



## PLANNING COMMISSION MINUTES

Santaquin City Council Chambers  
May 14, 2015

**Commission Members Present:** Chair Elizabeth Montoya, Adam Beesley, Kyle Francom, Kylie Lance, Troy Peterson, and Trevor Wood. Commissioners Brian Rowley and Nanette Shepherd were excused.

**Others:** City Assistant Manager Dennis Marker

Commissioner Montoya called the meeting to order at 7:04 p.m.

### INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Beesley offered a word of prayer.

### PLEDGE OF ALLEGIANCE

Deputy Recorder Linda Midgley led those present in the Pledge of Allegiance.

### AGENDA

No changes were made to the order of the agenda.

### PUBLIC FORUM

Commissioner Montoya opened the Public Forum. No comments were addressed to the Commission. Commissioner Montoya closed the Public Forum.

### PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ITEMS

#### Core Area Curb and Gutter Requirements

Commissioner Montoya opened the public hearing. No comments were addressed to the Commission. Commissioner Montoya closed the public hearing.

Dennis Marker said the core area currently has an exception to the requirement that new development put in curb, gutter and sidewalk. This is partly due to cost and partly due to the desire of many residents to keep the area rural and not lose the character of the community by installing these improvements. The City Council has requested that this ordinance be revisited. The core area is now nearly filled out, and at some point in the future a storm drain system will be needed. Some major weather events last year led to the sumps not capturing sufficient water. Putting in curb and gutter will help to channel the excess water. In answer to a question from Commissioner Francom, Mr. Marker said animal rights in this area would not be changed by the amendment to the ordinance.

A growing interest has been expressed in dressing up the downtown area with sidewalks, trees and green space. The Planning Commission reviewed this ordinance change in 2010 and forwarded it to the City Council in January of 2011 with a positive recommendation. Because of the time that has passed since the initial recommendation, this has come back to the Commission for an additional public hearing and review.

## PLANNING COMMISSION MINUTES

May 14, 2015 – Page 2

### **Core Area Curb and Gutter Requirements, continued:**

The current curb exception was applied to subdivisions and also to new commercial development. Street improvements will now be required for all developments, including flag lots. The triggers to put in the improvements will include 150 feet of frontage, whether the development is beside another improved area, and possible safety hazards. The developer may put in the improvements or pay the amount determined by the city engineer that it would cost to do so. Curb, gutter and sidewalk currently costs around \$150 per linear foot. The fees would be based on frontage, and provided as part of the bonding process. Funds would be placed in a city account to build up over time and eventually pay for street improvements. Mr. Marker said the City would need to survey the center lines of the street and determine property lines before designing the infrastructure for curb and gutter. Existing homes would have infrastructure installed in the future, perhaps as part of a Special Improvement District.

No fee for the storm drain is included in the \$150 per linear foot estimate. It is estimated that the storm drain plan will cost approximately \$180,000. A CDBG grant that was applied for was not received because the City did not have a storm drain fee. The City Council would like to adopt a storm drain fee, but would like public involvement in the process. Commissioner Francom asked if this would involve sumps. Mr. Marker said sumps fail over time, so this plan would instead determine where inlets, conveyances and ditches would be located, what underground processes would be used, and where the water would pond. Commissioner Montoya said there was a federal mandate that a sewer master plan was needed when a city's population surpassed 10,000 residents, and Santaquin had reached that mark. Mr. Marker said the population is one trigger, but other population centers and what they are doing with their water is also considered. The State can also come down and say the City needs to monitor its storm water runoff. A storm drain system would be needed to effectively do the amount of monitoring that would be required.

To install curb, gutter and sidewalk in the entire core area will cost approximately \$17.5 million. With this ordinance change, new development would pay for approximately \$2 million. The additional cost of doing this may hinder some development. Requiring only sidewalk, which would make the cost approximately \$20 per linear foot, was discussed. A storm drain plan will be needed before curb and gutter requirements can be determined. Commissioner Montoya said one concern expressed at the neighborhood meetings had been having an area to ride horses. Mr. Marker said there would be enough right-of-way to have extra gravel on the edge to use as a riding trail. He noted there may not be any horses in the core area of town by the time the infrastructure is put in place.

This section of the ordinance relates to commercial development only. Residential requirements are specified under the code section regarding subdivisions. The warranty period will run for one year. Mr. Marker reviewed changes to the ordinance. He said the City could use the money to do an infrastructure project in a different area. The majority of the estimated \$150 cost per linear foot would come from driveway installations.

Mr. Marker said the Planning Commission was a recommending body, whose function was to implement the goals of the General Plan. The City Council looked at proposals from the point of view of cost analysis and the will of the people. Courts ask if a reasonable basis was made for the adoption of policies.

## **PLANNING COMMISSION MINUTES**

**May 14, 2015 – Page 3**

### **Core area curb and gutter requirements, continued:**

Commissioner Beesley made a motion to forward the code amendment regarding core area curb and gutter requirements for new development to the City Council with a positive recommendation. Commissioner Lance seconded the motion.

Commissioner Montoya asked how this could be explained to those living in the core area who did not want flooding, but did not want sidewalks, curb and gutter either. She asked if this additional development cost might delay getting the infill and rooftops desired. Mr. Marker said most properties would not be affected by this amendment. He reviewed the road plans outlined in the Transportation Master Plan.

After further discussion, Commissioner Beesley amended his motion to add the following wording to section 3b: Any funds received will be reserved solely for the anticipated improvements in the core area. Commissioner Lance seconded the amended motion. The vote to forward the code amendment regarding curb and gutter requirements for new construction in the core area to the City Council was unanimous.

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **Recreation Master Plan**

Mr. Marker said capital facility plans are updated every five years, and the Recreation Master Plan was ready to be updated. This plan includes parks, trails, open space, new major facilities and the timing for those facilities, which helps determine impact fees. The plan is currently out for bid, and a meeting will be held next Tuesday, May 19, for consultants interested in updating the plan. Once the consultant is selected, a stakeholder group or committee will help update the plan. Members of the Planning Commission were invited to help with the committee. Commission consensus held that all members be notified when a Recreation Master Plan meeting is to be held, and if four or more members are able to attend, the meeting will be posted as legally required.

### **Summit Ridge Parkway Design**

Mr. Marker said the selection committee has selected a design consultant to recommend to the City Council. The City is looking at various funding options for design and construction. Commission consensus held that all members be notified when a meeting for the Summit Ridge Parkway design is to be held, and if four or more members wish to attend, the meeting will be posted as legally required.

### **Minutes**

Commissioner Beesley made a motion to approve the minutes of April 23, 2015 as written. Commissioner Peterson seconded the motion. Commissioners Montoya and Lance abstained from the vote. Commissioners Beesley, Francom, Peterson and Wood voted to approve the minutes of April 23, 2015 as written.

### **Reports of Officials and Staff**

Dennis Marker said Stone Hollow C in Summit Ridge had been recorded and was now under construction. The North Orchard area has submitted their next phase, Plat D-1, and is ready to record. This will not be part of the HOA, and the CC & R's are mainly architectural in nature. .

# PLANNING COMMISSION MINUTES

May 14, 2015 – Page 4

## **Reports of Officials and Staff, continued:**

Scott Brand, who has been associated with the North Orchard area for several years, is now leaving the project and Sierra Homes is taking over. Sierra Homes is considering taking the townhome density and transferring it to the area by the railroad tracks. This would involve a new concept for the area which will be reviewed by the Planning Commission. The townhome area may also be changed. As the old development agreement is now void, these changes will provide the opportunity to create a new development agreement. The timing for the clubhouse may be accelerated as part of this agreement.

Commissioner Beesley asked what the City Council had decided on funding for the new public works building. Mr. Marker said the Council has authorized \$2.5 million with a contingency factor. The contractor and architect will also have contingency funds. It is hoped that the contingency funds will be able to be rolled back and reduce the actual payments.

The Bella Vista project has resubmitted their preliminary plat, which is scheduled to be reviewed by the DRC on May 26. The DRC will forward the plat to the Planning Commission, who will make the final recommendation to the City Council. The project has 142 units and 20% green space. Several amenities have been added, including an HOA, decorative walls, tot lots, shelter, etc. This project will be a Planned Unit Development and involve a development agreement with the City.

In response to a question from the Commission regarding the 400 East issues, Mr. Marker said there has been no movement on the high school and 500 East is currently under construction. The Mecham family has approached the City about selling their property, and it appears the two parties can come to terms on the price. Commissioner Wood said the pharmacy owner had indicated he planned to relocate to the development around the new grocery store. Two parcels remain to be purchased for the development.

The City Council has passed several of the ordinances reviewed by the Planning Commission in the last few months. The ordinance regarding setbacks on trail corridors was amended to include the stipulation that driveways are required to have a minimum of 24 feet. The amendment regarding kennels in the RC zone has not yet been passed, as the police department wants to refine the kennel regulations first.

## **Planning Commission Business**

No further Commission business was discussed.

## **Adjournment:**

Commissioner Francom made a motion to adjourn the meeting. The meeting adjourned at 8:47 p.m.

  
Elizabeth Montoya, Chair

  
Linda Midgley, Deputy Recorder

## Utah Department of Transportation Banner Guidelines

Proposed Date: March 4, 2002

Approved Date: \_\_\_\_\_

### Purpose

To establish procedures for the installation of "Banners" that is considered "Official Advertising Devices" over and across or on state highway right of way. To standardize methods of local entities displaying banners for such events such as county fairs, parades, races, art shows where a banner would be placed during the event. This is a temporary banner placed by the city or county with the name and date of the event.

### Authority

Utah Act Regulation of Roadside Advertising § 72-7-503.

### Introduction

Requests for temporary banners for special events are not uncommon. Such special events include (but are not limited to ) county fairs, parades, races, art shows. Event organizers often have a number of opportunities to provide attendees with promotional materials via flyers, newspaper advertisements; mailings ect., and should be encouraged to do so, thus avoid the need for regular and seemingly continuous displays by banner.

Overall, while the use of banners and possible disruptions they bring to the transportation system is discouraged, allowing banners for special events shall be determined by the degree of local support for such devices and the historical use of the devices. Since both state and federal law prohibit commercial advertisements on public rights of way, the purpose of the event banner is limited to announcing the plans for an up coming event of limited duration and frequency and shall not include advertising for any private business or product.

The following criteria shall be considered when permitting a "banner" for an "official advertising device".

## **Criteria for placement**

**1. Height Above Roadway:** No part of the banner shall be less than 20 vertical feet above the roadway surface. Where curb and gutter construction exists, the entire structure, including attachments and supports, must clear the sidewalk vertically by at least 9 feet, the outside edge of the structure must be at least 2 feet behind a vertical line extending upward from the face of the curb, and the entire structure must comply with the departments clear zone requirements. (In Urban areas banners placed across the roadway will not be allowed)

**2. Timetable:** A banner to occupy the right of way for a time not to exceed two weeks before the event and shall be removed not more than two days after the event. Banners will not be allowed to display the same message within 180 days of the last day of its most recent display period.

**3. Appropriate Message:** The banner message shall be limited to the name and dates of the event, and /or related information. Banners shall not contain private, non-governmental/non-profit organizations advertising (including logos) nor be of a political nature.

**4. Installation by Local Agencies:** City or County forces shall be responsible obtaining the permit and the installation of banners, In lieu of installation by local agency forces, the installation or any part thereof may be performed by a contractor that is designated and approved by the sponsoring local agency.

**5. Unallowable Categories of Roadways for Banners:** Banners will not be allowed on No Access or Limited Access routes.

**6. Banners Prohibited from State Route Structures:** No banners shall be attached to: (a) Traffic control devices such as signal poles; (b) Sign bridges or structures; or (c) Bridges or overpass structures.

**7. Sight Obstructions:** No decoration, display, flag, banner, colored light, handbill, structure or other advertising or decoration item shall obstruct the normal view of traffic.

**8. Obstructing Traffic:** No decoration, display structure or other advertising or decoration item shall be placed within the right of way that may obstruct, impede or endanger the normal flow of traffic.



Exhibit D: Proposed Ordinance Changes

**1. The Santaquin City Code, Section 10-6-32: Commercial and Industrial Development; Guarantee of Improvements is amended as follows:** (Underlined text is added, stricken text is deleted)

A. Required Improvements. All developments of a non-residential, mixed use or multi-family nature are required to improve the public street along the entire length of their property in accordance with city adopted street design and construction standards. This may include, but is not limited to, sidewalk, curbing, gutter, landscaping, storm drain, asphalt, etc. as outlined in the Subdivision Regulations of this Code.

BA. Required Guarantee. Prior to issuance of a building permit or conducting any site work, including grading and drainage improvements that pertain to construction of the development, all commercial and industrial developments shall provide the city with a guarantee for improvements, by following the process outlined in section 11-11-3 of this code. Improvements to be guaranteed shall include, but are not limited to, the following:

1. Curb, gutter and sidewalk improvements,
2. Asphalt or concrete improvements of parking areas,
3. Fencing and other screening materials,
4. Landscaping as approved by the development review committee, including irrigation systems,
5. All underground improvements including culinary and secondary water systems,
6. Fire hydrants and other required safety improvements,
7. Trash enclosures,
8. Other infrastructure improvements ~~for which the city finds a guarantee necessary~~ as outlined in the city's Subdivision Regulations.

B. Warranty periods shall be for a minimum one year time frame. Required warranty amounts shall be the same as outlined in section 11-11-3 of this code.

**2. The Santaquin City Code, Section 11-6-8 paragraph J is amended as follows:**  
(Underlined text is added, stricken text is deleted)

J. Determination Of Frontage:

1. Interior Lots: Frontage shall be determined through measurement of the front property line from the point of intersection with the side property line to the same point on the opposite side of the lot, following the front lot line, as depicted in section 11-13-1, exhibit ~~BA~~, of this title.
2. Corner Lots: Frontage for both streetside property lines shall be determined by extending both streetside property lines to their intersection. From this point, measuring along the property line, to the point of intersection with the interior lot line on each side shall determine frontage for each side of the corner lot respectively, as depicted in section 11-13-1, exhibit ~~BA~~, of this title.



## Exhibit D: Proposed Ordinance Changes

3. Cul-De-Sacs: Properties whose frontage is located entirely along the bowl of a cul-de-sac shall have frontage determined by measuring along each side property line to a point thirty feet (30') back from the front property line. The length of a straight line connecting the two (2) resulting points shall be the line used to determine the required frontage for the lot, as depicted in section 11-13-1, exhibit ~~CB~~, of this title. In addition, the length of the arc forming the front property line for such a lot shall not be less than twenty feet (20') less than the frontage requirement for the zone in which the property is located. Any lot partially on, or abutting the bowl area of an approved cul-de-sac shall have frontage as determined to be the distance from one front property corner to the same point on the opposite side of the lot, following the front lot line, as depicted in section 11-13-1, exhibit ~~CB~~, of this title.
  4. Odd Shaped Lots: Lots containing property lines which are curvilinear, or partially curvilinear, along any side being measured for frontage and are not located on a cul-de-sac, shall have frontage measured as the distance from one property corner to the opposite property corner following the property line.
2. **The Santaquin City Code, Section 11-9-3: Curbs, Gutters, Sidewalks, and Drainage Facilities is amended as follows:** (underlined text is added, stricken text is deleted)

Curbs, gutters, sidewalks, and drainage facilities shall be installed along all streets, except ~~those listed in section 11-13-1, exhibit A,~~ as noted in Section 11-11-1, of this title, by the site developer or subdivider in all subdivisions and shall be constructed by the developer or subdivider in accordance with the standards, rules, and regulations of this title, the zoning title, the city construction standards and specification details, and any other applicable ordinance or regulation.

3. **The Santaquin City Code, Section 11-11-1: APPLICABILITY:** is amended as follows: (underlined text is added, stricken text is deleted)
- A. The improvements required by ~~this~~ these Subdivision Regulations title apply to all subdividers and to all persons that purchase, lease, rent, or receive any interest in any land which is located within a subdivision. ~~except for curb, gutter, sidewalk, and drainage along those streets listed in section 11-13-1, exhibit A, of this title.~~ Such improvement requirements shall also apply to developers of non-residential, mixed use or multi-family developments.
  - B. Developments within the Core Area of the City must install the required improvements under the following circumstances.
    1. Any development having at least 150 feet of frontage must install all required improvements.
    2. Developments having less than 150 feet of frontage, but which abut properties having the required improvements already installed, must install all the required improvements.



## Exhibit D: Proposed Ordinance Changes

3. Developments having less than 150 feet of frontage and which do not abut properties having existing required improvements shall:
    - a. install the required improvements, or
    - b. pay the City an amount, determined by the City Engineer, to cover the cost of the improvements at the time the development is approved. In such cases the funds will be considered satisfactory for the improvements along the development frontage and no additional charges or levees will be assessed to the property owners for such improvements.
  4. In each situation listed in paragraphs 1-3 above, if the improvements will create a health and/or safety risk to persons or property, as determined by the City Engineer, the City may require the developer to not install such improvements, but pay the City the cost of the improvements in accordance with paragraph 3.b. above.
- 4 Exhibit A of the Santaquin City Code, Section 11-13: Exhibits** is deleted and the remaining Exhibits are renumbered accordingly: