



# PLANNING COMMISSION

## MEETING AGENDA

Tuesday June 23, 2020

**All Santaquin City Public Meetings Will Be Held Online Only** (Temporary order - while responding to Coronavirus public gathering restrictions):

- **YouTube Live** - All Santaquin City public meetings will be shown live on the **Santaquin City YouTube Channel**, which can be found at:  
[https://www.youtube.com/channel/UCTzZT\\_yW2H2Hd-58M2\\_ddSw](https://www.youtube.com/channel/UCTzZT_yW2H2Hd-58M2_ddSw)  
or by searching for Santaquin City Channel on YouTube.
- **Public Comment & Public Hearing Participation** – As with all City Council and Planning Commission Meetings, we will continue to invite the public to provide “Public Comment” (30-minute duration, maximum of 5-minutes per comment). We will also continue to hold Public Hearings, as needed and required on specific issues. We invite the public to provide comment in the following ways:
  - **By Email** – Comments will be accepted by email up to 5:00 P.M. on the date of the meeting. Comments will be read during the meeting and made part of the official record of the city. Comments should be submitted to [PublicComment@Santaquin.org](mailto:PublicComment@Santaquin.org)
  - **By Telephone** – For those who would like to have their own voice heard during the Public Comment or Public Hearing periods, please submit an email to [PublicComment@Santaquin.org](mailto:PublicComment@Santaquin.org) providing us your Telephone Number. When it is your turn to speak, a Santaquin City staff member will call you and put you on speakerphone so that you can personally share your comments within the meeting.

**7:00 p.m. REGULAR SESSION** (Held in the Court Room, upper level of the **Santaquin City Offices**, 275 West Main Street)

1. Welcome
2. Invocation / Inspirational Thought
3. Pledge of Allegiance
4. Order of Agenda Items
5. Public Forum
6. **DISCUSSION AND POSSIBLE ACTION ITEMS**
  - a. **PUBLIC HEARING- Main Street Business District Architectural Requirements**  
The Planning Commission will review a proposed amendment to the architectural requirements for multi-family developments in the Main Street Business District zone; which would allow masonry siding as an appropriate primary exterior material.
  - b. **The Hills at Summit Ridge Phasing Plan Update**  
The Planning Commission will review an updated phasing plan for the Hills at Summit Ridge development located southwest of Summit Ridge Parkway.
  - c. **Discussion on proposed changes to the Main Street Residential zone**  
The Planning Commission will discuss a proposed idea to modify the Main Street Residential zone in preparation for a public hearing.
  - d. **Discussion on the General Plan**  
The Planning Commission will discuss ideas for the upcoming update to the General Plan.
7. **PLANNING COMMISSION BUSINESS**  
Approval of minutes from  
June 9, 2020
8. **ADJOURNMENT**

**CERTIFICATE OF POSTING**

Upon Request, in compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided. For assistance, please call 754-3211.

This agenda is hereby properly advertised this 19<sup>th</sup> day of June, 2020 through posting of copies of this agenda in three public places within the city, namely **City Hall**, **Zions Bank**, and the Santaquin branch of the **United States Post Office**

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Kira Petersen, Deputy Recorder

## **ORDINANCE NO. DRAFT**

**AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW CONCRETE SIDING PRODUCTS AS A PRIMARY EXTERIOR FINISH IN THE MAIN STREET BUSINESS DISTRICTS 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 15 to require landscaping in the front and side yards of every new residential dwelling; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on June 23, 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 7 Section 9E is amended as follows:** (underlined text is added, stricken text is deleted)

#### **E. Building Materials:**

##### **1. Primary Exterior Materials:**

- a. Primary exterior finish materials shall make up at least the percentages of building elevations shown in the table below, after the transparent area, defined in this article, is deducted:

Building Area/Elevations	CBD	MSC	MSR
Single-family main floor facing a public street	n/a	n/a	50%
Single-family upper floors facing a public street	n/a	n/a	30%
Multi-family main floor	n/a	100%	100%
Multi-family upper floors	n/a	30%	30%
Commercial single-story buildings	n/a	50%	50%
Ground floor of a mixed use or commercial multi-story building	80%	80%	80%
Upper floors of a mixed use or commercial building visible from public rights-of-way	50%	30%	30%
Upper floors of a mixed use or commercial building not visible from public rights-of-way	30%	30%	30%

b. Primary exterior finish materials shall be low reflectance, have natural textures, and utilize natural earth tone colors. Examples of permitted materials include: brick, stone, natural split faced block, or cut stone. The use of all glass exterior, smooth faced concrete block, prefabricated steel panels, corrugated metal, [and EIFS \(stucco\)](#) ~~and masonry siding~~ shall be prohibited as primary building materials. Nonmasonry siding is prohibited.

[c. Concrete siding products \(i.e. hardie board\) is considered a primary exterior finish but can only cover 75% of each elevation and must be accompanied by at least one other primary exterior finish.](#)

2. Secondary Materials And Trim Materials: Secondary materials and trim materials shall complement the primary materials in texture and scale and provide enough contrast to be visible. EIFS materials may only be utilized for accents.
3. Accessory Structures: Accessory structures, such as gasoline pump canopies, utilities (gas, electric), trash enclosures and other accessory structures shall use the same architectural elements and types of materials and colors as the primary structure.
4. Material Colors: Material colors should consist of earth tones, e.g., muted shades of red or brown. The use of high intensity colors, primary colors, metallic colors, black or fluorescent colors is not permitted for primary exterior materials. Secondary materials and trim materials shall complement the primary material colors.
5. Wrapping: Where the two (2) sides of an extruding corner element are visible, materials and design elements shall wrap the visible corner and may only terminate at an interior corner location or the terminus of the visible wall plane.

## **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, July 8<sup>th</sup>, 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 7<sup>th</sup> day of July 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 7<sup>th</sup> day of July, 2020, entitled

**“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW CONCRETE SIDING PRODUCTS AS A PRIMARY EXTERIOR FINISH IN THE MAIN STREET BUSINESS DISTRICTS 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 7<sup>th</sup> day of July, 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 7<sup>th</sup> day of July, 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

# MEMORANDUM



To: Planning Commission

From: Ryan Harris, Staff Planner

Date: June 23, 2020

RE: **The Hills at Summit Ridge Phasing Plan.**

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Salisbury Homes is proposing a change to the phasing plan of The Hills at Summit Ridge. The changes include the following: Phase D will be broken up into 3 phases, D-1, D-2 and D-3; there will be a new road added between Sawtooth Boulevard (Phase D-3) and Longview Road (Phase C); 9 lots will be removed from Phase D and added to Phase L and Phase B will be split into two phases, B-1 and B-2.

The code below explains the difference between a minor or major change to an approved preliminary plat and who needs to approve those changes. The code is found in 11-5-9 of the Santaquin City Code.

- A. Changes From Approved Preliminary Plats: It is recognized that through the final review process the design of street grades, stormwater facilities, and utilities may necessitate changes from preliminary plats approved by the City Council.
1. Minor Changes: The Development Review Committee may, in their discretion, approve minor changes from approved preliminary plats. The types of minor changes contemplated by this section include legal description mistakes, minor boundary changes, reduction of the number of parcels, modifications to road alignments and items that should have been included on the preliminary plat. In such a case, the Community Development Director shall provide written notice to the Planning Commission and City Council of such changes at each body's next meeting.
  2. Major Changes: Major changes from approved preliminary plats, including an increase in the total lots within the development, reduction of approved lot sizes, change of public open space locations, elimination or increase in the number of roads, shall be submitted for review by the Planning Commission and City Council.

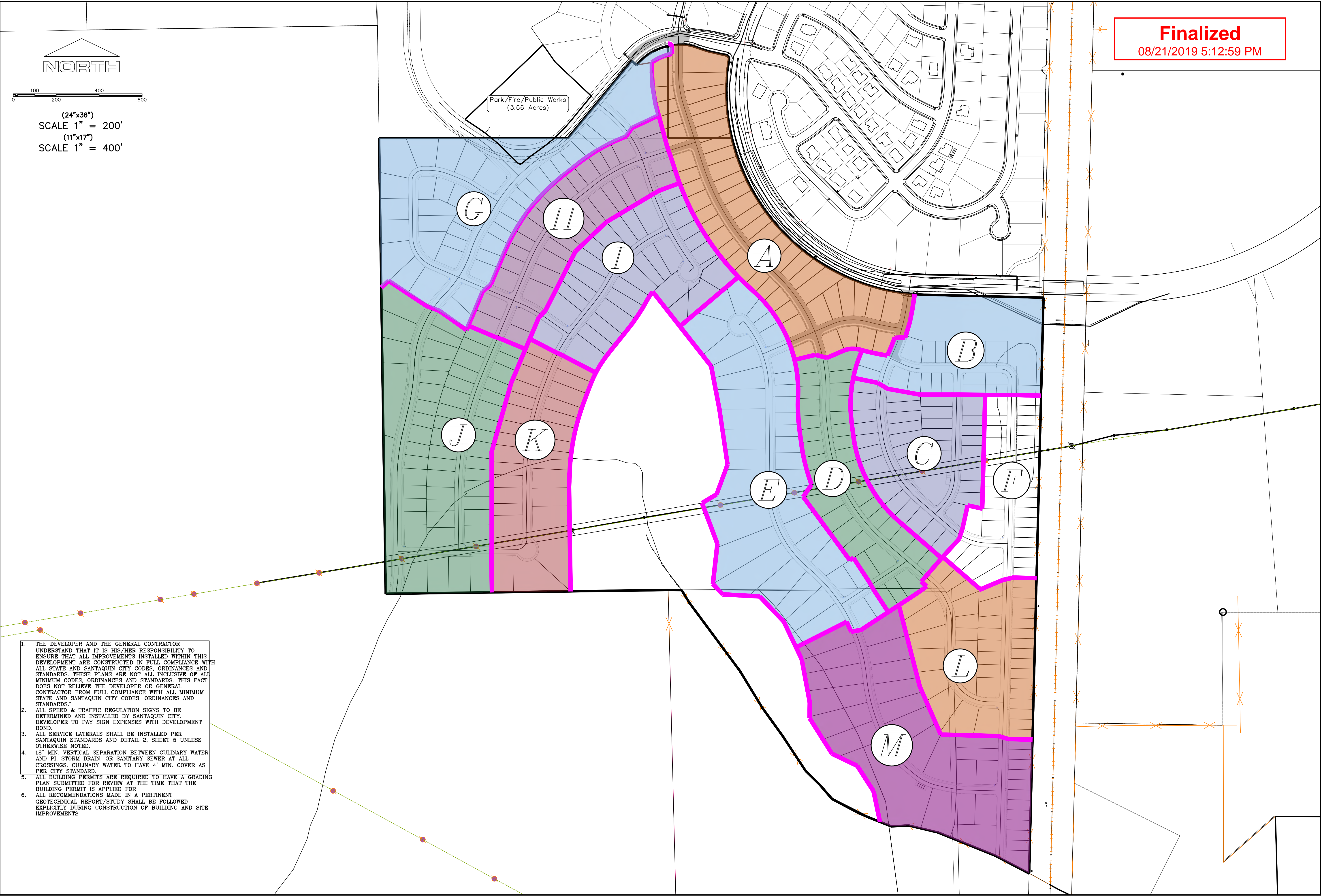
The reason that the proposed phasing plan is being reviewed by the Planning Commission is due to the new road that is going in between Sawtooth Boulevard and Longview Road. The code above explains that an elimination or increase in the number of roads is a major change that must be reviewed by the Planning Commission. The Planning Commission will give a recommendation to the City Council and the City Council will be the land use authority.

**Attachments:**

1. Approved Phasing Plan
2. Proposed Phasing Plan
3. Proposed Changes to The Phasing Plan



ATTACHMENT 1: APPROVED PHASING PLAN



Engineering & Surveying

region

1776 N. State St. #110  
Orem, UT 84057  
P: 801.376.2245  
regiondesignllc.com

THE HILLS @ SUMMIT RIDGE  
PHASE 'A'

LOCATED IN PORTIONS OF SECTION 12 AND 13,  
TOWNSHIP 6 SOUTH  
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

DATE: 8.6.2019	
PROJECT #	
REVISIONS:	
1	
2	
3	

SHEET NAME:  
PHASE PLAN

SHEET:  
PH-01



ATTACHMENT 2: PROPOSED PHASING PLAN



region  
Engineering  
& Surveying

1776 N. State St. #110  
Orem, UT 84057  
P: 801.376.2245  
regiondesignllc.com

**THE HILLS @ SUMMIT RIDGE**  
**PHASE 'D1 + D2'**  
LOCATED IN PORTIONS OF SECTION 12 AND 13,  
TOWNSHIP 6 SOUTH  
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

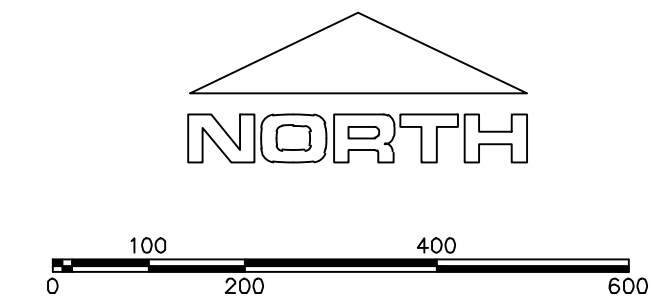
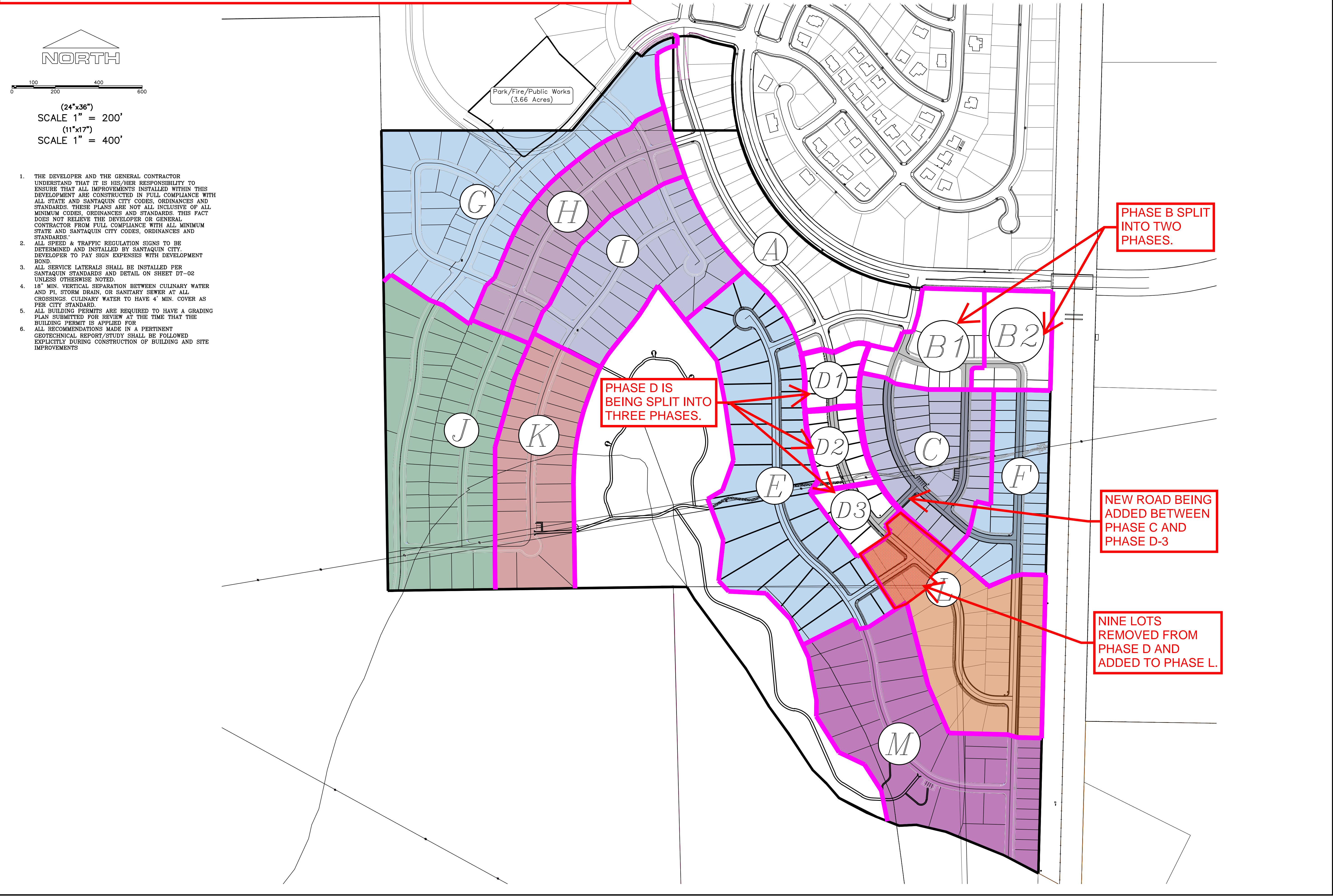
DATE:6.10.2020	
PROJECT #	
REVISIONS:	
1	
2	
3	

SHEET NAME:  
PHASE PLAN

SHEET:  
PH-01



# ATTACHMENT 3: PROPOSED CHANGES TO THE PHASING PLAN



(24"x36")  
SCALE 1" = 200'  
(11"x17")  
SCALE 1" = 400'

1. THE DEVELOPER AND THE GENERAL CONTRACTOR UNDERSTAND THAT IT IS HIS/HER RESPONSIBILITY TO ENSURE THAT ALL IMPROVEMENTS INSTALLED WITHIN THIS DEVELOPMENT ARE CONSTRUCTED IN FULL COMPLIANCE WITH ALL STATE AND SANTAQUIN CITY CODES, ORDINANCES AND STANDARDS. THESE PLANS ARE NOT ALL INCLUSIVE OF ALL MINIMUM CODES, ORDINANCES AND STANDARDS. THIS FACT DOES NOT RELIEVE THE DEVELOPER OR GENERAL CONTRACTOR FROM FULL COMPLIANCE WITH ALL MINIMUM STATE AND SANTAQUIN CITY CODES, ORDINANCES AND STANDARDS.
2. ALL SPEED & TRAFFIC REGULATION SIGNS TO BE DETERMINED AND INSTALLED BY SANTAQUIN CITY. DEVELOPER TO PAY SIGN EXPENSES WITH DEVELOPMENT BOND.
3. ALL SERVICE LATERALS SHALL BE INSTALLED PER SANTAQUIN STANDARDS AND DETAIL ON SHEET DT-02 UNLESS OTHERWISE NOTED.
4. 18" MIN. VERTICAL SEPARATION BETWEEN CULINARY WATER AND P.I. STORM DRAIN, OR SANITARY SEWER AT ALL CROSSINGS. CULINARY WATER TO HAVE 4' MIN. COVER AS PER CITY STANDARD.
5. ALL BUILDING PERMITS ARE REQUIRED TO HAVE A GRADING PLAN SUBMITTED FOR REVIEW AT THE TIME THAT THE BUILDING PERMIT IS APPLIED FOR.
6. ALL RECOMMENDATIONS MADE IN A PERTINENT GEOTECHNICAL REPORT/STUDY SHALL BE FOLLOWED EXPLICITLY DURING CONSTRUCTION OF BUILDING AND SITE IMPROVEMENTS

PHASE D IS  
BEING SPLIT INTO  
THREE PHASES.

PHASE B SPLIT  
INTO TWO  
PHASES.

NEW ROAD BEING  
ADDED BETWEEN  
PHASE C AND  
PHASE D-3

NINE LOTS  
REMOVED FROM  
PHASE D AND  
ADDED TO PHASE L.

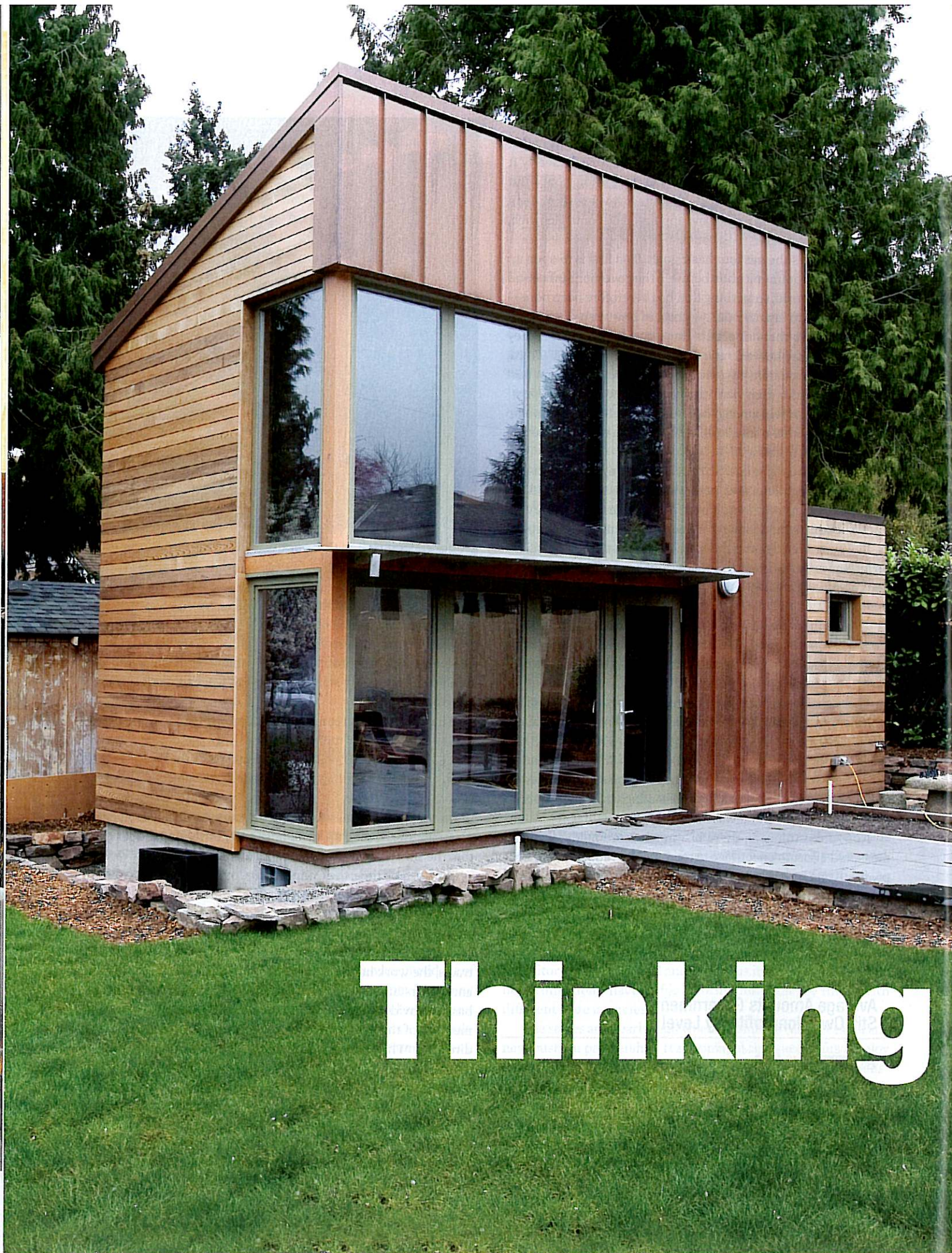
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**THE HILLS @ SUMMIT RIDGE**  
**PHASE 'D1 + D2'**  
LOCATED IN PORTIONS OF SECTION 12 AND 13,  
TOWNSHIP 6 SOUTH  
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

DATE: 6.10.2020	
PROJECT #	
REVISIONS:	
1	
2	
3	

SHEET NAME:  
PHASE PLAN  
SHEET:  
**PH-01**





# Thinking small

By Zach Patton

Photographs by David Kidd

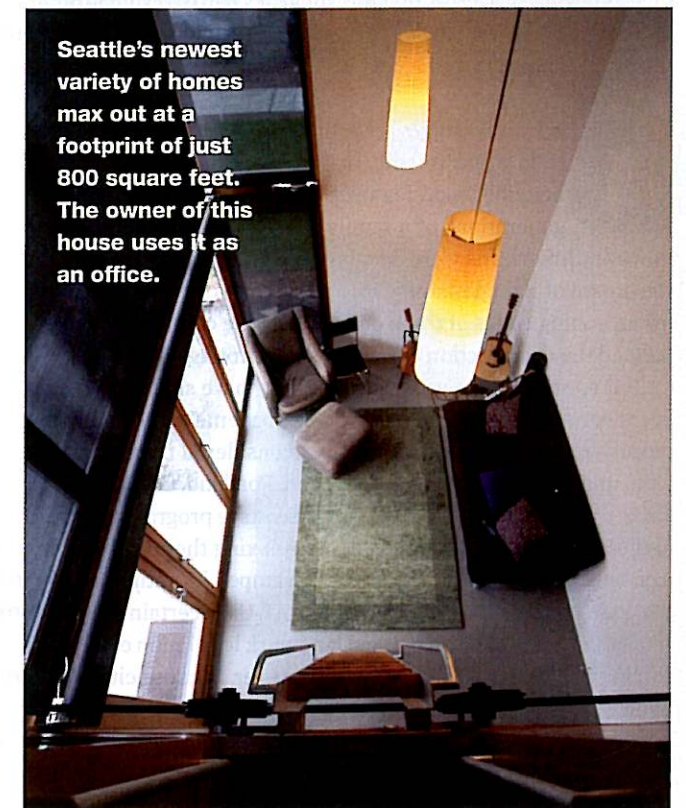
## It's chilly, gray and raining.

In other words, it's an utterly unremarkable spring day in Seattle, as the city's urban planning supervisor Mike Podowski pulls up to a home in the Columbia City neighborhood southeast of downtown. The large clapboard-and-cedar house is a charming two-story Craftsman, but Podowski's not interested. Instead, he makes a beeline for a freestanding structure in the backyard. "This is great!" he says, as the homeowner ushers him through a gate. "It's an ideal set-up."

Podowski has come to check in on one of Seattle's fastest-growing new modes of housing: the backyard cottage. Since 2006, the city has allowed homeowners to build stand-alone cottages—officially known as “detached accessory dwelling units”—behind existing single-family homes. At first, the zoning change only applied to a few neighborhoods on the city's south side, including Columbia City. But in November 2009, Seattle expanded the pilot program throughout the city, to any residential lot of at least 4,000 square feet. In the 18 months following the expansion, 57 backyard cottages have been permitted, and roughly 50 of those are either completed or nearly finished.

Like other mid-size cities that came of age in the first few decades of the 20th century, Seattle is made up largely of compact neighborhoods filled with single-family bungalows. Today, almost two-thirds of the city is zoned for single-family homes, so it's harder for Seattle to accommodate its growing population—the city swelled from 563,374 residents in 2000 to 608,660 last year—without spreading farther and farther into the forests of

Seattle's newest variety of homes max out at a footprint of just 800 square feet. The owner of this house uses it as an office.





the Pacific Northwest. That's partly why the city saw backyard cottages as an attractive new alternative, a way to add affordable housing options without a wholesale redesign of the city's signature neighborhoods.

These structures are small: Seattle's code limits them to a footprint of 800 square feet, and they max out at 22 feet tall. Construction costs typically range from \$50,000 to \$80,000, although more elaborate units can cost upward of \$140,000 to build. Some homeowners use the freestanding cottages as home offices, or as extra room for when relatives visit. Others are building them as in-law apartments for aging parents, or as crash pads for post-college children who can't yet afford their own place. But a large number of homeowners are actually renting the cottages to tenants. (City law requires that the homeowners live on the property at least six months out of the year.) In some cases, the owners themselves have moved into the backyard cottage in order to rent out the larger house facing the street.

Seattle isn't alone in its experiment with accessory dwelling units (ADUs). Localities everywhere from California to Minnesota to Massachusetts are re-examining their zoning laws and considering the role that ADUs can play in the makeup of their urban design. To be sure, there are plenty of critics who say backyard cottages are a bad idea, that renting out tiny apartments to strangers will destroy the character of a neighborhood. "We're seeing both a continued resistance to [ADUs], but also a recognition that they provide a level of moderately priced housing," says John McIlwain, a senior housing fellow at the Urban Land Institute. The "growing driver," he says, are elderly parents who can't afford nursing care, or who simply would rather age in place with their families. "That's hard for a community to rally against," he says. "And once you cross that threshold, it's hard to exclude other uses for backyard cottages. We're going to be seeing a lot more of this style of housing in the next several years."

**B**ackyard cottages are actually a throwback. Stand-alone in-law apartments, or "granny flats," were common neighborhood features a century ago when multiple generations of a family lived together. By the 1950s, however, Americans were decamping for the suburbs, pursuing the dream of a single-family home on a large tract of land. Many urban zoning codes of the second half of the century essentially banned the construction of new backyard cottages.

But as attitudes toward urban density have shifted in recent years—and as affordable housing has become scarce in many places—more and more cities have reconsidered the granny flat as an important part of a neighborhood. Portland, Ore., and Santa Cruz, Calif., both have strong backyard cottage programs. Chicago and Madison, Wis., have considered relaxing their prohibitions against ADUs. Denver last summer revamped its entire city zoning code and now permits stand-alone ADUs in certain neighborhoods. California in 2003 passed landmark legislation essentially forcing localities to allow ADUs. (However, because cities were allowed to design restrictions as narrowly as they wanted, the law hasn't had as much impact as it could have. Pasadena, for example, only allows ADUs on lots larger than 15,000 square feet, and mandates that an ADU have its own two-car garage. Only one



By allowing backyard cottages, Seattle hopes to provide a new affordable housing option. In the 18 months since the units have been allowed citywide, about 50 have been completed.

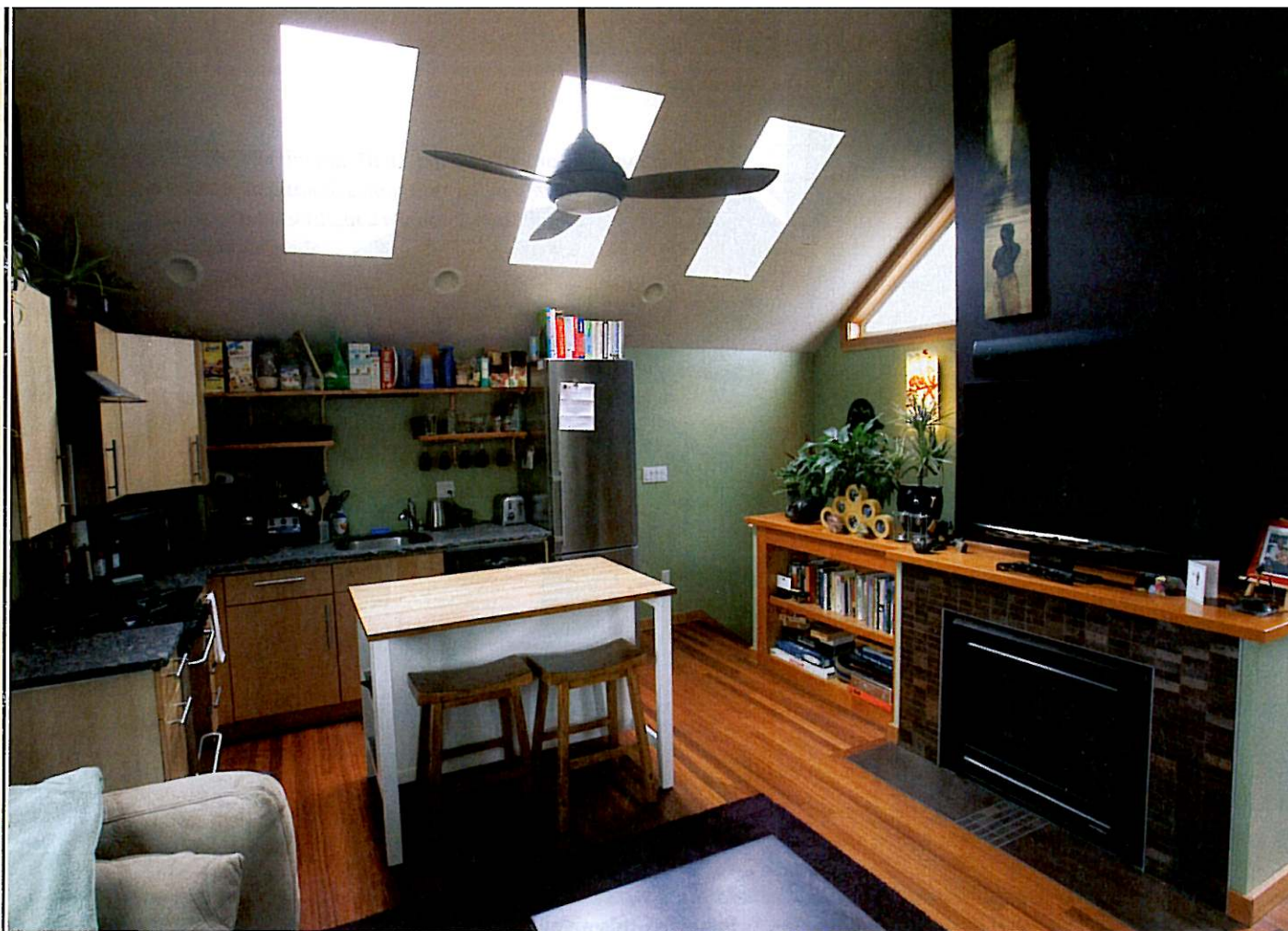


In homes this small, every inch counts. At right, a homeowner demonstrates how a custom-built Murphy bed maximizes space.



Critics fear the added density and new rental tenants will transform Seattle's treasured single-family neighborhoods.





When their son went to college, the homeowners at this property opted to move into their backyard cottage and rent out the "big house" in front.

So far, Seattle's backyard cottage boom has been evenly spread throughout neighborhoods across the city.



THINKING SMALL



Many of the cottages, like the one above, have alley access and a garage, making them feel less attached to the main house.

backyard cottage has been built in Pasadena since the 2003 law took effect.)

Not everyone is pleased. Critics say the additional residents put a crunch on available street parking. Some neighbors worry about privacy with a two-story cottage looming just over the property line. But the biggest concern tends to be the notion that allowing backyard rental cottages will irrevocably change the feel of a neighborhood. While Seattle was debating the cottages in 2009, one real estate agent called the city's proposal a "de facto rezone of the entire city," adding, "There will no longer be single-family neighborhoods in Seattle."

Podowski acknowledges that vocal objections from some critics made it "challenging to get the legislation passed. People are very protective of their single-family neighborhoods, and they weren't sure this was something that was going to fit in."

But after the city's three-year experiment with ADUs in the southeast part of town, Podowski's office conducted a survey of residents living near a permitted backyard cottage to gauge the impact the units had on neighborhoods. What the city found was something of a surprise. Eighty-four percent of the respondents said the ADUs hadn't had any discernible impact on parking or traffic. What's more, most people didn't even know they lived near an ADU, says Podowski. "More than half of them didn't even realize there was a unit next door. It really helped us to show that a lot of the fears people had about these were not going to be realized."

That positive feedback helped encourage the city to expand ADU zoning citywide. Council members also eliminated a cap on the number of backyard cottages that could be built in the city, and they rejected a proposed "dispersion" requirement, which would have limited the number of ADUs in a given neighborhood. The city prepared a design guide for homeowners, tips on being a good landlord and ideas for how to best respect neighbors' privacy. Since then, the 57 new permits for backyard cottages number "in the ballpark" of what the city had predicted, says Podowski, and they're evenly spread in neighborhoods across Seattle.

To hear Podowski tell it, the benefits of an ADU are relatively prosaic: They're good for aging parents, or the rental income can help offset a homeowner's mortgage. But in some ways, backyard cottages represent a bigger shift than that. "Cities are struggling with, 'How on earth do you increase density in a suburban neighborhood of single-family homes?'" says Witold Rybczynski, an urbanism professor at the University of Pennsylvania and the author of *Makeshift Metropolis* and other books on urban planning. "The backyard cottage is an easy first step toward densification," he says. Unlike high-rise residential towers or even mid-rise apartment buildings, Rybczynski says, backyard cottages "are an effective way to increase density without a radical change in neighborhood standards." With the twin challenges of accommodating an aging population and providing diverse housing options to an ever-growing pool of residents, an increasing number of cities may find a solution right in their own backyards. **G**

E-mail [zpatton@governing.com](mailto:zpatton@governing.com)

**GOVERNING.com** See expanded coverage and a photo tour of more of Seattle's new backyard cottages at [governing.com/Seattle](http://governing.com/Seattle)



# **Accessory Dwelling Units (Detached)**

## **Public ADU Benefits**

- Minimizes subsidies for affordable units
- Keeps growing/aging families together comfortably
- Maximizes use of existing infrastructure and services
- Alternative to unenforceable accessory apartment issue
- Increases Tax Revenues
- Promotes stable neighborhoods
- Moderate income housing requirement
- Easier to track and regulate

## **Private ADU Benefits**

- Rental income for homeowners
- Separate living space for helping family
- Potential home office or guest house
- More appealing alternative to accessory apartments
- Increased property values
- Control over who rents in Alpine
- Opportunity to age in place

## **Summary of ADU Benefits**

- Better uses existing infrastructure and services
- Generates community economic development
- Reduces costs for young families/elderly
- Water conservation
- Connects families

## **Who Typically Lives in ADUs?**

- Older singles/couples
- Younger singles/couples
- People who travel often
- Middle-aged “empty nesters”
- Single Working Parents

## **Ideas for Regulating ADUs**

- Off-street parking requirement (2 spaces per ADU)
- Minimum acreage to build ADU (30,000 sq. ft.)
- Require Business License regardless of use
- Require that primary dwelling and ADU have same utilities
- Construct as restrictive use covenant to be signed
- Apply <50% lot coverage to all zones
- Max of 1,000 sq. ft. building pad
- Maximum height of 24 feet
- Maximum of 10 built per year
- Cannot subdivide or sell ADU only rent
- ADU design similar to main dwelling

## **Salt Lake City**

1. Limit the number of building permits issued by the City for accessory dwellings to 25 per calendar year with the following exceptions:
  - a. units located within Redevelopment Agency (RDA) project area or funded in part by RDA housing fund.
  - b. units that comply with all accessibility standards in the current building code.
2. Ensure the accessory dwelling is subordinate to the principal dwelling by limiting the building size to 50% of the square footage of the principal structure or 650 square feet; whichever is less.
3. Require compliance with the zoning district building height limit, minimum building setbacks and maximum lot coverage, the design of the accessory dwelling be compatible with the principal structure and the entrances to be located facing the back or side of the property. This is to enforce the subordinate nature of the unit.
4. Require either the main residence or the accessory dwelling be occupied by the owner of the lot. The idea is that if an owner lives on site, they are more likely to ensure tenants are not causing problems (such as noise, etc.) and will ensure the property is maintained.
5. Require the property owner to obtain a business license for the accessory dwelling.
6. Require additional parking and compliance with current building codes.
7. The Transportation Director could modify the parking where certain factors are evident such as available on-street parking or location within ¼ mile of a TRAX Station or bus route.
8. Allow home occupations (such as an office) but not conditional home occupations (such as music lessons or hair styling) where person would come to house would not be allowed in the ADU.
9. Require accessory dwelling units located in an H Historic Preservation Overlay District comply with applicable regulations and review processes including related guidelines and standards to ensure compatible building and preservation of historic resources.

## **Summit County**

1. The accessory dwelling unit must be constructed at a location approved by the director.
2. The minimum parcel size for a lot containing primary dwelling unit and an accessory dwelling unit which is not attached to or within the primary dwelling unit shall be one-half (1/2) acre.
3. The accessory dwelling unit may not be sold separately from the entire property, including the primary dwelling unit.
4. Setback requirements shall be the same as for the primary structure.
5. A low impact permit and a building permit shall be required for an accessory dwelling unit.
6. Accessory dwelling units shall conform to the height limitations of the primary structure.

7. A certificate of occupancy for an accessory dwelling unit shall only be granted concurrent with or subsequent to the issuance of a certificate of occupancy for the primary use structure on said property.
8. An accessory dwelling unit shall not exceed one thousand (1,000) square feet of gross square footage.
9. A restrictive use covenant shall be signed and recorded by the property owner prior to building permit issuance for the accessory dwelling unit. The restrictive use covenant shall state that the accessory dwelling unit may not be sold separately from the entire property, including the primary residence, and that the dwellings may not be condominiumized.

## **Centerfield**

10. An accessory dwelling unit shall be under the same ownership or control as the principal dwelling unit, and shall be located on the same lot as the principal dwelling unit.
11. No accessory dwelling unit shall be constructed prior to the time of construction of the primary dwelling unit to which it is incidental and subordinate.
12. The size of the accessory dwelling unit shall be no less than five hundred (500) square feet and no greater than eight hundred (800) square feet. The accessory dwelling unit shall be constructed in architectural style that is similar to the primary dwelling unit's architectural style.
13. Access to the accessory dwelling unit shall be restricted to preexisting access points.
14. Only a single residential water hookup shall be allowed for both the accessory dwelling unit and the primary dwelling unit. The accessory dwelling unit shall not be equipped with separate utility meters and the owner shall be responsible for all utilities.
15. Prior to any accessory dwelling unit being constructed, the owner must obtain a conditional use permit.
  - A. In order to obtain a conditional use permit, the owner must file an affidavit with the city certifying that the accessory dwelling unit will comply with the conditions set forth in this chapter.
  - B. The conditional use permit shall be renewed on an annual basis upon application by the owner.
  - C. Prior to renewal of any conditional use permit, the city may inspect the accessory dwelling unit in order to ensure compliance with the conditional use permits requirements.
  - D. The failure to obtain a conditional use permit in accordance with this section may result in a penalty of twenty five dollars (\$25.00) per day.

## Lindon city allows accessory apartments

February 01, 2012 12:16 am • [Audra Rasmussen - Correspondent](#)

**LINDON** -- Granny flats, mother-in-law apartments, casitas, carriage houses, ancillary units, apartments, guest homes and their aliases are now permitted within Lindon city limits.

After several months of discussion at city council meetings, the Lindon City Council voted unanimously, albeit with some trepidation, to approve detached accessory apartments in Lindon.

Adam Cowie, Lindon city's planning and development director, asked the council prior to this discussion to reduce its impact fee for the units from \$4,000 to \$1,500 to make the building permit more affordable in today's economy. The city council unanimously voted to approve the lesser fee in September.

"We always have the opportunity to revisit this," Mayor James Dain said. "If Adam comes back and has some concerns about where this has taken us then we can revisit it then."

The council members' idea is to enable homeowners to provide separate rental units that fit in their neighborhoods and to increase options and affordability for both homeowners and their family members, without affecting the quality of life or physical character of Lindon and its neighborhoods.

"My biggest concern here is that I want this to be hardship-generated rather than revenue-generated," Councilman Mark Walker said. "I want this to be for taking care of people that we need to be taking care of, our families and so forth. I don't want it to turn into some money thing. That is my real concern on this."

The community of Lindon prides itself on being a little bit country, with white rail fences lining the sidewalks of streets within city limits. Approval of detached accessory apartments pose a possible threat to the protected lot allotment for homes, allowing homeowners to place a second livable dwelling on their lot.

All members of the council saw the benefits to the community if the ordinance is used appropriately, but expressed concern that the law might open a door they did not want to open. Strict limitations placed within the ordinance help curtail that door opening.

Accessory apartments are limited to no more than 1,200 square feet, the entrance cannot face the street, the height cannot exceed 20 feet, utilities are required to be connected through the primary residence services, and one of the dwellings needs to be owner-occupied.

The ordinance does not allow for accessory apartments to be sold separately or for a lot to be subdivided.

Homeowners can find several advantages in having an accessory apartment -- space for relatives, additional revenue stream, guest quarters and resale value. Many children are opting to take care of an aging parent or relative in their own home to avoid the expenses associated with retirement homes and assisted living facilities.

Accessory apartments also serve to provide additional revenue that can help with mortgage payments and bills. Some homeowners build them simply to provide a separate unit for guests. Accessory apartments serve as a selling point for certain buyers and can help set a current home apart from others on the market.

In retrospect, elderly homeowners who are living on fixed incomes will benefit by allowing extra income from accessory apartments and helping them to offset some of their living expenses with also the possibility of companionship.

The new ordinance also benefits Lindon city by increasing the amount of affordable housing dwellings available within city limits. The accessory apartments make housing units available to moderate income people who might otherwise have difficulty finding homes within Lindon city limits.

"The state requires that the city has to provide opportunities for moderate income households in our city," said Cowie.

"And since we don't allow a lot of apartments or high-density places this accessory apartment is one way to offer this."



**Planning Commission Meeting Minutes  
Tuesday, June 9, 2020**

**Planning Commission Members in Attendance:** Trevor Wood, Art Adcock, Kylie Lance and Michelle Sperry.

**Other's in Attendance:** City Manager Ben Reeves, Community Development Director Jason Bond, Dale Rowley, Ryan Johnston, Robert McMullin, and Todd Lindley.

Commission Chair Wood called the meeting to order at 7:01 p.m.

**Invocation / Inspirational Thought:** Commissioner Adcock offered an invocation.

**Pledge of Allegiance:** Commissioner Lance led the Pledge of Allegiance.

**Public Forum:** Commission Chair Wood opened the public hearing at 7:05 p.m. and closed it at 7:06 p.m.

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **PUBLIC HEARING- Orchard Vistas Concept Plan**

*The Planning Commission will review a concept plan of a 108-unit multifamily subdivision located at approximately 200 N. and 400 E.*

Mr. Bond introduced the proposed multifamily development which would be located directly behind the Grocery Store. He explained that it is a concept plan, so no action will be taken at this point. He noted that they are proposing to build 9, 12 plex buildings for a total of 108 units. Mr. Bond explained that there is a development agreement in place for this development.

Commission Chair Wood opened the Public Hearing at 7:09 p.m.

Mr. Reeves read a public comment that were received regarding the Orchards Vistas concept plan. The comment was against this development (See Attachment 'A').

Mr. Dale Rowley representing Cherry Hill Farms (the property directly North of this proposed development) expressed their concern of having increased traffic and trash in their Orchards due to this development. He communicated Cherry Hill Farms opposition of this proposal (See Attachment 'B'). Cherry Hill Farms is asking that the appropriate mitigations be provided by the developer, such as providing a 6-foot-tall fence along the North side of 200 N. and Orchard Lane. He also asked that future sale or lease agreements include information regarding the adjacent farm being an agricultural protected area.



Commission Chair Wood closed the Public Hearing at 7:16 p.m.

Mr. Ryan Johnston (the developer) explained that they are following both the development agreement and City Code. He expressed his intent to be sensitive to the adjacent uses. Mr. Johnston explained that per code they are required to install a fence around the development. He noted that they are currently working with the DRC to address their comments as well.

Commissioner Lance asked why there is no parking shown on the South sides of the building (See Attachment 'C'). Mr. Johnston explained that the parking lot was positioned to provide a buffer between the grocery store and the residential units. Commissioner Lance suggested that the parking is a far walk for residents carrying groceries, or with young children.

Commissioner Lance reported that she researched the density of this roughly 5-acre project; which equates to 21 units per acre. She referred to other large multifamily developments in neighboring Cities; none of which are as dense as this proposal. Commissioner Lance expressed her thoughts that this density is extreme, and that she would like to see it lowered. Commissioner Sperry echoed Commissioner Lances feelings and stated that this proposal is too dense for the area. Commissioner Adcock suggested that a few buildings are removed from the plans in order to lower the density. He also recommended that parking to the North of the building could be added to provide a buffer between the orchards and the development.

Commissioner Adcock asked if there will be any vehicle traffic on the East side. Mr. Bond explained that there is no access on the East side. There are 2 accesses shown on the North side and one on the West.

Commissioner Lance asked if the developer will be required to install a masonry fence. Mr. Bond answered that a masonry wall will be required along the South side of the development. He clarified that a fence is not usually built along the side of the road; or in this case the Northern side of the property. Mr. Bond encouraged the developer to work with Cherry Hills Farms regarding mitigation of these impacts. Mr. Bond also indicated that language will need to be provided on the plat stating the proximity of an agricultural protection area to the development. Commissioner Lance stated that she would like to see a masonry wall built around the whole development. Mr. Bond explained that it could be requested, but it isn't required per code. Commissioner Lance pointed out that the farm will be spraying chemicals and it may be good to provide a buffer in between the farm and residential units.

Mr. Rowley stated the proposed ingress and egress on 400 East may become congested and confusing due to the two other accesses on that street. Mr. Reeves noted that the outlet being moved is a request from the Fire Department.

**PUBLIC HEARING- McMullin Commercial Concept Plan**

*The Planning Commission will review a concept plan of a 3 lot commercial subdivision located at approximately 150 N. and State Road 198*

Mr. Bond stated that the developer is proposing to create 3 commercial lots. He noted that there is a City owned right of way to the North West of the current Rainer Road (See Attachment 'D'). The applicant is proposing for the City to vacate the right of way and to realign to road in order to make 3 commercial lots. Mr. Bond noted the trail corridor that has been preserved on the East side of Rainer Road to connect with the existing trail along Highland Drive. Mr. Bond noted that the homes facing Peach Street will have a double frontage when Rainer Road is constructed. Because of this, Staff is asking that a fence be built by the developer along Rainer Road.

Commission Chair Wood opened the Public Hearing at 7:37 p.m.

Todd Lindley explained that he lives directly East of this proposed subdivision. He expressed concern with the road becoming a thoroughfare. He asked that the developer be required to install a fence along the East side of Rainer Road in order to mitigate impacts. Mr. Lindley stated that he would like to see 1 large commercial lot be developed rather than 3 small lots.

Commission Chair Wood closed the Public Hearing at 7:40 p.m.

Mr. Bond noted that this is a preliminary plan and that the configuration may change. Commissioner Adcock clarified that the road 150 N. does not currently exist. Mr. Bond explained that State Road 198 through 150 N. would all be new infrastructure. Commissioner Wood stated that he appreciates Staff's proposal that a fence be provided along Rainer Road.

Mr. Robert McMullin stated that he is open to abandoning Rainer Road and considering changes. Mr. Bond explained that the transportation master plan contemplates connectivity with Rainer Road coming North and connecting to State Road 198. Mr. Reeves explained that when UDOT makes changes to the intersection and Rainer Road (900 E.) may be important for access in the future.

### **City Wide Landscaping Requirement**

*The Planning Commission will review a proposed amendment to Santaquin City Code 10-15 regarding landscaping requirements which would require new homes city wide to provide upfront landscaping.*

Mr. Bond explained that this agenda item was tabled at the last meeting when the Planning Commission requested to find out how many homes would be effected by this amendment. He explained that any lots outside of a PUD or a development agreement would be effected by this proposal. Mr. Bond reported that in 2019 there were 13 homes that fall into this category (he noted that there were roughly 200 single family building permits issued in 2019.) So far for 2020 only one home would fall under this category. This means that the new language wouldn't affect a large number of new homes if it is adopted.

Mr. Bond read the updated proposed language (See Attachment 'E'). He explained that the intent of the language isn't to provide detail regarding the required landscaping; but rather to require

landscaping up front. He pointed out the language that has been updated in order to meet State Code requirements regarding bonding for landscaping. Mr. Bond explained that the bond amount has not yet been specified. If the Planning Commission forwards this with a positive recommendation bond amounts will be proposed at that time.

Commissioner Wood stated that he has been ambivalent about this in past discussions. He noted that he would like to see a bond amount that isn't a burden for those whom this ordinance would apply to. The Commissioners discussed having a bond amount scale based off of lot size.

**Motion:** Commissioner Lance motioned to forward a positive recommendation to the City Council on a City Wide Landscaping Requirement including a tiered bond structure derived from the size of the lot. Commissioner Sperry seconded.

Roll Call:

Commissioner Sperry: Aye

Commissioner Lance: Aye

Commissioner Adcock: Aye

Commissioner Wood: Aye

The vote was unanimous in the affirmative.

### **Discussion on proposed changes to the Main Street Residential zone**

*The Planning Commission will discuss a proposed idea to modify the Main Street Residential zone in preparation for a public hearing.*

Mr. Bond explained that City Council Member Betsy Montoya provided a letter suggesting proposed changes within the Main Street Residential (MSR) zone (See Attachment 'F'). Her recommended changes include excluding multifamily as a permitted use within the MSR zone, excluding flag lots in the zone, and adding Accessory Dwelling Units (ADU) as a permitted use in this zone. Mr. Bond explained that the purpose of this agenda item is to gather feedback from the Planning Commission. A Public Hearing will be held at a future meeting for this proposal.

Mr. Bond clarified that Council Member Montoya's intention was to allow for detached ADU's. Commissioner Adcock asked if they are currently allowed within the City. Mr. Bond explained that they are only allowed within the main dwelling, detached units are not allowed. Commissioner Adcock indicated that he would like this to be a permitted use within other zones as well. Commissioner Lance asked to see a definition included for ADU's. She explained that she in favor of Council Member Montoya's proposed changes; but asked what the reasoning is behind prohibiting multifamily development on any parcel that is 1-acre or less. Mr. Bond stated that the intent is to avoid multifamily developments being built on small lots.

Commissioner Wood noted that it should be kept in mind that the MSR zone is supposed to be a buffer between Main Street and lower density residential zones.

Mr. Bond thinks that implementing ADU's will require an educational effort to help residents better understand their options. Mr. Reeves asked the Commissioners if they would like to evaluate

the language prior to holding a public hearing. Commissioner Wood indicated that he would like to work on it prior to holding a public hearing. Mr. Bond noted that he will work on drafting the language.

#### **PLANNING COMMISSION BUSINESS**

Approval of minutes from

April 28, 2020

May 12, 2020

**Motion:** Commissioner Adcock motioned to approve April 28, 2020. Commissioner Lance seconded. The vote was unanimous in the affirmative.

**Motion:** Commissioner Adcock motioned to approve the minutes from May 12, 2020. Commissioner Lance seconded. The vote was unanimous in the affirmative.

Mr. Bond revisited last meeting where the Planning Commission members were asked to review the General Plan. He explained that at this point Staff is looking for feedback regarding what needs to be addressed. Mr. Reeves indicated that they would like to have feedback provided via email, by meeting the City Staff individually or on the next agenda as an item. Commissioner Wood asked that it be included on next meeting's agenda.

Commissioner Wood explained that he and Council Member Betsy Montoya discussed having a Commissioner assigned to attend each of the City Council meetings. He asked the Commissioners in attendance what their thoughts are regarding this. Commissioner Lance asked if it would be the same person or if Commissioners would rotate. Commissioner Wood explained that Council Member Montoya's introduced it as a rotating position. He suggested that it be decided voluntarily or on an as needed basis. Commissioner Adcock stated that the idea has merit, but he doesn't think leaving it open to volunteers is a good idea. Commissioner Wood suggested that it be decided at the end of Planning Commission meetings when necessary. Commissioners Adcock, Lance, and Sperry agreed that it is a good idea.

Mr. Bond informed the Commission that David Church from the Utah League of Cities and Towns may be coming for a training for this year. He stated that he will send out a poll regarding dates that would work as it would need to be scheduled on a Monday or Thursday night.

#### **ADJOURNMENT**

Commissioner Sperry motioned to adjourn at 8:36 p.m.

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Trevor Wood, Commission Chair

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Kira Petersen, Deputy Recorder

Dear Santaquin City Community Development Department,

I am adamantly opposed to Mr. Ryan Johnston's proposal of a 108-unit multifamily subdivision located at approximately 200 North and 400 East for the following reasons:

- Excessive traffic on the surrounding roads
- Increased usage of public services such as water, sewer, garbage, police, schools, etc.
- Generates less in tax revenue
- Lowers current property values of surrounding areas
- Has a lesser quality of life than single family homes
- Detracts from Santaquin being a lovely rural community for families

I do not understand why there is no longer a focus on building single family homes which attract families looking to invest in property as a long term living arrangement.

Kind regards,

AnneMarie Eisenberg

On behalf of the Patricia Foster Family Trust



June 8, 2020

RE: Proposed 108-unit multi-family subdivision

To: Santaquin City Planning Commission

Cherry Hill Farms, Inc. has been farming the ground adjacent to the proposed multi-family subdivision for more than 30 years. This proposal is of great concern to us. We have not had many impacts because of our neighbors over these years. However, in recent years, we have noticed a significant and growing amount of foot, bicycle, ATV, and vehicle traffic through our orchards, garbage that has been blown from the front yards and out of the garbage cans, and personal pets that have left their mark in the orchard. This is a problem as we try to adhere to Good Agricultural Practices (GAP).

GAP is a certification process that we achieve to prove we have fruit that is safe for the consumers and the highest quality we can provide. This is done through many practices which consist of cleanliness and safety being the most important. We can only achieve this through controlling what is in our orchards at all times.

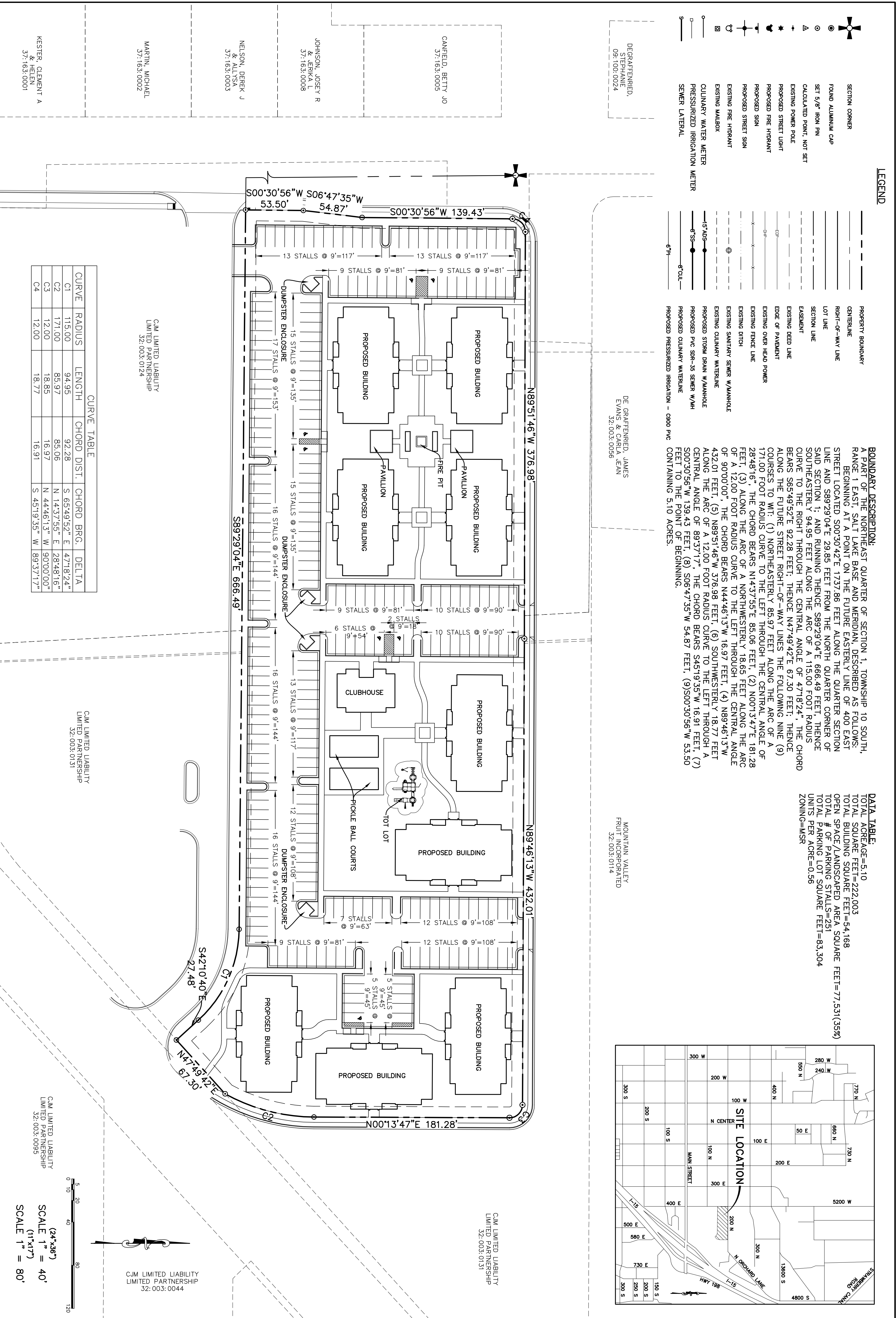
This proposal will change the dynamics of this whole area of town, especially the area around our orchard. We know that all people have a right to do with their property as they see fit within the zoning that has been established by the city. We feel that the developers of this proposal should help mitigate some of the consequences of their actions. We also understand that most of these consequences are the actions of people they will sell or lease these units to in the future. However, we don't feel that it is our responsibility to have to change our farming-style because of their development.

Cherry Hill Farms would like to see a fence barrier constructed to prohibit the traffic and garbage mentioned above from entering the orchards. We propose a 6-foot chain link fence with barb wire on top approximately 5 feet from the edge on the North side of the road. Starting at the property line on 200 North, then east to North Orchard Lane and then to the northeast down North Orchard Lane to where it intersects with 400 North. We want four ingress/egress gates included in the fence at our discretion.

Cherry Hill Farms would also like the developers to include in their sell or lease agreements, to future owners and tenants, that our farm is protected by an agriculture protection agreement that the city recognizes.

Please consider this option to help us so that we can continue to farm with minimal changes to our operation. We did not invite this proposal and we are not going to try and influence what is happening on their property as long as they are within the laws of the city. We are asking for some help to mitigate the impacts that this proposal will cause to us.

Sincerely, General Manager, Cherry Hill Farms, Inc.  
Curtis Rowley





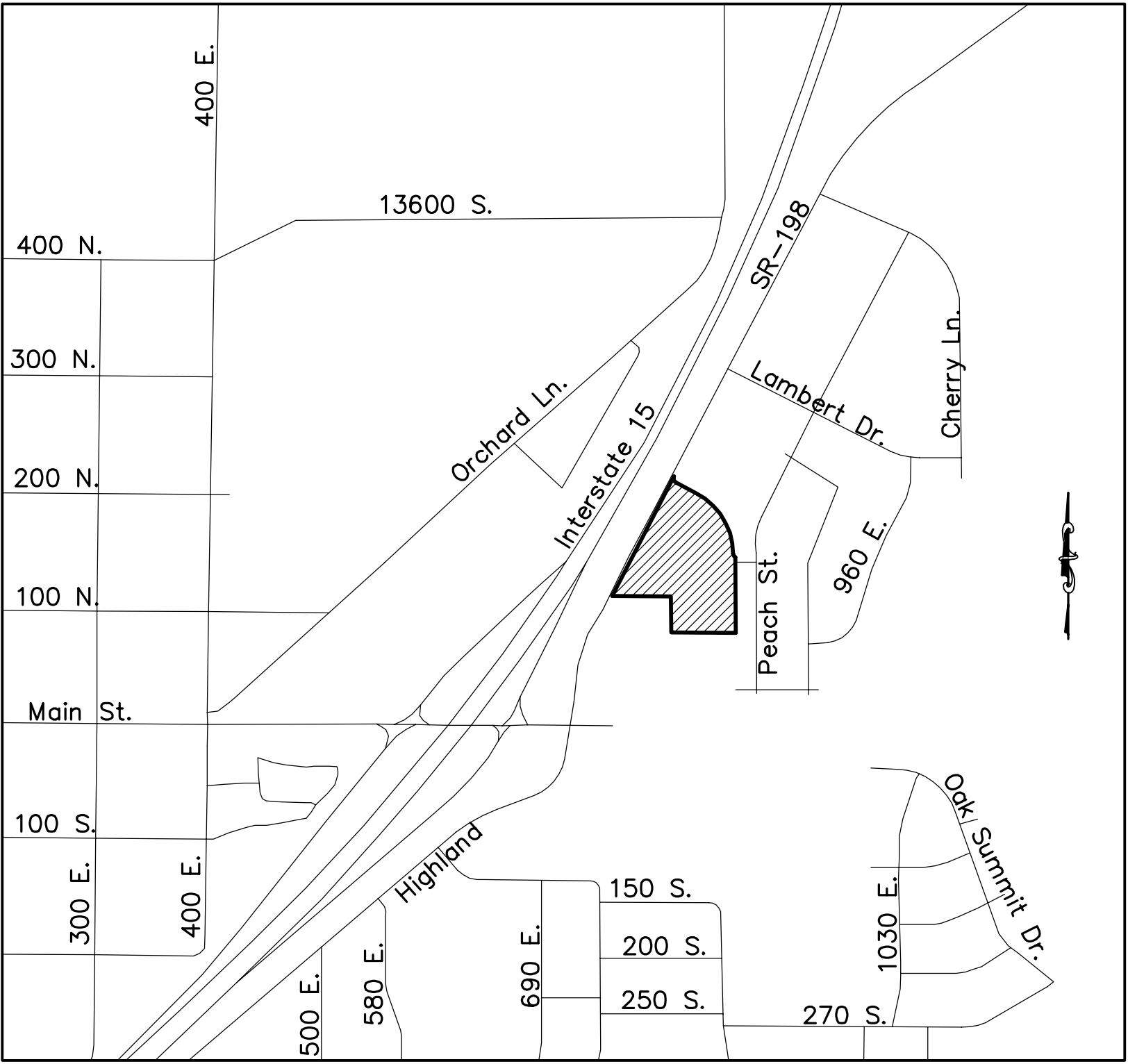
McMULLIN COMMERCIAL  
A COMMERCIAL SUBDIVISION  
SANTAQUIN, UTAH COUNTY, UTAH  
PRELIMINARY PLAN SET  
MAY 2020

-SHEET INDEX-

SHEET	SHEET NAME
1	COVER & INDEX
2	PRELIMINARY PLAT
3	UTILITY PLAN SHEET
4	EXISTING TOPOGRAPHY
5	STRIPING PLAN
6	RECORD OF SURVEY (BY OTHERS)
DT-01	DETAIL SHEET

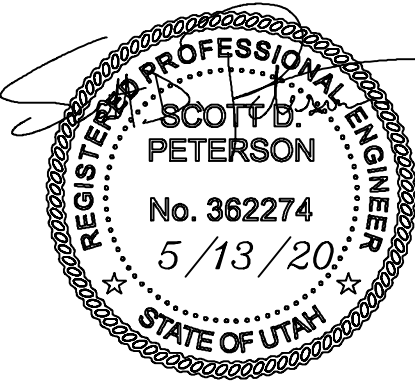
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TOTAL NUMBER OF BUILDABLE LOTS=3
TOTAL ACREAGE WITHIN PROPOSED DEVELOPMENT= 4.80 ACRES
TOTAL ACREAGE IN LOTS=3.82 ACRES
TOTAL ACREAGE TO BE DEDICATED FOR STREET ROW= 0.98 ACRES

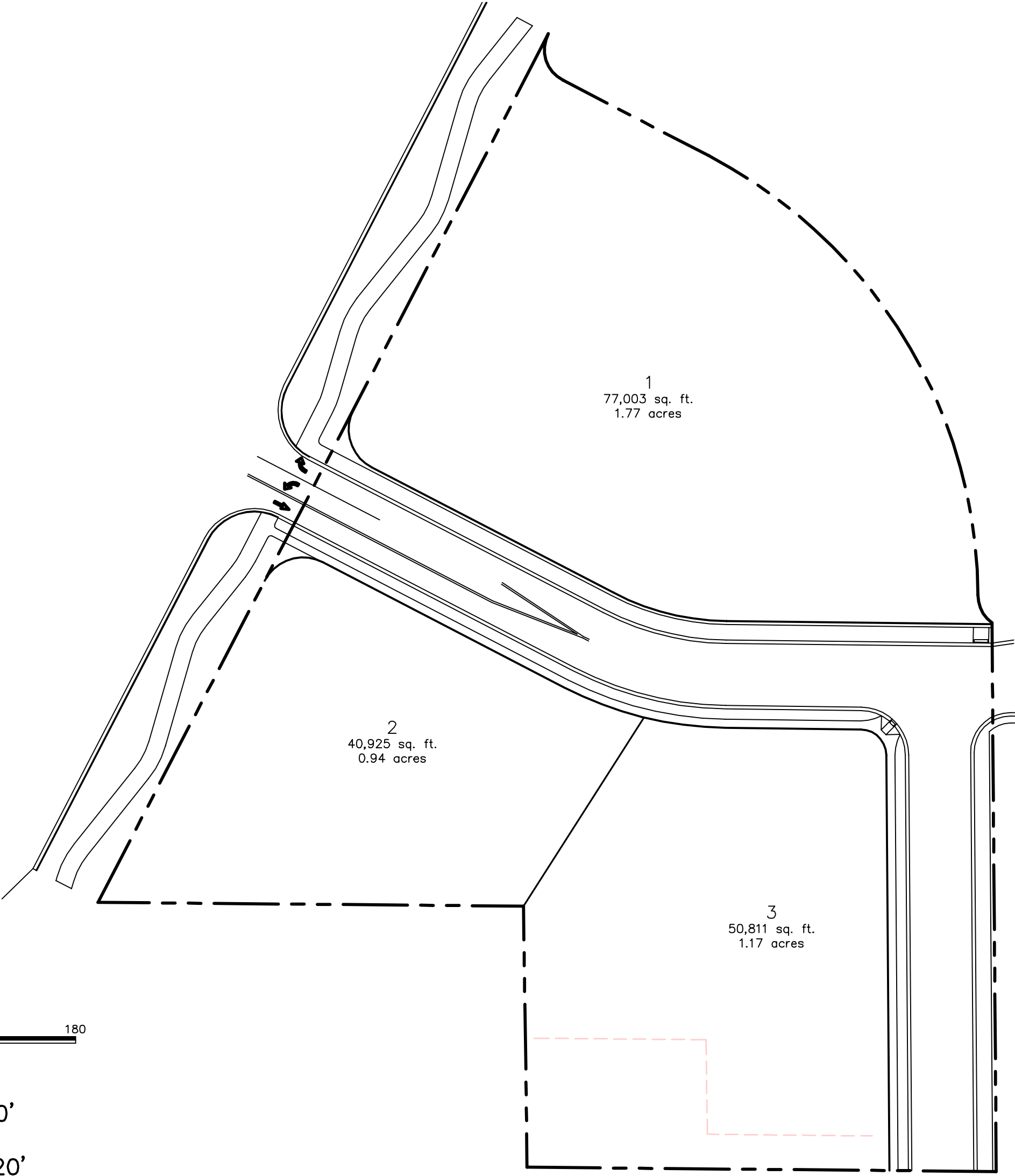
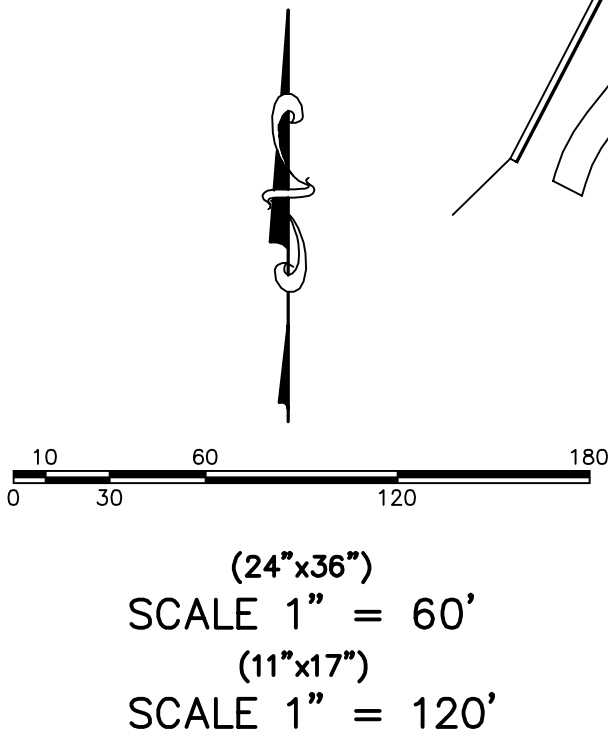
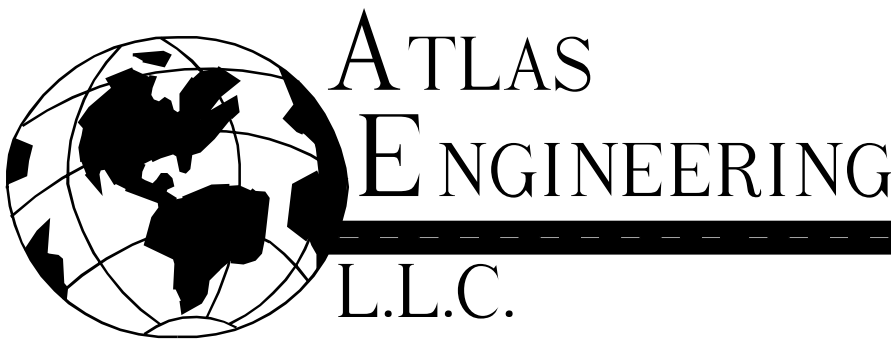


VICINITY MAP  
-NTS-

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SUITE A  
SPANISH FORK, UT 84660



LEGEND  
LEGEND APPLIES TO ALL SHEETS

	SECTION CORNER
	EXISTING VALVE
	EXISTING POWER POLE
	PROPOSED STREET LIGHT
	PROPOSED FIRE HYDRANT
	PROPERTY BOUNDARY
	CENTERLINE
	RIGHT-OF-WAY LINE
	LOT LINE
	SECTION LINE
	BUILDING SETBACK
	EASEMENT
	EXISTING DEED LINE
	EDGE OF PAVEMENT
	EXISTING OVER HEAD POWER
	EXISTING GAS
	EXISTING FENCE LINE
	EXISTING DITCH
	EXISTING SANITARY SEWER W/MANHOLE
	PROPOSED IRRIGATION LINE
	EXISTING CULINARY WATERLINE
	EXISTING PRESSURIZED IRRIGATION
	PROPOSED CULINARY WATERLINE
	PROPOSED PRESSURIZED IRRIGATION
	PROPOSED SEWER LINE

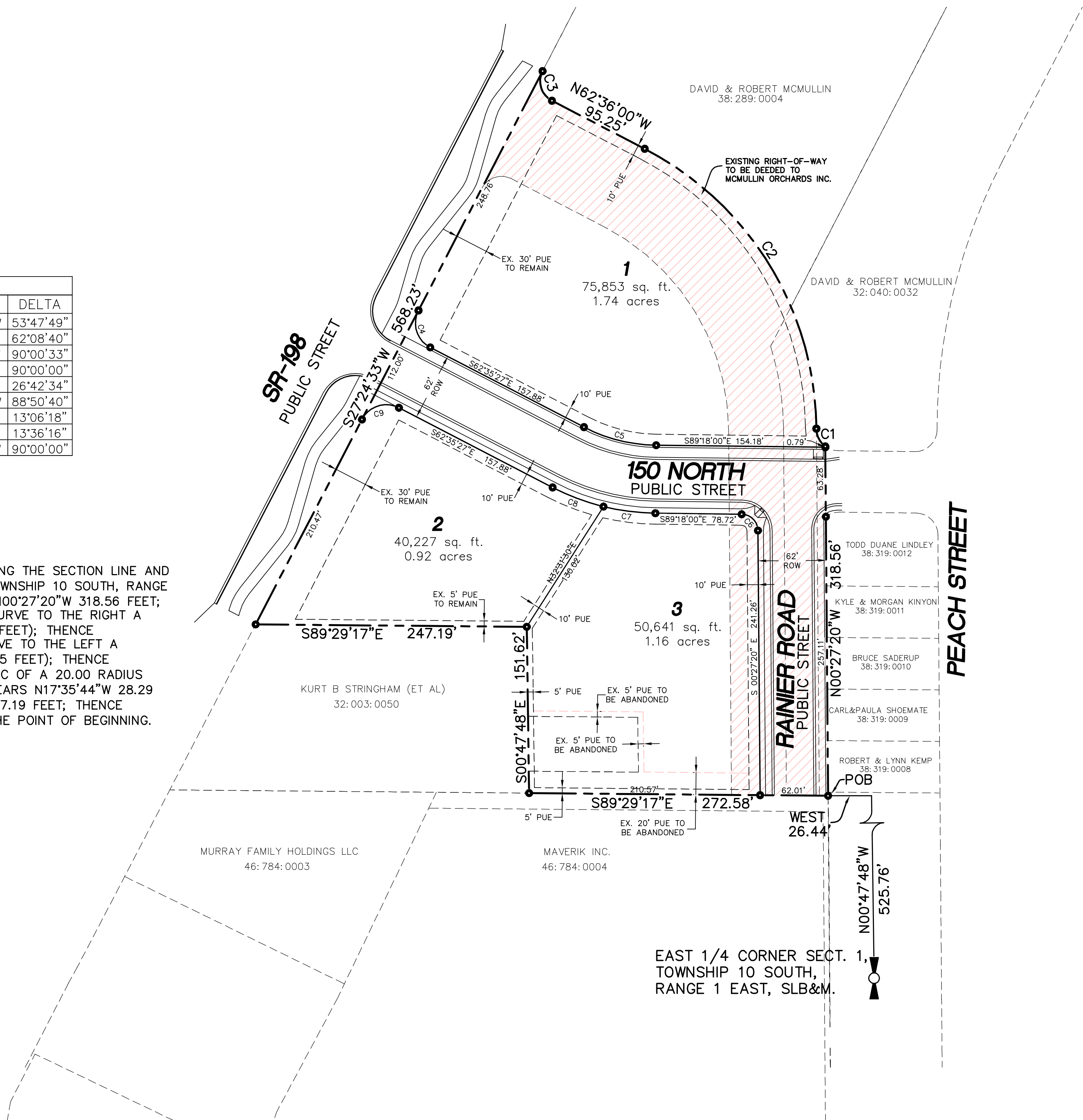


CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	20.00	18.78	18.10	N 26°34'59" W	53°47'49"
C2	290.00	314.54	299.35	N 31°31'40" W	62°08'40"
C3	20.00	31.42	28.29	N 17°35'44" W	90°00'33"
C4	25.00	39.27	35.36	S 17°35'27" E	90°00'00"
C5	147.00	68.53	67.91	S 75°56'44" E	26°42'34"
C6	15.00	23.26	21.00	N 44°52'40" W	88°50'40"
C7	209.00	47.80	47.70	S 82°44'52" E	13°06'18"
C8	209.00	49.63	49.51	S 69°23'35" E	13°36'16"
C9	25.00	39.27	35.36	S 72°24'33" W	90°00'00"

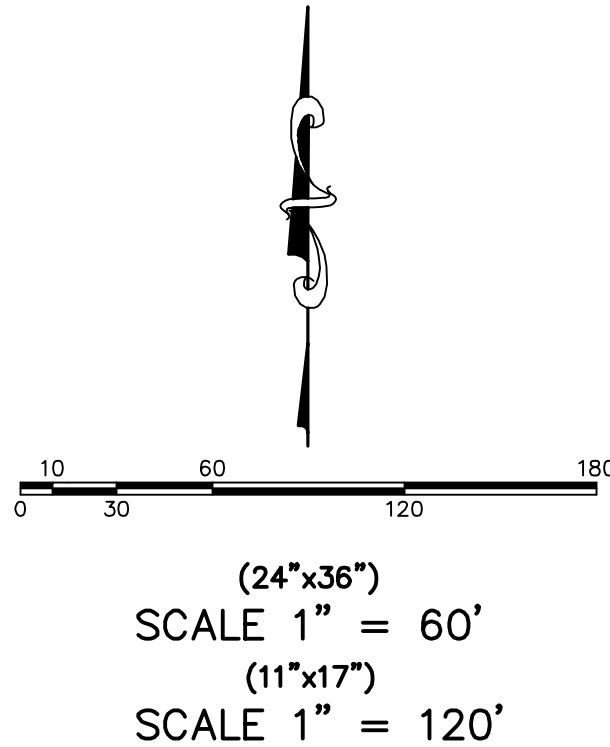
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TOTAL NUMBER OF BUILDABLE LOTS=3  
TOTAL ACREAGE WITHIN PROPOSED DEVELOPMENT= 4.80 ACRES  
TOTAL ACREAGE IN LOTS=3.82 ACRES  
TOTAL ACREAGE TO BE DEDICATED FOR STREET ROW= 0.98 ACRES

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH LIES N00°47'48"W 525.76 FEET ALONG THE SECTION LINE AND WEST 26.44 FEET FROM THE EAST 1/4 CORNER OF SECTION 1, TOWNSHIP 10 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE N00°27'20"W 318.56 FEET; THENCE NORTHWESTERLY ALONG ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 18.78 FEET, (THE CHORD BEARS N26°34'59"W 18.10 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A 290.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 314.54 FEET, (THE CHORD BEARS N31°31'40"W 299.35 FEET); THENCE N62°36'00"W 95.25 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 20.00 RADIUS CURVE TO THE RIGHT A DISTANCE OF 31.42 FEET, (THE CHORD BEARS N17°35'44"W 28.29 FEET); THENCE S27°24'33"W 568.23 FEET; THENCE S89°29'17"E 247.19 FEET; THENCE S00°47'48"E 151.62 FEET; THENCE S89°29'17"E 272.58 FEET TO THE POINT OF BEGINNING. CONTAINING 4.80 ACRES.



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PAYSON, UT 84651



SHEET NO.  
**2**

PRELIMINARY PLAT

SANTAQUIN CITY, UTAH

McMULLIN COMMERCIAL  
ATLAS  
ENGINEERING  
L.L.C.

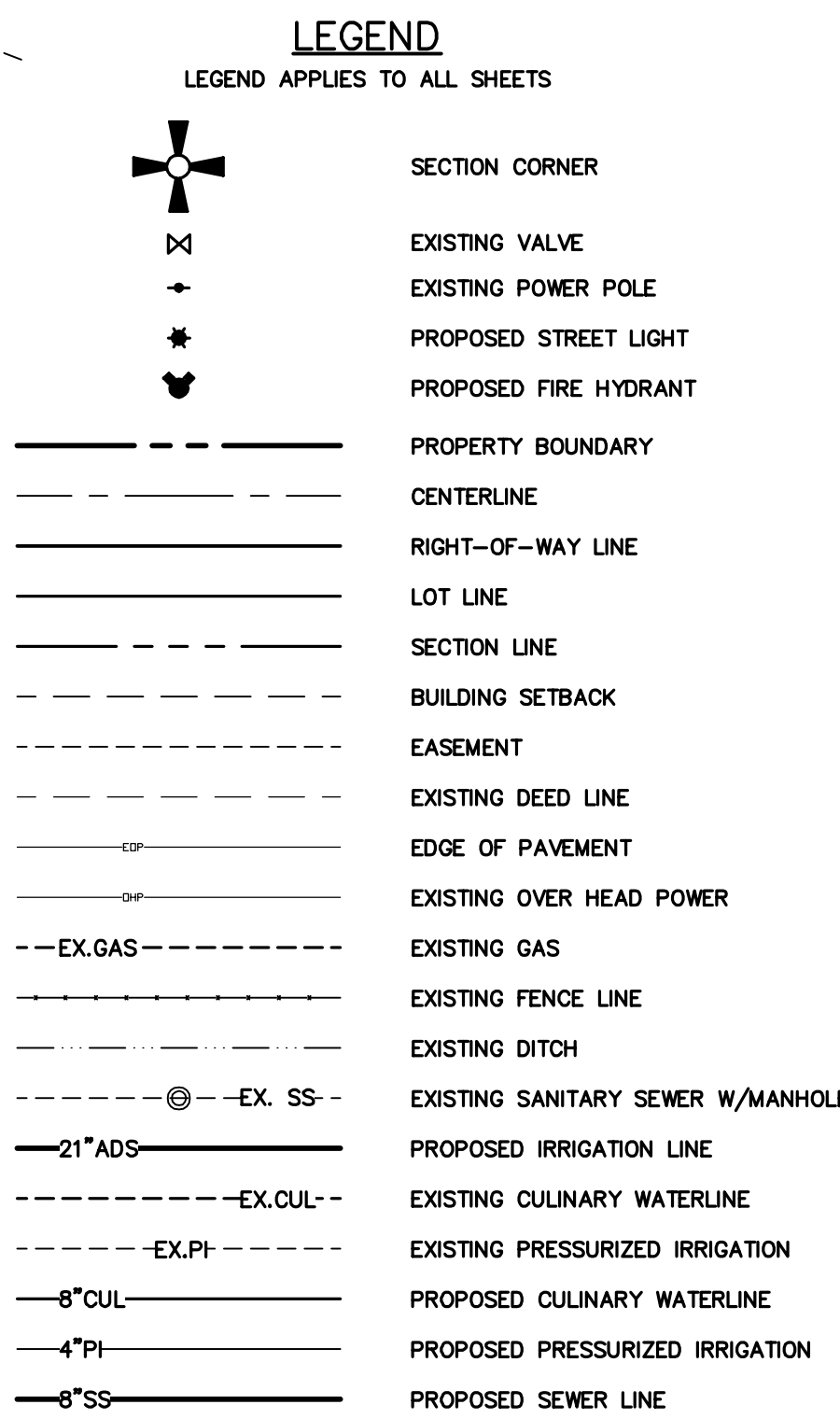
PHONE: 801-655-0566  
FAX: 801-655-0109  
946 EAST 800 NORTH  
SUITE A  
SPANISH FORK, UT 84660

NO.	REVISIONS	BY	DATE
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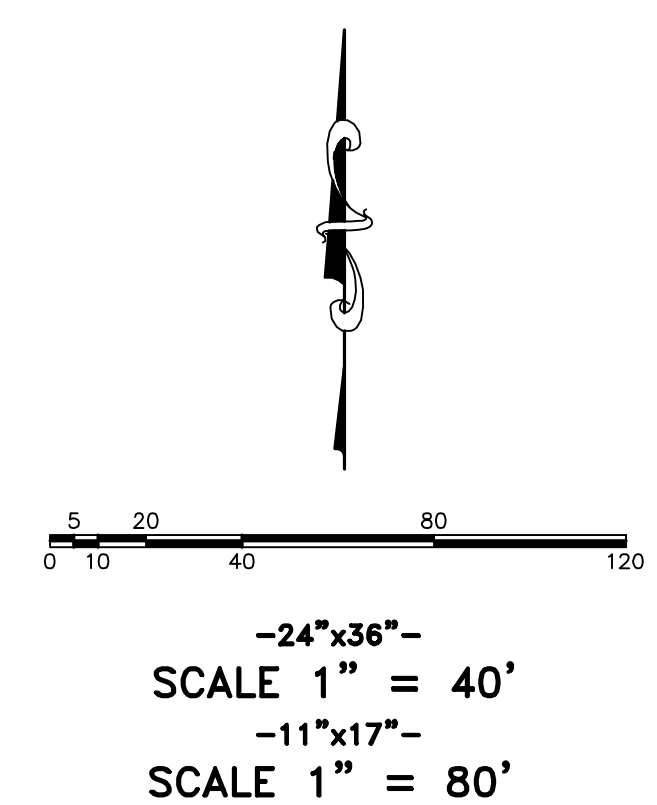
Z:\2017\17-001 McMullin, Santaquin\CD\17-001 PRELIMINARY\02-PRELIM PLAT.dwg 5/13/2017 3:55:53 PM MIT



- ① INSTALL PEDESTRIAN ACCESS RAMP PER SANTAQUIN CITY STANDARDS.
- ② LOCATE AND TIE TO EXISTING CULINARY WATERLINE.
- ③ LOCATE AND TIE TO EXISTING PRESSURIZED IRRIGATION WATERLINE.
- ④ LOCATE AND TIE TO EXISTING PRESSURIZED IRRIGATION WATERLINE WITH HOT TAP & VALVE
- ⑤ LOCATE AND TIE TO EXISTING CULINARY WATERLINE WITH HOT TAP AND VALVE
- ⑥ EXISTING DRAINAGE DITCH FOR SR-198 TO BE ABANDONED
- ⑦ RELOCATE EXISTING POWER POLE BEHIND PROPOSED TRAIL TO THE NORTH.
- ⑧ EXISTING ACCESS TO BE REMOVED.
- ⑨ EXISTING PRESSURIZED IRRIGATION WATERLINE TO BE ABANDONED IN PLACE.



**DEVELOPER**  
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PAYSON, UT 84651



12			
11			
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NO.	REVISIONS	BY	DATE

**McMULLIN COMMERCIAL**



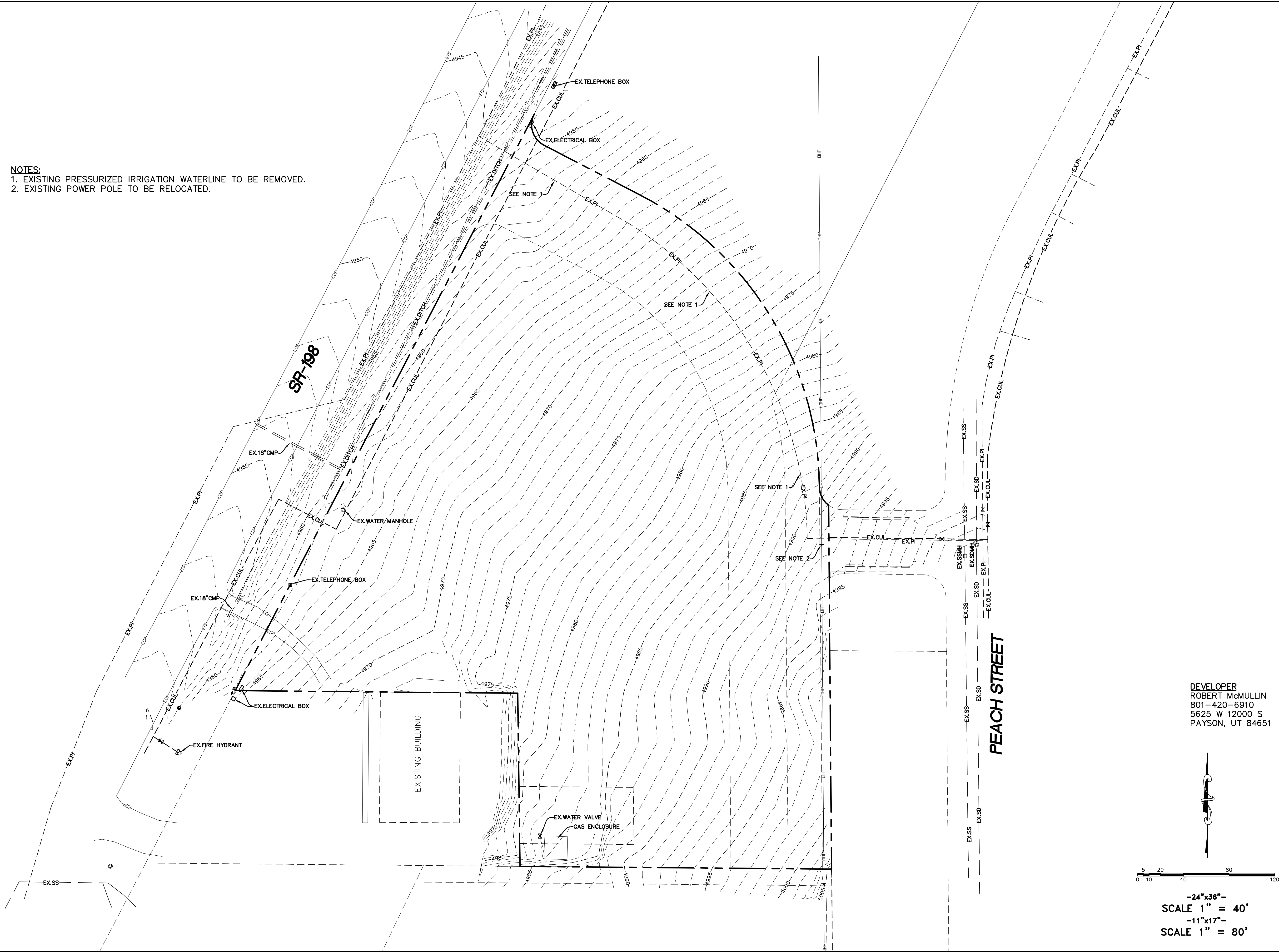
PHONE: 801-655-0566  
FAX: 801-655-0109  
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SPANISH FORK, UT 84601

SHEET NO.

# UTILITY PLAN

SANTAQUIN CITY, UTAH

NOTES:  
1. EXISTING PRESSURIZED IRRIGATION WATERLINE TO BE REMOVED.  
2. EXISTING POWER POLE TO BE RELOCATED.



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-24"x36"-  
SCALE 1" = 40'  
-11"x17"-  
SCALE 1" = 80'

McMULLIN COMMERCIAL



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946 EAST 800 NORTH  
SUITE A  
SPANISH FORK, UT 84660

EXISTING TOPOGRAPHY

SANTAQUIN CITY, UTAH

SHEET NO.

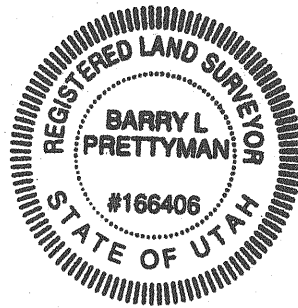
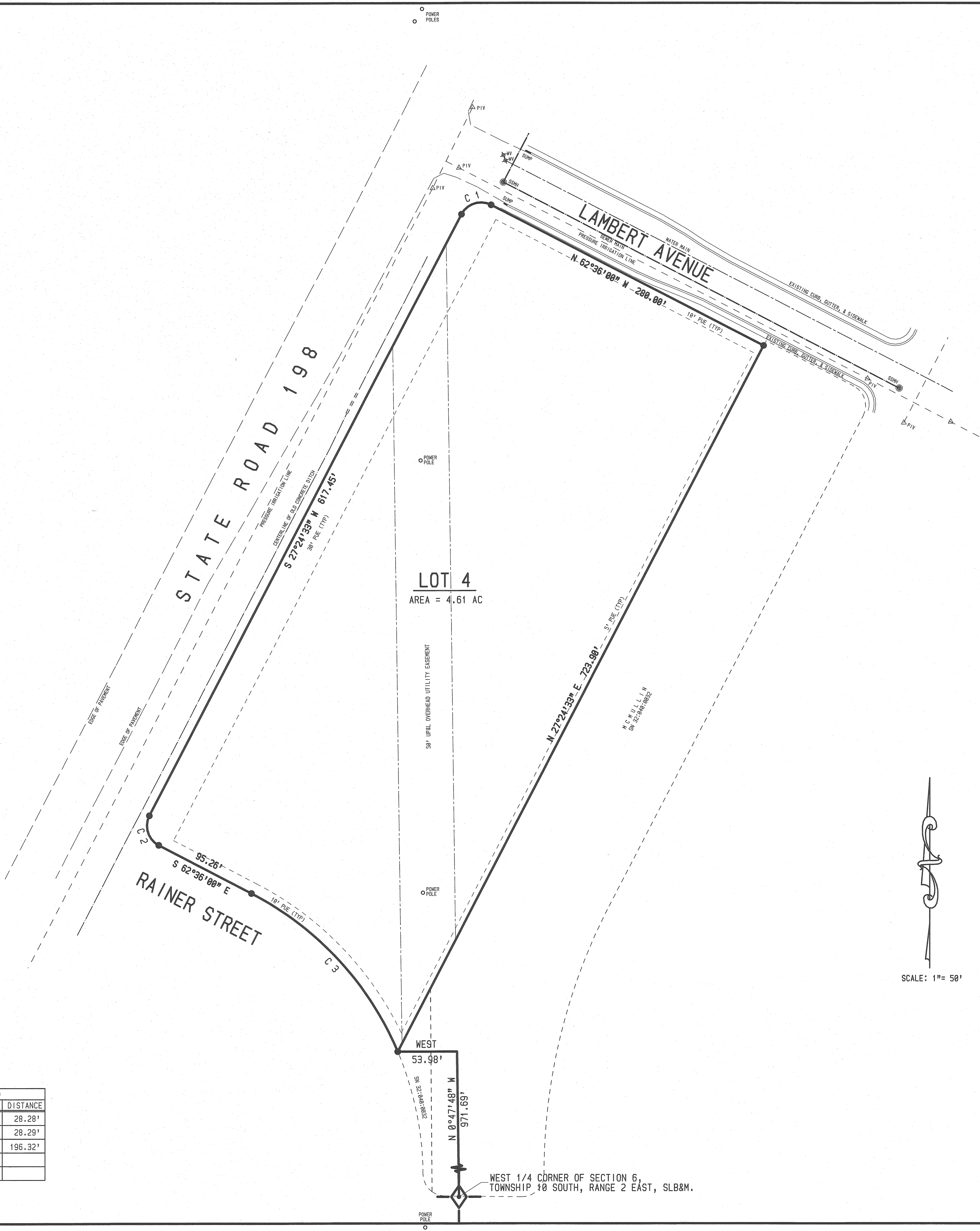
4

NO.	REVISIONS	BY	DATE
12			
11			
10			
9			
8			
7			
6			
5			
4			
3			
2			
1			





CURVE TABLE					
CURVE NO.	RADIUS	DELTA	ARC LENGTH	CHORD	
				BEARING	DISTANCE
C1	20.00'	89°59'27"	31.41'	S 72°24'16" W	28.28'
C2	20.00'	90°00'33"	31.42'	S 17°35'43" E	28.29'
C3	290.00'	39°34'08"	200.28'	S 42°48'56" E	196.32'



**BOUNDARY DESCRIPTION:**  
LOT 4, PLAT A, EASTSIDE COMMERCIAL SUBDIVISION, SANTAQUIN, UTAH. ALSO DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, EASTSIDE COMMERCIAL SUBDIVISION, WHICH POINT LIES NORTH 0°47'48\"/>

**NARRATIVE:**  
BASIS OF BEARING IS UTAH COORDINATE BEARINGS, CENTRAL ZONE. (N 0°47'48\"/>

**SURVEYORS CERTIFICATE:**  
I, BARRY L. PRETTYMAN, A LICENSED SURVEYOR HOLDING CERTIFICATE NO. 166406, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS PREPARED FROM A FIELD SURVEY MADE UNDER MY DIRECTION AND CORRECTLY SHOWS THE DIMENSIONS AND MONUMENTS OF THE ABOVE DESCRIBED PARCEL OF LAND TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
*Barry L. Prettyman* *April 2, 2018*  
BARRY L. PRETTYMAN DATE

**LEGEND:**  
● = 5/8\"/>

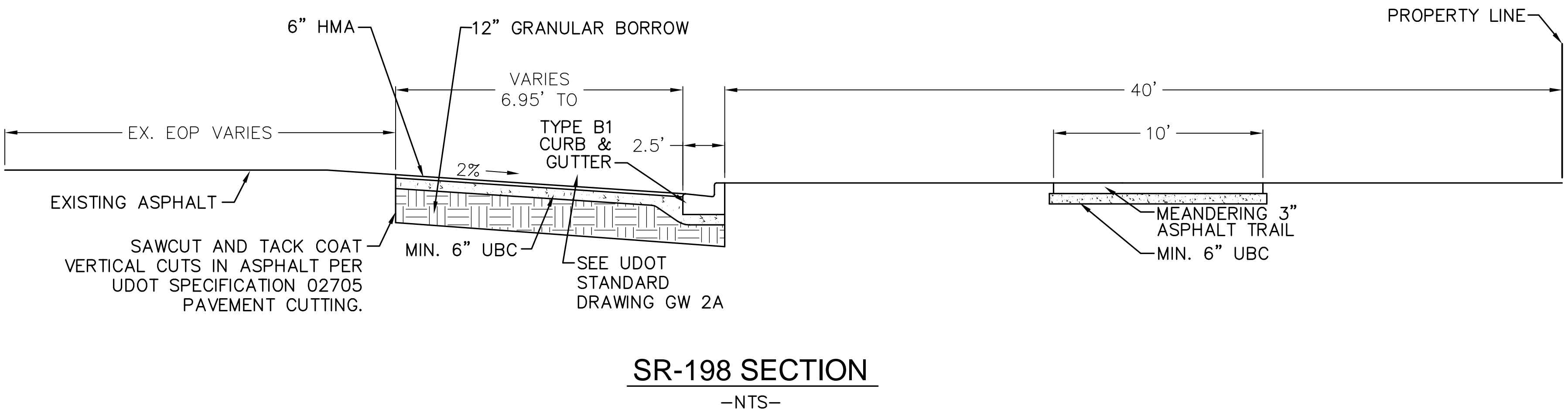
**COLE SURVEYING**  
946 EAST 800 NORTH - SUITE #B  
SPANISH FORK, UTAH - 84660  
PHONE: (801) 423-1040

**M C M U L L I N E T A L**  
RECORD OF SURVEY PLAT  
SANTAQUIN, UTAH

**DRAWN BY:** B.L.P.  
**DATE:** APR. 2, 2018  
**APPROVED BY:** B.L.P.  
**DATE REVISED:**  
**SCALE:** 1\"/>

**SHEET No.**

**1 OF 1**



NO.	REVISIONS	BY	DATE
12			
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McMULLIN COMMERCIAL



**ENGINEERING**  
**L.L.C.**

**L.L.C.**

SPANISH FORK, UT 84660

SHEET NO.

DT-01

# DETAIL SHEET

SANTAQUIN CITY, UTAH

## **ORDINANCE NO. DRAFT**

**AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO REQUIRE LANDSCAPING IN THE FRONT AND SIDE YARDS OF EVERY NEW RESIDENTIAL DWELLING, 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 15 to require landscaping in the front and side yards of every new residential dwelling; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on May 12, 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 15 is amended as follows:** (underlined text is added, stricken text is deleted)

## **Chapter 15 LANDSCAPING STANDARDS**

**10-15-1: PURPOSE:**

**10-15-2: SCOPE OF REQUIREMENT:**

**10-15-3: GENERAL LANDSCAPING STANDARDS:**

**10-15-4: LANDSCAPE YARDS AND SCREENING:**

**10-15-5: BUILDING LANDSCAPING:**

**10-15-6: PARKING AREA LANDSCAPING:**

**10-15-7: SPECIES DIVERSITY AND MINIMUM STANDARDS:**

**10-15-8: WAIVERS AND EXCEPTIONS:**

**10-15-9: NONCONFORMING STATUS:**

**10-15-1: PURPOSE:**

The purpose of the landscaping requirements in this title shall be to promote the health, safety, and general welfare of the public; to stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere to facilitate the orderly development of an attractive and harmonious community. Specific ways these purposes are accomplished include:

- A. Enhancing the appearance and visual character of the community;
- B. Promoting compatibility between all land uses by reducing visual, noise and light impacts of development on adjacent properties;
- C. Reducing the area of impervious surfaces and storm water drainage impacts;
- D. Providing shade to help mitigate heat and exposure on paved surfaces and to help conserve energy;
- E. Encouraging the conservation of water resources through inclusion of more drought tolerant plants;
- F. Defining entry points on property and guides for the separated circulation of vehicles and pedestrians.
- G. The relief of heat, noise, and glare through the proper placement of landscaping. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

**10-15-2 CITY WIDE LANDSCAPING REQUIREMENT FOR NEW RESIDENTIAL DWELLINGS:**

**All new residential dwellings must provide completely landscaped front yards and side yards, as defined in section 10-6-29, where such yard area is visible from the public street or private street. Acceptable landscaping must include plants and sufficiently control erosion, dust, and weeds to mitigate negative impacts on neighboring residences. Unless an appropriate bond is posted, landscaping must be completed before the residential dwelling receives a certificate of occupancy.**

**In the event that a residential dwelling is completed when pressurized irrigation is not available, a cash bond may be provided to Santaquin City as per the approved fee schedule. If a cash bond is paid, the landscaping improvements shall be completed by the end of the following irrigation season before the City's pressurized irrigation is turned off in mid-October.**

**10-15-3 DEVELOPMENT PROJECT LANDSCAPING REQUIREMENTS:**

**10-15-~~23~~-1: SCOPE OF REQUIREMENT:**

The provisions of this section shall apply to landscaping for all new and reconstructed landscaping for public agency projects, private nonresidential projects, developer installed landscaping in multi-family residential projects, and developer installed landscaping in single-family projects, which require project review and approval by the city. Such review may include initial or modified site plan reviews, modified conditional use permit review, and building permits issued for commercial and multi-family building exterior or site modifications, other than typical maintenance, where the estimated cost of construction is greater than fifty



thousand dollars (\$50,000.00) in either a single application or any number of applications within a five (5) year period. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

#### **10-15-~~3~~3-2: GENERAL LANDSCAPING STANDARDS:**

The following requirements apply to all landscaping projects that are subject to city review:

- A. Site Landscaping: All areas not utilized in a building footprint or necessary for site access, parking, or vehicle and pedestrian circulation shall be planted with an effective combination of trees, ground cover, lawn, shrubbery, and/or approved dry landscape materials and mulches under the standards established by this section and in accordance with an approved landscape plan.
- B. Landscape Plans: A landscape plan is required for all developments under the scope of this chapter and shall be submitted to and approved by the development review committee prior to issuance of any permit or site plan approval. Each landscape plan shall address the functional aspects of landscaping such as grading, drainage, runoff, erosion prevention, wind barriers, provisions for shade, and reduction of glare. The landscape plan shall be prepared by a landscape architect registered in the state of Utah or professional landscape designer and shall contain the information required in exhibit A attached to the ordinance codified herein.
- C. Plant Selection: Plants selected for landscape areas shall be well suited to the microclimate and soil conditions at the project site as well as year round aesthetics of the property. Developments should include a good combination of evergreen trees in addition to deciduous trees in order to achieve a nonbarren landscape design during winter months when there are no leaves on the trees. Preference shall be given to those species listed in the city approved tree species list provided in the city's construction standards. Sod shall not be permitted in landscape areas less than four feet (4') in width.
- D. Installation: All landscaping shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth. The following shall also apply:
  - 1. It shall be the responsibility of the developer to grade, place topsoil, seed or sod, install automatic sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials. Plants with similar water needs shall be grouped together as much as possible.
  - 2. Landscaping shall be completed in accordance with the landscape plans submitted and approved by the development review committee.
  - 3. All landscape work must be installed prior to a certificate of occupancy of the associated building or as otherwise approved by the development review committee as seasonal conditions may dictate.
  - 4. The developer shall bond for such landscape improvements prior to occupancy to ensure that installations are completed as submitted and approved. Guarantee requirements for landscape improvements shall be the same as required by the city for all other site improvements.
- E. Maintenance: Trees and vegetation, irrigation systems, fences, walls, and other landscape elements shall be considered as elements of the project in the same manner as parking, and other site details. The applicant, landowner, or successors in interest shall be responsible for the regular and proper maintenance of all landscaping elements installed. Maintenance is required on all landscaping appropriate to the method and type, which may include, but is not limited to, mowing, removal of litter, trash, or garbage, pruning, watering, and repair of all landscape structures such as fences and walls, etc. Maintenance also includes replacing dead or dying plants with healthy stock of the same species or another as approved by the community development department, and as required by the

approved landscape plan. Failure to adequately maintain the health, condition, and number of plantings required by an approved landscape plan is a violation of this chapter.

F. Vegetation Removal: Any alterations to site landscaping beyond typical maintenance must be approved by the community development department. Any vegetation removed or needing to be replaced due to disease, health, or condition, shall be replaced within one growing season. No vegetation required by a landscape plan shall be removed for purposes of greater visibility to a site or signage.

G. Curbing: All landscape yards and areas abutting driveways, drive aisles, parking stalls and property lines shall be protected by a concrete curb, which shall be four inches wide and six inches deep (4" x 6"). No curbing is required along property lines where a shared landscaping area extends over a property line and the adjacent property has been or will be developed within six (6) months or is part of a master planned development. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

### 10-15-43-3: LANDSCAPE YARDS AND SCREENING:

A. Required Landscape Yards: The following landscaping yards and buffers are required as listed in table 1 of this section:

TABLE 1  
REQUIRED LANDSCAPE YARDS AND AREAS

Zone/Use	Front To Building/To Parking	Street Side To Building/To Parking	Side	Rear	Side Or Rear Abutting A Residential Zone <sup>1</sup>	Minimum Percentage Of Landscape Area
MBD along Main Street (200 W to 100 E)	10'/10' <sup>2</sup>	10'/10' <sup>2</sup>	5' <sup>3</sup>	5'	5'	See MBD development standards
C-1	Landscape yards within these zones shall be established in relationship to required setbacks for buildings and parking areas					10%
RC	30'/15'	20'/10'	10'	10'	20'	10%
PC	30'/15' <sup>2</sup>	20'/10' <sup>2</sup>	10'	10'	20'	10%
I-1	35'/20'	25'/20'	10' <sup>4</sup>	10' <sup>4</sup>	15'	8%
PO	30'/15'	20'/10'	10'	20'	20'	10%
Multiple-unit residential dwellings <sup>5</sup>	30'/20'	30'/20'	20'	30'	30'	See multi-family development standards
Core area (multi-family/nonresidential) other than MBD	20'/20'	15'/20'	10'	20'	20'	10%
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, a maximum of 60 percent of this area 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 material yards unless adjacent to a residential zone.

5. Landscape yards are to be established from the outer walls of any attached unit structures.

**B. Required Landscaping Amounts Within Landscape Yards:**

1. Landscape yards abutting residential zones shall include a minimum of one tree and five (5) shrubs for each thirty (30) linear feet or fraction thereof of the landscape yard area (as measured along the property line).
2. Side and rear landscape yards abutting a nonresidential development or property zoned for such shall include a minimum of one tree and four (4) shrubs for each forty (40) linear feet or fraction thereof of the landscape yard area (as measured along the property line).
3. Front and street side landscape areas shall include a minimum of one tree for each forty (40) linear feet or fraction thereof of the landscape yard area (as measured along the property line).
4. In addition to the above, ground cover shall be provided over all landscape areas. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

C. Plant Spacing: Trees and shrubs may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization of the site. Perimeter landscaping along a street shall be designated and integrated with the streetscape in the street right of way.

D. Park Strips: Developments which front onto a public road shall install one tree per thirty feet (30') of frontage or fraction thereof and ground cover in accordance with city approved streetscape designs, materials and plantings between the sidewalk and curb. Maintenance of these areas is to be performed by the adjacent property owner.

E. Utility Screening: All aboveground utility equipment (e.g., power, phone, cable boxes, etc.) as well as ground mounted HVAC equipment, etc., shall be screened from public view by a wall or plantings equal to or greater than the equipment height.

**F. Fencing And Property Line Screening:**

1. In addition to the required landscaping, screening along rear or side property lines should incorporate berming, open construction barriers, low maintenance fencing materials or decorative walls constructed of stone, masonry or decorative iron.
2. Screening heights along front property lines and along side property lines within the existing or proposed building front setbacks shall be the same as outlined in section [10-6-26](#) of this title for all fences, walls, and hedges.
3. Fences or walls along rear or side property lines shall not exceed six feet (6') in height for general nonindustrial uses. Walls may be ten feet (10') tall to lessen the sound and visual impacts of industrial uses or uses where diesel traffic or noise caused by service bays, loading docks, crushing operations, etc., is expected. Walls greater than six feet (6') in height must be architecturally articulated (e.g., materials, planes, columns, crown features, etc.) and landscaping around such walls shall be designed to soften the wall presence.
4. Screening shall be designed and located to provide a natural crime deterrent. Barbed or razor wire is not permitted unless specifically approved by the planning commission for security, public safety, health, or general welfare of the citizens and property owners of Santaquin and/or their

property. This provision does not apply to agricultural uses and public utility facilities. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

G. Decorative Materials: Materials such as crushed rock, redwood chips, pebbles, pavers, or stamped concrete and stones may not cover more than fifty percent (50%) of the areas required to be landscaped. Artificial plants are not acceptable.

H. Clear View Areas: Landscaping within designated clear view areas shall comply with section [10-6-9](#) of this title. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

#### **10-15-~~53~~-4: BUILDING LANDSCAPING:**

A. Except within MBD areas, exposed sections of building walls that are in high visibility areas along arterial and collector streets as well as on site, general public access areas, shall have planting beds approximately six feet (6') wide placed directly along at least fifty percent (50%) of such walls. These planting areas may overlap required landscape yards.

B. Trash enclosures and other accessory structures shall have a minimum five foot (5') wide planting area along three (3) sides and a minimum of four (4) shrubs per landscaped side. These planting areas may overlap required landscape yards.

C. Except within MBD areas, a group of four (4) shrubs and one tree shall be provided in a landscape area or grade adjacent to the front and side elevations of a building per fifty (50) linear feet or fraction thereof, of elevation where the building exceeds one hundred feet (100') in length (e.g., 110 feet of building face would require 3 of the above groupings). (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

#### **10-15-~~63~~-5: PARKING AREA LANDSCAPING:**

In addition to the required landscape yards, parking lots shall have landscaping which reduces the area of impervious surfaces and stormwater drainage impacts, provides shade to help mitigate heat and exposure on paved surfaces and to help conserve energy, and helps to define entry points on property and guides for the separated circulation of vehicles and pedestrians. The following shall apply: (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

A. Landscape Areas: Landscaping shall be provided in the amount of six percent (6%) of the interior space of parking lots with less than one hundred (100) spaces, and ten percent (10%) of the interior space of all parking lots with one hundred (100) spaces or more. For single developments on less than two (2) acres, this percentage will count toward the minimum landscape requirement provided in subsection [10-15-4A](#) of this chapter. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

B. Screening: Screening from the street and all nonresidential uses shall be of sufficient height and opacity to continuously block the lowest three feet (3') of the cross section view of the parking area from the street or adjacent use. These screening standards may be met in any number of different ways, including, but not limited to, a garden wall, earthen berm, constructed planter, dense hedge, or combination of ways. Landscape plans submitted for review shall include a graphic depiction of the parking lot screening as viewed from the street. Plant material used for the required screening shall achieve required capacity in its winter seasonal condition within three (3) years of construction of the vehicular use area.

C. Pedestrian Walking/Refuge Areas: Pedestrian walking/refuge areas shall be provided between parking aisles closest to major business entries where one hundred (100) or more parking spaces are required. Such areas shall be at least eleven feet (11') wide and have a five foot (5') wide meandering sidewalk running the length of the area. Those portions of this area not utilized as sidewalk shall be



landscaped with at least one tree and four (4) shrubs per sidewalk return. Additionally, ground cover shall be provided over the entire landscape area.

D. Planter Islands: Landscaped islands shall be provided at the end of parking aisles and appropriately spaced at intermediate locations along parking aisles.

1. Dimensions: Islands at the end of single stall width parking aisles shall be at least six feet (6') in width and eighteen feet (18') in length. Islands at the end of dual stall width parking aisles shall be at least six feet (6') in width and thirty six feet (36') in length, with at least one hundred sixty (160) square feet of ground area per shade tree or one hundred (100) square feet of ground per ornamental tree to allow for root aeration.
2. Vegetation: Islands shall include one or more canopy shade trees and four (4) or more shrubs per eighty (80) square feet of planter area. Additionally, ground cover shall be provided over the entire landscape area.
3. Curbing: All islands shall have raised concrete curbs surrounding them. Curb extents shall not be included in the required dimensions. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

#### **10-15-~~73~~-6: SPECIES DIVERSITY AND MINIMUM STANDARDS:**

A. Diversity: To prevent uniform insect or disease susceptibility and eventual uniform maturity and agedness on a development site or in the adjacent area or the district, species diversity is required and extensive monocultures are prohibited. The following requirements shall apply to site development plans:

Number Of Trees On Site	Maximum Percentage Of Any One Species
10 - 19	75%
20 - 39	60%
40 or more	50%

B. Plant Sizes: The following minimum plant sizes shall be required: (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

Type	Minimum Size
Canopy shade (deciduous) tree	2.0 inch caliper balled and burlapped equivalent
Canopy shade (deciduous) tree as a street tree on a residential local street only	2.0 inch caliper container or equivalent
Evergreen tree	6.0 foot height balled and burlapped or equivalent
Ornamental tree	1.5 inch caliper balled and burlapped or equivalent
Shrubs	5 gallon or adequate size consistent with design intent

(Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006; amd. Ord. 10-02-2007, 10-17-2007, eff. 10-18-2007)

#### **10-15-~~83~~-7: WAIVERS AND EXCEPTIONS:**

The city's land use authority may waive a requirement of a site plan if, in its opinion, specific requirements are unnecessary or inappropriate due to circumstances unique to the property, or if the requirements have been previously submitted and approved. Such requirements may be set aside only to the extent that the intent and purpose of this chapter is not violated. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

**10-15-~~93~~-8: NONCONFORMING STATUS:**

Any use of property, which, on the effective date hereof, is nonconforming only as to the regulations relating to landscaping may be continued in the same manner as if the landscaping were conforming until such time that any such land use, parking area, site development or landscaping changes. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

**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, May 20<sup>th</sup>, 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 19<sup>th</sup> day of May 2020.

---

Kirk Hunsaker, Mayor

Councilmember Elizabeth Montoya  
Councilmember Lynn Mecham

Voted \_\_\_\_  
Voted \_\_\_\_

Councilmember Jennifer Bowman  
Councilmember Nick Miller  
Councilmember David Hathaway

Voted \_\_\_\_  
Voted \_\_\_\_  
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 19<sup>th</sup> day of May, 2020, entitled

**“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO REQUIRE LANDSCAPING IN THE FRONT AND SIDE YARDS OF EVERY NEW RESIDENTIAL DWELLING, 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 19<sup>th</sup> day of May, 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 19<sup>th</sup> day of May, 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

May 29, 2020

Mayor Kirk Hunsaker,

I, City Council Member Betsy Montoya, respectfully propose a restriction and modification to the Main Street Residential (MSR) zone regarding permitted and non-permitted multifamily development rights within said zone. I request that this item be placed on the agenda for City Council meeting on June 2, 2020 as an actionable item. I understand that there is a legal process for such action to be taken. I further understand that, with a positive vote of the City Council, this process may begin.

It is my desire to initiate this legal process by seeking City Council concurrence to respectfully request that the Planning Commission consider this proposal during an upcoming meeting, hold a public hearing on the matter, and provide the City Council their recommendation after considering the aforementioned request.

The changes I propose include the following:

1. That multi-family housing be **removed** as a permitted use in the MSR zone on any parcel 1-acre in size or smaller; and
2. That the development of flag lots be removed as a permitted use in the MSR zone; and
3. That Accessory Dwelling Units (ADUs) be **added as a permitted** use within the MSR zone, when built on the same lot as a single family home and meeting all requirements for safety, fire code and setbacks and requiring a building permit from the city.

Multifamily developments have been, and continue to be, a concern expressed by many in our community and I believe those concerns are shared by our elected and appointed officials. Many of the issues stem back to property rights established within our existing city code by previous elected and appointed officials going back a great many years. However, as a city matures, changes are needed and adjustments are warranted.

During my two-years on the council, we as elected and appointed officials, have taken the following steps to remedy and resolve these types of issues:

- Ordinance 04-02-2020 – Modifying acceptable ground cover in a planned unit development
- Ordinance 10-02-2019 – Designated design standards for masonry walls surrounding multifamily developments
- Ordinance 10-01-2019 – Approved General Plan update for moderate income housing
- Ordinance 09-03-2019 – Removed all multifamily housing development rights from the R-8 zone
- Ordinance 08-01-2019 – Requiring six-foot masonry wall around multifamily developments
- Ordinance 04-02-2019 – Requiring all review of the Architectural Review Committee (ARC) on all developments within commercial zones
- Ordinance 10-02-2018 – Rezone 18.3 Acres from Main Street Residential to Main Street Commercial along West Main Street
- Ordinance 09-01-2018 – Enhanced Infrastructure Warrantee Requirements on New Development



Just prior to my time on the council, yet while I was Chair of the Planning Commission, we as elected and appointed officials, took the following actions:

- Ordinance 10-01-2017 - Enhanced minimum parking requirement for multifamily developments
- Ordinance 09-03-2017 – Enhanced commercial development requirements along Main Street – Eliminating any multifamily development without a minimum 1<sup>st</sup> floor commercial component in the Central Business District and Main Street Commercial Zone
- Ordinance 07-01-2017 – Rezoning 7.96 Acres to Main Street Commercial and Main Street Residential Zones
- Ordinance 07-01-2016 – Enhanced Main Street development standards
- Ordinance 09-02-2015 – Enhanced multifamily development standards
- Ordinance 06-01-2015 – Enhanced requirements to install curb, gutter and sidewalk for multifamily developments within the core

It is my belief that the proposal to further restrict and modify multifamily development in the MSR, as outlined above, is in harmony with the actions taken by the City Council and Planning Commission over the past several years. I further believe that this proposal is in harmony with the intent of our current General Plan. Lastly, I believe it is a change that would be supported by the general public at large. It is for these reasons that I would like to have the City Council consider this request during our June 2<sup>nd</sup> meeting.

Sincerely and respectfully,

Council Member Betsy Montoya

#### **Recommended Motion:**

Motion to respectfully request that the Santaquin City Planning Commission consider these modifications to the MSR zone (as outlined below) during an upcoming meeting, hold a public hearing on the matter, and provide the City Council their recommendation after considering the aforementioned request.

The proposed changes to this zone include the following:

1. That multi-family housing be **removed** as a permitted use in the MSR zone on any parcel 1-acre in size or smaller; and
2. That the development of flag lots be removed as a permitted use in the MSR zone; and
3. That Accessory Dwelling Units (ADUs) be **added as a permitted** use within the MSR zone, when built on the same lot as a single family home and meeting all requirements for safety, fire code and setbacks and requiring a building permit from the city.