



PLANNING COMMISSION
MEETING MINUTES
THURSDAY November 9th 2017

The meeting was called to order at 7:02 p.m. by Commission Chair Montoya. Commission Members attending: Elizabeth Montoya, Kylie Lance, Devin Bloomfield, Art Adcock, and Trevor Wood.

Others present: Community Development Director Jason Bond, Engineer in Training Jon Lundell. Ladue Scoville, Developers Marty White, and John Ogden.

Invocation/Inspirational Thought

Commissioner Adcock offered an inspirational thought.

Pledge of Allegiance

Commissioner Bloomfield led the pledge of allegiance.

Public Forum

Commission Chair Montoya opened public forum at 7:05 p.m. and closed it at 7:05 p.m.

Public Hearing- Scoville Subdivision

Mr. Lundell explained that Mr. Scoville is proposing to split his one-acre lot into a 2 lot subdivision located along 600 South and 300 West. See presentation attached for r-10 and r-11 requirements. Mr. Lundell stated that the required side setbacks and frontages are met.

Mr. Lundell explained that infrastructure requirements for a subdivision include curb, gutter, sidewalk, measures for controlling storm drain, and extending utilities for the length of the project. However, the City Council has the ability to enter a deferral agreement for improvements. Staff recommends that the deferral agreement includes curb, gutter, sidewalk, and storm drain mediation. Mr. Lundell explained that P.I. could also be deferred because it could be tied off of the existing P.I. for the new lot.

Staff recommends that the Planning Commission approves the Scoville subdivision subject to DRC comments, and the City Council approving a deferral agreement.

Commission Chair Montoya opened the public hearing at 7:13 p.m. and closed it at 7:13 p.m.

Motion: Commissioner Lance motioned to approve the Scoville subdivision with the conditions that City Council approves a deferral agreement for utilities, and DRC comments are addressed. Commissioner Adcock seconded. The vote was unanimous in the affirmative.

Mining Zone and Regulations:

Mr. Bond reminded the Planning Commission that they are in charge of providing a recommendation for the City Council based off of Staff's recommended language, and Mr. White and Mr. Ogden's recommendations.

Mr. Bond explained staff's recommendation for 5-year renewal period. He stated that if the applicant follows the code it would be automatically renewed. Staff recommends that the Planning Commission is the Land Use Authority for the renewals. Mr. Bond explained that the bond amount required by the City may be reduced by the amount of any other bonds already covering the project. He expressed that the intent is not to double bond, but to ensure that all needs are covered. Commission Chair Montoya stated that DOGM allows a government entity to hold the bond, but there are stipulations.

Commission Chair Montoya asked if hours of operation could be added for crushers, etc. Mr. Bond stated that it can be added in the text. Commission Chair Montoya asked what the possible environmental impacts are. Mr. Bond stated that DOGM, MSHA, and DEQ have the expertise to regulate those issues. Commission Chair Montoya stressed the need to consider dust and its possible effects on Orchards in a recommendation. Mr. Bond stated that dust could be included as a condition in a recommendation. Commissioner Lance asked if City roads will be impacted by haul routes. Mr. Bond stated that the majority of the impact would be on a UDOT road.

Mr. White stated that there is a crusher currently operating in Santaquin City, he asked if it's regulated by mass grading. Mr. Lundell stated that it's regulated off of a conditional use permit and they are required to submit grading plans. Mr. White asked if they are regulated by DOGM. Mr. Lundell stated that he believes so, but that would need to be verified.

Mr. White indicated that their mine would be classified as a hard rock mine and that DOGM will already regulate it. He expressed concerns regarding double bonding, applications, and permits required by Santaquin City, because he believes it's already taken care of by DOGM.

Commission Chair Montoya stated that bonding will be worked out so it is not doubled. She explained that conditional use permits are a protection that allows the City to keep track of issues that are not covered by DOGM and MSHA. Mr. White stated that they want professionals such as DOGM to work through compliance and plans. He explained that he understands the liabilities included with DOGM regulations, but he doesn't understand what Santaquin Cities regulations would be. Mr. White asked that staff change their draft to include mining as a permitted use rather than conditional.

Commissioner Lance stated that she likes the staff's proposed draft because it closely mirrors DOGM'S requirements. Mr. White expressed concern that a future Planning Commission and City Council could revoke their permit if it is listed as a conditional use. Mr. Bond stated that there isn't anything in the ordinance that allows the City to shut down the mine once the conditional use permit is issued. It merely gives the City the ability to monitor the compliance to the law. Commission Chair Montoya added that it also allows the City to be site specific.

Mr. White asked how they can be compliant with City codes if new ones are added. Commissioner Bloomfield stated that he feels that once they meet the original requirements it shouldn't be changed. Mr. Bond stated that it would be grandfathered in for the first five years, however he needs to clarify with City legal to find out if a renewal will require the operation to adhere to new code changes. Mr. Lundell

stated that if the City desires to modify its code, Utah State code requires that for any proposed change a notice must be provided to any property owners that are affected by the zone.

Mr. White explained that hard rock mining creates bench contouring the mountain, he expressed concerns that if the City ever shut them down there is liability for the mine. He explained that through DOGM once you receive your permit it will remain for the life of the mining operation.

Commission Chair Montoya explained that one of the Planning Commission's main concerns is the possible effects dust would have on Orchards and Agriculture. She believes that is the main reason why conditional use permits are the staff's recommendation for mining.

Mr. Bond stressed that the City staff are not professionals in mining, but they are professionals in making sure that regulations are met to protect residents. Code enforcement would be done on a referral basis, if there are issues, then the situation would be readdressed rather than immediately revoking the permit.

Mr. White stated that DOGM reviews mining plans and decides the bond amount. Mr. Ogden stated that all of DOGM's applications etc. are available online. Mr. Ogden proposes to give Santaquin City the same information that they give to DOGM.

Mr. Reeves explained that the public won't go to DOGM with problems, they will go to the City Council. If the City Council doesn't have any ordinances regulating the mine, they won't have the ability to work through the issues. Commissioner Bloomfield stated that the only time an issue would come up would be if there are complaints from the residents. Mr. Bond explained that the City would rather have DOGM take care of any issues, but wants the ability to address issues if needed.

Mr. White explained that the backfilling language in the ordinance doesn't make sense for a hard rock mine. Mr. Bond stated they would like to find the specific concern so it makes sense for their organization. Mr. Bond explained that the intent is to not allow unsafe conditions after reclamation. Mr. Reeves asked what the issue is when the language states that the land must be smooth and backfilled if necessary, he pointed out that it may not be necessary for their mine. Mr. White asked who will determine the backfill plan. Mr. Bond explained that the grading plan would be reviewed by the City Engineer with input from DOGM.

Mr. White asked what would happen if the City doesn't approve their application. Mr. Reeves stated that the City is looking to review and approve the same application they send to DOGM. Mr. Reeves stated that if they are looking for security he recommends that they submit their application in advance.

Commissioner Lance stated that the City wants this to work. Commission Chair Montoya stated that if the conditions in this document are met it cannot be revoked unless any ordinances are broken.

Commission Chair Montoya stated that she would like to see this forwarded to City Council with the following conditions; Further discussion with staff Mr. Ogden, Mr. White and City Legal. Orchard growers are included in conversations. Impacts such as dust, noise, specifying hours of operation for crusher

equipment, hot plant emission odors, and light pollution are all considered. And DOGM protocol for bonding is reviewed.

Mr. White clarified that Santaquin City is looking for the ability to address any concerns with the mine in the future. He asked why the City wants to issue a permit. Commissioner Lance explained that it allows the regulations to be site specific. Mr. White stated that they are asking for exemption for backfill compaction, but they are ok with everything else in staff's proposed document. Mr. White stated that he is ok with uses being listed as conditional. Commissioner Bloomfield stated that he doesn't see a concern with the backfill language because it doesn't apply to hard rock mining. Commissioner Wood stated that the Commission needs to remember that this ordinance will apply across the board.

Mr. White stated that the noise impact isn't consistent with the mining industry. Commissioner Wood suggested tying it to the noise ordinance. Commission Chair Montoya stated that the only reason it would be looked into is if residents are complaining. Mr. Reeves stated that it wouldn't result in revoking the permit but it would result in looking into the problem. Commissioner Bloomfield stated that the decibel level would be measured from the residential areas affected by the noise. Mr. Bond pointed out that noise regulations could be different during the day for blasting.

Mr. Bond reminded everyone that the City Council meeting will be held on November 21st instead of next week.

Motion: Commissioner Lance motioned to forward a positive recommendation to City Council on the staff's proposal bearing the following conditions; each operation is listed as a conditional use. Staff reviews the renewal period and continual vesting for the terms of the agreement. DOGM protocol is reviewed. Mr. Ogden and Mr. White's comments on the draft are considered. Emissions and odors from a hot plant, and dust as an agricultural impact are reviewed. Commissioner Bloomfield seconded.

Roll Call Vote:

Commissioner Wood	Aye
Commissioner Adcock	Nay
Commissioner Bloomfield	Aye
Commissioner Montoya	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 5 to 1.

The Planning Commission took a short Recess at 8:48 p.m. and resumed at 8:56 p.m.

Public Hearing/ RV parks

Mr. Bond stated that he has no new information for the commission, the requirement for a public hearing has been met.

Motion: Commissioner Adcock motioned to send a positive recommendation to the City Council to prohibit RV parks in the City of Santaquin. Commissioner Lance second.

Roll Call Vote:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

Public Hearing/ Side Setbacks Behind a Fence

Mr. Bond stated that he has no new information for the commission, the requirement for a public hearing has been met.

Motion: Commissioner Adcock motioned to send a positive recommendation to the City Council to approve changes to the side setback requirements for accessory uses on a corner lot. Provided that the building is no taller than 2 feet above the fence, the whole backyard must be enclosed with a fence, and the accessory building must meet the 3-foot side setbacks for fire safety. Commissioner Bloomfield seconded.

Roll Call Vote:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

Lot Line Adjustments

Mr. Bond stated that he has no new information for the commission, the requirement for a public hearing has been met.

Zimmerman

Motion: Commissioner Lance motioned to forward a positive recommendation to approve the lot line adjustment for Zimmerman, with the condition that they clearly indicate that the portion of lot 7 will be combined with lot 8. Commissioner Wood seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

Hamilton:

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the lot line adjustment for Hamilton. Commissioner Sperry seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

Chappel:

Motion: Commissioner Lance motioned to forward a positive recommendation to City Council to approve the lot line adjustment for Chappel. Commissioner Wood seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING – Considering removal of the language regarding the Santaquin City Gas Company (Title 11 Chapter 7 Section 8).

Mr. Lundell stated that Santaquin City no longer owns a gas company so the language needs to be removed.

Commission Chair Montoya opened the public forum at 9:01 p.m. and closed it at 9:01 p.m.

Motion: Commissioner Bloomfield motioned to remove Santaquin City natural gas company language from the ordinance as presented by staff. Commissioner Lance Seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING – Considering the addition of a mining and blasting definition to the Santaquin City Land Use and Development code (Title 11 Ch. 2). Mining/Blasting Definition and Restricting Mining in Other Zones.

Mr. Bond explained that he is still working on a blasting definition. He stated that this is a formality to make sure that the definitions are added to the code.

Commission Chair Montoya opened the public forum at 9:03 p.m. and closed it at 9:03 p.m.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council to consider the addition of the mining and blasting definitions to the Santaquin City land use and development code. Commissioner Bloomfield second.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING – Considering the general parking requirement (Title 10 Chapter 6 Section 6 article 8) and Minimum garage sizing (Title 10 chapter 7K Section 4 article B).

Mr. Bond explained that the City Council changed some of the wording from the Planning Commission's previous recommendation. City Council's wording requires two parking spaces per unit, with garage's being counted as one parking space, unless the garage dimension is a minimum of 24 feet by 24 feet with at least 20 feet for the opening. City Council would also like to add wording to section 10-7k-4 stating that parking shall meet the requirements outlined in section 10-14-4 as defined above.

Commissioner Adcock asked if any provisions regarding blocking a sidewalk will be added. Mr. Lundell stated that there is already a parking setback provision. Commission Chair Montoya asked if there is any language about vehicles being parked in the City right of way, specifically cars being parked in turn lanes. Mr. Bond stated that it is an enforcement issue that can be looked into.

Commission Chair Montoya opened the public hearing at 9:11 p.m. and closed it at 9:12 p.m.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council regarding the proposed parking amendment language as staff has presented. Commissioner Sperry seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING – Considering removal of exemptions to construct half of the road way plus an additional 10 feet (Title 11 Ch. 9 Sec 11).

Mr. Lundell explained that the ordinance currently allows developers to construct half of the roadway, and an additional 10 feet of asphalt. This exemption has caused problems with roadways deteriorating due to not having curb protection, and doesn't provide a full road way to drive on. Staff's proposal is to modify the language requiring the developer to construct the full 29-foot asphalt road to the back of the adjacent curb. The developer would have to cut into road to attach to main lines, and the roads would need to be patched.

Commissioner Adcock asked if this proposal would require the first developer to construct curb and gutter on the opposite side. Mr. Bond explained that it would be required for the best interest of the City. Commissioner Adcock asked how this compares to other cities ordinances. Mr. Bond stated that it is a concern because other cities have half plus 10, legal counsel will be consulted. Mr. Bond stated that the public works director is in support of this change. Mr. Lundell stated that it would typically affect local roads, and there are ways that it can be planned to the developer's advantage.

Mr. Bond explained that there would still would be an exemption, stating that anything behind the curb would be the responsibility of the adjacent property owner. Mr. Lundell clarified that the language would state that half streets are prohibited, and street dedication language would be added to clarify what the right of way includes.

Commission Chair Montoya opened the public forum at 9:22 p.m. and closed it at 9:22 p.m.

Motion: Commissioner Bloomfield motioned to send a positive recommendation to the City Council to consider removal of exemptions to construct half roads within the City as proposed by staff. Commissioner Lance seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye

Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING –Considering adding an expiration to submitted land use applications in which no activity has occurred.

Mr. Lundell stated that the proposed language states that land use applications will expire after 180 days of no activity. Utah State code requires that Cities provide feedback within 45 days, the applicants 180 days would start after staff has issued redlines and feedback. Commissioner Bloomfield asked how progress is determined. Mr. Lundell explained that a complete application must be submitted, and all necessary fees must be paid. Commissioner Adcock asked if this will have an impact on the grocery store. Mr. Bond stated that it won't since they haven't submitted an application. Commissioner Adcock asked how the staff derived a time period of 6 months. Mr. Lundell stated that it's based off of international building code.

Commission Chair Montoya opened the public hearing at 9:28 p.m. and closed it at 9:28 p.m.

Motion: Commissioner Wood motioned to forward a positive recommendation to the City Council to add an expiration date to submitted land use applications in which no activity has occurred in 180 days. Commissioner Bloomfield second.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

PUBLIC HEARING – Considering a modification to the Lot Line adjustment approval process and Land use authority for lot line adjustments.

Mr. Bond explained that staff feel it's appropriate for the DRC to approve lot line adjustments, if they meet code for size and setbacks. Mr. Bond explained that subdivision approval would continue to come to the Planning Commission. Mr. Lundell stated that this language under 11-5-12 is pulled from the current ordinance, it has been rearranged to ensure that plat line amendments etc. still need to go through the Planning Commission and the City Council. Mr. Bond explained that City legal will still be consulted to clean up the language.

Commission Chair Montoya opened the public hearing at 9:32 p.m. and closed it at 9:32 p.m.

Motion: Commissioner Lance motioned to send a positive recommendation to City Council to modify the lot line adjustment approval process and land use authority for lot line adjustments. Commissioner Sperry seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Bloomfield	Aye
Commissioner Sperry	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

Flag lot setbacks tabled.

Reports of officials and staff

Mr. Lundell stated that a site plan application for an LDS church on the East bench has been received. It will be reviewed by DRC next week.

The remaining portions Stone Hollow in Summit Ridge that will be brought for preliminary approval, possibly in the December Planning Commission meeting. They are working on phasing issues and a different plat.

Mr. Bond reported that there is no progress on the Grocery store. The agreement with adjacent the homeowner hasn't been finalized. The City is working with the grocer to move it forward.

Mr. Bond stated that the unofficial results appear that the Community Center bond did not pass.

Mr. Lundell explained that Bella Vista has full preliminary approval and is currently working on selling the ground and vesting. They were also able to work out a water agreement with the City.

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Mr. Bond stated that the School district boundary will be released at the end of the year. He believes that staff's recommendation will be that the Elementary School boundaries stay as is at Main Street.

Mr. Bond stated that he is working on setting up a training by the Utah City Leagues and Towns regarding the role of the Planning Commission.

The Community Development department is working on a TIP application for the Mountainland association of governments to continue the widening of Main Street.

Next planning Commission meeting will be held on December 14th.

As of November 1st total building permits issued for 2017 was 270, with 145 as single families, and 37 as multi units.

Planning Commission Business

Approval of minutes from October 12

Motion: Commissioner Bloomfield moved to approve the minutes from October 12. Commissioner Wood seconded. The vote was unanimous in the affirmative.

Adjournment at 9:52 p.m.


Betsy Montoya, Commission Chair
Kira Petersen, Deputy Recorder