

## NOTICE AND AGENDA

Notice is hereby given that the City Council of the City of Santaquin will hold a City Council Meeting on Wednesday, October 17, 2007, in the Council Chambers, 45 West 100 South, at 7:00 pm.

### AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION/INSPIRATIONAL THOUGHT**
4. **CONSENT AGENDA**
  - a. Minutes
    1. October 3, 2007
  - b. Bills
    1. \$150,348.36
5. **FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Public Forum is held to a 30-minute maximum with each speaker given no more than 5 minutes each. If more than 6 Speakers, time will be adjusted accordingly to meet the 30 minute requirement

  - a. Recognition of past Planning Commission Members
6. **FORMAL PUBLIC HEARINGS**
  - a. CDBG 1<sup>st</sup> Public Hearing
7. **UNFINISHED BUSINESS**
  - a. Discussion with regard to regulating Sexually Oriented Businesses
8. **NEW BUSINESS**
  - a. Certification of the Northeast Santaquin Annexation (petition accepted 9-19-07)
  - b. Discussion and possible action with regard to the Residential Solid Waste Collection & Disposal Agreement
9. **BUSINESS LICENSES**
10. **INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS (Roll Call Vote)**
  - a. **Ordinance 10-02-2007** "An Ordinance Amending The City's Landscaping Standards Regarding Minimum Tree Sizes Allowed Within Required Landscaping, Codification And Inclusion In The Code"
  - b. **Ordinance 10-03-2007** "An Ordinance Amending The City's Zoning Map To Rezone Approximately 184 Acres Around The City's Waste Water Treatment Facility From PF (Public Facility) To I-1 (Industrial), Codification And Inclusion In The Code"
  - c. **Ordinance 10-04-2007** "An Ordinance adopting the Sanitary Sewer Collection System Capital Facilities Plan for Santaquin City Corporation"
11. **PETITIONS AND COMMUNICATIONS**
12. **REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES**
  - a. City Manager Chatwin
13. **REPORTS BY MAYOR AND COUNCIL MEMBERS**
  - a. Mayor DeGraffenried
14. **EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)
15. **EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)
16. **ADJOURNMENT**

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 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 faxed to the Payson Chronicle, Payson, UT, 84651.

BY:

Susan B. Farnsworth  
Susan B. Farnsworth, City Recorder

### POSTED:

CITY CENTER

POST OFFICE

ZIONS BANK ® Amendment to Agenda

**MINUTES OF A COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
OCTOBER 17, 2007**

Mayor James E. DeGraffenried called the meeting to order at 7:05 pm. Council Members attending: Arthur Adcock, Filip Askerlund, Martin Green, James Linford, and Tracy Roberts.

Others attending: City Manager Stefan Chatwin, Legal Counsel Brett Rich, City Planner Dennis Marker, Administrative Assistant Shannon Hoffman, Director of Public Safety Dennis Howard, Planning Commission Member Doug Rohbock, Brent Vincent, Justin Wilde, Cory Crabb, Caleb Crabb, Mason Haycock, Zac Quist, Cameron Rogers, Jordon Montoya, Bridger Rawlings, David Losee, Jim Morrison, Tanner Mahoney, Mike Jayme and other unidentified individuals.

**PLEDGE OF ALLEGIANCE**

Council Member Adcock led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Mr. Rohbock offered a Word of Prayer.

**CONSENT AGENDA**

***Minutes***

**October 3, 2007**

***Bills***

**\$150,348.36**

Council Member Green moved to approve the Consent Agenda. Council Member Roberts seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

**FORUM, BID OPENINGS, AWARDS, AND APPOINTMENTS**

Mr. Cory Crabb indicated he lived on 900 East. At the time he purchased the property, he was told there would be a 25' path at the side of his home. He questioned what the plans with regard to the installation were? City Planner Marker indicated the Developer is required to install the path and currently there are negotiations being held with regard to the installation. Mr. Crabb was told Mr. Carter, Developer of the project, would be installing the path. City Manager Chatwin gave Mr. Crabb his contact information so he may get hold of City Manager Chatwin if the path was not installed in a timely manner.

Caleb Crabb asked how the City makes developers adhere to CC&R's. He was told the City is currently making the Developers adhere to CC&R's before they are granted additional subdivision approvals. Council Member Green indicated the City is exploring the option of a Youth Council.

Mr. Wilde asked if it was ok to set a trap for the neighbor's dog. Legal Counsel Rich advised Mr. Wilde contact the Animal Control Officer instead of trapping them on their own.

***Recognition of past Planning Commission Members***

No past Planning Commission Members were present.

**FORMAL PUBLIC HEARINGS**

***CDBG 1<sup>st</sup> Public Hearing***

Council Member Linford moved to open the 1<sup>st</sup> CDBG Public Hearing. Council Member Adcock seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

Administrative Assistant Hoffman stated that this hearing is being called to consider potential projects for which funding may be applied under the 2008 Community Development Block Grant Program. Ms. Hoffman explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Mountainland Association of Governments, in which Santaquin is a member, is expecting to receive approximately \$1.5 million in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interested persons can review it at any time. Ms. Hoffman read several of the eligible activities listed including construction of public works and facilities, i.e.: water and sewer lines fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons and the program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons. Ms. Hoffman indicated that in the past Santaquin has received a number of grants one of which helped build the new Public Safety Building. The City has handed out its capital investment plan as part of the regional "Consolidated Plan". This list shows which projects the city has identified as being needed in the community. It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

Mr. Vincent asked if the funds were matching funds. He was told the fund were 80/20 match. He recommended applying for monies for a new Seniors Center.

Ms. Hoffman suggested applying for monies to acquire property for the proposed sewer treatment plant or construction of a 5 million gallon water tank on the West side of town.

City Planner Marker indicated the Mayor and Council Members have been proactive in listing the high priority needs of the City and suggested strongly considering the suggestions of Ms. Hoffman.

There was no other public comment or questions.

Council Member Green moved to close the 1<sup>st</sup> CDBG Public Hearing. Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

## UNFINISHED BUSINESS

### ***Discussion with regard to regulating Sexually Oriented Businesses***

Legal Counsel Rich indicated he presented the Mayor and Council Members with "findings" with regard to Sexually Oriented Businesses. He recommended they review the information provided and offer guidance as to drafting the proposed ordinance.

Council Member Askerlund asked if the City has an established "boundary" with a certain size zone, for such business. He was told the City is not required to have a certain size zone. Council Member Askerlund was told the current ordinance pertaining to signage would need revising. Also discussed were buffer zone requirements and the requirements of the proposed ordinance. Council member Askerlund was told that the recent acclaiming of an "Agriculture District" determine where Sexually Oriented Businesses can be located. Council Member Green questioned how the Agriculture District would be defined as there are orchards on all sides of the town. Legal Counsel Rich indicated the "Agriculture District" would be an element to be considered when a zone is specified for the Sexually Oriented Businesses.

Council Member Askerlund asked if Utah County had a Sexually Oriented Business Ordinance. Legal Counsel Rich indicated he did not know the answer to that question.

Commission Member Rohbock told Council Member Green Planning Commission is going nowhere quick on the Ordinance. He would like to keep the ordinance "short and sweet".

## NEW BUSINESS

### ***Certification of the Northeast Santaquin Annexation (petition accepted 9-19-07)***

Mayor DeGraffenried indicated the Northeast Santaquin Annexation was not certifiable due to the entire property owned by B. Richard and Fran L. Brower not being included in the annexation boundaries.

### ***Discussion and possible action with regard to the Residential Solid Waste Collection & Disposal Agreement***

Council Member Adcock moved to authorize Mayor DeGraffenried to sign the Residential Solid Waste Collection & Disposal Agreement. Council Member Askerlund seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

## BUSINESS LICENSES

Council Member Adcock reviewed the following Business Licenses. He indicated all required inspections and reviews are complete.

- Robert J. Parkin D.B.A Precision Welding and Fabrication,
- Charles Inge D.B.A Charles Inge Handy-Man Service, and
- Glenn Baguley D.B.A Never a Dull Edge

Council Member Adcock moved to approve the business licenses for Robert Parkin, Charles Inge, and Glenn Baguley. Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

## INTRODUCTIONS AND ADOPTION OF ORDINANCES AND RESOLUTIONS

### ***Ordinance 10-02-2007 "An Ordinance Amending the City's Landscaping Standards Regarding Minimum Tree Sizes Allowed Within Required Landscaping, Codification and Inclusion in the Code"***

City Planner Marker reviewed the staff recommendations with regard to Landscaping Standards affecting minimum tree sizes (see attachment "A" for the staff recommendation).

Council Member Green moved to approve Ordinance 10-02-2007 "An Ordinance Amending the City's Landscaping Standards Regarding Minimum Tree Sizes Allowed within Required Landscaping, Codification and Inclusion in the Code". Council Member Askerlund seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

### ***Ordinance 10-03-2007 "An Ordinance Amending the City's Zoning Map To Rezone Approximately 184 Acres Around The City's Waste Water Treatment Facility From PF (Public Facility) To I-1 (Industrial), Codification And Inclusion In The Code"***

City Planner Marker reviewed the staff recommendations with regard to rezoning of the City's Waste Water Treatment Facility (see attachment "B" for Staff's recommendations).

Council Member Linford moved to approve Ordinance 10-03-2007 "An Ordinance Amending the City's Zoning Map to Rezone Approximately 184 Acres around the City's Waste Water Treatment Facility from PF (Public Facility) to I-1 (Industrial), Codification and Inclusion in the Code". Council Member Green seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

### ***Ordinance 10-04-2007 "An Ordinance adopting the Sanitary Sewer Collection System Capital Facilities Plan for Santaquin City Corporation"***

Council Member Green moved to approve Ordinance 10-04-2007 "An Ordinance adopting the Sanitary Sewer Collection System Capital Facilities Plan for Santaquin City Corporation". Council Member Linford seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

## PETITIONS AND COMMUNICATIONS

Nothing

## REPORTS OF OFFICERS, STAFF, BOARDS, AND COMMITTEES

### ***Planning Commission***

Planning Commission Member Rohbock reported the Planning Commission held a Public Hearing with regard to a proposed twin home to be located at approximately 100 West and 200 North. The developer was asked to provide a buildable footprint for the property.

He thanked the Mayor and Council for adopting Ordinance 10-03-2007 as this adoption of this ordinance is a head in the right direction by establishing a zoning for Sexually Oriented Businesses.

The Mayor and Council Members were told John Chatterley was appointed as Chair of the Commission as well as Lynn Wright was appointed Vice Chair.

***City Manager Chatwin***

The DUP Cabin ground lease is in the process of being revised and should be available for signing shortly. The lease is being revised addressing insurance issues.

**REPORTS BY MAYOR AND COUNCIL MEMBERS**

Council Member Green reported the homeowner at approximately 1000 E 430 S has a concern with regard to a pile of dirt within the dead-end road. Developer Carter indicated the issue will be addressed and corrected.

Council Member Green thanked all involved with the dedication of the Public Safety Building. He suggested awarding plaques to the Public Safety Employees recognizing the years of service.

Council Member Roberts indicated he enjoyed the dedication and thanked those responsible for supplying the commemorative coin.

Council Member Linford indicated Dan Olson would like permission to research grants to continue the study of the proposed Pole Canyon Reservoir.

Council Member Askerlund reported as he was visiting with Mrs. Mike Daniels with regard to the soccer playing a soccer ball was kicked into her yard. She voiced her frustration at the situation. Mayor DeGraffenried indicated changes to the park rules will be implemented this next spring.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)

Nothing

**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

Council Member Adcock moved to enter into an Executive Session with regard to pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property. Council Member Green seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

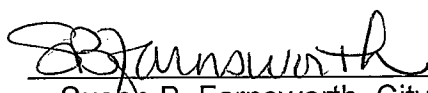
At 8:52 pm the Mayor and Council Member returned to the Regular Council Meeting.

**ADJOURNMENT**

At 8:52 pm Council Member Linford moved to adjourn. Council Member Adcock seconded the motion. Council Members Adcock, Askerlund, Green, Linford and Roberts voted in the affirmative.

Approved on November 07, 2007.

  
James E. DeGraffenried, Mayor

  
Susan B. Farnsworth, City Recorder

## 5 year Capital Facilities/Equipment Plan

## Economic Development:

- Main Street Enhancements (Curb/Gutter/Sidewalk/Lighting/ADA improvements) - \$6,000,000
- Property Acquisition - \$5,000,000

## New City Parks:

- Sunset Trails Retention Pond/Park (4 acres) - \$400,000
- Stone Hollow Retention Pond/Park - Park (11 acres) - \$1,000,000
- Addition to Orchard Cove Park - (2 acres) - \$200,000
- Ahlin Property PI pond/Park - (34 acres) - \$1,500,000
- Sprinkling System and Grass for West end of Cemetery - \$100,000

## Storm Drain System

- Storm Drain Master Plan - \$60,000
- Installation of Storm Drain System - \$15,000,000

## Recreation Facilities/Community Facilities

- Community Center/ Indoor Recreation Center - \$8,000,000
- 4 Plex Ball-Park/Soccer Complex - \$2,500,000
- Property Acquisition (6 acres for 4plex)(15 Community Center) - \$ 1,600,000
- Fair Ground Improvements (lights, seating, chutes, etc.) - \$500,000
- Seniors Center - \$2,000,000

## Trail System

- The Orchards trail landscaping (2 acres) -
- Trail to connect Canyon Rd to Main Street along Highland Dr - \$1,200,000
- Trail to connect Main Street to Canyon Rd along Center Street - \$1,200,000
- Bonneville Shoreline Trail - \$
- Tintic Rail Trail - \$
- Misc. trails in core of town to connect parks, schools, etc. \$

## Water System

- Improve Culinary Water Supply to the East Side Zone - \$200,000
- Re-Align Pressure Zone Boundaries - \$300,000
- Construct new deep Well on the West Side/Pumping Facility - \$900,000
- \*• Construct 5mg Culinary Water Storage tank on the West Side - \$2,800,000
- Construct Booster Pump Facility from Main Zone to Upper Zone - \$450,000
- Construct 12" Culinary Water Pipeline from SR Well to the main city - \$310,000
- Construct 12" pipeline to provide the alternative of delivering the water from the Cemetery Well and Canyon Springs Pipeline to the Ahlin Pond or to the Upper Culinary Tank - \$150,000

## Sewer System

- Replace aerators - \$150,000
- New wheel Line for Farm - \$40,000
- 8" line in 100 West (from 100 W to existing manhole 210 ft to the North) - \$42,000
- 10" Parallel Line in 350 West (South of Existing Pump Station) - \$41,000
- \*• Property Acquisition for Treatment Plant (5 acres) - \$500,000
- New Wastewater Treatment Facility - \$12,000,000
- Projects to re-direct flows to new Treatment Plant - \$5,800,000

## Pressurized Irrigation System

- Construct Ahlin pond - \$1,300,000
- Construct a 40 acre ft pond at the same elevation as the Ahlin Pond - \$1,500,000

- Construct a Booster Pump Facility to deliver water from Main Zone to Upper Zone - \$250,000.
- Construct a 1mg PI tank at SR to serve the SR Upper Zone - \$1,200,000
- Construct a 24" PI pipeline to deliver water between the East and West areas of the city and to connect the Ahlin Pond and the new West Side PI Pond - \$2,000,000
- Purchase new water shares for PI system - \$50,000 per year
- Construct a connection to the CUP Aqueduct to serve the Main Zone - \$315,000
- Construct a connection to the CUP Aqueduct to serve the North Zone - \$300,000

#### Streets

- Repaving Projects in core area- \$3,000,000
- Chip Seal Projects - \$500,000 each year

#### Public Works Facility & Equipment

- New Maintenance Facility - \$2,500,000
- Equipment for Parks (Utility Truck, 4 mowers) - \$80,000
- Equipment for Cemetery (Flat Bed, Mower, Backhoe) - \$105,000
- Equipment for Sewer (Vac Truck, Utility truck) - \$300,000
- Equipment for Water (2 Utility Trucks) \$70,000
- Equipment for Streets (Utility Truck, Grader, Snow Plow, Broom Vac Truck) - \$420,000
- Equipment for Sanitation (Grinder/Chipper, Loader, Utility Truck) - \$300,000
- New fencing, asphalt repairs, landscaping at existing cemetery - \$200,000
- Construction of Phase I of Cemetery (first tear next to veteran's memorial - \$200,000
- Construction of Phase II of Cemetery (middle section) - \$100,000
- Construction of Phase III of Cemetery (west end) - \$100,000
- Restroom/Sexton Facility - \$150,000
- New fencing and Gate at Landfill - \$50,000

#### Public Safety Equipment

- 2 replacement Police Vehicles (08/09 & 09/10)
- 2 new Police Vehicles (08/09 & 09/10)
- 1 replacement Police Vehicle (10/11 & 11/12)
- 1 new Police Vehicle (10/11 & 11/12)
- New Ambulance - \$140,000
- New Fire Structure Engine - \$400,000

#### Government Buildings

- Court Addition - \$125,000
- Community Development Offices - \$15,000
- Additional Police Officer Space & Evidence Storage - \$50,000
- New City Office - \$7,000,000





**A Community Prospering  
in Country Living**  
(Agriculture, Equestrian, Recreation)

## MEMORANDUM

Thursday, October 11, 2007

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To: Mayor DeGraffenried and City Council  
From: Dennis Marker, City Planner  
RE: Ordinance 10-02-2007: Landscaping Standards Affecting Minimum Tree Sizes  
CA#07-07

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### Background:

The City's Landscape Standards were adopted by Ordinance 12-02-2007 in December 2006. Section 10-15-7.B lists the minimum tree and plant sizes required at planting for new or reconstructed landscaping. It reads as follows:

Plant Sizes. The following minimum sizes shall be required:

Type	Minimum Size
Canopy Shade (Deciduous) Tree	3.0" caliper balled and burlapped equivalent
Evergreen Tree	6.0' height balled and burlapped or equivalent
Ornamental Tree	1.5" caliper balled and burlapped or equivalent
Shrubs	5 gallon or adequate size consistent with design intent
Canopy Shade (Deciduous) Tree as a street tree on a residential local street only	2.5" caliper container or equivalent

Since the ordinance was adopted, commercial developers have questioned the need for 2.5" to 3.0" caliper deciduous trees. They have expressed concerns about the extra cost to development, supply, and survival rate for that size of tree.

### Analysis

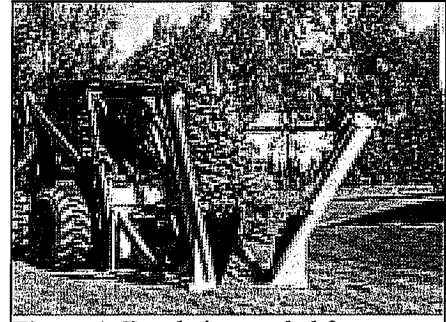
Staff has contacted three major nurseries (Olsen's, Linden, and King's) in the area to obtain information and opinions regarding this issue and have found the following:

### Cost

A 3" caliper tree is generally around \$100 more than a 2" caliper tree. Higher costs also include difficulty in finding the larger trees and extra freight costs. Linden Nursery said they ordered their larger trees a year ahead of time, so a developer looking for large trees in a shorter time frame could have some difficulty finding them.

### Survivability

If planted correctly, survival rate is the same as smaller trees. Linden Nursery said it was sometimes more difficult to plant 3" correctly as 'spading' should be done when the tree is dormant, and special orders (which a 3" caliper tree often is) are not always spaded at the right time.



**Figure 1:** Tree being spaded for transplant

Larger trees also have more extensive root systems which may be significantly reduced or damaged through the spading and root-balling processes. The larger rootballs of 3" caliper trees generally require heavy equipment or machinery to handle, maneuver and install these trees. This increases the potential for damage to the tree.

The smaller root systems of a 2" caliper tree may enable it to reestablish itself more quickly. 2" caliper trees can typically be installed by 2-4 adults rather than needing machinery.

### Tree Maturity/Height

Height depends on species, but usually a 3" caliper tree is 5 to 10 feet taller with deciduous trees. Smaller trees are generally able to more quickly establish root systems that will support the tree, hence more growth in the tree. All nursery personnel contacted felt the difference in height was easily made up and more than compensated by the cost and difficulty of correctly planting the larger tree.

### **Recommendation:**

The Planning Commission reviewed this item with a public hearing during their September 27, 2007 regular meeting. They forwarded a positive recommendation to the City Council to change Title 10-15, Landscaping Standards, more specifically Section 10-15-7.B., to allow for 2" caliper deciduous shade trees rather than the 2.5" and 3" deciduous trees specified. Their recommendation was based on the following findings:

### **Findings**

1. The City's General Plan contains goals and policies for the beautification of the City. One of those means is by the use of vegetation, including shade trees, ornamental deciduous trees, and conifers.

2. The City's development standards have been adopted to further the goals of the general plan, but if the City's development standards do not follow best management practices of the landscaping industry, it may unduly result in increased vegetation replacement and maintenance costs to private property owners and the City.
3. City ordinance stipulates that when required vegetation becomes diseased or dies it must be replaced.
4. Tree maturity is not always an indicator of tree survivability.
5. 3" caliper trees are not always harvested or planted properly due to typical means of handling by machinery and the seasonal demand for supply. These factors as well as destruction of root systems due to harvesting practices reduce the survivability of trees having this maturity.
6. 2" caliper trees are more easily harvested with less root damage, transported and planted properly thus having a higher survivability rate than 3" caliper trees. 2" caliper trees can also provide visually significant ornamentation and shade which follows the intent of the City's landscaping standards.



Dennis L. Marker  
City Planner



**A Community Prospering  
in Country Living**  
(Agriculture, Equestrian, Recreation)

## MEMORANDUM

October 11, 2007

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To: Mayor DeGraffenried and City Council via Planning Commission  
From: Community Development Department  
RE: Proposed Rezoning of approximately 184 acres from PF and RC to I-1 R#07-03  
Approximately 1200 West Highway 6, encompassing the Santaquin City sewer lagoons

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### Background:

The City Council, during their public meeting on July 18, 2007, requested that the properties located at approximately 1200 West Highway 6 be rezoned from PF (Public Facilities) and RC (Residential/Commercial) to I-1 (Industrial). (See attached City Council Minutes). The Santaquin City Planning Commission discussed the proposal at a public meeting on August 9, 2007 and forwarded their positive recommendation on the rezoning to the City Council (See attached PC minutes).

The subject area includes the Santaquin City sewer lagoons (See attached map). The properties are surrounded by unincorporated county except for a small area of RC zoning on the east side. Along its general easterly boundary are properties owned and controlled by the Union Pacific Railroad Company. Properties to the south are owned by the Summit Creek Irrigation Company. To the west are properties owned by the Don Kay Family Limited Trust and north of the subject area are orchards owned or maintained by South Ridge or Cherry Hill Farms.

### Analysis:

Santaquin City Code (S.C.C.), §10-7-6, lists the following criteria approval of a rezoning request.

1. The rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

### Criteria 1: General Plan and Annexation Plan

The Future Land Use map in the Santaquin City General Plan, adopted May 2, 2007, shows this area appropriate for "Business Park" land uses. This land use specifies an area providing employment and the manufacturing of products which are essential to the economy of Santaquin.

The purposes outlined for the I-1 zone areas is to provide locations where a combination of research and development, light manufacturing and production, and warehousing may be conducted.

Objectives of this category are to promote the economic well being of the City's residents and to broaden the tax base. This district is to be characterized by flat, open land suited for industrial uses because of the proximity to major transportation routes and the availability of utilities necessary for successful manufacturing processes. The subject area is traversed by Hwy 6 as well as the Union Pacific Railroad's freight corridor, both of which are major hauling routes for manufactured goods.

**Criteria 2: Spot Zoning**

The zoning area will be nearly 184 acres. The rezoning does not create an unnecessary island or spot zoning.

**Criteria 3: Adverse Affect on Surrounding Properties**

The rezoning does not adversely affect surrounding properties, which are largely unoccupied. Santaquin City currently owns over 174 acres of the subject property. Within that 174 acres, 84 is being used for the treatment of waste water and 15 acres for a clean bulk waste facility. Surrounding properties are being utilized for agricultural purposes which have and can continue to function in harmony with current uses of the property. Future development of the area into a business park or light manufacturing area will have some impacts on the surrounding operations, which will be addressed at the time of development. Staff anticipates minimal adverse affects on the adjacent properties with current uses.

**Criteria 4: Nonconforming Uses**

The subject properties are vacant, with the exception of one house owned by the City. It was rented for several years until May 2007, but it currently sits vacant. No nonconforming uses will occur with this rezoning.

**Public Notice:**

Staff has received no comments from the public relative to this item.

**Recommendation:**

Staff recommends the City Council **approve** the rezoning of approximately 184 acres near 1200 West Highway 6, as shown on the attached map, from the PF and RC Zones to the I-1 Zone, based on the following findings.

**Findings**

1. The rezoning conforms to the intent of the Santaquin City general plan, I-1 purposes and City annexation policy plan;
2. The rezoning does not create an unnecessary island or spot zoning;
3. The rezoning will not adversely affect surrounding properties; and
4. The rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming according to the Santaquin City Code.
5. The Planning Commission conducted a public hearing on the rezoning during their August 9, 2007 regular meeting and has forwarded a positive recommendation to the City Council for the proposal.



Dennis L. Marker  
City Planner

## PLANNING COMMISSION MINUTES

August 9, 2007 – Page 3

### **North Orchards Plat F & Babbitt Subdivisions, continued:**

Glenl Wear closed the public hearing on the North Orchards Plat F and Babbitt subdivisions.

John Chatterley made a motion to forward North Orchards Plat F and the Babbitt subdivisions, as presented tonight by the developer, to the City Council with a positive recommendation. After further discussion, Commissioner Chatterley amended his motion to forward North Orchards Plat F and the Babbitt subdivisions, as presented tonight by the developer, to the City Council with a positive recommendation, contingent upon compliance with staff recommendations, and that the flag lot meet City flag lot standards. Doug Rohbock seconded the motion. The vote to approve and forward North Orchards Plat F was unanimous.

### **Rezoning of 185 acres from PF & RC to I-1**

Dennis Marker said the proposal to rezone the 185 acres came at the request of the City Council, in accordance with the General Plan recommendation to have a Business Park located west of the train tracks. The City Council has requested the city owned property encompassing the shooting range and land fill area be rezoned to an I-1 zone. The power substation and City sewer lagoons are presently on the property. The Council also anticipates a location for sexually oriented businesses (SOB), required by law, will be needed, and these types of businesses would be allowed here. Staff recommends this rezone be approved as it complies with the General Plan. Dennis Marker said the City Council will review the Planning Commission proposal to establish a buffer for SOB's from major arterials.

Rex Bean asked if the businesses would need a safety zone around the lagoons. Mr. Marker said the City would have to look at the location and health standards for each business, and consider the risks before selling. Commissioner Bean said there is chain link fence around the lagoons themselves, and asked if there were any standards in place, or any studies on the proximity risks. Mr. Marker said it was the intent to have a waste water facility constructed north of the city, which will take four or five years, and for the lagoons to be reclaimed in approximately six years. Commissioner Bean said if there was a problem, the SOB's could use the defense that the area was not habitable. Keith Broadhead said when the lagoons were built there were restrictions set by the health department on water and human habitation. The old landfill and the old gun club were the only places that could be built on. Mr. Marker said the City Council had discussed zoning just the city property as I-1, but legal counsel had suggested including the railroad property so businesses had the opportunity to purchase land from a property owner other than the City.

Glenl Wear opened the public hearing on the rezoning of 185 acres from PF & RC to I-1.

Keith Broadhead addressed the Commission. Mr. Broadhead asked if the area would stay I-1 when the sewer lagoons were abandoned. Mr. Marker said it was planned that the area would stay I-1, and industrial warehousing and research types of businesses would be encouraged. Mr. Marker said he had recently looked at some industrial pods of research and industrial buildings that surrounded a golf course. Mr. Broadhead asked if the City intended to sell the land. Mr. Marker said the City proposed to partner with whoever came on.

Glenl Wear closed the public hearing.

## PLANNING COMMISSION MINUTES

August 9, 2007 – Page 4

### Rezoning of 185 acres from PF & RC to I-1, continued:

John Chatterley made a motion to forward the rezoning of approximately 185 acres encompassing the Santaquin City sewer lagoons, located at approximately 1200 West Highway 6, from PF & RC to I-1, to the City Council with a positive recommendation; based on staff findings that the rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan, the rezoning does not create an unnecessary island or spot zoning, the rezoning will not adversely affect surrounding properties, and the rezoning will not cause property, structures, or uses of the property to unnecessarily become nonconforming. Rex Bean seconded the motion. The vote to forward the rezoning with a positive recommendation was unanimous.

### Main Street Business District and Development Standards

Dennis Marker said several public meetings had been held to discuss standards and the future of Main Street. At the last Planning Commission meeting the public hearing on the Main Street Business District was continued. In response to comments received at the last meeting, the language in the ordinance has been adjusted. Additional language has been added to the multi family standards to address concerns expressed during the meeting. Staff recommends the current language be forwarded to the City Council with any additional public input from tonight's meeting.

Feri Peck addressed the Commission. Ms. Peck said she lived on 100 North, which had been rezoned for retail. She said she had commented in the May 30, 2007 meeting about her concerns that three story buildings and country living did not go together. Ms. Peck said she also had concerns about multi family dwellings in the core of town.

Glenl Wear closed the public hearing.

The Commission reviewed and discussed the standards from Page 1 to Page 16, Section 10-7M-9, Signs. The following changes were suggested by the Commission:

Page 2: The definitions for Dwelling, Two-family, Dwelling, Duplex, and Dwelling, Twin Home, were combined.

Page 3, Household Pets: "*Small to medium size animals, including dogs, cats, rabbits, ducks and chickens,*" was changed to "*Small to medium size domesticated animals such as dogs, cats, rabbits, ducks, etc.*"

The location of transitional treatment homes was discussed. Bill Wright said according to State law the homes must be allowed under reasonable circumstances in any residential zones, although a buffer zone can be set around such places as schools. Dennis Marker said safe houses that deal with domestic abuse are usually isolated and secure, with limited impact on a community.

The Planning Commission suspended business from 8:39 to 8:45 p.m.

Page 4, Objectives and Characteristics: The paragraph format will be changed to table or bullet format.