



PLANNING COMMISSION

Tuesday, September 13, 2022, at 7:00 PM
Court Room/Council Chambers (2nd Floor) and Online

MEETINGS HELD IN PERSON & ONLINE

The public is invited to participate as outlined below:

- **In Person** – Meetings are held on the 2nd floor in the Court Room/Council Chambers at City Hall
- **YouTube Live** – Public meetings will be shown live on the Santaquin City YouTube Channel, which can be found at <https://bit.ly/2P7ICfQ> or by searching for Santaquin City Channel on YouTube.

ADA NOTICE

If you are planning to attend this Public Meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

AGENDA

WELCOME

INVOCATION/INSPIRATION THOUGHT

PLEDGE OF ALLEGIANCE

ORDER OF AGENDA ITEMS

PUBLIC FORUM

DISCUSSION & POSSIBLE ACTION

1. **PUBLIC HEARING - General Plan Amendment**

The Planning Commission will consider a recommendation to amend the Moderate-Income Housing element of the General Plan.

2. **PUBLIC HEARING - Ercanbrack Rezone**

The Planning Commission will review a proposal to rezone approximately 6.78 acres of property located at 580 W. Main Street. It is proposed that approximately 0.59 acres of property be rezoned from Residential Commercial (RC) zone to Residential R-10 zone. It is proposed that approximately 2.78 acres of property be rezoned from Main Street Commercial (MSC) to Residential Commercial (RC) zone. It is proposed that approximately 3.41 acres of property be rezoned from Main Street Commercial zone to Commercial Light Manufacturing (CLM) zone.

OTHER BUSINESS

3. **Meeting Minutes**

06/28/2022

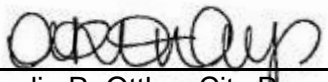
4. **Meeting Minutes**

07/26/2022

ADJOURNMENT

CERTIFICATE OF MAILING/POSTING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was posted on www.santaquin.org, Santaquin City Social Media sites, posted in three physical locations, and posted on the State of Utah's Public Notice Website.

BY: 
Amalie R. Ottley, City Recorder

MEMO



To: Planning Commission

From: Jason Bond, Assistant City Manager

Date: September 9, 2022

Re: **Amendment to the General Plan (Moderate Income Housing Plan)**

The Utah State Legislature is requiring that cities update their Moderate-Income Housing Plan (MIHP) to include strategies from a pre-determined list of options and a plan to implement each strategy (see Utah Code Annotated 10-9a-408). This update needs to be completed on or before October 1, 2022. Based on the characteristics of Santaquin City, we are required to choose at least three strategies. Attached is a document that further explains the purpose of the MIHP and the new requirements.

Staff has sought direction from the Mayor and City Council on the strategies and implementation ideas that should further be considered. After receiving their input, staff has prepared a draft of the proposed MIHP update which includes updated the data and the language of the document to address the new State requirements. The draft currently shows four strategies and corresponding implementation plans. These strategies and the associated language is being presented to the Planning Commission for their review and for them to provide a recommendation to the City Council.

Staff Recommendation: It is recommended that the Moderate-Income Housing Plan of the General Plan be updated as proposed in order to comply with new State requirements.

Recommended motion: “Motion to recommend approval of the proposed update of the Moderate-Income Housing Plan of the General Plan so that Santaquin City is in compliance with State Code.”

ATTACHMENT:

1. Information and List of Strategies to Implement Moderate Income Housing.
2. Draft update to the Moderate-Income Housing Plan of the Santaquin City General Plan

Planning

Utah's Dedication to Affordable Housing

General plans act as a jurisdiction's guiding light over the coming years. These comprehensive, long-range plans evaluate the present and future needs of the jurisdiction while also directing the growth and development of that jurisdiction. These plans cover a wide range of topics from transportation, water, recreation, education, and culture.

Since 1996, the Utah State Legislature has deemed planning and development of moderate income housing a statewide concern with the initial adoption of 10-9-307 of the Utah Code. Most jurisdictions must incorporate a moderate income housing element within their general plan. This moderate income housing element includes an "analysis of how the jurisdiction will provide a realistic opportunity for development of moderate income housing within the next five years."

While all jurisdictions are highly encouraged to include a moderate income housing element in their general plan and to take proactive steps towards creating affordable housing, the Legislature of the State of Utah has set the following criteria for those jurisdictions that must meet the requirement:

COUNTIES

First, second, and third class* counties with at least 5,000 people in the unincorporated portion.

MUNICIPALITIES

Cities**

- First, second, third, or fourth class cities
- Fifth class cities with at least 5,000 people and part of a first, second, or third class county

Metro Townships

- Metro townships with at least 5,000 people

* - First class = 1,000,000 people or more; second class = 175,000-999,999 people; third class = 40,000-174,999 people

** - First class = 100,000 people or more; second class = 65,000-99,999 people; third class = 30,000-64,999 people; fourth class = 10,000-29,999 people; fifth class = 1,000-9,999 people

The Importance of Planning for Moderate Income Housing

With proper planning and regulations, jurisdictions can pave the way for the private market to adequately address the housing needs and demand of Utah residents - today and in the future. Housing is one of the top priorities of people and ensuring there's enough housing that people can afford is very important.

As defined by Utah Code, moderate income housing is "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross

income for households of the same size in the county in which the city is located.” By planning for moderate income housing, jurisdictions will be able to target and direct housing development that will cover a large segment of their population and help to limit the cost burden their residents experience in owning a home.

Planning for moderate income housing by identifying key strategies and how a jurisdiction will implement them within the general plan is a major first step. For a greater impact and to ensure those strategies and implementations continue to work in the future, it's imperative to analyze and revise this planning regularly. Our communities are forever changing and the direction and planning we take must be adjusted accordingly to ensure we're supporting existing and future residents throughout Utah.

Benefits and Limitations

There are benefits for those jurisdictions that meet or even exceed the moderate income housing requirement. Those jurisdictions that exceed the standard requirements by (selecting and implementing two additional strategies) will receive priority consideration of specific funding for the following year after the annual report submission. On the flip side, jurisdictions that do not submit their annual report or do not meet the standard requirements will be deemed ineligible for those same funding opportunities.

The funding opportunities related to this requirement include:

- Transportation Project Funding from the Transportation Commission (Transportation Investment Fund and Transit Transportation Investment Fund) and
- COVID-19 Local Assistance Matching Grant Technical Assistance Program through the Governor's Office of Planning and Budget.

Housing Element Guidance

There are a number of elements that relate to planning for moderate income housing in Utah. We've outlined the primary elements of the state requirement to provide general guidance.

Moderate Income Housing Element in the General Plan

While all jurisdictions are encouraged to plan for moderate income housing, certain jurisdictions are required to include a moderate income housing element within their general plan. The inclusion of this element demonstrates that the jurisdiction desires to create an opportunity for a variety of housing in order “to meet the needs of people of various income levels living, working, or desiring to live or work in the community” while also allowing “people of various incomes to benefit from and fully participate in all aspects of neighborhood and community life.”

This housing element should include two pieces: specific strategies which the jurisdiction intends to utilize and an implementation plan to see those strategies through over the next five years.

Strategies

Municipalities and counties must include at least three strategies - municipalities with a “fixed guideway transit station” (train or BRT station) must have at least four strategies. The menu of strategies includes the following:

- A. Rezone for densities necessary to facilitate the production of moderate income housing

- B. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing
- C. Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing
- D. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/municipality for the construction or rehabilitation of moderate income housing
- E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones
- F. Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers
- G. Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors
- H. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities
- I. Amend land use regulations to allow for single room occupancy developments
- J. Implement zoning incentives for moderate income units in new developments
- K. Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund
- L. Reduce, waive, or eliminate impact fees related to moderate income housing
- M. Demonstrate creation of, or participation in, a community land trust program for moderate income housing
- N. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality
- O. Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing
- P. Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing
- Q. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act
- R. Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530
- S. Create a program to transfer development rights for moderate income housing
- T. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing
- U. Develop a moderate income housing project for residents who are disabled or 55 years old or older
- V. Develop and adopt a station area plan in accordance with Section 10-9a-403.1

- W. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones
- X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing

Notes:

1. Municipalities with a fixed guideway transit station must include strategy V in their moderate income housing element.
2. Strategy “O” above does not include the phrase “an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperative Act,” for counties.
3. Strategy “V” above does not apply to counties.

Implementation

Identifying the key strategies that your jurisdiction is going to utilize is a first step to planning for moderate income housing. The next piece, and some might say the most important piece, is the implementation plan for these strategies.

The jurisdiction should determine an appropriate and realistic implementation plan to bring these strategies to life over the next five years. This implementation plan should be developed in a way that there's flexibility so that the jurisdiction can make adjustments as needed over time. The implementation should also identify specific measures and benchmarks for the strategies. This allows the jurisdiction and general public to understand exactly what needs to happen and creates a method of verifying and determining if the moderate income housing plan is being met.

Adoption

Drafting the strategies and implementation plan need to then be followed by incorporation and adoption of the moderate income housing element within the general plan. Below are a number of resources to assist with this phase.

A [basic outline](#) for the moderate income housing element of the general plan has been drafted. The outline is based on a number of guidelines and best practices recommended by the American Planning Association (APA) and the US Department of Housing and Urban Development (HUD). The [writing guide](#) provides easy to follow tips on preparing a high-quality moderate income housing element.

The moderate income housing element and implementation plan must be formally adopted by resolution and posted on the jurisdiction's website. Prior to the adoption, a public notice and comment along with a public hearing must be held to review the proposed amendment to the general plan.

Analysis

Starting in 2023, jurisdictions that are required to submit an annual report will also need to include an analysis of the progress they've made over the past year. This analysis is self-reported and reviewed by the Housing and Community Development Division. It gives the jurisdiction the ability to truly look at the strategies they've selected, the progress they've made toward implementation, as well as

identify any barriers or issues they've run into over the year while trying to enable and encourage moderate income housing.

More details about the annual report and the analysis element can be found on the [Reporting](#) page.

Clearinghouse of Affordable Housing Data

Planning is said to be policymaking with a map. Evidence-based policies are forward-looking and shaped by high-quality, reliable information rather than reflex responses to short-term pressures. They tackle causes not symptoms. Evidence-based policies are designed to: 1) Test the validity of perceived issues in a community; 2) Assess the extent of verified problems; 3) Evaluate the potential efficacy of proposed solutions; and 4) Monitor progress in resolving those problems.

Each year the U.S. Census Bureau conducts an extensive household survey called the American Community Survey (ACS) and posts the results on its website. The [U.S. Census Bureau](#) provides table and map-based data for you to explore and use. HUD then compiles the ACS into Comprehensive Housing Affordability Strategy (CHAS) datasets, which are tabulations of housing needs according to household income and program eligibility limits. It then publishes these data on its [HUDuser](#) website. However, these websites are not the most intuitive websites to use. HCD has provided a number of easy to follow tutorials and an Affordable Housing Gap Analysis tool to help guide you on your way to evidence-based planning.

The Role of the Utah Housing and Community Development Division

The Utah Housing and Community Development Division (HCD) plays a critical role assisting the State in the creation of moderate income housing. In addition to developing the regulations related to this topic within the State Code, HCD is here to:

- Train jurisdictions on the annual reporting process,
- Review and publish all submitted annual reports,
- Determine compliance with the regulation as well as priority funding consideration for jurisdictions that exceed the standard requirement,
- Identify jurisdictions that are in noncompliance and therefore ineligible for certain funding, and
- Provide support and answers to jurisdictions throughout the general plan adoption and implementation of the housing element.

Questions?

If you need any assistance in submitting your annual report or have questions about the requirements, please reach out to William Cobabe (wcobabe@utah.gov).



1: MODERATE INCOME HOUSING ELEMENT

The Utah Municipal Code, 10-9a-403(2)(a)(iii) requires that all cities adopt a Plan for “Moderate Income Housing” as part of their General Plan. Section 10-9a-403(2)(b) of the Utah Municipal Code, outlines three issues that must be addressed in the Moderate Income Housing Plan. The three issues that must be addressed are: 1) municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing; 2) an analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years; and 3) shall include a recommendation to implement three or more strategies found in 10-9a-403(2)(b)(iii) of the Utah Municipal Code.

I. Current Moderate-Income Population

Moderate income housing is defined by the Utah State Code 10-9a-103(38) as: “...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.”

The U. S. Census Bureau lists the median household income in Utah County in 2022 as \$96,000. Information from the U.S Department of Housing and Urban Development (HUD) indicates that based on the size of the household, an income level of \$ \$54,450 - \$98,900 could still be considered a low-income household. For example, a household with 4 people making less than \$80,900 is considered having a low income.

Table 1: Low Income Levels Based on Household Size.

Income Levels	Household Size							
	1	2	3	4	5	6	7	8
Low (80%) Income Limits	\$52,450	\$59,950	\$67,450	\$74,900	\$80,900	\$86,900	\$92,900	\$98,900
Very Low (50%) Income Limits	\$32,800	\$37,450	\$42,150	\$46,800	\$50,550	\$54,300	\$58,050	\$61,800
Extremely Low (30%) Income Limits	\$19,700	\$22,500	\$25,300	\$28,100	\$32,470	\$37,190	\$41,900	\$46,630

Source: Information obtained from US Housing and Urban Development Income Limits Documentation System 2022(www.huduser.org)

Santaquin’s population in 2010 was 9,128 and the population estimate for 2020 was 13,725. That is an increase of 4,597 residents in ten years. Each year, HUD receives custom tabulations of the American Community Survey 5-Year Estimate (ACS) from the Census Bureau. This data is known as the Comprehensive Housing Affordability Strategy (CHAS). This data demonstrates the extent of housing problems and needs, particularly for low income households. Table 2 categorizes household income levels by Area Median Income



1: MODERATE INCOME HOUSING ELEMENT

(AMI) using the statistics for CHAS. This table illustrates the number of Santaquin households whose total income falls within each income bracket.

Table 2: Households by Income Level 2018

AMI Income Level	Households	% of Households
100% AMI	1510	53%
80% AMI	895	32%
50% AMI	325	11%
30% AMI	100	4%

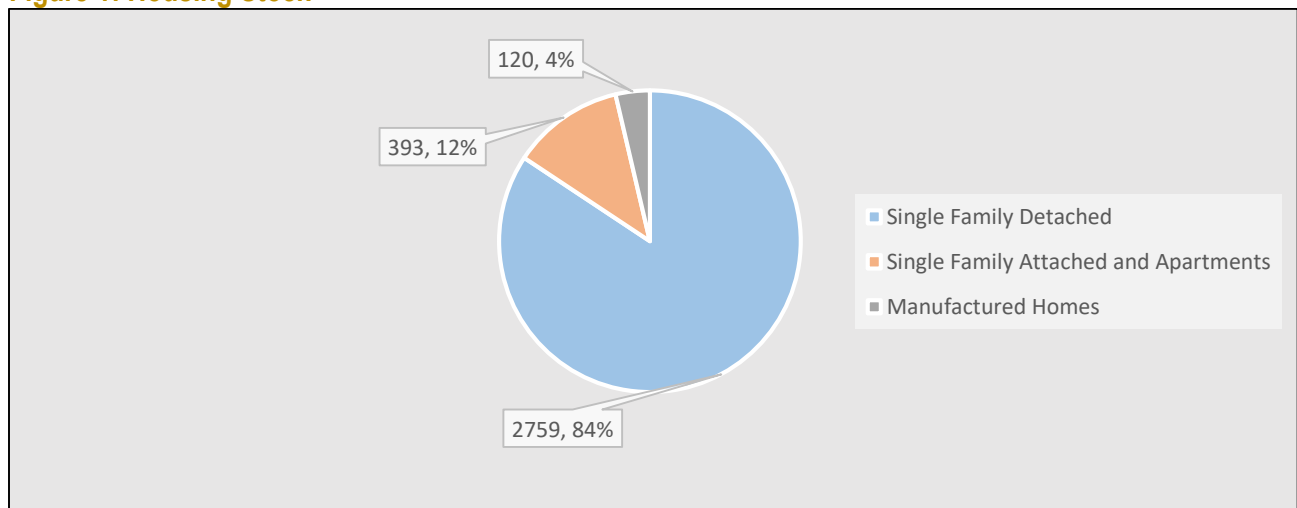
Source: Information obtained from US Housing and Urban Development Comprehensive Housing Affordability Strategy 2018 (www.huduser.org)

A low income is considered to be 80% of the AMI. In 2018, there are 1,320 households in Santaquin with a household income categorized as low income to extremely low income. The households that earn just 30% of the AMI find it very difficult to live within the affordable housing guidelines since they cannot afford average market rental rates. It is vital to the well-being of the community that households of all income levels have affordable housing options.

II. Current Housing Stock

In 2020, Santaquin had 2,759 detached single-family residences, 393 attached single family or apartment units, and 120 manufactured homes. These numbers combine for a total of 3272 dwelling units. The majority of dwelling units in Santaquin were owner-occupied. There were 2,768 owner occupied units, 478 renter occupied units and 26 vacant units.

Figure 1: Housing Stock

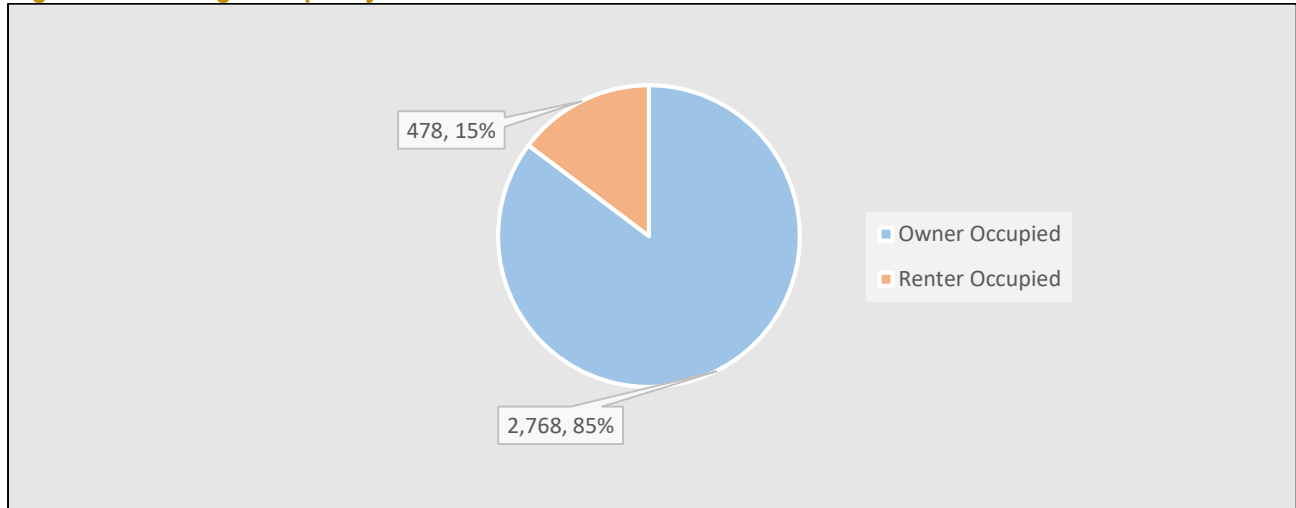


Source: US Census Bureau's American Community Survey, 2020 (www.factfinder.census.gov)



1: MODERATE INCOME HOUSING ELEMENT

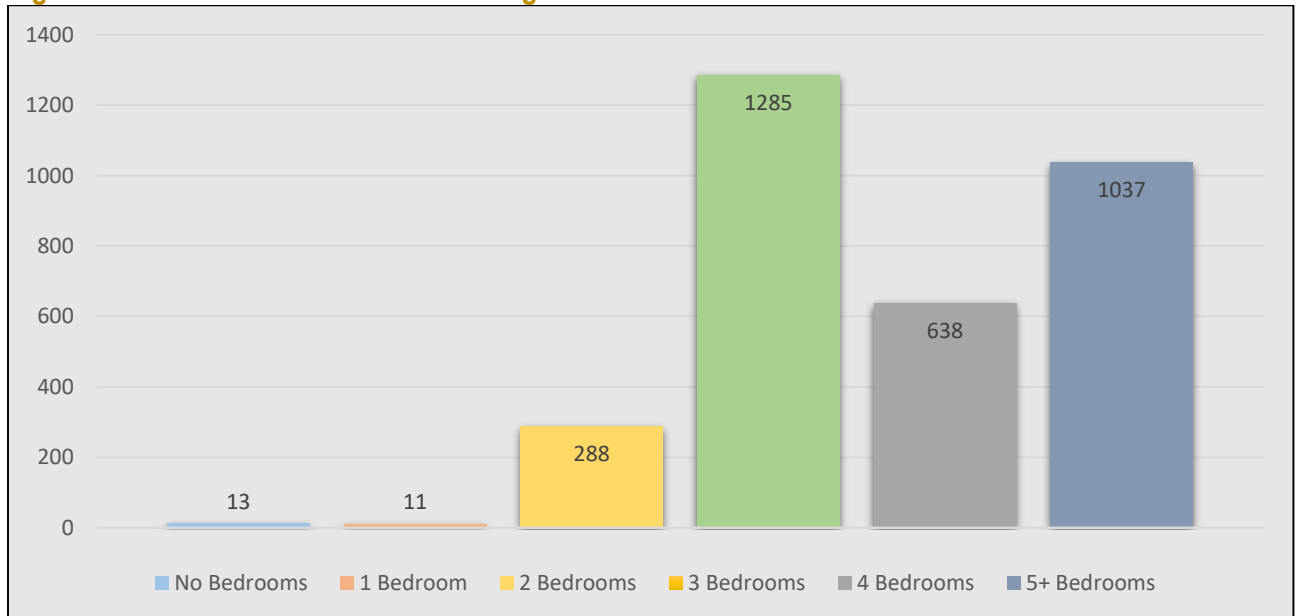
Figure 2: Housing Occupancy



Source: US Census Bureau's American Community Survey, 2020 (www.factfinder.census.gov)

There are 13 dwelling units that have no bedrooms and 11 dwelling with one bedroom. The majority of housing units have 3+ bedrooms. Approximately 53% of the housing stock in Santaquin was built in 2000 or later and 11% built before 1959.

Figure 3: Amount of Bedrooms in Housing Units

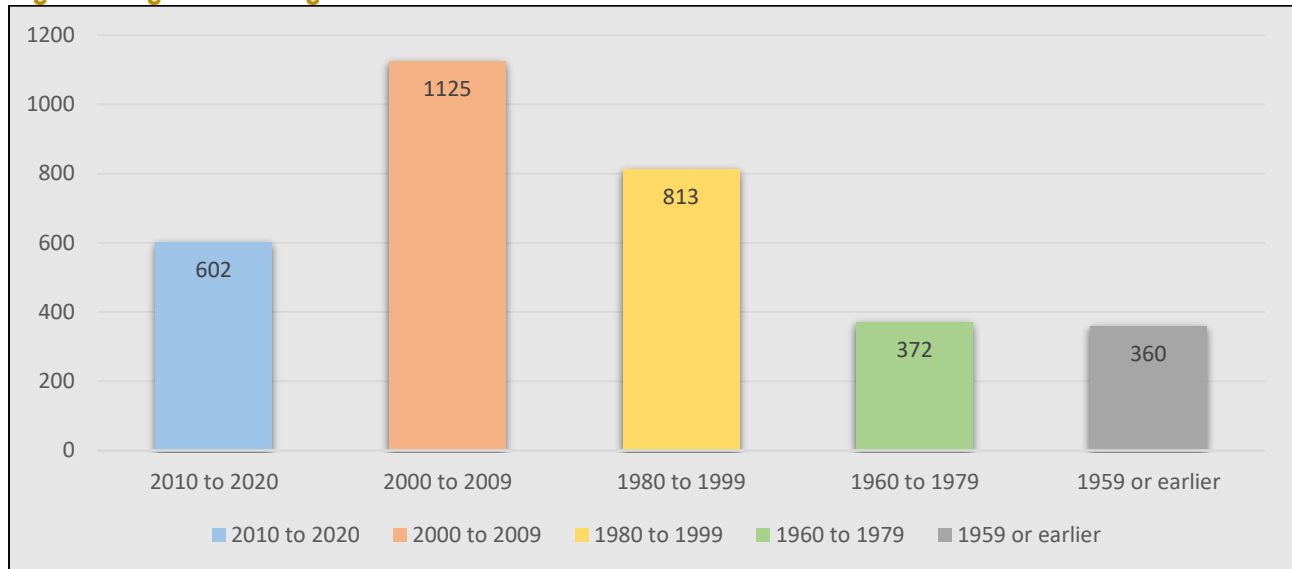


Source: US Census Bureau's American Community Survey, 2020 (www.factfinder.census.gov)



1: MODERATE INCOME HOUSING ELEMENT

Figure 4: Age of Housing Stock



Source: US Census Bureau's American Community Survey, 2017 (www.factfinder.census.gov)

III. Housing and Rent Affordability

Affordability of housing units is determined by AMI and the amount a household at each income level can afford. Housing is considered affordable by State and Federal definition when a household spends no more than 30% of their annual income on housing expenses, including mortgage or rent and utilities. Households that spend more than 30% of their monthly income on housing expenses are considered cost-burdened.

In 2019, the AMI for Utah County was \$96,000 or \$8,000 a month. Based on these numbers, mortgage or rent and utilities should be no higher than \$2,400 per month for the unit to be considered affordable.

The Moderate Income Housing Plan is created to ensure that housing is affordable for all income levels. The same affordability standards apply to all income levels. For example, a household that makes 80% of the AMI, which is \$76,800 or \$6,400 a month, can spend \$1,920 on mortgage or rent and utilities.

The table below summarizes the maximum monthly affordable housing costs for various income levels in Santaquin. The estimated maximum mortgage loan amount in the table below is based on a 30-year fixed rate loan at 5.5% interest and a 10% down payment and a monthly utility bill of \$350.



1: MODERATE INCOME HOUSING ELEMENT

Table 3: Affordability Summary 2019

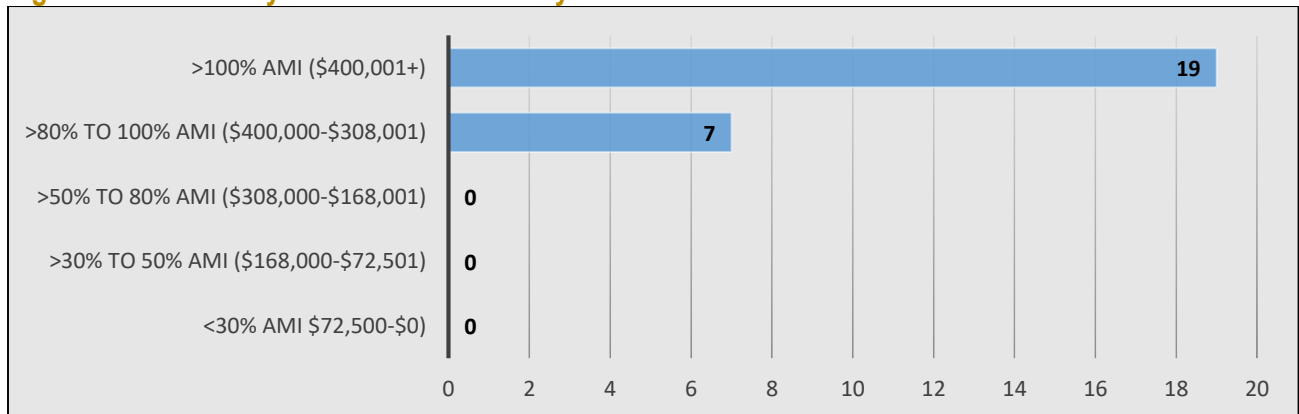
Household Income	Yearly Income	Monthly Income	Monthly Housing Expenses	Max. Mortgage Loan Amount
100% AMI	\$96,000	\$8,000	\$2,400	\$400,000
80% AMI	\$76,800	\$6,400	\$1,920	\$308,000
50 % AMI	\$48,000	\$4,000	\$1,200	\$168,000
30% AMI	\$28,800	\$2,400	\$720	\$72,500

Source: Information obtained from US Housing and Urban Development Income Limits Documentation System 2020(www.huduser.org)

Research conducted on utahrealestate.com and homes.ksl.com indicate that there were 26 homes for sale in Santaquin as of May 2022. Of the 26 homes available, 7 units are affordable to moderate income households and there are 0 homes available to low-income households.

There were 5 properties listed for rent on zillow.com and rentler.com. Of the 5 properties available for rent, 1 was available to moderate income households and 4 were available to low-income households.

Figure 5: Affordability of Homes for Sale May 2022

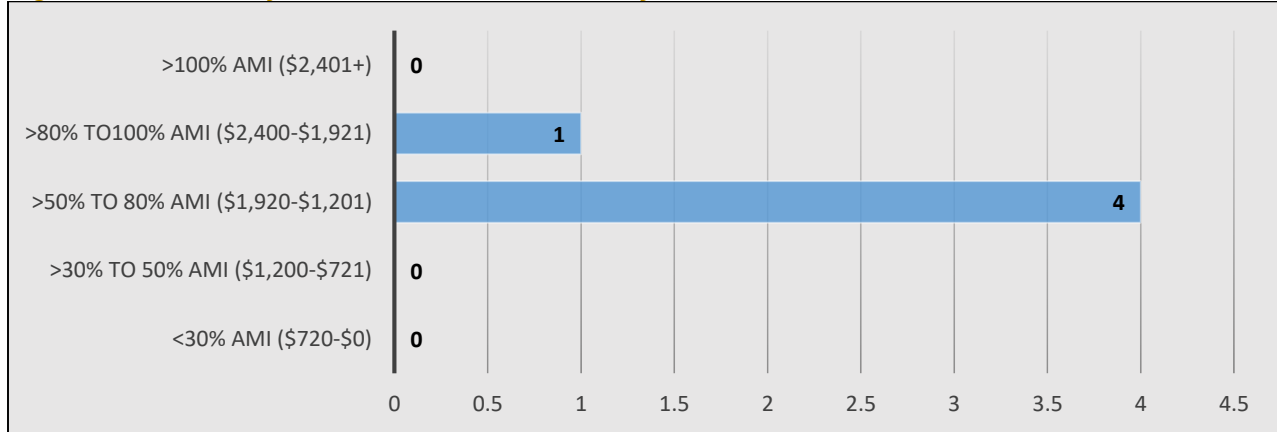


Source: utahrealestate.com, homes.ksl.com, May 2022



1: MODERATE INCOME HOUSING ELEMENT

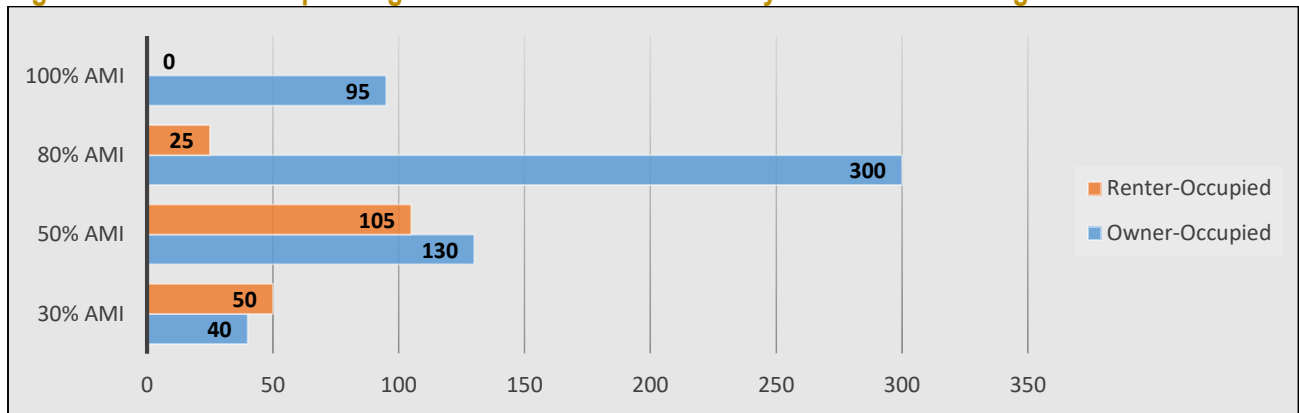
Figure 6: Affordability of Available Rental Units May 2022



Source: Zillow.com, Rentler.com, May 2022

The two figures below show the owner-occupied and renter-occupied households that are spending 30% or 50% of their monthly income on housing.

Figure 7: Households Spending 30% or More of Their Monthly Income on Housing

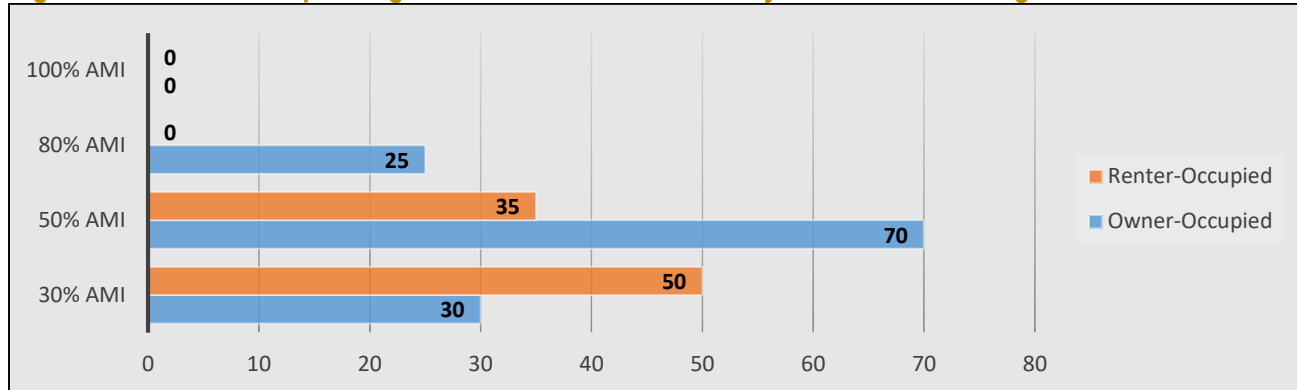


Source: Comprehensive Housing Affordability Strategy 2018 (huduser.gov)



1: MODERATE INCOME HOUSING ELEMENT

Figure 8: Households Spending 50% or More of Their Monthly Income on Housing



Source: Comprehensive Housing Affordability Strategy 2018 (huduser.gov)

IV. Evaluation of How Existing Land Uses and Zones Affect Opportunities for Moderate Income Housing

Santaquin's affordable housing is primarily clustered near the center of town. This is primarily due to the zoning regulations that are in place and the age of the housing stock in this area. Some affordable housing is also found in newer, larger homes, where accessory apartments are located. Santaquin's zoning regulations allow for more affordable housing to get built in areas which are more readily serviced by public transit, services, and amenities.

Zoning around Main Street allows for multi-unit housing and even encourages more housing opportunities near the Central Business District. These areas are serviced by public transit and are within walking distance to businesses.

Most of the older homes in the core area include 2-3 bedroom structures on large lots. Santaquin allows for redevelopment, and infill reduction standards ~~and flag lots~~ within the core area of town to increase the amount of new affordable housing stock in the area. The infill reduction may allow ~~s~~ for the square footage of the lot and the lot frontage to be reduced by 20% from what the underlying zone requires. This always for smaller more affordable lots and homes.

Other affordable units in the city are accessory dwelling units~~apartments~~. They are sought by single person households and young families with limited incomes and older individuals, who also benefit from these units, since the rental income helps subsidize their retirement incomes. ~~Accessory apartments~~ Attached accessory dwelling units are allowed in every residential zone in Santaquin. Detached accessory dwelling units are allowed in the R-8 Residential zone.



1: MODERATE INCOME HOUSING ELEMENT

Santaquin also encourages higher densities within typical single-family zones by doing a Planned Unit Development (PUD). A PUD allows for additional multi-family and “starter home” dwellings. With the approved PUD’s in the City, there will continue to be multi-family and starter home dwellings for the foreseeable future.

V. Santaquin’s Program to Encourage Moderate Income Housing for the Next Five Years

Providing a mix of residential densities, both in housing and parcel size throughout the community can stabilize home values, draw a variety of households to the City, and increase economic potential. Knowing this, Santaquin has zoning regulations near downtown that allows for more infill and high density developments where infrastructure is readily available. This directed growth will likely consist of smaller lots or higher density developments, which helps provide housing opportunities not readily available to those with extremely low income. It will also increase economic development potential and local business support in the downtown area. Areas which have not been developed yet or are currently in agriculture operations are slated for low density development (e.g. ranchettes, farmsteads) for those seeking larger properties and animal rights. Other lands within current developments are also being reserved for housing of attached single family homes or large lot estate homes. All of these efforts will strengthen the housing market around Santaquin while maintaining the affordability of homes.

Providing high density residential areas in strategic locations will be a priority. The objectives of establishing high density residential areas is to provide a residential environment within the city which is characterized by dwellings that may include attached and detached single-family homes, patio homes, townhomes or row-houses, duplex and apartments. These areas are situated to take advantage of existing public infrastructure, e.g. recreation facilities, utilities, services, schools and shopping centers. Proximity to these uses allows more community interaction with reduced dependence on automobiles with neighborhoods that are designed for walkability. Providing more density in these areas allows for development of properties with unique limitations due to size, configuration, location or price. These areas serve to recapture tax base opportunities lost by larger lot single family developments and increase the viability of commercial areas. The design of high density areas should integrate high quality materials and building character with integration to existing neighborhoods rather than create isolated and walled off housing projects. Allowing for more varied housing opportunities in the area can meet the needs of many levels of economic and demographic characteristics within the city, including young single professionals, recently married couples and elderly or retire couples or individuals that prefer less house size and less maintenance responsibilities

The following ~~goals and policies~~ [strategies and their corresponding implementation plans](#) should be considered as the City reviews future residential development proposals



1: MODERATE INCOME HOUSING ELEMENT

GOALS OF THE MODERATE-INCOME HOUSING PLAN:

- ~~Goal 1 — Ensure that housing within the community is safe, accessible, sanitary, and constructed with lasting materials.~~
- ~~Goal 2 — A variety of housing types should be integrated throughout the City in various locations, and consistent with the needs of all household types and incomes.~~
- ~~Policy 1 — Provide a mix of lot sizes and housing types in new residential developments so that a variety of household and demographic types can be integrated with a neighborhood and not isolated in one development area.~~
- ~~Policy 2 — Distribute multi-family development opportunities throughout the community consistent with the Land Use Plan~~
- ~~Policy 3 — Work cooperatively with the Utah County Housing Authority to provide opportunities for Section 8 rent assisted housing.~~
- ~~Policy 4 — Utilize state or federal funds or tax incentives to promote the construction of moderate and low income housing.~~
- ~~Policy 5 — Utilize programs offered by the Utah Housing Corporation.~~
- ~~Policy 6 — Utilize affordable housing programs administered by the Utah Department of Housing and Community Development.~~
- ~~Policy 7 — Find ways to reduce utility expenses and housing costs for families with very low and extremely low incomes.~~
- ~~Policy 8 — Continue to allow for accessory apartments throughout the City to help subsidize mortgage payments and allow for affordable rentals in the City.~~
- ~~Policy 9 — Allow for higher density and moderate income residential developments around commercial, and employment centers.~~

STRATEGIES AND IMPLEMENTATION PLANS:

- Strategy 1 Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

Implementation Plan – Santaquin City will modify zoning regulations to expand the area where detached accessory dwelling units are permitted. Considerations to permit detached accessory dwelling units in more residential zones will be considered on an annual basis.

- Strategy 2 Reduce, waive, or eliminate impact fees related to moderate income housing.

Implementation Plan – Santaquin City will work with third-party engineering and planning firms as each Santaquin City master plan is updated over the next five years to study utility efficiencies from accessory dwelling units which could proportionately reduce impact fees for accessory dwelling units. The City will start asking for this data in their request for proposals (RFP) and consider modifications to impact fees upon completion of each master plan update, accordingly.



1: MODERATE INCOME HOUSING ELEMENT

Strategy 3 Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

Implementation Plan – Santaquin City will work with landowners, developers, and builders to develop and/or redevelop property that is commercially zoned, and identified as being effectively located near public transportation, commercial activities, and other services, to include moderate-income housing. Santaquin City officials will identify specific areas for consideration and will proactively contact property owners to explore opportunities.

Strategy 4 Develop a moderate-income housing project for residents who are disabled or 55 years old or older.

Implementation Plan – Santaquin City will work with landowners, developers, and builders to develop and/or redevelop property for a senior oriented community that qualifies as moderate-income housing. Santaquin City officials will identify specific areas for consideration and will proactively contact property owners to explore opportunities.

MEMO



To: Planning Commission

From: Jason Bond, Assistant City Manager

Date: September 9, 2022

Re: **Zone Change Related to Proposed Ercanbrack Development Agreement Amendment #1**

A year ago, Santaquin City approved a development agreement with Mr. Randall Ercanbrack affecting his property located at 580 W. Main Street. Since that time, Mr. Ercanbrack sold a majority of his property and assigned development rights to Vanquish Capital LLC. The City has worked with the new property owner on some of their development ideas. They are requesting that the development agreement be amended and that zoning on the property be changed to conform with their plan. The changes essentially allow for commercial and warehousing related land uses allowed in the CLM Commercial Light Manufacturing Zone to be expanded in the area and located along the frontage of US Highway 6.

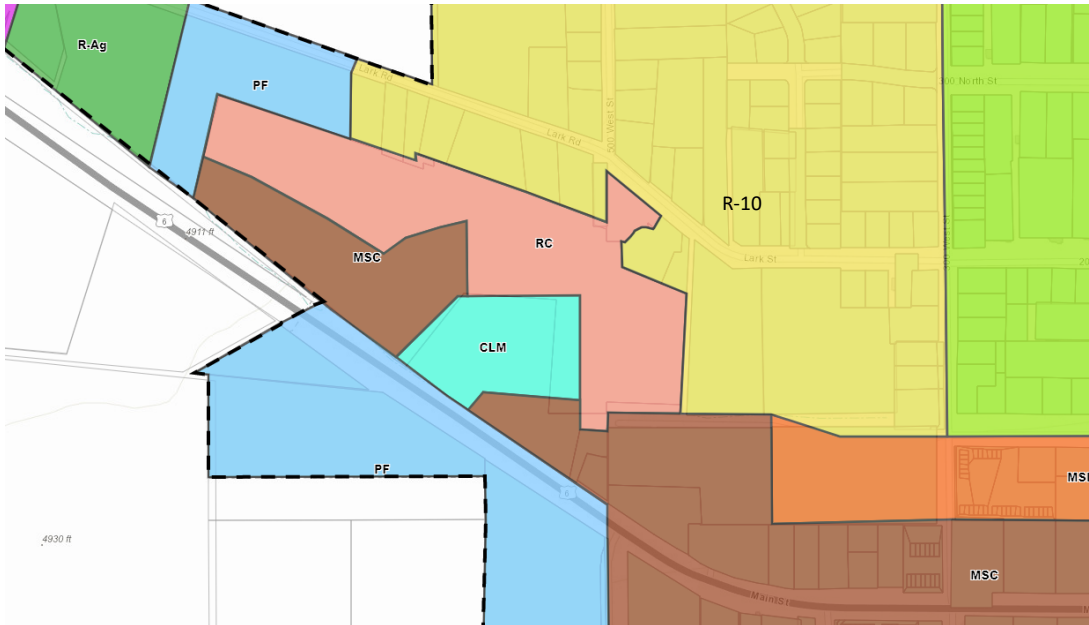
Specifically, it is proposed to rezone a total of approximately 6.78 acres. Approximately 0.59 acres of property would be rezoned from Residential Commercial (RC) zone to Residential R-10 zone, approximately 2.78 acres of property would be rezoned from Main Street Commercial (MSC) to Residential Commercial (RC) zone, and approximately 3.41 acres of property would be rezoned from Main Street Commercial zone to Commercial Light Manufacturing (CLM) zone. The following page shows the proposed zoning changes compared to the current zoning.

This rezoning request must be reviewed and receive a recommendation from the City's Planning Commission before the City Council can approve an ordinance to modify the City's Zoning Map.

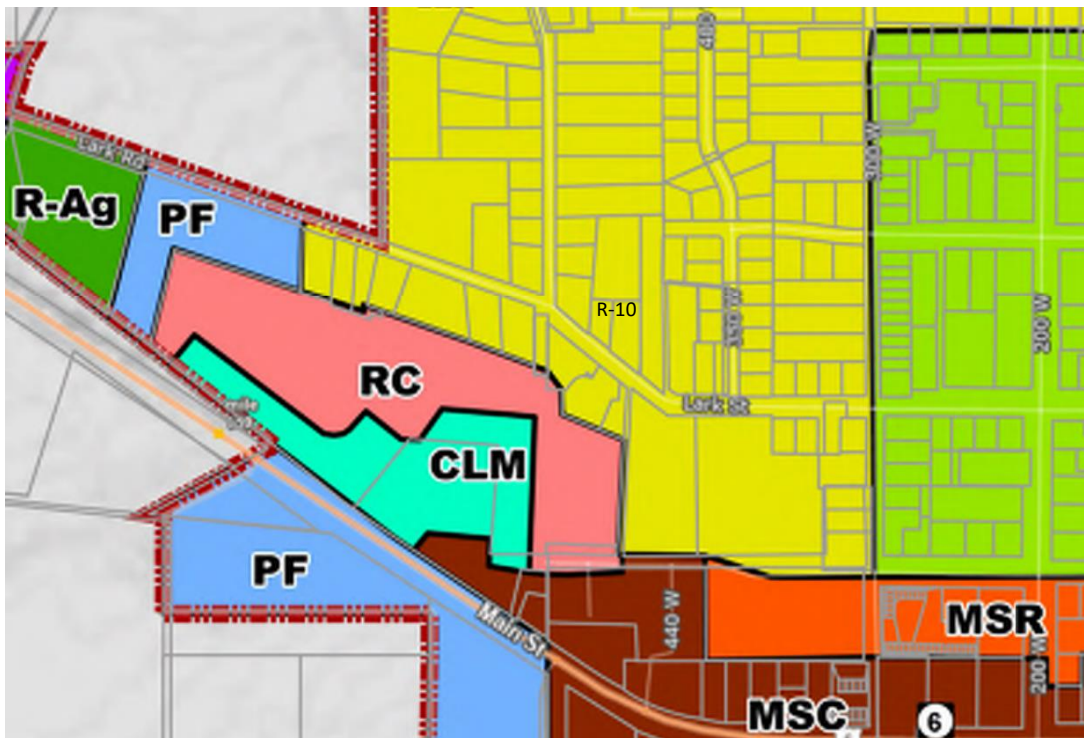
Attached is a draft amendment to the development agreement that describes the proposed changes to the agreement and shows the development plans. Also attached is the associated Exhibit "D" which is the partial assignment of the land and development rights that took place when Mr. Ercanbrack sold the property.

Staff Recommendation: It is recommended that the Planning Commission review the proposed zone changes and provide a recommendation to the City Council.

Current Zoning Map:



Proposed Zoning Map:



WHEN RECORDED, RETURN TO:

Santaquin City Recorder
 Santaquin City
 275 West Main Street
 Santaquin, Utah 84655

**FIRST AMENDMENT TO THE
 MASTER DEVELOPMENT AGREEMENT
 FOR
 ERCANBRACK MIXED USE DEVELOPMENT**

THIS FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT (this “**First Amendment**”), is made and entered into as of this ____ day of _____, 2022, by and between W. M. Ercanbrack Co., Inc., a Utah corporation, (“**Master Developer**”); Vanquish Capital, LLC, a Utah limited liability company (“**Subdeveloper**”); and Santaquin City, a Utah municipal corporation (the “**City**”). Master Developer, Subdeveloper, and the City are sometimes referred to herein individually as a “**Party**” and collectively as the “**Parties.**”

RECITALS

A. W. M. Ercanbrack Co., Inc. (“**Ercanbrack**”) and the City executed that certain Master Development Agreement for Ercanbrack Mixed Use Development dated September 7, 2021 (the “**MDA**”) governing development of the Project on the Property (as said terms as defined in the MDA).

B. Vanquish Capital, LLC (“**Subdeveloper**”) subsequently purchased approximately twenty (20) acres of the Property, and with the City’s acceptance of the partial assignment becomes an assignee of Master Developer with respect to said acreage, pursuant to Section 15.5 of the MDA.

C. Capitalized terms that are not otherwise defined in this First Amendment shall have the meanings set forth in the MDA.

D. The original Master Plan for the Project is attached as Exhibit “B” to the MDA.

E. Following the approval and execution of the MDA, the Parties have agreed to adopt an updated and improved Master Plan for the Project, which clarifies and confirms the portions of the Project to be developed for: (1) residential uses, (2) commercial uses, and (3) “commercial, retail sales and services” and/or “warehouse, wholesale facility” , as well as the permitted densities of such uses, as depicted on the new Master Plan attached hereto as Exhibit “E” (the “**New Master Plan**”).

F. The Parties desire to amend the MDA to allow for the Project to be developed and improved as set forth in the New Master Plan attached hereto as Exhibit “E.”

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the above-stated Recitals, and the mutual benefits to be derived herefrom, the Parties agree as follows and amend the MDA as set forth below.

1. Recitals. The above-stated Recitals are incorporated herein by this reference.
2. Definitions. The following definitions shall apply to this First Amendment. Capitalized terms that are not otherwise defined in this First Amendment shall have the meanings set forth in the MDA.
 - a. “First Amendment” means this First Amendment to the Master Development Agreement.
 - b. “Subdeveloper” means Vanquish Capital, LLC.
 - c. “Subdevelopment Property” means that portion of the Property owned by Subdeveloper, which is more particularly described in Exhibit “D” hereto.
3. Acceptance of Partial Assignment. Upon execution of this First Amendment, the City formally approves the partial assignment to Subdeveloper.
4. New Master Plan. The map attached as Exhibit “B” to the original MDA is hereby replaced and superseded by the New Master Plan attached as Exhibit “E” to this First Amendment. The New Master Plan attached as Exhibit “E” hereto shall govern the development, uses, and permitted densities for the Project.
5. New Zoning. Any zoning rights granted by the original MDA shall be superseded by the map attached as Exhibit “F” to this First Amendment which shows the New Zoning for the Subdevelopment Property, and which first must be approved through Santaquin City’s normal zoning process specified in the City’s zoning code.
6. Subdeveloper Rights and Responsibilities. By signing this First Amendment, Subdeveloper acknowledges and accepts all rights and responsibilities set forth in the MDA, including, but not limited to Section 15.5, Section 15.7, and Section 2 of the MDA as an assignee of a portion of the Property.

Run with the Land. The MDA, as amended by this First Amendment, and all covenants, rights, terms, conditions and obligations contained therein and herein pertaining to the development of the Project, shall run with the land and shall inure to the benefit of and be binding on all existing and future owners of the Property; provided, however, that all development obligations pertaining to the development of the Project shall cease to burden and run with that portion of the Property that is subdivided into individual lots or residential dwelling units pursuant to the applicable subdivision ordinances of the City, and each such lot or dwelling unit shall be released here from at the time of recordation of a deed conveying title thereto to a third-party purchaser unaffiliated with the Master Developer.
7. Force and Effect. Except as specifically modified by this First Amendment, all of the terms and conditions set forth in the MDA shall remain unchanged and in full force and effect. In

the event of a conflict between the provisions of the MDA and the provisions of this First Amendment, the provisions of this First Amendment shall govern.

IN WITNESS WHEREOF, the Parties have executed this 1st Amendment as of the day and year first above written.

SANTAQUIN CITY

Daniel M. Olson, Mayor

ATTEST:

Amalie R. Ottley, City Recorder

MASTER DEVELOPER:

W.M. Ercanbrack Co., Inc., a
Utah corporation

Randall M. Ercanbrack, President

SUBDEVELOPER:

Vanquish Capital, LLC, a Utah limited
liability company

Garrett Seely, Manager

ACKNOWLEDGMENTS

STATE OF UTAH)
)
) ss.
County of Utah)

On the _____ day of _____, 2022, personally appeared before me Daniel M. Olson known to me, or proved to me on the basis of satisfactory evidence, to be the Mayor of **Santaquin City**, who duly acknowledged that he signed the foregoing instrument on behalf of Santaquin City by authority of a duly adopted resolution of its City Council.

NOTARY PUBLIC

STATE OF UTAH)
)
) :ss.
County of Utah)

On the _____ day of _____, 2022, personally appeared before me Randall M. Ercanbrack, known to me, or proved to me on the basis of satisfactory evidence, to be the President of **W. M. Ercanbrack Co., Inc.**, who duly acknowledged that he signed the foregoing instrument in said capacity for said corporation.

NOTARY PUBLIC

STATE OF UTAH)

:ss.

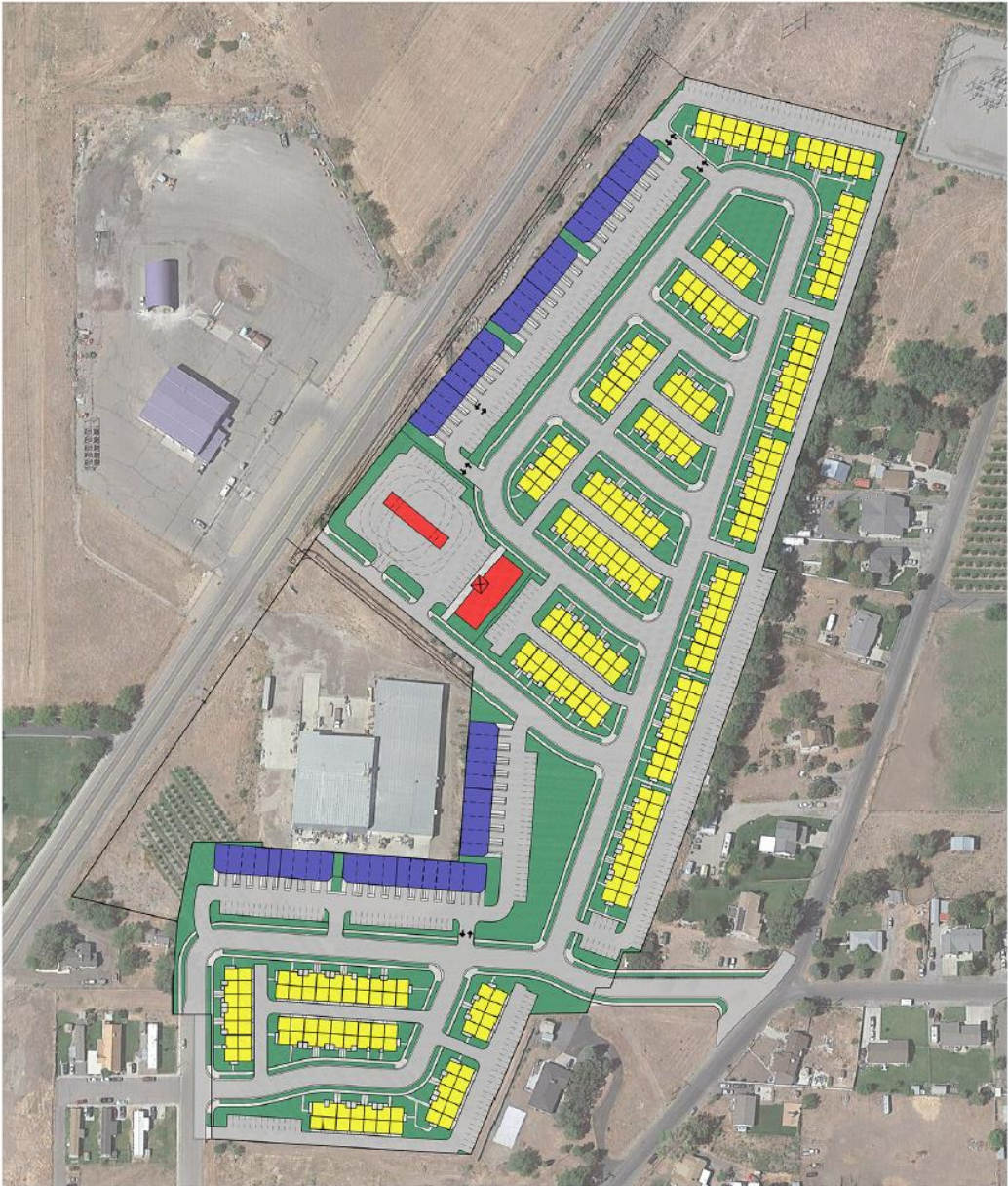
County of Utah)

On the _____ day of _____, 2022, personally appeared before me Garrett Seely, known to me, or proved to me on the basis of satisfactory evidence, to be the Manager of **Vanquish Capital, LLC.**, who duly acknowledged that he signed the foregoing instrument in said capacity for said company.

NOTARY PUBLIC

EXHIBIT “D”
(Partial Assignment and Assumption of Master Development Agreement)

**EXHIBIT “E”
(New Master Plan)**



**ERCANBRACK
MIXED USE DEVELOPMENT**
Santaquin, UT
Red Pine Land
Garrett Seely
801-372-2077
garrett@redpineland.com

Overall Gross Acres:	24.46
ErCANBRACK Gross Commercial Acres	4.30
Commercial Gross Acres:	1.44
Estimated GFA SF:	5,000
Commercial, retail sales, and services and/or Warehouse, wholesale facility	4,56
Estimated GFA SF:	40,000
Off-Street Parking Spaces:	155
Residential Gross Acres:	14.16
Proposed No. of Units:	165
Residential Gross DU/Acre:	11.65
Common Recreation Acres:	1.06
Common Landscaped Acres:	2.89
Total Residential Open Space Acres:	3.95
Percent Residential Gross Acres:	27.90%

August 15, 2022

North

0 150


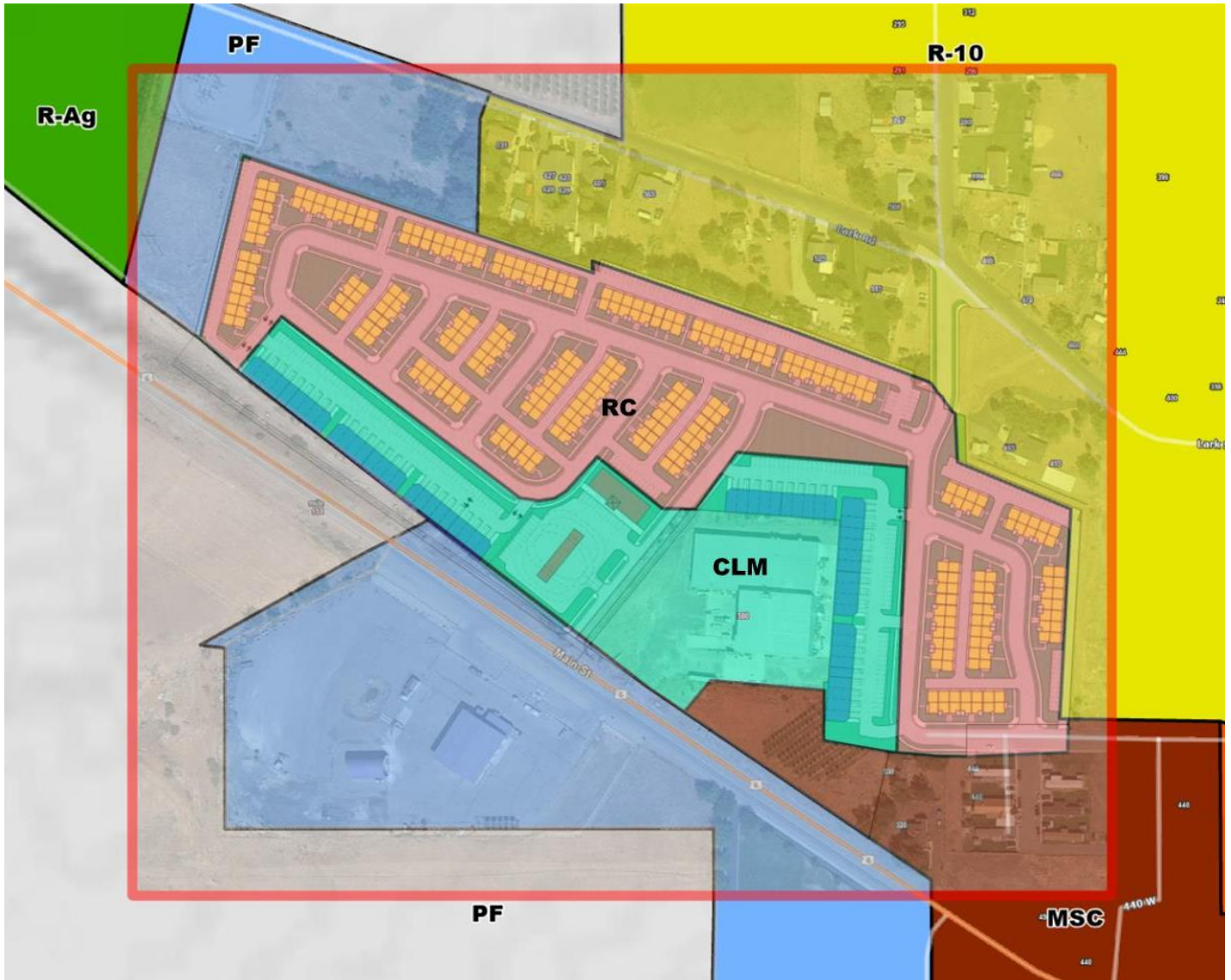
Prepared by: 
Garrett Seely
801-372-2077
garrett@redpineland.com

EXHIBIT “F”
(New Zoning of Subdevelopment Property)



PARTIAL ASSIGNMENT AND ASSUMPTION OF MASTER DEVELOPMENT AGREEMENT

This Partial Assignment and Assumption of Master Development Agreement (this “**Assignment**”) is made and entered into as of the 7 day of July, 2022, by and between W. M. Ercanbrack Co., Inc., a Utah corporation (collectively, “**Assignor**”) and Vanquish Capital, LLC, a Utah Limited Liability Company (“**Assignee**”).

RECITALS:

A. Assignor and Santaquin City, a Utah municipality (“**City**”) entered into that certain Master Development Agreement for Ercanbrack Mixed Use Development dated September 7, 2021 (the “**Development Agreement**”) and recorded on _____, 2021 in the official records of _____ County, Utah (the “**Recorder’s Office**”) as Recording No. _____.

B. Assignor owns a portion of the Property as defined in the Development Agreement and has sold to Assignee a portion of the Property legally described on **Exhibit “A”** attached hereto and incorporated herein by reference (the “**Assignee Parcel**”).

C. Pursuant to Section 15 of the Development Agreement, Assignor has the right to partially assign its rights and obligations under the Development Agreement in connection with the sale of the Assignee Parcel to Assignor, subject to City’s prior written consent. By signing below, City is evidencing its consent to this Assignment in satisfaction of the notice and consent requirement in Section 15 of the Development Agreement; provided however, the City is not waiving the obligation under Section 15 of the Development Agreement that notwithstanding any assignment of all or any part of the Development Agreement, Assignor shall remain responsible for the obligations of the Developer (as defined in the Development Agreement).

ASSIGNMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and for the purposes set forth in the foregoing recitals, which are by reference incorporated herein, and acknowledged to be true and correct, the parties covenant and agree as follows:

1. Assignment and Assumption. As of the Effective Date, Assignor hereby assigns to Assignee, Assignor’s rights and obligations as an “Developer” under the Development Agreement to the extent and only to the extent the Development Agreement relates to the Assignee Parcel. As of the Effective Date, Assignee hereby accepts and assumes all of Assignor’s rights and obligations under the Development Agreement that pertain to the Assignee Parcel which accrue on or after the date of this Assignment. Assignee as the “Developer” of the Assignee Parcel, from and after the Effective Date, has all the rights, responsibilities, and obligations of Developer under the Development Agreement solely with respect to the Assignee Parcel. For purposes of this Assignment, the “**Effective Date**” shall mean the date Assignor conveys the Assignee Parcel to Assignee (and if the City does not approve the Assignment pursuant to Section 15, then this Assignment shall be of no effect).

2. Indemnity. Assignor agrees to indemnify, defend and hold harmless Assignee for, from and against any and all claims, liabilities, costs and attorneys' fees (collectively, "**Claims**") suffered or incurred by Assignee arising out of or relating to the Development Agreement with respect to the Assignee Parcel and that accrue or arise out of events occurring prior to the Effective Date, and all Claims arising out of or relating to the Development Agreement with respect to any real property other than the Assignee Parcel. Assignee agrees to indemnify, defend and hold harmless Assignor for, from and against any and all Claims suffered or incurred by Assignor arising out of or relating to the Development Agreement with respect to the Assignee Parcel and that accrue or arise out of events occurring from and after the Effective Date.

3. Notices. Any notices given pursuant to or as required by the Development Agreement shall be provided to Assignee concurrently with providing such notices to the other Owners. Assignee's contact information for notice purposes is:

To Assignee: Vanquish Capital, LLC
295 West Center Street, Suite 200
Provo, UT 84601
Attention: Garrett Seely
Telephone: (801) 372-2077
E-mail: garrett@redpineland.com

With a copy to: Marc D. Blonstein, Esq.
Berens Blonstein PLC
7033 E. Greenway Parkway, Ste. 210
Scottsdale, AZ 85254
Telephone: (480) 624-2703
E-mail: mblonstein@berensblonstein.com

4. Allocation of Residential Dwelling Units. Assignor and Assignee agree that the Assignee Parcel shall be allocated the right to develop 180 Residential Dwelling Units under the Development Agreement, and Assignor shall retain the remaining rights to develop Residential Dwelling Units and Commercial Uses within the Property outside of the Assignee Parcel.


5. Miscellaneous. Any term not expressly defined herein shall have the definition contained in the Development Agreement. This Assignment shall be governed by and construed in accordance with the laws of the State of Utah. This Assignment may be executed in any number of counterparts, each of which when executed and delivered shall be an original, and each such counterpart shall, when combined with all other such counterparts, constitute one agreement binding on the parties hereto.

[SEE FOLLOWING PAGES FOR SIGNATURES]

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date set forth above.

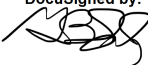
ASSIGNOR:

W.M. ERCANBRACK CO., INC., a Utah corporation

DocuSigned by:
By: 
Name: Randall Ercanbrack
Its: President

ASSIGNEE:

Vanquish Capital, LLC, a Utah limited liability company

DocuSigned by:
By: 
Name: Garrett Seely
Its: Authorized agent

Item 2.

EXHIBIT A**Legal Description of Assignee Parcel**

A Parcel of Land lying in the Northwest 1/4 and the Northeast 1/4 of Section 2, Township 10 South, Range 1 East, Salt

Lake Base and Meridian and being further described as follows:

Beginning at a point on the West Line of Randolph's Acre Subdivision, Plat "A", which point lies North 89°45'12" East

54.57 feet along the Section Line and South 1270.77 feet from the North 1/4 Corner of Section 2, Township 10 South,

Range 1 East, Salt Lake Base and Meridian; thence along said subdivision the following two courses to wit: (1) South

0°58'20" East 87.85 feet, (2) South 67°30'00" East 237.34 feet; thence South 3°23'14" West 376.46 feet; thence North

88°06'09" West 253.46 feet; thence South 0°21'44" West 27.30 feet; thence South 4°15'41" East 6.84 feet; thence South

88°02'03" East 6.41 feet; thence South 3.82 feet; thence West 204.97 feet; thence North 4°11'33" East 387.93 feet; thence

North 85°48'27" West 315.50 feet; thence South 38°59'57" West 318.31 feet to the Northerly Line of U.S. Highway 6;

thence along Highway 6 the following four courses to wit: (1) North 55°00'24" West 46.43 feet, (2) North 51°05'26"

West 333.63 feet, (3) North 51°29'54" West 480.77 feet, (4) North 49°41'03" West 63.18 feet; thence North 14°06'45"

East 355.65 feet; thence South 71°45'22" East 715.06 feet along the remnants of an old fence; thence North 11°02'38"

East 22.85 feet; thence South 70°47'24" East 387.40 feet along an existing Boundary Line Agreement (Entry

#36074:1986); thence South 69°30'48" East 245.96 feet continuing along said Boundary Line Agreement; thence South

27.27 feet; thence South 70°45'01" East 46.53 feet; thence South 42.01 feet; thence East 51.33 feet to the point of

Item 2.

beginning.



Planning Commission Members in Attendance: Commission Vice Chair Kylie Lance, Commissioners Drew Hoffman, Michael Weight, Michael Romero, Nicci McNeff, BreAnna Nixon.

Commission Chair Trevor Wood and Commissioner Andrea Howard were excused from the meeting.

Others in Attendance: Assistant City Manager Jason Bond, City Council Member Jeff Siddoway, Assistant Kathy Swenson, Recorder Amalie Ottley.

Various members of the public were present at the meeting.

Commission Vice Chair Kylie Lance called the meeting to order at 7:00 p.m.

INVOCATION/INSPIRATIONAL THOUGHT

Commissioner Nixon offered an inspirational thought.

PLEDGE OF ALLEGIANCE

Commissioner Michael Romero led the pledge of allegiance.

PUBLIC FORUM

Vice Commission Chair opened the Public Forum at 7:01 p.m.

No members of the public wished to speak during the Public Forum.

Vice Commission Chair closed the Public Forum at 7:02 p.m.

DISCUSSION & POSSIBLE ACTION ITEMS:

1. McDonald's Rear Elevation Sign

Assistant City Manager Jason Bond presented the request from McDonald's to have a sign on the rear elevation of their building. Per city code, the request must be approved by The Planning Commission. The Planning Commission reviewed the elevations and signage provided in the plans by McDonald's Restaurant.

Commissioner Michael Romero motioned to approve the request for signage at the McDonald's Restaurant Site. Commissioner BreAnna Nixon seconded the motion.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

Vote was unanimous in favor. Motion passed.

2. Scenic Ridge Estates Preliminary Review

Assistant City Manager Bond presented the preliminary plan for the 8-lot subdivision located east of 430 S. Vice Commission Chair Lance inquired about the need for a water tank. Mr. Bond stated that as currently platted, the pressure zones are adequate to provide water to the development. Mr. Bond also addressed the future possibility of developing the remaining land at the site and stated that significant needs such as culinary and P.I. infrastructure would have to be implemented first. The DRC discussed trails and required green space in the current phase.

Jessica Mitchell wished to address the Planning Commission regarding the Scenic Ridge Estates preliminary plan. She expressed her appreciation for the commissioner's concerns and thorough discussion. Ms. Mitchell read a quote from Melanie Moore Smith stating concerns for the implications of further development in the area using primarily culinary water. She also addressed her wishes to have the land and green space protected by the city and developers.

Assistant City Manager Bond addressed Ms. Mitchell's concerns on green space and culinary water. He mentioned the extensive engineering and studies conducted by both city staff and outside agencies that have made sure that the plan meets city code requirements. Mr. Bond spoke to possible debris flows in cases of fire and/or flood.

The DRC also discussed water zone elevation lines on the plans that coincide with lot #8 and city code that addresses "Remnant Parcels."

Commissioner Hoffman motioned to recommend approval of the Scenic Ridge Estates Subdivision with the following conditions:

- All planning and engineering redlines be addressed.

Commissioner McNeff seconded the motion.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

Vote was unanimous in favor. Motion passed.

3. Stratton Acres Preliminary Review

Assistant City Manager Bond presented the preliminary plan for the 37-unit subdivision located at approximately 200 E. and Royal Land Drive. Commissioner Weight inquired about service to surrounding farmland as well as a retention basin located on Nebo School District land. Mr. Bond confirmed that the developer would negotiate the retention basin with the school district on their end. The commission discussed traffic flows on streets throughout the development including road widths.

Commissioner Nixon made a motion to recommend approval of the Stratton Acres Subdivision with the following conditions:

- All planning and engineering redlines be addressed.

Commissioner Weight seconded the motion.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

Vote was unanimous in favor. Motion passed.

4. Public Hearing – Land Use Tables & Definitions Related to the Main Street Business Districts Zone

Assistant City Manager Bond addressed the work being done with legal counsel to finetune the code referenced in the land use table and definitions with regards to the Main Street Business Districts Zone. Mr. Bond pointed out items previously discussed by The Planning Commission in the definitions and code. Mr. Bond highlighted items that were stricken from the land use table that didn't have corresponding definitions. He also addressed legal non-conforming topics that have been brought up in prior meetings.

Vice-Commission Chair Lance opened the Public Hearing at 7:44 p.m.

Andrea Lee addressed the Planning Commission regarding the growth and change that she has experienced in the city within the last 20 years. Ms. Lee pointed out zones in the main street residential area that she feels could be more commercial friendly.

Vice-Commission Chair Lance closed the Public Hearing at 7:46 p.m.

Commissioner Weight inquired about the differences in the Major and Minor Automotive Service and Repair definitions. The commission and Mr. Bond discussed legal non-conforming status' currently in the city and the land use rights of citizens who own those properties. Ms. Lee inquired if legal non-conforming use properties could expand their business under the current city code. Mr. Bond stated that legal non-conforming properties cannot expand. The commission spoke about zoning in the MSR and the proposed changes in the land use table. The commission requested that the minor automotive service repair definition not include "overhaul or transmission work" and be added as conditional use in the MSC zone.

Commissioner McNeff made a motion to forward a positive recommendation to the City Council with the changes proposed to include:

- Remove "overhaul or transmission work" from the Minor Automotive Service Repair definition.
- Add the Minor Automotive Service Repair as a conditional use in the MSC zone.
- Fix scrivener's errors.

The motion was seconded by Commissioner Weight.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

Vote was unanimous in favor. Motion passed.

5. Public Hearing – Agriculture Related Amendments

Assistant Manager Bond presented the process in which the city could consider adding “Agritourism” as a conditional or temporary use in the city code including an added definition. Mr. Bond presented a draft definition of “Agritourism” for the commission to review. The commission made recommendations for the language included in the drafted definition.

Vice-Commission Chair Lance opened the Public Hearing at 8:30 p.m.

No members of the public wished to address the commission.

Vice-Commission Chair Lance closed the Public Hearing at 8:30 p.m.

Commissioner Nixon made a motion to table the discussion regarding the agricultural related amendments to create a more comprehensive definition for temporary uses. Commissioner Romero seconded the motion.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

Vote was unanimous in favor. Motion passed.

6. Discussion: Detached Accessory Dwelling Units

Mr. Bond addressed the City Council’s desire to have the Planning Commission discuss Detached Accessory Dwelling Units (ADUs) in the R8 zone or other potential zones. Mr. Bond explained to the commission the positive aspects for residents to be able to have detached ADUs on their properties and what specifically detached ADUs are.

The commission discussed HOA versus state guidelines and the possibility of HOAs within the city banning detached ADUs in neighborhoods. The commission reviewed setbacks in the city code and following zoning regulations. The consensus among the commission was positive for the possible passing of an ordinance that would allow detached ADUs. The commission requested that a draft ordinance be prepared and presented at a future meeting for them to review.

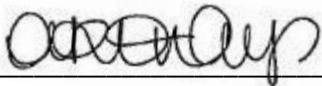
7. Meeting Minutes Approval – June 14, 2022

Commissioner Romero motioned to approve the meeting minutes from the June 14th Planning Commission Meeting. Commissioner Hoffman seconded the motion.

Commissioner Wood	Absent
Commissioner Lance	Yes
Commissioner Hoffman	Yes
Commissioner Howard	Absent
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes

ADJOURNMENT

Meeting was adjourned at 9:11 p.m.



City Recorder – Amalie R. Ottley

Commission Chair – Trevor Wood



Planning Commission Members in Attendance: Trevor Wood, BreAnna Nixon, Nicci McNeff, Andrea Howard, Michael Weight, Drew Hoffman

Commissioners Kylie Lance and Michael Romero were excused from the meeting.

Others in Attendance: Assistant City Manager Jason Bond, City Council Member Jeff Siddoway, Recorder Amalie Ottley

Various members of the public attended the meeting.

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

INVOCATION/INSPIRATIONAL THOUGHT

A thought was offered by Denise Rohbock.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Doug Rohbock.

ORDER OF AGENDA ITEMS

Commission Chair Wood changed the order of items on the agenda to switch item numbers 1 and 2.

PUBLIC FORUM

Commission Chair Wood opened the Public Forum at 7:02 p.m.

Keith Judd addressed the Planning Commission. He expressed his concerns regarding the existing definitions on the Land Use Table regarding the automotive repair shops on Main Street. He asked that the Planning Commission do their due diligence in reading the code and consider the impact of changes on residents and businesses. He stated he would appreciate moving forward, that items in the city code are well understood by both the Planning Commission and City Council.

Ray Shepherd wished to speak on the Automotive Service Related zoning topic as well. He inquired about the possibility of Keith Judd being able to rebuild his shop in the case of an earthquake or other incident. He expressed his experience with Keith Judd's repairs and voiced his appreciation for the work that he does for members of the community.

Terri Kirk agreed with Keith Judd and Ray Shepherd and expressed her dislike for businesses being at the south end of town. Ms. Kirk reiterated that should something happen to existing shops, like a fire or burglary, that business owners wouldn't be able to rebuild. Ms. Kirk also addressed the recent work on 300 West and the ability to park on the street. She stated that the Planning Commission should make rules for people coming into town but there should be no exclusions for existing businesses.

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

DISCUSSION & POSSIBLE ACTION ITEMS:

1. PUBLIC HEARING – Automotive Service Related Land Use Amendment

Assistant City Manager Bond introduced the recommendations from the City Council eliminating two separate definitions of Automotive Service and Repair and consolidating them into one. Per the request of the public he read, word for word, the new definition created for the code. He also explained the relocation of the Automotive Car Wash Service definition and permitting it in the Commercial (C1) Zone so that it was concurrent with other automotive definitions in the code.

The Planning Commission and members of the public requested to see the map of the Main Street Business District Zones.

Commission Chair Wood opened the Public Hearing at 7:21 p.m.

Alicia Mason addressed her concerns for the work going happening on 300 West and the signs that were placed in her yard. She asked if the city right of way could be cemented and not have 3 signs placed in the location close to her yard.

Denise Rohbock inquired of the commission why business owners were upset about the recent code change proposals put before the commission and council. She stated that business owners and citizen's rights are impacted by changes in the code.

Shanna Stilson inquired about the purpose of the ordinance and asked about business being "conducted in an enclosed building." She stated her hope that changes won't negatively effect Santaquin as a whole.

Tony Solorzano, the owner of 4C Auto Repair, asked if the amendment as proposed allows for expansion.

Crystal Salazar commended the automotive business owners in the city for their honest work. She stated she feels like those types of business are being pushed out of the city.

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

Assistant Manager Bond showed on the website where the zoning map can be located. He pointed out the districts shown within the Main Street Business District Zone. For the ordinance on the agenda, the automotive repair is proposed to be a permitted use in the Main Street Commercial District area but not in the Main Street Residential District area or Central Business District area. He pointed out addressing for the above-mentioned zones. Mr. Bond showed areas in the City Code that specify what is and is not allowed in specific zoning areas. He explained that each zone and district have different requirements (i.e. height, setbacks, landscaping.) He discussed Legal Non-Conforming Uses and the explanations provided in the City Code. Mr. Bond showed specifically in the code where it states that legal non-conforming use buildings would in fact be able to restore buildings should something negative happen to the property. Mr. Bond spoke to recent meetings that have been held by the Planning Commission to review and clarify land uses and definitions in the city code and the intent to address permitted and not-permitted uses.

Commission Chair Wood asked about the possibility of code enforcement on issues in the code. Assistant City Manager Bond stated that code compliance issues are generally referral based by resident complaints.

The Planning Commission discussed at the length the language stating work done “in an enclosed building” could be problematic for business owners. Members of the public also expressed their concern for the “enclosed building” language and submitted their suggestions for the language in the code. The commission requested that the language be changed to allow for work be completed in a building OR behind a site obscuring fence. The commission inquired about other definitions in the code that would clarify junk yard type uses. The commission clarified that in order for a permitted use business to expand, it would have to follow all other city code requirements such as setbacks and parking.

Commissioner Weight made a motion to make a positive recommendation to the City Council that the draft ordinance as presented be approved with the condition that the definition of Automotive Service and Repair include the language “it is conducted within a building or behind a site-obscuring fence.” The motion was seconded by Commissioner Hoffman.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Hoffman	Yes
Commissioner Howard	Yes
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Absent
Commissioner Weight	Yes

The motion was unanimously approved.

2. PUBLIC HEARING – Williams 3-Lot Subdivision Concept Plan

Assistant Manager Bond presented the Williams 3-Lot Subdivision Concept Plan. The plan was previously reviewed by the Development Review Committee (DRC).

Commission Chair Wood opened the Public Hearing at 8:19 p.m.

No members of the public wished to address the Planning Commission.

Commission Chair Wood closed the Public Hearing at 8:19 p.m.

Commissioners Weight and Hoffman inquired about an existing accessory unit and the measurements for the new homes away from that building. Commission Chair Wood asked if the applicant intends to enter into a Deferral Agreement with the city. The applicant expressed their intent to complete a deferral agreement. Commissioner Nixon inquired about the average timelines for Deferral Agreement improvements associated with the development. Mr. Bond and the commission discussed infrastructure and current agreements existing in parts of the city.

3. PUBLIC HEARING – Agritourism Code Amendment

Assistant Manager Bond presented the proposed temporary use for the Agritourism Code definition and amendment. He spoke to permitted uses that are conditionally tied to certain land uses. Mr. Bond showed the edit to Farmer's Market being permitted on 5 acres or more. He read the proposed definition of Agritourism to the Planning Commission.

The commission members discussed the timeline requirements by months currently stated in the temporary use language (Temporary Business License from April to October). The commission expressed their desire not to limit the timeline for potential agritourism related events throughout the months of the year.

Commission Chair Wood opened the Public Forum at 8:38 p.m.

No members of the public wished to address the Planning Commission.

Commission Chair Wood closed the Public Hearing at 8:38 p.m.

The commission discussed adjusting the language in the code to read that agritourism is permitted in all zones as a temporary use on properties having over 5 acres as long as each temporary business is licensed and has the appropriate acreage (i.e. a 30 acre parcel could have 6 temporary businesses in a calendar year subject to paragraph C of the City Code) and that there will be no more than 150 licensed days per business each calendar year. The commission also discussed adding that hours of operation will be allowed within the hours of 6:00 a.m. and 10:00 p.m. and exceptions may be considered by the City Council on a case-by-case basis. Language was also added to stated that only city approved spaces shall be considered for off street parking with the exception that agritourism may have all-weather traversable parking (i.e. gravel parking).

Commissioner Nixon made a motion to forward a positive recommendation to the City Council to recommend the ordinance as proposed in the previous language. Commissioner Howard seconded the motion.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Hoffman	Yes
Commissioner Howard	Yes
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Absent
Commissioner Weight	Yes

The motion was unanimously approved.

4. PUBLIC HEARING – Detached ADU Code Amendment

Assistant City Manager Bond presented the proposed code amendment to allow Detached Accessory Dwelling Units in any residential or agricultural zone. The proposed code amendment also clarifies that a carport would not count toward the square footage for the Detached ADU requirements, but it must meet the setback requirements provided by the city code. Mr. Bond added that recent State Legislature actions require that municipalities update their Moderate Income Housing report by October 1st, 2022 to incorporate defined strategies as well as an implementation plan and timeline for addressing those strategies.

Mr. Bond read Utah State Code 72-1-215 defining what affordable housing is. The Planning Commission looked at income housing statistics in Santaquin City. Per a 2018 census, there are 1,320 households in Santaquin City with a household income categorized as low income to extremely low income. Mr. Bond discussed ways for the city to get credit for implementing future strategies as required by the State.

Commission Chair Wood opened the Public Forum at 9:22 p.m.

No members of the public wished to address the Planning Commission.

Commission Chair Wood closed the Public Hearing at 9:22 p.m.

Commissioner Howard motioned to table the Detached ADU Code Amendment for a later date. Commissioner McNeff seconded the motion.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Hoffman	Yes
Commissioner Howard	Yes
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Absent
Commissioner Weight	Yes

The motion was unanimously approved.

5. Discussion and Review of Parks, Recreation, Trails, and Open Space Master Plan

Assistant Manager Bond presented exhibits from Blu Line Designs the reflect future plans of Parks, Recreation, Trials, and Open Spaces within the city. The slides illustrated visual representations of the following:

- City Cemetery Update
- City Center Park
- Flood Control Parcels
- Foothill Badger Way Park
- Foothill Village Linear Park
- Foothill Village Park

- Nebo School District Park
- Sageberry Drive Park (Concept A & B)
- Santaquin Estates Debris Basin
- Summit Creek Reservoir

Mr. Bond and the Planning Commission discussed amenities at the parks and recreation sites. Commission members expressed their excitement for the concept plans that were presented. Commission members inquired about restroom facilities at some of the parks. Mr. Bond indicated that because many of the parks are small in nature that amenities, like restrooms, would not be provided. However, restrooms are provided at the larger city parks that accommodate more people.

Other Business

Assistant Manager Bond mentioned the upcoming Planning Commission training in Payson, Utah on Wednesday, September 28th.

Commissioner Weight inquired legal non-conforming use type businesses in the area. Mr. Bond stated that he hasn't specifically looked closely at individual businesses and their practices. The DRC discussed the lack of code enforcement within the city.

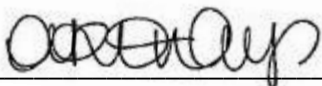
Adjournment

Commissioner McNeff made a motion to adjourn the meeting. Motion seconded by Commissioner Howard.

Commissioner Wood	Yes
Commissioner Lance	Absent
Commissioner Hoffman	Yes
Commissioner Howard	Yes
Commissioner McNeff	Yes
Commissioner Nixon	Yes
Commissioner Romero	Absent
Commissioner Weight	Yes

The motion was unanimously approved.

Meeting adjourned at 9:55 p.m.



City Recorder – Amalie R. Ottley

Commission Chair – Trevor Wood