

Minutes of a Planning and Zoning meeting held on November 13, 1984, at City Hall. Present were Commission Chairman Lynnette Neff, members Ione Anderson and Sherman Jones. Also present were Mr. & Mrs. Bruce Armstrong. Minutes were recorded by Ramona Rosenlund.

Meeting was called to order at 6:40 P. M. and prayer was given by Mrs. Neff. Mr. Homer Chandler of M.A.G. entered the meeting at 7:00 P. M.

Mr. Armstrong said he had done some research and would like to declare his present duplex as a P.R.U.D. (Planned Residential Unit Development) for financing purposes. He said he found that a building that had been a duplex and then declared a condominium had to be changed a year later to a P.R.U.D. in order to get financing as Farm Home would not approve it as a condominium. He explained that the reason for this is that they consider that a P.R.U.D. carries ground with it and a condo only air space.

Mr. Armstrong then asked if he should call his property a P.R.U.D., a Twin Home or what? He said he would call it whatever the city wanted. He said there is no ordinance in the State which covers twin homes that he could find. Mrs. Neff said they should look at the P. R.U.D. section of the zoning ordinance and follow it as nearly as possible.

Mr. Armstrong had copies of his Declaration and Restrictive Covenants for Santaquin Twin Homes, which was read through. When he got to the part about the responsibilities of each owner, Mr. Jones suggested he put some sort of penalty in for the event that one owner did not live up to his end of the agreements. He said sometimes there may be an owner who will go against everything. Mr. Jones felt they needed an arbitration clause so something of this sort would not end up in court. Mr. Jones asked Mr. Armstrong if he had an attorney draw up this declaration and Mr. Armstrong said he had some help but mostly did it on his own. Mr. Jones wondered if he should speak with a lawyer about such a clause so things can be resolved because a law without a penalty is no good and one person may not carry his share of responsibility.

Mr. Armstrong said he had a default clause on the next to last page of the Declaration. After reading this clause, Mr. Jones suggested that he add the phrase that if something comes to litigation, the one found against shall pay all costs. The Default section of the Declaration was changed to read as follows: "Failure to comply with any terms of this declaration shall constitute an event of default and shall be grounds for relief which may include without limitation any action to recover sums due for damages and injunctive relief, including court costs or reasonable attorneys fees or any combination thereof."

Mr. Armstrong then asked the Commission where they go from here. Mrs. Neff asked if there was a check list to see if all had been complied with and was told there was not. Mr. Jones read from the Ordinance the requirements for Planning Commission Action which states what is needed before approval of the plan. Mr. Armstrong said he believes

ownership rather ^{than} rental will bring improvements to the area. He also said that when this is recorded with the county they require a copy of the contract, etc. and a plat map which has to be stamped approved by both the Planning Commission and the City Council. He was told this map, etc., would have to be signed and notarized when everything had been approved by both groups.

Mrs. Neff asked if the members of the Commission felt good about approving this and as they did, Mr. Jones made a motion the Planning Commission recommend that Mr. Armstrongs property be approved as a P. R. U.D. or Twin Home Regime pursuant to the Utah Condominium ownership Act, Chapter 57-8 et seq., Utah Code Annotated, which shall be known as Santaquin Twin Homes, with the recommended change in Item IX Default clause of the Declaration and Restrictive Covenants as outlined in paragraph 6 of these minutes. Mrs. Anderson seconded the motion. Motion passed unanimously.

Mr. & Mrs. Armstrong left the meeting at 7:25 P. M., after Mr. Armstrong signed a copy of the Declaration and Restrictive Covenants for Santaquin Twin Homes.

Mr. Homer Chandler of M.A.G. entered the meeting at 7:00 P. M. and was next on the agenda.

Mr. Chandler said he was unable to have the film he wanted to show tonight but would try to have it next time. He said he had gone through Santaquin's Master Plan, Subdivision Ordinance and Zoning Ordinance. He said that unless there was some substantial changes they felt should be made in them, except for putting a Condominium Ownership Act in the Zoning Ordinance, he felt they could continue to be used without any difficulty with only occasional updating as far as the Zoning Ordinance and Subdivision Ordinances were concerned.

However, he felt the Master Plan might need some work. It apparently was adopted in 1977 or 1978 and it appeared to be mostly recommendations, and he wondered if any of them had been adopted or not. He felt there was some ambiguity, for example the recommendation that the water and sewer facilities be updated. What has been done in these areas? He feels it should be rewritten as to what the facts are and not recommendations. The need for an industrial site or development needs to be studied carefully before the City commits to it. They need to know just what it will mean to have an industrial site. He quoted for an example Page 8, A, #1.

Mr. Chandler told of UVIDA urging cities to zone some property and they will give you an industry. The only places with an industrial area are Springville and Orem with Provo having a little. Springville has an excellent industrial park but they are sixteen million dollars in debt even with grants they have received. In time, maybe twenty years, they may start to benefit from it. An industrial area in Santaquin may not cost that much but the city must up front all utility services, roads, etc., and if a grant were received, the city would still 40% up front.

^{need}
Some recommendations in the Master Plan call for things which have not been done. These need to be considered if they are still wanted. ~~Then~~ rewrite the language and remember that a Master Plan is a guide

for the community.

Mr. Chandler suggested that the City should hold three or four public hearings to try to find out what the town hopes to see happen in the next 15 to 20 years then rewrite the Plan to show changes or write it in a new form.

There was a discussion of the population forecast in the present Master Plan. The population forecast for 1980 was 2,188 and 679 homes and the projection for 1990 was 4,350. The present State projection for 1990 for Santaquin is 3,600, approximately. Mr. Chandler suggested they may want to look seriously at forecasts as maybe the water supply will only take care of 5,000 and so there is a need to look at this again.

Mr. Jones told about a study done a few years ago which determined there was enough water for about 1/2 again the population. He said the present annexation ordinance required water to be brought in with any property annexed. Mrs. Neff asked what good irrigation water would be and Mr. Jones said they could put in a dual system, one for culinary water and one for sprinkling or irrigation and there would be no cost for chlorination for the irrigation system.

Mr. Chandler went on to say they should have in the Master Plan update what has happened and then what they want to happen. He said even the parts that are valid now should be rewritten so they are not just recommendations.

There was a discussion of the system for waste disposal and Mr. Jones said they had an engineer come in who recommended they stay with the septic system as it is now and then organize a sewer district where the city puts in and owns the septic systems and he said the E.P.A. recommended the same thing. However, when they talked about an industrial site, they were told they would need a sewer system. It was thought that maybe if an industry came they could have their own system.

Mr. Chandler said that simultaneously with the Horrocks people (the ones who recommended the City own the septic tanks) the E.P.A. adopted a policy in 1977 that there must be developed a sewer urbanizing system. Mountainlands did a study which indicated that all from Provo North should band together and abandon the present system. Timpanogas Sewer District is now in a position to handle growth through 1999. They recommended the cities of Orem and Lindon build a system with Orem building and Lindon paying their share. This is nearly done and will handle 100,000 people. They recommended Springville, Mapleton and Provo go together but this has not been done as Provo did not want to do this and so built their own for a population of 100,000 and Springville is updating theirs with Mapleton to accommodate their industrial area. They recommended Spanish Fork either have their own or join with Springville. They are nearly finished with their own system. Payson, Elkridge and Salem along with Santaquin were considered to go together with the system being in Payson. During the last 18 months M.A.G. has met with the cities about this South Utah County District but there has been no representative from Santaquin. (It was found out later the reason for this was all the meetings were held the same night as the Santaquin City Council meetings.) Salem and Elkridge wanted to go together so Payson is building their own plant which is under construction. Salem/Elkridge have a 50% grant for next spring to start building a 5 million dollar plant.

He went on to say he felt that for the present septic tanks were adequate but if the population starts getting concentrated they may not suffice. Also, if there is industrial waste a lagoon or septic tank is not allowed. He said if the city can develop an industrial park they may have to require them to have their own system or the city will have to go for a sewer system.

Mr. Jones said when the last study was done it was suggested Santaquin go with Payson but it would cost more to go to Payson than to build our own. He also said Santaquin City is sitting on a gravel bed and the Horrocks study said we were ok with septic tanks, however, if there were a lot of dense development we might have to go to a sewer system.

Mr. Chandler said he did not know why the city would want to assume responsibility for people's septic tanks and neither did anyone else. This in reference to the study suggesting the city own the tank system.

Mr. Jones said they should find a time when the full commission could be here to view the film Mr. Chandler is going to bring. Mr. Chandler said it took about 30 minutes and they should allow about another 30 minutes for discussion. Mrs. Neff asked if they should see it before they start on the Master Plan and Mr. Chandler said yes as it deals with how to make a master plan.

It was decided to have the next meeting on November 27, 1984, at 6:30 P. M. with Mr. A.G. first on the agenda and other items to start at 7:45 P. M. Mr. Chandler left the meeting at 8:10 P. M.

Minutes of the previous meeting were approved. There was a short discussion as to the legalities of cherry stemming and if would be the case with the Staheli annexation recommendation. Everyone felt that according to the State Code, it was legal in this particular case.

Mrs. Neff made a motion that this meeting be adjourned and Mr. Jones seconded the motion. Passed. Meeting adjourned at 8:25 P. M.

Lynette Neff
Chairman

Jan 8, 1985
Date Approved

Ramona Rosenbrend
Secretary