



Planning Commission Meeting Minutes
Tuesday, August 25, 2020

Planning Commission Members in Attendance: Trevor Wood (attending via Zoom) Brad Gunnell, Kylie Lance, Art Adcock, Michelle Sperry (attending via zoom), Kyle Francom, and Kody Curtis.

Other's in Attendance: Community Development Director Jason Bond, City Manager Ben Reeves and Kevin Olson.

Commission Chair Wood called the meeting to order at 7:00 p.m.

Invocation/Inspirational Thought: Commissioner Lance shared an inspirational thought.

Pledge of Allegiance: Commissioner Francom led the Pledge of Allegiance.

Public Forum: Commission Chair Wood opened the Public Forum at 7:01 p.m.

Mr. Bond read a public comment from Jody Reid. She expressed concern regarding the regulations of one utility meter for ADU's. She also asked why a density cap hasn't been set for the one-acre requirement for Multifamily housing within the MSR zone. (See Attachment 'A').

Commission Chair Wood closed the Public Forum at 7:04 p.m.

Commission Chair Wood reminded the Commissioners to speak clearly into their microphones and one at a time.

Proposed changes to code language for accessory apartments

The Planning Commission will consider modifying Santaquin City Code Title 10 Chapter 6 Section 8 regarding accessory apartments.

Mr. Bond referred to the extensive discussion regarding ADU requirements at the last meeting. He noted the Planning Commission's request to include language regarding an ADU being located within a detached garage. He reviewed the changes as were discussed at the last meeting (See Attachment 'B'). Mr. Bond noted the new language in 10-6-8-2 Sections, C (regarding permanent foundations), D (regarding the design) and E (regarding ADU's which are attached to garages).

Commissioner Gunnell suggested that subsection E regarding garages, include language that clarifies that the 24-foot height restriction is 'inclusive of the garage height.' Commissioner Francom suggested that the language clarify that the height of the garage can be a maximum of 24 feet, regardless of the height of the existing home. He also asked if the 800 square foot footprint needs to be listed in each sub section regarding ADU's.

Commissioner Lance asked to discuss utility meters for ADU's. Mr. Reeves stated that the City is indifferent regarding the number of meters for an accessory apartment. He explained that the benefits of having two meters is that you have the exact usage for the separate unit. However, he clarified that when there is a secondary meter; it would have to be in the name of the original property owner. Mr. Reeves noted that there is a base rate charge for each meter in the City. Commissioner Curtis suggested that the home owner should be able to decide if they would like one or two meters. He also recommended that there is a requirement that no more than two meters be allowed. Commissioners Lance, Tolman and Wood agreed.

Mr. Reeves suggested that the code indicates that an ADU is a clear accessory to the main unit. Clarifying that the intent is not to subdivide an ADU from a primary dwelling.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the proposed changes to code language for accessory apartments; given the changes discussed this evening. Commissioner Adcock seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Gunnell	Aye
Commissioner Tolman	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Curtis	Aye
Commissioner Sperry	Aye

The vote passed unanimously 7 to 0.

Proposed changes to the MSR Zone

The Planning Commission will review a proposed amendment to Santaquin City Code Title 10 Chapter 7M regarding the Main Street Business Districts (MSBD) Zone.

Mr. Bond recapped the tabling of the proposed changes to the MSR zone at the last meeting and asked the Commissioners to provide direction (See Ordinance Draft in Attachment 'C').

Commissioner Francom stated that he would like to see a set density per acre requirement. Commissioner Wood noted that the intent of this language was to implement a minimum lot size and require developers to combine multiple properties in order to develop multifamily housing. Commissioner Lance expressed that she thinks this amendment is taking a step in the right direction. Commissioner Wood reasoned that multifamily housing will be heavily discussed as part of the general plan update.

Commissioner Gunnell noted that there is only one undeveloped parcel over one acre within this zone. Commissioner Adcock asked about having an 8 unit per acre requirement. Mr. Bond explained that 8 units were discussed because it is the number of units at which multifamily developments are required to provide a tot lot.

Commissioner Francom stated that he would be more open to high density housing, if it were to have a commercial component. He indicated that he would like to preserve the area for Commercial development in the future. Commissioner Tolman stated that she would like to remove multifamily as a permitted use. Commissioner Lance explained that she would like to ensure walkability and wouldn't like to eliminate multifamily housing in this zone.

Commissioner Wood reminded the Commissioners that the intent of the amendment is not to eliminate multifamily developments. He noted that State Law doesn't allow for the removal of multifamily housing within the City. Mr. Bond clarified that the State of Utah requirement is that a moderate income housing element be included within the general plan.

Commissioner Lance stated that she wants to discourage developers from and seeing a piggy bank, and ensure that what is being built is functional and serves a purpose. Commissioner Wood agreed. Commissioner Tolman expressed her feelings that the transition area was lost when high density housing was built on Main Street. Commissioner Gunnell stated that he understands Commissioner Tolman's feelings, but feels that eliminating multifamily is changing the zoning, which is better suited to the general plan update. He suggested that a density scale be set as a minimum of 8 and maximum of 12 in order to preserve amenities while keeping the density under control.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the proposed changes to the MSR zone as presented. Commissioner Adcock seconded.

Commissioner Sperry:	Aye
Commissioner Adcock:	Aye
Commissioner Lance:	Aye
Commissioner Tolman:	Nay
Commissioner Gunnell:	Aye
Commissioner Wood:	Aye
Commissioner Curtis:	Aye

The vote passed 6 to 1.

Core Area Zoning Discussion

The Planning Commission will discuss zoning boundaries within the core area of town.

Commissioner Francom explained that he feels strongly that what is being done now will affect residents from years to come; and as the population increases there will be a need for more commercial businesses. He expressed that he would like to see Main Street be a center for business.

Commissioner Lance asked what the prominent differences are between the Main Street Commercial (MSC) and Central Business District (CBD) zones? Mr. Bond explained that the CBD zone is more restrictive for residential uses. He clarified that the MSC, and CBD are technically areas within the Main Street Business District Zone. Commissioner Lance asked if mixed use is

allowed in each zone? Commissioner Gunnell noted that the proposed language classifies mixed use as conditional in each zone.

Commissioner Gunnell indicated that he understands Commissioner Francom's concerns, but he would prefer to revisit this within the general plan update. Commissioner Wood agreed and recognized the importance of preserving the commercial space within the core area.

Motion: Commissioner Gunnell motioned to direct Staff to explore options of expanding commercial uses and zoning within the core area of town, as part of the general plan process. Commissioner Lance seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Gunnell	Aye
Commissioner Tolman	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Curtis	Aye
Commissioner Sperry	Aye

The vote passed unanimously 7 to 0.

Right of Way Vacation

The Planning Commission will review a proposal to have the City vacate a narrow strip of right-of way near the intersection of Highland Drive and 120 East.

Mr. Bond reported that this proposal is to have a portion of right of way adjacent to the street at the intersection of Highland Drive and 120 E be vacated. He explained that staff discovered that there was a parcel of land still under the name of the School District. The property adjacent to this parcel, has been approved to expand the Orchard Hills townhome development. Mr. Bond noted that no expansion would be needed for the sidewalk as it is already existing. He indicated that land use regulations which dictate setbacks, would be affected and the townhomes would be offset, if the parcel of land is not vacated.

Mr. Bond explained that in order for this to be addressed the City would need to vacate the right of way, which would then revert it back to the original owner with is Nebo School District. The School District would then need to vacate the right of way to the developer. He explained that the Planning Commission will review and make a recommendation to the City Council; who will then hold a public hearing.

Motion: Commissioner Gunnell motioned to recommend approval to the City Council that the right of way area located at the intersection of Highland Drive and 120 E. be vacated. Commissioner Adcock seconded.

Roll Call:

Commissioner Wood:	Aye
Commissioner Gunnell:	Aye
Commissioner Tolman:	Aye
Commissioner Lance:	Aye
Commissioner Adcock:	Aye
Commissioner Curtis:	Aye
Commissioner Sperry:	Aye

The vote passed unanimously 7 to 0.

PLANNING COMMISSION BUSINESS

Approval of minutes from

August 11, 2020

Motion: Commissioner Tolman motioned to approve the minutes from August 11, 2020. Adcock seconded.

Roll Call:

Commissioner Sperry:	Aye
Commissioner Curtis:	Aye
Commissioner Adcock:	Aye
Commissioner Lance:	Aye
Commissioner Tolman:	Aye
Commissioner Gunnell:	Aye

The vote passed unanimously 7 to 0.

Commissioner Francom explained that he attended the City Council meeting last week on August 18th. He reported that WPA architecture has been appointed as the architect for the new City Hall. He asked for clarification regarding cardiac monitoring that was discussed at the meeting? Mr. Reeves explained that it is a device that the Fire Department uses to hook up a person to a monitor. The devices the City has are no longer supported, so the provider of those units is offering a discount if the City stays with them. He explained that they will be utilizing Cares Act dollars for the cardiac monitors, and reallocate Fire department funds to the Police department for riot gear.

Commissioner Francom also noted that it was reported that more building permits have been issued year to date in 2020, than in total for 2019.

Commissioner Wood asked for volunteers to attend the next City Council Meeting. No Commissioners volunteered.

Mr. Bond explained that submittals from consultants and firms for the general plan update have been accepted. He stated that a selection committee will be created to review the applicants. The committee will be made up of city staff, City Council members, and Planning Commission Members. Kylie Lance and Art Adcock were appointed to the Committee to meet on Thursday August, 27th at 3:00 p.m.

Mr. Reeves reported that there are roughly 50 businesses participating in the business stimulus program. Each household in the community will receive 4 coupons to be used at the participating businesses. Businesses can then bring back the coupons to the City and receive reimbursement through the Cares Act dollars.

ADJOURNMENT

Commissioner Wood motioned to adjourn at 8:30 p.m.


Trevor Wood, Commission Chair
Kira Petersen, Deputy Recorder

Dave and J.A. Reid <rechifam@gmail.com>

Reply all

Tue 8/25, 1:13 PM

Public Comment

Dear Planning Commission,

I am writing to address a few concerns with the proposed code changes to be discussed in today's meeting.

In 10-6-8-1 C and in 10-6-8-2 E, the number of meters for attached and detached accessory dwelling units are now proposed to be limited to one. In the current code, for attached dwelling units, two meters are allowed, but from discussion at an earlier planning commission meeting, a reluctance from the utility billing folks has prompted this new limitation. I feel that this is a huge step in the wrong direction. The best interests of the community and not the people who are working for the residents should be of top priority. Going forward with new units only having one meter will result in greater utility usage and more burden on city resources. Water is already an especially limited commodity in our area. When tenants are not directly accountable for their utility usage, they will inevitably be less careful. Also, when an owner of an accessory dwelling unit is calculating rental rates, they must factor in the possibility of high usage and charge more accordingly, leading to higher costs for tenants. If we are truly committed to providing more affordable housing and responsible use of resources in our city, this is a serious step in the wrong direction.

My other concern involves 10-7M-11 A, stipulating a one acre lot size for multifamily developments in the MSBD. I understand that will almost completely end such developments in the zone due to availability right now, but purchases of adjacent lots could immediately change that. I am curious why, after the work that I believe Ryan Harris did on densities, there are no density restrictions that have been proposed or included.

Finally, my biggest concern involves why all of these issues concerning zoning are being considered at the very moment we are beginning the long overdue process of revising our General Plan. The urgency feels contrived. It seems much more appropriate to consider these changes as part of a larger, carefully considered vision for our community.

Thanks so much for your service to our city.

Sincerely,

Jody Reid

ORDINANCE NO. **DRAFT**

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO MODIFY REGULATIONS FOR ATTACHED ACCESSORY DWELLING UNITS (I.E. ACCESSORY APARTMENTS) AND TO DEFINE REGULATIONS FOR DETACHED ACCESSORY DWELLING UNITS (I.E. COTTAGES, CASITAS), PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to amend Santaquin City Code Title 10 Chapter 6 Section 8 to modify regulations for attached accessory dwelling units (i.e. accessory apartments) and to define regulations for detached accessory dwelling units (i.e. cottages, casitas); and

WHEREAS, the Santaquin City Planning Commission held a public hearing on August 11, 2020, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in a newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 10 Chapter 6 Section 8 is amended as follows: (underlined text is added, stricken text is deleted)

10-6-8: ACCESSORY ~~APARTMENTS~~ DWELLING UNITS:

- A. Number of Accessory Dwelling Units: A maximum of one accessory dwelling unit, either attached or detached, shall be allowed on any one parcel.

10-6-8-1: ATTACHED (I.E. ACCESSORY APARTMENTS)

~~Accessory apartments~~ Attached accessory dwelling units shall be allowed in any residential zone, subject to the following criteria: (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

A. Location: ~~Accessory apartments~~ Attached accessory dwelling units shall not be allowed on any parcel except those containing a single-family dwelling.

~~B. Number Of Accessory Apartments: A maximum of one accessory apartment shall be allowed on any one parcel.~~

~~C. B. Parking: Any property containing an accessory apartment shall provide one parking space for residents of the apartment dwelling unit and one guest parking space in addition to the parking to be dedicated to the residents of the single-family residence.~~ Any property containing an attached accessory dwelling unit shall provide two off-street parking spaces for residents of the unit. Tandem parking will not qualify as approved parking.

~~D. C. Utility Meters: A single-family dwelling with an accessory apartment~~ attached accessory dwelling unit shall have no more than ~~two (2)~~ one (1) meters for each water and ~~gas utility~~ pressurized irrigation service. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)

~~E. D. Building Code: All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling.~~ (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; Ord. 03-02-2007, 3-7-2007)

~~F. E. Building Entrances: In order to preserve the single-family residential appearance of the building, a new single-family structure approved with an accessory apartment~~ attached accessory dwelling unit shall not have a separate entrance at the front of the building or side of the building facing a street where the sole purpose of the entrance is to provide access to the ~~accessory apartment~~ attached accessory dwelling unit. An ~~accessory apartment~~ attached accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)

~~G. F. Construction And Remodeling: Any person constructing, causing the construction of a residence that has an accessory apartment~~ attached accessory dwelling unit, remodeling, or causing the remodeling of a residence for an ~~accessory apartment~~ attached accessory dwelling unit, or any person desiring an ~~accessory apartment~~ attached accessory dwelling unit shall obtain a building permit from the city of Santaquin. Before a permit may be issued, the applicant shall:

1. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.
2. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.

3. Pay fees in accordance with the city of Santaquin resolution establishing fees and charges.

H. G. Prior Uses: For preexisting ~~accessory apartments~~ attached accessory dwelling unit, a permit for the ~~accessory apartment~~ attached accessory dwelling unit shall be required, in addition to any permit required for the work to be done, at such time that construction, remodeling, or change of use occurs to the structure in which the ~~accessory apartment~~ attached accessory dwelling unit is located. The city building official shall issue a permit for any such ~~accessory apartment~~ attached accessory dwelling unit prior to construction, remodeling, or change of use and upon finding compliance with the uniform building code and the following conditions:

1. The ~~accessory apartment~~ attached accessory dwelling unit is in compliance with the zoning ordinance, and
2. A building permit was issued when the ~~apartment unit~~ was constructed or remodeled. If no building permit was issued at the time of construction or remodeling, the applicant shall pay an inspection fee and the chief building official (CBO) or designee shall inspect the ~~apartment unit~~ for life safety violations. All violations identified by the CBO shall be corrected before a permit may be issued. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; Ord. 03-02-2007, 3-7-2007)

I. H. Other Similar Units: ~~Accessory apartments~~ attached accessory dwelling unit shall include basement rentals, caretaker apartments, and other units of a similar nature and shall be a permitted use in all zones where single-family dwellings are permitted. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)

10-6-8-2: DETACHED (I.E. COTTAGES, CASITAS)

Detached accessory dwelling units shall be allowed in the Main Street Residential (MSR) area of the Main Street Business District zone and the Residential R-8 zone, subject to the following criteria:

A. Location: Detached accessory dwelling units shall only be allowed in the rear yard of a single-family dwelling. Detached accessory dwelling units cannot be subdivided from the primary dwelling and cannot be sold separately from the primary dwelling. Either the primary dwelling or the detached accessory dwelling unit need to be owner occupied. Detached accessory dwelling units cannot be leased for a term longer than 2 years without a renewal agreement.

B. Size and Setbacks: The maximum footprint of a detached accessory dwelling unit shall be 800 square feet. The maximum square footage of a detached accessory dwelling unit shall be 1,600 square feet. The maximum height of a detached accessory dwelling unit shall not exceed the height of the primary dwelling unit or 24 feet, whichever is less. The setbacks of a detached accessory dwelling unit shall be at least 12 feet from the primary dwelling and 8 feet from the side and rear property lines.

C. Foundation: Detached accessory dwelling units shall be on a permanent foundation. Recreational vehicles and mobile homes shall not be considered detached accessory dwelling units.

D. Design: The architectural style and color of a detached accessory dwelling unit shall be compatible with the primary dwelling and approved by the Zoning Administrator.

E. Garages: Accessory dwelling units which are connected to a detached garage shall not exceed a height of 24 feet. The maximum square footage of an accessory dwelling unit, inclusive of the garage area, shall be 1,600 square feet.

D. Parking: Any property containing a detached accessory dwelling unit shall provide two off-street parking spaces for residents of the unit. Tandem parking will not qualify as approved parking.

E. Utility Meters: A single-family dwelling with a detached accessory dwelling unit shall have no more than one (1) meter for each water and pressurized irrigation service.

F. Trash: Each detached accessory dwelling unit shall have their own trash can.

G. Building Code: All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling.

H. Construction And Remodeling: Any person constructing, causing the construction of a residence that has a detached accessory dwelling unit, remodeling, or causing the remodeling of a residence for a detached accessory dwelling unit, or any person desiring a detached accessory dwelling unit shall obtain a building permit from the city of Santaquin. Before a permit may be issued, the applicant shall:

1. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.

2. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.

3. Pay fees in accordance with the city of Santaquin resolution establishing fees and charges.

I. Prior Uses: For preexisting detached accessory dwelling units, a permit for the detached accessory dwelling unit shall be required, in addition to any permit required for the work to be done, at such time that construction, remodeling, or change of use occurs to the structure in which the detached accessory dwelling unit is located. The city building official shall issue a permit for any such detached accessory dwelling unit prior to construction, remodeling, or change of use and upon finding compliance with the uniform building code and the following conditions:

1. The detached accessory dwelling unit is in compliance with the zoning ordinance, and

2. A building permit was issued when the unit was constructed or remodeled. If no building permit was issued at the time of construction or remodeling, the applicant shall pay an inspection fee and the chief building official (CBO) or designee shall inspect the unit for life safety violations. All violations identified by the CBO shall be corrected before a permit may be issued.

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, August 19, 2020. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 18th day of August 2020.

Kirk Hunsaker, Mayor

Councilmember Nick Miller	Voted	___
Councilmember Elizabeth Montoya	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jennifer Bowman	Voted	___
Councilmember David Hathaway	Voted	___

ATTEST:

K. Aaron Shirley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 18th day of August, 2020, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO MODIFY REGULATIONS FOR ATTACHED ACCESSORY DWELLING UNITS (I.E. ACCESSORY APARTMENTS) AND TO DEFINE REGULATIONS FOR DETACHED ACCESSORY DWELLING UNITS (I.E. COTTAGES, CASITAS), PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 18th day of August, 2020.

K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 18th day of August, 2020.

The three places are as follows:

1. Zions Bank
2. Post Office
3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

K. AARON SHIRLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____,
20__, by K. AARON SHIRLEY.

Notary Public

ORDINANCE NO. DRAFT

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW DETACHED ACCESSORY DWELLING UNITS IN THE MAIN STREET RESIDENTIAL AREA, MODIFYING LAND USE DESIGNATIONS, AND CREATING A MINIMUM LOT SIZE FOR MULTI-FAMILY DEVELOPMENTS IN THE MAIN STREET BUSINESS DISTRICT ZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to amend Santaquin City Code Title 10 Chapter 7M Section 2 and Title 10 Chapter 7M Section 11 to allow detached accessory dwelling units in the main street residential area, modifying land use designations, and creating a minimum lot size for multi-family developments in the main street business district zone

WHEREAS, the Santaquin City Planning Commission held a public hearing on August 11, 2020, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in a newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 10 Chapter 7M Section 11A is amended as follows: (underlined text is added, stricken text is deleted)

10-7M-2: PERMITTED USES:

General land uses within the Main Street Commercial District shall complement the Main Street overlay map found in the economic element of the City's General Plan.

Abbreviations and alphabetic use designations in the matrix and throughout this chapter have the following meanings:

CBD	The area represented as the Central Business District.
MSC	The area represented as the Main Street Commercial area.
MSR	The area represented as the Main Street Residential area.
P	The listed use is a permitted use within the represented area, based on City development standards and ordinances.
C	The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.
A	The listed use is only permitted as an accessory use within the represented area.
N	The listed use is a prohibited use within the represented area.

Use	CBD	MSC	MSR
Accessory building	A	A	A
Accessory residential use	C	C	A
Adult daycare	N	P	P
Alcoholic beverage class A license (store; beer only)	P	P	N
Alcoholic beverage class B license (bars)	C	C	N
Alcoholic beverage class C license (restaurants/clubs)	P	C	N
Alcoholic beverage class D license (hotel/conventions)	P	P	N
Alcoholic beverage class E license (liquor store, etc.)	N	C	N
Arcade	A	A	N
Art gallery	P	P	P
Automotive service station	C	P	N
Bakery, commercial	C	P	C
Bed and breakfast homes	N	C	P

Use	CBD	MSC	MSR
Brewpub	P	C	N
Commercial, ancillary	P	P	N
Commercial, convenience store	C	P	N
Commercial parking lot or garage	A	A	A
Commercial, recreation	P	P	C
Commercial, repair services	P	P	N
Commercial, retail sales and services	P	P	N
Conference and convention facility	C	N	N
Convalescent home, rest home, or nursing home	N	P	P
Dance hall, discotheque	C	C	N
Daycare center	A	P	C
Drive-in retail	N	P	N
Dwelling, Accessory Unit Attached	N	N	A
Dwelling, Accessory Unit Detached	N	N	A
Dwelling, caretaker	N	N	A
Dwelling, condominium	P	P	P
Dwelling, multiple-family	NA	NC	C
Dwelling, single-family attached	N	N	P
Dwelling, single-family detached	N	N	P
Dwelling, townhome	N	N	P
Dwelling, two-family	N	N	P
Dwelling units above first story office, retail or commercial	P	C	C
Furniture and appliance stores	P	P	N
Governmental offices	P	P	P
Hotel	P	P	C
Institutions	P	P	P

Use	CBD	MSC	MSR
Library	P	P	P
Mixed use development	C	C	C
Mortuary, funeral home	N	P	C
Motel	N	N	N
Permanent makeup establishment	P	P	N
Private club	P	C	N
Professional office or financial services	P	P	P
Public or quasi-public buildings	C	C	C
Public park, private park or playground	P	P	P
Public safety buildings	C	C	P
Recreational vehicle (RV) parks	N	N	N
Religious center	P	P	P
Resident healthcare facility	P	P	P
Residential facility for persons with a disability	N	N	P
Residential facility for the elderly	N	N	P
Restaurant	P	P	C
Restaurant with drive-through facilities	N	P	N
School, commercial (art, music, hair, massage)	P	P	C
School, public or quasi-public	C	C	C
Seasonal businesses	C	P	N
Sexually oriented business	N	N	N
Social or reception center	P	C	C
Street vendors	P	P	N
Tattoo parlor	C	P	N
Telecommunications sites. See subsection 10-6-34D of this title			
Tobacco specialty shop in accordance with Utah State Code	P	C	N

Use	CBD	MSC	MSR
Transitional treatment home - large	N	N	C
Transitional treatment home - small	N	N	C
Transitional victim home	N	N	C
Veterinary hospital, large animal	N	N	N
Veterinary hospital, small animal	N	P	C
Wedding chapels	P	P	C

Title 10 Chapter 7M Section 11A is amended as follows: (underlined text is added, stricken text is deleted)

10-7M-11: MULTI-FAMILY DEVELOPMENT STANDARDS:

The maximum density allowed for multi-family developments shall be conditioned upon the architectural design of the development and its ability to meet the following zone standards. The following housing and open space and amenities standards shall also be applied to mixed use developments unless addressed in the general standards above.

- A. Minimum Lot and Unit Size: The minimum lot size for a multi-family development in the Main Street Residential (MSR) area shall be one (1) acre. The average minimum livable unit area shall be five hundred (500) square feet for a studio unit, seven hundred fifty (750) square feet for a single bedroom unit, and nine hundred (900) square feet for a two (2) bedroom unit. No unit shall have less than ninety percent (90%) of the required average. Units with more than two (2) bedrooms shall provide an additional one hundred fifty (150) square feet per additional bedroom.

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or

phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, August 19th, 2020. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 18th day of August 2020.

Kirk Hunsaker, Mayor

Councilmember Nick Miller	Voted	____
Councilmember Elizabeth Montoya	Voted	____
Councilmember Lynn Mecham	Voted	____
Councilmember Jennifer Bowman	Voted	____
Councilmember David Hathaway	Voted	____

ATTEST:

K. Aaron Shirley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 18th day of August, 2020, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW DETACHED ACCESSORY DWELLING UNITS IN THE MAIN STREET RESIDENTIAL AREA, MODIFYING LAND USE DESIGNATIONS, AND CREATING A MINIMUM LOT SIZE FOR MULTI-FAMILY DEVELOPMENTS IN THE MAIN STREET BUSINESS DISTRICT ZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 18th day of August, 2020.

K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance, which is attached hereto on the 18th day of August, 2020.

The three places are as follows:

1. Zions Bank
2. Post Office
3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

K. AARON SHIRLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by K. AARON SHIRLEY.

Notary Public