



Planning Commission Meeting Minutes

Tuesday, September 28, 2021

Planning Commission Members in Attendance: Trevor Wood, Kylie Lance, Art Adcock, Drew Hoffman, and Sarah Jorgensen.

Others in Attendance: Community Development Director Jason Bond, City Manager Ben Reeves, Sandra Jill Snell, and Zane Latimer (Attending Via Zoom).

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

Invocation/Inspirational Thought: Commissioner Adcock offered an inspirational thought.

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

Public Forum: Commission Chair Wood opened the Public Hearing at 7:03 p.m. There were no comments, so he closed it at 7:03 p.m.

DISCUSSION & POSSIBLE ACTION ITEMS

PUBLIC HEARING- Lind 2-lot Subdivision Concept Plan

The Planning Commission will review a concept plan for a single lot split located at 315 N. Center Street.

Mr. Bond explained that there is an existing home on the parcel. The proposal is to split the lot in two resulting in two nearly half acre lots (See Attachment 'A'). He explained that the DRC asked the applicant if he is interested in requesting a deferral agreement from the City Council. The applicant indicated that he is interested and will apply for one.

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

Ms. Sandra Jill Snell explained that she wants to sell so this property can be beautified and taken care of. She asked where things would go from here. Mr. Bond explained the process to Ms. Snell.

Commission Chair Wood closed the public hearing at 7:08 p.m.

Commissioner Adcock asked which line is the proposed property line? Mr. Bond clarified that the straight line is the proposed property line. The jagged line is an existing fence line.

PUBLIC HEARING- Residential Commercial (RC) Language Amendment

The Planning Commission will consider modifying Santaquin City Code Title 10 Chapter 20 Section 150, updating the land use table for the Residential Commercial (RC) zone.

Mr. Bond explained that as the Commercial Light Manufacturing (CLM) zone was created from the existing Residential Commercial (RC) zone. He explained that while reviewing the RC zone some clean up items were noted. Mr. Bond pointed out the proposed amendments (See Attachment 'B'). The terminology 'accessory apartments' is being split into 'Dwelling accessory unit attached', which will be listed as permitted; and 'Dwelling, accessory unit detached' which will not be permitted. He referenced the removal of PUDs as a conditional use. Mr. Bond clarified that the PUD area of code clearly defines where these uses would be allowed. He noted that mobile home parks were listed as a conditional use in the zone. But since it is the understanding of staff that these are not permitted within the city, it will be changed to not permitted.

Public Hearing- Commission Chair Wood opened the public hearing at 7:15 p.m. there were no comments, so he closed the public hearing at 7:15 p.m.

Commissioner Lance clarified that single family homes are allowed within this zone. Mr. Bond confirmed this. Commissioner Adcock asked if it is appropriate to have gravel or any other extraction allowed in this zone. Mr. Bond stated that the intent is not to be a mining operation, but to prepare land for development. He stated that it isn't anticipated that there would be any issues where the Residential Commercial zone is located today. Commissioner Lance noted the language that says that it is a conditional use, 'when necessary to start a development process.'

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the Residential Commercial Language Amendment as proposed. Commissioner Jorgensen seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Lance	Aye
Commissioner Jorgensen	Aye
Commissioner Hoffman	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

PUBLIC HEARING- Animal Rights Provisions

The Planning Commission will consider modifying Santaquin City Code Title 10 Chapter 64, providing clarification for animal rights.

Mr. Bond explained that these proposed changes are to clarify the process for applying for a Fancier/Hobby Permit. See Attachment 'C' for proposed changes. He outlined that the main changes which would make a hobby license a conditional use, requiring a Planning Commission review. Mr. Bond explained that this amendment includes clarifying the bail schedule; ensuring that the right penalty is aligned with the offense. Such as the addition of infractions rather than misdemeanors for certain offenses.

Public Hearing- Commission Chair Wood opened the Public Hearing at 7:27 p.m. there were no comments, so he closed the public hearing at 7:27 p.m.

Motion: Commissioner Jorgensen motioned to forward a positive recommendation to the City Council for Animal Rights Provisions modifying Santaquin City Code Title 10 Chapter 64, providing clarification for animal rights. Commissioner Lance seconded.

Roll Call:

Commissioner Hoffman	Aye
Commissioner Jorgensen	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Wood	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

Cedar Point @ Summit Ridge Plat F

Preliminary/Final Review A preliminary/final review of a proposed 2-lot subdivision located at 1371 West Cedar Pass Drive.

Mr. Bond explained that this is a combined preliminary/final since it is 3 lots or less. The proposal would create a new plat F, which would be an overlay on the existing plat. He clarified that it meets all the zoning requirements. There are still a few pending redlines the applicant will need to address. Mr. Bond noted that the HOA has reviewed and approved this proposal.

Commissioner Adcock expressed concern regarding the slope of the property. He stated that he is concerned that if the City issues a building permit and the land fails that the City would be exposed to liability. Commissioner Hoffman pointed out that this plat is stamped by an engineer. Mr. Bond explained that the plat was created by a professional engineer and will require a stamp by the engineer if it is approved. He asked if this would negate the liability from the City. Mr. Bond stated that some of the liability would be on the engineer. He noted that soil studies, etc. were conducted when the subdivision was originally created. He explained that the City Engineer and the Building Official would stamp and approve the plans as well. Commissioner

Adcock noted concern that there isn't enough land to build on, and excessive fill would be required.

Motion: Commissioner Lance motioned to approve the Cedar Point @ Summit Ridge Plat F Preliminary/Final review pending staff redlines and conditions. Commissioner Hoffman seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Nay
Commissioner Lance	Aye
Commissioner Jorgensen	Aye
Commissioner Hoffman	Aye

The motion passed with 4 votes of the affirmative and 1 of the negative.

Santaquin Dentistry and Canyon View Orthodontics Extra Sign Approval

Santaquin Dentistry and Canyon View Orthodontics is requesting to install an additional sign on the rear of their building located at 463 E. Main Street.

Mr. Bond explained that this business will be located in the new building in front of Macey's. Per City Code if the business would like signs on the rear of the building, Planning Commission approval is required. Mr. Zane Latimer the applicant is joining via Zoom. Mr. Bond stated that the building fronts Main Street, and Staff has worked with the business owners to designate the front vs the back of the building, so it is consistent for all the businesses within that building. Mr. Bond noted that the proposed signage meets all the requirements within code.

Mr. Latimer indicated that they would like to have signage for their business along the frontage of Main Street, which is the back of the building.

Commissioner Wood asked what the requirements for approval are? Is the Planning Commission just ensuring that the proposal meets code? Mr. Bond confirmed that this is an administrative action, with some discretion of whether the Planning Commission thinks it is appropriate to have signs located on the back of the building. Mr. Bond stated that in this case he thinks it is warranted.

Commissioner Adcock stated that this is something that can be done to help businesses. Commissioner Hoffman how many signs will be allowed on this building? Mr. Bond explained that each side of the building could have up to 7 signs, with a possibility of more if the Planning Commission were to approve it. Commissioner Jorgensen agreed with Commissioner Adcock that it's important to help businesses be easily recognized.

Motion: Commissioner Adcock motioned to approve the proposed signs for Santaquin Dentistry and Canyon View Orthodontics. Commissioner Jorgensen seconded.

Roll Call:

Commissioner Hoffman	Aye
Commissioner Jorgensen	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Wood	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

Little Caesar's Extra Sign Approval

Little Caesar's is requesting to install an additional sign at their building located at Main Street.

Mr. Bond explained that this is a similar request, except that the business would like to have signs on 3 sides of the building rather than 2.

Commissioner Lance stated that she thinks this request is logical, since the east side of the building faces the freeway.

Motion: Commissioner Adcock motioned to approve the Little Caesar's Extra Sign Approval. Commissioner Lance seconded

Roll Call:

Commissioner Wood	Aye
Commissioner Adcock	Aye
Commissioner Lance	Aye
Commissioner Jorgensen	Aye
Commissioner Hoffman	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

Green Hollow Final Plan (Waiver of Park Strip Consideration)

The Planning Commission will review a request to remove the parking strip requirement for the Green Hollow Subdivision.

Mr. Bond clarified that the Green Hollow final plan was tabled in DRC due to redlines. This proposal is to waive the park strip requirement as part of their final plan, this can be granted by the Planning Commission. He explained that this subdivision would provide connectivity to 200 W. Since this subdivision is in an older part of town, there aren't park strips in the neighborhoods surrounding this subdivision. Mr. Bond clarified that code requires that any new subdivision has park strips. Meaning the connection to the existing 200 W. would be narrower in the Green Hollow Subdivision due to park strips. Mr. Bond noted that the applicant Mr. Jimmy Degraffenreid is open to either option. He explained that staff see the justification for not having park strips to be consistent with the neighboring subdivisions. He clarified that they feel more strongly about not having park strips on 200 W. as it will be a busier road once it connects.

Commissioner Lance asked if there will be CC&R's requiring the residents to take care of the park strips. Mr. Bond stated that there will be no CC&R's but homeowners who front park strips are required to maintain them by code.

Mr. Reeves explained that from a staff perspective recognizing 200 W. as a future corridor it would make sense for the asphalt to be wider. Commissioner Lance asked why the developer wouldn't have to give up more land to provide the park strips? Mr. Bond explained that the current proposal with the park strips meets City Standards for the road. Staff would just prefer a wider road that is consistent with the existing roadway. Commissioner Hoffman asked what type of traffic control devices are proposed for the intersection of 500 N. and 200 W.? Mr. Bond stated that he believes it would be a 4 way stop.

Commissioner Wood asked if there are existing park strips on 300 W.? Mr. Reeves answered that there are not, it is a very narrow road, and currently a one-way street. Commissioner Jorgensen noted that having 200 W. go through would eliminate her need to drive on 300 W. which she would prefer since it is a one-way street.

Commissioner Lance asked what the requirements are for park strips? Mr. Bond explained that they must approved ground cover. They are also used for snow storage, and infiltration galleries, etc.

Commissioner Adcock indicated that if this proposal will help with connectivity, the park strips should be removed. Commissioner Hoffman stated that he thinks the park strips on 200 W. should be removed, but he is indifferent on other park strips in the subdivision. Commissioner Lance explained that she would like to see the park strips kept on 500 N. ask they look better, but she is open to them being removed on other streets. Commissioner Wood indicated that it makes sense to waive the park strip on 200 W. as a main thorough fare.

Motion: Commissioner Jorgensen motioned to grant a waiver to remove the park strip requirement for the Green Hollow Subdivision on 200 W., 300 W., and 450 N. Commissioner Hoffman seconded.

Roll Call:

Commissioner Hoffman

Aye

Commissioner Jorgensen	Aye
Commissioner Lance	Aye
Commissioner Adcock	Aye
Commissioner Wood	Aye

The motion passed unanimously in the affirmative 5 votes to 0.

OTHER BUSINESS

Approval of Meeting Minutes from August 24, 2021

Motion: Commissioner Adcock motioned to approve the Planning Commission Meeting minutes from August 24, 2021. Commissioner Hoffman Seconded. The motion passed unanimously in the affirmative.

Mr. Bond asked the Commissioners if they feel that extra sign requests should come before them for approval or not? Commissioners Jorgensen and Adcock stated that they like reviewing the proposals. Commissioner Lance stated that she thinks receiving a consensus from a group removes favoritism.

Commissioner Jorgensen expressed concern regarding mixed use development, regarding noise cancelling requirements. Commissioner Wood asked if augmenting building code within city code can be done? Mr. Bond explained that the base standard is building code, but additional requirements could be added to code. He added that sometimes extra regulations create additional cost for businesses. Commissioner Jorgensen explained that she saw comments on Facebook and talked to a friend who works in a mixed-use office regarding the noise between the commercial and residential uses. She noted that she found out that fire wall is just two layers of drywall. Mr. Reeves explained the use of party walls in townhomes to dampen the sound between units. Which is two separate walls built with an air barrier between. Commissioner Lance explained that she owned a business in a mixed-use building, and it was loud. Commissioner Jorgensen suggested that party walls, etc. should be looked in to for future mixed-use buildings.

Adjournment:

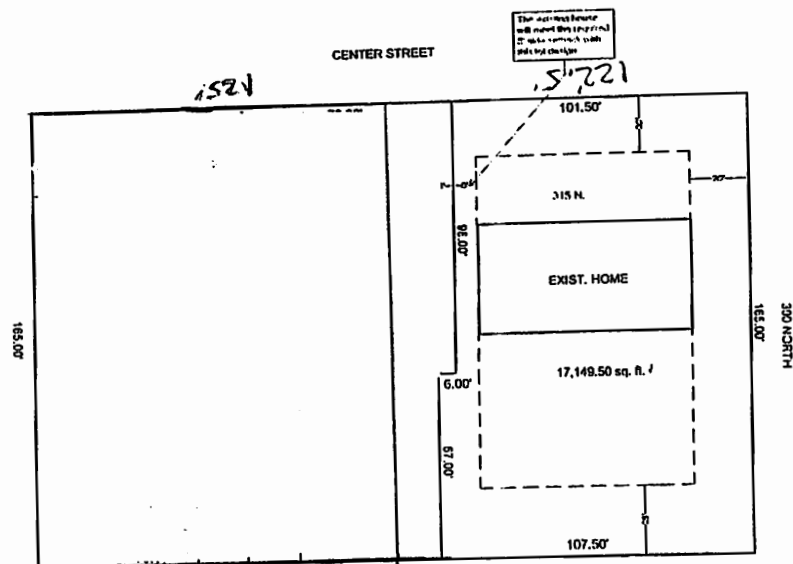
Commissioner Lance motioned to adjourn at 8:27 p.m.



Trevor Wood, Commission Chair

Kira Petersen, Deputy Recorder

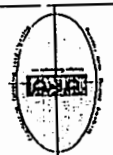
1. SANTAXEN UTILITY GIS INFORMATION IS AVAILABLE UPON REQUEST.

[illegible]

315 NORTH CENTER STREET
SANTAQUIN, UTAH

REVISIONS

SANTAQUIN, UTAH



DRAWN BY: PL
DATE: 9/11
SCALE: 1" = 20'
PROJECT #
SHEET #

SITE

ORDINANCE NO. 10-02-2021

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO UPDATE THE LAND USE TABLE IN THE RESIDENTIAL COMMERCIAL (RC) 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 20 Section 150 to update the land use table in the Residential Commercial (RC) zone; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on September 28, 2021, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City; 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 20 Section 150 is amended as follows: (underlined text is added, stricken text is deleted)

10.20.150.B: PERMITTED USES:

Permitted Uses: General land uses within the residential commercial zone shall complement the city's general plan for their respective areas. Those uses allowed in the RC zone 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.
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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.

Use	RC
Accessory apartments	P
Alcohol dispensing establishment	C
Automotive service and repair	C
Automotive service station	C
Cemeteries	P
Child daycare center	C
Commercial, recreation	P
Commercial, retail sales and service	P
Drive-in retail	P
<u>Dwelling, accessory unit attached</u>	<u>P</u>
<u>Dwelling, accessory unit detached</u>	<u>N</u>
Dwelling, caretaker	P
Dwelling, single-family detached	P
Dwellings, multi-family <u>multiple-family</u> , subject to SCC 10.16.060	P
Engraving, publishing, and printing	P
Furniture and appliance stores	P
Golf courses and golf clubhouses (private and public)	P
Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent of a development project permitted within and in association with the RC Zone and with City Council approval and Planning Commission recommendation for approval of a plan detailing the scope and time schedule for the work to be done	C
Healthcare facility	C
Home occupations, subject to SCC 10.40	P/C
Hotels and motels	C
Institutions	P
Kennel, as a home occupation under SCC 10.40 and subject to animal licensing requirements in SCC 5	P/C

Kennel, as a stand alone commercial business, subject to animal licensing requirements in title 5 of this Code	P
Large-scale developments	C
Mobile home parks	C N
Mortuary, funeral home	P
Parking lot	P
Parks	P
Pawnshops	C
Planned-unit developments	C
Professional office or financial services	P
Public and quasi-public buildings	P
Recreational vehicle (RV) parks	N
Religious center	P
Residential facilities for persons with a disability pursuant to SCC 10.60 and the Utah Code § 10-9-605	P
Residential facilities for the elderly pursuant to SCC 10.56 and the Utah Code § 10-9-502	P
Schools	P
Seasonal businesses on properties of a commercial use and subject to the provisions of SCC 10.16.300	P
Seasonal businesses on properties of a residential use and subject to the provisions of SCC 10.16.300	C
Stone and monument sales	P
Storage unit facilities	P
Taxidermy shops	P
Telecommunications sites subject to SCC 10.16.340	P/C
Theaters	C
Tire recapping	C
Veterinarian services	P
Wedding chapel	P
Wholesale stores	P

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

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

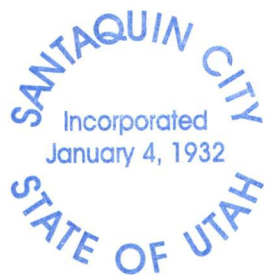
I, K. AARON SHIRLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 5th day of October 2021, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO UPDATE THE LAND USE TABLE IN THE RESIDENTIAL COMMERCIAL (RC) 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 5th day of October, 2021.


K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)



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

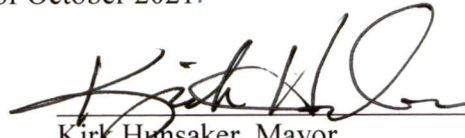
It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in 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, October 6th, 2021. 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 5th day of October 2021.




Kirk Hunsaker, Mayor

Councilmember Nick Miller
Councilmember Elizabeth Montoya
Councilmember Lynn Mecham
Councilmember Jennifer Bowman
Councilmember David Hathaway

Voted yes
Voted yes
Voted yes
Voted About
Voted About

ATTEST:


K. Aaron Shirley, City Recorder

**SANTAQUIN CITY
ORDINANCE 10-03-2021**

**AN ORDINANCE AMENDING ANIMAL CONTROL REGULATIONS, 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 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, animal control regulations serve the public safety, health and welfare of the community by reducing public nuisances, spread of disease, and inhumane treatment of animals; and

NOW THEREFORE, be it ordained by the Council of Santaquin City, in the State of Utah, as follows:

SECTION I. Title 5.08 Animal Control Amendments

Title 5.08.170 Fancier and Hobby Permits is amended as follows: (underlined text is added, stricken text is deleted)

~~Where permitted by the zoning ordinances, o~~Owners of dogs and cats may obtain a Conditional Use permit to keep more than three (3) dogs or cats in a residential area, provided:

1. All household pets on the premises are individually licensed if required by this code;
 2. ~~All adult household pets used for breeding are registered with a national registry, such as, but not limited to, the AKC, UKC or Field Dog;~~
 3. The property on which the animals will be kept cComplies with zoning requirements, the health department and the applicable regulations for kennels;
 4. All other provisions of this chapter are complied with, and no pet or premises is deemed to be a nuisance.
 5. The maximum number of household pets allowed on the premises shall be ~~the same as outlined under SCC 10.64.080 paragraph C~~set through Conditional Use approval by the Planning Commission. The Planning Commission shall use the criteria set forth in 10.24.060 and 10.64.080.C when considering requests under this section.
2. The holder of a permit issued under this section may keep one litter intact until the animals reach six (6) months of age; one animal from the litter may be retained until it reaches twelve (12) months of age. At no time may the holder of a permit retain more animals than is indicated on the permit.

Section II. Title 10.64 Animal Rights Amendments

1. Section 10.64.020 Scope is amended as follows: (underlined text is added, stricken text is deleted)

This ~~overlay~~ chapter regulates animal rights in all zones in Santaquin.

2. Section 10.64.080.A Rights Granted by this Chapter is amended as follows: (underlined text is added, stricken text is deleted)

A. Legal Nonconforming Animal Rights: Lots containing animal rights which are legally nonconforming, or which hereby become legally nonconforming, with regards to property size or the presence of animal rights shall maintain those rights herefrom in the nature of which they were permitted, unless abandoned or discontinued as provided in SCC ~~10.64.030~~10.28.010.

3. Section 10.64.080.C Rights Granted by this Chapter is amended as follows: (underlined text is added, stricken text is deleted)

C. Household Pets: Small animals and fowl may be kept as household pets in all zones subject to the following conditions:

1. Animals or fowl must be kept in pens, or otherwise secured, unless housed within the dwelling unit.
2. No more than three (3) cats and no more than three (3) dogs ~~per animal control provisions of the same species shall be kept~~, excluding dependent young under six (6) months of age, shall be kept subject to animal control provisions of SCC Title 5. The Planning Commission may grant a conditional use permit to allow more than the above cats and dogs upon an applicant's demonstration that all Title 5 standards applicable to the number and type of animals will be met and there will be compliance with all nuisance regulations. Conditional Use Permits under this part may not be approved for multi-family or attached single family residences.
3. All pens, coops, and structures shall be kept clean and free from objectionable odor.

4. Section 10.64.150.A Rights Granted by this Chapter is amended as follows: (underlined text is added, stricken text is deleted)

A. ~~Misdemeanor Penalty: Any person v~~Violating any provision of this ~~overlay chapter may be charged with a class B misdemeanor and upon conviction thereof shall be punished~~ punishable by a fine as stipulated in the Utah state code, by imprisonment as stipulated in the Utah state code, or by both such fine and imprisonment as well as those penalties outlined in SCC 1.16.010 and the Uniform Fine Schedule as amended from time to time. Each day that said violation is not mitigated will be considered a separate violation.

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.

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 5th day of October 2021, entitled

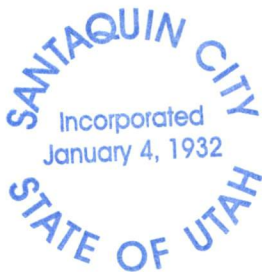
**“AN ORDINANCE AMENDING ANIMAL CONTROL REGULATIONS, PROVIDING FOR
CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE
DATE FOR THE ORDINANCE.”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 5th day of October, 2021.

K. Anon Shinde

K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)



SECTION V. Severability.

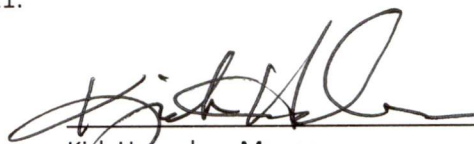
If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof 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 VI. Effective Date.

This ordinance shall become effective at 5:00 p.m. on Wednesday, October 6th, 2021. 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 5th day of October, 2021.

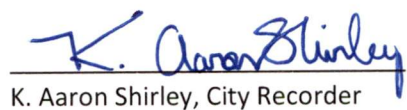



Kirk Hunsaker, Mayor

Councilmember Nick Miller
Councilmember Elizabeth Montoya
Councilmember Lynn Mecham
Councilmember Jennifer Bowman
Councilmember David Hathaway

Voted yes
Voted yes
Voted yes
Voted Absent
Voted Absent

ATTEST:


K. Aaron Shirley, City Recorder

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 5th day of October, 2021.

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

K. AARON SHIRLEY

Santaquin City Recorder

The foregoing instrument was acknowledged before me this 5th day of October, 2021, by K. AARON SHIRLEY.

Shannon Hoffman

Notary Public





Planning Commission Meeting Minutes

Tuesday, August 24, 2021

Planning Commission Members in Attendance: Trevor Wood, Kylie Lance, Drew Hoffman, Brad Gunnell, Kody Curtis and Sarah Jorgensen.

Others in Attendance: City Manager Ben Reeves, Community Development Director Jason Bond, City Attorney Brett Rich, Bruce Baird, Randall Ercanbrack, Rick Lybbert, Brad Horrocks, Jared Bingham, Brad Gilson (Attending Via Zoom), Stephen Larsen, and Wes Bott.

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

Invocation/Inspirational Thought: Commissioner Lance shared an inspirational thought.

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

Order of Agenda Items: Commission Chair Wood suggested switching agenda items one and two to discuss the new proposed zone prior to the requested rezone.

Public Forum: Commission Chair Wood opened the Public Forum at 7:03 p.m. there were no comments, so he closed the Public Forum at 7:03 p.m.

PUBLIC HEARING- Commercial Light Manufacturing (CLM) Zone Creation

The Planning Commission will consider establishing a Commercial Light Manufacturing (CLM) zone.

Mr. Bond explained that agenda items one and two are related. He indicated that this agenda item is a legislative action. Mr. Bond clarified that part of the Ercanbrack rezone request includes the creation of a new zone: The Commercial Light Manufacturing (CLM) Zone.

Mr. Bond summarized that 3-4 years ago the Planning Commission suggested a rezone for areas that front Main Street, specifically the West side. Mr. Ercanbrack's property was part of the proposed rezone. Mr. Ercanbrack came to that meeting and indicated that he had a development agreement with the city. Mr. Bond noted that the development agreement was drafted in 2002 with a sunset of 10 years. Staff has subsequently been working with Mr. Ercanbrack to find a solution moving forward. Mr. Bond shared an exhibit from the development agreement that shows the proposed zoning for the property (See Attachment 'A').

Mr. Bond explained that the CLM zone was created by taking the RC zone and using it as a template. The residential uses were removed and replaced with light manufacturing uses. He stated that they worked with Mr. Ercanbrack and his legal Counsel to figure out what uses would fit in this zone. Mr. Bond pointed out specific uses are not permitted such as slaughterhouses.

He added that Commissioner Jorgensen pointed out that Accessory Apartments are listed as a permitted use within this zone. As no other residential uses are allowed in this zone, it doesn't make sense to have Accessory Apartments permitted.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 7:14 p.m.

Mr. Bruce Baird Legal Counsel for Mr. Ercanbrack introduced himself. He stated that he believes this new zone is a good planning tool that may be applicable in other zones within the city. He noted that they are happy to remove Accessory Apartments as a permitted use, it was unintentionally left in the proposed zone language.

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

Commissioner Gunnell asked if the requirements for the proposed new conditional uses are set out within code? Mr. Bond answered that staff would like the Commission's input on those conditions and have time to propose and write them for each conditional uses within the zone.

Commissioner Gunnell stated that he would like to see storage units removed as a permitted use within this zone. Commissioner Lance agreed. Mr. Bond explained that this proposed zone would only apply to the parcel of land where the existing industrial building is located. The current building has been used for storage purposes. Commissioner Gunnell suggested that this be addressed in the development agreement by allowing it as an existing use but removing it as a permitted use within the zone. This way new storage units would not be allowed within the zone if the ownership were to change.

Commissioner Curtis asked what the current zone wasn't allowing that is needed? Mr. Reeves answered that light industry wasn't an allowed use within the current RC zone. Commissioner Curtis asked is the proposed zone was created to fit the current use of the building, or the future of the building? Mr. Bond stated that it is both, so the building can be used as something like what is being used as now.

Commissioner Jorgensen stated that she likes the idea of bringing in a business that wouldn't compete with current local businesses and would support the tax base. Mr. Reeves pointed out that an industrial use would create jobs.

Commissioner Lance asked if there is an area that outlines light pollution, hours of operation, etc. Mr. Bond stated that this would need to be fleshed out within the conditional uses. Commissioner Lance stated that this needs to be discussed if high density housing will be surrounding it. Commissioner Hoffman noted that an industrial use involving metals will include chemicals, smells, heat, etc. He pointed out that the containment and disposal would need to be discussed within the conditions.

The Commission gave staff the direction to begin the process to update the conditional use code.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the creation of a Commercial Light Manufacturing (CLM) zone with the condition that new storage facilities and accessory apartments be excluded as permitted uses. Commissioner Jorgensen seconded.

Roll Call:

Commissioner Hoffman

Aye

Commissioner Curtis	Aye
Commissioner Jorgensen	Aye
Commissioner Gunnell	Aye
Commissioner Lance	Aye
Commissioner Wood	Aye

The motion passed unanimously 6 to 0.

PUBLIC HEARING- Ercanbrack Rezone Request

The Planning Commission will review a proposal to rezone approximately 15.19 acres of property located at 580 W. Main Street. It is proposed that approximately 7.90 acres of property be rezoned from Residential Commercial (RC) zone to Main Street Commercial (MSC) zone. It is proposed that approximately 3.20 acres of property be rezoned from Residential R-10 zone to Residential Commercial (RC) zone. It is proposed that approximately 4.09 acres of property be rezoned from Residential Commercial (RC) zone to Commercial Light Manufacturing (CLM) zone.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 7:49 p.m.

Mr. Bruce Baird stressed that they have worked with staff regarding the proposed rezone and development agreement. Specifically making sure to provide buffer zones between commercial and residential zones.

Commission Chair Wood closed the Public Hearing at 7:51 p.m.

Commissioner Curtis asked if the current R-10 zone has any road access available to it? Mr. Bond answered that a single-family home is already built there and there is access to it from Lark Street. The intention is to continue 100 N. to Lark Street and loop over to the west and connect to Main Street. Mr. Randall Ercanbrack explained that 100 N. is currently a private road. He stated that ideally, they would like to provide 3 access points. Commissioner Jorgensen indicated that she would like to see the connectivity in the area increased.

Commissioner Lance stated that locating high density next to transit makes sense and will provide a good buffer between industrial facilities. She asked if there is a requirement within the development agreement stipulating how many access points would be required? Mr. Reeves stated that code requires two access points. Commissioner Gunnell asked what the current cap of residential density in the MSC zone is? Mr. Bond answered that there is no cap but whether the land can meet the open space and parking requirements. The proposed density is 15.7 units per acre over the density of the project. Mr. Bond indicated that subdivision requirements would still be reviewed and need to be met for each project.

Commissioner Wood stated that he expected the development to be more specific and asked how common it is to have an open-ended agreement like this? Mr. Bond answered that a lot of the development agreements look like this, it may look different to the Commission because they are familiar with development agreements that are tied to a PUD. This is more of a broad high-level look at a piece of property. Commissioner Wood pointed out a note in the development agreement stating that if the zoning boundaries were to change that could be done administratively. Mr. Baird explained that the zoning boundaries could be moved to up to 10%

for this specific project due to the road locations not being 100% set. Mr. Rich explained that they tried to narrow it down so minor adjustments can be an administrative action like a boundary line adjustment.

Commissioner Lance asked for clarification regarding section 3.2.7 of the development agreement regarding Planning and Zoning Modification. Mr. Baird explained that this clause would allow the development to conform with architectural standards updated throughout the city unless the requirements would unreasonably increase the cost of the development.

Commissioner Wood asked if this plan is open ended or if Mr. Ercanbrack has specific uses for these proposed zones? Mr. Ercanbrack stated that right now the property is orchard, and he doesn't know how long it will be until it is developed. He stated that his grandson and son will be developing it moving forward. He indicated that this agreement would help protect the city as well.

Mr. Bond explained that although this plan may seem vague it is a lot more detailed than the current zoning. Commissioner Wood expressed appreciated that even though there aren't more details, it addresses the main concerns that the Commission had when wanting to rezone Main Street years ago.

Motion: Commissioner Curtis motioned to forward a positive recommendation to the City Council for the proposed Ercanbrack Rezone Request for the property at 580 W. Main Street. Commissioner Hoffman seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Lance	Aye
Commissioner Gunnell	Aye
Commissioner Jorgensen	Aye
Commissioner Curtis	Aye
Commissioner Hoffman	Aye

The motion passed unanimously 6 to 0.

PUBLIC HEARING- Santaquin 94 LLC Rezone Request

The Planning Commission will review a proposal to rezone approximately 0.93 acres of property located at 94 W. Main Street. The current zoning of the property is the Central Business District (CBD). The proposal is to rezone it to the Main Street Commercial (MSC) zone.

Mr. Bond explained that this is a proposal to rezone the property at 94 W. Main Street from the Central Business District (CBD) to the Main Street Commercial (MSC) zone.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 8:17 p.m.

Mr. Rick Lybbert introduced himself as a physical therapist with Mountainland Physical Therapy. He explained that they have worked with the Canyon View Medical Clinic in Santaquin for 13 years. With the growth of the City they need a new building. The zoning has changed since they built the existing doctor's office, which zoning would require them to build a two-story building.

He indicated that they would prefer a single level building which would be more conducive for patients who need physical therapy. He pointed out that the lot is adjacent to the Main Street Commercial zone.

Mr. Brad Horrocks echoed Mr. Lybbert's comments. He noted that they desire to have a new space but still be in proximity of the Canyon View Medical Clinic. This would allow them to stay in the community.

Commission Chair Wood closed the Public Hearing at 8:21 p.m.

Commissioner Gunnell stated that he doesn't have a problem accommodating a business growing in town.

Commissioner Lance explained that her uncle owns the Stone Ridge Plaza building on Main Street. She stated that it was required to be built as 3 stories, and she's concerned that it will stick out as there are no other 3 story buildings in the area. Mr. Lybbert clarified that this single-story building would have a 25-foot parapet wall and it will meet the height requirements within the MSC zone.

Commissioner Curtis asked how tall the existing Canyon View Medical Building is? Mr. Lybbert answered that measuring from the ground to the mid roofline it is estimated to be 19 feet tall. Mr. Bond explained that the existing building is a legal non-conforming use so the requirements for this new building will be different. Mr. Lybbert indicated that they want to match the zoning requirements as much as possible, while still using similar colors so it doesn't feel out of place. He indicated that they want to build a beautiful building while still being appropriate for physical therapy use. Mr. Bond noted that this building will be subject to the requirements of the zoning and the Architectural Review Committee.

Commissioner Wood noted that the language in the MSC zone doesn't show medical offices as a permitted use. Mr. Bond answered that it is included within the definition of a professional office. Commissioner Wood noted that there is a clause stating that if 40% of the property is being changed the entire property needs to be brought up to the zoning requirements. Mr. Bond stated that it was drawn out and calculated and it did not exceed the 40% threshold.

Commissioner Wood stated that he has no problems with this proposed rezone.

Motion: Commissioner Jorgensen motioned to send a positive recommendation to the City Council for the Santaquin 94 LLC Rezone. Commissioner Lance Seconded.

Roll Call:

Commissioner Hoffman	Aye
Commissioner Curtis	Aye
Commissioner Jorgensen	Aye
Commissioner Gunnell	Aye
Commissioner Lance	Aye
Commissioner Wood	Aye

The motion passed unanimously 6 to 0.

PUBLIC HEARING- Summit Ridge Commercial 8-lot Subdivision

The Planning Commission will review a preliminary plan for a proposed 8-lot commercial subdivision located at approximately 1500 S. South Ridge Farms Road.

Mr. Bond clarified that generally Public Hearings are not held for a Preliminary Plan but there was a discrepancy with the original Notice. It was re-noticed at the preliminary stage to ensure that all noticing requirements were met. He stated that staff has been working with the applicant and requested a clearer phasing plan to better understand the site work required for each phase.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 8:36 p.m. There were no comments, so he closed the Public Hearing at 8:36 p.m.

Commissioner Lance indicated that she likes to see more commercial lots become available in town. Commissioner Hoffman asked if the access will be cut off to the South Ridge Farms Road during construction? Mr. Reeves answered that there will be continuous access to the road throughout the project. Commissioner Jorgensen asked if the existing HOA building would remain? Mr. Bond confirmed this.

Motion: Commissioner Lance motioned to forward a positive recommendation to the City Council for the Summit Ridge Commercial 8-lot Subdivision. Commissioner Curtis seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Lance	Aye
Commissioner Gunnell	Aye
Commissioner Jorgensen	Aye
Commissioner Curtis	Aye
Commissioner Hoffman	Aye

The motion passed unanimously 6 to 0.

PUBLIC HEARING- DeGraffenried 2-lot Subdivision

The Planning Commission will review a concept plan for a proposed single lot split located at 245 E. 100 N.

Mr. Bond explained that the proposed single lot split would create two lots which would be roughly half acre lots.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 8:40 p.m. There were no comments, so he closed it at 8:40 p.m.

Commissioner Jorgensen asked if the developer is required to install curb gutter and sidewalk? Mr. Bond indicated that staff would look to the developer to see if they would like to apply for a deferral agreement for the improvements. If they would, this would have to be approved by the City Council. The developer is also allowed to install the infrastructure up front. Staff usually encourages deferral agreements to avoid an island of improvements within the core area of town.

Grey Cliff Mass Grading Conditional Use Permit

Mr. Bond noted that this item was tabled at the last meeting as the Commissioners indicated that they would like more information. He shared Mr. Beagley's thoughts who indicated that this development could be considered approved, as there is an existing development agreement in place. Mr. Bond noted that the items that were not addressed last time have now been addressed. Mr. Steve Larsen indicated that this is a big project that will take a long time, their goal is to do the least amount of work during the summer and work during the off season. Mr. Bond noted that the applicant will need to indicate specific points of entry away from the orchards. This can be worked out prior to the city council meeting.

Commissioner Jorgensen asked if there will be a water tank located within this development? Mr. Larsen stated that it is an option, but it may not be needed. Right now, a booster pump station would be put in down below in lieu of a tank. He explained that they are committed to control dust but will try to do so in the off season by sourcing from their wells and using natural weather. Mr. Bond explained that determining what the requirements are for water would be part of engineering's preliminary review.

1. That all activities comply with Santaquin City regulations pertaining to mass grading operations as found in Title 10-6-28 of the Santaquin City Code.
2. Provide appropriate bonding for the site.
3. The applicant provides a water meter for the proposed connection to Santaquin City water and set up an account for appropriate billing.
4. Provide copies of UDOT approval for access to and from the site. Commissioner Curtis seconded.

Commissioner Hoffman	Aye
Commissioner Curtis	Aye
Commissioner Jorgensen	Aye

Commissioner Gunnell	Aye
Commissioner Lance	Aye
Commissioner Wood	Aye

The motion passed unanimously 6 to 0.

PUBLIC HEARING- Major Home Occupation Pre-School (The Reading Tree Preschool)

The Planning Commission will review a proposed Major Home Occupation for The Reading Tree Preschool located at 497 Firestone Drive.

Mr. Bond explained that this proposal is coming before the Commission because the applicant would like to have more than 8 students at their preschool, this is more than a minor home occupation allows. They are proposing to have one class daily with 12 children.

PUBLIC HEARING- Commission Chair Wood opened the Public Hearing at 9:01 p.m. There were no comments, so he closed the Public Hearing at 9:01 p.m.

Commissioner Gunnell explained that his concern is that parents will be parking on the road waiting to pick up the children. He noted Commissioner Adcock (who was not in attendance) expressed concern regarding the narrowness of the road. Mr. Bond indicated that the proposed traffic plan is to have the cars go in one way and out the other. Commissioner Lance stated that she thinks traffic could be a problem regardless of if it's 8 or 12 cars. Commissioner Hoffman pointed out that no public comments were received, so they can assume that there are no concerns from the neighbors.

Motion: Commissioner Jorgensen motioned to approve The Conditional Use Permit for the Major Home Occupation Pre-School *The Reading Tree Preschool*. Commissioner Lance seconded.

Roll Call:

Commissioner Wood	Aye
Commissioner Lance	Aye
Commissioner Gunnell	Aye
Commissioner Jorgensen	Aye
Commissioner Curtis	Aye
Commissioner Hoffman	Aye

The motion passed unanimously 6 to 0.

OTHER BUSINESS

Approval of Meeting Minutes from

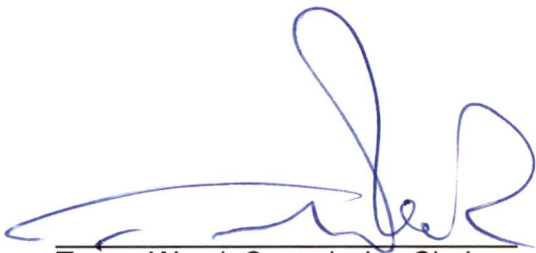
August 10, 2021

Motion: Commissioner Lance motioned to approve the Planning Commission Minutes from August 10, 2021. Commissioner Curtis seconded. The motion passed unanimously in the affirmative.

Mr. Bond explained that the next scheduled meeting is September 14th. There will be a regional training event in lieu of the meeting. He stated that he will send the invitations to the Commissioners and asked that they RSVP to the meeting.

ADJOURNMENT

Commissioner Lance motioned to adjourn at 9:15 p.m.

A handwritten signature in blue ink, appearing to read 'Trevor Wood', written over a horizontal line.

Trevor Wood, Commission Chair

A handwritten signature in blue ink, appearing to read 'Kira Petersen', written over a horizontal line.

Kira Petersen, Deputy Recorder