

PLANNING COMMISSION

MEETING AGENDA

Tuesday March 24, 2020

<u>All Santaquin City Public Meetings Will Be Held Online Only</u> (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:

<u>https://www.youtube.com/channel/UCTzZT_yW2H2Hd-58M2_ddSw</u> or by searching for Santaquin City Channel on YouTube.

- <u>Public Comment & Public Hearing Participation</u> 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
 - O <u>By Telephone</u> For those who would like to have their own voice heard during the Public Comment or Public Hearing periods, please submit an email to <u>PublicComment@Santaquin.org</u> providing us your <u>Telephone Number</u>. 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. Mehlhoff Property Rezone

The Planning Commission will review a proposed rezone of approximately 35.39 acres from the Commercial (C-1) zone to the Residential R-10 Planned Unit Development (R-10 PUD) zone, located at approximately 300 W. and 1000 S.

b. Conditional Use Permit Request

The Planning Commission will review a Conditional Use Permit Request for a Major Home Occupation Preschool, located at 66 E. 780 S.

c. Parker View Subdivision Final Review

A final review of a 3 lot commercial subdivision located at the corner of Main Street and Highland Drive.

d. PUBLIC HEARING- Zoning Amendments Related to Car Washes

The Planning Commission will review a proposed amendment to the following sections in Santaquin City Code: 10-2-2 (including car washes as an accessory use in the definition of automotive service repair); 10-14-6 (addressing queuing lanes for automotive service bays); and 10-7F-3 (adding carwashes as a permitted use in the C-1 Interchange Commercial Zone).

e. PUBLIC HEARING-Ordinance Amendment 'Acceptable Ground Cover' in PUD's

The Santaquin City Planning Commission will review a proposed amendment to consider modifying Santaquin City Code Section 10-7K-4-E to clarify acceptable ground cover in a Planned Unit Development (PUD).

f. PUBLIC HEARING-Ordinance Amendment Clarifying the Subdivision Process for 3 Lots or Less

The Santaquin City Planning Commission will review a proposed amendment to consider modifying Santaquin City Code Section 11-1-4 to clarify the land use authority for subdivisions including 3 lots or less.

7. PLANNING COMMISSION BUSINESS

Approval of minutes from: February 25, 2020 March 10, 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 20th day of March, 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

Kira Petersen, Deputy Recorder	

PUBLIC MEETING ETIQUETTE

(Please remember that all public meetings are recorded)

- All comments must be recognized by the Chairperson and addressed through the microphone.
- When speaking to the body conducting the meeting, please stand at the podium, state your name and address for the record, and speak slowly and clearly into the microphone.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become public record.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. The doors must remain open during a public meeting.

Public Hearing vs. Public Meeting

If the meeting includes a public hearing, the public may participate during that time and may present opinions and/or evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a public meeting, but there is no right to speak or be heard. The public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

Legislative Decision vs. Administrative Decision

Legislative decisions create, amend or repeal laws. After a public hearing, the Planning Commission provides a recommendation to the City Council for a legislative decision. The City Council makes the final decision on legislative decisions. Both bodies have some discretion on legislative decisions. Public comments offered at a Public Hearing are relevant to the discussion when considering a legislative action.

Administrative decisions apply the law. When making an administrative decision, the land use authority applies existing laws to facts. If the application complies with the code, the land use authority must approve it regardless of personal or public sentiment.



PUBLIC NOTICE

March 24, 2020

RE: Proposed conditional use for a home occupation at 66 E. 780 S.

HEARING TIME AND LOCATION

Notice is hereby given that the Santaquin City Planning Commission will be holding a public hearing at approximately 7:00 P.M. on Tuesday, March 24, 2020, in the Court Room/ City Council Chambers on the second level of the Santaquin City Offices, 275 West Main Street.

THE PROPOSAL.

Ms. Kristin Wilson is requesting a conditional use permit to operate a preschool located at 66 E. 780 S. She is proposing to have 2 classes with 12 children each; for a total of 24 children daily operating Monday through Friday. The major home occupation business is located in the R-10 zone and is classified as a conditional use, according to the Santaquin City Ordinance Title 10 Chapter 12 Section 6.

HEARING PURPOSE.

The hearing is an open meeting in which residents will have the opportunity to voice concerns or ask questions about the proposal. Feedback from residents may be used to help mitigate possible impacts. This is the only public hearing which will be held on this request.

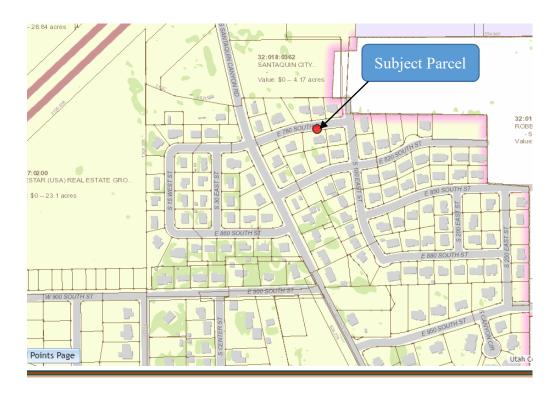
COMMENTS OR QUESTIONS

If you have questions or concerns about this proposal, please contact the Santaquin City Community Development Department at 801-754-1011. If you are unable to attend the meeting but would still like your comments presented to the Planning Commission, please contact the Community Development Department and your comments will be shared with the Planning Commission prior to the meeting.

Sincerely, Santaquin City Community Development Department (801) 754-1011

This notice is being sent to all property owners within 500 feet of the proposed conditional use in accordance with Santaquin City Code, §10-19-11. If notice given under this Title is not challenged in written form to the City's Appeal Authority within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper. Furthermore, if no challenge or protest is filed within 30 days after the meeting or action for which notice was given, any defect in the notice shall not affect or invalidate any hearing or action by the Planning Commission or City Council.

Vicinty Map



ORDINANCE NO. XX-XX-XXXX

AN ORDINANCE AMENDING SANTAQUIN CITY CODE REGARDING CAR WASH SERVICES 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 2 Section 2 to create a definition for car wash service and allow a car wash service to be an accessory use to minor automotive service repair establishments and major automotive service repair establishments, Santaquin City Code Title 10 Chapter 14 Section 6 to allow a business to receive a conditional use permit for special queuing circumstances, and Santaquin City Code Title 10 Chapter 7 Section F3 to allow a car wash service as a permitted use in the Interchange Commercial (C-1) Zone; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on March 24, 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 2 Section 2 is amended as follows: (underlined text is added, stricken text is deleted)

10-2-2: TERMS DEFINED:

AUTOMOTIVE SERVICE AND REPAIR, MAJOR: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender and engine and engine parts, provided, it is conducted within a completely enclosed building. Accessory activities may include a car wash service.

AUTOMOTIVE SERVICE AND REPAIR, MINOR: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, tune ups, safety inspections and emission testing,

detailing shops, overhaul or transmission work, but does not include an establishment that qualifies as a major automotive service and repair facility, and provided it is conducted within a completely enclosed building. Accessory activities may include a car wash service.

AUTOMOTIVE SERVICE STATION: An establishment whose primary purpose is the selling of gasoline and/or other vehicle fuels; oil and lubricant services. Accessory activities may include minor automotive repair and maintenance, car wash service and food sales.

CAR WASH SERVICE: An establishment engaged in cleaning the exterior and, in some cases, the interior of motor vehicles. Car washes can be self-serve, fully automated, or full-service with attendants who wash the vehicle.

Title 10 Chapter 14 Section 6 is amended as follows: (underlined text is added, stricken text is deleted)

10-14-6: CIRCULATION WITHIN A PARKING AREA:

- B. Queuing Lanes For Drive-Up Or Drive-Through Businesses:
 - 1. Queuing lanes shall have a minimum width of ten feet (10').
 - 2. Queuing lanes shall provide a minimum queuing distance for three (3) vehicles in addition to a vehicle at the drive-up window (i.e., 80 feet).
 - 3. Queuing lanes are to be independent of circulation aisles and not interfere with required backing distances for parking stalls.
 - 4. Turning radii within or at exits from queuing lanes shall not be less than ten feet (10').
 - 5. Queuing lanes should be designed so that cars queue toward or along the rear of the associated building and vehicles can exit the queuing lane onto an approved development drive aisle or public street.
 - 6. Queuing lanes are prohibited between the building and the front property lines.
 - 7. Under special circumstances, a business may receive a conditional use permit to queue contrary to the provisions of section 10-14-6 with the conditions that queuing does not conflict with the use of required parking stalls, Fire Code, Building Code, and that it does not interfere with any public rights-of-way.
- C. Queuing Areas For Automotive Service Bays:
 - 1. Adequate clear areas shall be provided at entry and exit points for the safe and unobstructed movements of vehicles for which the service bay has been designed to facilitate.
 - 2. Parking stalls shall not be located within areas necessary to facilitate the movement of vehicles entering or exiting service bays.

Title 10 Chapter 7 Section F3 is amended as follows: (underlined text is added, stricken text is deleted)

10-7F-3: PERMITTED USES:

General land uses within commercial zones shall complement the city's general plan for their respective areas. Those uses allowed in the city's commercial zones are listed in the following matrix. Abbreviations and alphabetic use designations in the matrix have the following meanings:

P The listed use is a permitted use within the represented area, based on city development standards and ordinances.

C The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.

A The listed use is only permitted as an accessory use within the represented area.

N The listed use is a prohibited use within the represented area.



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 of 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, April 8, 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 7th day of April 2020.

	Kirk Hunsaker, Mayor		
	Councilmember Elizabeth Montoya Councilmember Lynn Mecham	Voted	
	Councilmember Jennifer Bowman	Voted	
	Councilmember Nick Miller	Voted	
	Councilmember David Hathaway	Voted	
ATTEST:			
K. Aaron Shirley, City Recorder	-		

) 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 th day of April, 2020, entitled
"AN ORDINANCE AMENDING SANTAQUIN CITY CODE REGARDING CAR WASH SERVICES 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 th day of April, 2020.
K. AARON SHIRLEY Santaquin City Recorder
(SEAL)

)

STATE OF UTAH

AFFIDAVIT OF POSTING

STATE OF L	JTAH)
COUNTY OF	UTAH) ss.)
	that I po	SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify osted in three (3) public places the ordinance, which is attached heretoril, 2020.
	The th	ree places are as follows:
	1. 2. 3.	Zions Bank Post Office City Office
I further certifordinance.	fy that o	copies of the ordinance so posted were true and correct copies of said
K. AARON S Santaquin Ci		
The foregoing by K. AARON		ment was acknowledged before me this day of, 20, LEY.
My Commiss	ion Exp	pires:
		Notary Public
Residing at:		Utah County

ORDINANCE NO. XX-XX-XXXX

AN ORDINANCE AMENDING SANTAQUIN CITY CODE REGARDING ACCEPTABLE GROUND COVER FOR A PLANNED UNIT DEVELOPMENT (PUD), 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 7K Section 4E to allow a gravel parking area as acceptable ground cover in a Planned Unit Development (PUD); and

WHEREAS, the Santaquin City Planning Commission held a public hearing on March 24, 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 7K Section 4E is amended as follows: (underlined text is added, stricken text is deleted)

10-7K-4: MINIMUM STANDARDS:

E. Landscaped Front And Side Yards: Developments must provide completely landscaped front yards and side yards, where such are visible from the public or private street, including grass or other acceptable ground cover, at least four (4) 1-gallon shrubs, and two (2) trees (deciduous trees with at least a 1.5 inch caliper or 5 feet tall minimum evergreen trees). Acceptable ground cover may include a gravel parking area on the side of a garage and access thereto. Gravel parking areas and its applicable access must be constructed in accordance with the Santaquin City Standards, Specifications, and Drawings.

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 of 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, April 8, 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 7th day of April 2020.

	Kirk Hunsaker, Mayor		
	Councilmember Elizabeth Montoya Councilmember Lynn Mecham Councilmember Jennifer Bowman Councilmember Nick Miller Councilmember David Hathaway	Voted Voted Voted Voted	
ATTEST:			
K. Aaron Shirley, City Recorder	_		

STATE OF UTAH)) ss.
COUNTY OF UTAH) 55.
declare that the above and for	, City Recorder of Santaquin City, Utah, do hereby certify and regoing is a true, full, and correct copy of an ordinance passed uin City, Utah, on the 7 th day of April, 2020, entitled
GROUND COVER FOR A P	NG SANTAQUIN CITY CODE REGARDING ACCEPTABLE LANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR FION OF SCRIVENER'S ERRORS, SEVERABILITY, AND THE ORDINANCE."
IN WITNESS WHERE Seal of Santaquin City Utah t	OF, I have hereunto set my hand and affixed the Corporate his 7 th day of April, 2020.
	K. AARON SHIRLEY Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH

COUNTY OF U	AH)
	ON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify I posted in three (3) public places the ordinance, which is attached hereto April, 2020.
Th	e three places are as follows:
1. 2. 3.	Zions Bank Post Office City Office
I further certify t ordinance.	at copies of the ordinance so posted were true and correct copies of said
K. AARON SHII Santaquin City	
The foregoing ir by K. AARON S	strument was acknowledged before me this day of, 20, IIRLEY.
My Commissior	Expires:
	Notary Public
Residing at:	Utah County

ORDINANCE NO. XX-XX-XXXX

AN ORDINANCE AMENDING SANTAQUIN CITY CODE REGARDING THE APPROVAL PROCESS FOR A SUBDIVISION THAT HAS THREE LOTS OR LESS, 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 11 Chapter 1 to clarify the land use authority for subdivisions that consist of three lots or less; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on March 24, 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 11 Chapter 1 is amended as follows: (underlined text is added, stricken text is deleted)

11-1-4: EXEMPTIONS:

In subdivisions of less than three (3) lots or less, land may be subdivided as a single lot split as permitted under section 10-19-13 of this code. Such a subdivision shall be eligible for approval, if all zoning and other ordinance requirements and regulations are met, by decision of the city council following review and a recommendation from the planning commission.

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 of 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

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

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Section V. Posting and Effective Date

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PASSED AND ADOPTED this 7th day of April 2020.

	Kirk Hunsaker, Mayor		
	Councilmember Elizabeth Montoya Councilmember Lynn Mecham Councilmember Jennifer Bowman Councilmember Nick Miller Councilmember David Hathaway	Voted 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 7th day of April, 2020, entitled

"AN ORDINANCE AMENDING SANTAQUIN CITY CODE REGARDING THE APPROVAL PROCESS FOR A SUBDIVISION THAT HAS THREE LOTS OR LESS, 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 7th day of April, 2020.

K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF U	JTAH)
COUNTY OF	UTAH) ss.)
	that I po	SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify osted in three (3) public places the ordinance, which is attached hereto ril, 2020.
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I further certi ordinance.	fy that	copies of the ordinance so posted were true and correct copies of said
K. AARON S Santaquin C		
The foregoin by K. AAROI		ment was acknowledged before me this day of, 20, LEY.
My Commiss	sion Exp	pires:
		Notary Public
Residing at:		Utah County

Planning Commission Meeting Minutes Tuesday, February 25, 2020



Planning Commissioners in Attendance: Trevor Wood, Brad Gunnell, Kylie Lance, Art Adcock, Jessica Tolman, and Kody Curtis.

Other's in Attendance: Community Development Director Jason Bond, Colton Petersen, Dale Bennett, and Leroy Kinder.

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

Invocation / Inspirational Thought: Mr. Bond offered an invocation.

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

Public Forum: Commission Chair Wood opened the Public Forum at 7:02 p.m. and closed it at 7:03 p.m.

DISCUSSION AND POSSIBLE ACTION ITEMS

PUBLIC HEARING- Parker View Subdivision

The Planning Commission will review a concept plan for a proposed 3 lot commercial subdivision located at the corner of Main Street and Highland Drive.

Mr. Bond explained that there is currently a Big O Tires located on this site, the applicant is proposing to subdivide his property into three. He noted that the owner has been working on a site plan to develop a car wash to the North of the Big O Tires. Mr. Bond clarified that the site plan will not be reviewed tonight, only the subdivision.

Commission Chair Wood opened the Public Hearing at 7:05 p.m.

Leroy Kinder asked what the hours of operation for the car wash would be. Mr. Bond clarified that the carwash is anticipated in the future, but tonight's meeting is just for the subdivision of the property. Mr. Kinder explained that he would like to see the property subdivided and developed, but he has a few questions regarding the future car wash. Mr. Petersen (the property owner) explained while the exact hours of operation are still to be determined, he anticipates that it would close around 8 p.m. and the property would be closed after business hours. Mr. Kinder clarified that his primary concern was a 24 hour self-serve carwash.

Commission Chair Wood closed the Public Hearing at 7:08 p.m.

Commissioner Lance asked if there is Main Street frontage for the Northern lot. Mr. Bond confirmed that there is. He noted that it there are limited access options to the West as there is a

PLANNING COMMISSION MEETING TUESDAY February 25, 2020 PAGE 2 OF 4

steep grade. Commissioner Wood asked how Mr. Petersen plans to provide accesses. Mr. Petersen explained that the access on the North side (Main Street) would act as an entrance only for the car wash; he then envisions shifting some of the parking around for the Big O Tires, in order to have a dedicated exit for the carwash off of Highland Drive. Commissioner Lance asked if there is a reason that the lot line between lots 2 and 3 has a jog in it. Mr. Bond answered that it has to do with the site plan in order to provide adequate parking for lot 1. Commissioner Wood asked if there are any plans for lot 3. Mr. Petersen answered that he doesn't have any at this time.

Commissioner Gunnell noted that there is a 50-foot easement across lot one and asked who the beneficiary is. Dale Bennett the project Engineer, indicated that it is an old easement that hasn't been used for years. Commissioner Gunnell asked for clarification regarding the UDOT easement and its location. Mr. Bennett answered that it is a temporary construction easement along Main Street, which is a UDOT road. He explained that they will be working with the title company to remove the old easements on the property.

Commissioner Gunnell asked if the applicant will be required to build a fence along the R-10 residential property to the East. Mr. Bond explained that grading, etc. will be addressed during the site plan review.

Commissioner Adcock asked if there are any infrastructure issues. Mr. Bond explained that the biggest issues are emergency access and grading. Commissioner Wood asked if there are any different code provisions for a commercial subdivision, versus a residential subdivision. Mr. Bond explained that the subdivision process remains the same regardless of the zone.

Discussion Item- Landscaping Requirements

The Planning Commission will discuss an idea to implement City wide landscaping requirements.

Mr. Bond explained that the City Council would like the Planning Commission's thoughts regarding a City wide landscaping requirements. He clarified that no action is needed tonight as this is just a general discussion. Mr. Bond noted that one of the standard Planned Unit Development (PUD) density bonuses is that front yard landscaping be installed prior to the issuance of the Certificate of Occupancy (C of O). He stated that some Cities have a City wide landscaping requirement, in which a bond be provided and then the homeowner is given an allotted amount of time to complete their landscaping. Mr. Bond recognized the possible issues in regards to tracking and enforcing landscaping bonds.

Commissioner Curtis asked why the City wouldn't instead implement a landscaping requirement upfront, contingent with issuing a C of O. He noted that this would solve the problems that bonds would cause. Mr. Bond pointed out that this may be an issue for people who can't afford landscaping upfront. Commissioner Curtis argued that as long as the requirement is clear up front, he doesn't think it would be an issue.

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Commissioner Wood indicated that he thinks it's a good idea to require landscaping upfront for the front yard, but pointed out that homes that are completed in the winter would require a landscaping bond. Mr. Bond explained that developers in these instances already provide landscaping bonds during the winter months. Commissioner Curtis stated that he believes having a landscaping bond for any period of time other than winter, would cause problems.

Mr. Bond asked the Planning Commission Members if they think that a landscaping requirement is needed. Commissioner Gunnell indicated that he likes the idea, but isn't a fan of it being required. If the Council decides to implement a landscaping requirement, he believes it should be required prior to the C of O to avoid bonding. Commissioner Gunnell also suggested that landscaping could instead be incentivized or encouraged. Commissioner Lance expressed that yards without landscaping produce dirt and mud that can affect neighbors.

Commissioner Lance suggested that the City look to other City's requirements in order to gather ideas. Commissioner Wood stated that he likes Commissioner Gunnell's idea about providing an incentive. Commissioner Gunnell pointed out that requiring home owners to provide money for a bond up front, while requiring them to install landscaping (which costs additional money) may create a financial burden. Commissioner Lance noted that it wouldn't be an issue if it is preplanned in the construction loan. Commissioner Curtis suggested that a landscaping requirement should be considered as the City continues to grow at such a fast rate. Mr. Bond explained that if the requirements are too strict it may deter growth and slow it down. He noted that if a recession were to hit things such as landscaping requirements could prohibit development.

Commissioner Tolman asked if a landscaping requirement would apply to homes that have been built, or are in process. Mr. Bond clarified that any new requirement would not apply to building that has previous approval. He recommended that the Commission consider this topic, and provide a recommendation to the City Council at the next meeting. Commissioner Curtis asked how many home owners a landscaping requirement would affect, as most of the building is happening through PUD's. Mr. Bond estimated (using last year's numbers) that roughly 10-20 of the nearly 200 single family homes would have been affected by an ordinance such as this.

Commissioner Adcock stated that he doesn't like this proposal and doesn't think that government should overreach onto private property. He referred to Payson City code which requires 'all new builds to have landscaping' prior to the C of O being issued; unless it is during the winter months, in which case a bond is required. Commissioner Adcock suggested that Payson is a good source to refer to, since we share a Chamber of Commerce with them. He expressed his feelings that it is ok to look into a requirement; but pointed out that many people don't buy into an HOA or gated community, because they want to maintain their property rights. Commissioner Adcock acknowledged both opinions, but asked that his fellow Commissioners consider property rights.

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PLANNING COMMISSION BUSINESS

Approval of minutes from:

February 11, 2020

Motion: Commissioner Adcock motioned to approve the minutes from February 11, 2020. Commissioner Curtis seconded. The vote was unanimous in the affirmative.

Commissioner Adcock asked if there are any updates regarding the Ercanbrack rezone. Mr. Bond answered that Mr. Ercanbrack is working on engineering, etc.

ADJOURNMENT

Commissioner Lance motioned to adjourn at 7:59 p.m.

Trevor Wood, Commission Chair	Kira Petersen, Deputy Recorder

Planning Commission Meeting Minutes Tuesday, March 10, 2020



Planning Commission Members: Trevor Wood, Art Adcock, Michelle Sperry, Kylie Lance, Jessica Tolman and Kody Curtis.

Other's in Attendance: City Manager Ben Reeves, Community Development Director Jason Bond, City Engineer Norm Beagley, Dennis Brandon, Kathy Brandon, Phil Rowley, Tod Rowley, Jace Rowley, Jerry Foster, Kari Foster, Trent Mehlhoff, Milo Keele, John Dester, Trent Milhoff, Shanna Stilson, Jason Dumond, Daniel Stokes, Chris Olsen, and Kevin Olson.

Commission Chair Wood opened the meeting at 7:00 p.m.

Invocation / Inspirational Thought: Commissioner Adcock offered an invocation.

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

Public Forum: Commission Chair Wood opened the public forum at 7:02 p.m. and closed it at 7:02 p.m.

DISCUSSION AND POSSIBLE ACTION ITEMS

PUBLIC HEARING- Mehlhoff Property Rezone

The Planning Commission will review a proposed rezone of approximately 35.39 acres from the Commercial (C-1) zone to the Residential R-10 Planned Unit Development (R-10 PUD) zone, located at approximately 300 W. and 1000 S.

Mr. Bond announced that the Georgetown development has submitted a request to rezone the property located at 300 W. and 1000 S. from the C-1 Commercial zone, to the residential R-10 PUD. He clarified that a rezone is a legislative action, meaning that the Planning Commission will make a recommendation; the City Council will then consider the comments and either grant or deny approval for the rezone.

John Dester of Georgetown Development presented their proposal for this property (See Attachment 'A'). He explained that it is their priority to ensure that the project looks good and expressed his commitment to providing nice architecture. Mr. Dester expressed his desire to include 10 parks in this development. He explained that they would like to rezone the middle 35 acres to R-10 Residential; while leaving 17.5 acres of commercial frontage along the road. Mr. Dester clarified that their proposal would include single family detached homes as well as townhomes.

Mr. Dester explained that he is providing the details of the proposed development to describe why he believes the property should be rezoned. He noted that every home they build has its own private

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fenced yard, regardless of the size. Mr. Dester informed the Commission that there are 712 parking stalls proposed for this development. With 178 units total, that would provide roughly 4 parking stalls per unit.

Commission Chair Wood opened the Public Hearing at 7:25 p.m.

Jace Rowley spoke representing Rowley's South Ridge Farms. He indicated that their farm neighbors this property, and they oppose this zoning change. Mr. Rowley explained that they are opposed, because of the exit 242 vision for commercial businesses. He expressed their belief that this proposal contrasts with the Cities vision for the area. Mr. Rowley expressed that having a high density of residents located near a farm isn't a good idea. He explained that they need to guarantee that nobody is trespassing in their orchards.

Chris Olsen explained that he is partners with Trent Mehlhoff with the property. He explained that he has worked with Georgetown before and he believes that they a offer quality product that enhances the community.

Shanna Stilson stated that she thinks the project looks nice, but she is against a zone change. She shared her belief that the City needs to maintain its existing Commercial zones. Ms. Stilson also expressed that she wouldn't like to see the Rowley's Farm negatively impacted by high density housing being developed next to it.

Commission Chair Wood closed the Public Hearing at 7:29 p.m.

Mr. Trent Mehlhoff (the property owner) expressed his belief that his entire property won't be able to be utilized for commercial business. Specifically, the area in the middle that is far from the right of way. Mr. Mehlhoff explained that he would like to bring his business to the commercial area off of the frontage. He clarified that he owns an RV dealership and moving it to Santaquin will increase the tax base of the City. Mr. Mehlhoff noted that he is a local and would like to remain active in the community.

Commissioner Tolman asked Mr. Mehlhoff if he will still bring his commercial business here if the rezone isn't granted. Mr. Mehlhoff answered that he is unsure. Commissioner Wood asked him if he has specific plans for the other commercial lots. Mr. Mehlhoff stated that there is another RV dealership that would move onto another lot, and the other three commercial lots would be for sale. Commissioner Curtis asked Mr. Dester if he believes he will be able to sell his town homes, when D.R. Horton is building over 400 to the South of his proposed project. Mr. Dester answered that he isn't worried, and explained that they build and design their projects in such a way that they don't have difficulty selling them.

Commissioner Lance asked Mr. Dester if he would be willing to provide a buffer on the North side of the property for the Rowley's farm. Mr. Dester explained that there is an existing dirt road where a solid fence would be installed between the homes and the agricultural area. Commissioner Lance

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asked if he would consider building ramblers for a 55 and older targeted community. Mr. Dester explained that they offer rambler style homes but they don't like restricting a community based off of age.

Commissioner Curtis asked City Staff about the Cities plan for exit 242 and how this proposal would impact it. Mr. Bond clarified that the vision for exit 242 is not yet a plan. He explained that the City recognizes the innovative agricultural businesses currently located in this area. Mr. Bond stated that Staff feels that this is a good central location for agritourism. He explained that the City is currently working with USU students to create a vision for the area and make it ready for economic development. Commissioner Curtis asked if he believes this proposal would help or hinder that vision. Mr. Bond stated that it is hard to determine what this development would bring to the area. He clarified that Staff is indifferent on this rezone as it is a legislative decision.

Commissioner Wood explained that he received feedback from the operators of the gravel pit to the South. Who expressed that high density residential development isn't a good idea next to those type of operations. Mr. Dester expressed his belief that this proposal is low density compared to true high density. Commissioner Wood maintained that the concern remains with any residential development being located next to industrial. Mr. Dester shared his proposal to provide a fence between the homes and the gravel pit. Mr. Mehlhoff explained that there is a proposed 8-acre buffer between the gravel pit and the proposed development. Mr. Bond clarified that should this rezone and development be approved; it would be located in an agricultural protection area, which would be noted on the plat.

Commissioner Tolman asked the Rowley's if a solely commercial proposal would still impact their farm. Mr. Tod Rowley answered that any development would affect them, but residential would affect them more.

Commissioner Gunnell wasn't in attendance, but provided his thoughts via email to be read by Commissioner Adcock (See Attachment 'B'): Commissioner Gunnell expressed that he wouldn't recommend this rezone to the City Council as the City needs more commercial development. He also believes that a development agreement should be made prior to a rezone taking place. Commissioner Gunnell expressed that this proposal conflicts with the vision 242 for this area.

Commissioner Adcock agreed with Commissioner Gunnell's thoughts that this proposal doesn't fit in with the exit 242 vision. He expressed his feelings that this project should not be located in the proposed area. He noted that he believes the project looks high quality, and he would like to see it in another area.

Commissioner Wood referred to Commissioner Gunnell's comment that a rezone wouldn't hold the land owner to a specific plan, if a development agreement isn't in place. Mr. Reeves clarified that a PUD designation (which would be required for the proposed density) isn't implemented prior to a development agreement being made. Mr. Bond explained that a development agreement could be done concurrently with a rezone if that was the direction provided. Commissioner Wood

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expressed hesitation with rezoning an area before the vision of exit 242 is completed. He also recognized the importance of individual property rights.

Commissioner Lance expressed that she likes the proposed development, but noted her hesitation to rezone commercial property in favor of residential. She pointed out that this development would be located near an interchange, which has been a desire for high density housing in the past. Commissioner Curtis pointed out that providing residential housing near interchanges is part of the public transportation route. He also explained that as a business owner himself, he doesn't see this entire property being utilized for commercial uses. Commissioner Tolman countered that this property could become a large commercial development. Commissioner Lance reminded the Commission that rooftops are needed to justify commercial development. Commissioner Sperry expressed her support of this project and thinks it is needed in the City.

Motion: Commissioner Lance motioned to table the Mehlhoff Property rezone until the next Planning Commission Meeting. Commissioner Curtis seconded.

Roll Call:

Commissioner Tolman: Aye
Commissioner Curtis: Aye
Commissioner Lance: Aye
Commissioner Sperry: Aye
Commissioner Adcock: Nay
Commissioner Wood: Aye
The motion passed 5 votes to 1.

PUBLIC HEARING- Orchard Hills Extension Concept Plan

The Planning Commission will review a proposed addition of 20 additional Townhome units and 6 small commercial spaces in the Orchard Hills Townhome subdivision located at approximately 120 E. and Highland Drive.

Mr. Bond explained that this proposed development would be an extension of the Orchard Hills townhomes towards the West to Highland Drive (See Attachment 'C'). He stated that townhomes 8-13 would include a commercial element on the main floor and front Highland Drive. Mr. Bond clarified that this project is at concept stage and no action will be taken tonight.

Mr. Kevin Olson the applicant for this proposal, explained that he is proposing to extend his current townhome subdivision from the current 17 units to a total of 28. He clarified that the units fronting the street would include commercial uses called a live/work space. Mr. Olson explained that each unit would include a two car garage. He noted that the current park area would triple in size and additional amenities would be provided. Mr. Olson stated that his units sell as soon as they go up. He explained that the proposed commercial space would usually be used by the owner of the attached townhome.

Mr. Bond referred to an existing development that is similar in Pleasant Grove. Commissioner Curtis stated that he has a friend that lives in the development, and most of the business fronts are

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vacant. He also noted that there is a large parking issue in that development. Mr. Olson pointed out the extra parking he has proposed for his development. Commissioner Curtis suggested that there may be issues with the garages all facing each other. Mr. Bond explained that there has been discussion regarding the minimum road width for fire code in DRC meetings.

Mr. Olson explained that he initially wanted to carry over storage units to this area, but after meeting with Staff, he feels that this is a better concept. Mr. Bond stated that the current zoning of Mr. Olson's property is RC Residential Commercial; the intent of this zone is to provide a mixture of residential and commercial development, but storage units are currently permitted.

Commission Chair Wood opened the Public Hearing at 8:24 p.m.

Jason Dumond stated that he lives near this area and asked if 120 E. could be delineated as a no parking area, specifically because it is a school bus route. Mr. Dumond stated that the product looks nice, and he is in favor of a live/work area rather than commercial businesses.

Dennis Brandon stated that he feels that the no parking zone along part of his property is impeding his property rights. He explained that when he purchased his property where he has existing storage units it was zoned Commercially. Mr. Brandon expressed his frustration that his property has been rezoned as RC, not per his request. He expressed his frustration with residential development being in such close proximity with his land. Mr. Brandon asked that he is provided access to the property along Highland Drive.

Commission Chair Wood closed the Public Hearing at 8:32 p.m.

Mr. Bond explained that access for Mr. Brandon's property would be determined if and when his property is developed.

Mr. Olson stated that he and his partner have had preliminary discussions with Mr. Brandon regarding purchasing his property. If they were to purchase it, they would like to build small single family homes.

Commissioner Tolman indicated that she likes this proposal. Commissioner Curtis stated that he thinks that they are proposing too many units, and he would like to see wider streets for snow removal and public safety. Commissioner Wood expressed that he likes the idea and thinks it's unique.

Mr. Bond mentioned that Mr. Olson has proposed to remove the existing billboard at the frontage of the property if this proposal moves forward.

Commissioner Curtis asked if 120 E. could become a no parking zone. Mr. Reeves explained that the DRC is now the deciding body for any traffic related request. Commissioner Curtis asked Mr. Olson if he will be fencing off his development from Mr. Brandon's property. Mr. Olson confirmed that he plans provide a fence in between the properties.

Ellsworth Twin Home Final Review Plan

A preliminary/final review of a proposed twin home located at approximately 290 S. and 200 E.

Mr. Bond explained that the Planning Commission is the land use authority on this project, because it is only 2 units. He noted that the developer has requested a deferral agreement with the City Council for the curb, gutter and infrastructure. Mr. Bond reported that the Council recently approved a deferral agreement for this property. He added that they have also received approval of their architecture from the ARC.

Braden Ellsworth expressed his intent to make the area nicer and provide a vinyl fencing between each unit and the property owner to the West.

He expressed his advice regarding the Mehlhoff property rezone. He stated that he is part of a farming family and asked that the City doesn't make it harder for farmers than it already is. Mr. Ellsworth asked that the City consider protecting farming.

Motion: Commissioner Lance motioned to grant final approval for the Ellsworth Twin Home. Commissioner Sperry seconded.

Roll Call:

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

The motion passed unanimously 6 to 0.

Discussion Item- Landscaping Requirements

The Planning Commission will discuss an idea to implement City wide landscaping requirements.

Commissioner Adcock recalled that in previous discussions it was determined that this requirement would affect a minimal amount of properties and home owners. Mr. Bond clarified that this is because a majority of the new homes that are being built, are under a PUD or HOA. Commissioner Adcock noted that he isn't in favor of further government regulation and doesn't believe this discussion should be taken further. Commissioner Curtis expressed that he feels the opposite, and thinks that this requirement should be implemented especially if it won't affect many new builds. Commissioner Lance agreed with Commissioner Curtis.

Commissioner Wood Reiterated Commissioner Gunnell's idea from last meeting of providing an incentive for residents who install their landscaping. Commissioner Lance expressed her surprise that this isn't already a City wide requirement. Commissioner Sperry stated that she thinks a that landscaping requirement should be implemented. Mr. Reeves expressed concern regarding an

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incentive affecting City revenue. He suggested making the requirement flexible regarding the time line, or bond etc.

Daniel Stokes addressed the Commission and asked if this has been brought up due to complaints. Mr. Bond explained that this was an idea of one of the Council Members. He noted benefits such as no erosion, dust issues, etc. that are good reasons to have this requirement. Mr. Stokes suggested that this is put out to the public to get their opinions on the matter. Mr. Bond clarified that this would only affect new construction.

Commissioner Wood suggested that front yard landscaping be required up front, prior to a C of O being issued. He noted concern regarding landscaping bonds. Commissioner Tolman agreed with Commissioner Adcock, and stated that she doesn't believe this is a need or an issue. Mr. Reeves suggested that the Planning Commission expand their vision towards the long term for of the core area of town. Commissioner Sperry indicated that she doesn't feel that raised standards are an issue, and she a is in favor of implementing a requirement.

Assistant City Manager Beagley pointed out that, within the core area of town isn't curb and gutter which makes it is difficult to determine at what point the landscaping should extend to. Commissioner Curtis stated that he wants to see the standards raised within the City. Commissioner Adcock suggested that the Payson landscaping requirements are used as a reference.

Motion: Commissioner Lance motioned to make a recommendation to the City Council to implement a City wide landscaping requirement; Specifically, that the front and side yard to be landscaped with an underground sprinkler system for new construction homes required prior to a Certificate of Occupancy being issued. Commissioner Sperry seconded. The motion passed unanimously.

PLANNING COMMISSION BUSINESS

Approval of minutes from: February 25, 2020

Motion: Commissioner Adcock motioned to table the minutes from February 25th 2020. Commissioner Lance seconded. The vote was unanimous in the affirmative.

ADJOURNMENT

Commissioner Tolman motioned to adjourn at 9:19 p.m.	
Trevor Wood, Commission Chair	Kira Petersen, Deputy Recorder