



**PLANNING COMMISSION  
MEETING MINUTES  
Thursday, October 12, 2017**

Meeting called to order at 7:04 p.m. by Commission Chair Montoya. Commission Members attending: Elizabeth Montoya, Kylie Lance, Kyle Francom, Art Adcock, Trevor Wood, and Devin Bloomfield.

Others present: Community Development Director Jason Bond, Engineer in Training Jon Lundell.

**Invocation/Inspiration Thought**

Invocation offered by Commissioner Adcock.

**Pledge of Allegiance**

Pledge of Allegiance led by Commissioner Bloomfield.

**Public Forum**

Commission Chair Montoya opened the public forum at 7:07 p.m. and closed it at 7:07 p.m.

**Mining Zone and Regulations**

Mr. Bond stated that he has been working with City Attorney Brett Rich on potential language for the mining ordinance. Mr. Rich suggested switching some permitted uses such as caretaker dwellings to conditional uses, so they can be better monitored. He also suggested setting conditions and criteria to clarify impacts, such as the number of caretaker dwellings, etc.

Mr. Bond explained that Mr. Rich also suggested that the renewal period be lengthened for practicality, and not required every two years. Commission Chair Montoya stated that if the ordinance is thorough having a longer renewal period could relieve some of the burden on the City. She pointed out that on the other hand if there are problems, the city might not find out about it as soon. Mr. Bond stated that in that case it would be considered an enforcement issue and as long as the ordinance is thorough enough it shouldn't be a problem.

Mr. Rich asked how the bond amount for reclamation would be determined. Mr. Bond explained that they plan to have the developer propose their plan and then have the Land Use Authority review it. Commission Chair Montoya asked how the reclamation bond can be determined in today's standards if the mine lasts for 200 years. Mr. Lundell stated that it could be determined with the reclamation plan as they go, he explained that the language regarding reclamation plans would need to be included in the language.

Mr. Rich expressed confusion in the language regarding setbacks for structure road maintenance. Mr. Bond said that the new language they have decided on is, 'all setbacks will be at least 300 feet from all property lines.' Mr. Bond reminded the commission that this is going to be a broad mining zone for the City, but it's coming about for this particular project. Commission Chair Montoya stated that she likes the clarification of setbacks from property lines.

Commissioner Lance asked how road maintenance funds are acquired for wear from mining. Mr. Bond stated that some of the roads are U dot's, and that it's a detail that needs to be considered throughout this annexation process. Mr. Lundell stated that the main road is based off of a prescriptive easement, it is private property that is a public right of way. Mr. Bond explained that it's not a dedicated right of way, in order to maintain access private property can become a public road by use.

Mr. Bond stated that he is looking for direction from the Commission. He would like to clean up the language and get a proposed ordinance for the next meeting to be recommended to the City Council.

Commissioner Lance asked if regulations need to be made for specific materials, specifically hazardous ones. Mr. Lundell suggested adding a definition that only aggregate mining is allowed, and not mineral mining.

Mr. Bond explained that he wants to consider terms and regulations for the City to oversee. Mr. Bond stated that the hours of operation are 7 a.m. to 7 p.m. every day except on Sundays and City observed holidays.

Mr. Bond stated that Mr. Ogden stated that he has some concerns about the proposed language for the ordinance. Mr. Bond is waiting to hear those concerns and feedback.

Mr. Bond stated that the proposed language is consistent with the mass grading ordinance for Santaquin City.

Mr. Herold a representative from SITLA land stated that he has mining experts on staff that could review the ordinance for possible conflicts. He explained that the City can be more stringent but not looser in regulations. He stated that DOGMA requires reclamation bonds to be updated every 2 to 5 years. He suggested that it could be consistent with our renewal period.

The Commission agreed that they feel that this verbiage is headed in the right direction. Commissioner Francom stated that he would like to see the ordinance before the next meeting. Commissioner Bloomfield asked if the Commission should wait for the feedback from the developer. Mr. Bond stated that he would like their input, but there isn't a way to control if, or when they give it.

Commissioner Adcock suggested making the renewal period every 4 years and tie it with the election cycle. Mr. Bond asked the Planning Commission for their thoughts on who the Land Use Authority should be. Commissioner Adcock stated that he believes it should be the City Council. Commission Chair Montoya agreed. Mr. Bond expressed concerns about a legislative body approving administrative issues that could then be perceived as a legislative decision. Commission Chair Montoya stated that since the City Council will approve the ordinance they wouldn't necessarily need to approve every application.

Commission Chair Montoya stated that she agrees with Mr. Bond's points, she also stated that the Planning Commission and City Council are separate bodies. Mr. Bond stated that it is important for each body to understand their role.

Commissioner Francom asked who previously had the final say on land use. Mr. Lundell stated that the Planning Commission has the final say on conditional use permits, and subdivisions of 3 or fewer. Mr. Bond stated that it can vary in different situations.

Mr. Bond asked the Planning Commission to give a recommendation regarding who should be the Land Use Authority. Commission Chair Montoya stated that she believes that once the ordinance has been approved legislatively, applications could be approved through the Planning Commission. Commissioner Wood stated that he likes the idea of City Council having a say in mining and issues that have a broad impact. Mr. Lundell explained that this ordinance will only apply to one zone, the City Council currently has the power to approve a new zone.

Commissioner Wood asked that the 75 decibel limit be looked at since it will be next to a residential zone. Mr. Bond stated that it's the same as the mass grading standard, but it can be looked into.

### **Parking requirement and parking stall/garage specifications for high density residential**

Mr. Bond stated that the current requirement is a 2 car garage, not 2 parking spaces, he explained that there is a problem with residents using their garages for storage instead of parking. Commission Chair Montoya stated that the current garage standards need to be looked at to make sure that a regular car can fit inside. Mr. Bond stated that the standard is 20 by 20. Mr. Lundell explained that there is a minimum height for roof to ceiling in the building code. Mr. Bond stated that there are vehicles that will not be able to fit into garages even if they meet the minimum standards.

Mr. Bond proposed a parking ordinance amendment that would require two parking spaces per unit. He explained that the emphasis in this amendment is guest parking.

Mr. Bond explained that the current ordinance requires .25 guest parking spots per residential unit, making the current requirement 3 guest parking spaces for 12 units. Mr. Bond is proposing a progressive parking requirement. Mr. Bond stated that his proposal would require 10 guest parking spots for a 12-unit development. (See PowerPoint attached for proposed progression formula.)

Commissioner Lance asked if 10 lots would allow room for people to park RV's and cause problems. Mr. Lundell stated that it can be included in the CC&R's, and then the HOA or property owner would have the ability to regulate it.

Commission Chair Montoya stated that she likes the proposed progression for parking. Commissioner Adcock asked what the ratio of handicap parking versus regular parking is. Mr. Lundell stated that it's based on ADA requirements, up to 10 parking stalls requires 1 handicap stall, and 50 stalls require 3-4

handicap stalls. Commissioner Wood asked if the guest parking spots will be available for resident use. Mr. Lundell stated that calling it guest parking is a way to it from the unit parking requirements.

**Motion:** Commissioner Bloomfield motioned to send a positive recommendation to the City Council to change the parking ordinance for high density residential uses. Including a requirement of 2 parking spaces per unit, and the proposed progressive formula for guest parking. Commissioner Lance seconded.

Commissioner Bloomfield	Aye
Commissioner Adcock	Aye
Commissioner Montoya	Aye
Commissioner Wood	Aye
Commissioner Francom	Aye
Commissioner Lance	Aye

Vote passes 6 to 0.

**Discussion about RV parks in Santaquin:**

Mr. Bond showed the presentation from resident Callie Bowers who approached the City regarding building an RV park in Santaquin. Commissioner Bloomfield stated that he has seen issues in other cities of people staying permanently in RV parks.

Commission Chair Montoya stated that the commission is in agreement to give the City Council a negative recommendation regarding RV parks in Santaquin.

Mr. Bond stated that a Public Hearing will be held on October 26<sup>th</sup>.

**Discussion about Flag Lot Setbacks:**

Commissioner Francom explained that his parents are willing to make a 5-foot access easement rather than moving the property line. Mr. Lundell stated that the ordinance states that setbacks are measured from the back of the property line, and doesn't include an easement.

Mr. Bond stated that the concern is that home to the East will be too close. Commissioner Francom stated that he has hired a surveyor and determined that the property line is 5 feet from the wall. Commissioner Francom explained that his parents can't give him the footage, because it would make their home non-conforming. Commissioner Francom's proposal is for a 26-foot width with a 1-foot side setback. He believes that an 8-foot setback is not doable for most lots in the core area of town.

Commissioner Wood asked for clarification on the current required setbacks. Mr. Lundell explained that flag lot setbacks currently require a 26-foot wide pull with an 8-foot side setback from the side property line.

Commissioner Francom asked if a distinction could be made in the ordinance that specifies setbacks for flag lots. Mr. Lundell recommend that it be tied specifically to the flag lot ordinance. Mr. Lundell explained that the closer it is, the more of an impact it has on the residential in the home in the front. Commissioner Francom pointed out that initially it would be owned by the same people.

Commissioner Lance stated that she isn't opposed to reducing the minimum side setback, but she's unsure about how much it should be reduced. Commissioner Wood pointed out that once the pull is owned by another, the owner could put a fence in the pull and cut off access to the back flag lot. Commissioner Francom asked if a condition could be included in the ordinance stating that a fence could not be put in the pull. Mr. Lundell stated that it is a possibility. Mr. Bond explained that if the Commission doesn't have a positive recommendation it doesn't need to go to the City Council.

Commissioner Francom stated that he would like the Commission to consider the way this could help encourage infill in the core area of town.

Commission Chair Montoya stated that the 26-foot minimum pull needs to be kept for fire, and in Commissioner Francom's case she would like to know where the side setbacks for his parents' house are. Commissioner Adcock asked if the Commission has a direction to give Commissioner Francom before he hires a surveyor. Commissioner Bloomfield stated that a 5-foot setback seems like a practical way to reduce setbacks. Commissioner Francom stated that he believes there are between 8 and 12 feet from parent's property line to the foundation.

Commissioner Lance stated that she feels reducing the side setback to 1 foot wouldn't be practical. Commissioner Montoya agreed.

Mr. Lundell stated that if the Commission is thinking about forwarding it to City Council, a public hearing could be scheduled for the first Planning Commission Meeting in November.

**Discussion on side setbacks for accessory uses on a corner lot behind a fence:**

Mr. Bond asked the Commission if they feel that a fence justifies the reduction of setbacks for an accessory building. Mr. Bond stated that if the main purpose for these setbacks is ascetics, and a fence may help solve this. Mr. Bond explained that if the side setbacks were changed the ordinance would require a fence.

Commissioner Montoya stated that as long as the following stipulations are required she is fine with it.

- Must be behind a fence.
- Includes maximum height such as, can only be 2 feet taller than the fence.

Commissioner Montoya expressed concern with enforcement of this ordinance. Mr. Bond said that he believes that most people who fence a corner lot won't be taking down their fences on a regular basis.



Mr. Bond stated that with the Commissions direction a public hearing will be scheduled for the next meeting.

**Reports of Officials and Staff:**

Mr. Bond stated that there has been an initial meeting between Ridley's and the City. They discussed negotiations but there hasn't been any further correspondence.


Commissioner Adcock asked if the right of way issues have been resolved. Mr. Bond stated that the negotiations have been positive but nothing has been verified.

**Minutes:**

Commissioner Adcock motioned to approve the minutes pending that the date on the headers are corrected on both sets of minutes; and the September 14<sup>th</sup> minutes be changed in the flag lot discussion to reflect that Commissioner Francom's parents wouldn't be able to give him more land without making their own home non-conforming. Commissioner Francom seconded. All in favor.

**Adjournment:**

Commissioner Bloomfield motioned to adjourn at 9:24.

  
Betsy Montoya, Commission Chair  
Kira Petersen, Deputy City Recorder