



## PLANNING COMMISSION MINUTES

Santaquin City Council Chambers  
September 11, 2014

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

**Others:** Assistant City Manager Dennis Marker, Deputy Recorder Linda Midgley, Zaloma Goodall, Lamar Howarth, Debra Mathwig, Steven Mathwig and other unidentified individuals.

Commissioner Montoya called the meeting to order at 7:01 p.m.

### INVOCATION / INSPIRATIONAL THOUGHT

Commissioner Beesley offered a word of prayer.

### PLEDGE OF ALLEGIANCE

Commissioner Westwood 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

#### Oak Summit, Plat B Amendment

Commissioner Montoya opened the public hearing. Dennis Marker said the City had received a request to amend the Oak Summit Subdivision, Plat B. Lamar Howarth would like to purchase and expand Lot 36 to include property to the south and east. This would cut off the 1100 East road stub and expand the frontage of Lot 35. The driveway for Lot 35 crosses Lot 36, and expanding this frontage will address current driveway issues. The lots comply in size with the R-12 PUD zone. Commissioner Beesley expressed his concerns that closing any roads in this area could lead to future problems. Mr. Marker said City ordinance states a block cannot exceed 1100 feet in length, and another road can be put in to the south and tie back in during a future phase. There is still the potential to have the road come through if Mr. Howarth decides to split off a piece of Lot 36. The road will remain a City road unless a petition to close it is approved by the City Council. If the road is not closed, 1100 East will become a cul-de-sac for Lots 36 and 37.

Steven Mathwig addressed the Commission. Mr. Mathwig said he currently owns Lots 35 and 36. He said he was forced to purchase Lot 36 to avoid a lawsuit, because the driveway for Lot 35 had been poured on a section of Lot 36. Mr. Howarth would like to buy his lot and split off the section of driveway so it becomes part of Lot 35. Mike Carter, who owns property surrounding the lots, is willing to sell additional property to extend Lot 36 in an L shape. Mr. Mathwig expressed his concerns that he would not be able to sell Lot 36 if this solution is not accepted.

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### **Oak Summit, Plat B Amendment, continued:**

Mr. Marker reviewed future traffic circulation patterns proposed in the General Plan. He said road improvements would be needed if 1100 East was extended through Lot 36. Mr. Howarth said he intended to dead-end the road. He would look at selling part of Lot 36 to the owners of Lot 37 or another lot in the future.

Commissioner Beesley said one solution would be to have the Mathwigs combine the two lots to make a half acre lot. Mrs. Mathwig said she did not wish to have that much property, and the city had made a mistake allowing the driveway to be built on the next lot. Commissioner Montoya said the Mathwigs' frustration at being backed into a corner was justifiable, and it appeared that this proposal would help them end up with the property they originally purchased, and also allow Mr. Howarth to build the home he wanted. She said she felt it was better to go with the bigger road and she did not have an issue with making 1100 East a cul-de-sac.

Mr. Marker said the proposal had not yet been reviewed by the DRC, where it will be checked for issues with the fire, police and other departments. There is an engineering concern that the building envelope in Lot 36 has the home above the water pressure boundary. It is likely the buildable area will need to be redefined unless a water booster pump is installed. Mr. Howarth explained his plans for the placement of the house. Mr. Marker said staff recommends approval of the Plat B amendment contingent on DRC approval and pulling back the buildable area. Mr. Howarth clarified that a garage could be built on the area above the water pressure boundary.

Commissioner Wood asked about vacating 1100 East. Mr. Marker said the property owner would have to petition the City Council, which could grant a vacation of the road. He said an appropriate turn around for fire department access would need to be built if the road remains. Mr. Howarth said putting in a hammerhead at the end of the street would make it difficult to put the house he wanted on the lot. Mr. Marker said the best option might be for the property owner to petition the City Council to vacate the road, and have the road be split in ownership between Lots 36 and 37, becoming a private drive. The City would retain an easement to work on infrastructure currently in the ground.

Commissioner Beesley asked Steven Mathwig what the City's response had been upon learning the driveway had been put on the wrong lot. Mr. Mathwig said he had come to the City, and they had thrown up their hands. Mr. Marker said the builder had been given a temporary certificate of occupancy and informed he would need to get an easement recorded on Lot 36, granting access through the driveway. The agreement did not happen. Debra Mathwig said there was nowhere else on Lot 35 to put the driveway.

Commissioner Rowley asked how this kind of situation could be avoided. Mr. Marker said temporary certificates of occupancy were no longer granted. After further discussion on the possible actions of the DRC and City Council on this property, Commissioner Montoya indicated it was up to the Commission to decide if the plat amendment met zoning standards, not to speculate on what the DRC or City Council would do.

Commissioner Montoya closed the public hearing.

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## **Oak Summit, Plat B Amendment, continued:**

Commissioner Montoya made a motion to send the Oak Summit Subdivision Plat B amendment to the DRC, and to approve the subdivision contingent on DRC approval, based on the findings that the amendment had met the zoning requirements. Commissioner Francom seconded the motion. The vote to approve the Oak Summit Subdivision Plat B amendment was unanimous.

Commissioner Montoya said she appreciated the comments that had been made by the Commission, which had led to a good discussion.

Dennis Marker reviewed the stages of subdivision development that are presented to the Planning Commission. In the concept stage, the idea is presented to the Commission, and public feedback is weighed. In the preliminary stage, the development has gone through the DRC process and met the development standards, including roads and water lines, etc., and the Commission makes a recommendation to the City Council. The courts have indicated a developer has no economic backed expectations until the preliminary plans are approved. After the preliminary stage, the developer gives the City final drawings and the City staff goes through the fine details. If the developer wants to tweak the plans, they may have to be reviewed again by the Planning Commission and City Council, but if things are the same as previously presented, City staff handles the process. Tonight's agenda item was an amendment of a previous plat, which the State says must be reviewed by the Planning Commission. The Commission has the flexibility to send it to the DRC with an approval contingent on DRC approval, or have it return to the Commission for further review after the DRC process.

The Commission and Mr. Marker briefly discussed the process that led to the driveway issue for the Oak Summit lots.

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **Code Amendment regarding R-8 zone and infill standards.**

This item was discussed in the work session. Mr. Marker said that, in accordance with public input and Commission input, the R-8 zone standards would be left alone with some modifications, and more flexibility would be created on the infill standards. He reviewed the infill definition, and demonstrated infill sites and possibilities on the City map.

Proposed amendments to the core area, flag lot and infill reduction code were reviewed. Mr. Marker said originally roads were platted 99 feet wide, with six homes to a block. Asphalt is only 24 feet wide. When the 30 foot setback is added, the homes are a long distance from the street. The proposed change to the front setback is 20 feet to living space rather than 30, 25 feet to garage doors, and 15 feet to covered porches. Lot size will remain at 8,000 square feet, with minimum corner lot sizes being reduced to 8,000 square feet as well. The side setback is reduced to 8 feet from 10. Dwelling size for a multi-story building will be a minimum of 1200 square feet, a one-story minimum dwelling size will be 900 sq. ft. All dwelling units will be required to have 2 parking spaces on the property.

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## **Code Amendment regarding R-8 zone and infill standards, continued:**

Setbacks will not be reduced for infill properties, although lot area and frontage can be. Planning Commission approval will be needed for all infill developments. The proposed architectural considerations include porches, a percentage of masonry materials, certain architectural styles, and landscaping. Commissioner Wood asked if it was fair to have standards for some homes and not for all. Mr. Marker said the City did not usually have architectural standards except for PUD's, but these standards would be appropriate for smaller homes. Commissioner Westwood asked if manufactured homes would still be allowed. Mr. Marker said State law required that they be allowed.

Mr. Marker reviewed the chart for landscaping yards and screening. He said if flag lots were to be allowed outside of the core area, the wording would need to change on the permitted uses list for several other zones. Commission consensus held that this change be made.

Commissioner Beesley made a motion to forward the code amendment regarding the R-8 zone and infill standards to the City Council with a positive recommendation. 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 August 28, 2014 as written. Commissioner Wood seconded the motion. The vote to approve the minutes of August 28, 2014 was unanimous.

## **Staff Reports**

Mr. Marker said with Scott Parkin moving, there was now a vacancy on the Planning Commission, and encouraged members to let Mayor Hunsaker know if there was anyone they knew who was interested in serving, particularly if they resided on the east bench so that area could be represented on the Commission. He said the City is also looking for volunteers to serve as Museum and Recreation Board members. The Recreation Board will act as an advisory board and help to update the Capital Facilities Plan.

The Sumsion property rezone was discussed. The Planning Commission originally recommended the property be rezoned, and the City Council agreed to a conditional rezone based on the signing of a development agreement. Mr. Marker said the property owners were not willing to sign an agreement, so the rezone did not take place.

The gas tanks from the Conoco and the Chevron station have now been pulled. The developers interested in the Chevron station location plan to put a couple of fast-food type restaurants in the building.

The funding for the grocery store road will be available from the County in January. Some right-of-way property needs to be exchanged with the grocer. The grocer would like to purchase some additional property for a parking lot, which would enable them to put the store on the interior of the property, saving the freeway frontage for other tenants. The stores that occupy the freeway side would drive more traffic, which would strengthen all the stores.

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### **Planning Commission Business**

As Commissioner Parkin has moved from Santaquin and can no longer serve on the Planning Commission, the election of a new Vice-Chair is necessary. Commissioner Westwood nominated Commissioner Montoya for the position of Vice-Chair. Commissioner Montoya accepted the nomination. Commissioner Francom seconded the nomination. No other nominations were received. By a unanimous vote, Commissioner Montoya was elected to the position of Planning Commission Vice-Chair.

### **Adjournment:**

Commissioner Francom made a motion to adjourn the meeting. The meeting adjourned at 9:20 p.m.

  
Elizabeth Montoya, Chair

\_\_\_\_\_  
Linda Midgley, Deputy Recorder



**I. Title 10-6-6 Multiple Unit Dwellings**, paragraph D is modified as follows:  
(Underlined text is added, stricken text is deleted)

D. Additional standards applicable to all multiple-unit developments:

1. Accessory Uses: Dwelling units which are part of an approved multiple-unit development may not have accessory apartments.
2. Landscaping: A landscaping plan shall be submitted for approval by the architectural review committee. All landscaping and maintenance systems shall be installed prior to a certificate of occupancy being granted. Where landscaping cannot be completed before October in the same year construction begins, a certificate of occupancy may be granted if a cash bond for completion of the landscaping is provided to Santaquin City. Bond amounts shall be determined by the city engineer consistent with the city development bonding regulations. Landscaping must be installed within six (6) months of bond posting.

3. Multiple Unit structures may not be built on a flag lot or on properties created under the city's infill development standards.

**II. Title 10-7A-3: AREA REQUIREMENTS** is modified as follows:  
(Underlined text is added, stricken text is deleted)

A. Single Family Lots

1. Interior Lots. A land area of not less than eight thousand (8,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the R-8 zone.
2. Corner Lots. Corner lots shall contain a minimum of ~~nine thousand twenty-five (9,025)~~ eight thousand (8,000) square feet ~~pursuant to subsection 10-6-9A4 of this title.~~

B. Infill Properties. Lot areas for applicable infill development may be reduced according to the Infill Development Standards, of this title.

C. Multi-Family Lots. Lot areas ~~may also be reduced when in conjunction with~~ for a city approved multi-family development shall be in accordance with the multi-family development standards ~~for two-unit structures~~ as found in section 10-6-6, "Multiple-Unit Dwellings", of this title. ~~However, The~~ the minimum parcel area for a two-unit structure shall be nine thousand (9,000) square feet (i.e., 4,500 square feet per dwelling unit). ~~Multiple-unit dwellings may not be constructed on lots created using the city's infill standards or on flag lots.~~

**III. Title 10-7A-4: WIDTH REQUIREMENTS** is modified as follows:  
(Underlined text is added, stricken text is deleted)



A. Single Family Lots.

1. Interior Lots. The minimum width of lots in this zone shall be eighty (80) linear feet.

2. Corner Lots. All corner lots shall have a minimum of eighty (80) ninety-five feet (95') width for at least one frontage all property lines adjacent to a public street.

B. Infill Properties. Lot widths for applicable infill development may be reduced according to the infill development standards found in chapter 10-10, "Infill And Flag Lots", of this title.

C. Multi-Family Parcels. Parcels, on which a multi-family development will be constructed, compliant with section 10-6-6 of this title, must similarly comply with the standard frontage requirements of the R-8 zone. Multiple-unit dwellings may not be constructed on lots created using the city's infill standards or on flag lots. However, approved two-unit structures having divided ownership may be allowed to have minimum frontages, for the individual owners, of forty feet (40') (e.g., a 2-unit dwelling with individual ownership of the entire site would have 80 feet of frontage or 95-80 x 10095 frontage on a corner lot. If the 2-unit dwelling had separate ownership of the units and associated land, each owner would have a lot with at least 40 feet of frontage on interior lots and at least a 95-100 feet x 40 feet parcel on corner lots).

IV. Title **10-7A-5: LOCATION REQUIREMENTS** is modified as follows:  
(Underlined text is added, stricken text is deleted)

A. Dwellings And Other Main Buildings on interior and corner lots shall comply with the following setback requirements. Unless specifically stated, the following setbacks are intended to create a building envelope and are not necessarily connected to building orientation:

1. Front setback

a. To living area or garage side: ~~Thirty feet (30')~~Twenty feet (20') from the front lot line(s).

b. To garage doors: Twenty-five feet (25') from the front lot line(s).

c. To Covered Porches: Fifteen feet (15') from the front lot line.

2. Front setback on corner lot: Thirty feet (30') from primary frontage, twenty-five feet (25') from secondary frontage.

3. Side setback: ~~Ten-Eight~~ feet (10'8') from side property line.

4. Rear setback: Twenty five feet (25') from rear property line.

B. Accessory Structures (Including Detached Garages):

1. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
2. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
3. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty ~~five~~ feet (~~25'~~20') from secondary frontages.
4. Side Setback: Accessory structures must be ~~ten-eight~~ feet (~~40'~~8') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
5. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls.

*all sides within 10 feet*

C. Clear View: All structures must be placed in conformance with the clear view standards found in section 10-6-9 of this title.

V. Title **10-7A-6: DWELLING SIZE** is modified as follows:  
(Underlined text is added, stricken text is deleted)

Minimum dwelling size shall be nine hundred (900) square feet floor area on the main floor (excluding garages and basement areas) for single-story structures. Similarly, multi-story dwellings shall have a minimum of one thousand two hundred (1,200) square feet.

VI. Section 10-7A-7: PROPERTY DEVELOPMENT STANDARDS is modified as follows:  
(Underlined text is added, stricken text is deleted)

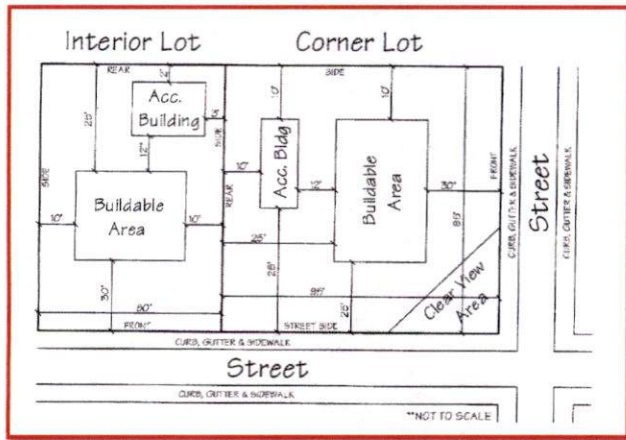
**10-7A-7: ~~PROPERTY DEVELOPMENT~~ PARKING AND ACCESS STANDARDS**

Each dwelling is required to have a minimum of 2 parking spaces per dwelling unit located on the property unless otherwise specified.

Zoning Requirements: R-8 Property Development Standards

Residential Lots: Interior And Corner Lots





- All setbacks and lot dimensions are minimums unless otherwise noted.
- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Minimum lot area: 6,500 8,000 square feet (9,025 square feet for corner lots).
- Accessory building setbacks may be reduced, as shown on the typical lot above, as outlined in this code.
- Minimum dwelling size: 900 square feet.
- Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to section 10-6-9 of this title and do not necessarily reflect the representation in the diagram above.
- \*Accessory building setback measured to the closest point of the primary structure.

VII. Title 10-10-1: DEFINITION is modified as follows:  
(underlined text is added, stricken text is deleted)

"Infill development" means development ~~in the core area only~~ consisting of either:

- A. Construction on one or more lots in an area which is mostly developed, or
- B. New construction between two (2) existing structures, or
- C. Development of a flag lot site which is landlocked except for an access lane.

VIII. Title 10-10-2: PURPOSE is modified as follows:  
(underlined text is added, stricken text is deleted)

10-10-2: PURPOSE AND INTENT:



The purpose of this chapter is to provide for and encourage infill development of vacant lots with compatible land uses which offer opportunities to live, work, and shop within a compact area. The intent is to provide opportunities to more fully utilize properties in the city, which have ready access to utilities, thus reducing the need for additional infrastructure, reducing long term maintenance costs, and promoting the revitalization and beautification of properties which may be vacant, blighted, or difficult to develop due to size or physical constraints. Uses should not conflict with the objectives and characteristics of any zone, or with the general plan. Goals include the efficient use of land, reduced reliance on the automobile, and minimization of urban sprawl.

IX. Title 10-10-3: INTENT and Title 10-10-5 FLAG LOT RESTRICTIONS are deleted in their entirety and subsequent sections of Title 10-10 are renumbered accordingly.

X. Newly numbered Title 10-10-3: FLAG LOTS is modified as follows:  
(underlined text is added, stricken text is deleted)

A flag lot may be approved by the planning commission as a proposed infill development or within new developments, once if the proposed lot development has been found to completely satisfy the following conditions set forth in section 10-10-5 of this chapter.:

- A. Fire regulations must be met in their entirety. The Santaquin City fire chief must approve all site plans for new construction on a flag lot. No structure shall be constructed which is further than two hundred fifty feet (250') from an existing fire hydrant, measured without encroachment onto adjacent properties.
- B. In no case can a flag lot be less than 80% of the minimum lot size of the underlying zone in which the proposed lot is located. The access lane shall not be considered when calculating the minimum lot area.
- C. Structures must be compatible in appearance with surrounding structures and meet all architectural and landscape standards for infill development under section 10-10-6.
- D. Flag lots shall not be developed without proof of ownership of a permanent access. No flag lot access lane serving more than one lot may be approved without proof of continual maintenance plans, shared ownership, and obligation documents being recorded with the plat creating the lots.
- E. Residential structures must meet setback requirements of the zone in which the property is located. Setbacks shall be established based on the flag portion of the lot (i.e. a front setback is not measured from the access lane connection to the public or private street).
- F. Bulk standards, including utilities, drainage, etc., for the underlying zone must be met in their entirety.
- G. Multiple unit dwellings and accessory apartments are not permitted on flag lots.



- H. In no case can the access lane exceed two hundred fifty feet (250') in length from the edge of the right of way to the center point of the turnaround area.
- I. Flag lots must have a twenty four foot (24') minimum width access lane, of which a minimum of sixteen feet (16') must be paved or of a city approved hard surfacing with a minimum four foot (4') unpaved utility easement on both sides.
- J. At the end of the access lane there must be enough open area for a fire truck to turn around in accordance with NFPA standards.
- K. There must be accommodations for handling drainage both parallel and perpendicular at the point where the access lane intersects with the street frontage.
- L. No more than one flag building lot may be served by an access lane unless it complies with the private lane standards in 11-6-4. Shared Access driveways may not exceed 26 feet in width.
- M. The access lane is not to be dedicated to the public or treated as a public street and therefore shall be maintained, including snow removal, by the benefitting property owner(s).
- N. Flag lots may not exceed 10% of the lots proposed within a new development, outside of the Core Area.

XI. Newly numbered Title 10-10-4: INFILL REDUCTION is modified as follows:

Infill development ~~standards may be applied to~~ consisting of no more than two (2) three (3) lots within a proposed development. Infill properties shall ~~may~~ be eligible for a reduction in the ~~lot area, setback or and~~ frontage requirements stipulated within the zoning classification in which the property is located. ~~Use of these infill standards requires, pending~~ planning commission conditional use approval. The following standards shall apply:

- A. Infill Reduction: A proposed lot area or frontage ~~No such reduction shall be no~~ more than twenty percent (20%) of the provisions stipulated within the zoning classification in which the property is located.
- A. Front Setback: For property requesting a reduction in the front setback requirement, such property shall not be eligible for such a reduction if all of the following apply:
  - 1. ~~All properties immediately adjacent are developed with structures that comply with all front setback requirements as stipulated in the zoning classification for which the properties are located.~~
  - 2. ~~The structures described in subsection A1 of this section are located not more than two hundred feet (200') apart.~~
- B. Architectural Considerations ~~Exception: Properties located immediately between a property of full setback and a property of reduced setback, as stipulated within this section, shall be eligible for a reduction in the front setback to a distance not closer to the~~



street than the average setback of the two (2) adjacent properties. The following architectural requirements must be demonstrated prior to a building permit being given for construction on an infill property.

1. Architectural styles indicative of the 1890-1920 period should be utilized. These include Queen Anne, folk Victorian, shingle style, craftsman (arts & crafts), bungalow, American foursquare, or neoclassical.
2. Porches: Porch areas should be utilized to provide emphasis to the dwelling area. Porches must be a minimum of five (5) feet deep and should run the width of the dwelling area facing the front lot line. Porch areas may encroach into the front setback of an infill lot by five (5) feet unless otherwise specified in the underlying zone.
3. Building Materials: Elevations facing public rights of way must have a minimum fifty percent (50%) coverage of brick or masonry materials. The use of smooth faced concrete block, prefabricated steel panels, EIFS (stucco) or concrete siding materials will not count toward the minimum masonry requirement unless consistent with the architectural style of home proposed. Vinyl or aluminum siding is prohibited except in areas immediately under gable areas or on second story pop-out features (e.g. box window, etc.).

C. Landscaping: All front and visible side yard landscaping and maintenance systems shall be installed prior to a certificate of occupancy being granted. Where landscaping cannot be completed before October in the same year construction begins, a certificate of occupancy may be granted if a cash bond for completion of the landscaping is provided to Santaquin City. Bond amounts shall be determined by the city engineer consistent with the city development bonding regulations. Landscaping must be installed within six (6) months of bond posting.

XII. Title 10-15-4 Landscaping Yards and Screening is modified as follows:  
(Underlined text is added, stricken text is deleted)

Zone/Use	Front to		Street Side to				Side or Rear Abutting a Residential Zone	Min. Percentage of Landscape Area
	Building	Parking	Building	Parking	side	Rear		
MBD (200 W to 100 E)	4'	10' <sup>2</sup>	4'	10' <sup>2</sup>	5' <sup>3</sup>	5'	15'	<del>As listed in the See</del> MBD development standards
MBD	10'	10' <sup>2</sup>	10'	10' <sup>2</sup>	5' <sup>3</sup>	5'	15'	
Landscape yards within these zones shall be established in relationship to required setbacks for buildings and parking areas								
C-1								
RC	30'	15'	20'	10'	10'	10'	20'	10%
PC	30'	15' <sup>2</sup>	20'	10'	10'	10'	20'	10%
I-1	35'	20'	25'	20'	10' <sup>4</sup>	10' <sup>4</sup>	15'	8%
<u>PO</u>	<u>30'</u>	<u>15'</u>	<u>20'</u>	<u>10'</u>	<u>10'</u>	<u>20'</u>	<u>20'</u>	<u>10%</u>
Multiple-unit residential dwellings <sup>5</sup>	30'	20'	30'	20'	20'	30'	30'	<del>As stipulated in the See multi-unit-family develop-ment standards</del>
<u>Core Area (multi-family/nonresidential)</u>	<u>20'</u>	<u>20'</u>	<u>15'</u>	<u>20'</u>	<u>10'</u>	<u>20'</u>	<u>20'</u>	<u>10%</u>
Nonresidential uses that may be appropriate in a residential zone	30'	20'	30'	20'	5'	5'	10'	15%

Notes:

1. A site is considered to abut a residential zone even if the residential zone begins at the centerline of an adjacent public street to the rear or side of the proposed development.
2. Where sites are constructed with outdoor eating and display areas along the public right of way, these areas may utilize pavers or other city approved hardscape in front of the associated building. If a building is set back farther than the 4 foot landscape area, the entire area in front of the building is to be landscaped. Parking areas must have a minimum 10 foot landscape buffer from the public right of way, 40 percent of which may include pavers or other city approved hardscape.
3. This side yard requirement for the building can be waived when the associated building is constructed with 0 setback from a side property line and an adjoining building is or will be constructed with a similar 0 setback as part of a master planned development or plans for the adjoining site are under review by the city.
4. Landscaping yards are not required within storage or materials yards unless adjacent to a residential zone.
5. Landscape yards are to be established from the outer walls of any attached unit structures.