



PLANNING COMMISSION

Tuesday, December 14, 2021, at 6:00 PM
Court Room/Council Chambers (2nd Floor) and Online

MEETINGS HELD IN PERSON & ONLINE

The public is invited to participate as outlined below:

- **In Person** – Meetings are held on the 2nd floor in the Court Room/Council Chambers at City Hall
 - **YouTube Live** – Public meetings will be shown live on the Santaquin City YouTube Channel, which can be found at <https://bit.ly/2P7ICfQ> or by searching for Santaquin City Channel on YouTube.
-

PUBLIC COMMENT & PUBLIC HEARING PARTICIPATION

As with all City Council and Planning Commission Meetings, we continue to invite the public to provide “Public Comment” (30-minute duration, maximum of 5-minutes per comment). We also continue to hold Public Hearings, as needed, and required on specific issues.

With the post-pandemic restoration of public gatherings, Santaquin City is pleased to restore pre-pandemic meeting protocols by inviting the public to participate in-person. For those interested in providing public comment, we invite you to sign up on the Public Forum Speaker Sheet.

For those who are unable to attend in person, we invite you to submit your comments by email to PublicComment@Santaquin.org wherein they will be distributed to the Mayor and City Council Members for review and consideration. However, they will not be read during the meeting.

To review the Santaquin City Council Meeting Protocols, please go to the following link:
<https://www.santaquin.org/citycouncil/page/santaquin-city-council-protocols>.

ADA NOTICE

If you are planning to attend this Public Meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

AGENDA

WELCOME

INVOCATION/INSPIRATION THOUGHT

PLEDGE OF ALLEGIANCE

ORDER OF AGENDA ITEMS

PUBLIC FORUM

DISCUSSION & POSSIBLE ACTION

1. [2022 Regular Meeting Schedule](#)

[The Planning Commission will approve the regular meeting schedule for 2022.](#)

2. [Nomination of a New Chair and Deputy Chair](#)

[The Planning Commission will nominate a new Chair and Deputy Chair for 2022.](#)

OTHER BUSINESS

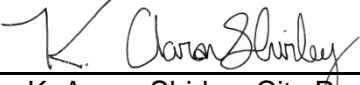
3. [Meeting Minutes Approval](#)

[November 30, 2021](#)

ADJOURNMENT

CERTIFICATE OF MAILING/POSTING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651, posted on www.santaquin.org, as well as posted on the State of Utah's Public Notice Website.

BY: 
K. Aaron Shirley, City Recorder



Planning Commission

2022 Regular Meeting Schedule

Month	1 st Meeting	2 nd Meeting
January	Tuesday, January 11	Tuesday, January 25
February	Tuesday, February 8	Tuesday, February 22
March	Tuesday, March 8	Tuesday, March 22
April	Tuesday, April 12	Tuesday, April 26
May	Tuesday, May 10	Tuesday, May 24
June	Tuesday, June 14	Tuesday, June 28
July	Tuesday, July 12	Tuesday, July 26
August	Tuesday, August 9	Tuesday, August 23
September	Tuesday, September 13	Tuesday, September 27
October	Tuesday, October 11	Tuesday, October 25
November	Tuesday, November 8	No Meeting (Thanksgiving)
December	Tuesday, December 13	No Meeting (Christmas)



Santaquin City Planning Commission By-laws and Rules of Procedure

A. ORGANIZATION

1. Appointment of the Chair and Deputy Chair.

- a. At one of the last regularly scheduled meetings of each year, the Commission shall have an agenda time to appoint a new Chair and Deputy Chair for the next calendar year. Appointees shall assume their duties as of the first regularly scheduled meeting in January.
- b. Appointment of the Chair and Deputy Chair shall be done separately through open nomination for appointment from any Commissioner. If only one Commissioner is nominated for appointment for either position, an approval vote of the Commission shall determine the appointment. If more than one Commissioner is nominated for either appointment, a simple majority of the Commissioners present during a silent vote shall determine the appointee. Any Commissioner may serve more than one term and/or in both appointed positions if properly nominated and appointed.

2. Duties of the Chair.

- a. To review and approve agendas prior to Commission meetings;
- b. To call meetings of the Commission to order on the day and time scheduled and proceed with the order of business;
- c. To receive and submit, in the proper manner, all motions, recommendations, and propositions presented by the Commissioners;
- d. To put to vote all issues and items which are properly moved upon, or necessarily arise in the course of the proceedings and to announce the result of any such actions taken;
- e. To inform the Commission, when necessary, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon legal counsel or staff for advice;
- f. To authenticate by signature all of the acts, findings, orders, and proceedings of the Commission;

- g. To maintain order at all meetings of the Commission including the maintenance of a respectful, orderly, appropriate, and professional atmosphere;
 - h. To move the agenda along, reduce redundancy by limiting time allowed for comment, whenever possible, set guidelines for public input, and reference handouts and procedures during meetings;
 - i. Recognize speakers and Commissioners prior to receiving comments and presentations;
 - j. Ensure the legal due process to all items and people involved in each item of each meeting agenda; and
 - k. Facilitate the elimination of any and all public clamor during meetings.
3. Duties of the Deputy Chair. The Deputy Chair shall have and perform all of the duties and functions of the Chair in the absence of the Chair.
4. Temporary Chair.
- a. In the event of the absence or disability of the Chair and Deputy Chair, and with a proper quorum present, a temporary Chair shall be appointed to conduct business prior to any agenda item to serve as the temporary Chair until the return of the either the Chair or Deputy Chair.
 - b. The temporary Chair shall be nominated and appointed in the same manner as the regular nomination and appointment of the Chair.
5. Quorum. The number of Commissioners necessary to constitute a quorum is four (4) or more. No action of the Commission shall be official or have any effect except when a quorum of the Commissioners are present. While Santaquin City encourages the physical attendance of all of its Commissioners at the meeting anchor location, there is, from time to time, a need for Commissioners to connect to meetings via electronic means. Acceptable means of electronic connection include telephone, computer, satellite, or wireless communications. At a minimum, one Commissioner must be physically in attendance at the meeting anchor site. Commissioners must give notice to the Commission secretary forty-eight (48) hours in advance of the meeting as to what electronic means they intend to utilize to attend the meeting. The Commission secretary must give proper public notice of the meeting twenty-four (24) hours in advance which shall include the name and connection method of all Commissioners who intend to connect electronically to the meeting. Once four (4) or more Commissioners are in attendance at the meeting, either physically or electronically, the Commission is considered to be in full quorum.
6. Placing Items on the Agenda. A request for an item to be on a Commission meeting agenda may be initiated by the Chair, three Commissioners, the staff

with the support of the Chair, the Mayor, the City Council, or an applicant that has submitted a complete application.

B. MEETINGS

1. Meeting Schedule.

- a. At one of the last regularly scheduled meetings of each year, the Commission shall have an agenda item to determine the General Meeting schedule for the following calendar year. Meetings of the Commission are typically held on the 2nd and 4th Tuesdays of each month, with the exception of those meetings rescheduled or cancelled, are to begin promptly at 7:00 p.m., and are to be held in the City Council Chambers of Santaquin City Hall. Alteration to the time of day or place a meeting is to be held may be made through special notice and advertisement of the meeting which states the specific alteration(s).
- b. The determination of the General Meeting Schedule shall take into consideration the dates for which meetings will be scheduled, conflict with City observed holidays, and the possibility of special meetings or the cancellation of meetings to avoid conflicts.
- c. Following determination of a General Meeting Schedule, the Commission shall approve the schedule through the proper approval process. Following approval, the adopted meeting schedule shall be posted by the Commission Secretary in the Community Development Department, distributed to each Commissioner, and advertised in a newspaper of general circulation throughout the City.
- d. Open Meetings. Every meeting of the Commission is to be open to the public and conducted in accordance to the Utah State Open and Public Meetings Act (U.C.A. 52-4-1 et. Seq.).

2. General Order of Business. The business of the Commission at its meetings shall generally be conducted in accordance with the following order, unless otherwise specified

- Roll Call
- Pledge of Allegiance
- Invocation/Inspirational Thought
- Public Forum
- Agenda Items and Public Hearings
- General Plan and Amendments
- Conditional Use Permit Applications
- Rezoning Applications
- Annexation Applications
- Subdivision Applications
- Site Plan Review

- Code Amendments
- Commission New Business
- Minutes
- Reports of Officials and Staff
- Discussion Items
- Adjournment

3. Public Forum. This portion of the Commission agenda is designed to allow members of the general public to address the Commission regarding issues which are not listed on the posted agenda and shall adhere to the following parameters:
- a. Time Limit. This portion of the agenda should not last more than approximately 30 minutes combined for all speakers. Speakers should limit their comments, under the jurisdiction of the Chair, to approximately two minutes. Speakers declaring their representation of a group of the general public present may be allotted an extended amount of time to address the Commission, at the discretion of the Chair, so long as the extension does not limit the ability or time for other members of the general public to address the Commission.
 - b. Speaker Sign-In. All persons wishing to be heard shall place their name onto the designated sign-in sheet at the entrance to the meeting. The Commission Chair shall review the sign-in sheet and call each individual to the speaker's podium to address the Commission. If no names appear on the sign-in sheet, it shall be to the discretion of the Chair to discontinue the public forum portion of the meeting or allow members of the general public present but no signed-in to address the Commission.
 - c. Speakers to be Heard. Speakers wishing to be heard shall make their comments from the speaker's podium within the City Council chambers, or other locations of the meeting, with the exclusion of recognized exceptions due to a disability of the speaker. All comments shall be directed towards the Commission and should be made in a respectful and concise manner.
 - d. Written Comments. Members of the general public may, and are encouraged to submit written comments relating to any item of City business to the Community Development Department, prior to the close of business on the day of a Commission meeting, and said comments may be read and distributed to the Commission for their review. The Commission may conduct discussion as deemed appropriate regarding any comments submitted.
 - e. Repetitious Comments. Members of the general public addressing the Commission shall not present the same, or substantially same items or arguments to those provided by other members of the general public. Once an item has been heard by the Commission and determined to necessitate an action or necessitate no action the same, or substantially

same, item may not be presented by the same member of the general public or any other.

4. Procedure of Consideration of Agenda Items. The following procedure will normally be observed for all agenda items, however, it may be rearranged at the discretion of the Chair for an individual item, for the expeditious conduct of business:
 - a. Introduction of the item by the Chair;
 - b. Staff presentation and recommendation;
 - c. Presentation of the proposal by the applicant(s);
 - d. Public Hearing to be conducted according to paragraph B5 below.
 - e. Commission discussion. The discussion shall be confined to the Commission unless any Commissioner requests specific additional information from staff, the applicant(s), or a member of the general public present who is or may be directly involved or impacted by the issue under consideration; and
 - f. Motion and Vote. The Chair may outline the possible actions of approval, approval with conditions, tabling, or denial prior to entertaining a motion. Voting shall be in accordance with section F below.
5. Public Hearings.
 - a. Procedure
 1. Opening of the public hearing by the Chair.
 2. Testimony by citizens present to discuss the item through comment or testimony of facts or arguments;
 3. Rebuttal and concluding comments by the applicant; as the burden of proof rests with the applicant and is therefore given an opportunity to provide closing comments and testimony;
 4. Closure of the public hearing by the Chair.
 - b. Public Comment During Public Hearings. Comments, testimony, and presentations from the public shall be respectful, pertinent, relevant, concise, and confined within a two-minute timeframe. A spokesman for a group of citizens wishing to make similar comments regarding the agenda item should be allowed a reasonable amount of additional time. Public comments should be non-repetitious. The Commission Chair shall have the ability to discontinue the receipt of public comment at his/her discretion if the commentary and testimony becomes repetitious,

disrespectful, rude, or otherwise rowdy. All public comment shall be directed toward the Commission and may only be received in writing or from the speaker's podium, with the exclusion of recognized exceptions due to a disability of the speaker, within the location of the meeting. Public comment not originated from the podium shall not be accepted or considered by the Commission.

- c. Commission Action. No Commission action shall be taken in a formal public hearing. Comments from the public shall be received and weighted but not responded to by the Commission during the public hearing.
- 6. Continuance of Agenda Items. Review of any agenda item being held or noticed to be held by the Commission at any meeting of the Commission may, by order or notice of continuance, be continued or re-continued to any subsequent meeting.
- 7. Adjournment. No Commission meeting shall be permitted to extend past 10:00 p.m. unless a unanimous vote of the Commissioners present determines an extension of the meeting past 10:00 p.m. With such a vote, the motion for extension shall include a specific amount of time for the extension of the meeting and a determination of which remaining agenda items are to be considered in the extension. Remaining agenda items for any meeting not extended past 10:00 p.m., or otherwise not fully addressed within the extended time, shall have a motion for continuance made upon them, either to the next regularly scheduled meeting or to a specially called meeting, prior to the meeting's adjournment. No item on a noticed agenda shall be left without action being taken regarding that item, through formal action or continuance, prior to the adjournment of any meeting.

C. RIGHTS AND DUTIES OF THE COMMISSIONERS.

- 1. Meeting Attendance. Every Commissioner shall attend each meeting of the Commission unless excused or unable to attend due to extenuating circumstances. Any Commissioner expecting to be absent from a meeting of the Commission shall notify the Community Development Department and/or the Chair.
- 2. Conflict of Interest.
 - a. If any Commissioner has a conflict of interest with an item on an agenda, the Commissioner shall declare the conflict before any testimony for that item is heard. The Commissioner may then choose to step down from the Commission table and withdraw from discussion and voting on the agenda item. Following action by the Commission on the agenda item, the Commissioner may return to the Commission table and resume his/her duties as a Commissioner. In the event the commissioner declines his/her option to step down after declaring a conflict of interest, the Chair shall ask if any Commissioner wishes to request a vote on the conflict.
 - (1) If a request is made, the Commissioner making the request shall detail his/her request including any request to have the Commissioners step

down and/or withdraw from discussion or voting. The remaining Commissioners, other than the Commissioner declaring the conflict of interest, shall vote as to the request. A simple majority of the remaining Commissioners voting in favor of the request shall approve the request. The Commissioner declaring the conflict of interest shall then comply with the approved request. If an approval is not achieved, the Commissioner declaring a conflict of interest may proceed under his/her own recognizance.

- (2) If no such request is made, the Commissioner declaring a conflict of interest may proceed under his/her own recognizance.
- b. Any Commissioner who feels he/she, or another Commissioner, may have an actual, apparent, or reasonably foreseeable conflict of interest shall declare such feelings. Such declarations shall be determined and handled as in Section C-2-a herein.
- c. No Commissioner with an actual, or possible, conflict of interest shall, at any time before, during, or after the meeting, attempt to use his/her influence with another Commissioner with regard to the agenda item in question.
- d. Conflicts of interest are determined to be any personal, familial, or financial tie between the Commissioner and the applicant or the item of any manner of business.
- e. A Commissioner may appear before the Commission through his/her employment or as an advocate or agent for a proponent, or as the applicant, only after declaring his/her conflict of interest and stepping down from the Commission table.
- f. A Commissioner shall not sell or offer to sell services, or solicit prospective clients or employment, by starting an ability to influence Commission decisions or on the basis of being a Commissioner.
- g. A Commissioner must not use the power of his/her appointed office as a Commissioner to seek or obtain any special advantage.
3. Not to Vote Unless Present. No Commissioner shall be permitted to vote on any question, matter of business, or agenda item unless the Commissioner is present at the meeting in which the vote is taken and the result is announced regarding the issue. No Commissioner shall give his/her proxy to any other person to vote on any issue.
4. Special Meetings. A Special meeting may be requested by any Commissioner to hear matters of Commission business. It shall be at the discretion of the Chair to grant or deny such a request and schedule such a meeting, as necessary.
5. Quorum. A simple majority of the total of the Commissioners present shall constitute a quorum for the transaction of business. Any Commissioner choosing to abstain from a vote on an agenda item shall be included when in consideration of a quorum. Any

Commissioner disqualified under the terms of a conflict of interest shall not be included when considering the presence of a quorum. When a conflict of interest results in a lack of Commissioners present to approve a motion, the issue, at the discretion of the Chair, may be heard by the Commission but may not have action taken upon it until an adequate amount of Commissioners can be present to properly vote on the issue.

6. Lack of a Quorum. No matters of business shall be heard, unless caused by a conflict of interest disqualification, unless a proper quorum is present. In the event a quorum is not present for a scheduled meeting of the Commission, the meeting shall be canceled, only after a reasonable allowance of time for a quorum to arrive through a motion for adjournment. No second shall be required for such motion. In such an event, a proper quorum shall ratify the motion to adjourn due to lack of quorum before any matters of business are heard at the next scheduled Commission meeting.
7. Commissioner Decorum.
 - a. Appearance. Commissioners in attendance at each meeting shall portray an appropriate appearance as a representative of Santaquin City to conduct the meeting in a serious, respectful, and sincere manner.
 - b. Actions. At no time shall any Commissioner make any comments, gestures, or other similar actions which is or can be portrayed to be demeaning, insulting, or disrespectful of the other Commissioners, staff, applicant(s), or any member of the general public.

D. ORDER AND DECORUM.

1. General Decorum. The atmosphere of a Commission meeting shall be conducted with the utmost respect for and by all parties. All those in attendance shall conduct themselves in a courteous, mindful, professional, sincere, and appropriate manner for the nature of the proceedings. Things and actions such as booing, hissing, cheering, clapping, throwing objects, obscene gestures, harassing comments, or other similar or obnoxious behavior shall not be tolerated.
2. Public Clamor. Public Clamor shall not be allowed in any meeting of the Planning Commission, nor during any portion of any meeting.
3. Due Process. The Commission Chair shall conduct each meeting in such a manner so as to afford due process throughout the proceedings.
4. Chair's Authority. It shall be the authority and discretion of the Commission Chair to order the removal of any individual member of the general public present at a Commission meeting, groups of the general public, or the removal of the general public present in its entirety, for the duration of the discussion and consideration regarding any single agenda item, or for the remainder of the meeting, if said person or groups of people become rude, disrespectful, disruptive, or otherwise rowdy towards the Commission, any single Commissioner, staff, the applicant, or other members of the general public.

5. Chair's Adjournment. In the event of refusal to leave the meeting by any member of the general public under the authority granted under Section D-4 herein, it shall be the authority and discretion of the Commission Chair to promptly adjourn any meeting of the Commission when said meeting becomes out of hand, unruly, overly disruptive, or otherwise inhibitive to the conduct of the City's business until such time as business can be conducted in an appropriate manner.

E. MOTIONS.

1. Making a Motion. Any Commissioner, including the Chair, may make or second any motion.
2. Findings. Motions for approval, denial, or approval with conditions should state reasons, issues, and facts leading to the motion within the motion.
3. Motions Repeated. Motions may be repeated for clarification, further understanding, or consideration at the request of any Commissioner, or by staff for the purpose of clarification for the official record.
4. Legal Counsel. Any Commissioner may request legal advice from the City legal counsel in the preparation, discussion, and/or deliberation of any motion.
5. Second Required. Each motion of the Commission must be seconded with the exception of a motion to adjourn the Commission meeting.
6. Withdrawing a Motion. After a motion has been stated, the motion resides in the possession of the Commission but may be withdrawn by the author of the motion at any time prior to the motion being put to vote. Withdrawal of a second shall become automatic with the withdrawal of the motion.
7. Motion to Table. A motion to table an agenda item shall be accompanied by the reasoning and rationale for the tabling, such as further study or pending further information or review, and whenever possible, a specific date for which the issue would be reheard.
8. Amending Motions. When a motion is pending before the Commission, any Commissioner may suggest a motion amendment to the author of the motion at any time prior to the motion being put to vote. The amendment must be accepted by the author of the motion and the author of the second in order to amend a motion. Amendments to an amended motion shall be handled in the same manner.
9. Reconsideration of Motions. Any Commissioner who voted in favor of any approved motion may offer a motion to reconsider the motion at any time during the meeting in which the vote took place or during the review of the minutes of the meeting in which the vote took place. A motion to reconsider must pass an approval vote in order to reconsider the action taken. If reconsideration finds that the previously approved motion should stand, no formal vote shall be necessary. If the former motion is to be amended or made void, the reconsideration motion shall be put to a formal vote of the Commission.

10. Motion to Recess. Any Commissioner may offer a motion for recess, and have said motion considered and voted upon, at any point during a Commission meeting. Any such motion shall contain a specific time to reconvene the meeting. No such recess shall be made for a period of time greater than one hour.
11. Dead Motions and New Motions. In the event that a seconded motion does not carry due to the lack of an adequate sustaining vote, the motion is determined to be dead and the discussion and consideration of the agenda item shall continue until another motion and second are offered and approved.
12. Motion to Adjourn. A motion to adjourn shall be required to conclude every Planning Commission meeting, following the addressing of each item on the agenda for that specific meeting. No second shall be required for a motion to adjourn so long as the Chair declares the meeting closed.

F. VOTING.

1. Changing a Vote. No Commissioner shall be permitted to change his/her vote once the Chair has declared the result of the decision.
2. Abstention. Any Commissioner may choose to abstain from voting on any agenda item if the Commissioner perceives a personal legal implication or other conflict. Commissioners wishing to abstain may remain at the Commission table and participate in the discussion. Reasoning for abstention is not required to be revealed prior to the vote being taken, but must be disclosed as a part of the Commissioner's vote for abstention in order to ensure that no conflict of interest has occurred. Without limitation, Commissioners may abstain from voting to approve the Commission minutes for any Commission meeting at which that Commissioner was not present.
3. Process of Voting. Any agenda item requiring a vote of the Commission to determine a decision or a recommendation, with the exception of those items requiring a roll call vote, shall be conducted follow the Chair's recognition of a motion and a second regarding the agenda item and the allowance for Commission discussion, by:
 - a. The Chair's request for "All those in favor of the motion regarding...";
 - b. The simultaneous vocalization of "Aye" by the Commissioners voting in favor of the motion;
 - c. The Chair's request for "All those opposed to the motion regarding...";
 - d. The simultaneous vocalization of "Nay" by the Commissioners voting in opposition to the motion;
 - e. the Chair's request for "All those wishing to abstain from voting on the motion regarding...";
 - f. The simultaneous vocalization of "Abstain" by the Commissioners wishing to abstain from voting on the motion; and

- g. The Chair's declaration of the voting results.
- 4. Unanimous or Total Votes. At any time during the voting procedure, described in Section F-3 herein, that a unanimous vote occurs or all Commissioners declare their vote prior to the completion of the process in its entirety, the Chair may immediately supersede the procedure, declare the result of the vote, and proceed with the remainder of the agenda.
- 5. Roll Call Vote. A roll call vote shall be held to vote on motions made regarding:
 - a. The approval of an agenda item where the Commission is the designated approving body;
 - b. Recommendations to the City Council regarding ordinances, amendments to the City Code, adoption or amendment of the General Plan, or the adoption or amendment of any City master plan; or
 - c. The adoption of any Commission resolution.
- 6. Conducting a Roll Call Vote. When a roll call vote is necessary, the Planning Commission Chair shall, following a motion, second, and Commission discussion, request a vote individually from each Commissioner present. Each Commissioner shall, when called upon, declare their vote orally by stating "Aye" if voting in favor of the motion being considered. "Nay" if voting in opposition of the motion being considered, or "I abstain from voting due to ..." When a roll call vote is necessary, each Commissioner's vote shall be recorded individually in the official minutes of the meeting.

G. SUSPENSION OF RULES.

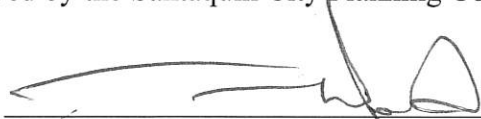
- 1. Non-Exclusive Rules. The rules set forth are not exclusive and do not limit the inherent power or general legal authority of the Commission, or its Chairperson, to govern the conduct of Commission meetings as may be considered appropriate from time to time or in particular circumstances for the purposes of orderly and effective conduct of the affairs of the City.
- 2. Amendment and adoption of Commission by-laws to supersede those contained herein shall follow the same procedure as the adoption of these by-laws. A motion may be made by any Commissioner to review the by-laws for amendment at any time following their inception. A sustaining vote shall be required to open the review of the by-laws for amendment.
- 3. The adoption of these by-laws, and any successors, shall be done only after the publication of a notice of review and adoption of these by-laws in a newspaper of general circulation within the City at least 14 days prior to the meeting in which the adoption will be considered.

4. The general public shall have the opportunity to review and comment upon these by-laws prior to the adoption by the Commission.

H. RECORDING OF BY-LAWS.

1. These by-laws, and all subsequent amendments, shall be recorded by the City Recorder and copies of which shall be distributed to each Commissioner and the Community Development Department.

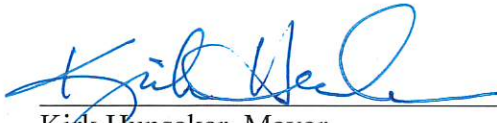
Approved by the Santaquin City Planning Commission this 12th day of November, 2019

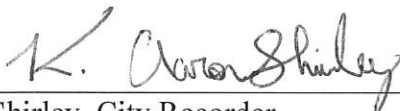


Trevor Wood, Planning Commission Chair

Attest: 
Kira Petersen, Deputy Recorder

Approved by the Santaquin City Council this 17th day of December, 2019


Kirk Hunsaker, Mayor

Attest: 
Aaron K. Shirley, City Recorder



Planning Commission Meeting Minutes
Tuesday, November 30, 2021

Planning Commission Members in Attendance: Trevor Wood, Art Adcock, Kylie Lance, Sarah Jorgensen, and Drew Hoffman.

Others in Attendance: Community Development Director Jason Bond, Assistant City Manager Norm Beagley, Peter Evans, LeRoy Kinder, Ken Berg, Dan Olson, Sharron Storrs, Rita Ponder, Shanna Stilson, and Ron Jones.

Commission Chair Wood opened the meeting at 7:00 p.m.

INVOCATION/INSPIRATION THOUGHT- Commissioner Adcock offered an invocation.

PLEDGE OF ALLEGIANCE- Commissioner Lance led the Pledge of Allegiance.

PUBLIC FORUM- Commission Chair Wood opened the Public Forum at 7:03 p.m. there were no comments, so he closed the Public Forum at 7:03 p.m.

Degraffenried 2-Lot Subdivision Preliminary/Final Plan

The Planning Commission will review a preliminary/final plan for a proposed single lot split located at 245 E. 100 N.

Mr. Bond outlined that this is a single lot split which would result in two lots that are roughly a half-acre each. He noted that one of the lots will have an existing house remain on it and a new house will be built on the additional lot. He added that the City Council approved a deferral agreement for the improvements for this subdivision.

Commissioner Adcock asked if there are redlines from DRC? Mr. Bond responded that there are, but nothing substantial enough to prevent it moving forward with the Planning Commission. He explained that the Planning Commission is the land use authority since it is 3 lots or less. Commissioner Lance asked how much frontage each lot has? Mr. Bond answered that each lot has the required 80 feet of frontage.

Motion: Commissioner Jorgensen motioned to approve the Degraffenried Subdivision with the condition that all Planning and Zoning and Engineering redlines are addressed. Commissioner Lance seconded.

Roll Call:

Commissioner Hoffman	Aye
Commissioner Jorgensen	Aye

Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Wood	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

PUBLIC HEARING- Santaquin Estates Development Agreement/ Rezone

The Planning Commission will conduct a Public Hearing to review a development agreement for the Santaquin Estates Subdivision (located at approximately Main Street and 900 E.) which includes a proposed rezone of approximately 23.28 acres from the R-10 Residential zone to the R-10 Planned Unit Development (PUD) zone.

Mr. Bond clarified that this agenda item is a Public Hearing for the rezone and the development agreement. He explained that all the property is currently located within the R-10 zone. The proposed zoning for the area is R-10 Planned Unit Development (PUD). The Planning Commission has already made a recommendation for the commercial rezone.

Mr. Bond noted that the developer meets the 15% open space within the project. This is being met through the retention basin, as well as the trail corridor, and an additional park in the Northeast area of the development. He noted that the park area is adjacent to a city owned parcel which is used for storm retention.

Mr. Bond clarified that this project is proposed to be completed within one phase. Commissioner Wood asked Mr. Bond to explain why the developer is proposing to rezone the area. Mr. Bond described that the developer has proposed a PUD from the beginning of their application. With the need of the re-alignment of the Frontage Road and the retention basin it made sense to pursue a PUD for this development.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 7:14 p.m.

Ms. Sharron Storrs stated that her property abuts this development. She asked why a PUD is needed in the area if the zoning was already R-10? She asked what the benefit of a PUD is? She also asked for more information regarding the park. Ms. Storrs stated that she thinks the city is focusing on the development of commercial land rather than benefiting the residents by developing parks and open space. She asked why tax dollars haven't been used to open up Santaquin Canyon. Ms. Storrs stated that she doesn't believe that the parks in the East Bench are desirable or usable. She suggested that some of the commercial land be relinquished for a park in the area instead. She asked that the PUD be reconsidered or a park be considered in the area. Ms. Storrs added that she doesn't want to see a hotel developed on the commercial land.

Ms. Rita Ponder stated that she lives across the street from the proposed development. She expressed that she wouldn't like to see a PUD approved for this subdivision. As a homeowner in the area, she stated that she bought with the knowledge of the neighboring R-10 zoning.

Mr. LeRoy Kinder explained that he isn't against the development, but he would prefer to see it remain as R-10 zoning. He stated that he can understand that Flagship Homes has gone above and beyond to provide the 15% open space. Mr. Kinder recognized that the developer isn't proposing high density housing with this PUD and stated that if the property isn't to remain R-10 he would support this development.

Mr. Dan Olson stated that he likes the proposed park. He asked what the acreage is of the retention basin combined with the new park area?

Ms. Shanna Stilson stated that she thinks this development should remain R-10 and not be rezoned. She explained that she thinks a PUD will cause parking issues.

Commission Chair Wood closed the Public Hearing at 7:25 p.m.

Mr. Bond explained that the existing retention basin is on a parcel that is .38 acres, it isn't currently a park, but has been landscaped so it could be used as a park. The proposed park area for this project is .37 of an acre. The combined total of those areas is .75 of an acre. He clarified that the developer would be bonding for the improvements of the retention basin, so the basin can be constructed first. Mr. Bond clarified that the developer's proposal does meet the minimum 15% open space requirement for a PUD.

Mr. Bond pointed out that the developer will improve and perpetuate the trail along the Southwest of the development. Since part of this is outside of the development the city will reimburse the developer with park impact fees. He noted that this portion of trail will not be counted towards the required open space.

Mr. Bond clarified that the commercial area is not part of the PUD or the density bonus. He noted that with standard R-10 zoning the developer could build 83 homes. With the proposed PUD they are proposing to build 77 homes. Without the PUD the city would need to buy the land for the proposed retention basin, and for the realignment of the Frontage Road. This could cost the city upwards of 2 million dollars. The PUD allows the city and the developer to trade density in some areas for these amenities. Mr. Bond explained that C-1 Commercial zoning is good planning along Main Street. It doesn't benefit the city other than future tax base revenue. Mr. Bond explained that within the C-1 code it clarifies what uses are allowed within the zone. He stated that there are no planned commercial uses on the commercial parcel. Mr. Peter Evans clarified that they don't have current plans for the commercial area. Mr. Beagley explained that this commercial area is consistent with residential feedback (from the general plan process) regarding the desire for more commercial space and a higher tax base.

Commissioner Wood asked that Mr. Beagley address the debris basin. Mr. Beagley explained that this debris basin is a downstream channel that would be perpetuated with additional land to the North. The land obtained through the PUD is just a small piece of what is needed for the debris basin. Mr. Bond explained that the city obtained a grant from Natural Resources Conservation Service (NRCS) for 9.1 million dollars to build retention basins. However, that money can not be used to acquire land for the debris basins.

Commissioner Hoffman stated that Flagship has met all the requirements and he thinks they have done a great job with this development. Commissioner Wood agreed. He stated that he is in support of it since the PUD will help the city obtain needed amenities in the area. He noted that the developer has listened to residents and changed their proposal to accommodate some of their concerns along the way. Mr. Bond noted that this is a unique PUD because the developer is not trying to maximize their density in the area.

Commissioner Jorgensen noted that she appreciates that all the units are single family homes. She stated that it seems to fit in with the neighborhood better than other plans have in the past. Commissioner Jorgensen asked for more information regarding the front/rear loaded units mentioned in the development agreement. Mr. Bond explained that the development agreement states that the developer would need to choose either front or rear loading units for the smaller lots 'within each area'. There are three areas this would apply to, the units along Main Street, the units along 900 E. and the units along the Seasons of Santaquin. The benefits of front versus rear loading units were discussed.

Commissioner Lance stated that she thinks a debris basin is essential in this area. She thanked the developer for their work on this development in the last few years. She noted that she prefers the rear loading units on the main thruways.

Commissioner Adcock asked for clarity regarding the 4,000 vs 6,000 square foot requirements within code. Mr. Bond explained that according to City Code clustered single-family homes can be on a lot as small as 4,000 square foot lot. He stated that there is no definition of 'clustered single-family homes' within code. He indicated that precedent for interpreting the code was set within the PUD to the North of this development where single-family homes were approved to have lots that were less than 6,000 square feet. Mr. Bond noted that the smallest proposed lot in this proposal is 4800 square feet, while most of the smaller lots are around 5,000 square feet.

Commissioner Wood asked about the power corridor easement that runs through the area, he added that lots 40 and 41 appear to be the most impacted and asked what could be built on those lots. Mr. Evans explained that lot 40 will need to have a long driveway. Lot 41 would require a custom plan, but it may become part of lot 40 and 42 instead.

Mr. Bond explained that as part of a PUD modified setback requirements need a recommendation from the Planning Commission to the City Council to be approved. He reviewed the current setbacks of 25-foot rear and front, with 5-foot side setbacks. The developers proposed modification to the setbacks is a 22-foot front setback, and a 20-foot rear setback. He noted that staff has stressed the importance of a larger front setback for the driveway side. Commissioner Jorgensen asked if there will be sidewalk for the whole development? Mr. Bond confirmed that there will be, with the trail in lieu of sidewalk in those areas where it is built.

Mr. Evans expressed his gratitude for staff's patience with them as they have made multiple reiterations of the proposal. He stated that staff has done a great job negotiating on behalf of its residents.

Motion: Commissioner Jorgensen motioned to recommend approval of the Santaquin Estates Rezone of 23.28 acres R-10 Residential to the R-10 Planned Unit Development (PUD) zone as part of the development agreement. Commissioner Lance seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Lance	Aye
Commissioner Jorgensen	Aye
Commissioner Hoffman	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

Santaquin Estates Preliminary Plan Review

The Planning Commission will review a preliminary plan for a proposed 78-lot subdivision (77 residential, 1 commercial) located at approximately Main Street and 900 E.

Mr. Bond asked the developer if they would agree that the 22-foot setback would be retained from the back of sidewalk to the garage face to provide adequate space for parking. Mr. Evans agreed that this could be maintained. Commissioner Adcock clarified that the setbacks can be modified since this is a proposed PUD. Mr. Bond confirmed this.

Motion: Commissioner Hoffman motioned to recommend approval of the Santaquin Estates Preliminary Plan with the following conditions: That all Planning and Zoning and Engineering redlines be addressed. And that the amendment to the setbacks be approved; including the 22-foot front setbacks on the garage side, 20-foot rear setbacks, and 5-foot side setbacks for the smaller lots identified within the development agreement. Commissioner Lance seconded.

Commissioner Hoffman	Aye
Commissioner Jorgensen	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Wood	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

PUBLIC HEARING- Grey Cliffs Development Agreement/ Rezone

The Planning Commission will conduct a Public Hearing to review a development agreement for the Grey Cliffs Subdivision (located east of State Road 198 and approximately 600 N.) which includes a proposed rezone of approximately 293.78 acres. The current zoning of 210.63 acres is R-10 PUD, the proposed zoning for this acreage is R-10 Residential. The current zoning of 22.16 acres is R-10 PUD, the proposed zoning for this acreage is C-1 Commercial. The current zoning of 40.51 acres is R-Ag, the proposed zoning for this acreage is R-10 Residential. The current zoning of 16.04 acres is Ag Agricultural, the proposed zoning is R-10 Residential. The current zoning of 1.04 acres is C-1 Commercial, the proposed zoning is R-10 Residential. The current zoning of 3.43 acres is Ag Agricultural, the proposed zoning is C-1 Commercial.

Mr. Bond explained that this proposed development has been in the works for several years. He noted that this is a large development and it will take more time for the preliminary plans to be ready. He noted that this project has received prior approval for a mass grading permit. Mr. Bond added that the developer is doing this at risk as the development isn't approved yet. The applicant has also decided that they would like to move forward with a standard subdivision rather than a PUD. Mr. Bond explained that part of the proposed rezone is from R-10 PUD, and AG zoning to a standard R-10 zoning. They would also like to have some Commercial C-1 zoning along the frontage of the highway. Mr. Bond noted that the developer has provided exhibits of the proposed open space they are planning to provide. He added that the developer doesn't have to provide this open space for the development since it is not a PUD. Mr. Bond pointed out that there is a proposed HOA for 10 lots that abut the Northeast area which is heavily sloped. He noted the improved parks that the developer is proposing. He added that all of the proposed open space would not be improved.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 8:35 p.m.

Mr. Dan Olson stated that the proposed HOA area is the only place where there is access for the mountain. He asked that a trail system or something similar be added to allow the public access to the mountain.

Mr. Ron Jones stated that he grew up on this land. He indicated that he fully supports the progress of this development moving forward. He noted that the rezone goes high up on the mountain and asked if people will be allowed to build way up that far? Mr. Jones noted that the sand pit in the area is a scar on the mountain and he would like to see it restored to natural vegetation. He hopes that there is a mechanism in the development agreement that requires the developer to restore the mountain when they are done.

Commission Chair Wood closed the Public Hearing at 8:40 p.m.

Mr. Bond clarified that the private HOA space would not inhibit public access to the mountain. He explained that as part of the development agreement all of the mountain area would be dedicated as open space to the city. Even though it would be zoned as R-10 these higher areas of the mountain would remain as open space dedicated to the city. The cities intention is to see it remain natural with trail heads, etc. in the area. It is anticipated that bicycle, ATV, or equestrian trails be provided for this area.

Mr. Bond answered that a typical requirement of restoration for the scarred area is included within the mass grading permit. Commissioner Wood clarified that the developer would bond for the restoration in case they were to leave prior to the project being completed.

Commissioner Wood stated that he loves the forethought and connectivity of this proposal. He thinks that this open space could become the crown jewel of the Santaquin City Park system. Commissioner Lance stated that she is in favor of this development. And that the community needs high end and single level housing. She believes the recreational opportunities enhance the proposal.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the Grey Cliffs Rezone as proposed, contingent upon an improved development agreement. Commissioner Jorgensen seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Lance	Aye
Commissioner Jorgensen	Aye
Commissioner Hoffman	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

OTHER BUSINESS

Approval of Meeting Minutes from

November 9, 2021

Commissioner Jorgensen noted that an area of the minutes she would like modified.

Motion: Commissioner Jorgensen motioned to approve the minutes from November 9, 2021, with the suggested modifications. Commissioner Adcock seconded. The motion passed unanimously in the affirmative.

Mr. Bond noted that the next Planning Commission meeting will be held on December 14th. It is anticipated that a City Council Meeting will be held after the Planning Commission meeting. The meeting may be held earlier around 6 p.m. Mr. Bond stated that he will provide more information to the Commissioners as soon as possible.

ADJOURNMENT

Commissioner Lance motioned to adjourn at 9:04 p.m.