

Minutes of a Planning and Zoning meeting held at City Hall on March 5, 1983, at 8:00 A. M.

Present were Steve Porter, John Mayer, Art Adcock, Kim Barlow, Councilman Dan Olson and Ramona Rosenlund as clerk.

Meeting was called to order at 8:06 A. M. by Mr. Porter and prayer was offered by Mr. Adcock. Mr. Barlow was introduced to the group as the new member of the Commission, replacing Larry Butler whose term has expired.

Minutes of the meeting held February 26, 1983, were read and after four corrections were made, a motion to approve was made by Mr. Barlow and seconded by Mr. Mayer. Motion passed unanimously.

First on the agenda was a discussion of the proposed Cottonwood Mobile Home Estates subdivision. Mr. Olson said he felt rolled curb and gutter would be best since no one knew in advance where driveways would be and it would be easier to put mobile homes in. Mr. Porter said he felt they needed to know what the protective covenants are and if the City wants any restrictions as to whether it must be all mobile homes and the caliber of them. Also whether the size of the homes will be restricted, etc. He said it needs to be determined and spelled out who is to enforce the protective covenants, the subdivider or the city and if the Planning Commission is to draw them up or who. Mr. Olson said the subdivider is to draw them up and submit them to the Planning Commission who will make any recommendations.

Mr. Porter said the city now has an opportunity to make any new agreements they feel are necessary since the old ones are now void since there is a new owner. There was a discussion of how many lots should be given to the city for a bond for completion of the improvements in the subdivision. The old agreement with Coles Brothers called for two lots and it was felt in a subdivision of this size there should be more, perhaps as many as eight or more to insure that the utility easements, the streets, etc. are all done as required.

Mr. Olson said he felt the agreement that had been made between Coles and Summitt Creek Irrigation Company as to the size of pipe, etc. for the irrigation ditch which runs through the subdivision, would have to be re-negotiated. Also, the irrigation company right-of-way for the ditch would have to be maintained and people who bought these lots would have to know about this right-of-way so no trees or other large plants would be planted over it. He feels Mr. Garfield needs to sign an agreement with Summitt Creek as well as with the city. f

Mr. Olson pointed out that 300 North Street on the sub-division map does not line up with the existing 300 <sup>North</sup> West Street. It is almost 100 feet off and the cul-du-sac needs to meet the ordinance. Also, this will landlock Don Peterson, so he needs to be aware of what is going on.

There was a discussion of the water line on 200 North and since this was put in by the city on the strength of the subdivider paying for the

cost of a 6" line and the city paying the difference between a 6" and the 8" line, the cost could be established. Also, the water lines should be put in the subdivision prior to the roads being asphalted as it all needs to be complete and the road is narrow.

Mr. Porter said Mr. Garfield would need to have approved protective covenants, a signed agreement with Summitt Creek Irrigation Company, a signed agreement with the city on the required improvements and a bond for the city to hold until the improvements are done.

There was some discussion as to who was to enforce the protective covenants and it was said that if the city didn't enforce them they would not be enforced. It was thought that if they were not enforced during the time the city held lots for a bond, the lots would not be returned but sold by the city but if all lots were sold and the bond returned, the seller wouldn't care and they might no longer be in force. Mr. Barlow said the city might be able to enforce the covenants as Mr. Garfield just wants to sell and then get out.

Mr. Porter said that once the lots are sold the sub-divider has no control over them and so the subdivision could end up with a mixture of stick homes and mobile homes or may become a trailer court.

There was a discussion as to which lots the city should require as a bond. Mr. Olson said he felt a corner lot should be one and maybe six should be enough. It was decided this could be discussed further at the next meeting.

There followed a discussion of the proposed new zone. Mr. Olson explained that the City Council decided that in order to go on with an industrial area they need some type of zone that can be annexed without the people expecting water service. It was thought that if we had a RA-5 Zone, property could be annexed and be restricted from building on less than five acres. It needs to be decided what it will include and where we want to go, etc. He said this new zone is to take priority over the trailer court ordinance which the Planning Commission has been asked to update as the city has already started negotiations and are working with UVIDA on an industrial area to the south of the city. There is a firm which will develop the land and then sell it. At that time it can be changed from RA-5 to I-1 Zone.

Mr. Adcock asked if an individual can build in the middle of five acres and spoil everything. Mr. Olson said he didn't know but didn't think the developer would sell small pieces as it is all large farms now. He thought they should ask the county to send us a copy of a RA-5 Zone and also find out what can be used in a transitional zone or maybe RA-5 is not the right zone needed, so it would have to be checked out.

Mr. Porter asked if someone would take the assignment to check on these things. Mr. Barlow said he would check with some other cities to see if they had anything like this and Mr. Adcock would check with the County and try to get a copy of a RA-5 zone.

The proposed Business License Ordinance was read through by Mr. Porter. There was a discussion of the fees to be charged and whether the commercial and the home occupation businesses should have the same fee or if it should be broken down into commercial, industrial and residential fees. Mr. Adcock said he thought they should all be the same although a home occupation is limited in their scope of operations. Mr. Barlow said he feels differently as it is harder to generate business from a home than in commercial and industrial areas. Mr. Porter said he felt a flat fee is more streamlined as it is a hassle to determine gross revenues.

As the time for adjournment had arrived, a motion to extend this meeting for 20 minutes was made by Mr. Porter and seconded by Mr. Adcock. Motion passed unanimously.

There was a discussion regarding the selling of agricultural products grown in the city and if these should be exempt from a business license. Olson's Greenhouses were mentioned and it was felt perhaps they would not need a license if agricultural products are exempt. Mr. Porter said he felt the ordinance should be non-discriminatory but he could see some ramifications. Mr. Olson said agriculture is sacred in this town and he felt they should not mess with it and ~~he~~ feels the City Council would not go for it to be licensed.

Mr. Porter asked if anything concerning agricultural should be left to the City Council and Mr. Olson said he felt he could make that recommendation.

Mr. Mayer made a motion that the proposed business license ordinance be submitted to the City Council as it now is. Mr. Porter said he felt they had done the job asked of them and the City Council can do as they want with it and that perhaps the public hearing will generate some helpful ideas. Mr. Adcock seconded the motion. Motion passed unanimously.

A motion to adjourn this meeting and set the next one for Saturday April 9, 1983, at 8:00 A. M. was made by Mr. Barlow with a second by Mr. Adcock. Motion passed unanimously.

Meeting adjourned at 9:50 A. M.

May 5, 1983  
Approved

Steven D. Porter  
Chairman

Ramona Rosenblatt  
Attest