

Minutes of a meeting of the Planning and Zoning Commission held on October 16, 1982 in City Hall at 7:00 A.M.

Present were James Corry, John Mayer, Steve Porter, Don Olson and Ramona Rosenlund, acting clerk.

Meeting was called to order at 7:08 A. M. by vice chairman Porter and prayer was given by Mr. Corry.

Minutes of the meeting held September 11, 1982, were read by Mrs. Rosenlund and a motion to accept them as read was made by Mr. Corry with a second by Mr. Mayer. Motion passed unanimously.

Mr. Don Olson was present and first on the agenda. He stated that some time ago he had applied for annexation of his property which is located in the county, to be annexed as agricultural but was told at that time there is no agricultural zone and when one was adopted, he could be annexed. He said also he was told at that time only one map was required even though it showed to different annexations. He also said the county did not require an annexation map to show zones. He said he wants to know how they stand now and if the rules have been changed.

Mr. Porter said that the city still does not have an agricultural zone as they did not feel one was necessary since it is allowed in the industrial zone and the Planning Commission could see no reason for a separate zone. Mrs. Rosenlund read from the minutes of a city council meeting held September 16, 1981, where Mr. Olson said there would be a 56' road going into the greenhouses and 150' of this road (as deep as the residential) would be dedicated to the city. Also, that since the city did not have an agricultural zone, it would not be possible to annex the balance of the property where the greenhouses are until such time as there was such a zone. At this same meeting as shown in the minutes a motion was made by Councilman Nelson that the city annex the North 150' of the Olson property for the proposed residential zone, that the remaining 10 acres be annexed as they comply with the requirements of the new zone. Councilman Jones asked that the requirements of the 56' road in the original motion (which motion was withdrawn) be accepted and Councilman Nelson agreed. The motion passed.

Mr. Olson said there would be no road as quoted above but they will have a private right-of-way and will maintain it themselves.

Mr. Olson
Mr. Porter pointed out that ~~he~~ could have this property annexed as industrial zone if he could meet the requirements which include a 100' buffer zone between the residential subdivision that was annexed last year and the proposed industrial area. Mr. Olson said they did not see any reason

for this wide⁰ buffer since there is no noise, fumes, etc. from the greenhouse operation and Mr. Porter suggested that perhaps he could get a variance from the Board of Adjustments and make this buffer less than 100' wide.

Mr. Olson showed a map he had drawn which showed a 56' road running East from 500 West Street into the greenhouse area, just south of the sub-division. He stated this would be a private road used to get into the greenhouse area and he thought this would be enough of a buffer. Mr. Olson asked if they would have the right to sell any of their property should they want to if it was zoned industrial and was told yes, it is still their own property for them to do as they wish as long as it meets the zoning requirements.

Mr. Porter pointed out that sometime in the future the property may be used for something else for which the 56' would not be enough of a buffer. Mr. Olson said they had a semi-truck in and out of there maybe twice a year and that was all. Mr. Porter said he felt he could recommend that this property be annexed industrial if they are granted a variance on the buffer zone and if the property stays in the same business as it is now and if it is ever sold, the city may change the width of the buffer zone if they want to. He said he feels the city may not want an industrial zone in that area but as long as it is greenhouses, it probably is alright.

Mr. Olson asked what he now has to do and was told the recommendation of the Planning Commission would go to the City Council and they would make the decision. He was also told what he had to do in order to request a variance.

Mr. Olson said that in the future they are planning on moving the operation they have on Center Street out to where these greenhouses are and have a retail nursery there. This will be landscaped and he wondered how much more would be required. This after being told that the buffer zone must be landscaped. He said there is 150' from the end of the residential to the greenhouses but they want to put the new retail business building in part of this. Mr. Corry pointed out that driveways don't need to be landscaped so maybe the roadway would count as part of the buffer and with the deep lots in the sub-division and with the required 30' setback and the homes facing away from the greenhouse, this would be buffer zone enough and they would not need 100 feet.

There was another short discussion of the problems with Mr. Porter again saying he felt the city needs some control over what goes in after the greenhouse business is gone but he will make a recommendation to the council that it be annexed with certain restrictions.

Mr. Olson left the meeting at 7:40 A. M.

There was further discussion of what Mr. Olson wants and what the ordinance calls for. It was felt that if they put in a retail outlet it will increase the traffic and will require parking space as well as room for traffic to turn around.

Mr. Corry made a motion that the Planning Commission recommend to the City Council that the annexation be allowed under the conditions that a variance is granted reducing the width of the buffer zone required between the residential and the industrial zones, also the condition that if use of the land ever changes from a wholesale greenhouse business, the City has the right to re-evaluate the situation and rescind the variance if they feel it necessary, also if the residential zone annexation which was started a year ago is legally annexed so that the industrial zone is contiguous.

The question was asked as to whether it was necessary to have the 56' road deeded to the city as was included in the motion for annexation of the residential area before. Mr. Olson did not leave his maps and there seemed some confusion as to where the road was to be.

Mr. Porter seconded the motion and it passed unanimously.

A motion to adjourn this meeting and set the next one for Wednesday October 20, at 7:00 P. M. was made by Mr. Corry and seconded by Mr. Porter. Motion passed unanimously. Meeting adjourned at 8:25 A. M.

Ramona Rosenlund
Secretary

Nov 17, 1982
Approved

Steven J. Taylor
Chairman

~~Minutes of a regular Planning and Zoning Commission meeting held July 11, 1981, at 7:00 A.M. in City Hall, 68 East Main Street, Santaquin, Utah.~~

Present were Bart and Brad Olson, Fred Tasker, Steve Porter, John Mayer, Newell Checketts and Ramona Rosenlund acting as clerk.

Meeting was called to order at 7:08 A. M. by Fred Tasker and prayer was given by Steve Porter. Minutes of the meeting held June 13, 1981, were read and a motion for approval was made by Mr. Porter and seconded by Mr. Mayer. Vote for approval was unanimous.

Bart and Brad Olson representing Olsons Greenhouse Gardens, came before the commission requesting annexation of property located to the southwest of town which would include Bart Olson's home and their new greenhouses. The address of the home is 450 West 500 South. They had a map of the area for which they are requesting annexation and stated they felt the taxes they are paying to the county might just as well go to the city. They said the property is a little over 12 acres, and counting the two shares of irrigation water given the city for a waterhook up at Barts home, they have enough shares to give for about one additional acre residential. They want to annex the greenhouse area as commercial and so feel it should require no water shares. Shown on the map were several building lots along 500 South Street extending to the road at 500 West which is the area they want to annex residential. It was pointed out that if two more lots were developed they would be considered a subdivider.

There was a short discussion of the problems the city has had with the Ben Alexander Subdivision accross the street from the Olson's property.

Mr. Tasker went through the Ordinance of Annexation item by item and then told Bart and Brad that their request for annexation meets the requirements of Section 1, Item A, but in Item B, the ordinance states that requests will be considered in the order in which they are received and they have requests on the list since July 25, 1978. Also, there has recently been a Water/Sewer Study completed by an engineering firm which the commission has not yet had an opportunity to study and which might make a difference as to whether the city could furnish water for additional houses. Mr. Checketts reported he had read the study and it says there is plenty of water but the system is in poor condition and the city needs additional storage. Mr. Tasker finished reading through the Ordinance of Annexation.

The Olson's asked about zoning the greenhouses industrial since the new juice plant of Rowleys was near it and so

maybe it could be considered industrial. Mr. Checketts said this would be island zoning which might not be good.

Mr. Tasker said that he understood that at one time Ben Alexander agreed to put in the water line for his subdivision only if when others hooked into it they paid him. It was pointed out that this was not so and was not in the agreement Mr. Alexander signed with the city.

Brad Olson said he felt they did not use any more water for greenhouses than a home. Mr. Porter asked how the city would get money for new water storage if there was no industry in the city. Mr. Tasker said he felt their hands were tied but that the City Council can do what they want regardless of what recommendation the Planning and Zoning Commission makes so he suggested the Olson's go to them. He said he felt they might go industrial but not residential. Brad mentioned again the Rowley juice plant is near and might be considered industrial also.

Brad said they would go to the City Council and see what they will do.

Mr. Checketts said he had the copy of the Water/Sewer Study and would pass it on to someone else so each member of the commission might read it, and all would be familiar with it's contents.

It was mentioned that they need to elect officers for the commission as Mr. Tasker has been acting as chairman because he was vice chairman previously.

A motion to put the sewer/water study on the next agenda and to set the meeting for August 5, 1981, at 7:30 P. M., and that this meeting be adjourned, was made by Mr. Tasker and seconded by Mr. Mayer. Motion passed unanimously. Mrs. Rosenlund was asked to phone everyone on August 3rd, to remind them of the meeting.

Meeting adjourned at 7:45 A. M.

9-12-81

Approved

Minutes of a regular Santaquin City Council meeting held Wednesday, August 19, 1981. The meeting was called to order at 8:10 P.M. by Mayor Robert E. Steele. Members of the Council present were Floyd Nelson, Fred Thompson, Tom McCloud with Sherman Jones entering the meeting at 8:55 P.M. The Mayor, City Council and news media were notified in writing and the public was notified by public posting prior to the meeting. Councilman Tom McCloud offered the invocation and led the pledge of allegiance.

The first item of business for the night was the review of July 1, 1981 minutes. Councilman Nelson moved that the minutes be approved as read. Councilman Thompson seconded the motion and it carried unanimously.

The next item was the minutes of July 15, 1981. Councilman McCloud moved that the minutes be approved as read. Councilman Nelson seconded the motion and it carried unanimously.

Mr. Sellers pointed out that the City Auditor indicated that the City should not put its bank account number on any account which the Treasurer and Recorder do not have control over. He also pointed out that if they put the money through the City, they could earn a higher rate of interest.

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The next item was the proposed annexation request by Don Olson. The Council read the minutes of the Planning & Zoning meeting which did not give a recommendation for or against annexation. Councilman Thompson indicated that this request would require some spot zoning. It was understood that the two acres on the road would be residential and the back ten acres would be commercial. Councilman Thompson said that the City should look into an agricultural zone rather than commercial. Councilman Nelson asked what the water requirements should be for an agricultural and Councilman Thompson indicated that the City does not have a provision for an agricultural zone and the Planning & Zoning Committee should draw one up. Councilman Thompson said that he would like to see the City annex all the land around town, yet there should be some controls placed first. He also said that the City should not put the same imposition (water) on agricultural as residential. Mayor Steele asked how many acres were covered by greenhouses and it was recognized that Don Olson was present. Mr. Olson said that they did not want to be annexed agricultural but rather residential/commercial. Mr. Olson said that they have the water for the residential part already. Councilman Thompson said that the City had no objections to residential, but the City did not want to spot zone commercially. Mr. Olson said that they could go agricultural in the back. Mr. Sellers pointed out that the City did not have an agricultural zone at the present. Mr. Olson said they have one acre under greenhouse on the property at present. Councilman McCloud asked how many homes are being planned and Mr. Olson said there are seven. Councilman McCloud said that they would fall under the subdivision ordinance which calls for three or more homes. Councilman Thompson indicated they had two homes there and Mr. Olson corrected him as they have one home there at present.

Councilman McCloud indicated that the main concern at present was the amount of water capacity available for the whole town. He also said that there were no problems with water lines in that section of town. Mr. Olson asked if the two acres for residential could be annexed tonight and the rest be annexed agricultural when the zone has been created. Councilman McCloud said that it would be better to look at the whole site for annexation. Councilman Thompson indicated that they were not ready for annexation this night as they do not have a mylar map, etc., and encouraged them to get a copy of the annexation ordinance in order to fulfill its obligations. Mr. Bart Olson indicated that the Planning and Zoning Committee had sent them to the City Council for annexation. Mr. Sellers pointed out that the Committee had made no recommendation to the City Council. The Olsons said that the Committee sent them to the Council and that the Committee doesn't dare make a recommendation until the Council makes one. Mr. Steven Porter, a member of the Committee, said that the account was exaggerated. He said that the Committee was not sure of where the water study was and that the Olsons had been put on a list of requests for annexation until the water situation is stabilized. He said that they had told the Olsons that all they could do is go by the Ordinance and if they wanted to go around this they had to go before the Council.

8-19-81
Mr. Porter indicated that the understanding of the Committee is that there is only enough water to provide for the lots already in town and they cannot approve for annexation until this is cleared up. Councilman Thompson indicated that the City is not against annexation and Mr. Olson said that that is hard to see. Councilman Nelson said that if the City annexed with out plans and they were not done right, anyone could come in and make them throw it back out. The Olsons could be stuck with a half completed home if this were done. He said that they would like to do it right even if it takes some extra time. Mr. Olson asked what they need to do to get the annexation done right. Councilman Thompson asked for a month's time in order to get the agricultural zone.

Mayor Steele indicated that there are already some requests ahead of the Olsons and it would be unfair to bypass these people. He said that he would like to have one Council meeting where all these requests could be handled with the City Attorney present. He also asked that the list be turned over to the attorney for review and that the meeting be held the 16th of September. He also asked that the Planning & Zoning Committee be present for input. Mr. Sellers was asked to have the Attorney set up the agricultural zone foundation. Mayor Steele said that they would handle all of the requests no matter how long it took. Mr. Sellers indicated that this would be a public hearing.

Councilman Thompson asked Mr. Clint Cornwell how well the City has been holding up with the pump running and Mr. Cornwell said that the City has an excess with the pump running. Councilman Thompson said that every community up and down the Wasatch front is pumping water. Councilman Nelson asked how much of the water being used is going to water the Parks, Cemetery and other City property. Mr. Cornwell said that during the winter, when there is no irrigation, the outflow (usage) averages around 800 gallons per minute. The City has 1050

are uncertain that if they make a decision to accomodate one another what the City will do. If the City would indicated that a joint resolution would be favorably looked upon, the parties would be able to resolve their problems. Mayor Steele said that the problems with the two parties are what is holding up the annexations at the present time.

Councilman Callaway restated his motion to table the request for thirty days until the problems are worked out. He said the road will have to comply with the Master Plan. Mayor Steele pointed out that the Council will hold a regular meeting on the 21st of October and asked if the parties could be given till then and the City will have to have the agreement in writing on the 14th of October for the Council to review. Councilman Callaway accepted this. Mrs. Rosenlund said that the Master Plan makes no allowances for a private lane but the Zoning Ordinance does and a building permit can be granted on a private lane. Councilman Jones indicated that at the time the Petersons were annexed it was pointed out to them that there would be a road through the property and they have to acknowledge this fact. He said that this was one of the conditions of annexation. Mayor Steele said that this time period would give the Olsons a lever for working the problem out.

Councilman Jones seconded the motion. Councilman Callaway added that this go before the Board of Adjustments and Councilman Jones accepted this. The motion passed unanimously.

Robert Hales: Mayor Steele indicated that there is a map, but no written request. The Planning and Zoning Committee recommended that this piece of property not be annexed. Mayor Steele asked if there was anyone present representing this piece of property and there was not. Councilman Callaway moved that this request be denied as all the requirements have not been met and it be stricken from the list. Councilman Jones seconded the motion and it passed unanimously.

For the purpose of saving time the following requests were handled next: Ed Degraffenreid, Gordon Heelis, George H. Allen, Robert G. Nielson, Eva Helen Dodds, Albert Oldham, Summitt Creek Irrigation & Canal Company, Claude A. Rowley, Alta Ewell Edwards, and Fred and Howard Holladay. There were no representatives present in the meeting for any of these properties. Mr. Sellers indicated that the requests from George Allen through the Holladays have already been denied by the City Council. Councilman Jones moved that these requests be denied and they be taken off the list. Councilman Nelson seconded the motion and it passed unanimously.

Floyd Martin: No representative was present in the meeting. Councilman Jones moved that, inasmuch as they had requested withdrawal, his request be stricken from the list. Councilman McCloud seconded the motion and it passed unanimously.

Olson's Greenhouse Gardens: Don and Bart Olson were present for this request. Don Olson produced the mylar map he had made with the line showing the proposed residential and agricultural zones. Their map shows 150' deep as proposed residential and the rest as proposed agricultural. Don Olson said that the proposed residential is just a little over two acres. There is a roadway through the area and if this is dedicated to the City as a 56' foot roadway, the residential will be right at two acres. Mr. Sellers asked if the planned 500 West Street was provided for. The Council and the Olsons thought this street would be outside the West boundary of the Olsons property. Mrs. Rosenlund said that the current plans for 500 West would take 56' of the Olsons property off the West side. The Olsons brought the two

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additional shares of water which would be required as the other two were given in conjunction with a water hook-up for the County. Don Olson said that they have room for seven greenhouses and there is one at the present. They do plan on adding more greenhouses. Councilman Callaway pointed out that this is like a small industry in this area. Don Olson said that there will be a 56' road going into the greenhouses and 150' of this road (as deep as the residential) would be dedicated to the City. They do not want to make this a public right of way clear to the greenhouses. Don Olson promised that this road would be dedicated to the City.

Councilman Jones moved that this property be annexed with the stipulation that the road be 56' feet wide and dedicated to Santaquin City. Councilman Jones added that the property 150' deep be annexed residential and the rest agricultural.

Mrs. Rosenlund pointed out that 500 West Street is on the Master Plan of the City and that the Master Plan shows it going through the West 56' of this property. Mayor Steele asked if the Master Plan shows this street extending beyond this property. The Master Plan was looked at and it shows 500 West extending to I-15 South Santaquin exit. If this is the case, the Olsons pointed out that their greenhouses were placed in the way of 500 West as well as the Rowleys new packing shed. Mrs. Rosenlund said that the Master Plan has been filed with the County and they should be aware of this when they issue building permits. Mrs. Rosenlund pointed out that there was no Agricultural Zone as yet and asked if the Olsons would be willing to abide by the requirements of this zone when they are set up. She indicated that a piece of property should not be annexed without the proposed zone already in existence. There was some discussion as to the requirements of the Agricultural Zone as opposed to the other zones the City currently has. It was pointed out that the Planning and Zoning Committee has not met to discuss the Agricultural Zone and, as yet, the requirements have not been spelled out. Councilman Jones asked to withdraw his motion for annexation. Don Olson pointed out that at the last City Council meeting they were told the City would have an Agricultural Zone and to submit the whole piece at once so it could be done at one time to avoid confusion. Mayor Steele asked that the minutes show that they have done as they were asked. Mayor Steele pointed out that the residential area could be annexed this evening and the other area for agricultural could be handled after the zone is in the ordinance. Don Olson asked if a new map would be needed if this were done. Councilman Jones said that the map could go for both. Councilman Callaway said that he would like to see the property brought in as soon as possible so the City could start getting the revenues and taxes off the property rather than the County getting this.

Councilman Nelson moved that the City annex the North 150' for the proposed residential area and, as soon as the ordinance can be changed to show an agricultural zone, that the other 10 acres be annexed as they comply with the requirements of the new zone. Councilman Jones asked that the requirements of the 56' foot road in the original motion be accepted and Councilman Nelson agreed. Councilman Jones seconded the motion. Councilman Callaway asked what would happen if the agricultural zone would require more water shares and Councilman Jones pointed out that was why he had withdrawn his motion, i.e., in case some other requirements were stipulated. Mayor Steele indicated that they do meet the requirements on the residential and the other can be looked at in the future. Don Olson said that during the last Council meeting they were told the Agricultural Zone would only

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require 5 acres for a building lot and asked if this still were the case. The Council indicated that this still has to be drawn up and there was no definite requirement at the present time. The vote was called for and those voting in favor were: Councilmen Jones, McCloud, Callaway and Nelson. There were no votes in opposition.

Gene Jones and Lyle Kay: Inasmuch as the requirements have not been met and they had shown no interest in being annexed, Councilman McCloud moved that they be stricken from the list. Councilman Nelson seconded the motion and it passed unanimously. Councilman Nelson said that Mr. Jones would be interested in having his property annexed agricultural after the zone is put into place.

Councilman Callaway publicly thanked the National Guard for hauling the fill dirt from the catch basin to the rodeo grounds and the two new ball parks and spreading it. He indicated that they would like to come back and do some more sometime as this was good training for their men. He announced that there is also a new water fountain at Squashhead Park and it should be completed by Friday (September 18, 1981).

Mayor Steele brought up a problem at Meham Trailer Court. He said that when the City filled the gully to the West of the court, a ramp was provided for emergency vehicle entry. There used to be a cable across this which has been cut and people have apparently been using this as an entry way. Mayor Steele recommended that this roadway be secured with a lock and the police and fire departments be issued a key for access. Councilman McCloud mentioned a combination lock may be used. Mr. Sellers was asked to write them a letter to this effect.

Mayor Steele asked Mr. Sellers if he would write a letter to the people whose requests for annexation were handled this evening and explain to them the actions which were taken. He indicated that he and Fred Tasker should sign this letter.

Mayor Steele called a "Meet Your Candidate" night on Friday, October 23, 1981, for the citizens to get to know the candidates. He also encouraged those applying for a position to come out to the Council meetings to become familiar with the issues.

Delinquent water bills were brought up next. Mrs. Rosenlund said that there were \$9,692.42 delinquent as of 4:30 P.M. this evening. Mr. Sellers pointed out that 30 days delinquent means one billing cycle which is really 60 days. Mrs. Rosenlund said that there will be another bill going out on the 1st of October. Councilman Jones said that a notice for discontinuation of water service will be sent to those with a 60 day or older balance and they will be required to pay the total balance owing of 60 days or more in order to have service continued. This notice will give the people 10 working days for this to be taken care of. Councilman Jones made the two previous sentences into a motion and Councilman Callaway seconded. The motion carried unanimously. Dennis Lewis pointed out that the City of Payson requires the full payment of arrears or their utilities will be shut off.

The next item was the delinquent improvement districts. Mrs. Rosenlund said that, as of closing today, there was \$4,247.32 outstanding and this only included the principle. Mrs. Rosenlund

and the other departments were being hurt to pay for these costs. Councilman Nelson said that he could not see a tax which would be equal to everyone.

The point was brought out that the other communities spread their taxes out to be equal to all utilities, including water and sewer.

Councilman McCloud said that he felt the water would be the most equal way for the City to go.

Mayor Steele said he needed to draw some closure to the discussion and asked the Council what they wanted to do. Councilman Callaway moved that the discussion be tabled until the 21st of October when the utilities could all be separated to be made equal. He included Mountain Fuel, Mountain Bell, Utah Power & Light and Santaquin Cable TV. Councilman Nelson seconded the motion. Councilman Jones pointed out that the water department gives water to the City without charge. Those voting in favor were Councilmen Jones, Callaway and Nelson. Councilman McCloud voted against the motion.

Mr. Dave Bechambre from Grant Geophysical came before the Council to ask for permission to take some test holes on the City property up Santaquin Canyon. Councilman Jones moved that the City give him an OK as long as Mr. Clint Cornwell approves the sites and the holes so they will not be in conflict with the City springs. Councilman Callaway seconded the motion and it passed unanimously.

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Mrs. Rosenlund gave an update on the Agricultural Zone. The recommendation was that the Industrial Zone be used for this zone. The Planning and Zoning Committee said that if the City just wants an agricultural zone they could go ahead and establish one, but could not see anyone wanting to be annexed just agricultural. Councilman Jones said that he felt some time would be required to come up with a workable agricultural zone. He recommended tabling this until a full Council is seated and assignments are given out. He brought out the problem with the Olson Greenhouse property. Mr. Sellers pointed out that if this takes too much longer, the Olson will have to present a new mylar map for the county which does not have the back ten acres on it. Councilman Jones recommended submitting the map the City has. Councilman Jones moved that the City Council direct the Planning & Zoning Committee to continue work on an agricultural zone and present this to the Council during the first meeting in November, if possible. Councilman McCloud seconded the motion and it passed unanimously.

Mr. Larry Chappel was next and presented an application for business at Walt's Bar. Mr. Chappel indicated that this would be a bar with pool tables, gaming devices, etc. Mr. Chappel was asked if he understood the laws governing bars. Chief Gary McGiven indicated that he felt very good about Mr. Chappel running the bar as they have a good working relationship. Mr. Sellers pointed out that Mr. Dennis Hunter, who was also present, will be running the bar in partnership with Mr. Chappel. Councilman Callaway moved that the licenses be granted and Councilman McCloud seconded. Councilman McCloud expressed appreciation for Mr. Chappel who has really supported Santaquin, even though he does not live in town. The motion passed unanimously.

Mr. Omar Hansen came before the Council to share with the City the School Board's proposed plans for the new Santaquin School. He brought some plans on how the School Board projected the school to appear at the City Park. These plans showed the ball fields and how they would appear in relation to the school. Mr. Hansen said that the