conclusion of this work those lands will be redeveloped with uses noted in 1.B above. Sunroc will also resume full operations in the open pit permitted by Utah County when the Summit Ridge materials are excavated.

When Sunroc resumes full operations in the open pit, operations will be hidden from I-15 view by the large berm along the frontage road. However, since the initial approval of the pit, the potentially affected viewing public is not only on the east side of the pit. Continued pit operations and the amassing of landfill waste materials will be visible to current and future home owners on adjacent properties and the nearby foothills. The visibility of these operations and their duration will greatly affect the desirability of the area for an attractive place to live and have a negative impact on development in the area. Homes built on the west side of the railroad tracks will likely see the pit no matter the screening mechanism, but additional berm and/or windrow of poplars along the north property lines would provide some relief for the commercial/light industrial areas east of the railroad tracks.

E. UCZO §1-2-K, "To enforce the provisions of this ordinance and to minimize the exceptions or variances hereto."

The staff Report does not address all applicable County standards that the Board of Adjustment should consider on this proposal.

Although the application is for a sanitary landfill, the request cannot be separated from the current use and operating permit for a mineral extraction operation. The staff report states, "*The property has been receiving construction debris recently, which is being deposited in the excavated areas of the gravel extraction operation as a means of reclamation of the site.*" This activity is not currently allowed, as it would require the approval of a construction and demolition (C&D) landfill"(emphasis added). Allowing a landfill to serve as part of the reclamation activities for the currently permitted operation expands the current permit. Additionally, allowing excavation beyond the currently permitted extraction plan is an expansion of the permit (See 1.B above). UCZO §3-24-B states, in part, "*Any expansion of pits, dumps, storage pits or operation areas beyond the existing permit is subject to all provisions of this section.*"

Based on UCZO §3-24-B, the applicant would need to comply with all provisions of UCZO §3-24, which includes updated site plans, haul route analysis, updated or revised reclamation plans, bonding, surveying, and County engineering approvals. The applicant indicates on their application that sufficient access and road systems are in place for the anticipated traffic. The staff Report notes that "the application did not indicate an estimate of the frequency of haul trucks anticipated to visit the site." Without a Haul Route analysis, Santaquin is very concerned about the integrity of its roads and the potential increase of heavy traffic on them.

2. Conditional Use standard of review UCZO, §7-20-C-3, states, “[The Conditional Use] shall be consistent with the ‘characteristics and purposes’ stated for the zoning district involved and the adopted general plan.”

The County General Plan mentions, “Counties are recognized as legal subdivisions of the State and thereby function in a supportive role to the incorporated urban places...” While the M&G-1 zone states that its purpose is “To provide a location for certain types of uses which, due to odor, noise, danger, etc., are not compatible with urban development.” Santaquin is concerned that activities in the open pit will deter or negatively impact, not support, the current and future residents and businesses in the area.

It is difficult to dismiss the changes occurring in Utah County and the vibrancy of the region’s economics. It will not be long before properties adjoining the subject parcels will be considered “urban development” by more than jurisdictional affiliation. This means, by necessity, rethinking the existing land uses. In the case of the current extraction operation this needs to include accommodating regionally significant road corridors for the Goshen Valley freeway connector, implementing monitoring of landfill activities such that “structures can be built on top of the fill when the pit is fully reclaimed,” to use the applicants terms, and not permitting an unreasonable extension of pit activities that can detrimentally affect the timing or attractiveness of new development. Some of these elements are not in the County General Plan, but they are in the 2040 Metropolitan Transportation Plan and Santaquin City General Plan, which the County General Plan “notices.”

3. Conditional Use standard of review UCZO §7-20-C-4 states, “[The Conditional Use] shall be compatible with the public interest and with the characteristics of the surrounding area.”

As noted above, the Santaquin annexation policy plan and General Plan include the subject property (See Exhibit D). The Santaquin General Plan was adopted in 2007 and is currently being revised to address current public sentiment. To determine public interest, Santaquin held two neighborhood meetings with residents in the Summit Ridge area and multiple public open houses/meetings. Draft plans for the area include reclamation of the Sunroc pit and development of regionally significant commercial and office uses. These long-term plans become more viable with the Goshen Valley freeway connecting to I-15 along the border of, or through, the Sunroc property (See Exhibit E). Reclamation of the Sunroc pit, including landfill activities, should be consistent with these long range plans.

4. Conditional Use standard of review UCZO §7-20-C-6 states, “[The Conditional Use] shall comply with all of the terms and requirements of the land use ordinance, including but not limited to those found in Chapter 3, and Chapter 5, of the land use ordinance.”(emphasis added)

As noted above, Chapter 3 regulations pertaining to material production should not be ignored in reviewing this proposal. The application for a landfill is complimentary to the reclamation of the permitted open pit and thus an expansion of the original terms of approval.

Conclusion and Summary

Santaquin City recognizes that the request for a sanitary landfill use requires Conditional Use approval under the Utah County Land Use Ordinances. Santaquin City believes there are additional regulations that must be considered as well as reasonable detrimental effects that need to be mitigated with any approval of the proposed landfill. Detrimental effects that could occur with the proposed use include delayed economic viability of the subject parcel and neighboring areas, impacts to county and local roads, as well as prolonged visual, audible and physical nuisances to current and future property owners.

Santaquin respectfully requests the following reasonable conditions be placed on any approval for a C&D Landfill at 15800 South Frontage Road (I-15) in Utah County.

1. County staff recommended conditions 1 through 6 as noted in the staff report.
2. County staff recommended condition 7 changed as follows (underlined text is added):
“That only the applicant, licensed building contractors, and public agencies be allowed to deposit construction and demolition waste in the sanitary landfill. The sanitary landfill may not be made available for use by the general public.
3. That no expansion beyond the currently permitted open pit operations, including deeper excavations, be allowed on the property unless consistent with preservation of the Goshen Valley freeway connect and the Santaquin City General Plan for the area.
4. That all landfilled areas have compaction tests to assure compliance with building codes pertinent to construction on fill materials.
5. That the applicant conduct a Haul Route analysis to the closest I-15 interchange off-ramp, in accordance with Utah County Code §3-24-C-10a through 10d and that a bond and schedule of improvements be provided to address any anticipated effects identified in the Haul Route analysis.
6. That additional site obscuring berms or windrow plantings be installed along the north landfill boundaries immediately upon Sunroc relocating crushing and scale operations from the Santaquin Summit Ridge sites.

UPCOMING COUNCIL MEETINGS - Through Year End 2013

October 9th

Work Meeting: Review Parking along 300 West
Future Council's Technology Needs
Discussion – Electronic Meetings
Council and Council-Elect Training/Discussion

October 16th

Work Meeting: JUB – Irrigation Water Master Plan & Capital Facility Plan
JUB – Irrigation Water Impact Fee Facility Plan
Budget – Departmental Review – Administrative Services

Regular Meeting: Resolution – Lease Approval of 2013-2014 Vehicle Purchases
Resolution – Surplus (2 Treadmills – Senior Citizens)

October 23rd

Work Meeting: Review Transportation Planning Qualifications
Conceptual Review of EDA Project Area – Sewer Lagoon Site
Budget Departmental Review – Community Development

October 30th

NO MEETING – 5th Wednesday

November 6th

Work Meeting: Select Transportation Planning Consultant (Interviews)

Regular Meeting: Public Hearing – Creation of the Road SSD
Public Hearing – Irrigation Water IFA
Public Hearing – Irrigation Water IFFP
Ordinance – Irrigation Water CFP
Ordinance – Irrigation Water IFA
Ordinance – Irrigation Water IFFP
Ordinance – Culinary Water CFP
Ordinance – Culinary Water IFA
Ordinance – Culinary Water IFFP
Resolution – Consolidated Fee Schedule
Resolution – Fire Department Standard Operating Procedures (SOP) Update
Resolution – UDOT 500 East Access Agreement

November 13th

Work Meeting: Refine Scope of Transportation Master Plan Project & Contract Terms
Review of EDA Project Final Scope Documents & RFP Terms

Budget Departmental Review – Leisure Services

November 20th

Work Meeting:

Budget – Departmental Review – Public Works
Council and Council-Elect Training/Discussion

Regular Meeting:

Resolution – Creation of Road SSD
Ordinance – R-8 Development Standards (From Planning Commission)

SSD Meeting:

Resolution – Transportation Planning Consultant Contract Approval

November 22nd

WRF Ribbon Cutting Event

November 27th

No Meeting – THANKSGIVING

December 4th

No Meeting - CITY CHRISTMAS PARTY

December 11th

Work Meeting:

Budget – Departmental Review – Public Safety
Review of Professional Services

Regular Meeting:

Public Hearing – Budget Amendment
Resolution – Budget Amendment (New Property Tax)
Resolution – ROW Exchange (Orchard Lane/500 East) Agreement
Ordinance – General Plan Update

SSD Meeting:

Public Hearing – Budget
Resolution – Adopt Budget

December 18th

Work Meeting:

EDA – RFP Response Review and Selection
Council and Council-Elect Training/Discussion

Regular Meeting:

City Auditor's Presentation
Resolution – Water Conservation Plan (Required)

December 25th

NO MEETING – Christmas Day

January 1st

NO MEETING – New Year's Day

- *** Unknowns - Final Change Orders and Project Closeout Documents accepting the WRF from DWQ
- Other Items that will inevitably come up

**BUDGET SEASON BEGINS
RETREATS & TRAINING**