



## PLANNING COMMISSION MINUTES

Santaquin City Council Chambers  
September 25, 2014

**Commission Members Present:** Adam Beesley, Kyle Francom, Elizabeth Montoya, Brian Rowley, and Trevor Wood.

**Others:** Council Member Nick Miller, Council Member David Hathaway, Assistant City Manager Dennis Marker, Deputy Recorder Linda Midgley, Katherine Holman, Cindy Johnson, Denise Rohbock, Doug Rohbock, and other unidentified individuals.

Commissioner Montoya called the meeting to order at 7:00 p.m.

### INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Francom offered a word of prayer.

### PLEDGE OF ALLEGIANCE

Commissioner Rowley 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.

Doug Rohbock addressed the Commission. Mr. Rohbock said he lived on a corner lot and saw that a public hearing regarding corner lots was on the posted Planning Commission agenda. He asked what the reason was for changing the code, and how many people would be put out of compliance by the change.

Katherine Holman addressed the Commission. Ms. Holman said her fence is six feet high in the back of her home, and she could see how it could block someone's view. She said she thought this change was about fences.

David Hathaway addressed the Commission. Mr. Hathaway said this was a safety issue. As people back out of their driveways, a fence can block their view of children walking down the sidewalk. Citizens do have the right to have a fence, but the City needs to look at the safety of children.

Commissioner Montoya closed the public forum.

### PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ITEMS

#### Corner Lot Regulations and Clear View Areas

Commissioner Montoya opened the public hearing regarding corner lot regulations and clear view areas. Dennis Marker reviewed the text of the clear view area amendment.

# PLANNING COMMISSION MINUTES

September 25, 2014 – Page 2

## Corner Lot Regulations and Clear View Areas, continued:

Mr. Marker said the corner lot visibility issue had been brought to the City's attention, and the City Council had asked to have fencing requirements looked at. The changes to the code are mainly clarifying and simplifying the text, making sure references are consolidated and consistent, making the code easier to understand and making sure there are not any remnant regulations.

The clear view area is a triangle surrounding the corner intersection of two streets. The triangle leg dimensions of the clear view areas depend on the designed speed of the road beside the home. These dimensions are based on the amount of time necessary to stop a vehicle. The legs may be of different dimensions, depending on the street facing the triangle. Commissioner Beesley clarified that the purpose of this amendment is to simplify current language.

Landscaping materials in clear view areas are to be kept below 36 inches. Trees would be allowed in the clear view areas if their leafed branches are pruned 8 feet above the nearest asphalt grade. No new driveway entrances will be allowed in the clear view area. Fencing is not to exceed 36 inches in height in the clear view area. Parking will not be permitted along the legs of a clear view area, and may not conflict with the viewing angle established by an extension of the diagonal line. Commissioner Montoya asked about establishing markers or red paint on the curb to let people know about the parking restrictions. Mr. Marker said painting the curbs was a long term maintenance issue for the City. It is most likely the police will issue warnings rather than tickets. Commissioner Rowley asked if chain link fence could be higher, as it is easier to see through. After some discussion, Commission consensus held that all fences be treated the same way.

Mr. Marker said vehicular access should be from the street with lower traffic. Setback definitions have been changed so the rear yard is not always considered as directly opposite the front of the house. This will open the building envelope on some lots.

Commissioner Beesley said he preferred to have the maximum fence height set at four feet on an interior lot. Commissioner Montoya said it was not possible for a driver in a regular car to see over a four foot fence. Commissioner Beesley commented that several of his neighbors had four foot fences. Mr. Marker said the 36 inch requirement was not new. Commissioner Beesley expressed his opinion that the Commission was just wasting time changing the code if the City did not enforce the regulations that were already in place. He commented that the animal control officer had to take care of other kinds of enforcement issues as well. Mr. Marker said enforcement issues were coordinated between the Community Development and Police departments. Enforcement issues are scheduled to be addressed in the next code amendment.

David Hathaway addressed the Commission. Mr. Hathaway said he had asked Mr. Marker to address the fencing and clear view issue because a citizen had told him she was not able to see when she backed out of her driveway because of the neighbor's six foot fence. She had tried to work out a solution with the neighbor, but he had told her he had the right to put up the fence, as it was his back yard and the code allowed it. Mr. Hathaway said he was concerned about the City's liability if a child is injured because of this. If the issue came to court, the court would look at what the City allowed in the code.

# **PLANNING COMMISSION MINUTES**

September 25, 2014 – Page 3

## **Corner Lot Regulations and Clear View Areas, continued:**

Currently a six foot fence is allowed to the property line behind a home. This can make backing out of a driveway an issue for neighbors. Two options were presented to help prevent this issue. Option 1 would be to allow a maximum 3 foot fence anywhere within the street setback. Option 2 would be to allow a 6 foot fence ten feet in from the property line.

The Commission discussed the options, including aesthetics, fence panel size, and the depth of average parking stalls. Option 1 is better for safety. Option 2 is less restrictive, and allows more side yard. Ten feet may not be enough visibility if there is an RV or other items blocking the view. After further discussion, Commission consensus held that the minimum distance limit from the street side property line for a six foot fence be 12 feet.

The Commission discussed requiring a building permit for fences. Commissioner Montoya suggested recommending to the City Council that permits for a fence be considered, so the expectation and standards for a fence were held to.

Commissioner Beesley commented enforcement is the only way anything is going to change. Commissioner Rowley said citizens have some responsibility to help with enforcement, and the Commission's job tonight was to try and maximize safety in the future. Katherine Holman said people need to know what they can do with fences when they build a home.

Mr. Marker said legal counsel had suggested that the code amendment include the requirement that parallel fences either be next to each other or have a minimum separation of 8 feet. There is less of a fire hazard with an eight foot separation, and this separation also allows for maintenance of the intervening space. The Horse Orchards subdivision had an issue with a sliver of property between it and the homes already in place. This was brought to the City's attention when the plats were reviewed. The Horse Orchard developer solved the issue of access to the sliver of land with a five foot easement. Dennis reviewed the remaining sections of the code being amended.

Commissioner Montoya closed the public hearing.

Commissioner Francom made a motion to forward the Code amendment regarding corner lot regulations and clear view areas to the City Council with a positive recommendation, with the recommendation that building permits be required for fences. These recommendations are based on the findings that requiring building permits will help with enforcement, and that the amendment makes code regulations clearer and also addresses safety issues. Commissioner Rowley seconded the motion. The vote to forward the code amendment was unanimous.

## **Minutes**

Commissioner Beesley made a motion to approve the minutes of September 11, 2014 as written. Commissioner Montoya seconded the motion. The vote to approve the minutes of September 11, 2014 was unanimous.

## PLANNING COMMISSION MINUTES

September 25, 2014 – Page 4

### Staff Reports

Mr. Marker said the Oak Summit Plat B amendment reviewed by the Planning Commission on September 11, 2014 will be reviewed by the DRC on Tuesday, September 30. The DRC will also review a single lot subdivision in the core of town. The proposed lot complies with zoning currently in place. It will be on the agenda for the next Planning Commission meeting.

After some discussion on available personnel, it was agreed to cancel the Planning Commission meeting scheduled for October 9. The next meeting will be held October 23. Due to the Thanksgiving and Christmas holidays, only one Planning Commission meeting will be held in November and one in December. The December meeting agenda will include elections for the 2015 Chair and Vice-chair, and the 2015 meeting schedule.

Mr. Marker said the Santaquin Chieftain Museum is holding a 'Witches Night Out' event on October 18. There will be contests, activities and crafts at a cost of \$2 per person.

The new recreation board will meet for the first time in October. Their agenda will include a discussion on their roles and responsibilities. The Board will also be involved with a Recreation Master Plan update.

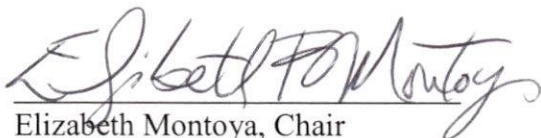
A structural engineer was hired to look at the Museum portion of the City building at 45 West 100 South. Their report indicated there was no bracing in the building, making it vulnerable to earthquake damage. Their recommendations include tying the floors and ceilings into the surrounding walls, and upgrading the roof structure. This report will be discussed at the October 1, 2014 City Council meeting. Commissioner Montoya suggested one option for those wishing to preserve a piece of the building's history might be purchasing bricks from the building.

### Planning Commission Business

Commissioner Beesley asked that information regarding the total number of building permits be added to the newsletter each month.

### Adjournment:

Commissioner Beesley made a motion to adjourn the meeting. The meeting adjourned at 8:34 p.m.

  
Elizabeth Montoya, Chair

  
Linda Midgley, Deputy Recorder