



RESOLUTION 09-01-2021
A RESOLUTION APPROVING THE ERCANBRACK
MASTER DEVELOPMENT AGREEMENT
(580 W. MAIN STREET)


BE IT HEREBY RESOLVED:

SECTION 1: The attached documents represent the Ercanbrack Master Development Agreement


SECTION 2: This Resolution shall become effective upon passage.

Approved on this 7th day of September, 2021.

City of Santaquin,


Kirk F. Hunsaker, Mayor

Attest:


K. Aaron Shirley, City Recorder



**MASTER DEVELOPMENT AGREEMENT
FOR
ERCANBRACK MIXED USE DEVELOPMENT**

September 7, 2021

WHEN RECORDED, RETURN TO:

**Bruce R. Baird
Bruce R. Baird, PLLC
2150 South 1300 East, Suite 500
Salt Lake City, UT 84106**

**MASTER DEVELOPMENT AGREEMENT
FOR
ERCANBRACK MIXED USE DEVELOPMENT**

THIS MASTER DEVELOPMENT AGREEMENT is made and entered into as of the 7th day of September, 2021, by and between Santaquin City, a Utah municipality and W. M. Ercanbrack Co., Inc., a Utah corporation.

RECITALS

- A. The capitalized terms used in this MDA and in these Recitals are defined in Section 1.2, below.
- B. Master Developer owns and is developing the Property.
- C. Master Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the Master Plan.
- D. The Parties acknowledge that development of the Property pursuant to this MDA may result in significant planning benefits to the City and its residents by, among other things requiring orderly development of the Property known as the Ercanbrack Mixed Use Development and increasing property tax and other revenues to the City based on improvements to be constructed on the Property.
- E. The Parties desire to enter into this MDA to specify the rights and responsibilities of the Master Developer to develop the Property as expressed in this MDA and the rights and

responsibilities of the City to allow and regulate such development pursuant to the requirements of this MDA.

F. The Parties understand and intend that this MDA is a “development agreement” within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-101 (2018) *et seq.*

G. On September 7, 2021, the City zoned the Property as shown on the Zoning Map which was approved by Ordinance No. 09-03-2021.

H. This MDA conforms with the intent of the City’s General Plan and the Zoning.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Master Developer hereby agree to the following:

TERMS

1. **Incorporation of Recitals and Exhibits/ Definitions.**

1.1. **Incorporation.** The foregoing Recitals and Exhibits “A” - “C” are hereby incorporated into this MDA.

1.2. **Definitions.** As used in this MDA, the words and phrases specified below shall have the following meanings:

1.2.1. **Act** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-9a-101 (2018), *et seq.*

1.2.2. **Administrative Modifications** means those modifications to certain limited aspects of the MDA that may be made by the Administrator pursuant to Section 11, below.

1.2.3. **Administrator** means the person designated by the City as the Administrator of this MDA.

1.2.4. **Applicant** means a person or entity submitting a Development Application.

1.2.5. **Buildout** means the completion of all of the development on the entire Project in accordance with the approved plans.

1.2.6. **City** means Santaquin City, a Utah municipality.

1.2.7. **City Consultants** means those outside consultants employed by the City in various specialized disciplines such as traffic, hydrology or drainage for reviewing certain aspects of the development of the Project.

1.2.8. **City's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project, which contradict or change the City's Vested Laws, and which may or may not be applicable to the Development Application depending upon the provisions of this MDA.

1.2.9. **City's Vested Laws** means the substantive ordinances, policies, standards and procedures of the City, related to land use regulations affecting the Project (i.e., Santaquin City Code, Titles 10 and 11), in effect as of the date of this MDA, a digital copy of which is attached as Exhibit "C".

1.2.10. **Commercial Uses** means those commercial, retail, office and other uses as shown on the Master Plan, Exhibit "B".

1.2.11. **Council** means the elected City Council of the City.

1.2.12. **Default** means a material breach of this MDA as specified herein.

1.2.13. **Denied** means a formal denial issued by the final decision-making body of the City for a particular type of Development Application but does not include review comments or “redlines” by City staff.

1.2.14. **Development** means the development of a portion of the Property pursuant to an approved Development Application.

1.2.15. **Development Application** means an application to the City for development of a portion of the Project including a Subdivision or any other permit, certificate or other authorization from the City required for development of the Project.

1.2.16. **Development Area** means one of the 8 areas for separate development of the Project as conceptually shown on the Master Plan, Exhibit “B”.

1.2.17. **Development Report** means a report containing the information specified in Section 2.4.

1.2.18. **Final Plat** means the recordable map or other graphical representation of land that complies with Utah Code Ann. § 10-9a-603 (July, 2021), or any successor provision, and the City’s Vested Laws, and is approved by the City, effectuating a Subdivision of any portion of the Project.

1.2.19. **Master Developer** means W. M. Ercanbrack Co., Inc. and its assignees or transferees as permitted by this MDA.

1.2.20. **Master Plan** means the conceptual layout for the Development Areas, Residential Dwelling Units, approved Commercial Uses, and Public Infrastructure for the Project, as set forth in Exhibit “B”.

1.2.21. **MDA** means this Master Development Agreement and any amendments thereto, including all of its Exhibits.

1.2.22. **Notice** means any notice to or from any Party to this MDA that is either required or permitted to be given to another Party.

1.2.23. **Open Space** shall have the meaning specified in Section 10.08.020 of the City's Vested Laws.

1.2.24. **Outsourc[e][ing]** means the process of the City contracting with City Consultants or paying overtime to City employees to provide technical support in the review and approval of the various aspects of a Development Application as is more fully set out in this MDA.

1.2.25. **Parcel** means a portion of the Property that is created by the Master Developer to be sold to a Subdeveloper as a Subdivision that is not an individually developable lot as specified in Section 6.7.

1.2.26. **Party/Parties** means, in the singular, Master Developer or the City; in the plural Master Developer and the City.

1.2.27. **Planning Commission** means the City's Planning Commission.

1.2.28. **Project** means the total development to be constructed on the Property pursuant to this MDA with the associated public and private facilities.

1.2.29. **Property** means the real property proposed for development by Master Developer more fully described in Exhibit "A".

1.2.30. **Public Infrastructure** means those elements of infrastructure that are planned, agree, or required to be dedicated to the City as a condition of the approval of a Development Application.

1.2.31. Residential Dwelling Unit means a structure or portion thereof designed and intended for use as a single-family detached dwelling or multiple-unit dwelling as defined in the City's Vested Laws.

1.2.32. **Subdeveloper** means a person or an entity not "related" (as defined by Section 165 of the Internal Revenue Code) to Master Developer which purchases a Parcel for development.

1.2.33. **Subdivision** means the division of any portion of the Project into developable lots pursuant to State Law and/or the Zoning Ordinance.

1.2.34. **Subdivision Application** means the application to create a Subdivision.

1.2.35. **Zoning** means the zoning for the Property and each Development Area, in effect or as approved at the time of approval of this MDA.

1.2.36. **Zoning Ordinance** means the City's Land Use and Development Ordinance adopted pursuant to the Act that was in effect as of the date of this MDA as a part of the City's Vested Laws.

2. Development of the Project.

2.1. **Compliance with the Master Plan and this MDA.** Development of the Project shall be in accordance with the City's Vested Laws, the City's Future Laws (to the extent that these are applicable as otherwise specified in this MDA), the Master Plan and this MDA.

2.2. **Maximum Residential Units.** The maximum number of Residential Dwelling Units per Development Area is set forth in Exhibit "B" and shall not be transferrable from one Development Area to another Development Area.

2.3. **Limitation and No Guarantee.** Master Developer acknowledges that the

development of the potential number of Residential Dwelling Units and every other aspect of the Master Plan requires that each Development Application comply with the City's Vested Laws including, without limitation, the City's geologic hazards requirements. Notwithstanding any contrary provision of this Agreement, the City's entry into this MDA does not guarantee that the Master Developer will be able to construct the Maximum Residential Units or any other aspect of the Project until and unless all the applicable requirements of the City's Vested Laws are complied with.

2.4. Accounting for Residential Units for Parcels Sold to Subdevelopers. Any Parcel sold by Master Developer to a Subdeveloper or subsequent Subdeveloper shall include the transfer of a specified portion of the Maximum Residential Units sold with the Parcel. Upon any such transfer, Master Developer or Subdeveloper shall deliver a Development Report to the City, which includes the total Maximum Residential Units in each of the affected parcels.

2.5. Architectural Standards. Developer shall make reasonable efforts to maintain consistency of architectural design and standards in the development and agrees to meet the minimum architectural and design requirements as set forth in Santaquin City Code section 10.16.060 for residential buildings and Santaquin City Code section 10.20.190 for commercial, mixed use, and light manufacturing buildings, in effect on the date of the execution of this agreement.

3. Vested Rights.

3.1. Vested Rights Granted by Approval of this MDA. To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this MDA grants Master Developer all rights to develop the Project in fulfillment of

this MDA, the City's Vested Laws, the Zoning and the Master Plan except as specifically provided herein. The Parties specifically intend that this MDA grant to Master Developer "vested rights" as that term is construed in Utah's common law and pursuant to Utah Code Ann. § 10-9a-509 (2021).

3.2. Exceptions. The restrictions on the applicability of the City's Future Laws to the Project as specified in Section 3.1 are subject to only the following exceptions:

3.2.1. Master Developer Agreement. City's Future Laws that Master Developer agrees in writing to the application thereof to the Project;

3.2.2. State and Federal Compliance. City's Future Laws which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.2.3. Codes. Any City's Future Laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, fire, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.2.4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated;

3.2.5. Fees. Changes to the amounts of fees for the processing of Development

Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;

3.2.6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City and which meet all requirements of the U. S. Constitution, Utah Constitution, law and applicable statutes, including but not limited to Utah Code Ann. Section 11-36a-101 (2021) *et seq.*;

3.2.7. Planning and Zoning Modification. Changes by the City to its planning principles and design standards such as architectural or design requirements, setbacks, conditional use criteria, or similar items so long as such changes do not work to reduce the Maximum Residential Units, are generally applicable across the entire City and do not materially and unreasonably increase the costs of any Development; or

3.2.8. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest pursuant to Utah Code Ann. § 10-9a-509(1)(a)(i) (2021).

4. **Term of Agreement**. This MDA shall expire December 31, 2031. If Master Developer has not been declared to be currently in Default as of December 31, 2031 (and if any such Default is not being cured) then this MDA shall be automatically extended until December 31, 2036. This MDA shall also terminate automatically at Buildout.

5. **Zoning**.

5.1. **Map**. The Parties acknowledge that the Development Areas shown with zoning designation on the Master Plan do not have legally specified boundaries because neither

of the Parties knows at the time of the execution of this MDA precisely where the roads and other demarcating aspects of the Project will be actually located. The Master Plan establishes rough parameters for the location of the eventual zoning and this Section 5 establishes the processes for locating and establishing those zoning boundaries as the Project develops.

5.2. Process. When and as a Development Application is filed for a Subdivision of Development Area that Development Application shall specify any restrictions or limitations on the Zoning other than those specified in the Master Plan such as limiting the types of Commercial Uses that may be allowed. So long as the area of land subject to the Development Application is not more than ten percent (10%) larger or smaller than shown for that Development Area on the Master Plan and does not add to the types of allowable Commercial Uses or Residential Uses than the Development Application may be approved administratively. Once the Development Application is approved then the City's Zoning Map shall be deemed amended to fix and specify the zoning boundaries for that Development Application area. Any other modification to the size or uses in a Development Area require approval of the City through the normal zoning process specified in the City's then current zoning code.

6. Processing of Development Applications.

6.1. Processing of Development Applications. Processing of Development Applications will be governed by City Code.

6.2. Acceptance of Certifications Required for Development Applications. Any Development Application requiring the signature, endorsement, or certification and/or stamping by a person holding a license or professional certification required by the State

of Utah in a particular discipline shall be so signed, endorsed, certified or stamped signifying that the contents of the Development Application comply with the applicable regulatory standards of the City.

6.3. Independent Technical Analyses for Development Applications. If the City needs technical expertise beyond the City's internal resources to determine impacts of a Development Application such as for structures, bridges, water tanks, and other similar matters which are not required by the City's Vested Laws to be certified by such experts as part of a Development Application, the City may engage such experts as City Consultants with the actual and reasonable costs being the responsibility of Applicant.

6.4. City Denial of a Development Application. If the City denies a Development Application the City shall provide a written determination advising the Applicant of the reasons for denial including specifying the reasons the City believes that the Development Application is not consistent with this MDA, the Zoning and/or the City's Vested Laws (or, if applicable, the City's Future Laws). The City may amend such written determination as necessary.

6.5. City Denials of Development Applications Based on Denials from Non-City Agencies. If the City's denial of a Development Application is based on the denial of the Development Application by a Non-City Agency, Applicant shall appeal any such denial through the appropriate procedures for such a decision and not through the processes specified below. Applicant's failure to successfully appeal any such denial shall preclude any action by Applicant against City for City's denial.

6.6. Mediation of Development Application Denials.

6.6.1. Issues Subject to Mediation. Issues resulting from the City's Denial of a

Development Application that the parties are not able to resolve shall be mediated.

6.6.2. Mediation Process. If the City and Applicant are unable to resolve a disagreement subject to mediation, the parties shall attempt within thirty (30) calendar days to appoint a mutually acceptable mediator with knowledge of the legal issue in dispute. If the City and Applicant are unable to agree on a single acceptable mediator they shall each, within fifteen (15) calendar days, appoint their own representative.

These two representatives shall, between them, choose the single mediator. Applicant and the City shall split the fees of the chosen mediator, each Party paying 50% of the fees. The chosen mediator shall within thirty (30) calendar days, review the positions of the parties regarding the mediation issue and promptly attempt to mediate the issue between the parties. If the parties are unable to reach agreement, the mediator shall notify the parties in writing of the resolution that the mediator deems appropriate.

The mediator's opinion shall not be binding on the parties.

6.7. **Parcel Sales.** The City acknowledges that the precise location and details of the public improvements, lot layout and design and any other similar item regarding the development of a particular Parcel may not be known at the time of the creation of or sale of a Parcel. Master Developer may obtain approval of a Subdivision as is provided in Utah Code Ann., Section 10-9a-103(65)(c)(v) (2021) that does not create any individually developable lots in the Parcel without being subject to any requirement in the City's Vested Laws to complete or provide security for any Public Infrastructure at the time of such subdivision. The responsibility for completing and providing security for completion of any Public Infrastructure in the Parcel shall be that of the Master Developer or a Subdeveloper upon a subsequent re-Subdivision of the Parcel that creates

individually developable lots. However, construction of improvements shall not be allowed until the Master Developer or Subdeveloper complies with the City's Vested Laws and the City's security requirements in effect at the time of a completed Development Application.

7. **Application Under City's Future Laws.** Without waiving any rights granted by this MDA, Master Developer may at any time, choose to submit a Development Application for all or part of the Project under the City's Future Laws in effect at the time of the Development Application so long as the overall number of Residential Dwelling Units in the Project is not increased, and Master Developer is not in current breach of this Agreement.

8. **Public Infrastructure.**

8.1. **Construction by Master Developer.** Master Developer shall have the right and the obligation to construct or cause to be constructed and installed all Public Infrastructure reasonably and lawfully required as a condition of approval of the Development Application pursuant to the City's Vested Laws.

8.2. **Bonding.** Unless otherwise provided by Chapter 10-9a of the Utah Code as amended, Applicant shall provide security for any Public or private Infrastructure required by the City, in a form acceptable to the City, as specified in the City's ordinances in effect at the time of application. Partial releases of any such required security shall be allowed as work progresses based on the City's laws then in effect.

9. **Upsizing/Reimbursements to Master Developer.**

9.1. **"Upsizing".** All Public Infrastructure shall be of sufficient capacity to service the entire Project at Buildout. The City shall not require Master Developer to "upsized" any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than

required to service the Project) unless financial arrangements reasonably acceptable to Master Developer are made to compensate Master Developer for the incremental or additive costs of such upsizing. For example, if an upsizing to a water pipe size increases costs by 10% but adds 50% more capacity, the City shall only be responsible to compensate Master Developer for the 10% cost increase. An acceptable financial arrangement for upsizing of improvements means reimbursement agreements, payback agreements, and impact fee credits and reimbursements. Providing Public Infrastructure with sufficient capacity to serve the entire Project at Buildout is not considered upsizing for purposes of this MDA, and all associated costs thereof are the sole responsibility of the Master Developer, and not the responsibility of the City.

10. Default.

10.1. **Notice.** If Master Developer or a Subdeveloper or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party. If the City believes that the Default has been committed by a Subdeveloper then the City shall also provide a courtesy copy of the Notice to Master Developer.

10.2. **Contents of the Notice of Default.** The Notice of Default shall:

10.2.1. Specific Claim. Specify the claimed event of Default;

10.2.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this MDA that is claimed to be in Default;

10.2.3. Materiality. Identify why the Default is claimed to be material; and

10.2.4. Optional Cure. If the City chooses, in its discretion, it may propose a method

and time for curing the Default which shall be of no less than thirty (30) calendar days duration.

10.3. **Remedies.** If the parties are not able to resolve the Default by “Mediation”, the parties may have the following remedies.

10.3.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.

10.3.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

10.3.3. Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Master Developer, or in the case of a default by a Subdeveloper, development of those Parcels owned by the Subdeveloper until the Default has been cured.

10.4. **Emergency Defaults.** Anything in this MDA notwithstanding, if the City Council finds on the record that a default materially impairs a compelling, countervailing interest of the City and that any delays in imposing such a default would also impair a compelling, countervailing interest of the City then the City may impose the remedies of Section 10.3 without the requirements of Section 10.2. The City shall give Notice to Master Developer and/or any applicable Subdeveloper of any public meeting at which an emergency default is to be considered.

10.5. **Extended Cure Period.** If any Default cannot be reasonably cured within thirty (30) calendar days then such cure period shall be extended so long as the defaulting party is pursuing a cure with reasonable diligence.

10.6. **Default of Assignee.** A default of any obligations assumed by an assignee shall not be deemed a default of Master Developer.

10.7. **Limitation on Recovery for Default – No Damages.** Anything in this MDA notwithstanding no Party shall be entitled to any claim for any monetary damages as a result of any breach of this MDA and each Party waives any claims thereto. The sole remedy available to Master Developer or any Subdeveloper shall be that of specific performance.

10.8. **City Inspections.** Nothing in this Section 10 shall be construed to limit the ability or authority of City’s inspectors to assure compliance with construction standards and practices through the procedures applied generally to construction projects in the City.

11. **Modifications and Amendments.**

11.1. **Allowable Administrative Modifications.** The following modifications to this MDA may be considered and approved by the Administrator:

11.1.1. Infrastructure. Modification of the location and/or sizing of the infrastructure for the Project that does not materially change the functionality of the infrastructure.

11.1.2. General. Any other modifications deemed to be minor modifications by the Administrator.

11.2. **Process for Administrative Modifications.**

11.2.1. Who May Submit for an Administrative Modification. Only the City and Master Developer, or an assignee that succeeds to all of the rights and obligations of Master Developer under this MDA, (and not including a Subdeveloper) may submit a Modification Application.

11.2.2. Consideration by the Administrator. The Administrator shall consider and

decide upon a request for an Administrative Modification within a reasonable time not to exceed forty-five (45) days from the date of submission of an for an Administrative Modification.

11.2.3. Notification to City Council. If the Administrator determines to approve a proposed Administrative Modification, the Administrator shall give written notice of the proposed approval to the City Council. If any member of the City Council gives notice of an objection to the proposed Administrative Modification within fifteen (15) business days of the notice then the proposed Administrative Modification shall be considered by the City as an amendment to the MDA pursuant to the City's then-current process for amending zoning.

11.2.4. Recordation. If the City Council does not object to the Administrator's approval of the proposed Administrative Modification within the period specified above then the City approval shall be conclusively presumed and the Administrator record notice of such approval shall be against the applicable portion of the Property in the official City and County records.

12. Notices. All notices required or permitted under this MDA shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To the Master Developer:

Wm. Ercanbrack Co, Inc.

With a Copy to:

Bruce R. Baird
Bruce R. Baird, PLLC

2150 South 1300 East, Suite 500
Salt Lake City, UT 84106
bbaird@difficultdirt.com
(801) 328-1400

To the City:

Santaquin City
Attn: City Manager
Benjamin Reeves
275 West Main Street
Santaquin, UT 84655
breeves@santaquin.org
(801) 754-3200

With a Copy to:

Santaquin City
Attn: City Attorney
Brett B. Rich
Nielsen & Senior, P.C.
1140 South 800 East, Suite 110
Orem, UT 84097
bbr@ns-law.com
(801) 701-7074

12.1. **Effectiveness of Notice.** Except as otherwise provided in this MDA, each Notice shall be effective and shall be deemed delivered on the earlier of:

12.1.1. Hand Delivery. Its actual receipt, if delivered personally, by courier service, or by facsimile provided that a copy of the facsimile Notice is mailed or personally delivered as set forth herein on the same day and the sending party has confirmation of transmission receipt of the Notice. If the copy is not sent on the same day, then notice shall be deemed effective the date that the mailing or personal delivery occurs.

12.1.2. Electronic Delivery. Its actual receipt if delivered electronically by email provided that a copy of the email is printed out in physical form and mailed or personally delivered as set forth herein on the same day and the sending party has an

electronic receipt of the delivery of the Notice. If the copy is not sent on the same day, then notice shall be deemed effective the date that the mailing or personal delivery occurs.

12.1.3. **Mailing.** On the day the Notice is postmarked for mailing, postage prepaid, by First Class or Certified United States Mail and actually deposited in or delivered to the United States Mail. Any party may change its address for Notice under this MDA by giving written Notice to the other party in accordance with the provisions of this Section.

13. **Headings.** The captions used in this MDA are for convenience only and are not intended to be substantive provisions or evidences of intent.

14. **No Third-Party Rights/No Joint Venture.** This MDA does not create a joint venture relationship, partnership or agency relationship between the City, or Master Developer. Further, the parties do not intend this MDA to create any third-party beneficiary rights. The Parties acknowledge that this MDA refers to a private development and that the City has no interest in, responsibility for or duty to any third parties concerning any improvements to the Property or unless the City has accepted the dedication of such improvements at which time all rights and responsibilities—except for warranty bond requirements under City’s Vested Laws and as allowed by state law—for the dedicated public improvement shall be the City's.

15. **Assignability.** The rights and responsibilities of Master Developer under this MDA may be assigned in whole or in part, respectively, by Master Developer with the consent of the City as provided herein.

15.1. **Sale of Lots.** Master Developer’s selling or conveying lots in any approved Subdivision or Parcels to builders, users, or Subdevelopers, shall not be deemed to be an

“assignment” subject to the above-referenced approval by the City unless specifically designated as such an assignment by Master Developer.

15.2. Related Entity. Master Developer’s transfer of all or any part of the Property to any entity “related” to Master Developer (as defined by regulations of the Internal Revenue Service in Section 165), Master Developer’s entry into a joint venture for the development of the Project or Master Developer’s pledging of part or all of the Project as security for financing shall also not be deemed to be an “assignment” subject to the above-referenced approval by the City unless specifically designated as such an assignment by the Master Developer. Master Developer shall give the City Notice of any event specified in this sub-section within fifteen (15) calendar days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

15.3. Notice. Master Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee.

15.4. Time for Objection. Unless the City objects in writing within thirty (30) calendar days of notice, the City shall be deemed to have approved of and consented to the assignment.

15.5. Partial Assignment. If any proposed assignment is for less than all of Master Developer’s rights and responsibilities then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee

succeeds. Upon any such approved partial assignment Master Developer shall not be released from any future obligations as to those obligations which are assigned but shall remain responsible for the performance of any obligations herein.

15.6. **Denial.** The City may only withhold its consent if the City is not reasonably satisfied of the assignee's financial ability to perform the obligations of Master Developer proposed to be assigned or there is an existing breach of a development obligation owed to the City by the assignee or related entity that has not either been cured or in the process of being cured in a manner acceptable to the City. Any refusal of the City to accept an assignment shall be subject to the "Mediation" process specified in Section 6.6.

15.7. **Assignees Bound by MDA.** Any assignee shall consent in writing to be bound by the assigned terms and conditions of this MDA as a condition precedent to the effectiveness of the assignment. That consent shall specifically acknowledge the provisions of Section 2.

16. **Binding Effect.** If Master Developer sells or conveys Parcels of lands to Subdevelopers or related parties, the lands so sold and conveyed shall bear the same rights, privileges, configurations, and number of Residential Dwelling Units as applicable to such Parcel and be subject to the same limitations and rights of the City when owned by or Master Developer and as set forth in this MDA without any required approval, review, or consent by the City except as otherwise provided herein. Each sale of a Parcel shall include a written designation of the maximum number of Residential Dwelling Units allocated to that parcel.

17. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

18. **Severability.** If any provision of this MDA is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this MDA shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this MDA shall remain in full force and affect.

19. **Survival.** If this MDA is terminated for any reason the provisions of Sections 9.1, 10.7, 14, 24, 25 and 26 shall survive the termination.

20. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

21. **Time is of the Essence.** Time is of the essence to this MDA and every right or responsibility shall be performed within the times specified.

22. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this MDA, the City and Master Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and the Master Developer. The initial representative for the City shall be the City Manager or his designee. The initial representative for Master Developer shall be Randall Ercanbrack. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this MDA and the development of the Project.

23. **Estoppel Certificate.** Upon twenty (20) days prior written request by Master Developer or a Subdeveloper, the City will execute an estoppel certificate to any third party certifying that Master Developer or a Subdeveloper, as the case may be, at that time has not been declared to be in default of the terms of this Agreement, and that the City is not aware of any circumstances that would constitute such a default.

24. **Applicable Law.** This MDA is entered into in Utah County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

25. **Venue.** Any action to enforce this MDA shall be brought only in the Fourth District Court for the State of Utah, Salt Lake City Division.

26. **Entire Agreement.** This MDA, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

27. **Mutual Drafting.** Each Party has participated in negotiating and drafting this MDA and therefore no provision of this MDA shall be construed for or against any Party based on which Party drafted any particular portion of this MDA.

28. **Recordation and Running with the Land.** This MDA shall be recorded in the chain of title for the Project. This MDA shall be deemed to run with the land. The data disk of the City's Vested Laws, Exhibit "C", shall not be recorded in the chain of title. A secure copy of Exhibit "C" shall be filed with the City Recorder and each party shall also have an identical copy.

29. **Authority.** The Parties to this MDA each warrant that they have all of the necessary authority to execute this MDA. Specifically, on behalf of the City, the signature of the Mayor is affixed to this MDA lawfully binding the City pursuant to Resolution No. 09-01-2021 adopted

by the City on September 7, 2021.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

MASTER DEVELOPER
Wm. Ercanbrack Co, Inc.

CITY
Santaquin City

W. M. Ercanbrack Co, Inc.
By: Randall Ercanbrack
Its: Pres.
Date: 10-6-2021

Kirk F. Hunsaker
By: Kirk F. Hunsaker,
Its: Mayor
Date: 9/7/2021



Approved as to form and legality:

Attest:

[Signature]
City Attorney

[Signature]
City Recorder

CITY ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 7th day of September, 2021 personally appeared before me Kirk F. Hunsaker who being by me duly sworn, did say that he is the Mayor of Santaquin City, a political subdivision of the State of Utah, and that said instrument was signed in behalf of the City by authority of its City Council and said Mayor acknowledged to me that the City executed the same.

[Signature]
NOTARY PUBLIC

My Commission Expires: 11/22/2021

Residing at: Santaquin, Ut

MASTER DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF UTAH)

On the 6 day of October, 2021 personally appeared before me Randall M Ercanbrack who being by me duly sworn, did say that he/she is the President of Wm. Ercanbrack Co., Inc, a Utah corporation and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.

Michelle Frisby
NOTARY PUBLIC

My Commission Expires: Nov. 8, 2021

Residing at: Santaquin, Ut.



TABLE OF EXHIBITS

| | |
|-------------|-------------------------------|
| Exhibit "A" | Legal Description of Property |
| Exhibit "B" | Master Plan |
| Exhibit "C" | City's Vested Laws |

Exhibit "A"
Legal Description of Property

Ercanbrack Description

Beginning at a the Northern most Corner of Lot 1, Plat "A", Randolph's Acre Subdivision, which point lies North 89°45'12" East 188.78 feet along the Section Line and South 1184.54 feet from the North ¼ Corner of Section 2, Township 10 South, Range 1 East, Salt Lake Base and Meridian; thence along the boundary of said Lot the following seven courses to wit: (1) South 30°00'00" West 52.67 feet, (2) North 72°00'00" West 13.88 feet, (3) Southwesterly 59.34 feet along the arc of a 50.00 foot radius curve to the left through a central angle of 68°00'04", the chord bears South 74°00'00" West 55.92, (4) South 40°00'00" West 44.97 feet, (5) North 70°00'00" West 12.79 feet, (6) South 0°58'08" East 87.85 feet, (7) 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 64.80 feet; thence North 84°57'48" West 95.86 feet; thence South 13°14'39" West 169.94 feet to the North Line of State Highway 6; thence along said Highway 6 the following seven courses to wit: (1) North 55°52'37" West 510.58 feet, (2) North 55°08'50" West 137.75 feet, (3) North 40°06'12" East 0.55 feet, (4) North 55°10'13" West 72.88 feet, (5) North 51°05'26" West 333.63 feet, (6) North 51°29'54" West 480.77 feet, (7) North 49°41'03" West 63.18 feet; thence North 14°06'45" East 355.65 feet; thence South 71°45'22" East 712.88 feet; thence South 72°50'23" East 21.39 feet; thence South 70°45'00" East 39.66 feet; thence North 23.24 feet; thence South 70°47'24" East 332.95 feet; thence South 69°30'48" East 245.95 feet; thence South 27.31 feet; thence South 70°45'01" East 46.53 feet; thence North 0°21'44" East 34.04 feet; thence North 0°09'44" West 162.79 feet to the South Line of Lark Street; thence South 50°42'27" East 240.06 feet along said street to the point of beginning.
Containing 24.73 acres.

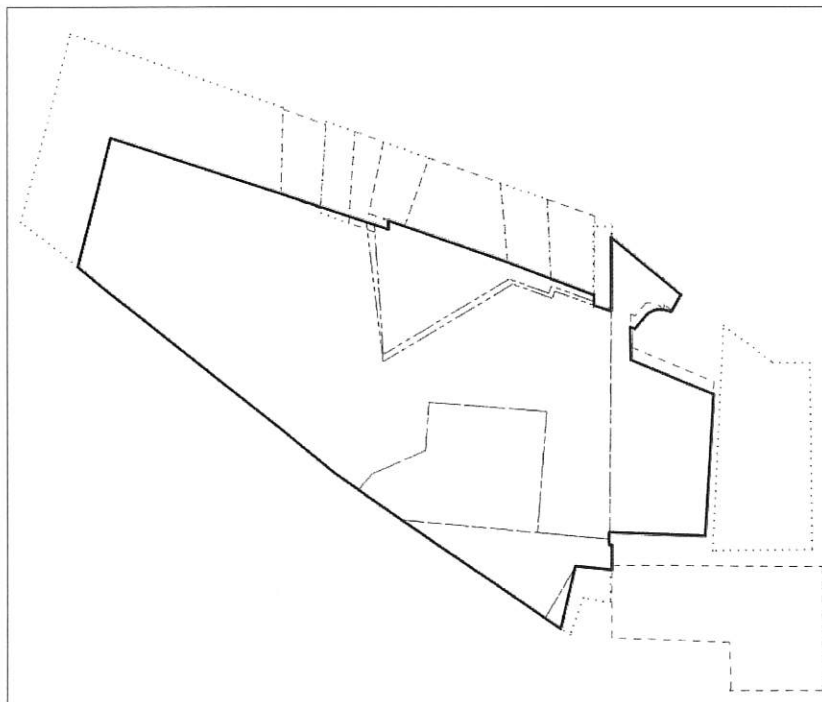


Exhibit "B" Master Plan

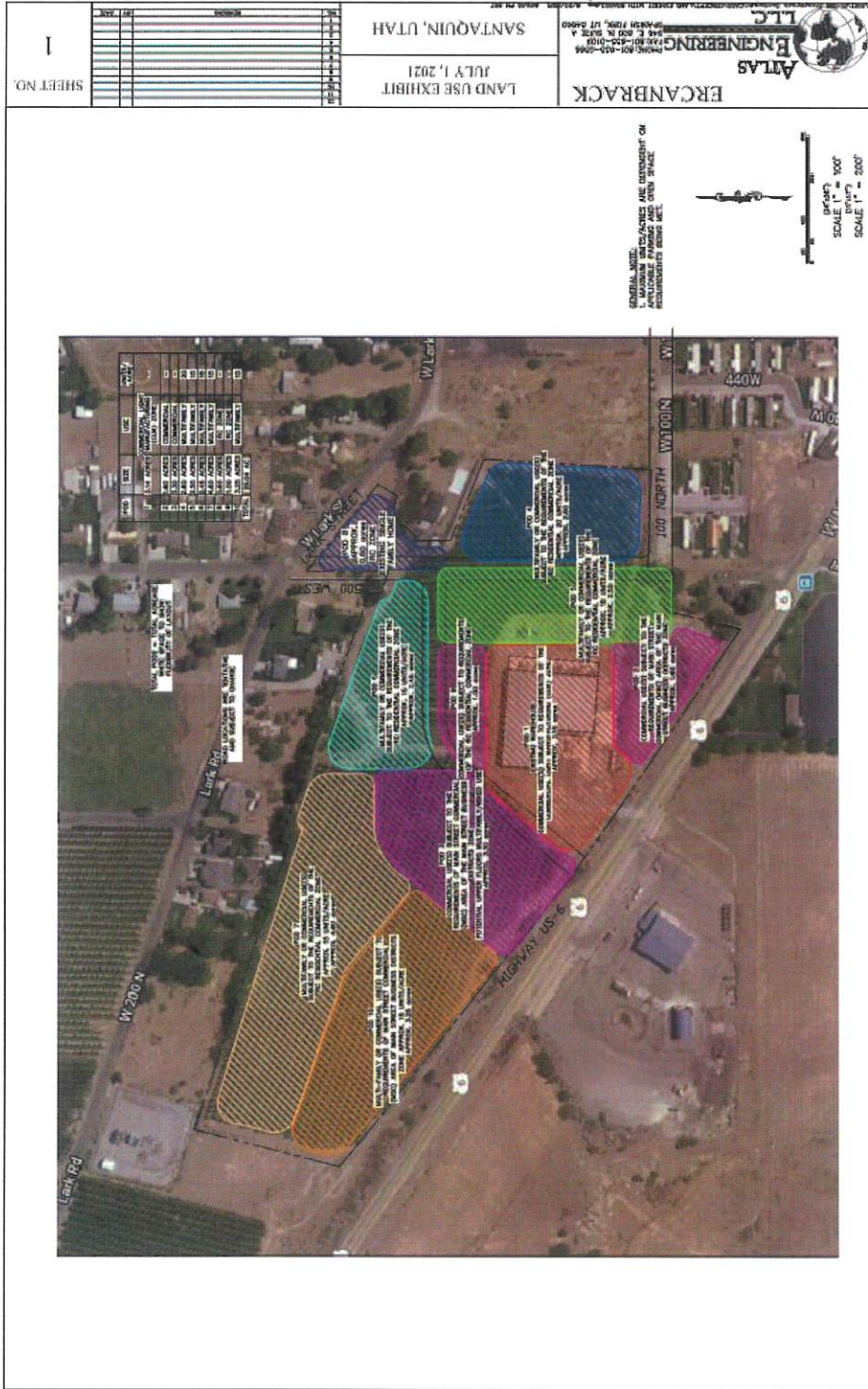


Exhibit "C"
City's Vested Laws



Santaquin City

Utah County, Utah

Municipal Code

Compiled: Tuesday, October 5, 2021

10 LAND USE AND DEVELOPMENT MANAGEMENT CODE

10.04 GENERAL PROVISIONS

10.08 DEFINITIONS - LAND USE AND DEVELOPMENT MANAGEMENT CODE

10.12 ZONING ADMINISTRATOR

10.16 SUPPLEMENTAL PROVISIONS APPLICABLE WITHIN ALL ZONES

10.20 ZONES ESTABLISHED

10.24 CONDITIONAL USES

10.28 NONCONFORMING BUILDINGS AND USES

10.32 INFILL DEVELOPMENT

10.36 PERMITS AND ENFORCEMENT

10.40 HOME OCCUPATIONS

10.44 SIGN REGULATIONS

10.48 PARKING AND CIRCULATION STANDARDS

10.52 LANDSCAPING STANDARDS

10.56 RESIDENTIAL FACILITIES FOR THE ELDERLY

10.60 RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

10.64 ANIMAL RIGHTS

10.68 ANNEXATION AND DEVELOPMENT PROCEDURES

10.04 GENERAL PROVISIONS

10.04.010 SHORT TITLE

10.04.020 PURPOSE

10.04.030 APPLICATION

10.04.040 DECLARATION

10.04.050 INTERPRETATION

10.04.060 CONFLICTING PROVISIONS REPEALED

10.04.070 EFFECTIVE DATE

10.04.080 CERTAIN USES PROSCRIBED IN CERTAIN ZONES

10.04.090 USES CONDITIONAL IN ZONES UNLESS EXPRESSLY PERMITTED OR CONDITIONAL

10.04.010 SHORT TITLE

This title shall be known as the SANTAQUIN CITY LAND USE AND DEVELOPMENT MANAGEMENT CODE, and may be so cited and pleaded. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.020 PURPOSE

It is the intent and purpose of the city council of Santaquin City, Utah, to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the city by guiding development within the city in accordance with a comprehensive plan prepared and adopted by the city to accomplish the

following:

- A. Encourage and facilitate orderly growth and development in the city.
- B. Facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements.
- C. Promote sanitation and health of the inhabitants.
- D. Promote safety from fires, floods, traffic hazards, and other dangers.
- E. Discourage the overcrowding of land and undue concentration of population.
- F. Discourage undue scattering of population and unnecessary expenditure of monies for excessive streets, water and sewer lines, and other public requirements.
- G. Stabilize and improve property values.
- H. Protect the residents from objectionable noise, odor, dust, fumes, and other deleterious substances or conditions.
- I. Promote a more attractive and wholesome environment. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.030 APPLICATION

The regulations and restrictions as set forth in this title shall be so interpreted and applied as to further the purposes of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.040 DECLARATION

In establishing the zones, the boundaries thereof, and regulations and restrictions applying within each of the zones, due and careful consideration was given, among other things, to the suitability of the land for particular uses, and to the character of the zone, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.050 INTERPRETATION

In interpreting and applying this title, the provisions hereof shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. In the case that this title imposes a greater restriction than is imposed or required by other existing provisions of law or ordinance, then in such case the provisions of this title shall control. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.060 CONFLICTING PROVISIONS REPEALED

The zoning ordinance of Santaquin City heretofore adopted is hereby repealed, also, all

ordinances, resolutions, or parts thereof in conflict with the provisions of this title are hereby repealed insofar as they conflict with the provisions of this title, provided, however, that any building, use of land, or any construction thereon which was not authorized by or under the ordinances of the city or which was illegal under such ordinances, shall remain unauthorized and illegal unless expressly authorized or permitted by the provisions of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.070 EFFECTIVE DATE

This title shall take effect upon proper publication of this title following the date of passage. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.04.080 CERTAIN USES PROSCRIBED IN CERTAIN ZONES

Uses of land which are specifically identified as permitted or conditional uses in any zone that is included within this title are specifically proscribed in any other zone within this title in which said use is not included as either a permitted or a conditional use. (Ord. 9-04-2002, 9-18-2002, eff. 9-19-2002)

10.04.090 USES CONDITIONAL IN ZONES UNLESS EXPRESSLY PERMITTED OR CONDITIONAL

Uses of land which are not expressly either permitted or conditional within a particular zone, and are not identified as permitted or conditional uses in any other zone that is included in this title, are hereby expressly declared to be conditional uses in all zones, pursuant to the express authority given under terms of this code. The planning commission, appeal authority, zoning administrator, or other authorized officer, shall only permit such a use within a zone by the terms of SCC 10.24. (Ord. 9-04-2002, 9-18-2002, eff. 9-19-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.08 DEFINITIONS - LAND USE AND DEVELOPMENT MANAGEMENT CODE

10.08.010 INTENT

10.08.020 TERMS DEFINED - LAND USE AND DEVELOPMENT MANAGEMENT CODE

10.08.010 INTENT

In this chapter, it is the intent of the city council to define certain words and phrases in order that they may be understood when used in other sections of the zoning ordinance. Words used in the present tense include the future, the singular includes the plural and the plural the singular. Further questions concerning definitions as defined in this chapter shall be referred to the zoning administrator, or other authorized officer. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.08.020 TERMS DEFINED - LAND USE AND DEVELOPMENT MANAGEMENT CODE

The following terms, as defined, shall apply as such throughout this title:

ABUTTING: See definition of Adjacent.

ACCESSORY APARTMENT: See definition of Dwelling, Accessory Unit.

ACCESSORY BUILDING: An incidental, subordinate building customarily subordinate to and located upon the same lot occupied by the main use or building, including detached garages.

ACCESSORY USE: A use conducted on the same lot as the primary use to which it is related or a use which is clearly incidental to and customarily found in connection with such primary use.

ADJACENT: Structures, properties, lots, and/or features existing next to or contiguous to each other and which may be separated by a street, easement, or other right of way.

AGRIBUSINESS: Agriculturally related businesses that supply farm inputs (such as fertilizer or equipment) or are involved in the marketing of farm products (such as warehouses, processors, wholesalers, transporters, and retailers). Agribusiness does not include a farm.

AGRICULTURE: The growing of soil crops in a customary manner in the open or within greenhouses. It shall also include livestock raising activities with the exception of feedlots. Agriculture shall not include retailing of products on the premises.

AGRICULTURE BUILDING: All buildings, other than dwellings, which are incidental to a farming operation including, but not limited to, buildings for the storage of materials, equipment, machinery with associated parts, or the keeping of livestock, other farm animals and necessary feed. This does not include buildings for the processing of crops for consumption as may be associated with an agribusiness.

AGRICULTURE PROTECTION AREA: A geographic area created and granted the specific legal protections under the authority of Utah Code 17-41, agriculture protection area, and this title.

ALCOHOLIC BEVERAGE, CLASS A LICENSE: A license to sell beer on the premises, in original sealed containers no larger than two liters (2 l), for consumption off the premises, in accordance with the ordinances of the city, provided beer is not sold by minors, except under the supervision of a person twenty one (21) years of age or older who is on the premises. No beer shall be sold through a drive-up window.

ALCOHOLIC BEVERAGE, CLASS B LICENSE: A license to sell beer in the original containers, and on draft, in containers no larger than two liters (2 l), for on premises consumption; beer in sealed containers no larger than two liters (2 l) may be sold for consumption off premises in accordance with the alcoholic beverage control act, and the ordinances of the city.

ALCOHOLIC BEVERAGE, CLASS C LICENSE: A license which entitles restaurant and private club licensees to sell liquor and beer for consumption on the premises, and to sell beer in sealed containers no larger than two liters (2 l), for off premises consumption, as specifically defined in, and in accordance with, the alcoholic beverage control act.

ALCOHOLIC BEVERAGE, CLASS D LICENSE: A license which allows the storage, sale, service, and consumption of liquor, wine, heavy beer, and beer for contracted banquet activities on the premises of a hotel, resort facility, sports center, or convention center. It also allows for room service in hotels and resorts.

ALCOHOLIC BEVERAGE, CLASS E - PACKAGE AGENCY: Liquor stores that offer a modest selection of liquor and alcohol products. They may be located in hotels, resorts and as a stand alone building. Products are sold for consumption off of the agency premises. This includes state liquor stores.

ALCOHOLIC BEVERAGE, TEMPORARY LICENSE: Temporary beer licenses, for sale or dispensing of beer, may be issued for a period of time not to exceed thirty (30) days, and in accordance with the ordinances of the city.

APPROACH: A curb cut of not more than thirty feet (30') in width measured at the back of the sidewalk.

ARCADE: An establishment, public area, etc., containing at least five (5) games of a mechanical and electronic type, such as pinball, video games, etc., that can be played by a customer for a fee.

ART GALLERY: A room or series of rooms where works of art are exhibited and which may be sold. This may also include offices and work areas for artists.

AUTO, TRUCK, RECREATIONAL VEHICLE, AND EQUIPMENT SALES OR RENTAL: Sales or rental of either new or used motor vehicles and equipment from indoor or outdoor areas, but not to include nonserviceable or junk vehicles or equipment.

AUTO, TRUCK, RECREATIONAL VEHICLE, AND EQUIPMENT STORAGE: Temporary outside storage of either new or used motor vehicles and/or equipment awaiting distribution. Such storage does not include an impound lot.

AUTOMOTIVE SERVICE AND REPAIR, MAJOR: An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender and engine and engine parts, provided, it is conducted within a completely enclosed building. Accessory activities may include a car wash service that complies with the provisions of SCC 10.48.060 or obtains a conditional use permit thereunder.

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

inspections and emission testing, detailing shops, overhaul or transmission work, but does not include an establishment that qualifies as a major automotive service and repair facility, and provided it is conducted within a completely enclosed building. Accessory activities may include a car wash service that complies with the provisions of SCC 10.48.060 or obtains a conditional use permit thereunder.

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

BAKERY, COMMERCIAL: A workplace, generally less than fifteen thousand (15,000) square feet, where baked goods (breads, cakes and pastries) are produced and sold.

BED AND BREAKFAST HOME: A single-family dwelling with not less than two (2) and not more than eight (8) guestrooms where lodging, with or without meals, is provided for compensation with stays not to exceed twenty nine (29) days.

BOARDING FACILITY: A private or commercially operated series of stables, barns, paddocks, and/or other shelters and exercising facilities in which large or medium farm animals are fed, exercised and/or cared for on a short or long term basis for a fee. This definition does not include kennels.

BREW PUB: A small brewery, generally producing fewer than ten thousand (10,000) barrels of beer and ale a year and frequently selling its products on the premises in combination with food.

BUILDABLE AREA: The maximum possible area of a lot on which a structure can be built as defined by the lot setback requirements within the zone in which the lot is located.

BUILDING: Any structure built for the support, shelter, or enclosure of persons, animals, or property of any kind.

Accessory Building: A subordinate building, the use of which is incidental to that of the main building. See definition of Dwelling, Accessory Unit.

Building Line: A line designating the minimum distance which buildings must be set back from a street or lot line.

Main Building: One or more principal buildings upon a lot.

CABINET MAKING/WOODWORKING: An establishment for making furniture or other items out of wood or similar materials.

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

full-service with attendants who wash the vehicle.

CARPORT: A structure with one, two (2), or no walls for the shelter of automobiles.

CERTIFICATE OF OCCUPANCY: An official written authorization to occupy a structure issued by or under the direction of the city building official.

CHILD: A person less than eighteen (18) years of age.

CHILD GROUP ACTIVITY: A regularly scheduled activity, class, gathering, or event (e.g., dance schools, preschool, music classes, swimming classes, etc.) for children. Such activities typically have ongoing or open enrollment and the person who has organized the activity receives direct or indirect compensation for conducting such.

CHILD ORIENTED HOME OCCUPATIONS: A home occupation that functions as daycare for children and/or conducts one or more child group activities. A child oriented home occupation may be either a "minor home occupation" or "major home occupation" as defined herein.

COLD STORAGE REFRIGERATION WAREHOUSE: A facility used for the storage, warehousing and shipping of items such as food or pharmaceuticals that require a refrigerated environment.

COMMERCIAL, ANCILLARY: In a mixed use development, a retail use which is secondary in use and scale to a large scale office or residential development. Such uses are normally associated with, and supply services to the principal use. Ancillary retail uses might include, but are not limited to, office supplies, financial services, copy centers, dry cleaners, athletic clubs, and restaurants.

COMMERCIAL, CONVENIENCE: Establishments which are designed and intended to serve the daily or frequent trade or service needs of surrounding population. Such establishments typically include grocery stores, variety stores, drugstores, dry cleaning, beauty shops, barbershops, or a combination thereof and having floor areas typically less than fifty thousand (50,000) square feet. Convenience stores do not typically include repair garages, automobile sales, service or storage.

COMMERCIAL, HEAVY: An establishment or business which generally uses open sales yards, outside equipment storage, or outside activities that generate noise or other impacts considered incompatible with less intense uses. Typical businesses in this definition are lumberyards, construction specialty services, heavy equipment suppliers, or building contractors.

COMMERCIAL, INDUSTRIAL EQUIPMENT SALES: A facility for the display and sale of equipment and machinery used for commercial and industrial purposes. This does not typically include repair or service of equipment.

COMMERCIAL, RECREATION: An establishment providing completely enclosed

recreation activities. Accessory uses may include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller or ice skating, billiards, indoor and outdoor swimming pools, tennis clubs, strength training and related amusements. This does not include theaters.

COMMERCIAL, RETAIL SALES AND SERVICES: Establishments which primarily engage in the sale of general retail goods and/or accessory services (e.g., businesses within this definition include those which conduct sales and storage entirely within an enclosed structure, with the exception of occasional outdoor "sidewalk" promotions); and businesses specializing in the sale of either general merchandise or convenience goods. Services may include laundromats with coin operated self-service machines, self-service or full service car washes, and repair services for small household appliances or equipment. Work conducted on the premises may include handicraft production of tangible goods such as pottery, jewelry, picture frames, or leather goods.

COMMON AREA: An area designed to be used by two (2) or more dwelling units, typically used in the development of large scale developments.

COMMON WALL: A single wall shared by two (2) or more buildings or by two (2) or more units within a single building.

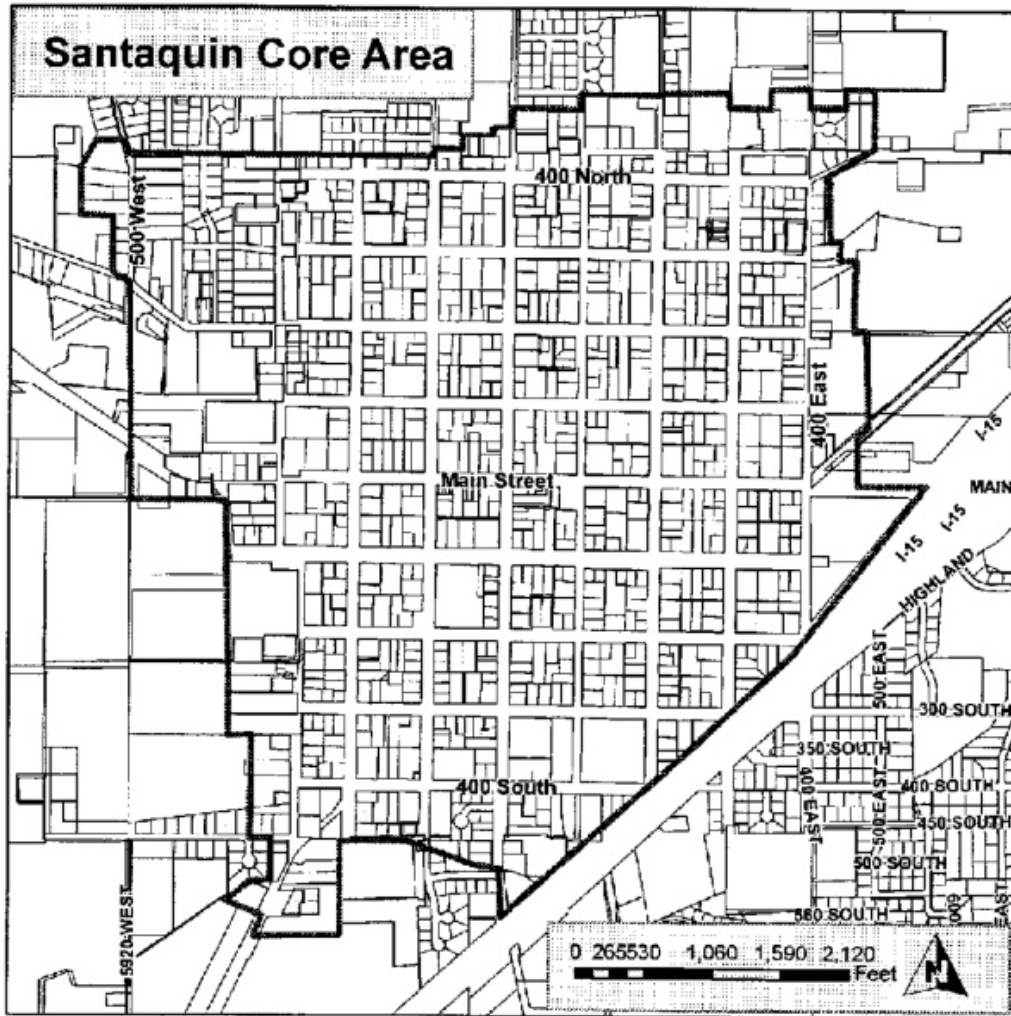
CONDITIONAL USE: A use which requires approval of the planning commission prior to the issuance of a permit for construction or commencement of use. A use which requires individual consideration of surrounding conditions and circumstances prior to approval. Approval by the planning commission may be given with conditions.

CONFERENCE AND CONVENTION FACILITY: A stand alone facility, not part of a larger development, designed to accommodate conventions, consumer shows, trade shows, conferences, seminars, product displays, recreation activities and entertainment functions, along with accessory functions including temporary outdoor displays, indoor dances, holiday celebrations, and food and beverage preparation and service for on premises consumption.

CONTOUR MAP: A map on which irregularities of the earth's surface are shown by lines connecting points of equal elevations. Contour interval is the vertical height between contour lines.

CONVENIENCE STORE OR SHOP: See definition of Commercial, Convenience.

CORE AREA: The central area of Santaquin City located within the following boundaries starting at the intersection of Main Street and Interstate 15; West to 450 East, then North to 550 North, thence west to Center Street, thence south to 400 North, thence west to 500 West, thence south to Main Street, thence east to 400 West, thence south to 550 South, thence east to Center Street, thence south to Interstate 15, thence along Interstate 15 to the point of beginning. This boundary is more fully illustrated in the following graphic titled Santaquin Core Area.



CORRAL: A fenced enclosure, other than a building, used for the confinement of animals or livestock, usually without pasture grass growing on it. The primary source of feed is provided from sources other than grazing or herbage growing on the site.

CRISIS RESPITE: A facility providing a twenty four (24) hour crisis shelter to protect children and help families cope with crisis. Such facility is licensed through the state department of human services and provides programs designed to offer immediate, temporary respite care (up to 72 hours) to children ranging in age from one week to generally eleven (11) years of age.

CROPLAND: Land used primarily for the production of row crops, close growing crops, and fruit and nut crops.

CURB CUT: A cut in the curb line designed for the passage of vehicles.

DANCE HALL, DISCOTHEQUE: An establishment intended primarily for dancing and entertainment within an enclosed dance floor space, using either live or electronically produced music, either open to the public or operated as a private club open to members

only.

DAY TREATMENT: A program or facility providing services to individuals who have emotional, psychological, developmental, physical, or behavioral dysfunctions, impairments, or chemical dependencies. Day treatment is licensed by the state of Utah and provided in lieu of, or in coordination with, a more restrictive residential or inpatient environment and means specialized treatment for less than twenty four (24) hours a day, for four (4) or more persons who are unrelated to the owner or provider in accordance with state rules and regulations. This does not include sheltered workshops.

DAYCARE: The provision of care for four (4) or more cumulative hours during the day for a group of individuals not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, with or without compensation, specifically:

Adult Daycare: A facility licensed through the state department of human services or department of health as an adult daycare and which is typically a nonresidential care facility providing supervision for three (3) or more adults for at least four (4) but less than twenty four (24) hours a day; and that offers a variety of health, social, recreational, and related support services in a protective setting to functionally impaired adults. Adult daycare does not include residential facilities for the elderly or a residential facility for persons with a disability.

Daycare Center: A nonresidential care facility wherein daycare is provided for five (5) or more children, for less than twenty four (24) hours per day, having a regularly scheduled, ongoing enrollment, for direct or indirect compensation and licensed by the state of Utah.

Family Daycare: A home wherein care is provided for at least one, but not more than eight (8) children who are unrelated by blood or marriage to, or not the legal wards or foster children of, the attendant adult at one time for less than twenty four (24) hours a day and which may be licensed by the state of Utah.

Family Group Daycare: A home wherein care is provided for nine (9) to sixteen (16) children not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, for less than twenty four (24) hours a day, for direct or indirect compensation and licensed by the state of Utah.

DECIBEL: Logarithmic and dimensionless unit of measure often used in describing the amplitude of sound. Decibel is denoted dB.

DENSITY: The number of dwelling units per acre of land.

DEVELOPMENT: The carrying out of any building activity or the making of any material change to the use or appearance of any structure or land.

A. The following shall be considered to be "development":

1. The construction of any building or structure which requires the issuance of a building permit;
2. The increased intensity of land use, such as the increase in the number of dwelling units or nonresidential uses;
3. Alteration of a natural waterway;
4. Commencement of drilling, except to obtain soil samples, the driving of piles, or the excavation upon a parcel of land;
5. Clearing of land for the purpose of construction including the removal of vegetation, the disruption of vegetation, or soil manipulation; and
6. The deposition of fill materials upon a parcel of land for the general purpose of grading.

B. The following shall not be considered to be "development":

1. Cleanup projects along roadways or on undeveloped properties for the purpose of maintenance of the parcel of land;
2. Utility installation;
3. Landscaping; and
4. Maintenance in association with existing landscaped areas or existing rights of way.

DRIVE-IN RETAIL: Any form of merchandising, serving, or dispersing of goods in which service is provided to customers while they remain in their automobiles.

DWELLING, ACCESSORY UNIT: A dwelling unit that is located on the parcel of a single-family home or within a single-family home. One accessory dwelling unit together with a single-family dwelling shall not constitute a two-family dwelling for the purposes of this code, so long as the owner of the property maintains either dwelling as their primary residence.

- A. **ATTACHED:** A dwelling unit which is self-contained but secondary to and incorporated within an owner-occupied single-family dwelling and which will not substantially alter any structure or the appearance of any structure as a single-family residence.
- B. **DETACHED:** A dwelling unit which is self-contained but secondary to and on the same parcel as an owner-occupied single-family dwelling.

DWELLING, BACHELOR: A dwelling unit which is designed to be occupied by three (3) or more nonrelated adults.

DWELLING, BUNKHOUSE: A city approved building which provides sleeping quarters and possibly limited food preparation and/or personal hygiene facilities for ranch hands, seasonal workers or farm help.

DWELLING, CARETAKER: A dwelling which is designed and intended to be occupied by a person whose function it is to watch or take care of a business or industry which is located on the same premises as the dwelling. This may also include a detached guest cottage on parcels with detached single-family dwellings.

DWELLING, MULTIPLE-UNIT OR MULTIPLE-FAMILY: A building or series of buildings consisting of two (2) or more independent dwelling units, each of which is designed for and occupied by only one family. Multiple-family dwellings include the following dwelling types:

- A. DWELLING, CONDOMINIUM: An owner occupied dwelling unit in a condominium together with an undivided interest in the common areas and facilities of associated condominiums.
- B. DWELLING, SINGLE-FAMILY ATTACHED: A dwelling unit sharing a common wall or walls with an adjoining dwelling unit but located on an individual lot.
- C. DWELLING, TOWN HOME: An independent dwelling unit under individual ownership which is attached by a common wall to one or more similarly designed units, which are typically designed to be several in-line units, each of which is located on separate lots or parcels of land, and which have no other housing units built over or under them.
- D. DWELLING, TWO-FAMILY: A building which consists of two (2) independent dwelling units which share one or more common walls and have no direct internal access to one another. These developments are often referred to as twin homes or duplexes, depending upon ownership status.

DWELLING, SINGLE-FAMILY DETACHED: A dwelling unit on a separate parcel and sharing no common walls which is designed for and occupied by only one family, but which may contain one accessory dwelling unit. A single-family dwelling together with one accessory dwelling unit shall not constitute a two-family dwelling for the purposes of this code, so long as the owner of the property maintains either dwelling as their primary residence.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons, including permanent, nonmobile provisions for living, sleeping, eating, cooking and sanitation.

ENVIRONMENTAL REVIEW: A statement prepared by an engineer, geologist, or other person qualified by training or experience, as determined by the planning commission, which indicates or describes the impact that the development will likely have on the natural features of the immediate area, and which describes the measures that will be

taken to lessen the occurrence of adverse conditions with respect to:

- A. Geological/geotechnical study that contains information on site soils investigation, site conditions, and site development recommendations including flexible pavement design.
- B. Stormwater runoff calculation, storm drainage, erosion control plans, and identification of flood hazards.
- C. Traffic analysis using the current institute of traffic engineers standards and methods from the highway capacity manual.
- D. Determination of the culinary water system's ability to deliver one thousand (1,000) gallons per minute fire flow at each fire hydrant within residential areas while maintaining the minimum water pressure standards as outlined in the Utah administrative code for public water systems. Fire flow for other types shall meet the requirements of the fire code.
- E. Provisions for the proper disposal of solid and liquid wastes.
- F. Prevention of the accumulation of weeds and debris.
- G. Disposition of existing vegetation and the establishment of new vegetation.
- H. Costs of both off site and on site facilities.
- I. Disposition of all irrigation facilities affected by the project.

EXCAVATION: Removal of earth materials through digging, scooping, or cutting that results in a pit or cavity formation.

FAMILY:

- A. One individual living alone, or
- B. One, but not more than one at the same time, of the following groups of individuals described in paragraph B,1 or B,2 of this definition who together occupy a single-family dwelling unit as one nonprofit housekeeping unit and who share common living, sleeping, cooking and eating facilities:
 - 1. A head of household and:
 - a. All persons related to the head of household as a parent, child, grandparent, grandchild, great-grandparent, great-grandchild, brother, or sister, by blood, marriage, adoption, guardianship, or other duly authorized custodial relationship; and
 - b. Not more than two (2) additional related or nonrelated persons, including, but not limited to, personal care or personal service providers; or

2. Two (2) related or unrelated individuals and the children of each individual, if any.

C. The term family shall not include:

1. A fraternity, club, or institutional group; or
2. Any number of individuals whose association is temporary or seasonal in nature; or
3. Any number of individuals who are in a group living arrangement as a result of criminal offenses.

FAMILY DAYCARE: See definition of Daycare.

FAMILY FARM: A farm that:

- A. is operated by a person who owns or leases and resides on the property (the operator);
- B. has a substantial amount of labor provided by the operator and the operator's family; and
- C. may use seasonal labor during peak periods and a reasonable amount of full time hired labor.

FARM ANIMALS: Animals other than household pets that may, where permitted, be kept and maintained for commercial production and sale and/or for family food production, education or recreation. Farm animals are identified by two (2) categories, animals and fowl. These categories are broken down as follows:

Large animals, e.g., horses and cattle;

Medium animals, e.g., sheep, goats, llamas; or

Small animals, e.g., rabbits, chinchillas;

Large fowl, e.g., ostrich, emu, turkey;

Medium fowl, e.g., ducks and geese;

Chickens; or

Small fowl, e.g., pigeons, pheasants, finches, and doves.

FARM MARKETS: A consortium of three (3) or more individual produce growers, and/or manufacturers of agriculturally related products who meet on a regular basis at a central location within a structure or open area to sell farm produce.

FARMS: Any place that has, or has the potential to produce, one thousand dollars (\$1,000.00) or more in annual gross sales of farm products via cultivating of soil, managing croplands, producing and harvesting crops, and/or raising or breeding of livestock.

FEEDLOT: A lot or building or combination of lots and buildings that are used for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this definition, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures or corrals and shelters on small farms shall not be considered animal feedlots under these rules. Manure storage areas off the site of the feedlot will be considered as a feedlot. This definition does not include slaughterhouses.

FENCE: A structure erected to provide privacy or security which typically defines a private space and may enhance the design and appearance of individual sites. A wall or similar barrier may also be determined to be a fence.

FENCE, SIGHT OBSCURING: A "fence" as defined herein, which permits limited vision to the opposite side of the fence line.

FLAG LOT: An interior lot located behind another lot characterized by having no frontage on a public street other than that of a private driveway.

FLOOR AREA: The total of all square footage within the structure.

FRACTIONAL NUMBERS OR MEASUREMENTS: In meeting the requirements of this title, all fractions of numbers one-half (1/2) or more shall be construed to mean the next highest whole number. All fractions of less than one-half (1/2) shall be construed to mean the next lowest whole number.

FULFILLMENT CENTER: A facility used for the storage, processing and/or shipping of items from third-party vendors to purchasers including the use of on-site "lockers" for the picking up of items ordered online.

GARAGE: A building, or part thereof, designed for the parking or temporary storage of automobiles of the occupants of the premises.

GARAGE, ATTACHED: A garage which shares a common wall, or portion thereof, with the living area of a dwelling. Where a garage is defined to be an attached garage, it shall be considered to be part of the primary structure.

GENERAL PLAN: A coordinated plan which has been prepared and adopted by the planning commission and city council for the purpose of guiding development. The plan may include, but is not limited to, a plan of land use, circulation, housing, public facilities, and identified city goals and objectives.

GRADE: The following is a general guideline:

- A. For buildings fronting one street only, the elevation of the sidewalk or centerline of street, whichever is higher, at right angles to the midpoint of the fronting wall.
- B. For buildings fronting more than one street, the average of the elevation of the sidewalk or centerline of street, at right angles to the midpoint of the fronting walls.
- C. For buildings having no wall fronting the street, the average level of the sidewalk or center of surrounding streets, whichever is higher.

GRADING: The removal, depositing, or moving of more than fifty (50) cubic yards of sand, gravel, rock, soil, clay, or other deposits in less than a one year period on or from any parcel.

GUEST: A person temporarily staying or receiving services at a hotel, motel, boarding house, rooming house, house, rest home, or similar use.

GUESTROOM: A bedroom that is kept for the use of guests/customers for compensation.

HEALTHCARE FACILITY: Any general acute hospital, specialty hospital, home health agency, hospice, nursing care facility, residential assisted living facility, birthing center, ambulatory surgical facility, small healthcare facility, abortion clinic, facility owned or operated by any health maintenance organization, end stage renal disease facility, but does not include the offices of a private physician or dentist, whether for individual or group practices nor does this include youth correction facilities or social rehabilitation facilities, which may be licensed through the state department of health.

Assisted Living Facilities: A large or small healthcare facility, which may include a mental retardation facility, nursing care facility, home for the aging, or those facilities which are licensed as either type I or type II assisted living facilities or small type N healthcare facilities by the state department of health.

Large Healthcare Facility: A healthcare facility with more than sixteen (16) beds.

Small Healthcare Facility: A healthcare facility with sixteen (16) beds or less.

HEIGHT OF BUILDING: The vertical distance from median grade along the foundation of a structure to the highest point of the roofline.

HOME OCCUPATION: An occupation or business activity conducted within a dwelling or on the premises of a residential property which is clearly secondary in importance to the dwelling as a home or place to live and carried on by persons residing in the dwelling. Home occupation shall not be construed to mean a family farm or an employee, working in his/her home in the service of an employer whose principal place of business is licensed at another location (e.g., telecommuters). For purposes of this

title, home occupation does not include the agricultural operations of family farms.

Major Home Occupation: A home occupation of the type that often causes more than minimal impact on surrounding properties and that meets the requirements of SCC 10.40.040; it does not meet all of the requirements of SCC 10.40.050.

Minor Home Occupation: A home occupation which normally has minimal impact on surrounding neighbors and complies with the requirements of SCC 10.40.040 and SCC 10.40.050.

HOTEL/MOTEL: A building or group of buildings containing individual sleeping units, offered, designed and used primarily for the accommodation of short term guests not to exceed thirty (30) consecutive calendar days or business professionals on temporary assignment, and with automobile parking or storage available. This definition includes auto courts, motor lodges, and tourist courts. To be classified under this definition, the use must have and maintain a functional lobby for check in/out with an entryway for vehicle loading and unloading during check in/out, a luggage storage area, an on site manager twenty four (24) hours a day, housekeeping of rooms at intervals normally no more than forty eight (48) hours, continuous open access for public safety personnel and the use should have at least three (3) or more of the following amenities conveniently located:

Concierge.

Guest laundry.

Guest pool.

Meeting rooms (minimum capacity of 25 people).

Outdoor or indoor sports court.

Recreation room or exercise room.

Restaurant/food service area.

Facilities not meeting the minimum requirements may fall under the definition for multiple-unit or multiple-family dwellings (i.e., apartments).

HOUSEHOLD PET: A domesticated animal that is traditionally kept in the home for pleasure, such as a dog, cat, bird, rodent (including a rabbit), fish, or turtle, and which are normally stocked and available at state licensed pet stores.

IMPOUND YARD: An open area used exclusively for the storage of automobiles, motor vehicles and recreational vehicles impounded pursuant to order of a public law enforcement agency or insurance organization licensed to conduct business in the state, and stored solely for the purposes of law enforcement investigation, insurance

investigation, title clearance and transfer and/or litigation. This definition does not include the dismantling or disassembly of vehicles except pursuant to litigation, the sale of vehicle parts nor the storage of nonimpounded vehicles or their parts.

INDUSTRY, LIGHT: The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment or research activities entirely within an enclosed structure, with no outside storage. This does not include agribusiness operations.

INDUSTRY, MEDIUM: The manufacturing, compounding, processing, assembling, packaging, or testing, of goods or equipment within an enclosed structure or an open yard that is capable of being screened from neighboring properties. This does not include agribusiness operations.

INFILL: Development of areas previously undeveloped within the present city boundaries, which are surrounded by developed land.

INSTITUTIONS: A building used, occupied, and operated by an organized nonprofit association of persons for social, fraternal, or patriotic purposes, whose activities are confined to the members and their guests, but shall not include any organization, group or association, the principal activity of which is to render a service usually and ordinarily carried on as a business. This does not include schools or medical facilities.

INTERPRETATION: An administrative decision made by the city official entrusted with such responsibilities, through the application of this title to specific cases typically where vague, odd, or unclear situations or circumstances exist, but which is not to contradict the intent of this title.

JUNKYARD: A place where scrap, waste, discarded, or salvaged materials are bought, sold, exchanged, disassembled, handled, or stored, including auto wrecking yards, house wrecking yards, used lumberyards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including such places where uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.

LABORATORY FOR ASSAY OF PRECIOUS METALS: A commercial laboratory used for assaying precious metals.

LABORATORY, MEDICAL: A facility used for medical imaging, the collection of medical samples or the processing/analyzing of samples that have been collected off-site.

LAND USE: The nature and character of activity upon a parcel of land or within a building located on a parcel of land.

LAND USE PLAN: A plan recommended by the planning commission and adopted and maintained by the city council which shows how land should be used. It is also an

element of the general plan.

LANDSCAPING: The finishing and adornment of unpaved areas. Materials and treatments generally include some combination of planted trees, shrubs, vines, ground cover, flowers, or lawns. In addition, the treatment may include rocks, crushed stone, bark, mulch and such structural features as fountains, pools, artworks, screens, walls, fences, walks, or benches, but such objects alone shall not meet the requirements of this title.

LARGE SCALE DEVELOPMENT: A development that contains two (2) or more main buildings on a zoning lot and which development is planned and developed as a single entity, or as otherwise defined and applied in SCC 10.20.160.

LEGAL HOLIDAY: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and all other city observed holidays.

LIVING OPEN SPACE: The portion of the yard on a zoning lot which is not used by automotive vehicles, but reserved for outdoor living space, recreational space, and landscaping.

LOT: A single parcel or tract of land. Furthermore:

Corner Lot: A lot situated at a junction of two (2) public streets or situated on a curved street where the radius of the curve is thirty five feet (35') or less and where the angle formed by the intersection of the tangents is one hundred five degrees (105°) or less. **Interior Lot:** Any lot which cannot be characterized as a corner lot.

Lot Of Record: A lot designated in an approved subdivision or a lot legally created prior to the current zoning designation. This lot would be recorded pursuant to statute of the county recorder's office. A lot of record may or may not coincide with existing zoning requirements.

MANUFACTURED HOME: A dwelling unit which meets the building code requirements for permanent structures, designed to be transported after fabrication and which is ready for occupancy as an independent unit except for connection to utilities and location on a foundation.

MASS GRADING: The excavation, removal, or processing of peat, gravel, rock, sand, clay, or other soils, including overburden, or the storage or transporting of such items on a site, for the purpose of providing a more suitable topography for construction of improvements at the site. Excess materials not required for on site improvements can be marketed and sold by the owner or its assigned agent. For the purposes of this title, the following excavation activities are not included within the definition of mass grading and are exempt from the permitting requirements of this title:

A. Excavation approved by the governmental body or competent jurisdiction in

conjunction with the installation or maintenance of publicly owned or operated utilities, drainage facilities, roads, or other publicly owned or operated improvements, where the excavation is limited to the site of the public utility or improvement.

- B. Excavation which by its nature is of limited scope and duration and which is undertaken primarily for the immediate use and development of the land excavated, such as for purposes of building construction, septic tanks, swimming pools, graves, etc.
- C. Excavation in conjunction with farming operations conducted in accordance with generally accepted agricultural practices, including agricultural drainage work incidental to farming operations and irrigation or stock watering ponds, if no material is removed from the property.
- D. Other excavations where the city determines, in its sole discretion, that the proposed excavation is unlikely to unreasonably interfere with the enjoyment of life or property and will not expose any person or property to the types of dangers inherent in earth materials excavation and processing sought to be prevented by this title. The city's determination may be based on a review of the purpose, location, extent, or duration of the proposed excavation and other factors which may bear on the potential of any excavation activity to adversely affect the public health, safety, or general welfare of the community.

MIXED USE DEVELOPMENT: A development consisting of a mixture of residential and office or commercial uses with an approved ratio, developed according to a master site plan. The development of the uses is of sufficient size and physical improvement to protect surrounding areas and the general community, and to assure a harmonious integration into the neighborhood.

MOBILE HOME: A vehicular or portable structure which meets all of the provisions of the building code for mobile homes as adopted by the state of Utah which is constructed for movement on the public highways and which is designed for use as a residence, but which has not been demonstrated to conform to the requirements of the building code. Travel trailers, motor homes, camping trailers, other recreational vehicles, and modular homes designed for placement onto a permanent foundation shall not be considered to be mobile homes.

MOBILE HOME PARK: An area or tract of land designed and used to accommodate mobile homes. See SCC 10.20.160 for regulations and requirements.

MORTUARY, FUNERAL HOME: An establishment in which the dead are prepared for burial or cremation. The facility may include such uses as are associated with, clearly accessory to, and supplies services to the principal use (e.g., a chapel for the conduct of funeral services and spaces for informal gatherings and/or display of funeral equipment).

MOTEL/HOTEL: See definition of Hotel/Motel.

MUNICIPAL SERVICES: City or county government operations and governmental authorities providing services from specialized facilities, such as police, fire, and ambulance services, street or highway department maintenance or construction, sewer and water facilities, etc.

NONCONFORMING BUILDING: A building, structure, or portion thereof, which does not conform to the regulations of the ordinance applicable to the zone or district in which such building is situated but which was in existence on the effective date hereof.

NONCONFORMING USE: A use of premises which does not conform to the regulation of this title, but which was in existence on the effective date hereof.

NURSERY, DAYCARE: See definition of Daycare.

OPEN SPACE: A parcel of land, or portion thereof, which is completely free and unobstructed by structures or parking facilities, typically used for the recreation and enjoyment of the citizens of Santaquin City in general. Landscaping features shall not constitute obstruction of open space.

OUTDOOR YOUTH PROGRAM: A facility or program licensed by the state of Utah as an outdoor youth program and designed to provide rehabilitation services to adjudicated minors. Characteristics of such include recreational therapy activities such as, but not limited to, hiking or camping, and where participants are under direct supervision. This shall include only stationary camp sites.

OVERBURDEN: Those materials which lie between the surface of the earth and the deposit to be excavated and/or processed.

OWNER: An individual, firm, association, syndicate, copartnership, corporation, trust, estate, lessee, or any other legal entity having sufficient proprietary interest in land.

PARKING LOT: An open area, other than a street, used for the parking of automobiles which fully complies with or is legally nonconforming as to the city's parking standards.

PARKING SPACE: Space within a building or parking area, exclusive of driveways, ramps, columns, office and working areas, for the parking of a motor vehicle.

PASTURE: A fenced area enclosure for animals in which the grass product available on the site is the primary source of feed and in which livestock are kept in a loosely controlled environment as opposed to being kept in a pen, corral, or stable.

PEN: An enclosed area typically having less than five hundred (500) square feet and intended for occupancy by one to two (2) animals.

PERMANENT MAKEUP ESTABLISHMENT: A business where a permanent design or mark is made on the skin by pricking it and ingraining in it an indelible pigment for masking discolorations on the body or cosmetically enhancing facial features only. This

does not include a tattoo parlor.

PERSON: Any individual, firm, association, syndicate, partnership, corporation, trust, estate, or any other legal entity.

PHARMACUTICAL MANUFATURING: A facility for the manufacturing of pharmaceuticals, nutraceuticals, or other health-related supplements.

PLANNED UNIT DEVELOPMENT: A development containing residential lots or units, possibly with compatible nonresidential uses, with some or all of the lots or parcels being of a state which may not fully comply with the terms of the zoning requirements regarding the minimum lot sizes, frontages, or setbacks within the applicable zoning district, but which contain planned special amenities within the development.

PLANTING PLAN: A plan showing the location, type, and size of plants. It should indicate irrigation equipment, curbs, and other protective features around the edge of the planting areas.

PRIVATE CLUB: A building used, occupied, and operated for profit by an individual or association of persons for social, fraternal, or recreational purposes, whose activities are confined to the members and their guests. These establishments may or may not be licensed to distribute alcoholic beverages in accordance with city and state regulations. This may include arcades, brewpubs, discotheques but not businesses commonly recognized as fitness clubs.

PROFESSIONAL OFFICE OR FINANCIAL SERVICES: An establishment intended for the conduct or service or administration of a commercial enterprise, or offices for the conduct of professional or business service. Uses intended by this definition would include, but not be limited to, business offices, banks, credit unions (or other establishments performing financial services), radio or television stations, dental, chiropractic, optometric or other similar professions, and medical clinics for the diagnosis and treatment of ill, infirm, or injured persons, but which do not provide board, room, or regular hospital care.

PROPERTY BOUNDARY: An imaginary line delineating the ownership or control of property.

PUBLIC PARK OR PLAYGROUND: A tract of land which is owned by the public and which has been partially or totally developed or designated for recreational purposes.

RECREATIONAL VEHICLE: A vehicle unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including, but not limited to, a travel trailer, a camping trailer, a truck camper, or motor home comprised of a self-propelled vehicle primarily designed as a temporary dwelling for travel, recreational use, and vacation use.

RECREATIONAL VEHICLE COURT: An area or tract of land used to accommodate two (2) or more recreational vehicles.

RELIGIOUS CENTER: A building or buildings owned or maintained by a religious organization(s) for social, civic or philanthropic purposes, and in which persons regularly assemble or frequent for worship or religious instruction with associated clergy. Uses also included are seminaries (associated with schools), monasteries and convents. This definition shall not include temporary tents or structures.

RESIDENTIAL FACILITY FOR THE ELDERLY: A single-family or multiple-family dwelling unit that is designed for eldercare and meets the requirements of state law for such, but does not include a healthcare facility as defined by state law.

RESIDENTIAL SUPPORT FACILITY: Residential dwelling operated in conjunction with government financed and licensed organizations for the temporary care or housing of victims of domestic abuse or as part of witness protection programs.

RESTAURANT: An eating establishment in which food is prepared for either on or off premises consumption, with service being provided in a traditional sit down restaurant style or served from a counter. This definition also includes specialty food stores, such as ice cream parlors or delicatessens, but does not include drive-in or drive-up window service.

RETAIL TOBACCO SPECIALTY BUSINESS OR TOBACCO SPECIALTY SHOP: See Utah Code § 10-8-41.6(1).

RETAINING WALL: A wall designed to resist the lateral displacement or movement of soil or other materials and which has been properly designed, engineered, and constructed when necessary.

SALVAGE YARD: See definition of Junkyard.

SCHOOL, COMMERCIAL: A school established to provide for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g., beauty school, modeling school).

SCHOOL, PUBLIC OR QUASI-PUBLIC: A school operated by a private or quasi-public organization, or individual, which has a curriculum similar to that provided in any public school in the state of Utah, except that such curriculum may include religious instruction. A private school may be a profitmaking or nonprofit organization. A private school may also include laboratory and shop instruction with the use of demonstration vehicles, products or models incidental to said instruction; but shall not include the commercial repair, maintenance and manufacturing of vehicles, goods or merchandise, and shall not provide direct services, other than instruction, to the general public. This does not include commercial schools.

SCHOOLS, PUBLIC: An educational facility operated by a school district or other public agency of the state of Utah.

SETBACK: The minimum distance allowed between the property line and the foundation, wall, or main frame of the building.

SHELTERED WORKSHOP: An on site supervised educational or vocational training facility for persons with a disability and does not provide any residential facilities.

SIGN: For definitions pertaining to signs, see SCC 10.44.

SLAUGHTERHOUSE: A building or place where animals are butchered for food and may or may not be processed and/or packaged for sale and consumption off premises. This does not include those buildings or places in which a farm owner or household may butcher animals for self-consumption.

SOCIAL OR RECEPTION CENTER: A building or group of buildings and/or uses owned or maintained for profit by a person or organization for social and/or recreational purposes. This may include a meeting hall, cooking and dining facilities for large groups, but shall not provide overnight lodging. Such are commonly rented or reserved for special occasions such as weddings, reunions, wakes, etc.

STABLE, COMMERCIAL: A rentable building for the keeping or stabling of livestock by persons not owning or leasing the property on which the building is located.

STABLE, PRIVATE: A detached accessory building for the keeping of animals belonging to or used by the property owner or lessee and not for rent or for the stabling of the same for profit.

STORAGE UNIT FACILITIES: A building or series of buildings in which individual storage space is rented for storage purposes only. Facility storage may not be used to conduct commercial business on site. A storage facility may include a caretaker's residence and areas for the storage of recreational vehicles (RVs).

STREET, ARTERIAL OR COLLECTOR: A principal thoroughfare designed for higher speeds and to accommodate larger amounts of traffic, as shown or designated on the master street plan.

STREET, LOCAL: Any dedicated street serving as the principal means of access to property, and which is designed for lower speeds and to accommodate lesser amounts of traffic, as shown or designated on the master street plan.

STREET, PRIVATE: A street located on private property, for which the city has no responsibility.

STREET VENDORS: A mobile, typically nonmotorized establishment from which food or merchandise is sold. Generally located upon sidewalks or other approved public

properties.

SUBDIVISION: The division of any tract or parcel of land owned as an undivided tract or parcel into two (2) or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or development.

TATTOO PARLOR: Any business establishment which operates tattoo equipment to inject ink or otherwise modify human skin for the purposes of decoration. This does not include permanent makeup establishments.

THEATER: A building used primarily for the presentation of movies projected upon a screen. May include ancillary uses such as arcades. Theater also includes a building used primarily for the presentation of live stage productions or performances.

TOBACCO PRODUCTS: See Utah Code § 10-8-41.6(1).

TRAFFIC CIRCULATION AND SAFETY PLAN: A parking and circulation plan provided by a business to show how business controlled parking and a traffic circulation system can be maintained to limit any on or off site traffic conflicts caused by such business.

TREATMENT FACILITY: A facility licensed by or contracted by the state of Utah to provide temporary occupancy and supervision for adults or juveniles in order to provide rehabilitation, treatment, or counseling services (e.g., day treatment [excluding sheltered workshops], intermediate secure care, residential treatment, social detoxification or rehabilitation, therapeutic schools, or youth correction facilities as defined by the state). Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health.

Treatment Facility, Large: A transitional treatment home for more than four (4) adult or juvenile patients. A large rehabilitation/treatment facility does not include a residential facility for persons with a disability.

Treatment Facility, Small: A transitional treatment home for four (4) or less adult or juvenile patients. A small treatment facility may include a residential facility for persons with a disability if compliant with the standards found in SCC 10.60.

UNDEVELOPABLE AREA: Land which is determined to be unusable or not adaptable to the uses prescribed of the land due to the nature and/or characteristic of the land such as slopes over thirty percent (30%), water coverage, containment within certain types of easements or otherwise unsuitable for development as determined by the community development department. For the purpose of this code, undevelopable land may be included within a development plan but may not be included in the calculation of the buildable area of any primary or accessory structure and must remain in its native state.

VARIANCE: A waiver of a specific regulation of this title granted by the appeal authority in accordance with the provisions set forth in this title for the purpose of assuring that no

property because of special circumstances applicable to it shall be deprived of privileges commonly enjoyed by other properties in the same area.

VETERINARY HOSPITAL, LARGE ANIMAL: A facility where veterinary medicine, including the medical or surgical treatment of large animals (i.e., livestock) by licensed professionals occurs. These facilities may also provide veterinary medicine on small animals.

VETERINARY HOSPITAL, SMALL ANIMAL: A facility where veterinary medicine, including the medical or surgical treatment of small animals (e.g., household pets) by licensed professionals occurs.

WAREHOUSE, WHOLESALE FACILITY: A building in which goods, merchandise or equipment are stored for eventual distribution.

XERISCAPING: The method of landscaping typically characterized by the incorporation of drought tolerant or native plant species and harmonious designs in group plantings so as to minimize loss or waste of water.

YARD: Open space surrounding a building which is unoccupied or unobstructed from the ground upward, except as otherwise provided in this title. Furthermore:

- A. **Front:** An open area or unoccupied space around a building, measured from the front of the building (exclusive of steps) to the front property line of the lot, and extending for the entire width of the lot, further depicted in SCC 10.16.290, exhibit A.
- B. **Rear:** An open area or unoccupied space around a building, measured from the rear of the building (exclusive of steps) to the rear property line of the lot, and extending for the entire width of the lot, further depicted in SCC 10.16.290, exhibit A. On corner lots, the rear yard shall not impede into the side yard adjacent to a street as depicted in SCC 10.16.290, exhibit A.
- C. **Side:** An open area or unoccupied space around a building, measured from the side of the building to the side property line of the lot, and extending from the front lot line to the rear lot line, further depicted in SCC 10.16.290, exhibit A. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-01-2002, 5-15-2002, eff. 5-16-2002; Ord. 01-02-2003, 1-15-2003, eff. 1-16-2003; Ord. 02-02-2003, 2-5-2003, eff. 2-6-2003; Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003; Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006; Ord. 12-01-2006, 12-6-2006; Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006; Ord. 05-01-2007, 5-3-2006; Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007; Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008; Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008; Ord. 02-01-2010, 2-17-2010, eff. 2-18-2010; Ord. 07-02-2010, 7-21-2010; Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; Ord. 10-01-2011, 10-5-2011, eff. 10-6-2011; Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012; Ord. 5-06-2015, 6-3-2015, eff. 6-4-2015; Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [10-01-2011](#) on 10/6/2011

Amended by Ord. [09-01-2012](#) on 9/5/2012

Amended by Ord. [04-01-2020](#) on 4/7/2020

Amended by Ord. [09-03-2020](#) on 9/1/2020

10.12 ZONING ADMINISTRATOR

10.12.010 APPOINTED

10.12.020 POWERS AND DUTIES

10.12.010 APPOINTED

The city council shall appoint a zoning administrator who shall be charged with the administration and enforcement of this title. The zoning administrator may also authorize other officers to assist in the administration and enforcement of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.12.020 POWERS AND DUTIES

- A. It shall be the duty of the zoning administrator, or other authorized officer, to administer, enforce, and interpret, when required, the provisions of this title. He/she shall enforce all the provisions of this title, entering actions in the courts when necessary, and his/her failure to do so shall not legalize any act in violation of such provisions. (Ord. 02-01-2002, 2-5-2002, eff. 2-5-2002)
- B. Upon appeal to the appeal authority of any matters on which said appeal authority is to review the zoning administrator shall forthwith transmit all papers, records, and other pertinent data pertaining to the appeal to the appeal authority as required by the terms of this title. The zoning administrator, or other authorized officer, shall also refer matters to the planning commission and governing body as set forth in this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)
- C. The zoning administrator, or other authorized officer, shall have the authority to revoke an issued permit, issue a stop work order, or temporarily cease construction on a development for the reason of compliance with this title or any condition placed upon a project by the governing body, or for reasons of public health, safety, and/or welfare, for such a time that a ruling by a court of adequate jurisdiction or a city review, as applicable, can be held to review and render a decision regarding the nature of the zoning administrator's action, or that of another authorized officer, and corrective measures, as required, be taken. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.16 SUPPLEMENTAL PROVISIONS APPLICABLE WITHIN ALL ZONES

[10.16.010 INTENT](#)
[10.16.020 ANNEXATIONS](#)
[10.16.030 AMENDMENTS TO ORDINANCE AND MAP](#)
[10.16.040 MOTOR VEHICLE ACCESS](#)
[10.16.050 EFFECT OF STREET PLAN](#)
[10.16.060 MULTIPLE-UNIT DWELLINGS](#)
[10.16.070 FRONTAGE ON A PUBLIC STREET](#)
[10.16.080 ACCESSORY DWELLING UNITS](#)
[10.16.090 CLEAR VIEW AREAS](#)
[10.16.100 YARD SPACE FOR ONE BUILDING ONLY](#)
[10.16.110 EVERY DWELLING TO BE ON A ZONING LOT](#)
[10.16.120 SALE OR LEASE OF REQUIRED SPACE PROHIBITED](#)
[10.16.130 YARDS TO BE UNOBSTRUCTED; EXCEPTIONS](#)
[10.16.140 AREA OF ACCESSORY BUILDINGS](#)
[10.16.150 STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES. PROHIBITED \(RESERVED\)](#)
[10.16.160 ADDITIONAL HEIGHT ALLOWED FOR PUBLIC BUILDINGS](#)
[10.16.170 MINIMUM HEIGHT ALLOWED FOR BUILDINGS](#)
[10.16.180 DRAINAGE](#)
[10.16.190 CONCESSIONS IN PUBLIC PARKS AND PLAYGROUNDS](#)
[10.16.200 SEWAGE DISPOSAL](#)
[10.16.210 LOCATION OF GASOLINE PUMP](#)
[10.16.220 POLLUTION PREVENTION](#)
[10.16.230 MOVING OF HOMES OR STRUCTURES](#)
[10.16.240 RECREATIONAL VEHICLES](#)
[10.16.250 SIMILAR USES](#)
[10.16.260 FENCES, WALLS, AND HEDGES](#)
[10.16.270 TEMPORARY BUILDINGS \(RESERVED\)](#)
[10.16.280 GRAVEL, SAND, EARTH EXTRACTION, AND MASS GRADING](#)
[10.16.290 ILLUSTRATIONS](#)
[10.16.300 TEMPORARY USES](#)
[10.16.310 SPECIAL EVENTS BUSINESSES](#)
[10.16.320 COMMERCIAL AND INDUSTRIAL DEVELOPMENT; GUARANTEE OF IMPROVEMENTS](#)
[10.16.330 SEXUALLY ORIENTED BUSINESSES](#)
[10.16.340 TELECOMMUNICATIONS FACILITIES](#)
[10.16.350 EXPIRATION OF LAND USE APPLICATIONS](#)

10.16.010 INTENT

The intent of this chapter is to accumulate provisions applying to all land and buildings within the incorporated area of the City into one section rather than to repeat them several times. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.16.020 ANNEXATIONS

All land annexed into the City shall be classified into the zoning district identified in the annexation declaration which will have been prepared prior to annexation. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.16.030 AMENDMENTS TO ORDINANCE AND MAP

This title and/or its provisions, including the official zoning map, may be petitioned for amendment by any citizen of the City of Santaquin as hereinafter provided, or through action initiated by the Mayor, City Council, Planning Commission, or the Director of Community Development.

- A. Intent With Respect To Amendments: It is hereby declared to be public policy that this title shall not be amended except to more fully carry out the intent and purpose of the [General Plan](#) of the City and of this title.
- B. Procedure: Any person seeking to enact or amend a land use ordinance or the zoning map shall submit to the Planning Commission a written petition designating the change desired and the reasons therefor and shall pay the required fee to the City. Upon receipt of the petition and the paying of the filing fee, the Planning Commission shall consider the request and shall certify its recommendations to the City Council with respect to the request within ninety (90) days from receipt of the request. Failure on the part of the Planning Commission to certify its recommendations to the City Council within ninety (90) days shall be deemed to constitute a recommendation for approval unless a longer period is granted by the City Council. The fee required herein shall be nonrefundable. The Planning Commission or City Council may also initiate amendments to this title or map.
- C. Public Hearing Required Before Amending And Notice: A land use ordinance may be adopted only after a public hearing is held in relation thereto before the Planning Commission at which parties in interest and citizens shall have an opportunity to be heard. A notice of the time and place of such hearing shall be published on the Utah Public Notice Website created in Utah Code § 63F-1-701. Said notice shall be published and posted in accordance with SCC 10.16.110, "Public Notification Of Land Use Applications", of this title. (Ord. 07-01-2013, 7-3-2013, eff. 7-5-2013)

HISTORY

Amended by Ord. [07-01-2013](#) on 7/3/2013

Amended by Ord. [05-01-2021](#) on 5/4/2021

10.16.040 MOTOR VEHICLE ACCESS

Access to all lots and parcels of land having frontage on a public street shall be controlled as follows:

- A. Access shall be by not more than two (2) driveways from any one street, except

as may be permitted by the Planning Commission, when it can be shown that additional driveways will promote traffic safety.

- B. Driveways shall be not closer to each other than thirty feet (30').
- C. Each driveway approach shall be not more than thirty feet (30') in width in all zones measured at right angles to the centerline of the driveway. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.16.050 EFFECT OF STREET PLAN

Wherever a front or side yard is required for a building which abuts on a proposed street which has not been constructed but which has been designated by the Planning Commission as a future street, the depth of such front or side yard shall be measured from the edge of the proposed right-of-way. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.16.060 MULTIPLE-UNIT DWELLINGS

- A. In addition to the architectural standards in paragraph C, the following site requirements apply to developments with multiple-unit dwellings having five (5) or more units as part of a planned unit development:
 - 1. Distance: Developments under paragraph A shall be separated by a five hundred (500') linear distance along the same street and a two hundred fifty foot (250') distance. All distances shall be measured from the nearest point of any lot existing multiple-unit dwelling having five (5) or more units. These buffer requirements do not apply to or from properties located in the Main Street business district.
 - 2. Parking Standards: Parking shall comply with the commercial design standards in SCC 10.48.
 - 3. Required Open Space:
 - a. Landscape yard requirements shall be the same as those outlined in SCC 10.48.
 - b. There shall be a minimum sixty (60) square foot private area attached to each unit, which may be a patio or balcony area, for the use and enjoyment of the associated tenant.
 - c. For multi-story or condominium developments of five (5) or more units, an additional four hundred (400) square feet of usable recreation open space per unit shall be provided exclusive of the required front yards.
 - d. One tot lot area shall be provided for each development consisting of eight (8) residential units except when developments are located within a traversable distance of one thousand (1,000) linear feet of a public park or tot lot. In such cases, a tot lot may be replaced with another amenity (e.g., a barbeque pavilion, gazebo, sports court, etc.) as approved by the Planning Commission. Each tot lot or approved amenity shall be at least six hundred (600) square feet.

square feet. The size of playground equipment should accommodate children designed for five (5) to twelve (12) year old children. An additional approved amenity shall be provided for each additional twenty (20) required tot lots and approved amenities can count towards the open space requirement.



Examples of open space (above left) and tot lot (above right) in a multiple-unit development.

- B. In addition to the architectural standards in paragraph C, the following site requirements apply to developments having two (2) to four (4) units and which are not part of a larger development (e.g., duplexes, twin homes, triplexes and fourplexes, but not including apartments):

1. Location: A two hundred foot (200') distance is required between parcels a street having two (2) to four (4) units and any other multiple unit dwellings.
2. Parking Standards: Parking shall meet the requirements described in SCC maximum of thirty five percent (35%) of the area in the required front setback used for automotive parking or drive aisles. The remaining area may include landscaping, porch areas and/or walkways, as approved by the ARC.
3. Open Space:
 - a. All setbacks established by the underlying zone shall be met. In situations where a twin home development is proposed, the side setback which is shared or party wall to be constructed along a property line may be waived.
 - b. In addition to the required front yard setback, seven hundred (700) square feet of usable recreation open space shall be provided per unit.
4. Building Design: Each dwelling unit shall be distinguishable from the adjacent units by means of building articulation and/or roof design. The following shall also apply:
 - a. Porches: Covered and open front porches should comprise at least (50%) of the front elevation (not including the garage), in no case be less than ten feet (10') in width or six feet (6') in depth. Porches and porch overhangs shall not encroach into the required front setbacks up to ten feet (10').
 - b. Garages: Garages must meet all required setbacks. Garages should be subservient to the living area of the home. They should not be a dominant feature on the structure which could be accomplished by means of recessing the garage or having a side entry attached or a combination of the above. Development on corner lots should design the homes such that garage doors face side streets.



Example of duplex with recessed garages.

C. The following architectural requirements shall apply to all multiple-unit developments. Compliance with these standards shall be determined by the City's Architectural Review Committee (ARC) before an application is made for a building permit:

1. Entrances: Where appropriate based on site layout, entrances to buildings floor units should be oriented toward the public right-of-way with entry side connect directly to public sidewalks. Entrances should be identifiable by a treatment such as a covered portico or a different roofline treatment.
2. Fenestration: Each elevation shall have at least one window per unit on street level. Window openings shall be designed with three-dimensional relief, which is a combination of pop outs, shutters, keystone features, etc. Appropriate use of three-dimensional relief around windows and doors.



Appropriate use of three-dimensional relief around windows and doors.

3. Building Articulation: All exterior walls shall be articulated through combination of the following techniques:
 - a. Facade modulation: Stepping portions of the facade to create shadows and changes in volumetric spaces,
 - b. Use of engaged columns or other expressions of the structural system. Columns must be wrapped with an appropriate brick or stone or other architectural features,
 - c. Providing projections such as balconies, cornices, covered entrances,

- cocheres, trellises, pergolas, arcades and colonnades (providing s
and awnings extend outward from the underlying wall surface at le
- d. Variation in the rooflines by use of dormer windows, overhangs, ar
roofs, gables or other similar devices,
 - e. Wraparound porches, particularly on corner lots,
 - f. Rear and side elevations are not allowed to be flat wall expanses.
articulated by at least two (2) of the following means: change in wa
feet (5') for every thirty feet (30'), covered deck or patios along at le
percent (40%) of the rear elevation, bay or box windows, or chimne
or vertical material changes (e.g., wainscot, gable finish, etc.), or su
plantings to create similar variation to the plane of the building elev



Appropriate articulation on a multi-family structure.

4. Rooftop Equipment: Rooftop equipment shall be screened from view of public way and, except solar energy equipment, completely enclosed on all sides; systems on roofs should be designed to blend into the structure, such as installed within faux chimneys, colored to match roofing materials, screened by parapets, etc.



Appropriate rooftop equipment treatments.

- a. Fences And Walls: Developments shall install a six-foot (6') decorative fence or wall, reviewed and approved by the architectural review committee (ARC). Suggested walls include the following:





- b. Perimeter landscaping must be in accordance with the city adopted standards. Chainlink and vinyl are not allowed as fencing materials; architectural review committee may grant exceptions to fencing req a case-by-case basis if it finds that the exception is in the best inter

5. Building Materials:

a. Exterior Materials:

- (1) Thirty percent (30%) of any elevation facing a street must co materials. For calculation purposes, this shall include wind door areas. Examples of permitted materials include: brick, faced block, or cut stone. Masonry material must wrap the c minimum of three feet (3') on the structure at outside corners



Appropriate use of materials in context with building archite

- (2) Wood, metal, or other paneling materials shall be reviewed case basis.
- (3) Aluminum or vinyl materials are only allowed for soffit or fascia except under the following conditions:
 - (A) Vinyl shake style panels may be permitted in gable elevations.
 - (B) A maximum of thirty five percent (35%) of front elevation covered with vinyl products.
 - (C) Any vinyl product must have the appearance of hard similar product with horizontal plank features having width of eight inches (8") and vertical planks having ten inch (10") width.
- (4) Except as allowed in paragraph C,6,a(1), material types shall terminate at interior corner points.



Appropriate wrapping of corners.

(5) Multi-story buildings should provide materials and/or color to distinguish building levels, especially the ground level from

b. Material Colors: Colors should consist of earth tones, e.g., natural stone, wood, stone or brick.

6. Minimum Floor Area: The minimum floor area of each unit shall not be less than nine hundred (900) square feet. Multi-story dwellings should have a minimum floor area of one thousand two hundred (1,200) square feet.

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

1. Accessory Uses: Dwelling units which are part of an approved multiple-unit development may not have accessory apartments.
2. Landscaping: A landscaping plan shall be submitted for approval by the architectural review committee. All landscaping and maintenance systems shall be installed prior to the certificate of occupancy being granted. Where landscaping cannot be completed by October in the same year construction begins, a certificate of occupancy may be issued if a cash bond for completion of the landscaping is provided to Santaquin (the amount shall be determined by the city engineer consistent with the city's bonding regulations). Landscaping must be installed within six (6) months of posting.
3. Location: Multiple-unit structures may not be built on a flag lot or on property not zoned under the city's infill development standards. (Ord. 07-02-2013, 8-14-2013; Ord. 08-02-2013, 8-14-2013; amd. Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014; Ord. 11-02-2017, 11-2-2017, eff. 11-22-2017; Ord. 03-02-2018, 3-21-2018, eff. 3-22-2018;)

HISTORY

Amended by Ord. [07-02-2013](#) on 8/21/2013

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [09-02-2015](#) on 9/9/2015

Amended by Ord. [03-02-2018](#) on 3/21/2018

Amended by Ord. [08-01-2019](#) on 8/6/2019

Amended by Ord. [10-02-2019](#) on 10/15/2019

10.16.070 FRONTAGE ON A PUBLIC STREET

Except in large scale developments, on approved flag lots, and on approved private streets, one side on each lot used as a dwelling site shall abut upon a street which has been designated or dedicated to the public for street purposes and the length of such abutting side measured at the setback line shall be at least as great as the width required for dwelling sites in the zone in which such building site is located. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

HISTORY

Amended by Ord. [09-02-2020](#) on 9/1/2020

10.16.080 ACCESSORY DWELLING UNITS

- A. Number of Accessory Dwelling Units: A maximum of one accessory dwelling unit, either attached or detached, shall be allowed on any one parcel.
- B. Attached (i.e., Accessory Apartments): Attached accessory dwelling units shall be allowed in any residential zone, subject to the following criteria: (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
 1. Location: Attached accessory dwelling units shall not be allowed on any parcel except those containing a single-family dwelling.
 2. Parking: Any property containing an attached accessory dwelling unit shall provide two off-street parking spaces for residents of the unit. Tandem parking will not qualify as approved parking.
 3. Utility Meters: A single-family dwelling with an attached accessory dwelling unit may have up to two (2) meters for each water and pressurized irrigation service. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)
 4. Building Code: All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; Ord. 03-02-2007, 3-7-2007)
 5. Building Entrances: In order to preserve the single-family residential appearance of the building, a new single-family structure approved with an attached accessory dwelling unit shall not have a separate entrance at the front of the building or side of the building facing a street where the

sole purpose of the entrance is to provide access to the attached accessory dwelling unit. An attached accessory dwelling unit approved in an existing structure may use existing entrances on any side of the structure. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)

6. Construction And Remodeling: Any person constructing, causing the construction of a residence that has an attached accessory dwelling unit, remodeling, or causing the remodeling of a residence for an attached accessory dwelling unit, or any person desiring an attached accessory dwelling unit shall obtain a building permit from the city of Santaquin. Before a permit may be issued, the applicant shall:
 - a. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.
 - b. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.
 - c. Pay fees in accordance with the city of Santaquin resolution establishing fees and charges.

7. Prior Uses: For preexisting attached accessory dwelling units, a permit for the attached accessory dwelling unit shall be required, in addition to any permit required for the work to be done, at such time that construction, remodeling, or change of use occurs to the structure in which the attached accessory dwelling unit is located. The city building official shall issue a permit for any such attached accessory dwelling unit prior to construction, remodeling, or change of use and upon finding compliance with the uniform building code and the following conditions:
 - a. The attached accessory dwelling unit is in compliance with the zoning ordinance, and
 - b. A building permit was issued when the unit was constructed or remodeled. If no building permit was issued at the time of construction or remodeling, the applicant shall pay an inspection fee and the chief building official (CBO) or designee shall inspect the unit for life safety violations. All violations identified by the CBO shall be corrected before a permit may be issued. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; Ord. 03-02-2007, 3-7-2007)

8. Other Similar Units: Attached accessory dwelling units shall include basement rentals, caretaker apartments, and other units of a similar

nature and shall be a permitted use in all zones where single-family dwellings are permitted. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003; amd. Ord. 03-02-2007, 3-7-2007)

- C. Detached (i.e., Cottages, Casitas): Detached accessory dwelling units shall be allowed in the Main Street Residential (MSR) area of the Main Street Business District zone and the Residential R-8 zone, subject to the following criteria:
1. Location: Detached accessory dwelling units shall only be allowed in the rear yard of a single-family dwelling. Detached accessory dwelling units cannot be subdivided from the primary dwelling and cannot be sold separately from the primary dwelling. Either the primary dwelling or the detached accessory dwelling unit need to be owner occupied. Detached accessory dwelling units cannot be leased for a term longer than 2 years without a renewal agreement.
 2. Size and Setbacks: The maximum footprint of a detached accessory dwelling unit shall be 800 square feet. The maximum square footage of a detached accessory dwelling unit shall be 1,600 square feet. The maximum height of a detached accessory dwelling unit shall not exceed the height of the primary dwelling unit or 24 feet, whichever is less. The setbacks of a detached accessory dwelling unit shall be at least 12 feet from the primary dwelling and 8 feet from the side and rear property lines.
 3. Foundation: Detached accessory dwelling units shall be on a permanent foundation. Recreational vehicles and mobile homes shall not be considered detached accessory dwelling units.
 4. Design: The architectural style and color of a detached accessory dwelling unit shall be compatible with the primary dwelling and approved by the Zoning Administrator.
 5. Garages: Accessory dwelling units which are connected to a detached garage, together, shall not exceed a height of 24 feet regardless of the height of the primary dwelling. The maximum square footage of an accessory dwelling unit, inclusive of the garage area, shall be 1,600 square feet.
 6. Parking: Any property containing a detached accessory dwelling unit shall provide two off-street parking spaces for residents of the unit. Tandem parking will not qualify as approved parking.
 7. Utility Meters: A single-family dwelling with a detached accessory dwelling unit may have up to two (2) meters for each water and pressurized irrigation service.
 8. Trash: Each detached accessory dwelling unit shall have their own trash can.

9. Building Code: All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling.
10. Construction And Remodeling: Any person constructing, causing the construction of a residence that has a detached accessory dwelling unit, remodeling, or causing the remodeling of a residence for a detached accessory dwelling unit, or any person desiring a detached accessory dwelling unit shall obtain a building permit from the city of Santaquin. Before a permit may be issued, the applicant shall:
 - a. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters.
 - b. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.
 - c. Pay fees in accordance with the city of Santaquin resolution establishing fees and charges.
11. Prior Uses: For preexisting detached accessory dwelling units, a permit for the detached accessory dwelling unit shall be required, in addition to any permit required for the work to be done, at such time that construction, remodeling, or change of use occurs to the structure in which the detached accessory dwelling unit is located. The city building official shall issue a permit for any such detached accessory dwelling unit prior to construction, remodeling, or change of use and upon finding compliance with the uniform building code and the following conditions:
 - a. The detached accessory dwelling unit is in compliance with the zoning ordinance, and
 - b. A building permit was issued when the unit was constructed or remodeled. If no building permit was issued at the time of construction or remodeling, the applicant shall pay an inspection fee and the chief building official (CBO) or designee shall inspect the unit for life safety violations. All violations identified by the CBO shall be corrected before a permit may be issued.

HISTORY

Amended by Ord. [09-01-2020](#) on 9/1/2020

10.16.090 CLEAR VIEW AREAS

A. Clear View Areas Defined: No obstruction which will obscure the view of

automobile drivers or pedestrians shall be placed on any corner lot within a triangular area, defined to be the "clear view area", as provided in the following table and diagrammed below:

| Design Speed | Triangle Leg Dimensions |
|--------------|-------------------------|
| 25 mph | 40' x 40' |
| 35 mph | 50' x 50' |
| 45+ mph | 70' x 70' |

Where roads of differing speeds intersect, the triangle legs shall have dimensions respectively to the speeds (e.g., a 25 mph road intersecting with a 45 mph road would have clear view areas with triangle legs being 40 feet by 70 feet with the longer viewing distance being along the road with the greater traveling speeds). Three-way intersections may have a thirty foot (30') triangle leg extending perpendicular from the through street of the intersection.

FIGURE 1 Example clear view area measured along back of curb where curbing exists.

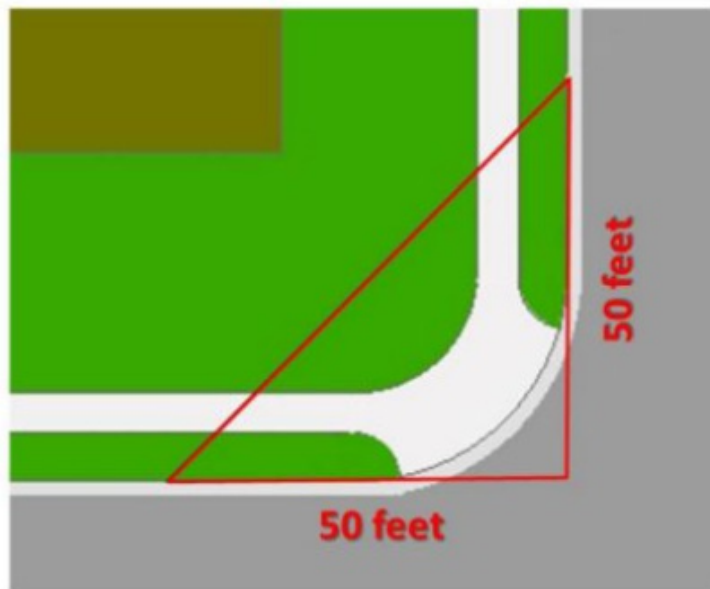
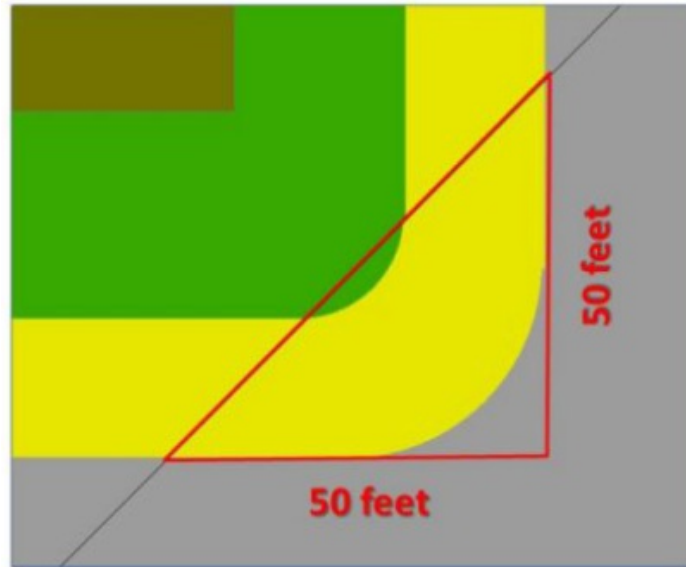
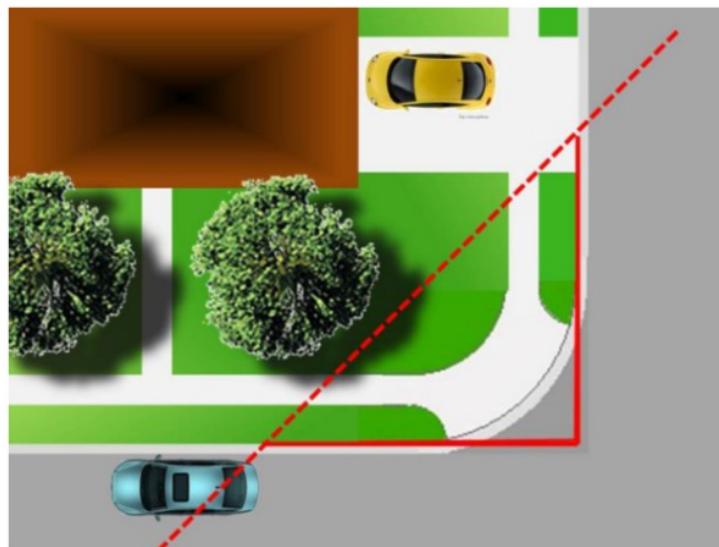


FIGURE 2 Example clear view area measured along edge of asphalt where no curb exists.



- B. Landscaping: Low growing landscaping materials within the clear view area shall be kept below thirty six inches (36") in height. Trees are allowed in the clear view area but shall be pruned so that leafed branches are greater than eight feet (8') above nearest asphalt grade.
- C. Driveways: No driveway entrance shall be allowed within the clear view area.



Example of inappropriate driveway placement and on street parking location relative to a clear view area.

- D. Fencing: Fencing shall not exceed thirty six inches (36") within clear view areas.
- E. Parking: On street parking is not permitted along the legs of a clear view area and may not conflict with the viewing angle established by an extension of the

clear view area diagonal line. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)

HISTORY

Amended by Ord. [11-03-2014](#) on 11/5/2014

10.16.100 YARD SPACE FOR ONE BUILDING ONLY

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title shall be considered as providing the yard or open space for any other building, nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.110 EVERY DWELLING TO BE ON A ZONING LOT

Every building which contains a dwelling shall be located and maintained on a zoning lot as defined in this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.120 SALE OR LEASE OF REQUIRED SPACE PROHIBITED

No space needed to meet the width, yard, area, coverage, parking, or other requirement of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.130 YARDS TO BE UNOBSTRUCTED; EXCEPTIONS

Every part of a required yard shall be open to the sky and unobstructed except for permitted accessory buildings and except for ordinary and customary projection of sills, cornices, and other ornamental features and unenclosed steps and unwallled stoops, and porches, which may project up to three feet (3') into a required yard. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.140 AREA OF ACCESSORY BUILDINGS

Accessory buildings in any residential zone shall not cover more than a combined total of twenty five percent (25%) of the rear or side yard, as applicable. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.150 STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES PROHIBITED (RESERVED)

See SCC 6.16.020.

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.16.160 ADDITIONAL HEIGHT ALLOWED FOR PUBLIC BUILDINGS

Public buildings and churches may be erected to any height provided the building is set back from required building setback lines a distance of at least one foot (1') for each additional foot of building height above the maximum height otherwise permitted in the zone in which the building is located. Church steeples are exempted from this provision so long as they are not used as a regular meeting place or other activities normally associated or considered to be part of the religious service. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.170 MINIMUM HEIGHT ALLOWED FOR BUILDINGS

No dwelling shall be erected which has an interior ceiling height of less than seven feet six inches (7'6") or one story above exterior grade, whichever is greater. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.180 DRAINAGE

Surface water from rooftops, lots, or irrigation ditches shall not be allowed to drain onto adjacent lots or streets, except as a part of a city approved storm drainage system. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.190 CONCESSIONS IN PUBLIC PARKS AND PLAYGROUNDS

Concessions, including, but not limited to, amusement devices, recreational buildings, and refreshment stands shall be permitted in a public park or playground when approved by the city council. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.200 SEWAGE DISPOSAL

All properties containing a property line located within three hundred feet (300') of an available public sewer shall connect to a public sewage system, as per Utah Code § 10-8-38. Where domestic liquid waste facilities are located farther away than three hundred feet (300') from any available public sewer, a public sewer shall either be extended to connect with such facilities or else the disposal facilities must be constructed in accordance with Utah County health department standards before a building permit shall be issued for the building for which the sewage facilities are to be constructed. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.210 LOCATION OF GASOLINE PUMP

Gasoline pump islands shall be set back not less than thirty feet (30') from any property line or residential zone boundary line. If the pump island is set on an angle to the property line, the island shall be located not less than thirty feet (30') from the closest point of the island to the property line. Lots from which gasoline is dispensed to

customers at retail shall be not less than seventy five feet by one hundred feet (75' x 100') in size. Canopies over pump islands may extend to within ten feet (10') of the property lines. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.220 POLLUTION PREVENTION

Any use which emits or discharges gases, fumes, dust, or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by the Utah state division of air quality and any use which emits or discharges liquids or solid material onto the soil or water in amounts exceeding the standards prescribed by the Utah state division of water quality, and the Utah state division of hazardous waste shall be prohibited. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.230 MOVING OF HOMES OR STRUCTURES

The legal moving of a dwelling or structure from one location to another is defined and permitted as outlined herein. Dwellings or structures which have had prior use shall be permitted within all zones in which dwellings or structures are permitted when approved by the building official, subject to the following conditions:

- A. An application has been filed with the building official containing the following information:
 - 1. Location and address of the old and new site.
 - 2. Plot plan of the new site, showing adjacent lots on all sides of the property and indicating all structures and improvements on said lots.
 - 3. Plans and specifications for the proposed improvements at the new location.
 - 4. Certification by the building official that the structure is sound enough to be moved and that the condition, location, and use of the building will comply with the zoning ordinance and all other applicable codes and ordinances.

- B. The building official finds:
 - 1. That the building will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be moved.
 - 2. That the building is in conformity with the quality of buildings existing in the area into which it is proposed to be moved.
 - 3. That said building and the lot on which the building is to be located will conform to the requirements of the zoning ordinance and other applicable codes, ordinances, and regulations.

4. That the location on the lot does not in any substantial way adversely affect buildings or uses on abutting properties.
5. That all landscaping, walkways, and masonry work about the premises, and the required dedications, improvements for streets and facilities, and buildings shall be provided in conformity with the standards of the city.
6. That a bond or escrow account has been posted as a guarantee that the building and grounds will be improved as stipulated by the city council before the building is occupied and that the vacated site, when within Santaquin City, will be restored to a safe and sightly condition. The amount of the bond or escrow account shall be at least equal to the cost of employing a contractor to make the improvements to the buildings and premises as required by the city council. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.240 RECREATIONAL VEHICLES

It shall be unlawful to place a recreational vehicle on any lot or parcel of land in an area covered by the zone map and to use the same for human habitation except in compliance with one or more of the following conditions:

- A. When temporarily parked on a lot and occupied by relatives or friends of the residing family, but not to exceed thirty (30) days.
- B. When temporarily located on a lot on which a building is being constructed provided the recreational vehicle is connected to approved water and sewer facilities and that a bond or escrow account on the recreational vehicle shall first be posted with the city clerk guaranteeing the removal of the recreational vehicle from the lot upon issuance of an occupancy permit, but no later than one year from the date of the issuance of the original building permit.
- C. When placed in a licensed mobile home park or recreational vehicle park. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.250 SIMILAR USES

A similar use is a use ruled by the city council, after a recommendation has been given by the planning commission, to be in harmony with and not be in conflict with the objectives and characteristics of the particular zoning district in which it is being proposed.

The use must be similar to the uses expressly permitted or conditionally permitted in the zone in which it is proposed with respect to traffic requirements, appearance, and emission of nuisances.

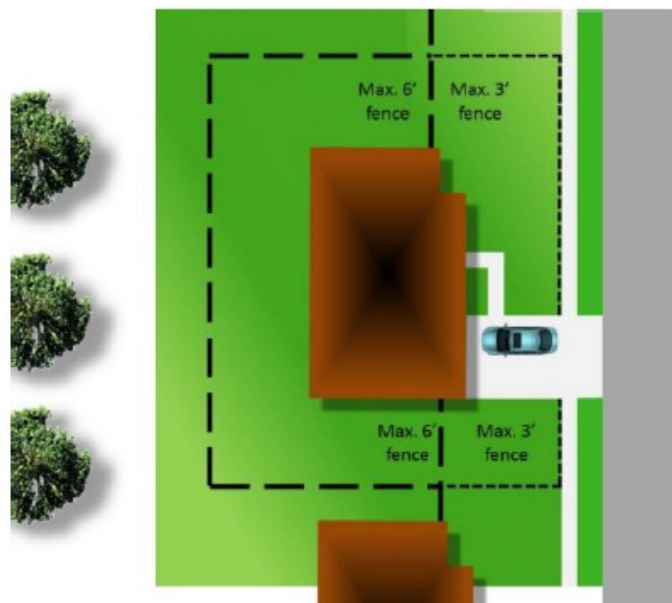
Upon the determination of the city council that a use is similar to those listed as permitted or conditional uses, that use shall be considered as a permitted or conditional use in the zone in which the determination was made. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.260 FENCES, WALLS, AND HEDGES

A. Restrictions: Fences, walls, hedges and other similar screening elements (hereafter referred to as fencing, for purposes of this section), which enclose all or a portion of any lot or property shall not exceed six feet (6') in height, subject to paragraphs B and C, provided that no fencing shall exceed thirty six inches (36") in height within the front yard, nor in the clear view triangle, as defined in SCC 10.16.090.

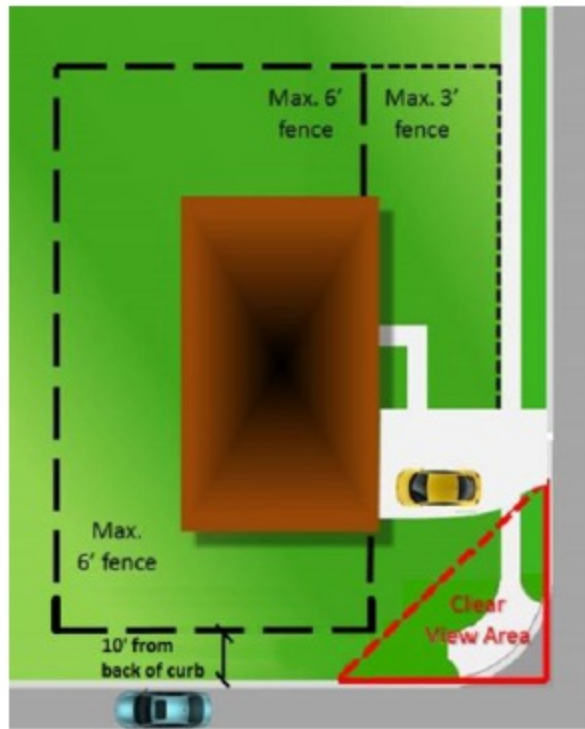
1. Interior Lots And Properties: Fencing in excess of thirty six inches (36") in height, subject to paragraph B, shall not extend beyond the front setback or front outside corners of a building, whichever is farther from the front property line, as depicted in figure 1 of this section.

FIGURE 1 Interior lot maximum fencing height areas.



2. Corner Lots And Properties: Fencing in excess of thirty six inches (36") in height, subject to paragraph B, shall be allowed for the interior side of the property as outlined in paragraph A,1. For corner lots where no sidewalk exists along the secondary frontage, no fencing exceeding thirty six inches (36") in height shall be installed within ten feet (10') of the back of curb (see figure 2 of this section). Where sidewalk is installed along the secondary frontage, fencing may be installed to the property line.

FIGURE 2 Maximum fence height areas on a corner lot.



B. Retaining Walls: All retaining walls of four feet (4') in height or greater, from finished grade, are to be approved by the city and shall be designed, drawn, and the plans stamped by an engineer licensed to work in the state of Utah. In the event fencing is to be placed on top of a retaining wall, the height of the fence shall be measured from finished grade along the side of the retaining wall where earth is being retained.

C. Uneven Property: In the event that land is uneven the following shall apply:

1. Following Contour: Where a fence is to follow or closely follow a line of contour, the height of the fence shall be measured from finished grade at the base of the fence along the higher side.
2. Perpendicular To Contour: Where a fence is to be perpendicular or closely perpendicular to a line of contour, the height of the fence shall be measured from finished grade at the base of the fence at all points along the fence.
3. Angular To Contour: Where a fence is to be located at an angle to a line of contour which does not cleanly fit paragraph C,1 or C,2, the zoning administrator shall determine which case is more closely applicable and that shall apply.

D. Parallel Fence Lines: Parallel fences shall abut or have a minimum separation of

eight feet (8'). (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)

HISTORY

Amended by Ord. [11-03-2014](#) on 11/5/2014

10.16.270 TEMPORARY BUILDINGS (RESERVED)

(Rep. by Ord. 11-01-2010, 11-17-2010, eff. 11-18-2010)

HISTORY

Repealed by Ord. [11-01-2010](#) on 11/17/2010

10.16.280 GRAVEL, SAND, EARTH EXTRACTION, AND MASS GRADING

A. Purpose Of Provisions: This section is adopted for the purposes of establishing a conditional use permit for the economic availability and removal of sand, gravel, rock, soil, and other materials for the purpose of excavation and mass grading within permitted zones, by:

1. Establishing regulations, safeguards, and controls in the incorporated areas of Santaquin City regarding noise, dust, traffic, drainage, and other factors which will minimize the environmental and aesthetic impacts on the excavated, mass graded, or adjacent property.
2. Reducing the potential for pollution caused by wind, soil erosion, and sedimentation.
3. Establishing locations, an orderly approval process, and operating conditions under which such operations will be allowed in incorporated areas of Santaquin City and to establish conditions which ensure the grading of land areas consistent with the existing and planned land use patterns.
4. Ensuring that mass grading of approved developments is only permitted when Santaquin City has approved a proposed development and has deemed it prudent to mine and/or extract the materials, or when a mass grading operation improves the appearance and functionality of development(s). (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

B. Interpretation, Existing Operation, And Restrictions: It is not the intent of this section to annul, or in any way, repeal any existing law or ordinance unless expressly so stated in this title. Further, it is not the intention of this section to interfere with operations already existing except that this section sets forth minimum standards which shall apply to such operations. To the extent that any restrictions or standards imposed by this section are more stringent and restrictive than existing restrictions or standards, this title shall control. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

C. Permits:

1. Permit Required: From and after the effective date hereof, no person shall operate a mass grading, excavation, or mining site in the city except in accordance with a permit issued under this title. Any permit issued pursuant to this title shall be nontransferable.
2. Permit Procedure: Compliance with the following application procedure shall occur prior to the commencement of any excavation or mass grading which is proposed as of or after the effective date hereof.
 - a. All applicants shall use forms provided by the city clerk, accompanied by the documents enumerated on that form. Permits shall be given to qualified applicants for the duration of an approved project provided that the work is progressing to the satisfaction of the city engineer. Initial permits shall have a term of no greater than two (2) years computed from the date of permit issuance and shall have the opportunity for renewal, if necessary, to complete the project, as stipulated in paragraph C,3.
 - b. The planning commission shall make its final recommendation on the approval or disapproval of the original submitted excavation or mass grading plan and operation plan following receipt of a report from the city engineer, and shall report forthwith its determination concerning the excavation and grading plan to the city council. Failure of the planning commission or city council to act within the time frames specified herein shall not result in an automatic permit issuance.
3. Renewal: To be considered for renewal, one copy of the proper application with all required attachments must be submitted to the city clerk sixty (60) days prior to the active permit's date of expiration.
 - a. Upon city receipt of an application, the city engineer shall review the application and attachments, physically inspect the premises to determine compliance with the prior grading and operational plans, and report to the planning commission his/her findings.
 - b. Upon city receipt of an application, the city planner shall review the application and attachments, physically inspect the premises to determine compliance with the prior grading and operational plans, and report to the planning commission on his/her findings.
 - c. The planning commission shall make its final recommendation on the approval or disapproval of the submitted renewal of excavation or mass grading plan and operation plan within twenty (20) days of receipt of reports from the city engineer and city planner, and shall report forthwith its recommendation for renewal approval or

disapproval to the city council. The city council shall then render its decision for approval or disapproval of the renewal on or before the date of expiration of the active permit. Failure of the planning commission or city council to act within such time frames shall not result in an automatic permit renewal, but such failure shall merely result in an extension of any existing permit for an additional period not to exceed the time of final determination by the city council.

- d. No permit renewal shall be for a period of time greater than two (2) years. In addition, there shall be no limit as to the number of renewals a specific project may receive, provided that proper approval procedures are met and sufficient progress is continually made on the site. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

D. Application Contents: All applications must contain, but not be limited to, the following:

1. Name, address, and phone number of the owner, or owners, of land from which removal is to be made or upon which the operation will take place.
2. Name, address, and phone number of the applicant making a request for the permit.
3. Name, address, and phone number of the person, firm, or corporation who will be conducting the actual removal operation.
4. Location, size, and legal description of the area from which the removal is to be made.
5. Type of materials or resources to be excavated, processed, stockpiled, or hauled away.
6. Proposed method of removal and general haul route.
7. General types of equipment to be used.
8. The estimated time frame to complete operations and the number of phases where appropriate.
9. As a part of the application, the applicant shall submit a plan of operation and will be expected to comply with such a plan during the time for which a permit is issued. Said plan of operation shall include a topographic survey of the existing parcel drawn to a scale of one inch to one hundred feet (1":100') and prepared by a registered civil engineer or land surveyor with contour intervals not to exceed five feet (5') based on United States geological survey datum. The drawing shall also clearly show the area to be excavated or mass graded, including existing features and roads

within five hundred feet (500') of all property lines, areas for stockpiling, maintenance areas, berms, fencing, and similar use areas. The plan of operation shall be accompanied by a projected schedule of operation, including the following specific dates:

- a. Commencement and projected completion of excavation or mass grading operations provided by the plan of operation;
 - b. Commencement and projected completion of erosion and drainage control measures to be instituted during excavation or mass grading operations; and
 - c. Commencement and projected completion of fencing, roads, utilities, or any other structures or improvements to be located on the site as provided by the plan of operation.
10. As a part of the application, the applicant shall submit a site plan and will be expected to comply with such a plan during the time for which a permit is issued. Site plans for such projects shall provide a complete set of plans, which include:
- a. All necessary detail drawings;
 - b. All temporary and permanent improvements;
 - c. Details of all buildings and other structures to be placed on the location;
 - d. Surveyed boundary lines;
 - e. Engineered studies, reviews, and designs, as warranted;
 - f. Details of all access routes, egress routes, and on site travel routes;
 - g. Plans to address surface water issues; (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
 - h. All adjacent properties with the name and address of each property owner within five hundred feet (500') of the proposed site; and (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 11-03-2003, 11-19-2003, eff. 11-20-2003; Ord. 03-02-2007, 3-7-2007)
 - i. Any other requirements by the city.
11. As a part of the application, the applicant shall submit nuisance mitigation plans and will be expected to comply with such plans during the time for which a permit is issued. These plans should provide written and drawn details of the applicant's intentions to control:
- a. Dust;

- b. Noise;
 - c. Odors; and
 - d. Any other possible nuisances that could originate from the site, any other possible nuisance recognized by the city, and/or any pertinent nuisance contained within the city's nuisance ordinance.
12. As a part of the application, the applicant shall submit a site reclamation plan and will be expected to comply with such a plan during the time for which a permit is issued. This plan shall include a complete set of written and drawn plans outlining the applicant's intentions for reclamation of the land after the expiration of the conditional use permit and the applicant removes any extraction facility from the land. This plan shall address:
- a. Issues concerning topsoil and subsoils;
 - b. Grading and contouring;
 - c. Compaction;
 - d. Surface water diversions;
 - e. Water impoundments;
 - f. Revegetation;
 - g. Roads;
 - h. Structures;
 - i. Any and all waste materials;
 - j. Rezoning;
 - k. Wildlife; and
 - l. Any other site pertinent issues.
13. The applicant shall also prepare a finished grading plan. The finished grading plan shall be submitted in two (2) parts:
- a. A topographical map of existing conditions with an overlay of finished grade contours shown at intervals not to exceed two feet (2') and indicating the general grade and slopes to which excavated areas are to be finished; and
 - b. A description of grading methods and materials proposed.
14. The applicant shall also prepare a haul route plan. Such plan shall be reviewed by the city engineer. The city engineer shall then recommend approval or disapproval of the haul route plan to the planning commission

prior to any planning commission recommendation for approval or disapproval of the project or renewal. The planning commission may recommend to the city council for additional bonding to mitigate any potential damage to roads or property along the proposed haul route based upon the city engineer's review of the plan.

15. Excavation and mass grading operation and finished grade plans shall be prepared to clearly depict and describe the sequence of operations including existing conditions, stockpiles, roadways, and similar land use elements.
16. All excavation and mass grading plans shall be reviewed by the planning commission and subject to city council approval or disapproval with planning commission recommendation. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

E. Bonding: All such operations shall be required to put forth a bond for the reclamation of the project to ensure the adequate restoration of the site to an acceptable degree for further use or development except when part of a larger project where:

1. The site will be developed as a part of, and consistent with, the rest of the larger project; and
2. Bonding has been put forth for the larger project.

Such bonding shall follow the city's guidelines and procedures and be subject to approval by the planning commission and city council. The city council reserves the right to determine the terms of bond value and pertinent time frame for completion of the reclamation project. No reclamation project shall be permitted to extend more than twelve (12) months beyond the end of the conditional use permit, or any extension thereof, whichever is later. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

F. Fees: All applications shall be accompanied by an application and processing fee to be paid by the applicant in an amount established by resolution of the city council which shall approximate the cost to consider and issue the necessary permits. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

G. Marketing Of Materials: In the event an excavation or mass grading operation yields an excess of unprocessed and/or processed materials, the owner and/or operator may market and sell the materials. In order to conduct sales, the owner and/or operator must maintain an on site office, or other suitable facility, and hold and clearly display within said office, a current Santaquin City business license. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

- H. Issuance Of Permit: Only upon finding the applicant has complied with the terms and conditions of this title and with the terms and conditions of prior permits and prior submitted plans, if any, may a permit be issued. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- I. Conditions In Permit: Upon issuance of a renewal permit, the city council may impose as conditions of the permit any reasonable restrictions or requirements related to the location, design, or operation of an excavation or mass grading site, as deemed necessary to ensure the public health, safety, and general welfare, to ensure that the operations will not create a nuisance, or unreasonably interfere with the enjoyment of property. Such permit conditions may be in addition to the expressed requirements of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- J. Minimum Lot Size: No such facility shall be permitted to commence operation on any property totaling less than ten (10) acres. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- K. Setbacks: All on site structures of a permanent or temporary nature shall be set back from property lines as follows:
1. Front setback: No structure shall be located within three hundred feet (300') of the front property line.
 2. Rear setback: No structure shall be located within fifty feet (50') of the rear property line. In addition, no structure shall be located within one hundred feet (100') of the rear property line if the abutting property is developed or actively developing.
 3. Side setback: No structure shall be located within fifty feet (50') of the side property line. In addition, no structure shall be located within one hundred feet (100') of any side property line if the abutting property is developed or actively developing. For such properties situated on a corner lot, no structures shall be located within one hundred feet (100') of the side property line abutting a public street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- L. Parking: All parking shall be provided on site. No parking shall be permitted within any required setback or landscaped area. Each facility shall provide one parking space for each on site employee with an additional amount of parking for drivers and visitors as approved by the planning commission and city council. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- M. Fencing And Screening:
1. Excavated and graded areas shall be fenced according to current mine safety and health administration regulations.
 2. All active excavation or mass grading equipment shall be visually

screened from view of all adjacent public highways or from the lot line of adjacent residential parcels. The following methods are acceptable for screening of excavation or mass grading areas:

- a. Construction of a raised earth berm area on the site along boundary lines thereof where such lines abut a public highway or privately owned property which is improved and occupied for residential purposes. This provision with regard to lands improved and occupied for residential purposes shall be applicable to any land upon which dwellings are built and occupied subsequent to the date hereof. The berm shall be sufficient in length and height to screen the excavation or grading area. Where the topography of the area acts as a screen, the city council may waive the berm requirement. Berms shall have slopes not in excess of one foot (1') vertical to two feet (2') horizontal.
- b. Planting of trees along the boundaries of the property with sufficient rows and depth to permit effective screening of the excavation or mass grading area.
- c. To the extent that the foregoing is not practical, the proposed permittee may submit alternate proposals.
- d. The amount and extent of required screening shall be reasonable and practical as determined by the city engineer. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

N. Hours Of Operation: Maximum hours of operation of the excavation or mass grading or mining operation shall be seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M. No project approved under this section shall operate on Sundays and city observed holidays. In emergency situations this time period may be modified by the mayor provided such emergency order shall not be effective for more than seventy two (72) hours. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

O. Road Access: All sites permitted under the provisions of this section shall have direct access to a city, county, or state road. When the operation of the permitted area results in the excavated material, overburden, and/or similar material being deposited or spilled upon a public roadway, it shall be the responsibility of the permitted operator to remove such material immediately. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

P. Road Maintenance: Access roads within the permitted site shall be maintained by the operator so as to minimize the dust arising from the use of said roads. Such maintenance shall be accomplished through the application of chloride, water, and/or similar dust retardant materials. Application of oil shall be prohibited. A paved road of no less than forty feet (40') in width from the entrance

and exit, a distance of not less than three hundred feet (300') from the right of way line into the area of operation shall be provided by the owner in order to minimize the deposit of dirt and gravel from trucks onto the public highway. Entrances and exits shall be securely locked except during hours of operation. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

- Q. Operation Of Use: All equipment and facilities used in the excavation, mass grading, or mining of sand, gravel, stone, or similar materials shall be conducted, maintained, and operated in such a manner as to eliminate, insofar as reasonable, noises, vibrations, or dust which interfere with the reasonable use and enjoyment of surrounding properties. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- R. Noise Standards: Excavation and mass grading sites shall be operated such that the noise of operation or equipment vibration cannot reasonably be considered disturbing to the inhabitants of neighboring properties. Objectional noises due to intermittence, beat, frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent properties. Equipment on permitted sites shall not be operated at any time or under any condition so as to result in noise exceeding the following levels for specified adjacent land uses when measured at the common property line nearest the active work area:

ADJACENT USE MAXIMUM SOUND LEVELS

| | |
|----------------------|--------|
| Residential | 75 dBA |
| Commercial | 85 dBA |
| Industrial and other | 90 dBA |

The city shall monitor noise levels using weighted decibel measurements (referenced to 20 micropascals) with a type of audio output meter approved by the united bureau of standards. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

- S. Blasting: Blasting shall not be permitted as a part of any grading, mining, excavation, earth extraction, or similar operation conducted within the city. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- T. Transportation Vehicle Standards: All vehicles used to transport excavated material shall be required to be loaded in such a manner that the material may not be unintentionally discharged from the vehicle. Vehicles shall be cleaned of all material not in the load bed prior to entering any public street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- U. Lighting: All lighting used to illuminate the excavation or mass grading area, access roads, stockpile areas, and associated or similar use areas shall be directed away from all surrounding property. Shielding of lighting may be

required by the city engineer, planning commission, and/or city council where such lighting shines directly toward a residential use, county or state road, or other land use as determined by the planning commission, and/or city council. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

- V. Drainage: Property drainage shall be provided at all times to prevent the collection and stagnation of water. Surface water shall, at all times, be directed in such a manner so as not to interfere with the adjoining property owners, provided, however, that the maintenance of the natural flow of surface water shall be deemed an interference. There shall be no interference with the water table in the area. Any water areas, retention ponds, settling ponds, or similar water areas shall be fenced in accordance with paragraph M. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- W. Excavation And Backfilling: All excavation and mass grading areas shall be made to the finished elevation as included on the approved finished grading plans. Backfill, if necessary, shall consist of inert, noxious free, nonflammable, nonradioactive, nonhazardous, and noncombustible materials, to assure:
1. That the excavation shall not collect and permit to remain therein, stagnant water;
 2. That the surface of any area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof; and
 3. To produce a surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- X. Vegetation: Vegetation shall be reclaimed by the use of sufficient soil and overburden and by appropriate seeding of grasses or planting of shrubs or trees in all parts of said reclaimed area where such area is not to be submerged under water. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)
- Y. Violations, Penalties, Suspension, And Revocation Of Permit: If the zoning administrator, or other authorized officer, notifies the permittee of any violation of the permit, or of this title, and upon failure of the permittee to abate said violation within thirty (30) days after mailing of said notice, said excavation or mass grading site may be summarily closed, and the permit therefor, suspended or revoked. Any permittee aggrieved by any notice pursuant to this section may file a written request for a hearing before the city council. The permittee shall set forth why the excavation or mass grading site should not be summarily closed and/or the permit suspended or revoked. If a request for a hearing is received by the city council, the city council shall provide to the permittee notice of the time and place of the hearing, an opportunity to be heard, and shall make an impartial determination of whether a violation of this title or this section has occurred and whether the health, safety, and welfare of persons or property dictates the

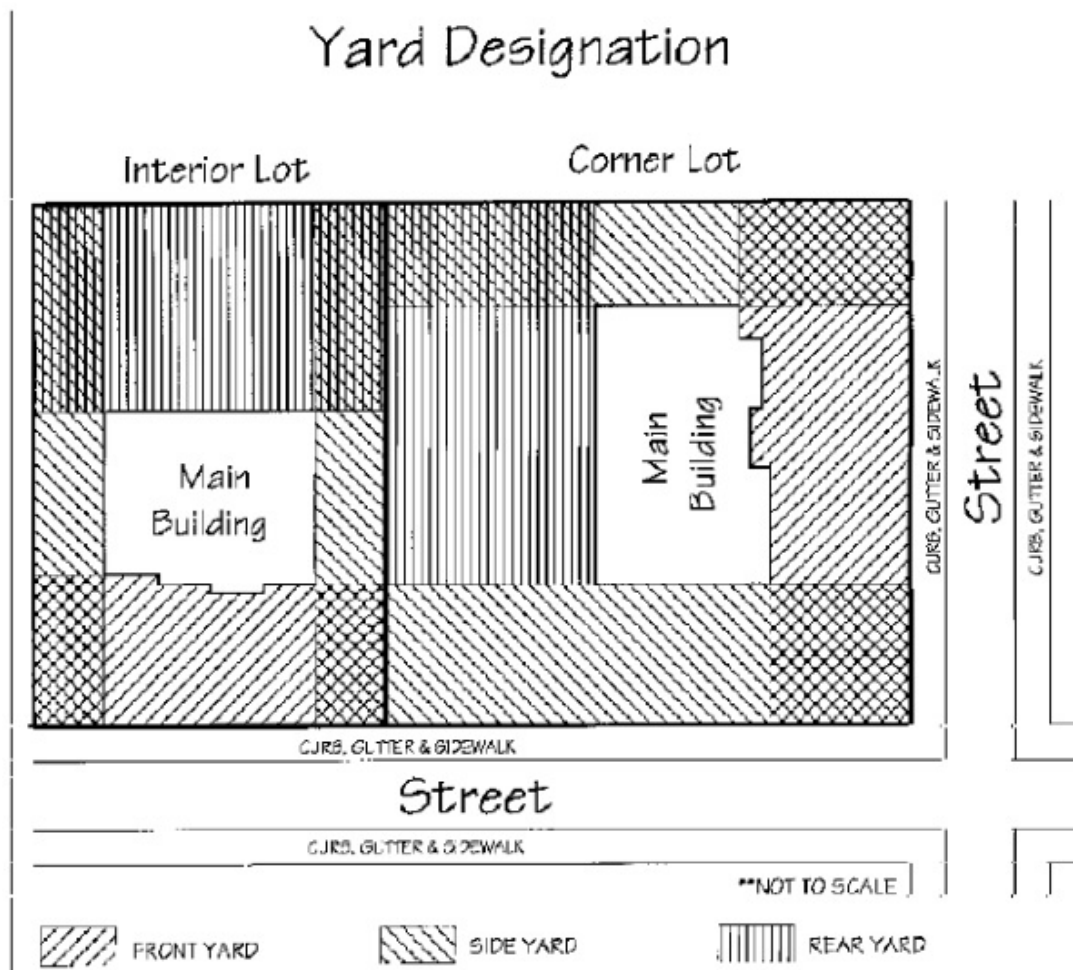
necessity of a suspension or revocation of said permit. Upon receipt of a request for a hearing, the city council may summarily close the site, if not yet closed by the zoning administrator, or other authorized officer, pending the hearing if it is determined that the health, safety, and welfare of persons or property require such action. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 03-02-2007, 3-7-2007)

HISTORY

Amended by Ord. [04-04-2013](#) on 4/3/2013

10.16.290 ILLUSTRATIONS

EXHIBIT A



(Ord. 5-01-2002, 5-15-2002, eff. 5-16-2002; amd. Ord. 03-02-2007, 3-7-2007)

HISTORY

Amended by Ord. [11-03-2014](#) on 11/5/2014

10.16.300 TEMPORARY USES

- A. Purpose And Intent: The purpose and intent of this section is to allow within Santaquin City certain uses which are transitory in nature, as either accessory or seasonal uses, in a manner that will assure compatibility with the zone district and adjacent properties. Drink stands and garage/yard sales or similar activities, located in front of a residential property, operating for a period of time of seven (7) days or less, and no more often than four (4) times per calendar year, shall be exempt from the terms of this section.
- B. Temporary Use Permit Required: A temporary use permit shall be required for the following uses. Those uses which are also required to obtain a temporary business license are noted by a (TBL) symbol.

| Temporary Use Type | Location Standards | Duration |
|--|--|--|
| Circus or carnival and related accessory uses (TBL) (e.g., bazaar, fair, etc.) | Permitted on public or quasi-public properties or private properties having over 5 acres | 15 consecutive days in a calendar year per applicant |
| Construction office, staging areas and equipment sheds | Permitted in all zones | Allowed on a site until final inspections of the project are completed |
| Farmers' market (TBL) | Permitted on public or quasi-public properties or private properties having over 5 acres | May not begin prior to June 1 and must terminate by November 1. Requires a new permit annually |
| Model home or dwelling unit | Permitted in all zones (see additional standards below) | No more than 2 years from first occupancy of a dwelling unit in the development or until the last unit/parcel is sold, whichever comes first |
| Produce stands (TBL): Includes goods grown and prepared by the operator and sold primarily for consumption (e.g., fruits and vegetables) | Must be located on property adjacent to an arterial or collector street (e.g., Main Street, 400 East, 200 West, and South Ridge Farm Road) | Growing season (generally the summer months through October) |
| Roadside stands and temporary retail sales (TBL): Includes Christmas tree lots; fireworks stands; snow | Allowed if the use is permitted in the zone and accessory to the principal use or if no | No more than 150 licensed days per site each calendar year (i.e., 2 businesses licensed to operate for 30 days each on a site will |

| | | |
|--|---|--|
| shacks; ice cream vendors; antique, rug, art, or plant sales; or other similar retail uses | principal use exists, would be permitted as a stand alone use on the site | amount to 60 days on that site no matter if they are on the premises at the same time or not) |
| Temporary trailer for retail sales and/or office space | Permitted upon issuance of a building permit for a permanent structure and facilities on the affected site. Shall also include installation of adequate temporary parking | Maximum period shall be 12 months. The permit may be renewed and extended upon planning commission review for a conditional use up to 6 month increments |

C. Standards For Temporary Use: All temporary uses shall comply with the general standards as provided below.

1. Site Limitations And Standards:

- a. No use shall be placed in the public right of way, display areas shall be limited and applications shall comply with the regulations of the business licensing department.
- b. No more than two (2) temporary uses are allowed per site at one time.
- c. Sites shall be kept free from weeds, garbage, and debris.
- d. Off street parking and traffic circulation generated by the use shall be provided for on the site. Only city approved spaces shall be considered for off street parking.
- e. Sanitary facilities shall be available for waste disposal for protection of community health and safety.

2. Food Preparation Uses: Any food preparation uses must obtain the appropriate food handler's permits or other licensing through the county health department.

3. Night Lighting: Night lighting shall be compatible with adjacent uses, shielded and directed downward to avoid light spill onto adjacent properties.

4. Hours Of Operation: Hours of operation shall be compatible with adjacent uses.

5. Sign: One sign, not to exceed twenty four inches by thirty six inches (24" x

36") in size either affixed to the temporary facility or on a pole less than four feet (4') in height, may be placed on site.

6. Temporary Structures Or Coverings:

- a. All applicable building code requirements must be met (e.g., water, power connections, accessibility, etc.).
- b. Shall be secured to the ground in order to prevent such from being moved by natural meteorological events.
- c. Shall be maintained in a state of good repair and order, including replacement of torn, tattered, faded or peeling materials.
- d. Any temporary outdoor facility shall be removed within three (3) days after the expiration date of the temporary use permit or associated business license, whichever occurs first.
- e. Shall not be placed in required visibility areas or cause a safety hazard.

7. Standards Specific To Model Homes: In addition to the standards above the following shall also apply to model homes:

- a. Model homes must comply with all standards and conditions of approval for the advertised development including building materials, setbacks, landscaping, etc., and must comply with all applicable residential dwelling standards upon discontinued use as a sales office.
- b. Any other temporary offices, trailers, or structures used for sales, equipment storage, construction materials and any other items related to the model home must be removed from the site upon completion of a model home for the development.
- c. Upon sale of any model home for residential dwelling purposes, a re-final inspection must be conducted by the community development department to assure all applicable building codes are met.

D. Application For Temporary Use Permit: An application for a temporary use permit shall be made to the community development department at least ten (10) days prior to the date of requested use. The department may issue a temporary use permit or deny an application for a temporary use permit. In authorizing a temporary use, the community development department shall impose such requirements and conditions as considered necessary for the protection of adjacent properties and the public safety and welfare in conformance with standards as provided in this section.

1. Application Requirements: An application for a temporary use permit shall be accompanied by the following information:
 - a. Description: A written description of the proposed use including requested length of permit and hours of operation.
 - b. Authorization For Use: If the applicant is not the owner of the property, the ownership shall be identified along with evidence of permission of the owner for such temporary use to take place.
 - c. Site Review: A vicinity map and plot plan with sufficient information to determine the yard requirements, sanitary facilities and availability of parking to serve the use.
 - d. Parking And Circulation Plan: A plan which illustrates available parking and traffic movements for temporary use customers in relation to available parking on the site and existing traffic movements.
 - e. Building Details: Information about any building or structure being used for the business shall be provided (e.g., steps, ramps, power, water, construction, etc.).
 - f. Fees: All applicable fees, as set by the city council, shall be paid before review of an application will occur.

E. Revocation Of Temporary Use Permit:

1. The city shall, upon reasonable notice, be empowered to suspend or revoke the temporary use permit of any person who violates any of the provisions of this section or any of the conditions set forth on their permit.
2. If, at any time, a permit under the provisions of this section is suspended or revoked, it shall thereafter be unlawful for any person to operate, open, maintain, manage or conduct such affected temporary use until a new permit is granted. (Ord. 11-01-2010, 11-17-2010, eff. 11-18-2010)

HISTORY

Amended by Ord. [11-01-2010](#) on 11/17/2010

10.16.310 SPECIAL EVENTS BUSINESSES

Operation of a booth type business for special events within the city, including, but not limited to, rodeos and the Santaquin Days celebration activities, shall not be required to obtain a city approved business license. Such businesses shall be required to obtain a special events permit from the community development department prior to the special event or the date of opening of the business, as applicable. Such permits shall be valid for a period of time not longer than seven (7) calendar days and it shall be at the

discretion of the community development director, or their designee, to decrease the validity period. (Ord. 9-03-2002, 9-18-2002, eff. 9-19-2002; amd. Ord. 03-02-2007, 3-7-2007)

10.16.320 COMMERCIAL AND INDUSTRIAL DEVELOPMENT; GUARANTEE OF IMPROVEMENTS

- A. Required Improvements: All developments of a nonresidential, mixed use or multi-family nature are required to improve the public street along the entire length of their property in accordance with city adopted street design and construction standards. This may include, but is not limited to, sidewalk, curbing, gutter, landscaping, storm drain, asphalt, etc., as outlined in the subdivision regulations of this code.
- B. Required Guarantee: Prior to issuance of a building permit or conducting any site work, including grading and drainage improvements that pertain to construction of the development, all commercial and industrial developments shall provide the city with a guarantee for improvements, by following the process outlined in SCC 11.44.030. Improvements to be guaranteed shall include, but are not limited to, the following:
1. Curb, gutter and sidewalk improvements,
 2. Asphalt or concrete improvements of parking areas,
 3. Fencing and other screening materials,
 4. Landscaping as approved by the development review committee, including irrigation systems,
 5. All underground improvements including culinary and secondary water systems,
 6. Fire hydrants and other required safety improvements,
 7. Trash enclosures,
 8. Other infrastructure improvements as outlined in the city's subdivision regulations.
- C. Warranty: Warranty periods shall be for a minimum one year time frame. Required warranty amounts shall be the same as outlined in SCC 11.44.030. (Ord. 06-01-2015, 6-17-2015, eff. retroactive to 6-15-2015)

HISTORY

Amended by Ord. [06-01-2015](#) on 6/17/2015

10.16.330 SEXUALLY ORIENTED BUSINESSES

- A. Purpose: The purpose and object of this section is to establish uniform and reasonable regulations to prevent the concentration of sexually oriented businesses or their locations in areas deleterious to the community, to regulate the signs of such businesses, to control the adverse effects of such signs, and to prevent inappropriate exposure to the community. This section by its terms is designed to prevent crime, protect the city's retail trade, maintain property values, and generally protect and preserve the quality of the city's neighborhoods, commercial districts, and the quality of urban life. This section is not designed to suppress the expression of unpopular views. This section is to be construed as a regulation of time, place and manner of the operation of these businesses consistent with the limitations provided by the United States and Utah constitutions. (Ord. 02-04-2008, 2-20-2008)
- B. Definitions: For purposes of this section, the following terms shall have the meanings defined in this section:

GATEWAY:

1. Highway 6 between I-15 and the 600 West in Santaquin;
2. Center Street;
3. Highway 198; east of I-15;
4. Highland Drive (a.k.a. Frontage Road along I-15);
5. South Santaquin Interchange as measured two hundred feet (200') before an associated I-15 off ramp and two hundred feet (200') after an associated I-15 on ramp;
6. Frontage Road along west side of I-15.

HISTORIC BUILDINGS OR SITES: Those buildings or sites found on either the national or state historic registers, or the city register of cultural and historic resources.

PUBLIC PARK: A park, playground, swimming pool, golf course or athletic field within the city which is under the control, operation or management of the city's public works or recreation department.

RELIGIOUS INSTITUTION: A building which is used primarily for religious worship and related religious activities.

SCHOOL: An institution of learning or instruction primarily catering to minors, whether public or private, which is licensed as such a facility either by the city or the state. This definition shall include nursery schools, kindergartens, elementary schools, junior high schools, senior high schools, or any special institution of learning under the jurisdiction of the state department of education, but not including trade schools, charm schools, dancing schools, music schools or

similar limited schools, nor public or private universities or colleges.

SEXUALLY ORIENTED BUSINESS: Any business for which a sexually oriented business license is required pursuant to the sexually oriented business license ordinance set out in SCC 3.24. (Ord. 02-04-2008, 2-20-2008)

C. Permitted Locations And Restrictions: Sexually oriented businesses are conditional uses in the I-1 zones where they can meet the following restrictions. All distance requirements specified hereafter shall be measured from that portion of the structure which is closest in proximity to the following property lines or rights of way as measured without regard to intervening fences, structures, properties, or elevation, unless otherwise noted.

1. No sexually oriented business shall be located within a one thousand foot (1,000') radius of any church, park, school, or residential zone in the city.
2. No sexually oriented business shall be permitted within two hundred fifty feet (250') from the right of way and/or property boundary of any "gateway" as defined herein.
3. No sexually oriented business shall be permitted within three hundred feet (300') of any historic building or site.
4. No sexually oriented business shall be allowed within one thousand feet (1,000') of any other sexually oriented business, measuring a straight distance from the structure of the one business to the closest portion of the other adult business.
5. No sexually oriented business shall be allowed within six hundred feet (600') of a business licensed for the consumption of alcohol or liquor.
6. All sexually oriented businesses must have direct access onto a major collector or arterial street via abutting frontage or access through an approved commercial center. (Ord. 02-04-2008, 2-20-2008)

D. Sign Restrictions: Notwithstanding any contrary provision contained in the Santaquin City sign regulations in this code, sexually oriented business signs shall be limited as follows:

1. No more than one sign promoting or identifying the sexually oriented business shall be allowed on any sexually oriented business premises;
2. Off premises signs are prohibited;
3. No sign on the sexually oriented business premises promoting or identifying the sexually oriented business shall be allowed to exceed eighteen (18) square feet;
4. No animation shall be permitted on or around any sexually oriented business sign or on the exterior walls or roof of the premises;

5. No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sexually oriented business sign. The sign shall contain alphanumeric copy only;
6. Signage is limited to one flat wall sign and shall not project more than twelve inches (12") from the wall to which it is attached;
7. Painted wall advertising, window graphics or decals shall not be allowed;
8. Other than the flat wall sign specifically allowed by this section, sexually oriented businesses shall not construct or allow to be constructed any other type of sign including those types of signs listed in the Santaquin City signage regulations, or use any light or other device designed to draw attention to the business location. (Ord. 02-04-2008, 2-20-2008)

10.16.340 TELECOMMUNICATIONS FACILITIES

- A. Purpose: The purpose of this section is to address planning issues brought on by growth in demand for low power telecommunications services. This section establishes provisions that deal with issues of demand, visual mitigation, engineering, residential impacts, health, safety, and facility siting.
- B. Scope: The requirements of this section apply to both commercial and private telecommunications facilities. All telecommunications facilities shall comply with the following regulations and all other ordinances of the city and any pertinent regulations of the federal communications commission and the federal aviation administration.
- C. General Requirements:
 1. Code Compliance: All telecommunications facilities must comply with the general plan and the required setback, height and landscaping requirements of the zoning district in which they are to be located and are subject to all provisions for site plan review including modifications to existing site plans.
 2. Application For Telecommunications Facility And Justification Study Requirement: A complete development application and telecommunications facility justification study shall be submitted by each company for each proposed facility. The study shall include the following information:
 - a. Description: A description and drawings of the telecommunications facility proposed to be placed on the location with technical reasons for their design and efforts made to minimize impacts on the surrounding land uses. Also provide a map of the search area considered with a listing of existing telecommunications facilities and three (3) other reasonable sites

within the search ring which were evaluated and a statement of reasons why the final location was chosen. The applicant shall demonstrate that the telecommunications facility complies with the general plan, as well as the required setback, height and landscaping requirements of the zoning district in which it is proposed to be located.

- b. Collocation: Provide an examination of the potential for collocation at any existing or the proposed telecommunications facility within the search area. Provide information about the availability of other carriers to collocate at the proposed facility. If collocation is not possible at an existing telecommunications facility, or if the proposed new telecommunications facility is not available for collocation, then the applicant shall include a written explanation why collocation is not possible.
 - c. Height: The maximum height of new facilities is outlined in paragraph D. Applicants shall provide a detailed written analysis that explains in nontechnical terms the reasons why service cannot be effectively provided unless at the requested height. If the proposed telecommunications facility is a roof mount or wall mount, the city may request that the study verify that the existing or proposed screening will screen from view all telecommunications facilities.
 - d. Visual Analysis: The applicant shall submit a visual analysis, which may include photo simulation, field mock up or other techniques, which identifies the potential for visual impacts of the proposed facility. The analysis shall consider views from public areas (streets, parks, etc.) and from private residences. The analysis shall assess the cumulative impacts of the proposed telecommunications facility and other existing facilities in the area as provided by city staff and shall identify all mitigation measures consistent with the technical aspects and requirements of the proposed telecommunications facility. All costs associated with this requirement are to be borne by the applicant.
3. Review Process: All proposed telecommunications facilities shall be reviewed by the development review committee (DRC) for compliance with city codes. DRC shall be the land use authority for these applications and include compliance review of any conditional use permit requirements established by the planning commission, if applicable.
 4. Building Permits: Prior to construction of any telecommunications facility, the applicant shall obtain the proper building permits, road cut permits, and other permits as required by city ordinances.

D. Permitted Uses: The following table lists which telecommunications facilities are classified as permitted uses. "N" shall mean not permitted. "P" shall mean permitted. "C" shall mean conditional. Facilities on city owned properties shall be a permitted use as shown in the following table, regardless of zoning on such property.

| Facility Type | Commercial Zones | Industrial Zones | Residential Zones | Agriculture Zones | City Owned Property |
|-----------------------------|------------------|------------------|-------------------|-------------------|---------------------|
| Lattice tower | N | N | N | N | N |
| Wall mount ¹ | C | C | N | N | P |
| Roof mount ¹ | C | C | N | N | P |
| Monopole tower ¹ | C | C | N | C | P |
| Collocation ¹ | P | P | C | P | P |
| Stealth design | C | C | C | C | P |
| Conversion | C | C | C | C | P |
| Utility pole antennas | C | C | C | C | P |

Note:

¹ These facility types may be permitted in all zones if stealth techniques are utilized (e.g., inside flagpoles or steeples, disguised as trees, etc.) and all other provisions of this paragraph D are met.

Standards for each of the permitted facility types are provided below. Any request for permitted facilities differing from the standards as outlined in this section shall require a conditional use permit from the planning commission.

1. Wall Mounted Antennas: Wall mounted antennas must comply with the following criteria:
 - a. Wall mounted antennas shall not extend above the roofline of the building. Whip antennas shall not extend above the roofline of the building more than ten feet (10').
 - b. Antennas and all associated equipment shall be painted to match the color of the building or surrounding area.
 - c. Wall mounted antennas must have a maximum area of forty (40) square feet per each side of the building.
 - d. All equipment associated with the use (excluding the antenna)

must be screened by a view obstructing structure that is architecturally complementary with the location and approved by the city's architectural review committee.

- e. If the associated equipment is located on the ground it must be screened with a site obscuring fence with landscaping around such enclosure commensurate with the surrounding area and as may be approved by the development review committee.

2. Roof Mounted Antennas: The following provisions together with the equipment provisions in paragraph D,1 shall apply to roof mounted antennas:

- a. Roof mounted towers can only be mounted on structures with flat roofs unless the following stipulations are met:
 - (1) The tower will be mounted on the roof of a building such that the building will obstruct the view of the antenna from the front of the building.
 - (2) The antenna will be less visible from ground level than the typical antenna mounted on a flat roof.
- b. Antennas must be set back from the building edge one foot (1') for every one foot (1') of antenna height to a maximum of fifteen feet (15').

3. Monopole Towers:

- a. All towers must be of a monopole construction. No lattice constructed towers of any kind shall be allowed.
- b. Monopoles shall not exceed one hundred feet (100') in height as measured from the base of the pole.
- c. The maximum visible width of antennas and antenna support structure on a monopole shall not exceed ten feet (10') in height or seventeen feet (17') in width as viewed from a side elevation. Top hat design is permitted.
- d. All towers must allow for collocation and supply engineering calculations by a state certified engineer that will allow for at least four (4) separate users on a single pole. A letter must also be supplied stating that the owners of the tower will allow for collocation and that the structure has been constructed to allow for this.
- e. No tower may be located within a one mile radius of another tower unless the existing tower closest to the desired facility site is

already occupied by three (3) users or grid documentation is supplied which demonstrates that collocation at existing sites will result in a thirty five percent (35%) or greater reduction of service coverage within the search area when compared to the desired facility site.

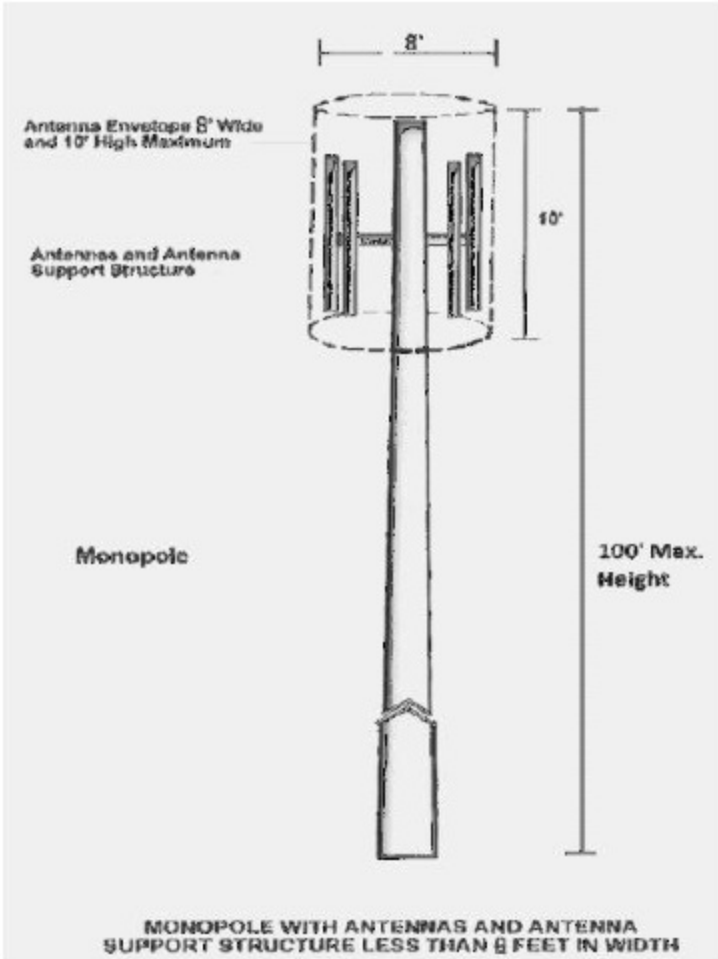
- f. The agent must supply the city with a letter stating that if technology renders the tower obsolete and the tower is vacated the agent will remove the tower, all other apparatus associated with it, the top three feet (3') of the footing and restore the site to its original condition within ninety (90) days of the vacation of the tower. The applicant must file a bond with the city in an amount to be determined by the city engineer to ensure compliance with the removal and restoration of the site. Said bond shall be released upon compliance and restoration.
 - g. Monopoles and associated equipment facilities shall be required to provide screening (e.g., landscaping, shelters, or other) around the compound area so as to obstruct the public view of such facilities subject to the design review of the development review committee and within the terms of the lease agreements accepted by the government body where applicable. Where equipment facilities will be phased with pole construction for multiple carriers, under paragraph D,3,d, a screening phasing plan must be provided for approval with initial construction plans of a monopole facility. Such plans should reasonably anticipate the area to be occupied at site build-out. The development review committee may require additional landscaping or fencing as part of the site plan approval.
4. Collocation: Collocation on an existing monopole structure is a permitted use and is handled administratively in accordance with 47 USC section 1455 and related FCC public notices. However, expansion of the equipment compound area in order to allow additional equipment at the site shall be considered a substantial change to the facility and the area of expansion must comply with all the provisions as stated for landscaping, fencing and safety and equipment facilities.
 5. Stealth Design: Telecommunications facilities that incorporate stealth design technology and are located on a parcel in a commercial, industrial, or agriculture zone or in a residential zone on property containing an institutional use are a conditional use.
 6. Conversion: Conversion of existing flagpoles, light standards, athletic field lights, or other similar structure provided the structure's height is not increased more than ten feet (10'). (Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014)

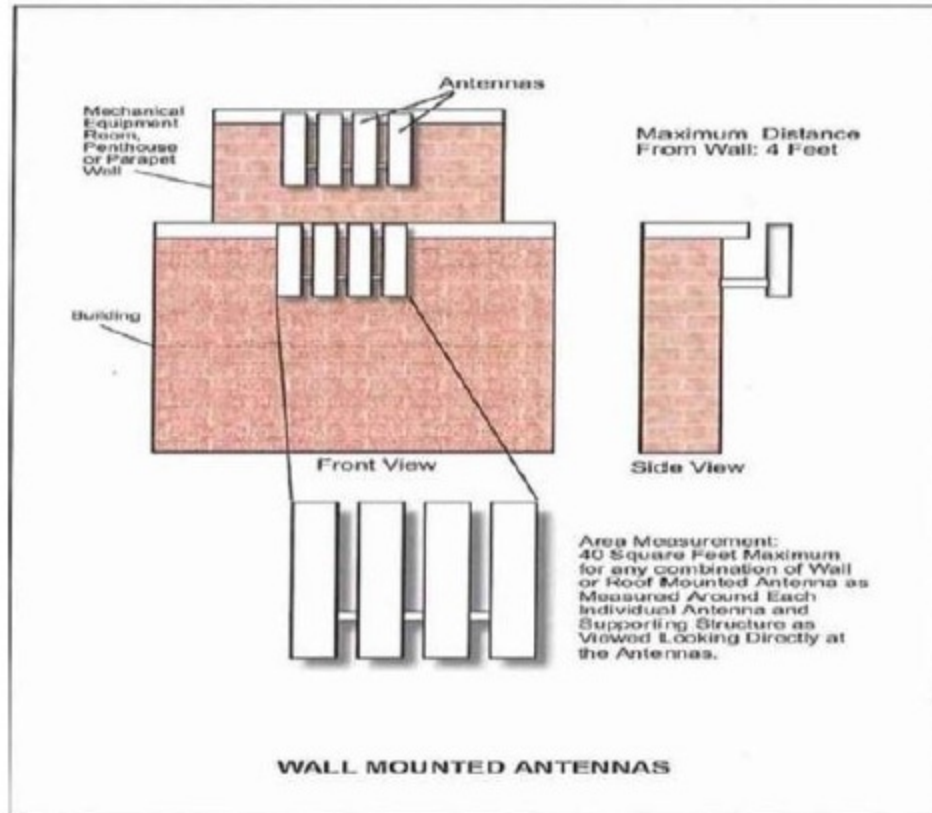
7. Utility Pole Antennas: Utility pole antennas may only be proposed on existing utility poles and under the following standards:
- a. Sites must be consistent with the city's policies and regulations pertaining to use of public rights of way.
 - b. Each telecommunication provider must obtain required right of way excavation permits and enter into an agreement with the city prior to installing any telecommunications facilities in the public rights of way. Agreements will not supersede the development review committee process of review for each proposed site.
 - c. Requests under this part must be accompanied by authorization from the utility and/or cable provider who owns or controls the pole to which facilities will be attached.
 - d. Pole heights may only be extended up to ten feet (10') in order to accommodate facility installations.
 - e. Installation of a stand alone pole in order to accommodate telecommunications facilities is prohibited within public right of way. (Ord. 02-02-2017, 2-1-2017, eff. 2-2-2017)

E. Facilities Requiring A Conditional Use Permit: In addition to the conditional use standards outlined in SCC 10.24, the information concerning the following shall be submitted by the applicant and considered by the planning commission for all conditional use requests:

1. Compatibility of the proposed telecommunications facilities with the height and mass of the existing buildings and utility structures.
2. Whether it is possible to locate the antenna on other existing structures with less aesthetic impact in the same vicinity such as other monopoles, buildings, utility poles, athletic field lights, parking lot lights, etc., without significantly impacting transmission or reception.
3. The location of the telecommunications facilities in relation to existing vegetation, topography, and buildings to obtain the best visual screening.
4. Whether the spacing between the proposed and existing telecommunications facilities creates detrimental impacts to adjoining properties.
5. Substantial existing or proposed landscaping, including tree cover, to reduce visibility of the telecommunications facilities.

F. Telecommunications Facilities Illustrations: The following illustrations are meant to demonstrate graphically the intent of this section:





(Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014)

HISTORY

Adopted by Ord. [03-02-2014](#) on 4/16/2014

Amended by Ord. [02-02-2017](#) on 2/1/2017

10.16.350 EXPIRATION OF LAND USE APPLICATIONS

All land use applications shall be deemed abandoned and forfeited one hundred eighty (180) days after the date of filing unless such application has been pursued in good faith and is deemed to be progressing toward approval. An extension may be granted but may not exceed one hundred eighty (180) days. Any extension request must be made in writing to the Community Development Department and justifiable cause for extension must be demonstrated. Any existing application that has been submitted prior to the adoption of this section will have the full one hundred eighty (180) day period to progress toward approval before the application is deemed expired. (Ord. 12-02-2017, 12-13-2017, eff. 12-14-2017)

10.20 ZONES ESTABLISHED

[10.20.010 INTENT](#)

[10.20.020 OFFICIAL ZONING MAP](#)

[10.20.030 BOUNDARIES OF ZONES](#)

[10.20.040 TRANSITIONAL USE](#)

- [10.20.050 REGULATIONS WITHIN ZONES](#)
- [10.20.060 REZONING](#)
- [10.20.070 R-8 RESIDENTIAL ZONE](#)
- [10.20.080 R-10 RESIDENTIAL ZONE](#)
- [10.20.090 R-12 RESIDENTIAL ZONE](#)
- [10.20.100 R-15 RESIDENTIAL ZONE](#)
- [10.20.110 R-20 RESIDENTIAL ZONE](#)
- [10.20.120 COMMERCIAL ZONES](#)
- [10.20.130 I-1 INDUSTRIAL ZONE](#)
- [10.20.140 PC PLANNED COMMUNITY ZONE](#)
- [10.20.150 RC RESIDENTIAL COMMERCIAL ZONE](#)
- [10.20.160 LARGE SCALE DEVELOPMENTS](#)
- [10.20.170 PLANNED UNIT DEVELOPMENT \(PUD\)](#)
- [10.20.180 PF PUBLIC FACILITIES ZONE](#)
- [10.20.190 MAIN STREET BUSINESS DISTRICTS ZONE](#)
- [10.20.200 AGRICULTURE PROTECTION AREAS](#)
- [10.20.210 AGRICULTURE ZONES](#)
- [10.20.220 R-43 RESIDENTIAL ZONE](#)
- [10.20.230 HILLSIDE DEVELOPMENT OVERLAY ZONE](#)
- [10.20.240 CLM COMMERCIAL LIGHT MANUFACTURING ZONE](#)

10.20.010 INTENT

In order to carry out the purposes of this title, Santaquin City, Utah, is hereby divided into zones as follows:

| | |
|-------------------------------------|-----------------------------|
| R-8 | Residential zone |
| R-10 | Residential zone |
| R-12 | Residential zone |
| R-15 | Residential zone |
| R-20 | Residential zone |
| C-1 | Interchange commercial zone |
| PO | Professional office zone |
| I-1 | Industrial zone |
| PC | Planned community zone |
| RC | Residential commercial zone |
| PF | Public facilities zone |
| Main Street business districts zone | |
| Ag | Agriculture zone |

| | |
|-----------------------------------|------------------------------|
| R-Ag | Residential agriculture zone |
| R-43 | Residential zone |
| Hillside development overlay zone | |

(Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011; amd. Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011; Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

HISTORY

Amended by Ord. [06-01-2011](#) on 6/29/2011

10.20.020 OFFICIAL ZONING MAP

The location and boundary of each of the zones are shown on the official zoning map of Santaquin City, Utah, at city hall and said map is hereby declared to be an official record and a part of this title.

Whenever amendments or changes are made in zone boundaries such amendments or changes shall be made on the official zoning map. No amendment or change shall become effective until after proper notice has been given to Utah County and/or Juab County.

Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning map which shall be located in the office of the Santaquin City recorder shall be the final authority in determining current zoning status. (Ord. 03-03-2014, 3-19-2014, eff. 3-20-2014)

HISTORY

Amended by Ord. [03-03-2014](#) on 3/19/2014

10.20.030 BOUNDARIES OF ZONES

Where uncertainty exists with respect to the boundaries of various zones, the following rules shall apply:

- A. Where the intended boundaries on the zoning map are approximately street or alley lines, said streets or alleys shall be construed to be the zone boundaries.
- B. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zone boundaries, unless otherwise indicated.
- C. Where land has not been subdivided into lots, the zone boundary shall be determined by the use of the scale of measurement shown on the map.
- D. Where other uncertainty exists, the zoning administrator, or other authorized officer, shall interpret the map. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.20.040 TRANSITIONAL USE

Uses which are permitted on either portion of a lot which is divided by a zone boundary line or which is coterminous with a zone boundary line may be permitted to extend to the entire lot, but not more than one hundred feet (100') beyond the boundary line of such zone in which such use is permitted. Before a transitional use permit for such a use may be granted, however, the zoning administrator, or other authorized officer, must find that the general plan will be maintained and that a more harmonious mixing of uses will be achieved thereby. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.20.050 REGULATIONS WITHIN ZONES

Within each of the zones, the use, location, height, size of buildings and structures, the use of land, size of lots, yards, courts, and other open spaces, and density of population, are regulated as hereinafter set forth. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.20.060 REZONING

Property owners desiring to change the zoning classification for property which they own, whether individually or as a part of a larger development project, may make application to the community development department for a hearing to rezone their property. The requirements and procedures for such rezoning applications shall comply as stipulated herein.

- A. Application Requirements: Applications to rezone property shall consist of, but not be limited to, the following:
1. A completed Santaquin City rezoning application;
 2. A concept plan depicting the layout, including, but not limited to, roads, parks, trails, and type of development anticipated within each zoning classification being requested. This plan shall also include a density table which reflects the anticipated development which includes, but is not limited to:
 - a. The anticipated potential number of development units, residential and commercial, within each zoning classification requested; and
 - b. The potential number of development units possible for the same planned development under the current zoning classification.
 3. Legal description of the property(ies) proposed to be rezoned along with a map and area calculation for each area to be affected;
 4. Materials for proper notification to adjacent property owners as outlined in SCC 10.68.110; and
 5. Rezoning application fees, as determined by resolution of the city council

and listed in the Santaquin City fee schedule.

- B. Procedure: Upon receipt of a complete application, the application will be scheduled for review and a public hearing by the planning commission at the next available meeting(s), following proper notice. Upon receiving a recommendation from the planning commission, the application will be scheduled for review by the city council at the next available meeting(s), following proper notice. Following approval from the city council, the property will be rezoned on the official city zoning map and the property owner will be required to comply with any and all regulations applicable within the zoning classification to which the property is rezoned.
- C. Requirements For Review: Prior to making a recommendation to the city council regarding the rezoning of property, the planning commission shall consider the following criteria:
1. How closely rezoning conforms to the intent of the Santaquin City general plan and annexation policy plan;
 2. Whether rezoning will adversely affect surrounding properties; and
 3. Whether rezoning will cause property, structures, or uses of the property to unnecessarily become nonconforming according to this title.

The city council should consider the recommendation of, and any findings of fact provided by, the planning commission and the criteria of this paragraph before approving a rezone of property.

- D. Partial Rezoning: A single property may be rezoned in part. All rezoning approvals by the city council and planning commission of this nature shall be effective only after written notice of the change approval is given to the Utah or Juab County assessor office.
- E. Corrective Measures: No rezoning shall be permitted as a corrective measure for a property, use, or structure on a property which is found to be in violation of any provision of this title by the building official, zoning administrator, or other authorized officer.
- F. Resubmission: No application for rezoning which receives a denial from the city council shall be permitted to resubmit the same application for a period of not less than twelve (12) months from the date of denial unless the applicant(s) can provide documentation of information or facts that were not available at the time of review of the original application. (Ord. 03-03-2014, 3-19-2014, eff. 3-20-2014)

HISTORY

Amended by Ord. [03-03-2014](#) on 3/19/2014

Amended by Ord. [05-01-2020](#) on 5/5/2020

10.20.070 R-8 RESIDENTIAL ZONE

A. Objectives And Characteristics: The objective of establishing the R-8 Residential Zone is to provide a residential environment within the City which is characterized by smaller lots and somewhat more dense residential development than is characteristic of the R-10 Zone. Nevertheless, this zone is characterized by spacious yards and other residential amenities adequate to maintain desirable residential conditions. The uses permitted in this zone shall be single-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003)

In order to accomplish the objective and purpose of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-8 Residential Zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the R-8 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | R-8 |
|---|-----|
| Adult daycare | C |
| Assisted living facility - large | C |
| Assisted living facility - small in accordance with SCC 10.24.060 | P/C |
| Caretaker facilities associated with a permitted or conditional use | C |
| Cemeteries | P |
| Child daycare centers | C |
| Crisis respite | C |
| Dwelling, accessory unit attached | P |
| Dwelling, accessory unit detached | P |
| Dwelling, multiple-unit | N |

| | |
|--|-----|
| Dwelling, single-family detached | 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 R-8 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 |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Large scale developments | C |
| Parks | P |
| Recreational vehicle (RV) parks | N |
| Religious center | P |
| Residential facilities for persons with a disability pursuant to SCC 10.60 | P |
| Residential facilities for the elderly pursuant to SCC 10.56 | P |
| Residential support facility | P |
| Schools | P |
| Sheltered workshop | C |
| Social or reception centers | C |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | N |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018; 9-17-2019, eff. 9-18-2019)

C. Area Requirements:

1. Standard Lot Size: A land area of not less than eight thousand (8,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the R-8 Zone. This shall include corner lots.
2. Infill Properties: Lot areas for applicable infill development may be reduced according to the infill development standards of this title. (Ord.10-01-2014, 10-1-2014, eff. 10-2-2014)

D. Width Requirements:

1. Standard Lot Widths:

- a. Interior Lots: The minimum width of lots in this zone shall be eighty (80) linear feet.
- b. Corner Lots: All corner lots shall have a minimum of eighty feet (80') width for at least one frontage adjacent to a public street.

2. Infill Properties: Lot widths for applicable infill development may be reduced according to the infill development standards of this title. (Ord. 10-1-2014, 10-1-2014, eff. 10-2-2014)

E. Location Requirements:

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

a. Front Setback:

- (1) To living area or garage side: Twenty feet (20') from the front lot line(s).
- (2) To garage doors: Twenty five feet (25') from the front lot line(s).
- (3) To covered porches: Fifteen feet (15') from the front lot line(s).

b. Side Setback: Eight feet (8') from side property line.

c. Rear Setback: Twenty five feet (25') from rear property line.

d. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted Parks, Recreation and Open Space Master Plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without

written consent from those affected entities.

- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty feet (20') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.
- d. Side Setback: Accessory structures must be eight feet (8') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

F. Dwelling Size: Minimum dwelling size shall be nine hundred (900) square feet floor area on the main floor (excluding garages and basement areas) for single-story structures. Similarly, multi-story dwellings shall have a minimum of one thousand two hundred (1,200) square feet. (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

G. Parking And Access Standards: Each dwelling is required to have a minimum of two (2) parking spaces per dwelling unit located on the property unless otherwise specified. (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010
Amended by Ord. [10-02-2010](#) on 10/20/2010
Amended by Ord. [07-01-2011](#) on 7/27/2011
Amended by Ord. [10-01-2014](#) on 10/1/2014
Amended by Ord. [10-01-2014](#) on 10/1/2014
Amended by Ord. [05-05-2015](#) on 5/6/2015
Amended by Ord. [02-01-2018](#) on 2/7/2018
Amended by Ord. [09-03-2019](#) on 9/17/2019
Amended by Ord. [09-05-2020](#) on 9/1/2020

10.20.080 R-10 RESIDENTIAL ZONE

A. Objectives And Characteristics: The objective in establishing the R-10 Residential Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by smaller to medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone. The uses permitted in this zone shall be single-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003)

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-10 Zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the R-10 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | R-10 |
|---|------|
| Adult daycare | C |
| Assisted living facility - large | C |
| Assisted living facility - small | P/C |
| Caretaker facilities associated with a permitted or conditional use | C |
| Cemeteries | P |
| Child daycare centers | C |
| 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 R-10 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 |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Large scale developments | C |
| Parks | 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 | P |
| Residential facilities for the elderly pursuant to SCC 10.56 | P |
| Residential support facility | P |
| Schools | P |
| Sheltered workshop | C |
| Single-family dwellings and related accessory uses | P |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | N |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements: A land area of not less than nine thousand six hundred (9,600) square feet shall be provided and maintained for each existing lot, tract, or parcel of land within the R-10 Zone. All lots, tracts or parcels created after adoption of this paragraph C shall have a minimum of ten thousand (10,000) square feet provided and maintained for each lot. (Ord. 03-01-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)
- D. Width Requirements: The minimum width of lots in this zone shall be eighty (80) linear feet. All corner lots shall have a minimum of ninety five feet (95') width for all property lines adjacent to a public street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)
- E. Location Requirements:
 - 1. Dwellings And Other Main Buildings:
 - a. Front Setback: Thirty feet (30') from the front lot line.

- b. Front Setback On Corner Lot: Thirty feet (30') from property line along primary frontage, twenty five feet (25') from property line along secondary frontage.
- c. Side Setback: Ten feet (10') from side property line.
- d. Rear Setback: Twenty five feet (25') from rear property line.
- e. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted Parks, Recreation and Open Space Master Plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty five feet (25') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.
- d. Side Setback: Accessory structures must be ten feet (10') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

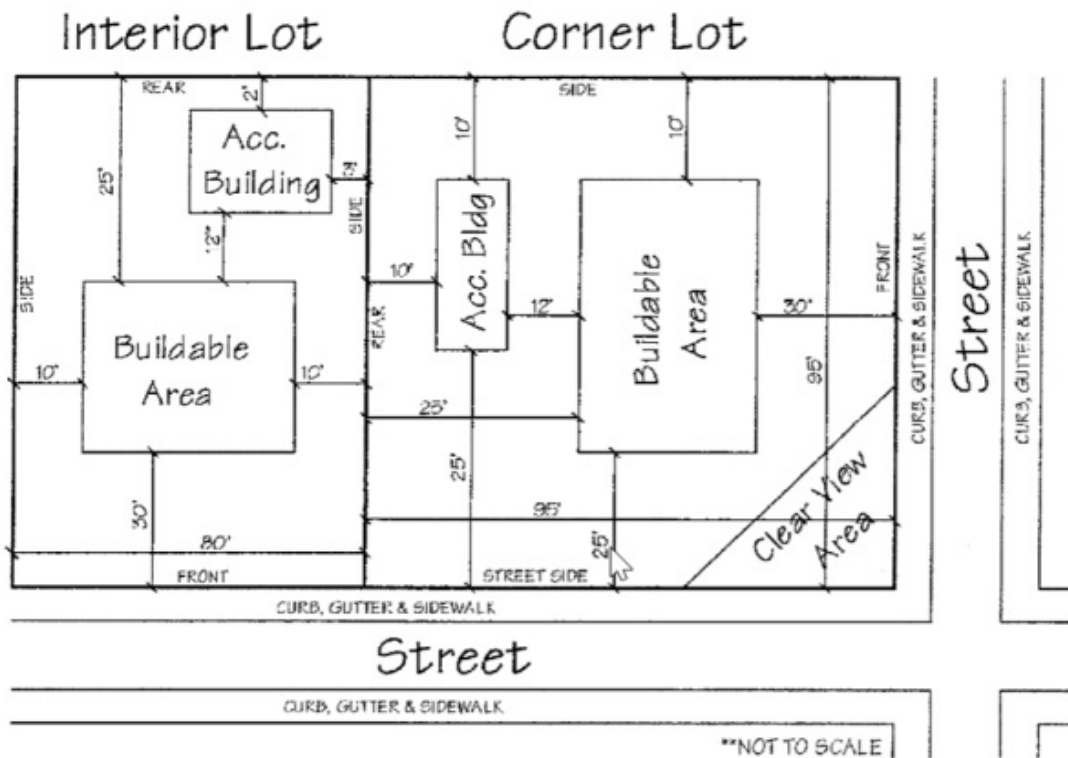
3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 03-02-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

F. Dwelling Size: Minimum dwelling size shall be nine hundred (900) square feet floor area on the main floor. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

G. Property Development Standards:

Zoning Requirements: R-10 Property Development Standards

Residential Lots: Interior And Corner Lots



-All setbacks and lot dimensions are minimums unless otherwise noted.

-Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.

-Minimum lot area: 9,600 square feet.

-Accessory building setbacks may be reduced, as shown on the typical lot above, as outlined in this code.

-Minimum dwelling size: 900 square feet.

-Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.

*Accessory building setback measured to the closest point of the primary structure.

(Ord. 4-02-2005, 4-20-2005, eff. 4-21-2005; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

HISTORY

- Amended by Ord. [07-02-2010](#) on 7/21/2010
- Amended by Ord. [07-01-2011](#) on 7/27/2011
- Amended by Ord. [10-01-2014](#) on 10/1/2014
- Amended by Ord. [05-05-2015](#) on 5/6/2015
- Amended by Ord. [02-01-2018](#) on 2/7/2018
- Amended by Ord. [07-01-2021](#) on 7/20/2021

10.20.090 R-12 RESIDENTIAL ZONE

A. Objectives And Characteristics: The objectives of establishing the R-12 Residential Zone are to encourage the creation and maintenance of residential areas within the City which are characterized by medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone.

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-12 Zone (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the R-12 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | R-1 |
|---|-----|
| Adult daycare | C |
| Assisted living facility - large | C |
| Assisted living facility - small | P/C |
| Caretaker facilities associated with a permitted or conditional use | C |
| Cemeteries | P |
| Child daycare centers | C |

| | |
|---|-----|
| 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 R-12 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 |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Large scale developments | C |
| Parks | 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 | P |
| Residential facilities for the elderly pursuant to SCC 10.56 | P |
| Residential support facility | P |
| Schools | P |
| Sheltered workshop | C |
| Single-family dwellings and related accessory uses | P |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | N |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements: A land area of not less than twelve thousand (12,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the R-12 Zone. Corner lots shall contain a minimum of thirteen thousand two hundred twenty five (13,225) square feet. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)
- D. Width Requirements: The minimum width of lots in this zone shall be one hundred (100) linear feet. All corner lots shall have a minimum width of one hundred fifteen feet (115') along all property lines adjacent to a street. (Ord. 2-01-2002, 2-5-2002, 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)
- E. Location Requirements:
1. Dwellings And Other Main Buildings:
 - a. Front Setback: Thirty feet (30') from the front lot line.

- b. Front Setback On Corner Lot: Thirty feet (30') from property line along primary frontage, twenty five feet (25') from property line along secondary frontage.
- c. Side Setback: Ten feet (10') from side property line.
- d. Rear Setback: Twenty five feet (25') from rear property line.
- e. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted Park Recreation and Open Space Master Plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

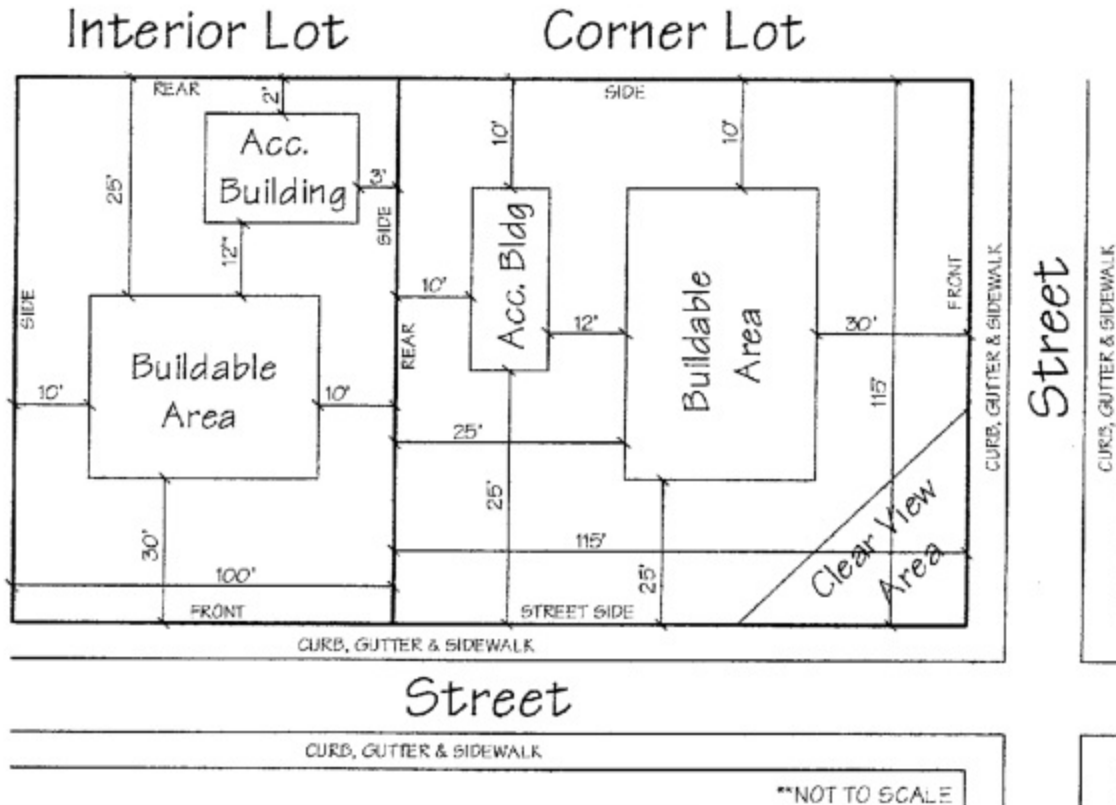
- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty five feet (25') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along secondary frontage.
- d. Side Setback: Accessory structures must be ten feet (10') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

- 3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 03-02-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

F. Dwelling Size: Minimum dwelling size shall be one thousand (1,000) square feet floor area on the main floor. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

G. Property Development Standards:

Zoning Requirements: R-12 Property Development Standards
Residential Lots: Interior And Corner Lots



- All setbacks and lot dimensions are minimums unless otherwise noted.
- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Minimum lot area: 12,000 square feet (13,225 square feet for corner lots).
- Accessory building setbacks may be reduced, as shown on the typical lot above, outlined in this code.
- Minimum dwelling size: 1,000 square feet.
- Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.
- *Accessory building setback measured to the closest point of the primary structure

(Ord. 4-02-2005, 4-20-2005, eff. 4-21-2005; amd. Ord. 07-01-2011, 7-27-2011, eff.

28-2011)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [05-05-2015](#) on 5/6/2015

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.100 R-15 RESIDENTIAL ZONE

A. Objectives And Characteristics: The objectives of establishing the R-15 Residential Zone are to encourage the creation and maintenance of residential areas within the City which are characterized by medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone.

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-15 Zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the R-15 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | R-15 |
|---|------|
| Adult daycare | C |
| Assisted living facility - large | C |
| Assisted living facility - small | P/C |
| Caretaker facilities associated with a permitted or conditional use | C |
| Cemeteries | P |
| Child daycare centers | C |

| | |
|---|-----|
| 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 R-15 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 |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Large scale developments | C |
| Parks | 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 | P |
| Residential facilities for the elderly pursuant to SCC 10.56 | P |
| Residential support facility | P |
| Schools | P |
| Sheltered workshop | C |
| Single-family dwellings and related accessory uses | P |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | N |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements: A land area of not less than fifteen thousand (15,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the R-15 Zone. Corner lots shall contain a minimum of fifteen thousand six hundred twenty five (15,625) square feet. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)
- D. Width Requirements: The minimum width of lots in this zone shall be one hundred ten feet (110'). All corner lots shall have a minimum width of one hundred twenty five feet (125') along all property lines adjacent to a street. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

E. Location Requirements:

1. Dwellings And Other Main Buildings:

- a. Front Setback: Thirty feet (30') from the front lot line.
- b. Front Setback On Corner Lot: Thirty feet (30') from property line along primary frontage, twenty five feet (25') from property line along secondary frontage.
- c. Side Setback: Ten feet (10') from side property line.
- d. Rear Setback: Twenty five feet (25') from rear property line.
- e. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted Parks, Recreation and Open Space Master Plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty five feet (25') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.
- d. Side Setback: Accessory structures must be ten feet (10') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be

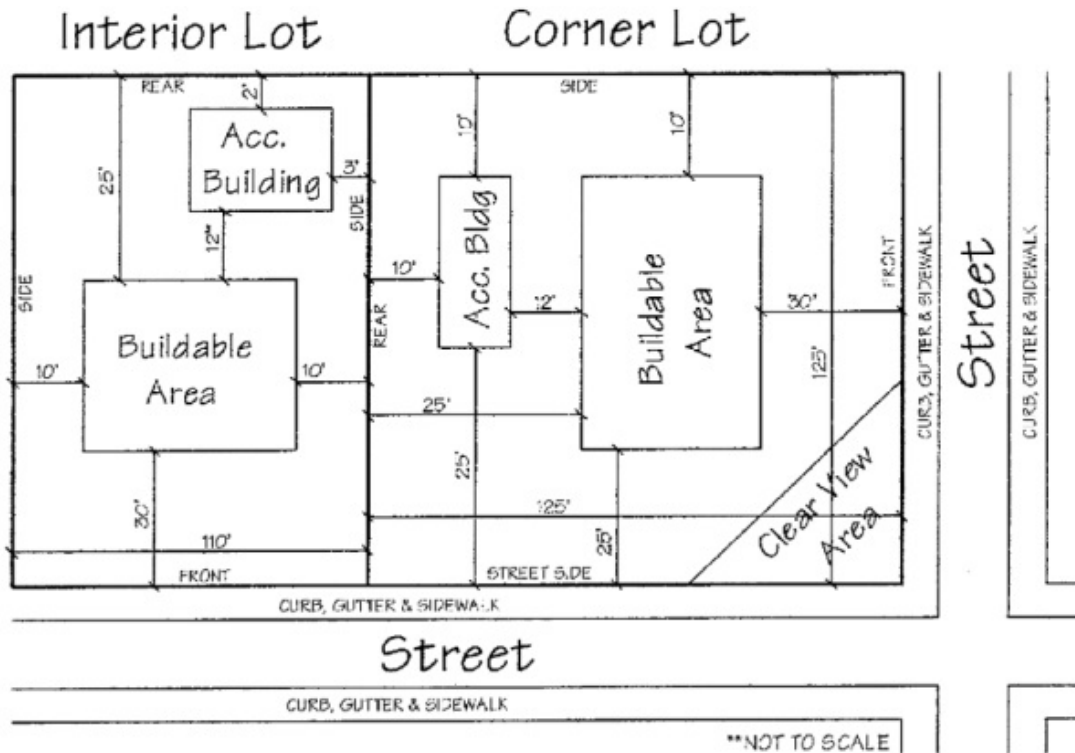
permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 03-02-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

F. Dwelling Size: Minimum dwelling size shall be one thousand (1,000) square feet floor area on the main floor. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

G. Property Development Standards:

Zoning Requirements: R-15 Property Development Standards
Residential Lots: Interior And Corner Lots



- All setbacks and lot dimensions are minimums unless otherwise noted.
- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Minimum lot area: 15,000 square feet (15,625 square feet for corner lots).
- Accessory building setbacks may be reduced, as shown on the typical lot above, as outlined in this code.
- Minimum dwelling size: 1,000 square feet.

-Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.

*Accessory building setback measured to the closest point of the primary structure.

(Ord. 4-02-2005, 4-20-2005, eff. 4-21-2005; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [05-05-2015](#) on 5/6/2015

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.110 R-20 RESIDENTIAL ZONE

- A. Objectives And Characteristics: The objective of establishing the R-20 Residential Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by larger lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003)

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-20 Zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

- B. Permitted Uses: Land uses in the R-20 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the zone. |

| Use | R-20 |
|---------------|------|
| Adult daycare | C |

| | |
|---|-----|
| Assisted living facility - large | C |
| Assisted living facility - small | P/C |
| Caretaker facilities associated with a permitted or conditional use | C |
| Cemeteries | P |
| Child daycare centers | C |
| 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 R-20 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 |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Large scale developments | C |
| Parks | 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 | P |
| Residential facilities for the elderly pursuant to SCC 10.56 | P |
| Residential support facility | P |
| Schools | P |
| Sheltered workshop | C |
| Single-family dwellings and related accessory uses | P |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | N |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements: A land area of not less than twenty thousand (20,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the R-20 Zone. Corner lots shall contain a minimum of twenty one thousand twenty five (21,025) square feet. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-

2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

D. Width Requirements: The minimum width of lots in this zone shall be one hundred thirty (130) linear feet. All corner lots shall have a minimum of one hundred forty five feet (145') along all property lines adjacent to a street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

E. Location Requirements:

1. Dwellings And Other Main Buildings:

- a. Front Setback: Thirty feet (30') from the front lot line.
- b. Front Setback On Corner Lot: Thirty feet (30') from property line along primary frontage, twenty five feet (25') from property line along secondary frontage.
- c. Side Setback: Ten feet (10') from side property line.
- d. Rear Setback: Twenty five feet (25') from rear property line.
- e. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted Parks, Recreation and Open Space Master Plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty five feet (25') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.
- d. Side Setback: Accessory structures must be ten feet (10') from a

side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.

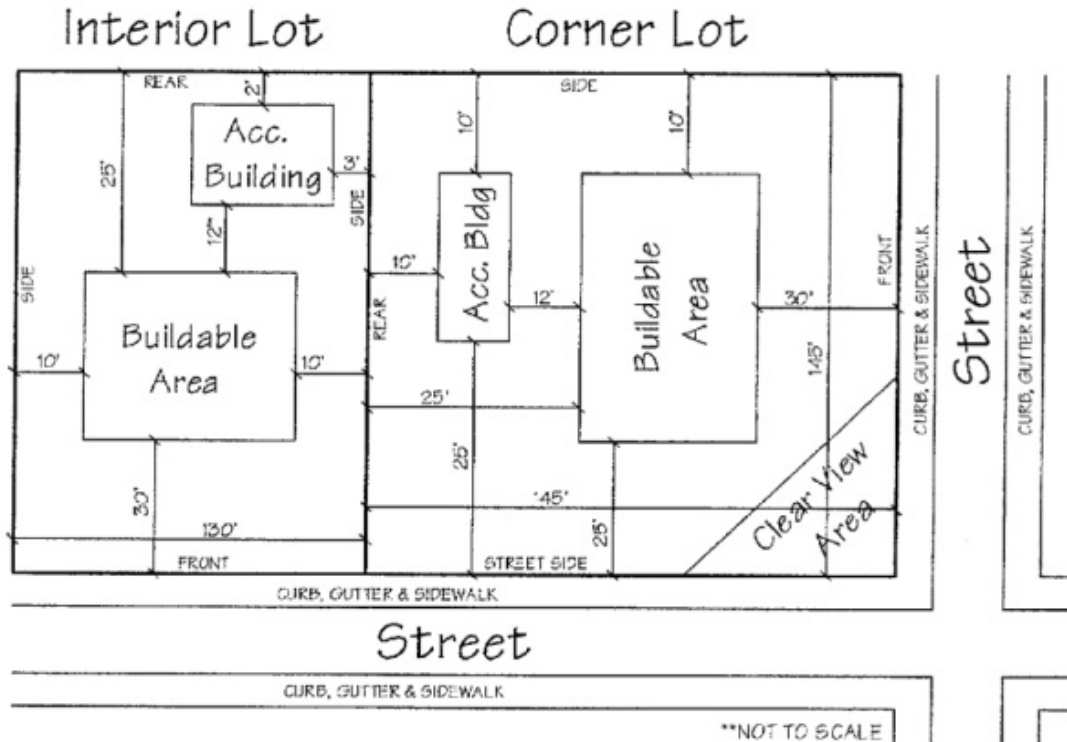
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 03-02-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

F. Dwelling Size: Minimum dwelling size shall be one thousand two hundred (1,200) square feet floor area on the main floor. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

G. Property Development Standards:

Zoning Requirements: R-20 Property Development Standards
Residential Lots: Interior And Corner Lots



-All setbacks and lot dimensions are minimums unless otherwise noted.

- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Minimum lot area: 20,000 square feet (21,025 square feet for corner lots).
- Accessory building setbacks may be reduced, as shown on the typical lot above, as outlined in this code.
- Minimum dwelling size: 1,200 square feet.
- Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.
- *Accessory building setback measured to the closest point of the primary structure.

(Ord. 4-02-2005, 4-20-2005, eff. 4-21-2005; amd. Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.120 COMMERCIAL ZONES

- A. Objectives And Characteristics: Santaquin desires to promote and strengthen the quality of life, city's tax base necessary for sustaining essential government services and general commerce. Residential development does not generally provide enough revenue to cover the costs associated with these efforts. City revenue generators usually include retail and office development, product manufacturing and warehousing, agribusiness and technology industries. These economic opportunities are necessary for the city's long-term sustainability and viability. Commercial zones are therefore appropriate to guide development to locations which will be advantageous to local residents, general consumers and themselves while accomplishing the goals and policies of the city's general plan.

Commercial zones within Santaquin City should accomplish the following:

1. These zones should be characterized by a harmonious grouping of a variety of specialty shops, office buildings, or other permitted uses to meet the shopping needs of the community and surrounding areas.
2. These zones should facilitate business retention and expansion while attracting new businesses compatible with the city identity and which will further the goals and policies of the city's general plan.
3. These zones shall promote new development which is characterized by well-located frontages, safe access and egress, proper parking design, coordinated site planning and building architecture.
4. Emphasis within commercial zones shall be to protect the appearance of the city.

city and the overall image and identity of Santaquin as a community prospering and thriving.

5. Commercial zones should be located adjacent to major thoroughfares or corridors which provide ease of access for automobile traffic without passing through residential areas and any impacts to existing neighborhoods should be mitigated by new developments.
6. Commercial uses should be widely accessible, clustered near the center city areas and developed compatibly with the uses and character of surrounding areas.
7. Commercial areas shall have safe and convenient pedestrian access to all residential and service areas. (Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

B. Commercial Zones Established: The following commercial zones are established in the code. Parenthetical notations shown for each zone shall mean to represent such zone a parts where utilized within this code.

1. Interchange Commercial (C-1): This zone is created for application around major transportation routes and nodes which offer visitors, tourists, and residents a positive impression of Santaquin. Additionally, the area would serve to promote a variety of oriented businesses. Businesses within this zone will generally stand alone or in small groups. Medium size box stores with satellite commercial buildings will be allowed to complement the identity of the city and surrounding residential neighborhoods and shall not be unreasonably disrupted. Special emphasis is to be placed on the proximity to the Main Street freeway interchange and along Highway 198.
2. Professional Office (PO): This zone is created for application around and near major and minor transportation nodes, which may function as gateways to the city's residential areas but be conducive to professional office uses. Buildings and uses within this zone shall have limited impacts on adjacent residential uses through appropriate housing design, noise buffering, aesthetic considerations, and little intrusion of traffic into residential neighborhoods. (Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

C. Permitted Uses: General land uses within commercial zones shall complement the city's plan for their respective areas. Those uses allowed in the city's commercial zones are shown 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 standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area 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 | |
|---|--|
| Accessory building | |
| Adult daycare | |
| Alcoholic beverage class A license (store; beer only) | |
| Alcoholic beverage class B license (bars) | |
| Alcoholic beverage class C license (restaurants/clubs) | |
| Alcoholic beverage class D license (hotel/conventions) | |
| Alcoholic beverage class E license (liquor store, etc.) | |
| Arcade | |
| Art gallery | |
| Auto, truck, RV, and equipment sales or rental | |
| Auto, truck, RV, and equipment storage | |
| Automotive service and repair, major | |
| Automotive service and repair, minor | |
| Automotive service station | |
| Bakery, commercial | |
| Brewpub | |
| Car wash service | |
| Caretaker facilities associated with a permitted or conditional use | |
| Commercial, ancillary | |
| Commercial, convenience store | |
| Commercial parking lot or garage | |
| Commercial, repair services | |
| Commercial, retail sales and services | |
| Day treatment | |
| Daycare center | |
| Drive-in, retail | |
| Dwelling, multiple-family | |
| Engraving, publishing, and printing | |
| Financial, insurance, and real estate offices | |

| | |
|--|--|
| Furniture and appliance stores | |
| Healthcare facility (large) | |
| Healthcare facility (small) | |
| Hotels | |
| Institutions | |
| Kennels | |
| Mortuaries, funeral home | |
| Motels | |
| Multiple-unit dwellings as part of a mixed use development | |
| New and used car sales | |
| Pawnshops | |
| Permanent makeup establishment | |
| Professional offices or financial services | |
| Public and quasi-public buildings | |
| Public park, private park or playground | |
| Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures | |
| Recreational activity businesses | |
| Recreational vehicle (RV) parks | |
| Religious center | |
| Research and development and related offices space | |
| Resident healthcare facility | |
| Restaurant | |
| Restaurant with drive-through facilities | |
| School, commercial (art, music, hair, massage) | |
| Schools, public or quasi-public | |
| Seasonal businesses, subject to SCC 10.16.300 | |
| Sexually oriented business | |
| Social or reception center | |
| Stone and monument sales | |

| | |
|--|--|
| Storage unit facilities | |
| Tattoo parlor | |
| Taxidermy shops | |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary businesses, subject to the provisions of SCC 10.16.300 | |
| Theaters | |
| Tire recapping | |
| Treatment facility (large) | |
| Treatment facility (small) | |
| Veterinarian hospital, small animal | |
| Wedding chapels | |
| Wholesale stores | |

(Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014; amd. Ord. 02-01-2018, 2-7-2018, eff.

D. Applicability of Standards:

1. General City Standards: Within these Commercial Zones, all Santaquin C policies, regulations and plans shall apply. Where conflicts occur regarding requirements, these standards shall supersede those of the general Santa standards (e.g., compliance with landscaping and parking standards shall applicable sections of this Code).
2. Existing Business Or Redevelopment: These standards shall be consider all new or redevelopment within Commercial Zones. Any exterior changes material change, building addition, etc.) to an existing business must be re City's Architectural Review Committee for compliance with these standard the building being modified. If a remodel or addition exceeds forty percent exterior then the entire structure exterior shall become compliant with the General maintenance of materials and building exteriors will not be require by the City's Architectural Review Committee. (Ord. 03-04-2014, 3-19-201

E. Review Of Development Applications: All applications within the Commercial Zor these standards shall be reviewed by the City's Architectural Review Committee (Development Review Committee (DRC). Compliance with the building architectu be determined by the ARC. The DRC shall be the Land Use Authority and will de compliance with the site standards set forth below.

Appeals of final decisions based upon these standards or the underlying zone sh: Appeal Authority review in accordance with the procedures of the Santaquin City

Appeal Authority Ordinances, as appropriate. (Ord. 04-02-2019, 4-16-2019, eff. 4-

F. Site Standards: In general, buildings should be located so as to be visible from main thoroughfares, to provide clear orientation and access for vehicular and pedestrian traffic. Building structures should be located in consideration of the existing built context, the local character, and the location of major roadways. Appropriately located pedestrian courtyards, gathering areas and accessible, well landscaped environments that encourage pedestrian movement both within the new commercial development and among adjacent lanes are encouraged.

1. Lot Standards: No minimum lot area and width standards are specified for commercial zones, except that an area sufficient to accommodate building requirements, off street parking, loading and unloading, and vehicular access is provided and maintained by the owner.

2. Building Location Standards: The following standards shall apply to structures located within the respective commercial zones.

a. Submittal Of Plan: Where a development is to be completed in phases, a plan showing the overall commercial development and building and improvement locations must be submitted to the planning commission for concept review and approval prior to any site plan approvals for building site or location. Construction of buildings on pad sites may begin until construction has begun on the major anchor tenants of the project and pending architectural review committee approval.

b. Setback Requirements:

| | | C-1 |
|------------------------------|--|---------------------------|
| Front setbacks: | | |
| | From primary public frontage to building/ parking | 10/10 |
| | From secondary public frontage to building/ parking ¹ | 10/10 |
| | From private frontage | 0 |
| Side setbacks ² : | | |
| | Minimum from adjacent property to building/ parking | 0 or 10'0 if shared or 5' |
| | If side abuts a residential zone | 15' |
| | Minimum from private street/drive aisle curb | 10' |
| Rear setbacks: | | |
| | | |

| | |
|---|-----------------------|
| Minimum from adjacent property to building/ parking | 10'/0 if shared or 5' |
| If rear abuts a residential zone | 15' |
| Minimum from private street/drive aisle curb | 10' |

Notes:

¹ Secondary frontage shall be the frontage on the lower classification development fronts onto 2 streets of differing classification. Where are equally classified, the secondary frontage shall be the street with the greater traffic volumes.

² Commercial buildings may be designed and constructed to be connected by a common wall along a side or rear property line, with a neighboring building if the adjoining building is planned as a part of the same commercial development or plan, whether or not in subsequent phases and as long as applicable standards are still met. If no wall is to be shared along the property lines, then the greater setback shall be required.

- c. Accessory Structures: Accessory structures (e.g., trash enclosures, etc.) may not be located in required front yard setback or landscape area. All accessory structures must comply with all applicable landscape requirements found within 10.52.050. Trash enclosures shall be located so as to minimize disturbance to adjacent residential development.



- 3. Grading Standards: Site planning must take into consideration the existing

of the site. Grading of property should be sensitive to and compatible with properties and public streets. Commercial properties adjacent to existing c properties will be restricted in raising or cutting the elevation of the comme property lines unless approved by the city with appropriate buffering meas

- a. The use of landscaped, sloped areas is usually preferable to retain of terraced parking lots, stepped building pads, retaining walls and may be necessary to achieve this.
- b. Retaining wall heights are limited to a maximum height of four feet the highest point of grade, unless otherwise authorized by the arch committee. Cast in place concrete walls may not be utilized for reta unless a decorative stone or other approved veneer material and/o placed on the visible portions of the wall.





Appropriate use of landscape terraces and retaining walls to address differences between parking areas and stores (top) and along commercial (bottom).

4. Site Amenities: Site amenities shall be provided in accordance with the following. All such amenities shall be owned and maintained by the property owner or association.
 - a. A sense of entry or arrival should be created at primary entryways in development. Building placement, landscaping, gates, entry monuments, lighting and other design elements may be used to create this desired effect.
 - b. Public art promotes the cultural and historic characteristics of Santa Fe and surrounding areas. It also encourages pedestrian activity and contributes to the overall experience of residents and business patrons. Public art (which may include murals, glass, mixed media or work by artisans), that is accessible and viewable to the general public is encouraged to be included in all projects.



Examples of public art around and on commercial buildings.

- c. Areas devoted to pedestrian use should be delineated through the paving (e.g., stamped and colored concrete, pavers, etc.), landscape outdoor furniture. Elements such as benches, fountains, play areas amenities should be designed and where feasible are usable through (e.g., buffered from the elements, open to sunshine).







Examples of paving materials and features used to delineate pedestrian areas.

- d. Within master planned developments over five (5) acres, amenities courtyards or plazas shall be included within the overall and individual shall be functional and designed as part of the overall project, as opposed to relegated to "ancillary" spaces unsuitable for other purposes. Such plazas, at the city's discretion, may be included within the open space.





Examples of plaza areas and courtyard features.

5. Fencing And Screening Standards:

- a. Construction: Fences and perimeter or screen walls should be constructed of durable material such as stone, brick, vinyl, metal (having a dark finish), or any combination approved through the architectural review process. Perimeter screening may also include landscaping elements (e.g., trees, shrubs, etc.) as approved through the architectural review process. Chainlink fencing shall not be used, except in areas where it is not highly visible. Any chainlink materials must be vinyl coated. Concrete walls should have a masonry, stone, scoring with texturing or other approved finishes. Fences should have a finished stain with sealant.
- b. Minimal View Of Service Areas: Loading docks and similar service areas should be oriented in such a way as to be minimally viewed from generally accessible areas. Where site conditions do not enable this, screening of service areas should be provided. This may include a wall with minimum height of six feet (6 feet), using approved materials, finishes, and similar or complementary architectural treatments such as building, landscaping, or other city approved method.



Appropriate use of wall design and landscaping elements to screen area (above).

- c. Outside Storage Or Display Areas: Permanent outside storage or display areas shall be considered those areas utilized for more than six (6) months in a storage or display or storage purposes. These should be screened with walls of a sufficient height to screen the top of the materials stored. Such walls should utilize materials and design features which are similar to the associated building. Permanent outside storage or display areas shall be consistent with the overall project in design and location.
- d. Utility Equipment Screened From View: All ground or wall mounted meters, transformers, and HVAC equipment shall be screened from view with walls, landscaping, paint application or combination of the four (4) methods. Equipment screening in areas not generally accessible to the public shall be designed and constructed in a manner that is consistent with the overall project, but should include at least paint applications.
- e. Visual Relief: Screening walls and fencing should have visual relief every fifty feet (50').
- f. Antigrffiti Protections: All wall types must utilize antigrffiti protection at a height of nine (9') or the maximum height of the wall whichever is less.

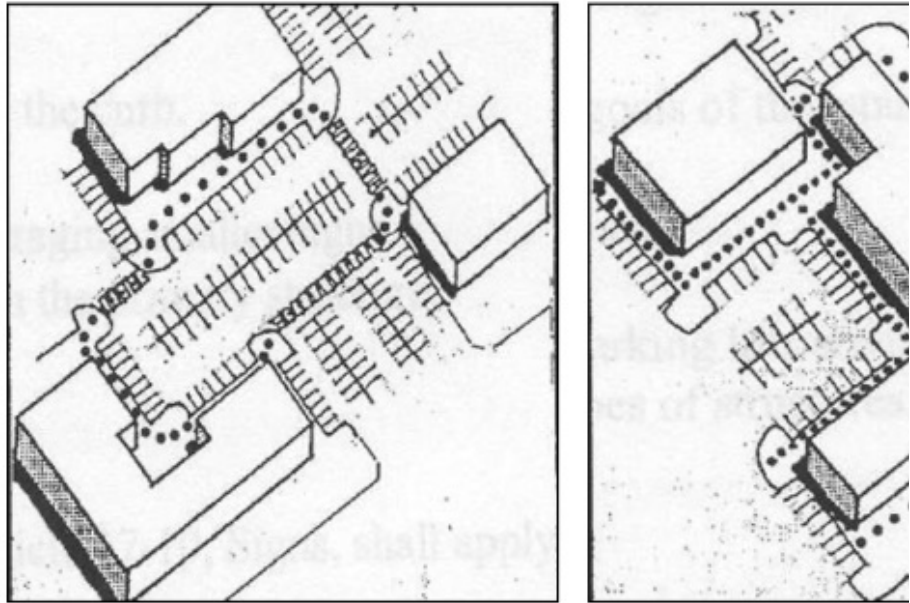
6. Vehicular And Pedestrian Circulation:



Example of pedestrian connection from a local street, in background, to bu

- a. Access points along collector or arterial roads should be limited in location; driveways should be planned and, when feasible, shared properties.
- b. All commercial developments shall provide access to and between commercial or mixed use properties and their associated parking as reasonably possible. Such access shall be designed based on the anticipated site layout of the adjoining property. Barriers that limit commercial developments and parking lots are not permitted. Examples include topographic changes, or other similar types of obstructions.
- c. Site planning must provide for a separation of pedestrians from vehicles. Pedestrian circulation must be provided along frontages, from the parking to buildings, and provided to connect all buildings within the site in a consistent manner.
- d. Pedestrian walks and crossings should be located to minimize the interruptions by creating a continuous walking environment along and between buildings. Where pedestrian crossing areas exist, minimize the dis

street, drive aisle, or similar walking interruption by use of extended curbs, planters, etc.



Example of a conflicting auto and pedestrian routes design (left) and separated pedestrian and automotive circulation plan (right).

- e. Pedestrian areas adjacent to buildings exceeding two hundred feet should be designed with a Main Street look and relational feel by including landscaping, street furniture, pedestrian scale lighting, etc.



Example of Main Street style streetscape.

7. Lighting: In addition to the provisions of SCC 10.48.070 the following shall
 - a. All poles and fixtures shall be aesthetically compatible with all other
 - b. Separate pedestrian scale lighting should be provided for all pedestrian parking lots and building mounted decorative fixtures provided for pedestrian along buildings.







Examples of site and building lighting designed to promote business development character as well as provide pedestrian scale lighting

(Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

G. Building Architectural Standards:

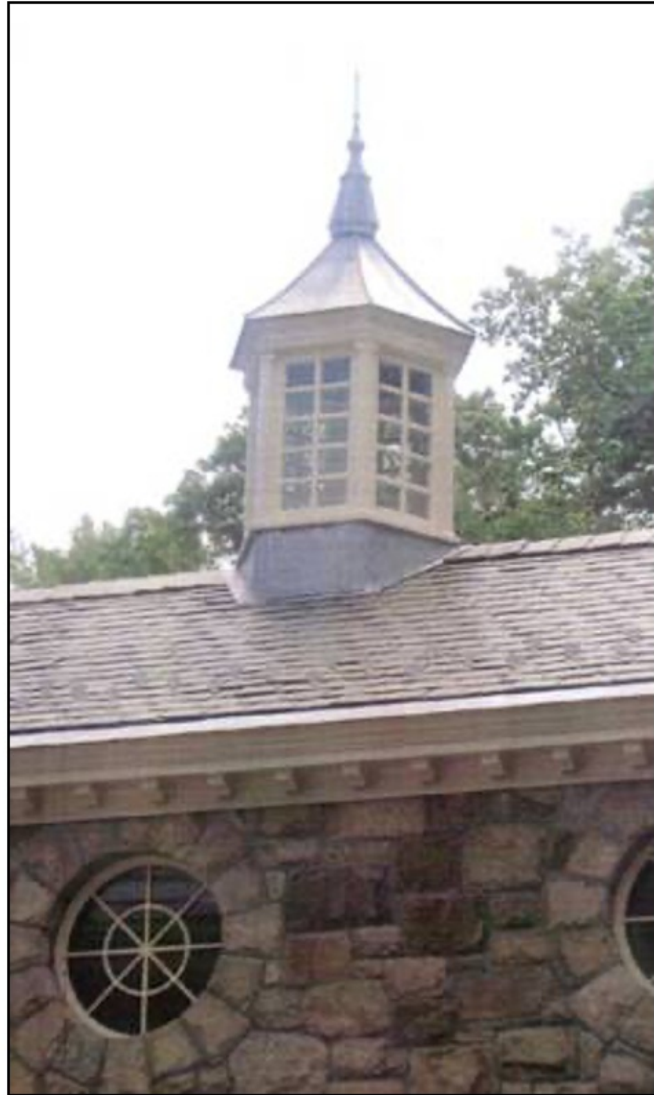
1. Development Theme: The architectural standards of this code are intended to preserve the rural character and theme of the area and the community's desire to maintain agricultural and equestrian components. Building designers should consider colors and materials of the surrounding area in concert with agrarian, craftsman, and similar rural forms when preparing plans for new building construction. The standards should serve as the minimum to which new developments can conform. Designers are encouraged to incorporate other elements which may further enhance the rural character and intent.





2. Minimum Building Footprint: No minimum square foot requirements are specified for commercial zones.
3. Maximum Heights: The maximum height of buildings in commercial zones is 48 feet (48'). However, architectural elements (e.g., domes, towers, spires, cupolas, finials, etc.) may exceed the maximum height limit for the district, when specified through the architectural review process.





4. Buildings Materials:

a. Primary Exterior Materials:

- (1) Primary exterior finish materials shall make up at least sixty percent of the building after the transparent area is deducted. The percentage is based on the entire area of the building. Rear elevations required for customers or visible from adjacent public rights of way shall have forty percent (40%) primary materials, but may have twenty percent otherwise. Rear elevation or service area visibility considerations shall be taken into account planned landscaping, fencing and topographic limitations.
- (2) Primary exterior finish materials shall be low reflectance and have natural textures. Examples of permitted primary exterior materials include brick, split faced block, cut stone and low maintenance wood.

siding products. The use of all glass exterior, smooth faced block, prefabricated steel panels, EIFS (stucco) shall be prohibited. The primary building material shall be stone.





Examples of appropriate building design and use of materials such as wood and hardy board products on an office building (top) and a garage building (bottom).

- b. Secondary Materials And Trim Materials: Secondary materials and trim shall complement the primary materials in texture and scale and provide a subtle contrast to be visible. EIFS materials may be utilized. Vinyl or aluminum may only be used for soffit or fascia elements unless otherwise approved by the architectural review committee on less than twenty five percent (25%) area.
- c. Accessory Structures: Accessory structures, such as gasoline pumps, utility structures (gas, electric), and other accessory structures shall incorporate architectural elements or types of primary materials and colors as the main structure.



Example of accessory structure (i.e., gas island canopy) utilizing site design elements as the primary building.

- d. Material Colors: Material colors should consist of earth tones, and colors that readily or were historically found around the Santaquin area, e.g., red, tan, wood, stone or brick. The use of high intensity colors, primary colors, black or fluorescent colors is not permitted for primary exterior materials and trim materials shall complement the primary material.

5. Building Entrances:

- a. Entrances must be well defined from access drives, pedestrian link and major parking areas with one or more of the following:
 - (1) Roof elements such as gable ends,
 - (2) Canopy, awnings, overhang or arch above the entrance (color and material to be consistent with building facade)
 - (3) Recesses or projections in the building facade surrounding the entrance
 - (4) Display windows surrounding the entrance.
- b. Public entrances, patios, faux windows or dining areas appropriate to the establishment should be provided on any building side facing a publicly utilized area. Secondary public/customer entrances on the rear or side of building should receive architectural consideration similar to the primary entrances. Service only entrances not visible from a publicly utilized area are excluded from architectural consideration requirements.

6. Building Elevations:

- a. Building faces must incorporate architectural features or treatments that reduce building mass (30 - 50') to diminish building mass. The following techniques shall be used to accomplish this requirement; additional techniques proposed by the applicant shall be considered by the architectural review committee:

- (1) Variations in facade color, texture, or both.
 - (2) Variations in roof forms and heights of roof elements.
 - (3) Compositions that emphasize floor lines, or otherwise express patterns of windows, columns, and other architectural features.
 - (4) Express the position of each floor in the external design. Use structural elements, a change in materials, or the use of bel horizontal trim bands of contrasting color and/or materials to define floor lines.
 - (5) Use windows, trellises, wall articulation, arcades, material changes, or other features to avoid blank walls at ground floor levels.
 - (6) The use of materials relatable to human proportions, such as modular stone, stucco, glass and decorative tiles.
 - (7) Columns, pilasters, canopies, porticoes, awnings, brackets, and other such architectural features.
 - (8) Additional landscaping elements along building walls.
- b. Building heights should be minimized and of compatible scale with planned development; the base of each building should appear to "anchored" closely to the ground through the use of heavier, larger materials, although actual building heights are expected to vary, in to major public roadways and, possibly, along the perimeter of the lot. Exposed foundation walls must be finished with appropriate brick, stone, or similar materials noted above.
- c. Material elements such as banding, cornice elements, pilasters, pilasters, etc., must be continued around building corners and only terminate at corners or as part of a logical terminus feature.



Example of appropriate termination and wrapping of materials and on a commercial building.

7. Windows: The design and amount of window area on a building can minimize blank walls and encourage a pedestrian friendly atmosphere. In order to be human scale and open shopping experience, windows and/or faux glazing should be utilized along building fronts where pedestrian traffic will occur. The following shall apply:
 - a. All windows should be designed with three-dimensional relief or moldings which accent the window locations and provide visual relief from the building (e.g., dormers, sills, etc.). Where appropriate, varying window shapes such as bay windows, corner windows, circle tops, or windows with shutters, etc., should be considered to add visual interest and character.
 - b. Use of clerestory or faux windows should be considered where facade height is twenty five feet (25') or more. Functionality and architectural integrity should be maintained in addition to addressing the articulation of upper level.

8. Use Of Awnings, Canopies, And Arbors: Awnings, canopies and arbors shall fit within the architecture of the buildings to which they are attached or located and serve to enhance the exterior of the building as an articulation and aesthetic element.
- a. Awnings or canopies shall project at least 3.0 feet from the building over a pedestrian traffic area and no less than two feet (2') otherwise.
 - b. A minimum clearance above sidewalk grade of eight feet (8') to the framework shall be maintained when located over a pedestrian traffic area. The bottom of the framework shall not be more than eight feet (8') above the maximum height of the protected window, door, or recessed building element, otherwise.
 - c. The top of the framework may not extend above a vertical wall termination or architectural elements.
 - d. All awnings that do not contain sign copy shall be made of woven canvas or architectural metal materials; glossy materials are not allowed.



Appropriate use of canvas and metal awnings.

9. Roof Designs And Parapets:
- a. Where gable or gambrel elements are utilized as part of the roof structure, decorative brackets, exposed timbers or similar features shall be used to enhance the architectural quality of the roofline.

- roof ends. Eaves should extend at least eighteen inches (18").
- b. Elements along flat roofs should be extended around building corners and changes in wall plane. Elements such as corner towers, pillars, cornices, etc., should be provided along and at the edges of walls to hide or "blend in" the form of a building.
 - c. Where roof mounted equipment is present:
 - (1) Screening such as parapets, architecturally designed enclosures, etc., should be provided to reasonably screen all roof equipment from a distance of one hundred feet (300') away from the building. Special consideration should be given to the varied topographic conditions around Santaquitos Canyon Preserve. Such screening should be designed to be aesthetically pleasing and blend with the surrounding environment.
 - (2) Where approved screening of roof equipment is provided and the equipment is still visible from neighboring transportation corridors, the equipment should be clustered together and painted the same color as the adjacent building/roof colors so as to minimize the visual impact of the equipment. Additional screening at site boundaries may be required as an appropriate mitigation measure in this instance.
 - d. Where no roof mounted equipment is present, the top of the exterior wall should be finished with a cap feature (e.g., cornice elements, cap finishes, etc.).
 - e. Sloped roofs or forms should have a minimum four to twelve (4:12) pitch. (Ord. 2014, 3-19-2014, eff. 3-20-2014)

H. Special Provisions:

- 1. Storage of junk, partially or completely dismantled automobiles, or salvage vehicles is prohibited in any commercial zone. (Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

HISTORY

Amended by Ord. [07-01-2011](#) on 7/27/2011

Adopted by Ord. [03-04-2014](#) on 3/19/2014

Amended by Ord. [02-01-2018](#) on 2/7/2018

Amended by Ord. [04-02-2019](#) on 4/16/2019

Amended by Ord. [04-01-2020](#) on 4/7/2020

10.20.130 I-1 INDUSTRIAL ZONE

- A. Objectives And Characteristics: The I-1 Industrial Zone has been established for the primary purpose of providing a location where manufacturing, processing, warehousing, and fabrication of goods and materials can be carried on most appropriately and with minimum conflict or deleterious effects upon surrounding properties.

Other objectives in establishing the zone are to promote the economic well being of the people and to broaden the City's tax base. This zone is characterized by a mixture of industrial, manufacturing, warehousing, and processing establishments with intermittent open land served by streets, power, water, and other utilities and facilities or where such facilities can be readily provided. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the I-1 Industrial Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | I-1 |
|--|-----|
| Accessory buildings and parking lots | P |
| Agriculture, fruit packing, and processing plants | P |
| Caretaker dwellings | P |
| Commercial, recreation | P |
| Crisis respite | 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 I-1 Zone and in accordance with SCC 10.16.280 | P |
| Manufacturing, compounding, processing, packing, fabrication, and warehousing of goods and materials, except the processing of animal byproducts, livestock feed yards, oil refineries, wallboard manufacturing, and similar establishments which emit offensive fumes, smoke, noise, odor, etc. | P |
| Public and quasi-public buildings | P |
| Public safety buildings | P |
| Recreational vehicle (RV) parks | N |
| Research and development and related offices space | P |
| Retail commercial uses when related to the product being manufactured | P |
| Sheltered workshop | P |

| | |
|--|---|
| Storage unit facilities | P |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary businesses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facility | C |

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

C. Reserved: (Ord. 03-01-2007, 3-7-2007, eff. 3-8-2007)

D. Area Requirements: In the I-1 zone, there shall be no land area requirements, except that an area sufficient to accommodate location requirements, off street parking, loading and unloading, and vehicular access shall be provided and maintained. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

E. Width Requirements: The minimum width of lots in this zone has not been specified. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

F. Location Requirements:

1. Front Setback: All buildings and structures shall be set back at least thirty five feet (35') from the front lot line. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

2. Side Setbacks:

a. Interior Lots: All main buildings shall be set back from the side property line a distance of at least ten feet (10'), and the sum of the total distance of the two (2) side setbacks shall be at least twenty feet (20'). Accessory buildings on interior lots shall be set back from the side property line a distance of at least ten feet (10'), except that a three foot (3') side setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any main building and having fire resistant walls of two (2) hours or more.

b. Corner Lots: All main and accessory buildings shall be set back from any street not less than twenty five feet (25'). Accessory buildings shall be set back not less than ten feet (10') from the interior side lot line, except that a three foot (3') interior side setback shall also be permitted for accessory buildings located a distance of twelve feet (12') from the rear of the primary structure and having fire resistant walls of two (2) hours or more.

3. Rear Setback:

a. Interior Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10').

Accessory buildings on interior lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings having fire resistant walls of two (2) hours or more and located at least twelve feet (12') to the rear of any dwelling.

- b. Corner Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on corner lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any dwelling and having fire resistant walls of two (2) hours or more. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002)

- 4. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)

G. Size Of Buildings: The ground floor area of all buildings has not been specified. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

H. Height And Size Requirements: There are no height or size requirements in the I-1 zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

I. Special Provisions:

- 1. Development landscaping shall be in accordance with SCC 10.52, "Landscaping Standards".
- 2. Materials placed in screened outside storage areas shall be stacked no higher than the screening fence, wall, or hedge. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

HISTORY

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [11-03-2014](#) on 11/5/2014

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.140 PC PLANNED COMMUNITY ZONE

A. Definitions: As used in this section, the following terms have the meanings ascribed to them, unless the context requires otherwise:

DESIGN GUIDELINES: Documentation that is submitted with an application for PC district zoning and that identifies in the proposed PC district the requirements and standards for residential densities, building height, bulk and setback

requirements by land use type, signage, landscaping, parking, open space, site plan review procedures, and procedures for modifying the planned community program.

DEVELOPMENT PLAN: A map or maps that are submitted with an application for PC district zoning and that identifies in the proposed PC district general land use designations, transportation plans, open space, and community facilities.

PLANNED COMMUNITY PROGRAM: The development plan and design guidelines that are submitted with an application for PC district zoning. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Purpose:

1. The planned community (PC) district is established to permit and encourage the development of comprehensively planned communities, with a minimum of eight hundred (800) contiguous acres of land under one ownership or control, which can flourish as unique communities as a result of the comprehensive planning required for this size of development. The reclassification of property to the PC district is appropriate only if the planned community program, with respect to such property, will accomplish the objectives set forth in paragraph B,3.
2. The PC district designation is intended to permit a greater amount of flexibility to the developer of a planned community because of the extended period of time necessary for development. The PC district regulations are intended to provide to the developer, and its successors and assigns, the rights described herein and to expressly set forth the procedures for obtaining review and approval of zoning and related site plans. The PC district regulations are also intended to provide opportunity and incentives to the developer to achieve excellence in physical, social, and economic planning.
3. In order for property to qualify for PC district zoning, the master developer, including its successors and assigns, must demonstrate the potential for achievement of the following specific objectives throughout the planning, design, and development stages:
 - a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the entire planned community, and to all adjacent land;
 - b. Providing for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income;
 - c. Providing for a planned and integrated comprehensive

transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation, roadways, bicycle or equestrian paths, pedestrian walkways, and other similar transportation facilities;

- d. Providing for cultural, educational, medical, religious, and recreational facilities;
- e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to provide view corridors; and
- f. Providing for adequate, well located, and well designed open space and community facilities. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

C. Design Guidelines: Development in the PC district may consist of any use or combination of uses that are specifically approved for the property in the planned community program. The developer shall include in the planned community program a listing of the uses proposed and the general arrangement thereof for each land use category within the proposed PC district. The listing and general arrangement of the approved land uses shall be shown in the planned community program that is adopted as part of the PC district approval. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

D. Density: The number of dwelling units permitted per gross acre in the PC district shall be determined at the time the planned community program is approved. The approved planned community program shall establish the maximum number of dwelling units per gross acre for each residential category, as well as for the entire property. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

E. Minimum Site Area For Reclassification: The minimum site area that is eligible for reclassification to the PC zoning district is eight hundred (800) acres. Additional tracts which contain less than the minimum site area and which are contiguous to property previously zoned PC may also be zoned PC by the city council if they otherwise qualify for the PC zoning designation. The reclassification of any such additional property shall be made subject to an approved planned community program applicable to that property. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

F. Presubmission Conference; Rezoning Application Requirements:

- 1. Before submitting an application for PC district zoning, the prospective developer, or its authorized representative, shall engage in a presubmission conference with the staff of the city to discuss preliminary land planning, including land use relationships, residential density, transportation systems, community facilities, and landscaping and open space provisions.

2. Plans and documentation which must accompany a rezoning application are as follows:
 - a. A development plan for the property, including general land use designations, transportation plans, and plans for open space and community facilities. A general phasing plan shall be included to indicate the intended timing of development;
 - b. Design guidelines that set forth densities, building height, bulk and setback requirements, requirements for signage, landscaping, parking, and open space; and procedures for site plan review, modification, and deviation from the planned community program;
 - c. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of two feet (2');
 - d. Conceptual utility layout that includes tentative sewer and water main corridors;
 - e. Proposed conditions, covenants, and restrictions, including design guidelines; and
 - f. Culinary and secondary water plan including source, type, and quantity of water shares or rights. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

G. Review, Recommendation, And Approval:

1. The initial zoning approval of a PC district shall consist of a review and recommendation by the planning commission and approval by the city council, in accordance with the provisions of this title. The approval of a PC district by the city council shall be accomplished directly by ordinance and shall include the approval and adoption of a planned community program. An approved planned community program shall be a matter of record and shall be made available in the city offices.
2. The developer, and its successors and assigns, may develop property in the PC district in accordance with, but only in accordance with, the approved planned community program and any approved modifications thereto or deviations therefrom. No modification or deviation shall be effective unless and until it is approved in accordance with paragraph G,3 and the procedures set forth in the planned community program. The city planner may request modification of a program in accordance with the modification procedures set forth in the program.
3. A planned community program shall contain procedures to provide for modification of and deviation from the program pursuant to review by the

development review committee, the planning commission, and the city council, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this title for the approval of any reclassification, variance, or conditional use permit. Modification or deviation may be approved only upon a finding by the planning commission or city council, as the case may be, that:

- a. The requested modification or deviation, if approved, will not affect the rights of property owners or residents within the PC district to maintain and enforce previously approved conditions, covenants, and restrictions and other rights in the planned community program; and
- b. The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved planned community program. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

H. Submission And Approval Requirements: Project approvals required by the city, according to SCC 10.68, to comply with this section shall be submitted and reviewed by city bodies in accordance with city subdivision and site plan review procedures. Any submittal requirements under this zone, which are above and beyond the city's typical application standards, shall still apply. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

I. Preliminary Plans And Documents:

1. Vicinity Plan: The developer shall prepare a vicinity plan which shows a simple concept of the major features of the development in relation to existing conditions and developments within one-fourth (1/4) mile of the outside boundaries of the development. Five (5) twenty four inch by thirty six inch (24" x 36") copies and ten (10) eleven inch by seventeen inch (11" x 17") copies of the vicinity plan, the required fee, and the environmental impact statement shall be submitted to the community development department.
2. Environmental Review: The environmental review shall describe the impact the development will likely have on the natural features of the immediate area. The statements shall also indicate the measures that will be taken to mitigate any negative conditions that will occur as a result of the project with respect to those items listed in the definition of "Environmental Review", in SCC 10.08.020.
3. Preliminary Plan: The developer shall prepare a preliminary plan and shall submit five (5) twenty four inch by thirty six inch (24" x 36") copies and ten (10) eleven inch by seventeen inch (11" x 17") copies of the plan

to the planning commission for approval. The plan must be submitted at least forty five (45) days prior to the meeting of the planning commission at which the plan will be considered. The preliminary plan shall be drawn to a scale not smaller than one inch to one hundred feet (1":100'), or as recommended by the planning commission. The plan shall show the following information:

- a. Type(s) of development;
- b. Name of development;
- c. Name, address, and phone number of the property owner(s) and the developer;
- d. Name, address, and phone number of the engineer and land surveyor;
- e. A site plan showing location of proposed streets and building sites;
- f. Proposed open space areas, i.e., parks, play equipment, dimensioned side, rear, and front yards, and the general location and description of all recreational and open space areas and facilities;
- g. Size and type of recreational buildings and other structures proposed for the common use of the residents with an indication of building materials to be used in the construction of buildings;
- h. Typical lot layout;
- i. North arrow and scale;
- j. Legal description with section tie;
- k. Zone boundaries and designations;
- l. Tabulation showing:
 - (1) Area of land within the residential development;
 - (2) Number of residential lots proposed;
 - (3) Percent of area to be devoted to parks and playgrounds;
and
 - (4) Number of off street visitor parking spaces;
- m. Proposed location of off street parking spaces;
- n. Typical street cross sections;
- o. Adjacent property owners;

- p. Existing and proposed easements, waterways, utility lines, canals, and ditches;
- q. A plan for accommodating waterways, ditches, and canals;
- r. Existing and proposed sewage disposal facilities;
- s. Existing and proposed storm drain system with the related runoff calculations for the development site;
- t. Existing and proposed water system indicating size of water lines and fire hydrant locations;
- u. An indication of the capacity of the water system as it relates to the project;
- v. Preliminary landscape plan indicating areas of landscaping and the various types of landscape materials to be used; and
- w. Any other information the city engineer, city planner, development review committee, planning commission, or city council may determine necessary relating to the particular site of the proposed project. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

J. Agreements: The developer shall submit to the city an agreement between the developer and the city stating among other things:

1. That in the event of failure or neglect on the part of the owners, successors, or assigns to maintain the water and sewage facilities, common areas, landscaping, or other improvements in good condition, the city may perform the necessary work and for that purpose may enter upon the land and do the work and charge the cost thereof, including reasonable attorney fees, to the owners or their successors or assigns;
2. That the owners, successors, or assigns will reimburse the city for all costs which the city incurs as a result of performing the necessary work;
3. That the terms of the contract shall be binding upon the heirs, assigns, receivers, and successors of the project for the life of the project or development; and
4. Any other conditions that the planning commission and/or city council deems to be reasonably necessary to carry out the intent of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

K. Planning Commission Action: Upon presentation of the preliminary plan and documents, the planning commission shall either recommend approval of them as submitted, recommend approval of them with conditions, or may refer them back to the developer for one or more of the following reasons:

1. If the project is determined to be inconsistent with this title or the general plan;
2. The planning commission requires that certain specific changes be made within the plans;
3. The plans or documents are not complete; and/or
4. The fees have not been paid in full by the applicant.

The planning commission may impose such conditions on preliminary development plans as it may deem appropriate to meet the goals and objectives of this section. The planning commission may disapprove plans which are found to be deficient in meeting the intent of these provisions. Any such disapproval may be appealed to the city council within ten (10) days after the decision of the planning commission. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

- L. Recommendation Of The Preliminary Plan To The City Council: Upon approval of the preliminary plans, the planning commission shall recommend the plans to the city council and recommend that a public hearing be held. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- M. Public Hearing: After receiving notice of planning commission approval of the preliminary plans, the city council shall set and hold a public hearing to consider approval of the project. The hearing shall be completed as set forth in the Utah state code. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- N. Time Limit From Preliminary Plan Approval: Any failure to submit a final development plan within one year of receiving preliminary approval for the development plans by the city council shall terminate all proceedings and render the preliminary plan null and void. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- O. Final Plat: Final plats shall be reviewed in accordance with city subdivision review procedures. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)
- P. Development Review Committee Conformance Review; Appeal:
1. Each site plan that is submitted in connection with the implementation of a planned community program shall be reviewed for conformance therewith by the development review committee. The committee may require modifications that bring the site plan into conformance with applicable standards of health, safety and welfare and may recommend design adjustments to better fulfill the intent of the planned community program approval and the purposes of the PC district.
 2. An applicant that is aggrieved by the decision of the development review committee with respect to a proposed site plan may request a review of such decision by the planning commission. An applicant that is aggrieved

by the decision of the planning commission may appeal such decision to the city council by filing a written request for appeal with the city recorder within fifteen (15) calendar days after the date of the planning commission's decision. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

Q. Filing Fee:

1. The applicant shall pay the fees that are set forth in the fee schedule for filing applications, requests for review and appeals under this chapter.
2. With respect to any review or appeal that is described in this section and that will involve a public hearing, the notification of public hearing shall be in conformity with the procedure set forth in this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

R. Open Space And Landscape Area Requirements: A minimum of twenty percent (20%) of the gross property area in the PC district shall consist of open space, recreation facilities, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights of way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements shall be set forth in the planned community program. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

S. Street And Subdivision Design Requirements: All development shall conform to the standard street and subdivision design requirements set forth in this title and the construction and design guidelines of the city, except as otherwise provided for specifically in an approved planned community program. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

T. Sign Regulations:

1. Freestanding Signs Allowed: Within the PC zone a maximum of six (6) freestanding signs shall be allowed between Interstate 15 and any collector or higher class road. The following standards shall apply to these signs:
 - a. Maximum height shall be twenty five feet (25') above the closest freeway travel lane.
 - b. Maximum sign area shall be five hundred (500) square feet.
 - c. All illumination shall be internal or directed exterior lighting which does not spill off of the sign faces.
 - d. No one business may occupy more than seventy percent (70%) of the maximum allowable sign area per sign. The intent of this provision is that signs shall be multi-tenant signs. (Ord. 02-02-2009, 2-18-2009, eff. 2-19-2009)

U. Gravel, Sand, Earth Extraction, And Mass Grading: Gravel, sand, earth extraction, and mass grading operations may be approved by the city council with recommendation for approval by the planning commission as a part of a larger development project under the provisions applicable within the planned community zoning classification and those of SCC 10.16.280. Any such development shall be required to put forth a bond with the city for the reclamation of the site following the site's project completion. Such bonding may be waived by the city subject to provisions of bonding for the overall project. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2009, 2-18-2009, eff. 2-19-2009)

V. Nonapplicability Of Other Provisions; Analogous Applications:

1. Except as otherwise specifically provided for the planned community program, variances from the provisions of the program outlined herein shall not be permitted within the PC zone.
2. With regard to any issue and land use regulation that may arise in connection with the PC district and that is not addressed or provided for specifically in this chapter or in an approved planned community program, the governing body may apply by analogy the general definitions, principles and procedures set forth in this title, taking into consideration the intent of the approved planned community program. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2009, 2-18-2009, eff. 2-19-2009)

W. Default Land Use Regulations: Any property that comes to not be subject to land use regulations in the development plan through either expiration of the agreement or some other action shall become subject to default land use regulations. Those areas that were primarily designated as residential in the development plan shall become subject to land use regulations contained within the Residential R-10 zone. Those areas that were primarily designated as commercial in the development plan shall become subject to land use regulations contained within the Interchange Commercial (C-1) zone. The City Council maintains the authority to zone property at their discretion as they see necessary for the best interest of Santaquin City.

HISTORY

Adopted by Ord. [10-05-2020](#) on 10/20/2020

10.20.150 RC RESIDENTIAL COMMERCIAL ZONE

A. Objectives And Characteristics: The RC zone allows for a mixture of residential and commercial uses as permitted uses. The purpose of the RC zone is to provide for and encourage a mix of compatible land uses which offer opportunities to live, work, and shop. It also is to provide the opportunity for compatible commercial development while preserving residential uses. Goals of this zone include the efficient use of land, reduced reliance on the automobile,

and creative opportunities for the economical preservation and adaptive reuse of existing structures. A mixture of residential, office, personal service, and retail shopping opportunities are encouraged within this zone. (Ord. 04-01-2003, 4-2-2003, eff. 4-3-2003)

The RC zone is intended to provide a transition between residential and commercial areas. Uses should not conflict with the objectives and characteristics of either the R-8 or C-2 zone, or with the general plan. Bulk standards are intended to maintain a residential scale of development. Development within the RC zone should have good access to collector streets. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

- B. 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. |
| 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 |
| Dwelling, caretaker | P |

| | |
|---|-----|
| Dwelling, single-family | P |
| Dwellings, multi-family, 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 |
| 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 |

(Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015; amd. Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements; Commercial: A minimum land area for commercial developments in RC Zone is not specified, except that an area sufficient to accommodate location requirements, off street parking, loading and unloading, and vehicular access shall be provided and maintained. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
- D. Area Requirements; Residential: A land area of not less than eight thousand (8,000) square feet shall be provided and maintained for each lot, tract, or parcel of land within the RC Zone. Corner lots shall contain a minimum of nine thousand twenty five (9,025) square feet. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
- E. Width Requirements; Commercial: The minimum width of lots for commercial development in this zone is not specified. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
- F. Width Requirements; Residential: The minimum width of lots for residential uses in this zone shall be eighty feet (80'). All corner lots shall have a minimum of ninety five feet (95') along all property lines adjacent to a street. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
- G. Location Requirements; Commercial:
 - 1. Front Setback: All buildings and structures shall be set back at least ten

feet (10') from the front lot line. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

2. Side Setbacks:

a. Interior Lots: Commercial buildings may be designed and constructed to be conjoined or share a common wall along a side property line, with a neighboring commercial building if:

- (1) The adjoining building is planned as a part of the same commercial development or plan, whether or not in subsequent phases;
- (2) A plan showing the overall commercial development, including all phases, is submitted to the community development department as a part of the applicant's commercial development application;
- (3) An architectural design theme is maintained across all conjoined buildings;
- (4) All specifications and regulations of the international building code (IBC) and the international fire code (IFC), or subsequently adopted codes, are accounted for and satisfied;
- (5) Adequate parking facilities, as outlined in this title, are satisfied in full; and
- (6) All other applicable provisions of this code are satisfied.

Existing commercial buildings located within a commercial zone which have been built with a setback may be remodeled or expanded to incorporate a conjoined situation only if the provisions herein are met in full, however, no building seeking a conjoined approval may overlap a property line to form a conjoined building with an established building containing a setback. Where no conjoined buildings are desired, a ten foot (10') side setback shall be required. The minimum side setback for accessory buildings shall be ten feet (10'), except that a three foot (3') side setback shall be permitted for accessory buildings located at least twelve feet (12') from the rear of any building and having fire resistant walls of two (2) hours or more.

b. Corner Lots: All main and accessory buildings shall be set back from the street side property line a distance of not less than fifteen feet (15'). In addition, no building or structure may be permitted to

be located within the clear view area. Interior side property line setbacks shall be determined as specified in paragraph G,2,1. Accessory buildings shall be set back not less than ten feet (10') from the interior side lot line, except that a three foot (3') interior side setback shall also be permitted for accessory buildings located a distance of twelve feet (12') from the rear of the primary structure and having fire resistant walls of two (2) hours or more.

- c. Commercial Strips: Two (2) or more commercial buildings may be continually conjoined, as determined herein, provided that no such strip is continued for more than three hundred feet (300') of continual linear building frontage without an easement and/or accessway of at least fifteen feet (15') in width being established to provide emergency access to the rear of the property(ies). Any gap in building frontage of less than ten feet (10') shall be considered continued building frontage. All such commercial strips shall meet the provisions of conjoined buildings as provided in paragraph G,2,1. (Ord. 10-03-2002, 10-16-2002, eff. 10-17-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

3. Rear Setback:

- a. Interior Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on interior lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings having fire resistant walls of two (2) hours or more and located at least twelve feet (12') to the rear of any dwelling.
 - b. Corner Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on corner lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any dwelling and having fire resistant walls of two (2) hours or more. (Ord. 7-04-2002, 7-17-2002, eff. 7-23-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
4. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
5. Fuel Pumps: Fuel pumps shall be located no closer than thirty feet (30') from any street.

6. Residential Setback: The minimum setback from any residential zone or use shall be fifteen feet (15').

7. Building Heights:

- a. The minimum allowable height shall be eight feet (8'), measured from the interior ceiling to the exterior grade.
- b. The maximum allowable height shall be forty eight feet (48'), measured from the interior ceiling to the exterior grade. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

H. Location Requirements; Residential:

1. Dwellings And Other Main Buildings:

- a. Front Setback: Thirty feet (30') from the front lot line.
- b. Front Setback On Corner Lot: Thirty feet (30') from property line along primary frontage, twenty five feet (25') from property line along secondary frontage.
- c. Side Setback: Ten feet (10') from side property line.
- d. Rear Setback: Twenty five feet (25') from rear property line.
- e. Setback Modification: A property which fronts onto an urban or multiuse, nonequestrian trail corridor, as shown in the adopted parks, recreation and open space master plan, may reduce the front setback along such corridor. The setback reduction may not exceed the width of such corridor, as measured from back of curb, and a minimum ten foot (10') setback must be maintained. The modification must still provide for twenty four feet (24') of parking between the structure and the lot line. (Ord. 5-05-2015, 5-6-2015, eff. 5-7-2015)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within twenty five feet (25') from secondary frontages except

that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.

- d. Side Setback: Accessory structures must be ten feet (10') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 03-02-2006, 3-1-2006, eff. 3-2-2006; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

I. Size Of Building: All residential structures within this zone shall be a minimum of nine hundred (900) square feet floor area on the main floor. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

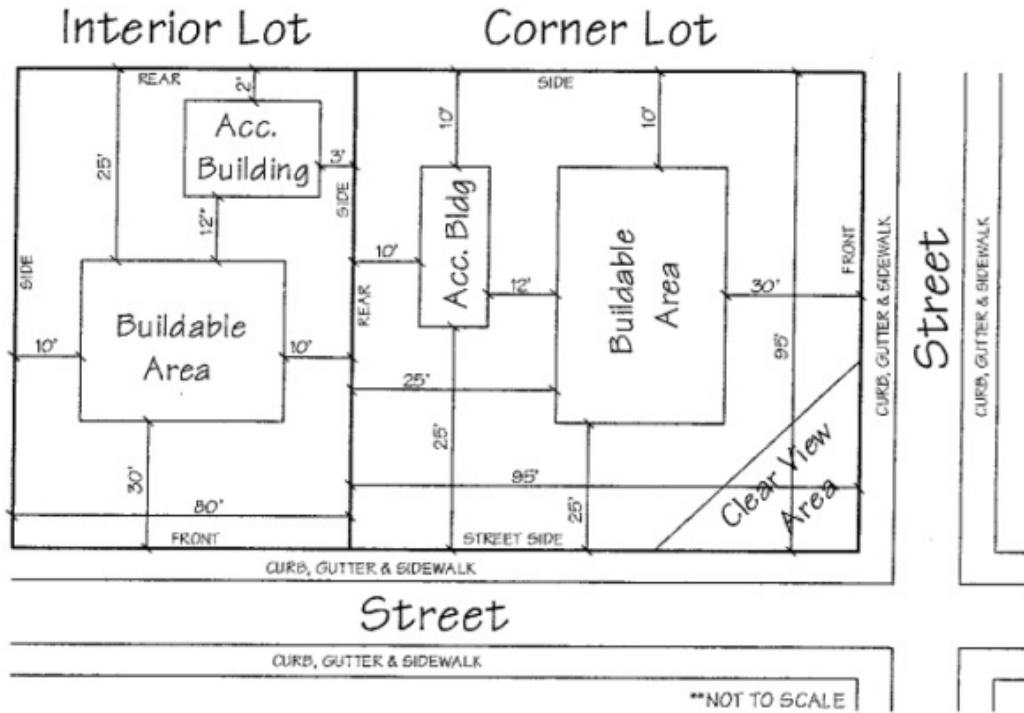
J. Special Provisions:

- 1. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight obscuring fence or wall of not less than six feet (6') and no materials or merchandise shall be stored to a height of more than the enclosing fence or wall.
- 2. Storage of junk, partially or completely dismantled automobiles, or salvage materials shall be prohibited.
- 3. No solid waste container shall be located in the front yard setback area, nor thirty feet (30') from any public street. All dumpsters shall be screened from the public view by a six foot (6') sight obscuring wall or fence. The floor of the trash enclosure shall be a concrete pad which shall extend five feet (5') beyond the opening of the trash enclosure. Trash enclosures shall be located so as to minimize disturbance to residential development. Trash enclosures shall be at least fifty feet (50') away from any residential use. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)
- 4. Development landscaping shall be in accordance with SCC 10.52, "Landscaping Standards". (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006;

amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

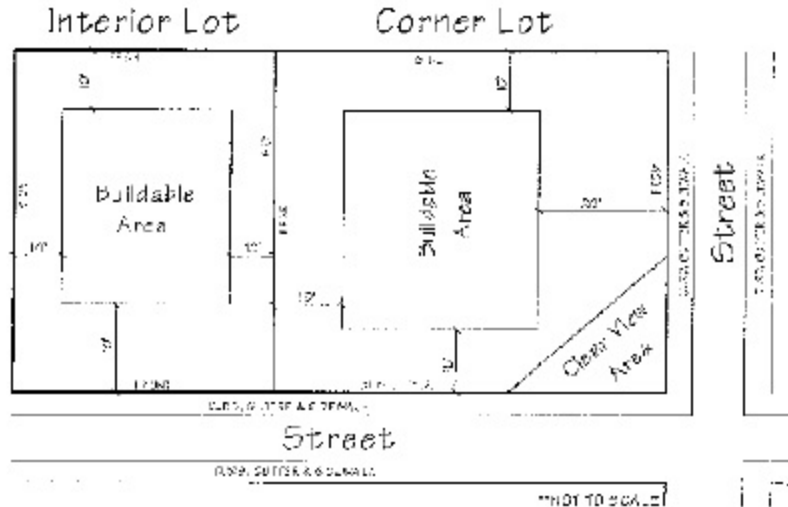
K. Property Development Standards:

Zoning Requirements: RC Property Development Standards
Residential Lots: Interior And Corner Lots



- All setbacks and lot dimensions are minimums unless otherwise noted.
- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Minimum lot area: 8,000 square feet (9,025 square feet for corner lots).
- Accessory building setbacks may be reduced, as shown on the typical lot above, as outlined in this code.
- Minimum dwelling size: 900 square feet.
- Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.
- *Accessory building setback measured to the closest point of the primary structure.

Zoning Requirements: RC Property Development Standards
Commercial Site: Interior And Corner Lots



- All setbacks and lot dimensions are minimums unless otherwise noted.
- Property lines shown are in accordance with the Santaquin City construction standards and details and are usually not located at the back of the sidewalk.
- Clear view area: The size, location and regulation of the clear view area of corner lots are determined according to SCC 10.16.090 and do not necessarily reflect the representation in the diagram above.

(Ord. 4-02-2005, 4-20-2005, eff. 4-21-2005; amd. Ord. 5-03-2015, 6-3-2015, eff. 6-4-2015)

HISTORY

- Amended by Ord. [07-02-2010](#) on 7/21/2010
- Amended by Ord. [10-01-2014](#) on 10/1/2014
- Amended by Ord. [11-03-2014](#) on 11/5/2014
- Amended by Ord. [05-05-2015](#) on 5/6/2015
- Amended by Ord. [05-03-2015](#) on 6/3/2015
- Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.160 LARGE SCALE DEVELOPMENTS

- A. Intent: The intent of this section is to provide for the construction of certain large scale developments which will permit increased flexibility in land development, increased efficiency in the use of land, and a more satisfactory living environment than can be obtained under traditional lot by lot development, and to establish minimum standards and procedures for the construction and maintenance of such developments. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- B. Permitted Large Scale Developments: The following large scale developments shall be permitted upon compliance with the regulations set forth herein but only in the zones in which such large scale developments are specifically permitted:

Mobile home parks.

Planned unit developments. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

C. Submission And Approval Requirements: Development within this zone shall be in accordance with city subdivision and site plan review procedures. Any submittal requirements under this zone, which are above and beyond the city's typical application standards, shall still apply. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

D. Preliminary Plans And Documents:

1. Vicinity Plan: The developer shall prepare a vicinity plan which shows a simple concept of the major features of the development in relation to existing conditions and developments within one-fourth (1/4) mile of the outside boundaries of the development. Five (5) twenty four inch by thirty six inch (24" x 36") copies and ten (10) eleven inch by seventeen inch (11" x 17") copies of the vicinity plan, the required fee, and the environmental impact statement shall be submitted to the community development department.
2. Environmental Review: The environmental review shall describe the impact the development will likely have on the natural features of the immediate area. The statements shall also indicate the measures that will be taken to mitigate any negative conditions that will occur as a result of the project with respect to those items listed in the definition of "Environmental Review", in SCC 10.08.020.
3. Preliminary Plan: Upon approval of the vicinity plan by the planning commission, the developer shall then prepare a preliminary plan and shall submit five (5) twenty four inch by thirty six inch (24" x 36") copies and ten (10) eleven inch by seventeen inch (11" x 17") copies of the plan to the planning commission for approval. The plan must be submitted at least forty five (45) days prior to the meeting of the planning commission at which the plan will be considered. The preliminary plan shall be drawn to a scale not smaller than one inch to one hundred feet (1":100'), or as recommended by the planning commission. The plan shall show the following information:
 - a. Type(s) of development;
 - b. Name of development;
 - c. Name, address, and phone number of the property owner(s) and the developer;
 - d. Name and address of the engineer and land surveyor;
 - e. A site plan showing location of proposed streets and mobile home or building sites;

- f. Proposed open space areas, i.e., parks, play equipment, dimensioned side, rear, and front yards, and the general location and description of all recreational and open space areas and facilities;
- g. Size and type of recreational buildings and other structures proposed for the common use of the residents with an indication of building materials to be used in the construction of buildings;
- h. Layout of typical lots or mobile home spaces;
- i. North arrow and scale;
- j. Legal description with section tie;
- k. Zone boundaries and designations;
- l. Tabulation showing:
 - (1) Area of land within the PUD or mobile home park;
 - (2) Number of lots or mobile homes proposed;
 - (3) Percent of area to be devoted to parks and playgrounds; and
 - (4) Number of off street visitor parking spaces;
- m. Proposed location of off street parking spaces;
- n. Typical street cross sections;
- o. Adjacent property owners;
- p. Existing and proposed easements, waterways, utility lines, canals, and ditches;
- q. A plan for accommodating waterways, ditches, and canals;
- r. Existing and proposed sewage disposal facilities;
- s. Existing and proposed storm drain system with the related runoff calculations for the development site;
- t. Existing and proposed water system indicating size of water lines and fire hydrant locations;
- u. An indication of the capacity of the water system as it relates to the project;
- v. Preliminary landscape plan indicating areas of landscaping and the various types of landscape materials to be used; and
- w. Any other information the city engineer, city planner, development

review committee, planning commission, or city council may determine necessary relating to the particular site of the proposed project. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

E. Standards, Requirements, And Conditions: The following standards, requirements, and conditions shall apply to all large scale developments:

1. The project must be prepared by a design team of at least a licensed civil engineer, land planner, and a licensed land surveyor.
2. All lots and mobile home units shall be served by a public sewer and a city approved water supply.
3. All utilities within the large scale development shall be placed underground, including telephone, power, and television.
4. The area proposed for a mobile home park shall be in one ownership during development to provide for full supervision and control of said development and to ensure conformance with these provisions and all other conditions imposed by the planning commission and/or city council upon the preliminary and final plans.
5. The minimum initial site size for a mobile home park shall be four (4) acres.
6. An individual mobile home lot shall not be less than four thousand five hundred (4,500) square feet in size. Lot sizes for PUD developments shall be determined as stipulated herein.
7. Each mobile home lot shall have a minimum frontage on an access road of fifty feet (50'). In the event a lot is located on a cul-de-sac circle, minimum frontage on the access road shall be thirty feet (30') measured at the front setback line. Frontage for lots within a PUD shall be determined by the planning commission and city council with said determination being based on the specified lot sizes for the development.
8. In the event that the land contained within a large scale development is traversed by a proposed arterial or collector street, the development shall be designed in accordance therewith and the right of way across the development for said arterial or collector streets shall be dedicated to the public with improvements.
9. All areas not covered by buildings, parking, streets, or drives shall be planted with grass, shrubs or other plant materials as approved by the planning commission in the submittal of a final landscape plan. A permanent sprinkler system shall be installed in all landscaped areas to provide irrigation of planted areas.
10. The required yard space as a result of setbacks from the public streets

shall not be used for public parking, but shall be landscaped.

11. Two (2) parking spaces shall be provided on site for each mobile home with an additional one parking space for every two (2) mobile homes provided for guest parking. Guest parking shall be located not more than three hundred feet (300') from the home it serves.
12. Each mobile home lot shall have a minimum of sixty (60) square feet of outside storage (storage unit) located to the rear of each lot. All storage units shall be uniform in appearance and location and kept in good repair.
13. All streets, drives, and parking areas shall be hard surfaced as indicated in the development plans.
14. Not less than ten percent (10%) of the gross area of the mobile home park shall be landscaped and maintained as common area for the use of all individuals living in the park. The open space shall be, to the greatest extent possible, located centrally, offering easy access to residents of the mobile home park.
15. No mobile home or add on in a rental park shall be located closer than fifteen feet (15') from the nearest portion of any other mobile home or add on.
16. No mobile home or storage building shall be located closer than fifteen feet (15') from the rear property line.
17. No mobile home shall be located closer than ten feet (10') from the front property line. The tongue of the mobile home shall be removed.
18. A club house for resident use shall be provided with finished square footage appropriate to the size and intent of the mobile home park in which it is located.
19. All areas not covered by mobile homes, buildings, parking spaces, or driveways shall be planted and landscaped within one year from the recording date of the final plat.
20. A strip of land at least fifteen feet (15') wide surrounding the mobile home park, except for public streets, shall be left unoccupied by mobile homes and shall be planted and maintained in lawn, shrubs, and trees designed to afford privacy to the development.
21. All mobile homes shall be located at least thirty feet (30') back from any public street and the resulting setback must be landscaped except for permitted roadways. The area between the curb and the gutter along all public streets and the sidewalk or street right of way line must also be landscaped.
22. Occupancy in a rental park shall be by written lease which shall be made available to city officials upon request.

23. Roadways in a mobile home park shall be of adequate width to accommodate anticipated traffic as follows:
 - a. Minor Streets: Thirty eight feet (38') in width consisting of a two foot (2') rolled curb and gutter on both sides, four foot (4') sidewalk on one side and thirty feet (30') of asphalt.
 - b. Entrance Streets: Forty three feet (43') in width with the same specification above with thirty five feet (35') of asphalt. The use of a divided entrance with appropriate landscaping and cross section is encouraged.
24. A mobile home park shall provide at least one formal entrance and an additional entrance. All entrances shall be at least two hundred feet (200') apart and located not closer than one hundred twenty feet (120') from an intersection.
25. Yard lighting shall be provided for each mobile home lot. Lighting for lots within a PUD shall be of sufficient nature, as determined by the development review committee, planning commission, and city council, to provide adequate ground cover and avoid potentially perilous situations for residents.
26. A minimum of one hundred eighty (180) square feet shall be provided for each mobile home site in the park for storage of recreational vehicles. The RV storage area shall be hard surfaced and fenced with a six foot (6') site obscuring decorative fence or wall and shall be lighted.
27. Dead end streets, excluding cul-de-sacs, shall not be permitted within a mobile home park.
28. When it is necessary in order to implement the intent of this section, the planning commission may impose development standards in excess of the minimums identified herein. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

F. Preliminary Documents: The developer of a large scale development shall submit to the city an agreement between the developer and the city stating among other things:

1. That in the event of failure or neglect on the part of the owners, successors, or assigns to maintain the water and sewage facilities, common areas, landscaping or other improvements in good condition, the city may perform the necessary work and for that purpose may enter upon the land and do the work and charge the cost thereof, including reasonable attorney fees, to the owners, their successors, or assigns.
2. That the owners, successors, or assigns will reimburse the city for all costs which the city incurs as a result of performing the necessary work.

3. That the terms of the contract shall be binding upon the heirs, assigns, receivers, and successors of the project for the life of the project or development.
4. Any other conditions that the planning commission and/or city council deems to be reasonably necessary to carry out the intent of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

G. Planning Commission Action: Upon presentation of the preliminary plan and documents, the planning commission shall either recommend approval of the plan as submitted, recommend approval of the plan with conditions, or may refer them back to the developer for one or more of the following reasons:

1. If the project is determined to be inconsistent with this title or the general plan.
2. The planning commission requires that certain specific changes be made within the plans.
3. The plans or documents are not complete.
4. The fees have not been paid in full by the applicant.

The planning commission may impose conditions on preliminary development plans as it may deem appropriate to meet the goals and objectives of this section. The planning commission may disapprove a large scale development which is found to be deficient in meeting the intent of these provisions. Any such disapproval may be appealed to the city council within ten (10) days after the decision of the planning commission. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

H. Recommendation Of The Preliminary Plan To The City Council: Upon approval of the preliminary plan of a large scale development, with conditions if necessary, the planning commission shall recommend the plan to the city council and recommend that a public hearing be held. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

I. Public Hearing: After receiving notice of planning commission approval of the preliminary plans, the city council shall set and hold a public hearing to consider approval of the project. The hearing shall be completed as set forth in the Utah state code. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

J. Time Limit From Preliminary Plan Approval: Any failure to submit a final development plan within one year of receiving preliminary approval for the development plans by the city council shall terminate all proceedings and render the preliminary plan null and void. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

K. Final Plat: Final plats shall be reviewed in accordance with city subdivision review procedures. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

- L. Duration Of Bond Or Escrow: The duration of the bond or escrow account shall be for two (2) years from the date of final approval of the development by the city council. An extension of time may be granted by the city council for a period of six (6) months provided such application for extension is submitted at least thirty (30) days prior to the expiration of the bond or escrow account. Said bond or escrow account shall be for security only and shall not replace the responsibility, or liability, of the developer for the completion of subdivision improvements. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- M. Defaults: In the event that the developer defaults, fails or neglects to satisfactorily install the required improvements within one year from the date of final approval of the development plans by the city council or to pay all liens in connection therewith, the city council may declare the bonds or escrow account forfeited and the city may install or cause the required improvements to be installed using the proceeds from the collection of the bond or escrow account to defray the expenses thereof. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- N. Final Disposition And Release: The developer shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ten (10) days prior to the ninety percent (90%) release date of the bond or escrow account, the city representative shall make a preliminary inspection of the improvements and shall submit a report to the city council setting forth the conditions of such facilities. If all liens are paid and other conditions thereof are found to be satisfactory, the authorized city representative shall release the bond or escrow account. If the condition of materials or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability or if any outstanding liens are not paid, the city council may declare the developer in default. The city may require a title search be submitted at the developer's sole expense to verify no liens exist. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- O. Total Compliance With All Regulations: In the case of failure or neglect to comply with any or all conditions, as established during the approval process, or regulations as identified in this section, the city may refuse additional building permits and stop construction of all work at the site until such violations or noncompliance conditions have been eliminated. In this event, the developer shall meet with the city council as soon as a meeting can be scheduled to resolve any issues of concern. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- P. Mobile Home Parks: The intent of this section is to provide regulations that will further the objectives of the general plan relating to mobile home units, harmony between new development and the surrounding area, superior maintenance and appearance of structures, and premises and an overall project atmosphere that occurs with goals for a more attractive city. These regulations are intended to create a mobile home park living environment that approaches the standard of living achieved through regular lot by lot development. It is understood that inherent features of a mobile home park are that density is greater and open space is less than a standard subdivision. However, development plans for

mobile home parks should create other features such as the amenities package, quality of open space, design of entrance, outward appearance, street design and streetscape that will compensate for the lack of open space and increased density.

Upon approval of a mobile home park, the approved site plan shall then constitute the zoning restrictions and regulations of the zoning district as applied to the territory shown on the plan. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.20.170 PLANNED UNIT DEVELOPMENT (PUD)

A. Purpose: The purpose of the planned unit development (PUD) is to allow and encourage a flexible, efficient, and imaginative development pattern. Planned unit developments can:

1. Provide flexible development options where a standard lot pattern is not practical or desirable due to physical constraints.
2. Promote attractive architectural design, creative lot configuration, provide open spaces, and ensure efficient delivery of services.
3. Promote usable public and private recreation areas, parks, trails, and open space with assurance of maintenance through a homeowners' association.
4. Reduce development costs and ongoing maintenance costs to the city.
5. Provide high quality affordable housing which can accommodate a variety of demographic needs.
6. Provide a mix of residential and compatible nonresidential uses. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

B. Intent: The intent of this section is to provide regulations that further the objectives of the general plan relating to residential developments. It is the intent to achieve an excellent balance between open space and buildings, harmony between new development and the surrounding area, longer life expectancy for buildings, superior maintenance and appearance of buildings and premises, and an overall project atmosphere that concurs with the goals for a more attractive city. The regulations are intended to create residential development which offers a better living environment than is obtained through standard lot by lot development while assuring that the character of the underlying district is maintained and the requirements of the design guidelines and standard specifications are satisfied. Upon approval of a planned unit development, the approved site plan shall establish the lot development standards, restrictions and regulations applied to the territory shown on the plan. It is also the intent of this section to require the developer to demonstrate by the application submitted for approval that the objectives and goals of the general plan will be fostered. If this

cannot be shown, approval of the density increases allowed through these regulations shall not be given. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

C. PUD Designation: Only developments having more than five (5) acres and which are located within the RC, R-10, R-12, R-15, or R-20 zones are eligible to be designated as a PUD. Any designation as a PUD shall be subject to the applicant's demonstration of ability to comply with all open space, architectural, or site improvement standards outlined in this section and adequate acreage to develop a project that is beneficial to both the residents of the project and the city as a whole. Designation of a PUD shall be considered a rezoning, subject to all fees and procedures associated with that process. The rezoning shall not take effect without a city council approved development agreement first being in place. Development agreements should include all approved amenities and open spaces to be associated with the development, housing types (including elevations) and exterior dwelling materials, perimeter fencing and screening standards, any density bonus based on provision of the approved amenities, and timing of amenity installation. (Ord. 07-02-2016, 10-20-2016, eff. 10-20-2016)

D. Minimum Standards:

1. Open Spaces: Each planned unit development is required to contain at least fifteen percent (15%) of the net developable acreage of the development in permanent open space. The fifteen percent (15%) acreage must meet the following guidelines:
 - a. Such acreage must be nonencumbered except for utility easements and nonsensitive lands.
 - b. The open space must be improved by the developer and contain recreation activity areas, picnic pavilions, gazebos, water features, playgrounds, or privately maintained landscape areas as stipulated in the development agreement.
 - c. Where a development will be constructed in phases, the ratio of improved and dedicated open space to the total platted property must always meet or exceed the required open space amounts for the entire development.
 - d. The fifteen percent (15%) open space requirement may not be used to obtain increased density bonuses under the provisions of paragraph E.
 - e. A maximum of fifty percent (50%) of the open space may be utilized for storm drain detention or retention.
 - f. All open space areas must be accessible by emergency vehicles and personnel.
 - g. Preservation, maintenance, and/or ownership of required and amenity open spaces within a PUD development shall be

accomplished by:

- (1) Dedication of the land as a public park or parkway system if agreed to and accepted in writing by the City;
- (2) Establish and operation of a condominium project in compliance with the provisions of the Condominium Ownership Act of 1963, Utah Code 57-8, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities;
- (3) Creation of a homeowners' association by which common areas shall be owned and maintained; or
- (4) Other arrangement devised by the applicant, which is found to be acceptable and approved by the City Council prior to preliminary plat approval. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

2. Parking: Parking shall be provided in accordance with SCC 10.48 as well as the following minimum standards:

- a. Parking Spaces: Parking shall meet the requirements described in SCC 10.48.040. Apartment or stacked condominium style housing may have uncovered parking but each unit shall have at least one covered parking stall.
- b. Guest Parking: Where guest parking is provided, such shall be located within two hundred feet (200') of the dwelling entrances served.
- c. Covered Parking: The architecture of any covered parking structures shall complement the architectural materials and design elements of the structures within the PUD. Such must include metal columns, colors must match those primary colors on the associated buildings, and roof materials being standing seam or be similar to the associated building.
- d. RV Parking: Owners shall not park or store recreational vehicles or trailers in front of the associated dwelling. Such must be screened from public view and located behind the front of the home or in an approved and development provided RV storage area. This requirement, with appropriate enforcement provisions, shall be included in all covenants, conditions and restrictions, that run with the property; homeowners' association bylaws; leases; rental agreements; etc. (Ord. 11-02-2017, 11-21-2017, eff. 11-22-2017)

3. Dwellings And Development Structures: Dwellings and development structures must comply with the following minimum standards:

- a. The following dwelling types are allowed within a PUD and must meet the associated minimum lot standards listed:

| Dwelling Type | Minimum Lot Area |
|--|---|
| Detached single-family | 70% of the underlying zone for those lots abutting developments without a PUD designation. Otherwise, the minimum lot size is 6,000 sq. ft. |
| Clustered single-family (aka common drive detached patio home) | 4,000 sq. ft. |
| Attached single-family | 250 sq. ft. of private/limited common open space shall be attached to each unit |
| Live/work residences | Minimum necessary to comply with all applicable site, parking and landscaping regulations of this title and other conditions established by the city council in accordance with paragraph C |
| Stacked apartments/condominiums | |

- b. The following material standards are required for the following dwelling types:

| Dwelling Type | Elevation | | | |
|--|---|--|--|--|
| | Facing Public Street | Facing Private Street | Side | Rear |
| Detached single-family | 30% masonry ¹ coverage of ground floor | 30% masonry ¹ of ground floor, except where the only building entrance from private street is a | Minimum 3' wrap of masonry ¹ from rear or front | No minimum masonry ¹ coverage |
| Clustered single-family (a.k.a. commo) | | Vinyl products | Vinyl products are permitted to the extent that ground | Vinyl products are permitted to the extent that ground floor |

| | | | | |
|---------------------------------|---|--|---|---|
| n drive detached patio homes) | may only be used in gable pediment areas and must be decorative in nature (e.g., shake, board and baton, etc.) | garage entrance then a minimum 3' wainscot is sufficient Vinyl products may only be used in gable pediment areas | floor and pediment areas are materially distinct (e.g., material type and style) from upper stories. Separation bands between material types must be provided | and pediment areas are materially distinct (e.g., material type and style) from upper stories. Separation bands between material types must be provided |
| Attached single-family | | | | |
| Stacked apartments/condominiums | All standards in SCC 10.16.060, multi-family, shall apply with the following differences: A minimum 3' masonry wainscot on all sides shall be part of the minimum masonry ¹ requirement in SCC 10.16.060, vinyl materials may not be plain horizontal siding on more than 35% of any elevation | | | |

Note:

¹ Masonry coverage includes brick, stone, concrete siding products, etc. EIFS products are not considered masonry material for purposes of this section, but may be used for trim and highlight purposes. For calculation purposes, coverage area does not include window and door surface areas.

- c. Roof pitches shall be a minimum five to twelve (5:12) for gabled and multi-story buildings and four to twelve (4:12) for hipped single-story homes.
- d. No building footprint, its reverse or front elevation may be repeated within the five (5) closest lots on the same street. Multi-unit structures, including townhomes, shall have similar variations between adjacent structures. A change of building materials does not constitute a differing building or elevation. Developers must provide at least six (6) different conceptual building plans and elevations for approval and construction within the PUD. Consideration shall be given to the following elements:
 - (1) Facade Modulation: Stepping portions of the facade to create shadow lines and changes in volumetric spaces,

- (2) Engaged Columns: Use of engaged columns or other expressions of the structural system,
 - (3) Projections: Providing projections such as balconies, cornices, covered entrances, porte-cocheres, trellises, pergolas, arcades and colonnades (providing such trellises and awnings extend outward from the underlying wall surface at least 36 inches),
 - (4) Variation In Rooflines: Variation in the rooflines by use of dormer windows, overhangs, arches, stepped roofs, gables or other similar devices,
 - (5) Wraparound Porches: Wraparound porches, particularly on corner lots.
- e. Building elevations, materials and colors must be consistent with the natural, rural setting in which the structures will be built.
- f. All outside storage areas, except RV storage areas, and all solid waste receptacles which are not located within a building, shall be enclosed on at least three (3) sides with the same materials as used on the exterior of the main structures within the PUD. All gates and access points shall be opaque.
- g. Living units shall have the following minimum finished floor areas:
- (1) Single-story detached single-family/patio units: One thousand two hundred (1,200) square feet.
 - (2) Multi-level detached single-family/patio units: One thousand four hundred (1,400) square feet.
 - (3) Attached single-family: One thousand two hundred (1,200) square feet.
 - (4) Live/work units: One thousand two hundred (1,200) square feet of residential space.
 - (5) Stacked condominiums/apartments must meet the following average minimum livable unit areas with no unit(s) having less than ninety percent (90%) of the average:
 - (A) Studio units: Five hundred (500) square feet.
 - (B) One bedroom units: Seven hundred fifty (750) square feet.
 - (C) Two (2) bedroom units: Nine hundred (900) square feet. (Ord. 07-02-2016, 10-20-2016, eff. 10-20-

2016)

4. Trail And Open Space Connections: Where developments abut, include, or encompass trails, parks, or other public facilities outlined within the city's general plan or parks and recreation capital facilities plan, such amenities are to be provided and constructed by the developer. Any associated lands for these facilities will be counted toward the fifteen percent (15%) open space requirement above. Costs for installation may be reimbursed to the developer in accordance with the capital facilities plan schedule and any development agreement clauses.
5. Landscaped Front And Side Yards: Developments must provide completely landscaped front yards and side yards, where such are visible from the public or private street, including grass or other acceptable ground cover, at least four (4) 1-gallon shrubs, and two (2) trees (deciduous trees with at least a 1.5 inch caliper or 5 feet tall minimum evergreen trees). Acceptable ground cover may include a gravel parking area on the side of a garage, and access thereto, with a width not to exceed sixteen feet (16'). Gravel parking areas and its applicable access must be constructed in accordance with the Santaquin City Standards, Specifications, and Drawings.
6. Establishment Of Homeowners' Associations: A homeowners' association (HOA) shall be established for every PUD containing common or limited common property between more than one owner. The HOA shall be established for the general maintenance, upkeep and enforcement of those areas held in common or limited common ownership. The following standards must be met in establishing an HOA:
 - a. A feasibility study shall be provided to the city which evaluates:
 - (1) A maintenance plan for all common or limited common areas within the development and areas for which the HOA is responsible.
 - (2) Estimated annual maintenance costs of common or limited common areas.
 - (3) Cost of replacing common or limited common structures, facilities, roads, amenities, etc., in a five (5), ten (10), and fifteen (15) year period.
 - (4) Recommended minimum HOA fees per unit necessary to handle annual maintenance and replacement costs.
 - (5) Upfront capital necessary for a maintenance fund to be sustained until sixty percent (60%) of the planned units are owner occupied/leased.

- b. The developer shall provide the upfront capital to the HOA, which is necessary for the maintenance fund to be sustained through project development and for a period of at least one year upon completion. This is in addition to any bonding requirements for the development.
 - c. The HOA must maintain the common or limited common areas within the PUD in accordance with the approved development plan or agreement. Failure to do so will constitute a violation of this section. Furthermore, no deviation by the HOA from the approved development plan can be made without prior approval from the city, including termination of the HOA.
 - d. Codes, covenants, and restrictions (CC&Rs) for the development must be approved by the city to assure compliance with the above standards.
7. Completion And Maintenance Of PUD: Every PUD shall conform to the approved site plan. The applicant or any other person or entity shall not add any structures or make any improvements or changes to a PUD that did not appear on the approved site plan or allowed in accordance with the development CC&Rs. The applicant and subsequent owners and applicable associations shall maintain all improvements shown on the site plan in a neat and attractive manner. Failure to complete or maintain a PUD in accordance with this section and with the approved site plan is a violation of the terms of this chapter. The city may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, and employer or otherwise, for failure to complete or maintain a PUD in accordance with this section and with the approved site plan.
8. Nonresidential Uses: Nonresidential uses that are compatible with the surrounding development may be approved within the PUD. Anticipated uses include professional offices, corner markets, small retail and eateries, salons, religious, cultural, or civic institutions. These uses must be reviewed under the city's development review process, however, required parking and landscaping provisions may be reduced in accordance with city council approved development plan for the PUD. A nonresidential zoning for these uses would not be necessary.
9. Proximity To Agricultural Uses: Where a proposed PUD abuts or is located within one-fourth (1/4) mile of an active agriculture use designated for preservation in the city's general plan, or which has been zoned for agricultural uses, the following additional standards shall apply:

- a. A buffer zone of one hundred fifty feet (150') shall be established along all property boundaries abutting applicable agriculture uses. Uses allowed within this buffer area include PUD natural open space or landscaped greenway and trail system, pasture or turnout areas, or restricted rear yard areas for individual property owners (the buffer area shall not count toward setback requirements or lot area requirements). This buffer area shall be owned and maintained by the PUD homeowners' association or adjacent property owners and subject to any applicable city weed control, drainage or nuisance regulations. This buffer zone may count toward the fifteen percent (15%) open space requirement of paragraph D,1 if all the standards for such are met.
- b. Areas of a PUD adjacent to or across a public street from agriculture uses shall be designed to retain and complement the agrarian uses of neighboring properties. This may include, but not be limited to, larger (1 - 2 acre) single-family lots, greater setbacks from streets and other dwellings, allowance for large animal rights, complementary landscaping elements or features, visual corridors and open spaces, or agrarian architectural standards. At least two (2) of the above methods must be used to be compliant with this requirement.
- c. Landscaping plans must be sensitive to any agricultural operations within the vicinity and may include windrows consistent with the area or formal plantings and visual breaks between uses.
- d. Open style fencing such as vinyl coated chainlink, split rail, etc., shall be installed and maintained by the HOA along agriculture boundaries for the purpose of general public safety and welfare.

10. Wild Land-Urban Interface Areas: Any plat adjacent to a natural open space area shall comply with the applicable wild land-urban interface standards, including, but not limited to, landscaping, home materials, structure spacing, fencing, and fire suppression techniques. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

E. Density Bonuses: An applicant for a PUD is eligible for a density bonus based on additional amenities provided in the project approval. Density in excess of the base density may be considered for projects which satisfy the requirements of one or more of the density bonus amenities listed below:

- 1. Base Density: For purposes of this section, the base density for a development shall be based upon a yield plan prepared by the developer. Yield plans are to be reviewed by the community development director and planning commission as part of development concept review and be

finalized prior to a recommendation on the development for PUD designation to the city council. The resulting yield plan shall represent the total number of base units appropriate for the development site. Yield plans are to be prepared under the following requirements:

- a. Yield Plan Layout: Yield plans must be prepared as conceptual layout plans in accordance with the standards of the subdivision ordinance, containing proposed lots, streets, rights of way, and other pertinent features. Although it must be drawn to scale, it need not be based on a field survey. However, it must be a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, taking into account the presence of floodplains, geologic hazard areas, steep slopes, drainage channels, existing easements or other encumbrances.
- b. Yield Plan Dimensional Standards: Yield plans must reflect the dimensional standards for lots in the underlying zone. No more than fifty percent (50%) of the minimum required lot area may consist of sensitive lands, including wetlands, slopes greater than thirty percent (30%), and land under high tension electrical transmission lines (69 kV or greater). (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)
- c. Yield Plan Lot Buildability Standards: The determined buildable area on lots must be contiguous, unencumbered, and contain nonsensitive lands. Minimum buildable areas, not including underlying zone setbacks, shall be as follows:

| Zone | Minimum Buildable Area On Lots |
|-------------|---------------------------------------|
| RC | 2,900 square feet |
| R-10 | 3,500 square feet |
| R-12 | 4,100 square feet |
| R-15 | 5,000 square feet |
| R-20 | 8,000 square feet |

2. Density Bonus Amenities: An application for a planned unit development may include one or more of the following amenities in the design of the subdivision and be considered for a density bonus in accordance with this section. Each amenity is followed by a percentage increase in total project density for providing the amenity. The density increases for the amenities outlined herein shall be cumulative with a maximum density

bonus equal to a forty five percent (45%) increase in dwelling units above the base density. The density increases listed represent the maximum allowed, and the city council, after receiving recommendation from the planning commission, is entitled to approve less than the maximum amount listed.

- a. Active Recreation: Active recreation facilities which are provided for residents of the planned unit development, or the citizens of Santaquin City, are entitled to a density bonus. Active recreation areas may include swimming pools, sports courts, spas, common buildings or facilities constructed for use by the residents of the project, or citizens of the community, for meetings, indoor recreation, receptions, classes, or other similar uses and other similar areas are eligible for up to a twenty percent (20%) density increase based on the following table:

| Amenity Per 100 Units Or Equivalent | Percent Increase |
|---|-------------------------|
| Tot lot sized for ages 12+ | 2.0 |
| 30,000 square foot sports court or similar | 3.0 |
| 400 square foot bowery with tables and barbecue areas | 4.0 |
| Community clubhouse (per thousand square feet) | 2.0 |
| Community size swimming pool and clubhouse | 6.0 |
| Equestrian facilities (stabling, exercise arena, etc.) for up to 20 horses | 6.0 |
| Others subject to approval by city council proportionate to above increases | |

- b. Design Theme: Developments which incorporate design elements into the project consistent with an architectural style or motif encouraged by the city in a manner compatible with surrounding or planned development are eligible for up to a four percent (4%) density increase.
- c. Fencing: Developments which incorporate fencing throughout the project in harmony with the architectural features of the structures such as brick columns with vinyl or wood fencing, decorative iron, or cast in place walls and have provisions for the perpetual maintenance of such are eligible for up to a six percent (6%) density increase based on the following table. Chainlink fencing is not permitted. Vinyl coated chainlink is not allowed unless utilized

around sports courts or similar facilities, or along natural open space/sensitive lands boundaries. All fencing and decorative materials or treatments must be approved by the city.

| Fencing Type | Percent Increase |
|--|-------------------------|
| Vinyl or wood slat fencing | 0.5 |
| Decorative vinyl or wood fencing (e.g., split rail, partial trellis, etc.) | 1.0 |
| Decorative vinyl or wood fencing with masonry pillars maximum 24 foot spacing | 2.0 |
| Cast in place concrete wall (must be color treated and have antigraffiti coating) | 4.0 |
| Decorative fencing (i.e., decorative iron, full brick masonry, real stone, etc., but excluding CMU products) | 5.0 |
| Decorative fencing with masonry pillars maximum 10 foot spacing and half walls along fence | 6.0 |

- d. Open Space In Addition To Fifteen Percent Minimum:
 Developments which provide either active or passive open space which meets the same standards for open space as outlined above, in addition to the fifteen percent (15%) minimum requirement are eligible for an equal percentage of density increase as illustrated in the following table:

| Additional Open Space Above Required 15 Percent Minimum | Percent Increase |
|--|-------------------------|
| 5 percent (equal to 20 percent total) | 5.0 |
| 15 percent (equal to 30 percent total) | 15.0 |
| 25 percent (equal to 40 percent total) | 25.0 |

Lands being reserved as additional open space do not have to be improved for recreation purposes. However, if open spaces are to remain in a natural state, then such must be owned, managed, administered, and maintained by Santaquin City, or a recognized land trust or conservancy, or any other entity approved by the city council and have permanent conservation easements established upon them to prevent future development in such areas.

All improved open space areas for recreation purposes shall be maintained by the owner of the project if held in single ownership, a homeowners' association if sold separately, or dedicated to and accepted by the city for maintenance purposes. However, the city shall be under no obligation to accept such dedication.

- e. Special Features: Developments which provide special features such as fountains, streams, architectural features, design themes, or other features that are used commonly and are highly visible in the project are eligible for up to a five percent (5%) density increase based on the following table:

| Special Feature | Percent Increase |
|--|------------------|
| Landscaped entry sign/feature area | 1.0 |
| Stream or other water feature, fountain, pond, etc. | 2.0 |
| Themed lighting throughout the development which is superior to city standard lighting | 2.0 |
| Public art consistent with the natural or rural setting of the development | 3.0 |

- f. Nonresidential Uses: Nonresidential uses such as schools, religious centers, care facilities, etc., which may be located within a project area typically provide additional amenities or cultural opportunities to area residents and thus increase the quality of life and experiences in a project area. As such, some site elements associated with these uses and which are generally accessible to the public may be counted toward bonus density eligibility under the following standards:

- (1) Religious or cultural sites may be eligible for bonus density based on the following:

- (A) The amount of bonus density shall be the number of residential units that could be built on the site, as calculated by the number of units possible under the base zoning.
- (B) No additional bonus density is available for on site amenities provided by the nonresidential uses.
- (C) Uses under this paragraph E,2,f shall have a minimum three (3) acre site and be owned,

operated and maintained by a public or tax exempt entity.

- (D) Written acknowledgment and intent to accept the site by the anticipated public or tax exempt entity is required to receive the bonus density under this section.

(2) School sites may be eligible for bonus density based on the following:

- (A) Half of any grass playing field areas may be counted as additional open space under paragraph E,2,d.
- (B) The amount of bonus density shall also include the number of residential units that could be built on half of the school site, as calculated by the number of units possible under the base zoning.
- (C) Written acknowledgment and intent to accept the site by a school entity is required to receive bonus density under this section.

(3) Because some religious, cultural or educational facilities use more water than the potential number of homes on a similar area, sufficient water shall be dedicated to cover the anticipated usage of the nonresidential use under this paragraph E,2,f.

3. Total Project Density: Total project density is determined by increasing the base density by the total percent of density increase earned through the approval and implementation of amenities into the development. In no case will the total project density exceed forty five percent (45%) more than the base density (i.e., if the base density for a project is 50 units and a density increase of 35 percent is earned, the maximum total project density shall be 67 units). (Ord. 07-02-2016, 10-20-2016, eff. 10-20-2016)

F. Relationship Of PUD To Other Development Ordinances: This section is intended to be supplementary to the other provisions of this title. Unless specifically indicated in this section, all requirements of this title and any other development ordinances or standards of Santaquin City must be satisfied with the following exceptions:

- 1. The setback requirements are to be determined by the city council upon recommendation from the planning commission for all structures within the planned unit development, and shall not fall below the requirements

of the international building code nor less than ten feet (10') between separated dwellings.

2. The frontage requirements shall be determined by the city council upon recommendation from the planning commission for all lots or parcels within the PUD except those located across a public street from a development which has standard frontage requirements as outlined in the Santaquin zoning ordinance. Such PUD single-family lots shall not have public frontage reduced below the required frontage for the underlying zone less the percent of density bonus earned for the project. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

- G. Coordination Of PUD Application With Subdivision Approval: It is the intent of these regulations that subdivision review be carried out simultaneously with the review of the proposed PUD. If approved by the city, a PUD with mixed uses will not be considered a spot zone. (Ord. 08-01-2008, 8-6-2008, eff. 8-7-2008)

HISTORY

Amended by Ord. [07-02-2016](#) on 10/20/2016

Amended by Ord. [04-02-2020](#) on 4/7/2020

10.20.180 PF PUBLIC FACILITIES ZONE

- A. Objectives And Characteristics: The PF public facilities zone has been established for the primary purpose of providing a place where facilities designed and designated for the service of the community in whole and the citizens of Santaquin may be located. Such uses are typically either governmentally owned and operated or owned and operated by a private utility company, although private property dedicated to the use and benefit of the community in whole may also be designated within the PF public facilities zone as determined in this section. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
- B. Permitted Uses: The following buildings, structures, and uses of land shall be permitted in the PF public facilities zone upon compliance with requirements as set forth in this section:

Cemeteries.

Culinary water facilities, i.e., pumps and pump houses, service facilities, well sites, and storage tanks, and associated structures.

Golf courses and golf clubhouses (private and public).

Governmental offices including, but not limited to, maintenance and equipment storage facilities.

Hospitals, excluding independent clinics.

Public and quasi-public buildings.

Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures.

Public utility facilities including, but not limited to, electrical substations and natural gas pressure regulatory stations, and their associated structures.

Public utility offices and their associated structures.

Regional type park complexes, amusement facilities, fairgrounds, similar facilities, and their associated structures.

Religious center.

Schools. Solid waste disposal sites.

Telecommunications sites subject to SCC 10.16.340.

Television, telephone, and cellular transmission towers and their associated structures, subject to the provisions for industrial zones within ordinance 12-2-99, the Santaquin City telecommunications ordinance, its amendments and/or successors.

Transportation hubs and collector point facilities.

Wastewater treatment facilities, i.e., treatment facilities, storage ponds, etc., and associated structures and uses. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002; amd. Ord. 04-02-2003, 4-2-2003, eff. 4-3-2003; Ord. 02-01-2010, 2-17-2010, eff. 2-18-2010; Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014)

C. Conditional Uses: The following are conditional uses in the PF public facilities zone, subject to the provisions of SCC 10.24, "Conditional Uses":

Caretaker facilities associated with a permitted or conditional use.

Convalescent home, rest home, or nursing home.

Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent of a development project permitted within and in association with the I-1 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.

Use listed as permitted or conditional in the I-1 industrial zone, typically classified as "heavy industrial". (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002; amd. Ord. 04-02-2003, 4-2-2003, eff. 4-3-2003; Ord. 07-02-2010, 7-21-2010)

- D. Area Requirements: In the PF public facilities zone, there shall be no land area requirements, except that an area sufficient to accommodate location requirements, off street parking, loading and unloading, and vehicular access, as necessary, shall be provided and maintained. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
- E. Width Requirements: The minimum width of lots in this zone has not been specified except that the width shall be sufficient to accommodate the proposed or existing land use. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
- F. Location Requirements:
1. Front Setback: All buildings and structures shall be set back at least twenty feet (20') from the front lot line.
 2. Side Setbacks:
 - a. Interior lots: All buildings shall be set back from the side property line a distance of at least ten feet (10').
 - b. Corner lots: All buildings shall be set back from any street not less than twenty five feet (25').
 3. Rear Setback:
 - a. Interior lots: All buildings shall be set back from the rear property line a distance of at least ten feet (10').
 - b. Corner lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
 4. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)
- G. Size Of Buildings: The ground floor area of all buildings has not been specified. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
- H. Height And Size Requirements: There are no height or size requirements in the PF public facilities zone. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)
- I. Special Provisions:
1. Development landscaping shall be in accordance with SCC 10.52, "Landscaping Standards".

2. Materials placed in screened outside storage areas shall be stacked no higher than the screening fence, wall, hedge, or berm surrounding such area. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

J. Rezoning And Designation:

1. Rezoning: Rezoning of property existing within the city's boundaries and the designation of property being annexed into the city to the PF public facilities zoning classification shall only be done upon demonstration by the applicant that the property is strictly in conformity to the intent and characteristics of the zoning classification, as determined and approved by the city council with recommendation from the planning commission.
2. Spot Zoning: Due to the nature of the PF zoning classification and the inherent nature of some land uses permitted within the classification, and in addition to the provisions of SCC 10.20.060, spot zoning shall be permitted for the proper assignment of the PF zoning classification to property within the city. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)

K. Supplementary Requirements: See SCC 10.16, "Supplemental Provisions Applicable Within All Zones". (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [11-03-2014](#) on 11/5/2014

10.20.190 MAIN STREET BUSINESS DISTRICTS ZONE

A. Objectives And Characteristics: The objective of the Main Street Business District to create a mixed use shopping and financial center for the City and surrounding t characterized as "the center of town". The intensity of uses within this area should proximity to the intersection of Center Street and Main Street. Though this district i which have developed as "strip commercial", it shall not be used to promote or es which such development can be promulgated or encouraged.

Developments on the southern half of the blocks between Main Street and 100 Sc northern half of the blocks between Main Street and 100 North should complemer facing Main Street. These developments may include professional services, office developments and multi-family residential.

Characteristics of the district should include:

1. A mixed use shopping and financial center for Santaquin and surrounding
2. Business interests should be balanced with the interests of adjacent neigh
3. The integrity and viability of the adjacent residential neighborhoods will be

expanding development opportunities by permitting multifamily residential district when combined with commercial uses (mixed use); and

4. The Main Street corridor's significance to the region and area history will be highlighted through site and building design; and
5. The district will demonstrate and promote appropriate urban scale, walkability, orientation, business viability and success, streetscape, community character, and limiting of negative effects on adjacent residential properties. (Ord. 08-02-2008, eff. 8-21-2008)

B. Permitted Uses: General land uses within the Main Street Commercial District shall be shown on the Main Street overlay map found in the economic element of the City's General Plan.

Abbreviations and alphabetic use designations in the matrix and throughout this document have the following meanings:

| | |
|-----|--|
| CBD | The area represented as the Central Business District. |
| MSC | The area represented as the Main Street Commercial area. |
| MSR | The area represented as the Main Street Residential area. |
| P | The listed use is a permitted use within the represented area, based on City standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area and 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. |

(Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

| Use | CBD | MSR |
|---|-----|-----|
| Accessory building | A | A |
| Adult daycare | N | F |
| Alcoholic beverage class A license (store; beer only) | P | F |
| Alcoholic beverage class B license (bars) | C | C |
| Alcoholic beverage class C license (restaurants/clubs) | P | C |
| Alcoholic beverage class D license (hotel/conventions) | P | F |
| Alcoholic beverage class E license (liquor store, etc.) | N | C |
| Arcade | A | A |
| Art gallery | P | F |

| | | |
|---|---|---|
| Automotive service station | C | F |
| Bakery, commercial | C | F |
| Bed and breakfast homes | N | C |
| Brewpub | P | C |
| Commercial, ancillary | P | F |
| Commercial, convenience store | C | F |
| Commercial parking lot or garage | A | A |
| Commercial, recreation | P | F |
| Commercial, repair services | P | F |
| Commercial, retail sales and services | P | F |
| Conference and convention facility | C | N |
| Convalescent home, rest home, or nursing home | N | F |
| Dance hall, discotheque | C | C |
| Daycare center | A | F |
| Drive-in retail | N | F |
| Dwelling, Accessory Unit Attached | N | N |
| Dwelling, Accessory Unit Detached | N | N |
| Dwelling, caretaker | N | N |
| Dwelling, multiple-family | C | C |
| Dwelling, single-family detached | N | N |
| Dwelling units above first story office, retail or commercial | P | C |
| Furniture and appliance stores | P | F |
| Governmental offices | P | F |
| Hotel | P | F |
| Institutions | P | F |
| Library | P | F |
| Mixed use development | C | C |
| Mortuary, funeral home | N | F |
| Motel | N | N |
| Permanent makeup establishment | P | F |
| Private club | P | C |
| Professional office or financial services | P | F |
| Public or quasi-public buildings | C | C |

| | | |
|---|---|---|
| Public park, private park or playground | P | F |
| Public safety buildings | C | C |
| Recreational vehicle (RV) parks | N | N |
| Religious center | P | F |
| Resident healthcare facility | P | F |
| Residential facility for persons with a disability | N | N |
| Residential facility for the elderly | N | N |
| Restaurant | P | F |
| Restaurant with drive-through facilities | N | F |
| School, commercial (art, music, hair, massage) | P | F |
| School, public or quasi-public | C | C |
| Seasonal businesses | C | F |
| Sexually oriented business | N | N |
| Social or reception center | P | C |
| Street vendors | P | F |
| Tattoo parlor | C | F |
| Telecommunications sites. See SCC 10.16.340 paragraph D | | |
| Tobacco specialty shop in accordance with Utah State Code | P | C |
| Transitional treatment home - large | N | N |
| Transitional treatment home - small | N | N |
| Transitional victim home | N | N |
| Veterinary hospital, large animal | N | N |
| Veterinary hospital, small animal | N | F |
| Wedding chapels | P | F |

(Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007; amd. Ord. 08-02-2008, 8-20-2008, eff. 8-20-2008; Ord. 02-01-2010, 2-17-2010, eff. 2-18-2010; Ord. 07-02-2010, 7-21-2010; Ord. 07-01-2011, 7-28-2011; Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 07-01-2016, 7-6-2016; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Scope Of Development Standards: The development standards of this district shall apply to developments for office, commercial, multi-family, mixed use or service oriented projects on blocks adjacent to Main Street between 500 West and 400 East.

These standards shall be applied to redevelopment, or exterior modifications including but not limited to, building additions, facade alterations or changes to exterior materials or colors.

projects involve only a partial redevelopment such as a facade improvement, park reconfiguration, or other rehabilitation, these standards shall apply to the particular project being changed. However, when a cumulative increase in development square feet (buildings or parking) as of the date of adoption of this section of at least forty percent over all of the district standards shall apply.

These standards shall not be applied when general maintenance and upkeep of streets or properties is being performed. (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

- D. Application Of Standards: Within this district, all Santaquin City ordinances, policies and plans shall apply. Where conflicts occur regarding development requirements these standards shall supersede those of the general Santaquin development standards.

These standards shall be considered the minimum for all new or redevelopment projects. The Santaquin Architectural Review Committee shall be the Land Use Authority for determining compliance with the architectural standards set forth below. The Santaquin Development Review Committee (DRC) shall be the Land Use Authority for determining compliance with the standards set forth in this Code. Appeals of final decisions based upon these standards shall be subject to Appeal Authority review in accordance with the Santaquin City zoning and Appeal Authority ordinances, as appropriate. (Ord. 2016, eff. 7-7-2016)

- E. Site Layout Standards: The location and orientation of buildings, pedestrian walkways, and landscaping helps define the street edge, promote a pedestrian oriented street environment, and shopping, and limits impacts of taller buildings on the adjacent residences on the district. (Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

FIGURE 1 Appropriate building design and placement in Boulder, Colorado (picture by George Shaw).



(Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

1. Building Locations And Setbacks:

- a. Buildings on corner parcels should be adjacent to both street fronts intersections. Architectural consideration should be given to corner
- b. Buildings fronting Main Street should utilize party walls or zero set property lines. Parking areas and drive accesses should not disrupt storefronts; however, plazas, green spaces or pedestrian connections are appropriate.
- c. Setbacks:

| | CBD | MSC | |
|----------------------|---|------------|----------|
| Front: | | | |
| Minimum ¹ | 10 feet | 10 feet | |
| Maximum ¹ | Main Street - 10 feet | 10 feet | |
| | Center Street - 10 feet | n/a | |
| | Other streets - 10 feet | 10 feet | |
| Side: | | | |
| Minimum | 0 feet or 8 feet if not built to the property line if mixed use or nonresidential structure with building code rated firewall | | no mixed |
| | 8 feet if nonrated firewall with windows | | |
| | 5 feet accessory buildings and structures | | |
| | 10 feet loading dock, with approved screening | | |
| Maximum | 0 feet or 8 feet if not built to the property line | None | |
| Rear: | | | |
| Minimum | 0 feet if building code rated firewall | | 20 |
| | 20 feet if nonrated firewall with windows | | |
| | 5 feet accessory buildings and structures | | |
| | 10 feet loading dock, with approved screening | | |

Note:

¹ In the CBD area 90 percent of the primary building must fall on the (front setback). Architectural elements such as pilasters, columns, bay windows, or other typical ornamentations may protrude into the a maximum of 2 feet. However, primary building wall planes are no

extend or be cantilevered into the required setbacks.

- d. Open areas between buildings shall be designed as a public plaza areas, courtyards, etc., to enhance and better utilize business prop (2016, 7-6-2016, eff. 7-7-2016)
2. Pedestrian Connectivity: Sites shall be designed to allow for safe pedestrian walking areas to the associated building, between buildings, to adjacent streets, and public sidewalks. Pedestrian connections within and between sites should follow the following standards:
- a. Pedestrian walks and crossings should be located to minimize the need for interruptions by creating a continuous walking environment along streets and between buildings. Where pedestrian crossing areas exist, minimize the disruption of the street, drive aisle, or similar walking interruption by use of extended sidewalks, overpasses, underpasses, etc.
 - b. Pedestrian walkways across internal drive aisles shall be distinguished by durable, low maintenance materials. Examples include scored concrete, raised walkways, or other materials that provide a clear path and character.
 - c. Sites shall be designed to minimize the need to walk within the parking areas.

FIGURE 2 Interrupted pedestrian routes.

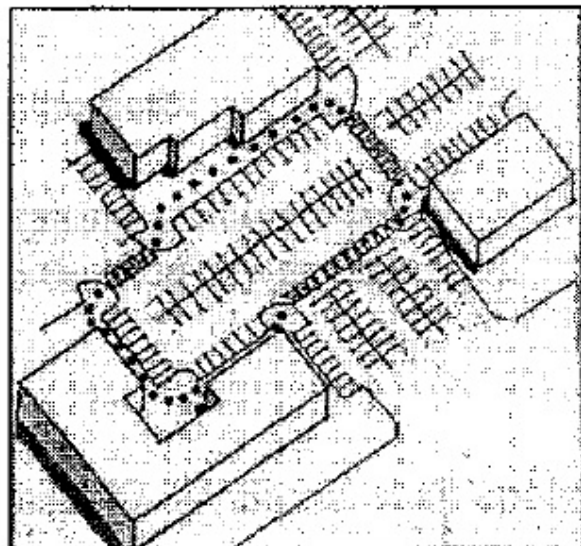
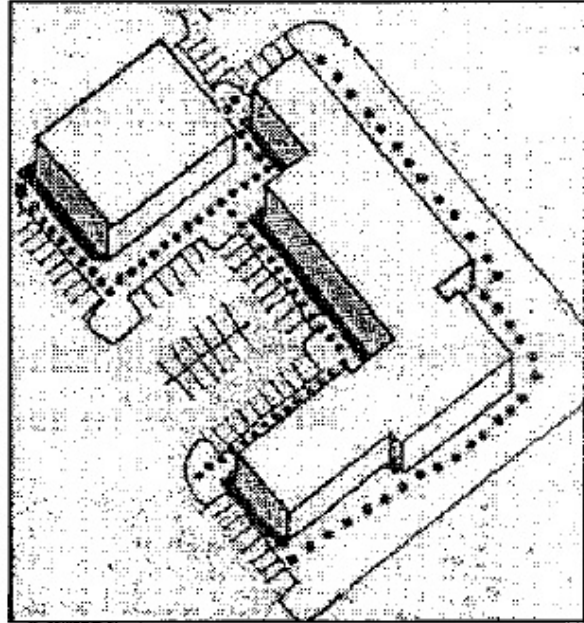


FIGURE 3 Appropriate pedestrian connectivity.



(Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

3. Building Entrances: Primary structures shall be oriented with their main entrance on a street to which the site fronts. The main building entrance shall be on a street that relates to top back of curb elevations. (Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

F. Parking Standards:

1. Location Of Parking Areas: Within the CBD area, parking should be located adjacent to buildings. Other development parcels should locate parking to the sides and rear of buildings. Use of underground parking is strongly encouraged, especially where basements can be reasonably constructed based on site topography. (Ord. 08-20-2008, eff. 8-21-2008)
2. Boundaries: Parking areas for different uses should be interconnected with landscaped areas, rather than become one large parking area. Boundaries shall be located to encourage shared use.
3. Barriers: Barriers that limit circulation between developments and parking areas are not permitted. Examples include fences, walls, topographic changes, or other obstructions.
4. Landscaping: Landscaping within and around parking areas shall be consistent with Section 10.52. (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)
5. Number Of Parking Stalls:
 - a. Vehicular Parking:
 - (1) Required number of parking stalls per use, including ADA stalls, shall be listed in SCC 10.48. Spaces required for the residential units shall be determined by the number of units and the number of stalls required per unit.

same as for multi-family dwellings. Additional parking shall be provided for nonresidential uses in accordance with specified ratios in SCC 10.48. Such parking shall be visibly designated for only commercial tenant use during regular business hours.

- (2) Mixed use developments may have shared parking facilities. Such facilities shall meet the city's review criteria in SCC 10.48. However, allowable building height increases may be granted up to thirty percent (30%) based on the inclusion of underground parking or parking structures which complement the above ground buildings.
- (3) For review purposes only, any parking required for residential uses shall be provided off street with nonresidential uses being allowed to use such parking where permitted in accordance with SCC 10.48.

b. Bicycle Parking:

- (1) Buildings whose primary use consists of medical or other professional services, general business offices, financial services, or government services shall provide parking space for at least two (2) bicycle parking stalls for every twenty thousand (20,000) square feet or fraction thereof. Each stall shall exceed twelve (12) parking stalls.
- (2) Buildings whose primary use consists of retail, eating and drinking establishments, or personal services shall provide parking space for at least one (1) bicycle parking stall for every twenty five thousand (25,000) square feet or fraction thereof. Each stall shall exceed twelve (12) parking stalls.
- (3) Bicycle parking shall consist of decorative bicycle racks which allow for the locking of the bicycle frame and one wheel to the rack, and the bicycle in a stable position without damage to wheels, frame, or components.

FIGURE 4 Bicycle racks in front of retail.



(Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

6. Ground Floor Storefronts Encouraged: If parking structures are utilized, ground floor storefronts along elevations adjacent to public streets are highly encouraged. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
7. Secondary Access Points: Developments having parking lots which accommodate more than ten (10) equivalent residential units (ERU) must provide a secondary ingress/egress. Connection through adjacent properties to a public road is appropriate, but connection to or stubbing a drive aisle to adjacent property is not considered a secondary access point. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

G. Landscaping And Streetscape Standards:

1. Site Landscaping:
 - a. Special consideration shall be given to impacts of new developments on adjacent properties. Site landscaping standards are listed in SCC 10.52.
 - b. Each nonresidential or mixed use development shall have at least 20% of the site landscaped.
 - c. There shall be a minimum sixty (60) square feet of additional usable open space per residential unit. This open space may be private area attached to a patio or balcony area, or consolidated open area for the use and enjoyment of building tenants. Patio or balcony areas must have a minimum of six (6) feet.
 - d. Mixed use developments having residential tenants may provide parking amenities as outlined in paragraph K,3. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
2. Streetscapes: The streetscapes within the district will consist of urban and suburban designs. Developments in the district shall work proportionally with the city streetscapes in order to maintain continuity of elements and appropriate features such as lighting, sidewalks, street furniture, etc.
 - a. Urban Streetscape: Within the CBD area of the zone, development shall use an urban design consistent with city and, where applicable, UDOT standards. Urban design shall be broken down into zones specifically identified as the "clear zone", and "furniture zone". Developments in this area must follow the following design features: (Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

FIGURE 5 Urban streetscape in Durango, CO.

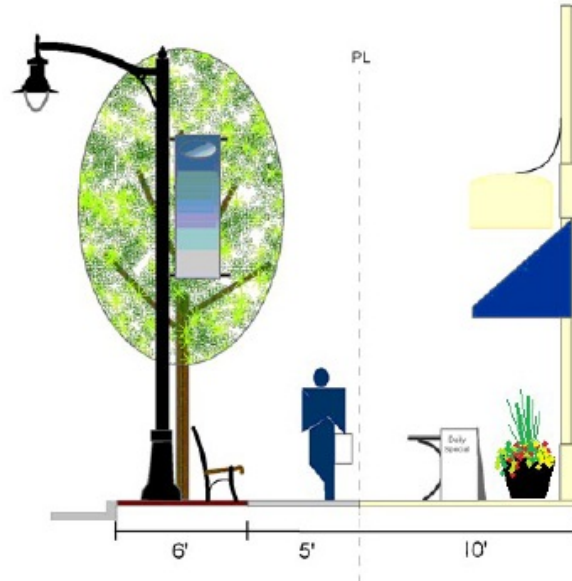


FIGURE 6 Urban streetscape in Ephraim, UT.



(Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

FIGURE 7 Urban streetscape cross section.



(1) Display zone (minimum 10 feet adjacent to buildings):

- (A) Display of goods, special sales, promotions, decora holidays, etc.
- (B) Outdoor seating or eating areas, as appropriate.
- (C) Approved newspaper racks, community bulletin boards
- (D) Limited greenscape, i.e., potted plants, foundation plantings, etc.
- (E) First floor canopy/awning overhangs meeting building clearance standards.
- (F) Access to store entrances from sidewalk grade. (Ordinance 2016, eff. 7-7-2016)

(2) Clear zone (minimum 5 feet):

- (A) Walking zone for pedestrians.
- (B) No obstacles.

(3) Furniture zone (6 feet - next to curb line):

- (A) Street trees with tree wells or ground covers.
- (B) Streetlights with banner attachments.
- (C) Street furniture, e.g., benches, trash receptacles, bike racks, fountains.
- (D) Additional outdoor seating or eating areas, as appropriate.

(E) Other limited greenscape, i.e., potted plants and wall plantings, etc.

b. Suburban Streetscape: In the MSC and MSR areas a suburban design is utilized. This streetscape is greener in its appearance, having a painted street curb, a sidewalk, and a landscape buffer between any parking area and the sidewalk.

- (1) Landscaping within the park strip and buffer areas shall be consistent with the city's adopted landscaping standards.
- (2) Street furniture (e.g., benches, bike racks, flowerpots, etc.) is prohibited within green spaces. (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

FIGURES 8 AND 9 Suburban streetscapes in Santaquin.



(Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

c. Other Provisions: Those roads not specified above shall utilize the sections approved in the city's standard specifications and drawing 2007, 9-5-2007, eff. 9-7-2007)

H. Building Massing: Building massing and architecture should complement the pedestrian environment to create a lasting image for Main Street. The intent of this section is to provide a 1920 period Americana Main Street architectural experience. Characteristics of this period include human scale, attention to detail, and materials and colors that related to the natural region. The following architectural standards are established to realize the community's desire for high quality architecture, materials, and character as well as limit the impacts of buildings on nearby residential properties.

1. Floor Area Ratios (FARs): FARs are an acceptable ratio of constructed building area (total occupiable space above ground) to the lot area. The FAR is calculated by dividing the constructed building area by the lot area. These help to establish appropriate building densities in relation to sites and their surroundings. Properties in the CBD have FARs that range between 0.70 to 1.00. Properties within the MSC and MSR have FARs that range between 0.35 and 0.80.
2. Building Height: Heights are measured from the average sidewalk elevation to the highest point of the roof on sloped roofs to the highest point of a parapet. Roof midpoints shall be measured halfway between the ridge line of the roof and the top of the fascia. Small architectural elements such as cupolas, etc., may exceed heights listed. Steeples and towers shall be considered in correlation to size and design. The following table outlines minimum and maximum heights in the CBD, MSC and MSR areas of the zone:

| | Use | CBD | MSC | MSR |
|--------------------------------|------------------------|------------|------------|------------|
| Minimum stories ¹ : | | | | |
| | All uses | 2 | 1 | 1 |
| Minimum height: | | | | |
| | Nonresidential | 30 feet | 25 feet | 20 feet |
| | Mixed use developments | 40 feet | 20 feet | 20 feet |
| | Multi-family | n/a | 20 feet | 20 feet |
| | Townhomes | n/a | 20 feet | 20 feet |
| Maximum height: | | | | |
| | Nonresidential | 60 feet | 60 feet | 40 feet |
| | Mixed use developments | 60 feet | 60 feet | 50 feet |

| | | | | |
|--|--------------|-----|---------|---------|
| | Multi-family | n/a | 50 feet | 50 feet |
| | Townhomes | n/a | 40 feet | 40 feet |

Note:

¹ All building stories shall be constructed with occupiable space and/or at of all firewalls and occupancy walls.

(Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

3. Bulk Plane: To ensure that new buildings adequately relate in scale to adjacent neighborhoods and the street, bulk plane lines are implemented (see figure section). The following standards apply:
 - a. Neighborhood Facing: A bulk plane of forty five degrees (45°) will be used for two story nonresidential and mixed use structures. The bulk plane will be measured from the property line of the adjacent residential use.
 - b. Street Facing: A bulk plane of sixty degrees (60°) measured at the building facade facing setback, thirty feet (30') above the curb is recommended.
 - c. Multi-Family Developments: Multi-family developments may not exceed three stories within thirty feet (30') of an adjacent single-family dwelling.

FIGURE 10 Graphic representation of bulk plane standards.

(Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

I. Mixed Use/Nonresidential Architectural Standards:

1. Architectural Theme: The architectural standards of the Main Street zones evoke a downtown reminiscent of late 1800 period architectural forms. They provide residents and visitors an inviting and pleasing environment in which to live, work, experience, and enjoy a small town central business area. Careful attention to pedestrian viewing scale rather than an auto oriented application of simplified forms should be utilized. Building designers should consider the natural colors and materials of the surrounding area in concert with historic agrarian, craftsman, and other styles when preparing plans for new building construction. The following standards are the minimum to which new developments can adhere and designers are encouraged to incorporate other elements which may further the city's desires and intent.
2. Building Facade: Facades should not be long expanses of blank walls. They should be human scale and provide a pedestrian friendly shopping environment. A building must receive equal architectural consideration of the following:

- a. Visual Breaks: Building facades and walls must have visual breaks (30') in width at a maximum. Examples of visual breaks include the dimensional architectural features such as columns, projecting windows twelve inch (12") change in plane or an equivalent element that art See figure 11 of this section.

FIGURE 11 Facade articulation in Ogden, UT (picture taken by Bill



- b. Building Entrances: By creating a clearly identified system of entry pedestrian environment and the vehicular environment will be enhanced.
 - (1) Entrances must be well defined from access drives, pedestrian plazas and major parking areas with one or more of the following:
 - (A) Canopy, awnings, overhang or arch above the entrance (pillars),
 - (B) Recesses or projections in the building facade surrounding the entrance,
 - (C) Display windows surrounding the entrance,
 - (D) Coved entrances.
 - (2) Secondary entrances on the rear or side of buildings should have architectural consideration equal to the primary entrances.
- c. Fenestration: The design and amount of window area on a building facade should be balanced with the amount of blank walls and encourage a pedestrian friendly atmosphere. The following standards shall apply:

FIGURE 12 Building in Ephraim, UT. Appropriate use of entry point area.



(1) Ground floor facades:

- (A) Facades that face public streets or provide a primary building shall have display windows or similar transparent areas comprising forty (40) to seventy five percent (75%) of facade area.

Facade area is calculated by multiplying the facade ground floor height. Transparency ratio equals the total transparent area divided by ground floor facade area:

- (B) Shopping windows or other expanses of glass on the ground floor should begin no more than 2.5 feet above adjacent ground level and should have a traditional kick plate under them. Maximum height between windows and doors is ten feet (10') (see figure 13 section).

FIGURE 13 Shopping windows in Richfield, UT.



(2) Upper floor facades:

- (A) Facades above the ground floor shall be thirty (30) to thirty-five (35) percent (60%) transparent using a similar calculation method as for ground floor areas.
- (B) Windows above ground floors should be designed with three-dimensional relief. Finish work around the windows should provide visual breaks to the facade of the building (see figures 14 and 24 of this section). Varying window designs such as bay windows, corner windows, circle tops, or window patterns, shutters, etc., should be utilized to add visual character to buildings.

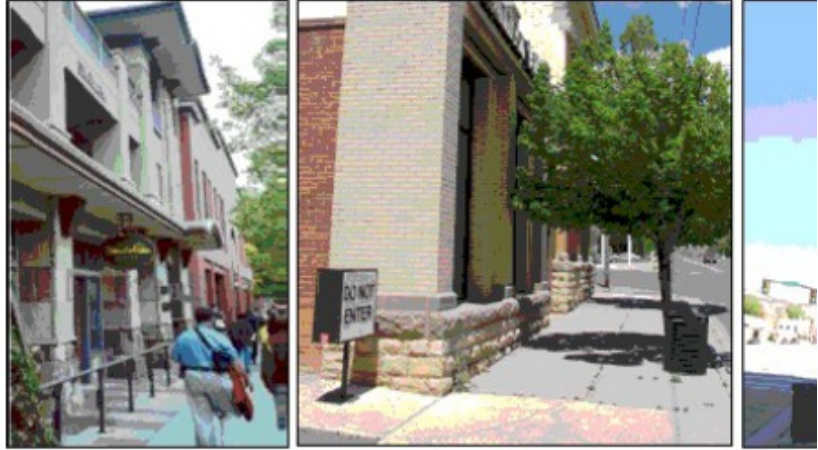
FIGURE 14 Use of three-dimensional treatments and varied window styles to provide character and facade interest in downtown Denver, CO.



d. Distinct Ground Floor: The ground level of the primary structure shall be distinct from upper stories (see figures 15 and 17 of this section). This distinction may be provided by a cornice above the ground level, an arcade, color, and texture or other means.

- (1) Ground floor spaces shall have a minimum floor to ceiling height of 11 feet (11'). First floor transoms and clerestory windows are encouraged.
- (2) Careful attention to human scale and detail shall be provided. Details should include ornamental masonry patterns and/or woodwork and decorative elements (see figure 13 of this section).
- (3) No HVAC equipment or other air venting elements shall be visible on the building level nor readily visible on the building from the adjacent public sidewalk. Below surface systems may be permitted within front setbacks.
- (4) Building foundations should terminate no more than thirty inches above grade. Exposed foundation walls must be finished with brick, stone, or other primary materials noted below (see figures 15, 16 and 17 of this section).

FIGURES 15, 16 AND 17 Appropriate foundation design and ground floor distinction.

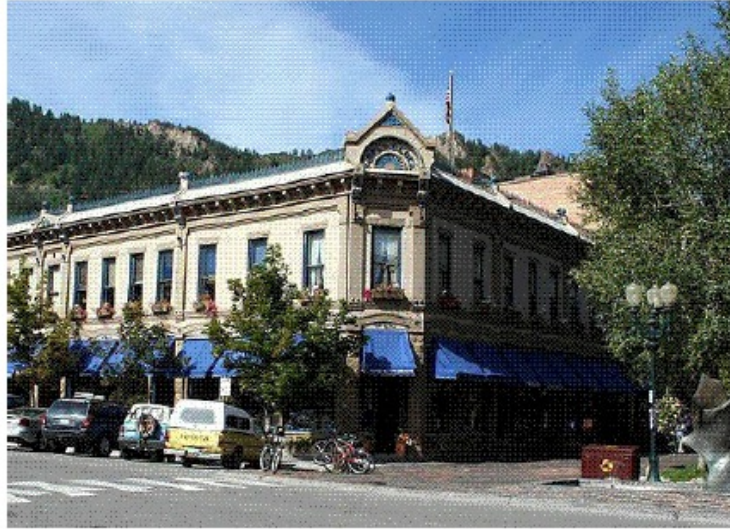


3. Use Of Awnings And Canopies: Awnings and canopies shall be designed architecture of the buildings to which they are attached and serve to enhance the building as an articulation and aesthetic element, not as an advertising

FIGURE 18 Appropriate use of awnings in South Jordan, UT.



FIGURE 19 Appropriate use of awnings in Aspen, CO.



- a. Awnings or canopies must function as true awnings or canopies by over a doorway or window and under certain circumstances over a outdoor seating area. All awnings or canopies must be attached to Canopies must lead to a bona fide business entrance.
- b. Awnings or canopies shall project at least 4.0 feet from the building over a pedestrian traffic area and no less than two feet (2') otherwise
- c. Awnings or canopies shall maintain a minimum clearance above s eight feet (8') to the bottom of the framework when located over a p area. The bottom of the framework shall not be more than eight fee covered grade or the maximum height of the protected window, doc building entry otherwise.
- d. The top of the framework may not extend above a vertical wall term any architectural elements.
- e. All awnings that do not contain sign copy shall be made of woven c architectural metal materials. Backlighting of awnings is not permit and materials shall be compatible with the building to which it is at

4. Roof Designs And Parapets:

- a. Flat roofs shall be screened with parapets on all sides of the buildi visible from the street. The parapet shall be of height sufficient to sc mechanical equipment (e.g., HVAC units). If no rooftop mechanical the parapet shall be a minimum of thirty six inches (36") in height.
- b. All parapets shall feature three-dimensional architrave, frieze and c (see figures 21 through 24 of this section).
- c. Hipped roofs are not allowed. Mansard roofs are only allowed with

- three (3) or more stories. Mansard roofs must contain fenestration v other window finishes appropriate to the architecture of the building
- d. Sloped roofs shall have a minimum five to twelve (5:12) pitch with g toward adjacent public streets.

FIGURE 20 Window treatments on a mansard roof.



FIGURES 21, 22 AND 23 Parapets in Spanish Fork, UT (left), and



FIGURE 24 Parapets in Provo, UT.



5. Building Materials:

a. Primary Exterior Materials:

(1) Primary exterior finish materials shall make up at least the percentage of building elevations shown in the table below, after the transoms defined in this section, is deducted:

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

(2) Primary exterior finish materials shall be low reflectance, have natural textures, and utilize natural earth tone colors. Examples of acceptable materials include: brick, stone, natural split faced block, or cut stone. Glass exterior, smooth faced concrete block, prefabricated stone, corrugated metal, and EIFS (stucco) shall be prohibited as primary exterior materials. Nonmasonry siding is prohibited.

(3) Concrete siding products (i.e., hardie board) is considered a primary exterior finish but can only cover a maximum of 75% of each elevation area defined in the table above, and must be accompanied by another primary exterior finish.

b. Secondary Materials And Trim Materials: Secondary materials and trim shall complement the primary materials in texture and scale and provide sufficient contrast to be visible. EIFS materials may only be utilized for accents.

c. Accessory Structures: Accessory structures, such as gasoline pumps, utility enclosures (gas, electric), trash enclosures and other accessory structures shall use the same architectural elements and types of materials and colors as the main structure.

- d. Material Colors: Material colors should consist of earth tones, e.g., red or brown. The use of high intensity colors, primary colors, meta fluorescent colors is not permitted for primary exterior materials. Se and trim materials shall complement the primary material colors.
- e. Wrapping: Where the two (2) sides of an extruding corner element materials and design elements shall wrap the visible corner and m at an interior corner location or the terminus of the visible wall plan

6. Tenant Space Design:

- a. All ground floor tenant spaces for nonresidential uses shall have a hundred (800) square feet. Live/work units with residential areas or from the business entrance must have at least one thousand six hu square feet.
- b. Each tenant space should be provided distinction from adjacent ter through use of differing colors, materials, signage, design elements of such.
- c. Residential units shall comply with the multi-family requirements or
- d. All sides of a building or buildings within a larger development, wh street must be designed to accommodate nonresidential tenants or (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
- e. All buildings within the Central Business District and Main Street C must include non-residential use(s). If a building includes residenti tenant spaces on the ground floor, must be reserved for non-reside shall have a minimum floor to ceiling height of eleven feet (11'). No use(s) must have independent access and may be directly accessi tenants in the development. (Ord. 09-03-2017, 9-6-2017, eff. 9-7-20

7. Building Lighting: All lighting on the exterior of buildings shall be shielded downward. The intent of this is to limit the amount of light spill and night sk (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

J. Signs: The intent of district sign regulations is to reduce visual clutter on buildings street environment and views by encouraging smaller signs constructed of similar materials used on the primary structures, and treat signs as architecture, not as ar

- 1. Sign Integration: Signage is encouraged to be integrated into the architect buildings. Stick on signs (signs that clearly cover architectural features of t not be allowed.
- 2. Sign Areas: Sign "areas" shall be designated on building elevations (for e utilize signs) to show that signage has been taken into account in the over building facade. (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007)

3. Sign Types: Regulations stated in SCC 10.44, "Sign Regulations", apply a with the following additional standards:

- a. Wall signs within the CBD area are to be constructed of individual l externally illuminated by direct system with no direct light spill occu (see figure 25 of this section). All lighting must be directed downward illumination is not appropriate; however, halo illumination is permis in the MSC or MSR shall comply with the city's sign regulations, bu exposed or visible neon tubing.

FIGURE 25 Externally illuminated wall signs.



- b. Any monument sign must be set back at least three feet (3') from th way or drive aisle and not impede visibility at intersections or drive maximum size of any monument sign shall be fifty (50) square feet CBD area. Monument signs in the CBD area may not exceed twen feet but may exceed the maximum height limits up to eight feet (8'). only have one sign per street frontage with the intent that multiple t share the sign space. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
- c. Signs on awnings shall be limited to street level businesses only (s this section). Signage on an awning shall be limited to forty percen awning face. The signage on the awning and other permanent bus the same elevation shall not exceed fifteen percent (15%) of that el Translucent letters or accents sewn into opaque canvas or acrylic a permitted. Any illumination under awnings shall be for safety lightir and not for backlighting of the awning.

FIGURE 26 Appropriate awning signs.



d. Projecting signs are allowed under the following standards:

- (1) The sign should blend with the aesthetics of the building and natural and manmade environment. The color, style, size, and proportion of the sign should enhance the exterior of the building, not place too much bulk nor be an excessive external distraction to the exterior. Equal treatment and design consideration should be given to the mounting and supporting structure for the sign (see figure 27)

FIGURE 27 Projecting signs (picture taken by George Shaver)



- (2) No sign shall be larger than twenty (20) square feet.
 - (3) Projecting signs shall not extend more than six feet (6'), nor four inch (4") spacing from the attached vertical wall. They shall have a minimum clearance of ten feet (10') from the sidewalk or finish and shall be no more than twelve inches (12") thick.
 - (4) Projecting signs must be externally illuminated by direct system with no light spill occurring off the sign.
 - (5) Electronic message centers or changeable copy are not allowed.
 - (6) Projecting signs are allowed only for street level tenants in buildings and there shall be a minimum horizontal distance between projecting signs.
- e. Approvals for multiple sign types on the same elevation will only be granted where the developer can show that the architectural design of the building warrants the use of multiple sign types.
- f. Signage will not be allowed on roof equipment screening or rooftop penthouses, above the roofline, or on sloped roofs. (Ord. 09-01-2009-7-2007)

K. Multi-Family Development Standards: The maximum density allowed for multi-family shall be conditioned upon the architectural design of the development and its ability to meet the following zone standards. The following housing and open space and amenities standards shall also be applied to mixed use developments unless addressed in the general standards.

1. Minimum Lot and Unit Size: The minimum lot size for a multi-family development in a Street Residential (MSR) area shall be one (1) acre. The minimum density of a multi-family development shall be 8 units/acre. The maximum density of a multi-family development shall be 12 units/acre. The average minimum livable unit area shall be five hundred (500) square feet for a studio unit, seven hundred fifty (750) square feet for a single bedroom unit, and nine hundred (900) square feet for a two (2) bedroom unit. No unit shall have less than ninety percent (90%) of the required average. Units with more than two (2) bedrooms shall provide an additional one hundred fifty (150) square feet per additional bedroom.

2. Parking:

- a. Parking design and layout standards shall comply with the city's parking and circulation standards.
- b. Garages may be back loaded detached with alley access, front loaded attached but set back from the front line of the home by at least five feet, or a combination of the above.

FIGURE 28 Appropriate garage design in a multiple-unit development



3. Open Space And Amenities:

- a. There shall be a minimum sixty (60) square feet of open space per unit.

- space may be a patio or balcony area, for the use and enjoyment of a tenant or consolidated open area for the use and enjoyment of all tenants.
- b. Thirty percent (30%) of the site shall be landscaped including required setbacks. At least one-half (1/2) of the required open space shall be provided for general tenant recreation purposes, including sidewalks and paths leading to landscape yards to building entrances or recreation amenities.
 - c. One tot lot area shall be provided for each development consisting of (8) residential units except when developments are located within a traversable distance of one thousand (1,000) linear feet of a public sidewalk. In such cases, a tot lot may be replaced with another amenity (e.g., pavilion, gazebo, sports court, etc.) as approved by the Planning Commission. A tot lot or approved amenity shall be at least six hundred (600) square feet. Playground equipment should accommodate and be designed for five (5) to twelve (12) year old children. An additional tot lot or approved amenity shall be provided for each additional twenty (20) units. The required tot lots and approved amenities shall count towards the open space requirement.
4. Entrances: Where appropriate, based on site layout, entrances to buildings and units shall be oriented toward the public right-of-way with entry sidewalks leading directly to public sidewalks. Entrances should be identifiable by an architectural feature such as a covered portico or a different roofline treatment.
 5. Fenestration: Each elevation shall have at least one window per unit on street level. Window openings shall be designed with three-dimensional relief, which may include a combination of pop outs, shutters, keystone features, etc.
 6. Building Articulation: Exterior walls shall be articulated through combination of the following techniques:
 - a. Facade modulation: Stepping portions of the facade to create shadows and changes in volumetric spaces,
 - b. Use of engaged columns or other expressions of the structural system,
 - c. Providing projections such as balconies, cornices, covered entrances, cocheres, trellises, pergolas, arcades and colonnades (providing, shutters and awnings extend outward from the underlying wall surface at least 3 feet),
 - d. Variation in the rooflines by use of dormer windows, overhangs, arched roofs, gables or other similar devices,
 - e. Wraparound porches, particularly on corner lots.

FIGURE 29 Appropriate articulation on a multi-family structure.



7. Landscaping: Requirements shall be the same as those outlined in SCC 1
8. Rooftop Equipment: Rooftop equipment shall be screened from view of public and, except solar energy equipment, completely enclosed on all sides. Rooftop roofs should be designed to blend into the structure, such as incorporated chimneys, colored to match roofing materials, screened by parapet walls, etc.

FIGURE 30 Appropriate rooftop equipment treatments.



- a. Fences And Walls: Developments shall install a six-foot (6') decorative fence reviewed and approved by the architectural review committee (ARC). Fences shall be stone, masonry, or concrete, along the perimeter of the development. Fences shall include the following:

FIGURE 31



FIGURE 32



FIGURE 33



FIGURE 34



- b. Perimeter landscaping must be in accordance with the city adopted standards. Chainlink and vinyl are not allowed as fencing materials; review committee may grant exceptions to fencing requirements or basis if it finds that the exception is in the best interest of the city.

9. Building Materials:

- a. Primary Exterior Materials: Primary exterior finish materials shall be found in paragraph 1,5.
- b. Secondary Materials And Trim Materials: Secondary materials and shall complement the primary materials in texture and scale and pr contrast to be visible. EIFS materials may be utilized sparingly. Alu prohibited. Architectural vinyl siding (e.g., shake or board and bato but only in roofline dormer areas and if they have a minimum thirty guarantee. Hardy-board type products may be appropriate.
- c. Material Colors: Material colors must be similar to those required fc

commercial buildings.

FIGURE 35 Mixed use residential on Main Street, Golden, CO.



d. Accessory Structures: Accessory structures, such as storage sheds, utility facilities, garages, trash enclosures and other accessory structures shall be constructed of the same types of materials and colors, and design elements as the primary structure.

10. Property Management: Prior to final approvals of any multi-family development, developers/owners of the development shall provide to the city a copy of the property management declarations or other management protocols and policies that will be used for the development (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007; amd. Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008; Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016; Ord. 03-02-2018, 3-21-2018, eff. 3-22-2018; Ord. 08-02-2019, 8-6-2019, 8-7-2019; Ord. 10-02-2019, 10-15-2019, eff. 10-16-2019)

L. Detached Single-Family Development Standards:

1. Lot Standards:

- a. Lot size shall not be less than six thousand five hundred (6,500) square feet.
- b. Lot widths shall not be less than fifty five feet (55').

2. Structure Setbacks:

- a. Front setbacks to living area from all street fronting property lines: Five (5) feet. Covered porches may be within ten feet (10') of the front property line.

view areas may not be obstructed.

- b. Front setback to garage doors: Twenty five feet (25').
- c. Side setback: Five feet (5').
- d. Rear setback: Twenty five feet (25').
- e. Accessory structures shall not be located in front of the main structure and shall comply with setback requirements for accessory structures in other zones of the city.

3. Building Standards:

- a. Floor Area: The minimum floor area (excluding garages and basements) for single-story structures shall not be less than nine hundred (900) square feet. Similarly, multi-story dwellings shall have a minimum floor area of one thousand (1,200) square feet.
- b. Architectural Style: Architectural styles indicative of the 1890-1920 period shall be utilized. These include Queen Anne, folk Victorian, shingle style, craftsman, bungalow, American foursquare, or neoclassical. (Ord. 08-02-2008, eff. 8-21-2008)

c. Materials:

- (1) Elevations facing public rights of way must meet the minimum requirements found in paragraph 1.5. The use of smooth facade panels, EIFS (stucco) or concrete siding is prohibited unless consistent with the architectural style of home proposed. Vinyl or aluminum siding is prohibited.
- (2) Brick and masonry materials must wrap building corners and inside corners of a building.
- (3) Material colors should complement the area surroundings and neighborhood lifestyle. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

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

5. Parking:

- a. A two (2) car garage is required per dwelling.
- b. Shared driveways are allowed where adequate easements and maintenance agreements are in place.

agreements will be recorded to assure long term maintenance of the Shared driveway access from the street may not exceed twenty four width. (Ord. 08-02-2008, 8-20-2008, eff. 8-21-2008)

M. Public Art: Public art promotes the cultural and historic characteristics of Santaquin surrounding areas. It also encourages pedestrian activity and contributes to the vitality of residents and business patrons. Public art (which may include artists' work integrated into the design of the building, landscaping, sculpture, painting, murals, glass, mixed media, and other art forms), that is accessible or directly viewable to the general public is encouraged in all projects. (Ord. 09-01-2007, 9-5-2007, eff. 9-7-2007; amd. Ord. 08-02-2008, 8-21-2008)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [07-01-2016](#) on 7/6/2016

Amended by Ord. [02-01-2018](#) on 2/7/2018

Amended by Ord. [03-02-2018](#) on 3/21/2018

Amended by Ord. [08-01-2019](#) on 8/6/2019

Amended by Ord. [10-02-2019](#) on 10/15/2019

Amended by Ord. [07-01-2020](#) on 7/7/2020

Amended by Ord. [09-04-2020](#) on 9/1/2020

10.20.200 AGRICULTURE PROTECTION AREAS

A. Objectives And Characteristics: Utah state law allows property owners to establish agricultural protection areas to further agricultural pursuits and gain legal protections for operations conducted within such areas. State law further allows municipalities to establish the application means, appropriate fees to establish such areas, and establish the minimum number of continuous acres required for an agriculture protection area within the municipality. Santaquin recognizes these lands and uses as viable and of paramount importance in maintaining the culture and identity of Santaquin. The city objectives in establishing agriculture protection areas include, but are not limited to, the following:

1. Buffering and protecting agricultural operations and lands from encroachment of urban development.
2. Permitting uses that enable agricultural operations to function and remain viable in the area but which are incidental thereto and do not change the basic character of the zone. These uses may include farm based businesses to supplement farm income, e.g., experiential farming businesses (i.e., bed and breakfast inns, farm themed commercial uses similar to the Red Barn, farmers' markets, pick your own fruit markets, etc.).

3. Limiting those land uses and activities that could conflict with agricultural uses or adversely affect the long term investment in the land and improvements in areas designated for farmland preservation.
4. Assuring that farm related housing can be adequately serviced by necessary utilities.
5. Maintaining as much as possible the agricultural heritage of Santaquin City as further indicated by recognition of Santaquin as the Utah farming heritage district for the state of Utah. (Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

B. Application Standards: Each application for an agriculture protection area must meet the following requirements:

1. Applications shall be signed by a majority in number of all owners of real property and the owners of a majority of the land area in agricultural production within the proposed agriculture protection area.
2. Applications shall be accompanied by a written proposal, which identifies the following:
 - a. The boundaries of the land proposed to become part of an agriculture protection area prepared by a licensed surveyor;
 - b. Any limits on the types of agriculture production to be allowed within the agriculture protection area; and
 - c. For each parcel of land:
 - (1) The names of the owners of record of the land proposed to be included within the agriculture protection area or industrial protection area;
 - (2) The tax parcel number or account number identifying each parcel; and
 - (3) The number of acres of each parcel.
3. An agriculture protection area may include within its boundaries land used for a roadway, dwelling site, park, or other nonagricultural use if that land constitutes a minority of the total acreage within the agriculture protection area. (Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

C. Required Fees: The fees required to file an application for an agriculture protection area shall be established by resolution of the city council. (Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

D. Minimum Area Requirements:

1. The minimum number of continuous acres allowed for the creation of an agriculture protection area should be five (5). However, a protection area may be smaller dependent upon the type of operation being conducted and based on the recommendations from the county advisory board and city planning commission. The criteria for evaluating the minimum size shall be as follows:
 - a. Whether or not the land is currently being used for agriculture production;
 - b. Whether or not the land is zoned for agriculture;
 - c. Whether or not the land is viable for agriculture production;
 - d. The extent and nature of existing or proposed farm improvements; and
 - e. Anticipated trends in agricultural and technological conditions.
(Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

E. Review Process:

1. Establishment Of A Protection Area: The process for establishing an agriculture protection area shall be the same as outlined by Utah Code Annotated (1953, as amended).
2. Removal Of Land From A Protection Area: The process for establishing an agriculture protection area shall be the same as outlined by Utah Code Annotated (1953, as amended). (Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

F. Notice Of Protection Area Designation:

1. Development Within Three Hundred Feet Of A Protection Area: Any new subdivision development located in whole or in part within three hundred feet (300') of the boundary of an agriculture protection area, shall provide notice on any plat filed with the county recorder the following notice:

"Agriculture Protection Area"

This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.

2. Posted Notice: Where an agriculture protection area is adjacent to or includes a public road, the property owners included within the protection area should, for every five hundred feet (500') of frontage along such road, post a sixteen (16) square foot sign which includes the following information:

"Agriculture Protection Area"

The agricultural operations being conducted on these lands have been protected under Utah State Code, § 17-41 and Santaquin City Code (SCC) § 10.20.200. This area is subject to normal, everyday sounds, odors, sights, equipment, facilities, and other aspects associated with an agricultural operation and have been afforded the highest priority use status.

(Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

10.20.210 AGRICULTURE ZONES

- A. Objectives And Characteristics: Santaquin recognizes agriculture lands and uses as viable and of paramount importance in maintaining the culture and identity of Santaquin. The city objectives in establishing agriculture zones include, but are not limited to, the following:
 1. Buffering and protecting agricultural operations and lands from encroachment of urban development.
 2. Permitting uses that enable agricultural operations to function and remain viable in the area but which are incidental thereto and do not change the basic character of the district. These uses may include farm based businesses to supplement farm income, e.g., experiential farming businesses (i.e., bed and breakfast inns, farm themed commercial uses similar to the Red Barn, farmers' markets, pick your own fruit markets, etc.).
 3. Limiting those land uses and activities that could conflict with agricultural uses or adversely affect the long term investment in the land and improvements in areas designated for farmland preservation.
 4. New development adjacent to agriculture areas will be more aware of impacts associated with common agricultural practices and be required to mitigate those impacts to and from the adjacent agriculture operations.
 5. Assuring that farm related housing can be adequately serviced by necessary utilities.
 6. Maintaining as much as possible the agricultural heritage of Santaquin City as further indicated by recognition of Santaquin as the Utah farming

heritage district for the state of Utah. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

B. Agriculture Zones Established: The following agriculture zones are established within the city:

1. Agriculture Zone (Ag): The agriculture zone is established to highlight those agriculture operations and lands most suitable for agriculture operations within the city while allowing housing and other accessory uses necessary for such operations to remain viable. Development within this zone will be limited and only allowed where the above objectives and characteristics are furthered.
2. Residential Agriculture Zone (R-Ag): The residential agriculture zone is established to allow limited development within and near agricultural operations which would allow property owners to develop a portion of their property while maintaining a rural and agrarian character in the city through clustering development, preserving open spaces and view corridors, and limiting infrastructure costs. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

C. Permitted Uses: General land uses within the agriculture zone shall complement agrarian uses on properties within this zone. All land uses and future development decisions should be based on the goals and policies of the city's general plan land use element.

Abbreviations and alphabetic use designations in the matrix have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on city development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| A | The listed use is only permitted as an accessory use within the represented area. |
| N | The listed use is not a permitted use within the represented area |

| Use | Ag | R-Ag |
|---|----|------|
| Accessory building | P | P |
| Accessory building without dwelling structure | P | N |
| Agribusiness | P | C |

| | | |
|--|-----|-----|
| | | |
| Agriculture | P | P |
| Agriculture building | P | P |
| Agriculture building without a dwelling structure | P | P |
| Assisted living facility - large | N | C |
| Assisted living facility - small | N | P |
| Bed and breakfast homes | C | C |
| Boarding facility | P | C |
| Commercial, ancillary | P | C |
| Dwelling, caretaker | P | P |
| Dwelling, guest cottage | P | P |
| Dwelling, single-family detached | P | P |
| Feedlot | C | N |
| Gravel, sand, earth extraction, and mass grading | C | N |
| Home occupations, in accordance with SCC 10.40 | P/C | P/C |
| Institutions | C | C |
| Outdoor youth program | C | C |
| Public or quasi-public buildings | C | C |
| Public park, private park or playground | P | P |
| Public safety buildings | P | P |
| Recreational vehicle (RV) parks | N | N |
| Religious center | P | P |
| Resident healthcare facility | N | C |
| Residential facility for persons with a disability | N | P |
| Residential facility for the elderly | N | P |
| Residential support facility | P | P |
| School, public or quasi-public | P | C |
| Seasonal businesses | P | P |
| Sexually oriented business | N | N |
| Sheltered workshop | N | C |

| | | |
|---|---|---|
| Slaughterhouse | N | N |
| Social or reception center | C | C |
| Telecommunications sites. See SCC 10.16.340 paragraph D | | |
| Treatment facility - large | N | N |
| Treatment facility - small | N | C |
| Veterinary hospital, large animal | P | P |
| Veterinary hospital, small animal | P | P |

(Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008; amd. Ord. 02-01-2010, 2-17-2010, eff. 2-18-2010; Ord. 03-02-2010, 3-17-2010, eff. 3-18-2010; Ord. 07-02-2010, 7-21-2010; Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; Ord. 03-02-2014, 4-16-2004, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- D. Parcel Requirements: The following table outlines the parcel standards within the respective agriculture zones:

| Zone | Ag | R-Ag |
|----------------------|---------------------|--------------------|
| Maximum density | 1 unit per 20 acres | 1 unit per 5 acres |
| Minimum lot area | 1/2 acre | 5 acres |
| Minimum lot frontage | 30 | 100 |

(Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

- E. Structure Requirements:

1. Setbacks: The following table outlines the setback requirements for primary dwellings within the respective agriculture zones:

| Yard | Ag | R-Ag |
|----------------------|---|--|
| Front yard | 50 feet from public road | 50 feet from public road |
| | 60 feet from centerline of private road | 60 feet from centerline of private road |
| Secondary front yard | 25 feet | 50 feet |
| Side yard | 25 feet | 20/30 feet with at least 50 feet between dwellings |
| Rear yard | 30 feet | 30 feet |

| | |
|---------------------------|---------------------------------------|
| Nonfarm related dwellings | 50 feet from any agriculture boundary |
|---------------------------|---------------------------------------|

(Ord. 03-02-2010, 3-17-2010, eff. 3-18-2010)

2. Accessory Buildings: All accessory buildings and structures shall be located behind the primary dwelling front yard setbacks and comply with all applicable building code standards for placement near dwellings and property lines. If an accessory dwelling is located on a property without a dwelling all primary dwelling setbacks and site development standards would apply to the structure.
3. Guest Cottages: A detached guest cottage may be developed upon issuance of a building permit if the following conditions are met:
 - a. The lot contains an existing, legal single-family dwelling unit;
 - b. The square footage of the living area of the guest cottage does not exceed the square footage of the living area of the main dwelling unit. However, in no event shall the living area of the guest cottage exceed one thousand (1,000) square feet as measured from the inside of the exterior walls;
 - c. The proposed building site is not located in an environmentally sensitive area unless the property owner submits information acceptable to the department showing that the proposed guest cottage would not result in or be subject to any significant environmental impacts;
 - d. The cottage must be detached from the primary dwelling. The community development director may waive the requirement that the structure be stand alone if an alternative design (such as a single level to be built on top of an existing structure) provided by the applicant includes design features which preclude future expansion of the structure beyond the allowable living area of the unit. Examples of such features include: a) use of external staircases rather than internal staircases to access a second floor unit; b) exclusion of common walls which could be penetrated to create additional living space; or c) exclusion of attached areas that can be easily converted to additional living space (such as substantially enclosed porches);
 - e. The guest cottage shall be within five hundred feet (500') of the main or secondary residence. The planning director may waive the five hundred foot (500') limit if the applicant presents substantial evidence that an environmental or agricultural constraint prevents meeting this requirement and/or if a greater distance is required to meet the standards of the department of

environmental management relating to private water or sewer systems;

- f. Any construction shall conform to height, setback, lot coverage, site plan review, fees (including impact fees for an additional dwelling), charges and other zoning requirements applicable to residential construction in the zone in which the property is located;
- g. All approvals are granted by the appropriate government entities regarding environmental health where either a private sewage or disposal system or private water system is to be used;
- h. Access from a public/private road to the cottage must be the same as to the primary dwelling. Separate driveway entrances will not be permitted. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

F. Dwelling Size: The minimum dwelling size for a primary, stand alone, single-family dwelling shall be nine hundred (900) square feet of floor area on the main floor. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

G. Property Development Standards:

1. Water Systems: Sufficient culinary and irrigation water rights and/or systems must be provided to each new lot created within this zone. Public or private water sources may be utilized dependent upon delivery means and proximity to public sources. If public sources will be utilized, water rights shall be dedicated and infrastructure constructed to handle any new demands on the system. All proposed systems and/or water rights must be approved for adequacy by the city engineering department prior to acceptance by the city council. (Ord. 09-04-2011, 9-21-2011, eff. 9-22-2011)
2. Sewer Systems: Individual or communal septic tanks may be utilized for new homes based on compliance with all applicable city, state and federal provisions, including, but not limited to, water source protection areas. Homes within three hundred feet (300') of a public sewer system must connect to the public system. Provision must be made with any new development for the eventual connection of dwellings to a public system. This may include installing dry sewer lines and stubs lines.
3. Utilities: Due to the potential conflicts with agricultural operations (e.g., discing, tilling, root and crop growth, etc.) power, cable, and phone utilities may be allowed aboveground where traversing agriculture operations. Residential dwellings shall have utility connections underground.
4. Nonresidential Or Mixed Use Developments: All landscaping, parking and other applicable development standards shall apply.

5. Sensitive Lands:

- a. Environmentally sensitive lands (e.g., natural stream channels, floodplains, steep slopes, etc.) may not be included with lots as buildable areas. Such lands may be included with lots but shall not count toward the minimum lot area. The city council may accept these lands as permanent open space for general city recreation, scenic, or cultural purposes.
 - b. Lands which are part of a clustered development, which are to remain in agricultural operations or as open space for the development, shall be conserved in one of the following ways:
 - (1) Dedication of the land as a public park or parkway system if agreed to and accepted in writing by the city;
 - (2) Creation of a homeowners' association by which common areas shall be owned and maintained;
 - (3) Placement of the land within a conservation easement in favor of the city or other city approved land trust organization. This option may include use of the property as a single-family lot to be used primarily for agricultural purposes;
 - (4) Other arrangement devised by the applicant, which is found to be acceptable and approved by the city council prior to preliminary plat approval.
6. Access: All properties must be accessed from improved public or private roads that comply with all public safety accessibility standards. Private roads may only be approved where documentation of a permanent maintenance and funding plan is provided. Though private roads are not encouraged, they are allowed with city council approval, whether or not a public road could be constructed with property development constraints.
7. Development Agreements: Any property owner(s) wanting to develop within this zone must enter into a development agreement with the city prior to final development approvals being granted. Such agreements should address the above development standards and any other criteria deemed appropriate by the property owner or city.
8. Property Divisions For Agriculture Purposes: In accordance with Utah state law, a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land shall not constitute a subdivision. Neither the resulting combined parcel nor the parcel remaining from the division or partition may violate any city ordinances.

9. Bed And Breakfast Facilities: Bed and breakfast facilities may have a maximum of ten (10) guestrooms. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

Amended by Ord. [07-01-2011](#) on 7/27/2011

Amended by Ord. [09-04-2011](#) on 9/21/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.220 R-43 RESIDENTIAL ZONE

- A. Objectives And Characteristics: The objective of establishing the R-43 Residential Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by large lots on which detached single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. This zone is established to help transition between agricultural areas of the City and those areas of higher intensity uses. It is also intended to be used to regulate development densities in areas that are determined to have geologic hazards or constraints or where the City has determined needs for increased open spaces or land preservation. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)
- B. Permitted Uses: Land uses in the R-43 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on City development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| N | The listed use is a prohibited use within the represented area. |

| Use | R-43 |
|---|------|
| Accessory building | P |
| Accessory building without dwelling structure | N |
| Agribusiness | N |
| Agriculture | P |
| Assisted living facility - large | N |

| | |
|--|-----|
| Assisted living facility - small | P/C |
| Bed and breakfast homes | N |
| Boarding facility | N |
| Dwelling, caretaker | N |
| Dwelling, guest cottage | N |
| Dwelling, single-family detached | P |
| Gravel, sand, earth extraction, and mass grading | N |
| Home occupations, in accordance with SCC 10.40 | P/C |
| Institutions | N |
| Public park, private park or playground | P |
| Public safety buildings | P |
| Recreational vehicle (RV) parks | N |
| Religious center | P |
| Residential facility for persons with a disability | P |
| Residential facility for the elderly | P |
| Residential support facility | P |
| School, public or quasi-public | C |
| Sheltered workshop | C |
| Social or reception center | N |
| Telecommunications sites. See SCC 10.16.340 paragraph D | |
| Temporary uses, subject to the provisions of SCC 10.16.300 | P |
| Treatment facilities | N |

(Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

- C. Area Requirements: A land area of not less than one acre shall be provided and maintained for each lot, tract, or parcel of land within the R-43 Zone. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)
- D. Width Requirements: The minimum width of lots in this zone shall be one hundred (100) linear feet per street frontage, except on cul-de-sacs or private lanes. Properties with frontage on cul-de-sacs must have a minimum of fifty feet (50') of frontage along front property lines. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-

2011)

E. Structure Requirements:

1. Setbacks:

| Yard | R-43 |
|----------------------|--|
| Front yard | 50 feet from public road or centerline of private road |
| | 40 feet from shared driveway |
| Secondary front yard | 30 feet |
| Side yard | 20 feet |
| Rear yard | 30 feet |

(Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)

2. Accessory Structures (Including Detached Garages):

- a. General Setbacks: All accessory structures must be located at least twelve feet (12') from any associated dwelling or main structure and may not be located in any utility easements without written consent from those affected entities.
- b. Front Setback: Accessory structures are not permitted in the front yard of a dwelling.
- c. Front Setback On Corner Lot: Accessory structures are not permitted in the front yard of a dwelling along a primary frontage nor within thirty feet (30') from secondary frontages except that accessory structures that are less than two hundred (200) square feet may be within the setback from a secondary frontage if the accessory structure is located at least three feet (3') from the property line that is along a secondary frontage.
- d. Side Setback: Accessory structures must be ten feet (10') from a side property line, except that a three foot (3') side setback shall be permitted if the accessory structure walls closest to the side property line are constructed with one hour or more fire resistant walls.
- e. Rear Setback: Accessory structures must be ten feet (10') from the rear property line, except that a three foot (3') rear setback shall be permitted if the accessory structure walls closest to the rear property line are constructed with one hour or more fire resistant walls. (Ord. 02-03-2018, 4-4-2018, eff. 4-5-2018)

3. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)

F. Dwelling Size: Minimum dwelling size shall be one thousand two hundred (1,200) square feet floor area on the main floor. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)

G. Property Development Standards:

1. Water Systems: Sufficient culinary and irrigation water rights and/or systems must be provided to each new lot created within this zone. Private water systems are not allowed if the buildings serviced in the development are within one thousand feet (1,000') of an existing public water system. (Ord. 09-04-2011, 9-21-2011, eff. 9-22-2011)

2. Sewer Systems: Individual or communal septic tanks may be utilized for new homes based on compliance with all applicable City, State and Federal provisions, including, but not limited to, water source protection areas. Homes within three hundred feet (300') of a public sewer system must connect to the public system. Provision must be made with any new development for the eventual connection of dwellings to a public system. This may include installing dry sewer lines and stubs lines.

3. Sensitive Lands: Environmentally sensitive lands (e.g., natural stream channels, floodplains, steep slopes, etc.) may not be included with lots as buildable areas. Such lands may be included with lots but shall not count toward the minimum lot area. The City Council may accept these lands as permanent open space for general City recreation, scenic, or cultural purposes.

4. Access:

a. Roads: All properties must be accessed from improved public or private roads that comply with all public safety accessibility standards. Private roads may only be approved where documentation of a permanent maintenance and funding plan is provided. Though private roads are not encouraged, they are allowed with City Council approval, whether or not a public road could be constructed with property development constraints.

b. Driveways: Properties may utilize shared driveways for access up to two (2) lots. Shared driveways may only be approved where documentation of a permanent maintenance and funding plan is provided as well as appropriate deeds establishing unilateral control and responsibility for the driveway between the benefited properties.

5. Development Agreements: Any property owner(s) wanting to develop within this zone must enter into a development agreement with the City prior to preliminary development approvals being granted. Such agreements should address the above development standards and any other criteria deemed appropriate by the property owner or City. (Ord. 06-01-2011, 6-1-2011, eff. 6-2-2011)

HISTORY

Adopted by Ord. [06-01-2011](#) on 6/29/2011

Amended by Ord. [09-04-2011](#) on 9/21/2011

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [02-01-2018](#) on 2/7/2018

10.20.230 HILLSIDE DEVELOPMENT OVERLAY ZONE

A. Purpose: The purpose of the hillside development zone is to establish standards for development in environmentally sensitive or geologically hazardous areas associated with foothill or steep terrain areas within the city. Additional goals in establishing this zone are as follows:

1. Promote sustainable design criteria for new developments which address long term impacts of development in sensitive areas.
2. Provide flexible development options where a standard lot pattern is not practical or desirable due to natural topographic constraints or conditions caused by mass grading or excavation activities on a site.
3. Provide for the preservation of wildlife corridors, and natural drainage channels or systems and use of measures to protect future property owners from geologic and fire hazards as development occurs in sensitive areas.
4. Provide for the reestablishment of vegetation and reclamation of barren areas caused by mass grading or excavation activities caused by development in sensitive areas.

It is also the intent of this section that the hillside zone be an overlay zone with densities and land uses being established by underlying zoning. It is also intended that any developer demonstrate by the applications submitted for approval that the objectives and goals of the general plan, the underlying zone and this section will be fostered. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

B. Development Within The Hillside Zone: Any parcel which is included wholly or partially within the hillside overlay zone shall be subject to the standards outlined in this section. Development agreements shall be established with the city prior to preliminary approvals being given for new developments in this zone. Such

agreements must be based on concept plans reviewed by city staff, the planning commission and approved by the city council. Developments will only be permitted upon demonstration of ability to comply with the standards of the hillside overlay zone and development agreement requirements. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

- C. Terms And Definitions: As used in this chapter, the following terms and associated definitions shall be applicable:

AVERAGE SLOPE: Average slope of a parcel is determined by the following formula:

$$S = (100)(I)(L)/(A)$$

Where: S is the average slope of the parcel, in percent

I is the contour interval, in feet (not to exceed 2 feet)

L is the total length of all the contour lines in the parcel, in feet

A is the area of the parcel, in square feet

SENSITIVE AREA: Sensitive areas shall be considered those areas which are prone to geologic hazards, within state identified potential surface fault rupture zones, exceed thirty percent (30%) slopes, are designated wetlands, watershed or water source protection areas, areas of historical significance, or as may otherwise be determined to be necessarily protected by official action of the city, county, state or a federal agency.

THIRTY PERCENT SLOPE: In order to be considered a legitimate thirty percent (30%) slope, one of the two (2) following criteria must be met:

1. Height Criteria: There must be a vertical rise (measured perpendicular to the contours) within the thirty percent (30%) slope area of at least ten feet (10').
2. Area Criteria: There must be a contiguous thirty percent (30%) slope area (including all contiguous areas of 30 percent slope, irregular as the boundary may be) of at least two thousand (2,000) square feet, and the vertical rise of the area must be at least six feet (6') (measured perpendicular to the contours). (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

- D. Permitted Uses: Land uses allowed within the hillside development zone are listed in the respective underlying zones. Permitted nonresidential uses must be reviewed under the city's development review process and applicable

development standards. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

E. Open Space And Landscaping Requirements:

1. Recreation Open Space: Each development within this zone is required to contain at least ten percent (10%) of the net developable acreage of the development in permanent recreation open space. The ten percent (10%) acreage must meet the following guidelines:
 - a. Such acreage must be nonencumbered except for utility easements or public uses.
 - b. Sensitive areas may be considered toward the ten percent (10%) requirement if utilized for city approved public trails or park systems.
 - c. Recreation open space must be improved by the developer. Improvements may include recreation activity areas, picnic pavilions, gazebos, water features, playgrounds, or privately maintained landscape areas or other elements as stipulated in an approved development agreement for the project.
 - d. Recreation open space should be designated where bands of open space and contiguous recreation areas can be developed or expanded as abutting properties develop.
 - e. Where a development will be constructed in phases, the amount of improved and dedicated recreation open space must always meet or exceed the required recreation open space minimum ratio for the entire development (e.g., if a development is required to have a total of 10 percent open space, then each phase of the development must include open space equal to at least 10 percent or more of the phase until the total required open space and improvements is provided).
 - f. A maximum of fifty percent (50%) of the recreation open space may be utilized for storm drain detention or retention unless it is determined by the city that following this standard will significantly reduce the functionality and recreation potential of the property.
 - g. Parking areas constructed solely for dedicated recreation areas may count toward the ten percent (10%) requirement.
 - h. Where developments in this zone abut, include, or encompass trails, parks, or other public facilities outlined within the city's general plan or parks and recreation capital facilities plan, such amenities are to be provided and constructed by the developer. Any associated lands for these facilities will be counted toward the ten percent (10%) recreation open space requirement. Costs for installation of these facilities may be reimbursed to the developer

in accordance with capital facilities plan schedules.

2. Required Development Landscaping: Where applicable, the following landscape plans are required. Such must be reviewed and approved by the city's development review committee and bonded for with developments in this zone. All plans required in this section shall be prepared by a landscape architect or engineer registered in the state of Utah. All plans shall be designed at a scale of one inch equals sixty feet (1" = 60') or larger.
 - a. Reclamation Plan: A reclamation plan shall be provided for any areas to be disturbed by development activities. This plan shall address remediation of any environmental contamination caused by the development, final grading and contouring of the site, slope stabilization around roads and lots, surface water diversions and impoundments, the provision of topsoil and subsoil where needed, and revegetation.
 - b. Common Area Landscape Plan: A landscape plan shall be provided for those portions of a development which will remain as common area. Such plan should incorporate pathways, gathering areas, common greens, year round aesthetics, shade trees, gardens, etc. A minimum of thirty five percent (35%) of the nonstructurally covered common areas should be shaded at vegetation maturity.
 - c. Landscaping Of Residential Lots:
 - (1) Residential lots must have completely landscaped front yards and visible side yards prior to receiving a certificate of occupancy for a dwelling on such lot, where such yard areas are visible from a public or private street. Rear yards must meet fire department standards if not landscaped before occupancy.
 - (2) Landscaping around homes need not be designed by a landscape architect or engineer, but shall meet guidelines for firewise protection and be approved by the city's fire department prior to occupancy of the home.
 - (3) Any grading work associated with landscaping around the home must comply with paragraph H.
 - d. Nonresidential, Mixed Use Or Multi-Family Developments: Landscape plans shall meet firewise guidelines, grading standards in paragraph H, and the city's landscaping standards as found in SCC 10.52.

3. General Open Space And Landscaping Standards:

- a. Preservation, maintenance, and/or ownership of required and amenity open spaces or sensitive areas shall be accomplished by one or more of the following methods:
 - (1) Dedication of improved lands as a public park or parkway system if agreed to and accepted in writing by the city. However, the city shall be under no obligation to accept such dedication;
 - (2) Establishment and operation of a condominium project in compliance with the provisions of the condominium ownership act of 1963, Utah Code 57-8, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities;
 - (3) Creation of a homeowners' association by which common areas shall be owned and maintained; or
 - (4) If open spaces are to remain in a natural state, then such must be owned, managed, administered, and maintained by Santaquin City, or a recognized land trust or conservancy, or any other entity or combination of entities, as approved by the city council and have conservation easements established to allow public access and enjoyment while preventing future development in such areas.
- b. All open space areas must be accessible by emergency vehicles and personnel to protect and provide surveillance to improved properties and structures.
- c. All required landscaping and maintenance systems pertinent to open space areas shall be installed prior to a certificate of occupancy being granted for any structures located on the property or within the phase in which the open space is located. Where landscaping can not be completed before October in the same year construction begins, a certificate of occupancy may be granted if a cash bond for completion of the landscaping is provided to Santaquin City. Bond amounts shall be determined by the city engineer consistent with the city development bonding regulations. Landscaping must be installed within six (6) months of bond posting weather permitting. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

F. Sensitive Area Mitigation And Analysis:

1. Mitigation: Sensitive areas may not be developed unless all potential hazards are effectively mitigated and it is demonstrated by the developer that the health, safety, and welfare of current or future residents of the city or their property, including those not within the development boundaries, is protected. Demonstration by the developer must include, but not be limited to, conducting of applicable analysis under paragraph F,2, providing documentation to the city of financial resources and their integrity for construction of any recommended mitigation facilities, and provision of city acceptable guarantees for any analysis recommended mitigation facilities.
2. Required Analysis: The following analysis shall be conducted prior to preliminary approvals being granted for any development covered under this zone. All costs of said studies shall be the sole responsibility of the applicant.
 - a. Flood And Watershed Protection Study: A flood and watershed protection study shall be prepared by a professional engineer, licensed in the state of Utah and approved by the city. Said study shall include:
 - (1) data and analysis concerning the possibility of future flooding and/or soil erosion in the project area;
 - (2) data and analysis concerning the potential effects of the development of the project on adjacent areas with respect to future flooding and/or soil erosion; and
 - (3) recommendations for the mitigation of potential adverse effects of flooding and/or soil erosion on the project and adjacent properties.
 - b. Geological Hazard Mitigation: A geological hazard assessment shall be conducted to identify and provide permanent mitigation for fault areas (including surface fault rupture hazards), rockfalls, debris flow/alluvial fan hazards, slope stability, and any other hazards which may be associated with or impact a subject property. A firm or individual with expertise/competence in this type of hazard assessment and licensed in the state of Utah must perform the work. The report must include, but not be limited to, a discussion of the geologic conditions, a description of the method of study including field investigation, alluvial fan investigation, estimates of debris volume and peak flow, hazard mitigation with a preferred mitigation recommendation, and any development or area limitations including recommended structure setbacks from hazard areas.
 - c. Wildlife Habitat And Corridors: Applicants shall submit each

application for development to the Utah department of wildlife resources (DWR) for analysis of impacted wildlife and habitat areas. Development proposals must include mitigation strategies to address comments provided by the DWR.

- d. Wildland-Urban Interface Areas: Development proposals shall conduct an analysis of fire hazard due to proximity to natural open space areas. This study must be coordinated through the city, county, and federal lands fire officials. Recommendations from such study must address alteration of existing vegetation and/or topography and limitations on landscaping, home materials, structure spacing, fencing, and fire suppression techniques appropriate to the area.
3. Construction Of Protection Facilities: All recommendations from the studies required under this section must be followed and the resulting protection measures bonded for and constructed with a proposed development. Prior to the issuance of a building permit within a development, all required protection facilities must be constructed by the applicant and inspected by the city engineer and the person or entity which recommended the facility be built. Such construction and inspection costs, including any necessary acquisition of property, rights of way and/or easements, shall be the sole responsibility of the applicant.
 4. Notification Of Potential Hazards: All items identified as potential hazards or sensitive areas through the above studies must be noted and illustrated on final development plans and plats. This shall include delineation of applicable areas of nondisturbance on parcels to be platted. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

G. Lot Standards:

1. Lot Area Requirements: Minimum lot area requirements shall be as outlined in the underlying zone.
2. Frontage Requirements: Minimum frontage requirements shall be as outlined in the underlying zone with the following exceptions:
 - a. Lots with frontage along a cul-de-sac bulb may have thirty feet (30') of frontage as measured along the front property line.
3. Setback Requirements: The setback requirements shall be as outlined in the underlying zone.
4. Sensitive Areas: Sensitive areas may be included with individual parcels in a development under the following guidelines:
 - a. Parcels with less than twelve thousand (12,000) square feet may

not include sensitive areas.

- b. Single-family lots with an average slope greater than fifteen percent (15%) must have a minimum buildable area of eight thousand (8,000) contiguous, nonsensitive, square feet.
- c. Sensitive areas may not exceed fifty percent (50%) of individual lots for uses other than detached single-family dwellings.
- d. Where a parcel includes sensitive areas, the buildable areas of the lot shall be delineated on final plats with the exclusion of sensitive areas and required setbacks.

5. Shared Driveways: Shared drives or private lanes are allowed where adequate easements and maintenance agreements will be recorded to assure long term maintenance of the shared access. Shared driveway access from the street may not exceed twenty four feet (24') in width. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

H. Cuts And Fills: The following standards shall be met when designing street layouts, subdivision improvements, presale lot grading and home construction plans:

1. Slopes: Slopes caused by either an excavation or fill shall not be steeper than one vertical to two horizontal (1:2). Slopes shall not be steeper than one vertical to four horizontal (1:4) within fifteen feet (15') of abutting dwelling lot property lines unless a developer provided retaining wall is installed consistent with the retaining wall standards outlined below.
2. Permanent Fill: Permanent fill shall be located so that settlement or erosion shall not damage or cover any street, curb, gutter, sidewalk, or building.
3. Standards: All fill and degrees of compaction shall comply with the standards established by the city engineer in accordance with applicable codes and standards adopted by the city.
4. Water Diversion: Water diversion systems shall be installed to channel water runoff away from cut or fill slopes and retaining walls. Protection of such systems is to be noted on any development plats.
5. Slope Edges: The top or bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at one vertical to three (3) horizontal feet for a distance of six feet (6') from the property line and/or street right of way lines. Cut and/or fills greater than ten (10) vertical feet shall be set back an appropriate distance as determined by the city engineer.
6. Vertical Height: The maximum vertical height of any nonretained cut or fill

slope exceeding one vertical to three horizontal (1:3) shall be ten feet (10').

7. **Setback:** Any structure, except a retaining wall or soil stabilization improvement, shall have a setback from the crest/base of a cut or fill a minimum distance equal to the depth of the fill or the height of the cut, unless an engineered retaining wall is built for the cut or fill slope. Retaining walls may be a part of a dwelling unit.
8. **Nonretained Slope:** The distance from any structure to the toe of a natural or development caused nonretained slope shall be at least the height of the slope divided by two ($H/2$), up to fifteen feet (15').
9. **Retaining Walls:**
 - a. **Required:** Retaining walls shall be required in any area of disturbance where the grade exceeds a 2.5:1 slope.
 - b. **Design; Approval:** Any retaining wall that is four feet (4') in height or taller shall be designed by a licensed engineer and approved by the city building official in accordance with applicable codes adopted by the city.
 - c. **Wall Heights:** Retaining wall heights shall be measured from the bottom of the foundation of the wall to the top of the wall vertically above the bottom point of measurement. No retaining wall shall exceed ten feet (10') in height.
 - d. **Separation:** Retaining walls shall have a minimum horizontal separation equal to the height of the nearest uphill retaining wall.
 - e. **Consistency:** Retaining walls within this overlay area shall be consistent in design and materials across property lines (e.g., no rock walls abutting masonry unit walls).
 - f. **Retaining Walls Along Property Lines:**
 - (1) Retaining walls may be constructed along property lines up to a maximum height of eight feet (8').
 - (2) The developer shall be responsible for the installation of retaining walls along residential property lines prior to sale of lots within the development. Where such retaining walls are to be installed, the costs of such shall be included in the bonds for the development.
 - (3) After the sale of a lot, no new retaining walls shall be located within five (5) horizontal feet of rear property lines or property lines trending perpendicular to affected slopes unless:

- (A) Adjoining property owners have entered into a written agreement and prepared a joint submittal for construction of the retaining wall, and
- (B) A six foot (6') tall fence is installed on top of any retaining wall exceeding six feet (6') in height along the property line, and
- (C) An irrigation and landscaping plan is submitted to show how water will be handled around the top of the retaining wall.

g. Approval Required: Retaining walls constructed as a requirement to the presale of a property within the hillside overlay zone may not be altered, expanded, or built upon without prior city engineer and building official approvals.

10. Single-Family Home Construction: All lots having average slopes of fifteen percent (15%) or greater within the hillside overlay zone are required to complete and submit a lot grading and drainage plan ("the plan") with any application for a building permit. Each lot grading and drainage plan must include the following information:

- a. Date, north arrow, and scale on the plan (1 inch = 50 feet or larger).
- b. Name, address, and professional seal of engineer or surveyor responsible for preparation of the plan.
- c. Name and address of property owner and builder.
- d. Address and recorded lot number.
- e. All property lines with bearings and distances.
- f. All required building setbacks and easements according to final subdivision plat.
- g. Existing grade contours for the entire lot and a fifty foot (50') surrounding area at a maximum interval of two feet (2').
- h. Location of all existing structures, natural features, drainage courses and all existing grades exceeding twenty percent (20%).
- i. Location, dimensions, and spot elevations of all existing and proposed structures and improvements on the lot including driveways, sidewalks, patios, and retaining walls.
- j. All retaining walls must be identified by height and material and comply with the standards outlined under paragraph H,9. All

backfilled areas must be retained.

- k. Identify finished floor(s) elevation, finished grade elevations adjacent to structure, garage floor elevation, and finished grade at all lot corners.
 - l. Finish grade contours at a maximum interval of two feet (2'), which demonstrate the following:
 - (1) Ability to maintain a minimum two percent (2%) slope away from any structure for a minimum distance of ten feet (10').
 - (2) Slope of driveway not to exceed twelve percent (12%).
 - (3) Drainage pattern for final lot grading.
 - (4) No finish slope shall exceed fifty percent (50%).
 - m. Stormwater and management details including size and location of roof drains and adequate detail to demonstrate no drainage discharge to adjacent lots.
 - n. Demonstration that the proposed grading and drainage plan meets the requirements of the IRC as adopted by Santaquin City.
 - o. Erosion control details demonstrating ability to control erosion on slopes greater than four horizontal to one vertical (4:1) (25 percent). These controls may include landscaping, retaining walls, terracing, drainage soils, catchment areas, or other reasonable methods. Prior to excavation, silt fencing must be installed along all property lines trending perpendicular to a down slope. The silt fencing must remain in place until all rough grading around the structure and construction of retaining walls are completed. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)
- I. Streets, Roadways, And Private Access: Streets, roadways, and private accessways shall follow as nearly as possible the natural terrain. The following additional standards shall apply:
- 1. Points of access shall be provided to all developed and undeveloped areas for emergency and firefighting equipment. Any driveway located upon a lot extending from a public street shall have at any point a maximum grade of fifteen percent (15%) as measured along the centerline of the driveway, and a minimum width of twenty feet (20'), and shall be of a sufficient width and design to admit and accommodate firefighting equipment.
 - 2. Maximum cul-de-sac lengths shall be one thousand feet (1,000') as measured from adjacent road to beginning of bulb. An intermediate

turnaround, compliant with city adopted fire codes, must be installed mid length if the cul-de-sac exceeds seven hundred fifty feet (750').

3. Variations of street design standards developed to solve special hillside visual and functional problems may be presented to the city council for consideration. Examples of such variations may be the use of split roadways to avoid deep cuts, modifications of surface drainage treatments, or sidewalk design/elimination.
4. Any road or right of way for vehicular access dedicated for public use shall be subject to the following limitations:
 - a. The maximum grade of such road or rights of way shall be twelve percent (12%) except as provided in paragraph H,10,I(2). Roads with a centerline aspect within eighty degrees (80°) of north shall not exceed ten percent (10%).
 - b. The city council, after receiving a recommendation from the planning commission and development review committee, may grant approval for the construction of a straight section of road or right of way having a grade exceeding twelve percent (12%), but the grade of such streets shall not, in any event, exceed fifteen percent (15%) or three hundred feet (300').
 - c. Intersections shall be designed to accommodate public safety and snow removal movements into and out of the intersection. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

J. Relationship To Other Development Ordinances: This section is intended to be supplementary to the other provisions of this title. Unless specifically indicated in this section, all requirements of this title and any other development ordinances or standards of Santaquin City must be satisfied. (Ord. 09-05-2011, 9-21-2011, eff. 9-22-2011)

HISTORY

Adopted by Ord. [09-05-2011](#) on 9/21/2011

Amended by Ord. [09-02-2020](#) on 9/1/2020

10.20.240 CLM COMMERCIAL LIGHT MANUFACTURING ZONE

A. Objectives And Characteristics: The CLM zone allows for a mixture of commercial and light manufacturing uses. The purpose of the CLM zone is to provide for and encourage a mix of compatible land uses which offer opportunities to work and shop. It also is to provide the opportunity for compatible commercial and light manufacturing development. Goals of this zone include the efficient use of land and creative opportunities for the economical preservation and adaptive reuse of existing structures. A mixture of office, personal service, retail shopping, and light manufacturing opportunities are encouraged

within this zone.

Uses should not conflict with the objectives and characteristics of either the C-1, MSC or I-1 zones, or with the general plan. Development within the CLM zone should have good access to collector streets.

- B. Area Requirements: There shall be no land area requirements, except that an area sufficient to accommodate location requirements, off street parking, loading and unloading, and vehicular access shall be provided and maintained. Permitted Uses and Conditional Uses: General land uses within the CLM zone shall complement the city's general plan for their respective areas. Those uses allowed in the CLM zone are listed in the following matrix. This code considers applicable uses in the zone, and uses not identified as permitted or conditional to be prohibited. Abbreviations and alphabetic use designations in the matrix have the following meanings:

| | |
|---|---|
| P | The listed use is a permitted use within the represented area, based on city development standards and ordinances. |
| C | The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances. |
| A | The listed use is only permitted as an accessory use within the represented area. |
| N | The listed use is a prohibited use within the represented area. |

| Use | CLM |
|---|-----|
| Agriculture, excluding livestock activities | P |
| Agriculture, including livestock activities | N |
| Alcohol dispensing establishment | C |
| Automotive Service Station | C |
| Cabinet Making/Woodworking | C |
| Cold Storage Refrigeration Warehouse | P |
| Commercial, industrial equipment sales | C |
| Commercial, recreation | P |
| Commercial, retail sales and service | P |
| Drive-in retail | P |
| Dwelling, caretaker | C |
| Dwelling, single-family | N |

| | |
|---|-----|
| Dwelling, multi-family, subject to SCC 10.16.060 | N |
| Engraving, publishing, and printing | P |
| Fulfillment Center | C |
| Furniture and appliance stores | P |
| Healthcare facility | C |
| Home occupations, subject to SCC 10.40 | P/C |
| Hotels and motels | C |
| Industry, Light | P |
| Industry, Medium | N |
| Institutions | P |
| Kennels | N |
| Laboratory for Assay of Precious Metals | C |
| Laboratory, Medical | C |
| Large scale developments | C |
| Parking lot | P |
| Parks | P |
| Pharmaceutical Manufacturing | C |
| Planned unit developments | N |
| 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 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 |

| | |
|---|-----|
| Slaughterhouses | N |
| Stone and monument sales | P |
| Storage unit facilities | N |
| Telecommunications sites subject to SCC 10.16.340 | P/C |
| Theaters | C |
| Veterinarian services | P |
| Wedding chapel | P |
| Wholesale stores | P |

C. Width Requirements: The minimum width of lots for commercial and light manufacturing development in this zone is not specified.

D. Location Requirements; Commercial:

1. Front Setback: All buildings and structures shall be set back at least ten feet (10') from the front lot line.

2. Side Setbacks:

a. Interior Lots: Commercial buildings may be designed and constructed to be conjoined or share a common wall along a side property line, with a neighboring commercial building if:

- (1) The adjoining building is planned as a part of the same commercial development or plan, whether or not in subsequent phases;
- (2) A plan showing the overall commercial development, including all phases, is submitted to the community development department as a part of the applicant's commercial development application;
- (3) All specifications and regulations of the International Building Code (IBC) and the International Fire code (IFC), or subsequently adopted codes, are accounted for and satisfied;
- (4) Adequate parking facilities, as outlined in this title, are satisfied in full; and
- (5) All other applicable provisions of this code are satisfied.

Existing commercial buildings located within a commercial zone

which have been built with a setback may be remodeled or expanded to incorporate a conjoined situation only if the provisions herein are met in full. No building seeking a conjoined approval may overlap a property line to form a conjoined building with an established building containing a setback. Where no conjoined buildings are desired, a ten foot (10') side setback shall be required. The minimum side setback for accessory buildings shall be ten feet (10'), except that a three foot (3') side setback shall be permitted for accessory buildings located at least twelve feet (12') from the rear of any building and having fire resistant walls of two (2) hours or more.

- b. Corner Lots: All main and accessory buildings shall be set back from the street side property line a distance of not less than fifteen feet (15'). In addition, no building or structure may be permitted to be located within the clear view area. Interior side property line setbacks shall be determined as specified in paragraph G,2,1. Accessory buildings shall be set back not less than ten feet (10') from the interior side lot line, except that a three foot (3') interior side setback shall also be permitted for accessory buildings located a distance of twelve feet (12') from the rear of the primary structure and having fire resistant walls of two (2) hours or more.
- c. Commercial Strips: Two (2) or more commercial buildings may be continually conjoined, as determined herein, provided that no such strip is continued for more than three hundred feet (300') of continual linear building frontage without an easement and/or accessway of at least fifteen feet (15') in width being established to provide emergency access to the rear of the property(ies). Any gap in building frontage of less than ten feet (10') shall be considered continued building frontage. All such commercial strips shall meet the provisions of conjoined buildings as provided in paragraph G,2,1.

3. Rear Setback:

- a. Interior Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on interior lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings having fire resistant walls of two (2) hours or more and located at least twelve feet (12') to the rear of any dwelling.
- b. Corner Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory

buildings on corner lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any dwelling and having fire resistant walls of two (2) hours or more.

4. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090.
5. Fuel Pumps: Fuel pumps shall be located no closer than thirty feet (30') from any street.
6. Residential Setback: The minimum setback from any residential zone or use shall be fifteen feet (15').
7. Building Heights:
 - a. The minimum allowable height shall be eight feet (8'), measured from the interior ceiling to the exterior grade.
 - b. The maximum allowable height shall be forty-eight feet (48'), measured from the interior ceiling to the exterior grade.

E. Location Requirements; Light Manufacturing:

1. All Buildings and Structures:

- a. Front Setback: Thirty-five feet (35') from the front lot line.
- b. Front Setback On Corner Lot: Thirty-five feet (35') from property line along primary frontage, thirty feet (30') from property line along secondary frontage.
- c. Side Setbacks:
 - (1) Interior Lots: All main buildings shall be set back from the side property line a distance of at least ten feet (10'), and the sum of the total distance of the two (2) side setbacks shall be at least twenty feet (20'). Accessory buildings on interior lots shall be set back from the side property line a distance of at least ten feet (10'), except that a three-foot (3') side setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any main building and having fire resistant walls of two (2) hours or more.
 - (2) Corner Lots: All main and accessory buildings shall be set back from any street not less than twenty-five feet (25'). Accessory

buildings shall be set back not less than ten feet (10') from the interior side lot line, except that a three-foot (3') interior side setback shall also be permitted for accessory buildings located a distance of twelve feet (12') from the rear of the primary structure and having fire resistant walls of two (2) hours or more.

d. Rear Setback:

(1) Interior Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on interior lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings having fire resistant walls of two (2) hours or more and located at least twelve feet (12') to the rear of any dwelling.

(2) Corner Lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10'). Accessory buildings on corner lots shall be set back not less than ten feet (10') from the rear property line, except that a two foot (2') rear setback shall be permitted for accessory buildings located at least twelve feet (12') to the rear of any dwelling and having fire resistant walls of two (2) hours or more.

2. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090.

3. Size Of Building: The ground floor area of all buildings has not been specified.

4. Building Heights:

a. The minimum allowable height shall be eight feet (8'), measured from the interior ceiling to the exterior grade.

b. The maximum allowable height shall be forty-eight feet (48'), measured from the interior ceiling to the exterior grade.

F. Special Provisions:

1. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight obscuring fence or wall of not less than six feet (6') and no materials or merchandise shall be stored to a height of more than the enclosing fence or wall.

2. Storage of junk, partially or completely dismantled automobiles, or salvage

materials shall be prohibited.

3. No solid waste container shall be located in the front yard setback area, nor thirty feet (30') from any public street. All dumpsters shall be screened from the public view by a six-foot (6') sight obscuring wall or fence. The floor of the trash enclosure shall be a concrete pad which shall extend five feet (5') beyond the opening of the trash enclosure. Trash enclosures shall be located so as to minimize disturbance to residential development. Trash enclosures shall be at least fifty feet (50') away from any residential use.
4. Development landscaping shall be in accordance with SCC 10.52, "Landscaping Standards".
5. An architectural design theme is maintained across all buildings as practicable, or as negotiated as set forth in a development agreement.

10.24 CONDITIONAL USES

10.24.010 PURPOSE

10.24.020 PERMIT REQUIRED

10.24.030 PROCEDURE FOR APPROVAL

10.24.040 NOTICE

10.24.050 PLANNING COMMISSION APPROVAL

10.24.060 CRITERIA AND FACTORS TO BE CONSIDERED

10.24.070 DURATION

10.24.080 FEES

10.24.090 OTHER REQUIREMENTS

10.24.100 APPEALS

10.24.110 IMPLEMENTATION

10.24.120 AMENDMENT OR REVOCATION

10.24.130 PROCEDURE

10.24.140 REVOCATION

10.24.150 VIOLATION

10.24.010 PURPOSE

Uses designated as conditional uses require special consideration from the planning commission. These uses may or may not be appropriate for a specific piece of property. The purpose of this chapter is to allow the planning commission to evaluate the appropriateness of designated conditional uses on a case by case basis. The conditional use permit procedure allows the planning commission to approve, deny, or conditionally approve any request for a conditional use permit. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.020 PERMIT REQUIRED

No person or entity shall operate or conduct a use designated as a conditional use within the applicable zone without first obtaining a conditional use permit from the city. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.030 PROCEDURE FOR APPROVAL

The applicant for a conditional use permit shall submit a completed application form and a site plan with sufficient information to allow the planning commission to make a well informed decision. The applicant shall also pay a fee in an amount established by resolution of the city council with the application. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.040 NOTICE

The applicant for a conditional use permit shall provide written notification to all adjacent property owners as outlined in SCC 10.68.110 paragraph D. (Ord. 11-03-2003, 11-19-2003, eff. 11-20-2003)

10.24.050 PLANNING COMMISSION APPROVAL

The planning commission shall be the final approving authority, subject to SCC 10.24.100, for all applications for conditional use permits. The planning commission shall review the proposed project plan while considering the criteria and factors set forth in this chapter. The application for a conditional use permit shall be approved, approved with conditions, or denied. Because every application is unique and different, planning commission review, and approval or denial, of every conditional use application shall take into consideration only those facts and information pertaining to the application specifically and may not take into consideration information or base decisions upon other similar projects or uses, or denial thereof, within the city. The validity of the permit shall be conditioned upon strict compliance with applicable city ordinances, the approved site plan, and any additional conditions of the planning commission. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.060 CRITERIA AND FACTORS TO BE CONSIDERED

- A. The following general factors shall be weighed and considered when determining whether a conditional use permit application should be approved, approved with conditions, or denied:
1. Harmony of the request with the general objectives of the general plan, development code, subdivision ordinance, any other city ordinances, and the particular zone in which the request is located.
 2. Harmony of the request with existing uses in the neighborhood.
 3. Development, or lack thereof, adjacent to the site.
 4. Whether or not the request may be injurious to present or potential

development in the vicinity.

5. Present and future requirements for transportation, traffic, water, sewer, and other utilities.
6. Suitability of the specific property for the proposed use.
7. Economic impact on the neighborhood.
8. Aesthetic impact on the neighborhood.
9. Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants, and odor.
10. Attempts by the applicant to minimize other adverse effects on people and property in the area.
11. Impact of the proposed use on the health, safety, and welfare of the city, the area, and persons owning or leasing property in the area.

B. The following are standards applicable to the specified uses:

1. Adult Daycare Facilities In Residential Zones:

- a. Number of individuals being cared for within the facility shall not exceed four (4) at one time.
- b. Proof of compliance with state regulations for such facilities shall be provided with each renewal of the facility's business license.

2. Assisted Living Facilities In Agriculture And Residential Zones: The following regulations pertain to large assisted living facilities and small type I assisted living facilities. Small type I or type II facilities are permitted in those zones where listed.

a. Only if the additional standards below are met and the general review criteria for conditional uses are complied with, may a facility be approved with more than sixteen (16) beds. Additional beds may only be permitted to the extent of compliance with the city's development standards, building codes, fire codes, and public utilities can handle the additional demands placed upon them by a proposed facility.

b. Location criteria:

- (1) Proposed facilities must be situated along or have direct access to a collector or arterial street, or
- (2) The proposed facility site must abut a nonresidential or mixed use zone so that it may act as a buffer between single-family neighborhoods and the impacts associated with greater intensity of uses.

- c. Facilities proposed under this section must be located at least three-fourths (3/4) of a mile away from any similar facilities.
 - d. Proof of compliance with state regulations for such facilities shall be provided with each renewal of the facility's business license.
- 3. Major Home Occupation: Specific standards shall be as provided in the home occupation regulations of this title.
- 4. Outdoor Youth Programs:
 - a. Stationary camps shall have at least twenty (20) acres.
 - b. Facilities must annually demonstrate compliance with state licensing laws, rules, and regulations.
 - c. A security plan must be provided and approved by the city's public safety department.
 - d. A list of all clients and employees must be provided to the city public safety department within seven (7) days of their arriving at the site.
- 5. Sheltered Workshops:
 - a. The maximum number of patrons or clients allowed at one time at a sheltered workshop within a residential zone is four (4).
 - b. A traffic and circulation plan must be reviewed and approved by the planning commission as part of any conditional use review.
 - c. Parking must be available on site for any patrons or clients of the workshop.
 - d. Any building or accessory building in which the workshop is operating must be inspected by the chief building official for compliance with the applicable building, life, accessibility and safety codes. (Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011)

HISTORY

Amended by Ord. [07-01-2011](#) on 7/27/2011

10.24.070 DURATION

Unless otherwise specified by the planning commission, and subject to the provisions of this chapter relating to the amendment or revocation of a conditional use permit, a conditional use permit shall run with the land and be valid until such use expressed in the conditional use permit changes. The planning commission may grant a conditional

use permit for a limited period of time if it finds that a limited permit is reasonable to protect the health, safety, or welfare of the community. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.080 FEES

Fees shall be established by the city council by resolution, and shall be assessed as a condition of the submission of any conditional use permit application. Conditional use permit and application fees are nonrefundable. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.090 OTHER REQUIREMENTS

An applicant or user of a conditional use permit shall be held to all of the requirements relating to site plan approval, improvement, bonding, maintenance, and completion. The conditional use permit shall not be valid until a bond guaranteeing all required and proposed improvements has been posted. Nothing in this chapter shall be interpreted to waive the bonding, licensing, or permit requirements set forth in other city ordinances. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.100 APPEALS

Any person aggrieved or affected by any decision of the planning commission may petition the city council for review of the planning commission decision. Any person aggrieved or affected by said decision of the city council may appeal the decision to the appeal authority, subject to the provisions of the Utah Code § 10-9-704. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.24.110 IMPLEMENTATION

A conditional use permit shall expire and become null and void if the permit has not been implemented by the recipient within one year of the date of approval. The permit shall be considered implemented if the recipient either engages or participates in the conditional use or completes substantial construction on the project for which the permit was granted. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.120 AMENDMENT OR REVOCATION

Any interested party may apply to the city for the amendment or revocation of a conditional use permit. Any person or entity, other than the city, seeking to amend or revoke a conditional use permit, shall pay a fee in an amount established by resolution of the city council. For purposes of this section, "interested party" shall include the following persons or entities:

- A. The owner or lessee of the property for which the conditional use was granted.
- B. The city. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

- C. Any owner or lessee of property that lies within five hundred feet (500') of the property for which the conditional use permit was granted. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 11-03-2003, 11-19-2003, eff. 11-20-2003)
- D. Any person that can show that the conditional use has a direct impact upon his or her health, safety, or welfare. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.130 PROCEDURE

The procedure for amending or revoking a conditional use permit shall be the same as the original application procedure set forth in this chapter. A conditional use permit may be amended at the request of the holder of the permit upon showing of good cause. A conditional use permit may be amended or revoked at the request of any other interested party if the planning commission finds one or more of the following:

- A. The conditional use permit was obtained by misrepresentation or fraud.
- B. The use for which the permit was granted has ceased or has been suspended for six (6) months.
- C. The holder or user of the permit has failed to comply with any of the conditions placed on the issuance of the permit.
- D. The holder or user of the permit has failed to comply with any city regulation governing the conduct of the use.
- E. The holder or user of the permit has failed to construct or maintain the approved site as shown on the approved site plan.
- F. The operation of the use or the character of the site has been found to be a nuisance of any kind by a court of competent jurisdiction in any civil or criminal proceeding. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.140 REVOCATION

No conditional use permit shall be amended or revoked against the wishes of the applicant for the permit without first giving the applicant an opportunity to appear before the planning commission and show cause as to why the permit should not be amended or revoked. Amendment or revocation of the permit shall not limit the city's ability to initiate or complete other legal proceedings against the holder or user of the permit. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.24.150 VIOLATION

A violation of any terms of this chapter or any conditions imposed as part of a conditional use permit shall be unlawful, and may be remedied or punished as allowed by law. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.28 NONCONFORMING BUILDINGS AND USES

10.28.010 NONCONFORMING USES AND NONCOMPLYING STRUCTURES

10.28.020 NONCONFORMING LOTS OF RECORD

10.28.010 NONCONFORMING USES AND NONCOMPLYING STRUCTURES

Notwithstanding Utah State law governing nonconforming uses and noncomplying structures, the following provisions are established by Santaquin City in view of the fact that no further development or change in use can be undertaken contrary to the provisions of this title. It is the intent of this title that nonconforming uses shall not be increased nor expanded except within the provisions of this chapter as outlined below. (Ord. 07-02-2018, 7-18-2018, eff. 7-19-2018)

- A. General Provision: A nonconforming building, structure, or use of land may be continued by the current and future property owners to the same extent and character as that which legally existed on the effective date of the applicable regulations. Repairs may also be made to a noncomplying structure or to a building housing a nonconforming use.

- B. Damaged Building May Be Restored: A nonabandoned, noncomplying structure, or structure occupied by a nonabandoned, nonconforming use, which is involuntarily destroyed in whole or in part due to fire or other calamity may be restored, and the occupancy or use of such structure, or part thereof which legally existed at the time of such restoration is started within a period of one year from the date of destruction and is diligently pursued to completion and provided that such restoration does not increase the floor space devoted to the nonconforming use over that which existed at the time the building became nonconforming and that the restoration is completed within two (2) years from the date it was started.

- C. Discontinuance Or Abandonment:
 - 1. A nonconforming building, structure, or portion thereof, or a lot occupied by a nonconforming use, which is or hereafter becomes abandoned or is discontinued for a continuous period of one year or more shall not thereafter be occupied, except by a use which conforms to the use regulations of the zone in which it is located.

 - 2. A noncomplying structure or nonconforming use will be lost if:
 - a. The structure is allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within six (6) months after written notice to the property owner that the structure is uninhabitable.

 - b. The property owner voluntarily demolishes a noncomplying structure or the building that houses the nonconforming use.

 - 3. A noncomplying structure or nonconforming use will not be lost if the

property owner subdivides the property on which the noncomplying structure or use is located and due to City required public right-of-way or street dedication the structure becomes or is made more nonconforming. Notwithstanding this provision, if a noncomplying structure creates a safety or health hazard due to its location relative to dedicated property, the use will be lost.

D. Changes To Nonconforming Uses:

1. A nonconforming use may be changed to a conforming use.
2. A nonconforming use of a building or lot shall not be changed to another nonconforming use whatsoever. Changes in use shall be made only to a conforming use.
3. Any nonconforming use which has been changed to a conforming use shall not thereafter be changed back to a nonconforming use.

E. Changes To Noncomplying Structures:

1. A noncomplying structure may be changed to a complying structure.
2. A noncomplying structure may be expanded under the following conditions:
 - a. The structure does not encroach further into required setbacks beyond which has previously legally been approved.
 - b. Any applicable development standards for parking, landscaping, screening, etc., are still met or not made less conforming with the expansion.
 - c. The addition of a solar energy device to a building is not a structural alteration.
 - d. Billboards may not be expanded or enlarged, except where provided elsewhere in this code or Utah state law.

F. Reclassification Of Territory: The provision pertaining to nonconforming uses of land and buildings shall also apply to land and buildings which hereafter become nonconforming due to an amendment in the development code.

G. Permits Granted Prior To Passage; Amendments: Notwithstanding the issuance of a building permit, no building which becomes nonconforming upon the passage hereof or which becomes nonconforming due to an amendment to this title shall be built unless construction has taken place thereon to the extent of at least one thousand dollars (\$1,000.00) in replaceable value by the date on which this title or said amendment becomes effective. Replaceable value shall be construed to mean the expenditure necessary to duplicate the materials and

labor at market prices. (Ord. 09-01-2008, 9-17-2008, eff. 9-18-2008)

10.28.020 NONCONFORMING LOTS OF RECORD

Notwithstanding any other provision of this title, a single-family dwelling may be permitted on any lot of record in any zone in which dwellings are permitted, even though such lot fails to meet the area or width requirements for single-family dwellings within the zone, provided that where two (2) or more contiguous lots of record having continuous frontage are owned by the same persons at the time of the passage of the controlling ordinance, the land included in the lots shall be considered to be an undivided parcel and no portion of said parcel shall be used as a dwelling site or sold which does not meet the area and width requirements of the zone in which the lot is located. Yard dimensions and other requirements not involving area or width shall conform to the regulations of the zone in which the lot is located except when granted a variance by the appeal authority. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.32 INFILL DEVELOPMENT

10.32.010 DEFINITION - INFILL DEVELOPMENT

10.32.020 PURPOSE AND INTENT

10.32.030 INFILL REDUCTION

10.32.010 DEFINITION - INFILL DEVELOPMENT

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

- A. Construction on one or more vacant legal lots or redevelopment of properties in an area which is mostly developed, or
- B. Subdivision or lot line adjustments to property having existing dwelling(s) upon them in order to facilitate development or redevelopment of underutilized or vacant properties (e.g., new construction between 2 existing single-family dwellings).

HISTORY

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [03-01-2017](#) on 3/8/2017

Amended by Ord. [09-02-2020](#) on 9/1/2020

10.32.020 PURPOSE AND INTENT

The purpose of this chapter is to provide for and encourage infill development of vacant lots with compatible land uses which offer opportunities to live, work, and shop within a compact area. The intent is to provide opportunities to more fully utilize properties in the City which have ready access to utilities, thus reducing the need for additional infrastructure, reducing long term maintenance costs, and promoting the revitalization

and beautification of properties which may be vacant, blighted, or difficult to develop due to size or physical constraints. Uses should not conflict with the objectives and characteristics of any zone, or with the General Plan. (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

HISTORY

Amended by Ord. [10-01-2014](#) on 10/1/2014

10.32.030 INFILL REDUCTION

Infill development standards may be applied to no more than three (3) lots within a proposed development. Infill properties may be eligible for a reduction in the lot area and frontage requirements stipulated within the zoning classification in which the property is located. Use of these infill standards requires Planning Commission approval through City subdivision review processes. The following standards shall apply: (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

A. Infill Reduction:

1. A proposed lot area may be reduced by no more than twenty percent (20%) of the underlying zone standard.
2. A proposed frontage may be reduced by no more than twenty percent (20%) of the underlying zone standard.
3. Except as provided for architectural considerations in paragraph B, all new construction must comply with setbacks of the underlying zone. Existing dwellings, which are to remain as part of an infill development, may have reduced rear setbacks to a minimum setback of fifteen feet (15'), so long as all other setbacks and lot standards are met relative to the remaining dwelling. (Ord. 03-01-2017, 3-8-2017, eff. 3-9-2017)

B. Architectural Considerations: The following architectural requirements must be demonstrated prior to a building permit being given for construction on an infill property:

1. Architectural Styles: Architectural styles indicative of the 1890 - 1920 period should be utilized. These include Queen Anne, folk Victorian, shingle style, craftsman (arts and crafts), bungalow, American foursquare, or neoclassical.
2. Porches: Porch areas should be utilized to provide emphasis to the dwelling area. Porches must be a minimum of five feet (5') deep and should run the width of the dwelling area facing the front lot line. Porch areas may encroach into the front setback of an infill lot by five feet (5') unless otherwise specified in the underlying zone.
3. Building Materials: Elevations facing public rights-of-way must have a

minimum fifty percent (50%) coverage of brick or masonry materials. The use of smooth faced concrete block, prefabricated steel panels, EIFS (stucco) or concrete siding materials will not count toward the minimum masonry requirement unless consistent with the architectural style of home proposed. Vinyl or aluminum siding is prohibited except in areas immediately under gable areas or on second story pop out features (e.g., box window, etc.).

- C. Landscaping: All front and visible side yard landscaping and maintenance systems shall be installed prior to a certificate of occupancy being granted. Where landscaping cannot be completed before October in the same year construction begins, a certificate of occupancy may be granted if a cash bond for completion of the landscaping is provided to Santaquin City. Bond amounts shall be determined by the City Engineer consistent with the City development bonding regulations. Landscaping must be installed within six (6) months of bond posting. (Ord. 10-01-2014, 10-1-2014, eff. 10-2-2014)

HISTORY

Amended by Ord. [03-01-2017](#) on 3/8/2017

Renumbered by Ord. [09-02-2020](#) on 9/1/2020

10.36 PERMITS AND ENFORCEMENT

10.36.010 BUILDING PERMITS REQUIRED; APPLICATIONS

10.36.020 PLANS REQUIRED

10.36.030 PERMITS TO COMPLY WITH TITLE

10.36.040 LICENSE TO COMPLY WITH TITLE

10.36.050 CONSTRUCTION AND USE TO COMPLY WITH APPLICATION

10.36.060 CERTIFICATE OF ZONING COMPLIANCE REQUIRED

10.36.070 SEVERABILITY

10.36.080 RESPONSIBILITY FOR VIOLATIONS

10.36.090 PENALTY

10.36.100 EACH DAY OF VIOLATION A SEPARATE VIOLATION

10.36.010 BUILDING PERMITS REQUIRED; APPLICATIONS

No person, firm, or corporation shall commence to construct, alter, or move a building or structure, or to make a change in use of any land within the territory shown on the zoning map which has been adopted as a part of this title, or its amendments, without first submitting an application and obtaining a permit therefor from the zoning administrator, building official, or other authorized officer, as provided for in the uniform building code, or subsequently adopted code, provided, however, that permits for the moving of structures shall be granted only after complying with the requirements as set forth in SCC 10.16.230. A building permit shall also be required for site improvements of any kind for established commercial developments, the moving or improvement of manufactured homes, and similar movable structures except that no permit shall be required for the moving of an approved mobile home into a mobile home park, except for

utility connections. (Ord. 5-03-2002, 5-15-2002, eff. 5-16-2002)

10.36.020 PLANS REQUIRED

All applications for a building permit shall be accompanied by plans which have been drawn to scale showing the accurate dimensions of the lot to be built upon, the size and location of existing buildings, and, as required, the location and layout of off street parking. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.030 PERMITS TO COMPLY WITH TITLE

From the time of the effective date hereof, permits shall not be granted for the construction or alteration of any building or structure, for the moving of a building, or structure onto a lot, or for the change in use of any land, building, or structure, if such construction, alteration, moving, or change in use would be a violation of any of the provisions of this title, nor shall any sewer service line, water service line, or electric utilities be installed to serve the premises until a permit to construct the building has been obtained. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.040 LICENSE TO COMPLY WITH TITLE

No license shall be issued by an official or employee vested with the duty and authority to issue licenses which would not be in conformance with the provisions of this title. Any license so issued shall be null and void. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.050 CONSTRUCTION AND USE TO COMPLY WITH APPLICATION

A building permit, or certificate of zoning compliance, issued on the basis of plans and specifications approved by the planning commission authorizes only the use, arrangement, and construction set forth in such approved plans and application, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed to be a violation of this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.060 CERTIFICATE OF ZONING COMPLIANCE REQUIRED

It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises, or to change the occupancy of any building or premises until a certificate of zoning compliance and occupancy permit has been issued therefor by the building official, zoning administrator, or other authorized officer, stating that the proposed use of the building or land conforms to the requirements of this title. No nonconforming structure or use shall be changed or extended until a certificate of zoning compliance has been issued stating specifically wherein the nonconforming use differs with the provisions of this title.

The building official, zoning administrator, or other authorized officer, may permit the

occupancy of a building prior to the completion of all required work, including any contingencies, provided no harm or peril to any occupants may result from the uncompleted work and a bond or escrow account has been posted with the city recorder in an amount equal to the cost of completing said required work as determined by the building official. The zoning administrator, or other authorized officer, shall maintain a record of all certificates of zoning compliance. In addition, the zoning administrator, or other authorized officer, shall have the authority to revoke a permit, issue a stop work order, or temporarily cease construction on a development for the reason of compliance with this title or any condition placed upon a project by the governing body, or for reasons of public health, safety, and/or welfare, for such a time that a ruling by a court of adequate jurisdiction or a city review, as applicable, can be held to review and render a decision regarding the nature of the zoning administrator's action, or that of another authorized officer, and corrective measures, as required, be taken. (Ord. 02-02-2003, 2-5-2003, eff. 2-6-2003)

At such time as any party shall have complied with the provisions relating to large scale developments and to subdivisions as set forth in this title, the zoning administrator, building official, or other authorized officer, shall so certify and shall issue a certificate of compliance to the developer designating with particularity all lots or other tracts that are in compliance herewith and that are available for sale. It shall be unlawful for any developer or other person to sell or offer for sale or exchange either by deed, contract, or otherwise, any lot or tract of land within said large scale developments or subdivisions until such time as the developer shall have received a certificate of compliance with respect thereto. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.070 SEVERABILITY

This title and the various parts, sections, and clauses are hereby declared to be severable. If any part, section, paragraph, sentence, clause, or phrase is found to be unconstitutional or invalid by a court of competent jurisdiction, it is hereby declared that the remainder of this title shall not be affected thereby. The governing body of Santaquin City, Utah, hereby declares that it would have passed this title on each part, section, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more portions thereof be declared invalid. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.080 RESPONSIBILITY FOR VIOLATIONS

It shall be the duty of all contractors, subcontractors, builders, and other persons having to do with the establishment of any use of land or the erection, altering, changing, or remodeling of any building, structure, or site to be sure that a proper permit has been granted before work is begun on any project for which a permit is required. Any such builder, contractor, or other person doing or performing any such work without a permit having been issued is in conflict with the requirements of this title in the same manner and to the same extent that the owner of the premises or the persons for whom the use is established, or for whom such buildings are erected or altered, and shall be subject to the penalties herein prescribed for violation. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.090 PENALTY

Any firm, corporation, or person violating any of the provisions of this title shall be guilty of a class B misdemeanor and upon conviction thereof shall be punished 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. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.36.100 EACH DAY OF VIOLATION A SEPARATE VIOLATION

Each person, persons, firm, or corporation found guilty of a violation shall be deemed guilty of a separate offense for each day during which any violation of any provision of this title is committed, continued, or permitted by such person, persons, firm, or corporation, and shall be punished as provided in this title. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.40 HOME OCCUPATIONS

10.40.010 PURPOSE

10.40.020 HOME OCCUPATION LICENSE

10.40.030 CATEGORIES AND REGULATIONS OF HOME OCCUPATIONS

10.40.040 STANDARDS FOR ALL HOME OCCUPATIONS

10.40.050 MINOR HOME OCCUPATIONS

10.40.060 MAJOR HOME OCCUPATIONS

10.40.070 PROHIBITED HOME OCCUPATIONS

10.40.080 BED AND BREAKFAST HOMES

HISTORY

Amended by Ord. [04-01-2018](#) on 8/1/2018

10.40.010 PURPOSE

The purposes of this chapter are to:

- A. Establish regulations for the establishment, maintenance, and well being of home occupations in order to provide for the betterment of the community, residents, patrons, and neighboring citizens.
- B. Provide an opportunity for home occupations as an accessory use, when they are compatible with the neighborhoods in which they are located.
- C. Guide business activities which are not compatible with neighborhoods to appropriate commercial and industrial zones.
- D. Promote peace, quiet, and domestic tranquility within all residential neighborhoods and protect residents from the adverse effects of business uses being conducted in residential areas, i.e., noise, nuisances, traffic, fire hazards, or other possible business impacts that are in excess of that customarily associated with the neighborhood.

- E. Provide an opportunity for a home occupation to engage in the business of childcare and other group child activities.
- F. Provide a means to enforce and regulate the businesses that are licensable through the authority of this chapter, and, if necessary, terminate home occupations if violation of the ordinances regulating home occupations occurs, as provided for herein. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.020 HOME OCCUPATION LICENSE

All home occupations shall be licensed in accordance with SCC 3 and the provisions of this chapter. Only the owner or official representative of a business may apply for a home occupation business license and the applicant must be a resident of the home where the business will be conducted. The authority to issue a license to conduct a home occupation shall be under the jurisdiction of the city council. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.030 CATEGORIES AND REGULATIONS OF HOME OCCUPATIONS

Home occupations, as defined in SCC 10.08.020, shall be classified as "minor home occupations", "major home occupations", "prohibited home occupations", and "bed and breakfast homes".

A completed application for a home occupation business license will be approved for a minor home occupation upon the city staff's verification that the proposed home occupation complies with the requirements of SCC 10.40.040 and SCC 10.40.050.

A completed application for a home occupation business license will be approved for a major home occupation or a bed and breakfast home only after issuance of a conditional use permit by the planning commission.

Prohibited home occupations are not allowed to operate in residential zones.

Notwithstanding the foregoing, in the event that the zoning administrator, or his/her designee, is unable to determine whether the home occupation is a major home occupation or a minor home occupation; or if he/she determines that approval of a home occupation business license may jeopardize the health, safety or welfare of the community, he/she may refer the application to the planning commission. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.040 STANDARDS FOR ALL HOME OCCUPATIONS

All home occupations must comply with the following "standards" at all times. Bed and breakfast homes are regulated by SCC 10.40.080.

- A. Permitted Or Conditional Use: Home occupations must be a permitted or conditional use in the zone in which the home occupation is to be located and

not be in conflict with the objectives and characteristics of the same zone.

- B. Accessory Use On The Property: The home occupation shall be clearly incidental and secondary to the primary residential use of the property and dwelling.
- C. Bona Fide Resident: The home occupation business shall be owned by and carried on only by a resident of the home for which a certificate of occupancy has been issued.
- D. Satellite Offices Not Allowed: Established or workstation business activities for an off premises employer shall not be conducted at the home of an employee by other employees of the same business who are not residents of the home.
- E. Parking: All business related vehicles, which park at the location of the home occupation, must be legally parked, either in conventional parking spaces on the lot or adjacent to the frontage of the lot. No parking from the home occupation shall be permitted in front of adjacent lots unless approved by the city as part of a traffic circulation and safety plan. Required parking for resident vehicles shall be available at the close of business each day.
- F. Signs: Signs are limited to one nonanimated sign not larger in area than two (2) square feet. The sign shall not be directly or internally illuminated.
- G. External Appearance: Any exterior alterations to the residence to accommodate the home occupation shall maintain the character and appearance of the residential dwelling in which it is located. Furthermore, the business operation shall not negatively affect the physical appearance, traffic, and other activities of the surrounding neighborhood and not depreciate surrounding property values.
- H. Storage Areas: Home occupations are not permitted to store materials or products outside of the dwelling unit, except in a city approved and permitted accessory building.
- I. Conformity With Safety Codes: No hazardous materials or equipment may be used in the home occupation, including, but not limited to, anything flammable or unsafe that is not customary to the home in which the occupation is located. There shall be complete conformity with fire, building, plumbing, electrical and all other city, county, state and federal codes.
- J. Neighborhood Disruptions Not Permitted: The home occupation shall not disrupt the peace, quiet and domestic tranquility of the neighborhood nor emit noise, odor, dust, fumes, vibration, smoke, electrical interference (including interferences with radio and television reception), or any other interference with the residential use of adjacent properties.
- K. Renter/Owner Responsibility: If the applicant for a home occupation license rents or leases the property wherein the home occupation is intended to be conducted, the applicant must provide a letter of acknowledgment and consent from the property owner at the time the application is submitted to the community

development department. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.050 MINOR HOME OCCUPATIONS

In addition to the standards previously set forth in SCC 10.40.040, all minor home occupation businesses must comply with the qualifications outlined below. If a business is unable to fully comply with these qualifications, the applicant may request approval as a major home occupation, as outlined in SCC 10.40.060.

A. Employees:

1. One full time or full time equivalent nonresident may be employed, volunteer, or work at a designated workstation or area on the premises or inside the home where the home occupation business is located. Only one nonresident employee may work at the home, in such manner, at one time. No more than two (2) persons shall comprise the equivalent full time employee.
2. In addition to the employees described in paragraph A,1, any home occupation may utilize employees to work off site. Such off site employee, volunteer, hiree and any other persons engaged with the home occupation shall not come to the home for purposes related to the home occupation license, except for incidental vehicle stops in accordance with the traffic and operational hours qualifications outlined below.

B. Operational Hours: The home occupation shall not generate any traffic before six o'clock (6:00) A.M. or after eight o'clock (8:00) P.M. (e.g., clients, patrons, employees, volunteers, students, pupils, etc.).

C. Traffic: Vehicular traffic from business related visitors, employees, volunteers, and customers shall not exceed that which normally and reasonably occurs for a home in the neighborhood, and shall be conducted so that the neighbors will not be significantly impacted by its existence. Minor home occupations shall be limited to three (3) business related vehicular stops to the residence during any one hour to a maximum of eight (8) business related vehicular stops per day. Vehicles for delivery or pick up of business related supplies or products (e.g., UPS package delivery vehicles) shall not exceed two (2) per day.

Exception: Daycare and child group activities having an approved traffic circulation and safety plan may exceed the above maximum number of vehicle stops up to a total of sixteen (16) business related vehicle stops at the home in a day (e.g., dropping off and picking up a child would count as 2 vehicle stops).

D. Areas And Property To Be Used:

1. The business activities in the dwelling shall not occupy more than five hundred (500) square feet or twenty five percent (25%) of the total floor

area of such dwelling, whichever is less. For the purposes of this section, a garage, carport, patio, breezeway, or any accessory building is not considered to be part of the dwelling.

2. Business activities in an accessory structure shall not exceed eight hundred (800) square feet or fifty percent (50%) of the accessory structure floor area, whichever is more unless such accessory structure is being utilized for licensed agribusiness functions or is associated with a licensed boarding facility for animals. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

E. Business Related Vehicles: Business related vehicles include those vehicles owned and operated by residents of the dwelling, vehicles on the property which are nonoperable due to: 1) a collision or other violent act; 2) has had parts removed from the vehicle rendering the vehicle inoperable; or 3) is being stored on a lot for the purpose of restoration. Business related vehicles shall also include any vehicles brought to the residence by the applicant, an employee, customer, client or business related visitor and shall comply with the following:

1. There shall be no more than four (4) business related vehicles parked or being stored at the residence at any one time.

Exception: Any vehicle, operable on a road or not, that is inside a fully enclosed, permanent structure shall not be included in the maximum number of vehicles permitted at one time. Single or dual occupancy, off highway recreation vehicles (OHV) or watercraft are also excluded unless such are used as part of the business operation.

2. Business related vehicles shall not exceed eight feet (8') in height.

Exception: Delivery or pick up vehicles (e.g., UPS package delivery vehicles) not owned or operated by the owner or employees of the licensed home occupation.

3. Business related vehicles shall not exceed two (2) axles or twenty two feet (22') in length individually nor three (3) axles or thirty five feet (35') in length with attachments. No vehicle having more than two (2) axles shall travel to the residence for the purpose of delivery of merchandise, goods, or supplies for use in the home occupation.
4. Business related vehicles may not exceed sixteen thousand (16,000) GVW. (Ord. 02-03-2017, 2-1-2017, eff. 2-2-2017)

F. Number Of Licenses Allowed: Multiple home occupation licenses may be granted per residence as long as the cumulative effects of the businesses do not exceed the above standards and qualifications.

G. Additional Qualifications For Daycares And Child Group Activities:

1. Child oriented home occupations shall not exceed eight (8) children at any one time. A maximum of eight (8) students/children is permitted per day. This number shall include the licensee's own children if they are less than six (6) years of age and are under the care of the licensee at the time the home occupation is conducted.
2. All child oriented home occupations shall be allowed to provide safe, outdoor playtime as required by state, county or local laws governing such business activity. All outdoor play areas must be enclosed by a fence of at least five feet (5') if there are more than six (6) children enrolled.
3. All daycare and other child group activity facilities must be located on a through street unless a traffic and circulation plan is approved by the city as part of the business operations. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

HISTORY

Amended by Ord. [02-03-2017](#) on 2/1/2017

10.40.060 MAJOR HOME OCCUPATIONS

Major home occupations must comply with all of the standards outlined in SCC 10.40.040 and where possible the qualifications of SCC 10.40.050. Major home occupations must be reviewed by the planning commission and granted a conditional use permit before pursuing a business license through the city. Each major home occupation is subject to the pertinent conditions listed below:

A. General conditions for all major home occupations:

1. Major home occupations may only be conducted from property having a detached single-family dwelling,
2. The conditional use permit and the home occupation business license shall be maintained in good standing for the entire period that business is being conducted,
3. Conditional use permits can be revoked based upon unresolved legitimate complaints as determined by the city zoning administrator.

B. Child oriented home occupations shall comply with the following conditions:

1. Maximum Children Permitted: The following maximum numbers include the licensee's and any employees' children if they are under twelve (12) years of age and are under the care of the licensee at the time the home occupation is conducted:
 - a. Family group daycares may not exceed twelve (12) children at

one time or eighteen (18) different children per day.

- b. Child group activities may not exceed twelve (12) students/children per session and a maximum of twenty four (24) students/children per day. A maximum of two (2) sessions per day may be permitted.

2. Yard Requirements:

- a. All nonbusiness related structures or on premises hazards are to be made inaccessible to the children attending the daycare facility.
- b. All outdoor play areas must be enclosed by a fence at least five feet (5') in height.

3. Traffic:

- a. All vehicular stops for the dropping off or picking up of children shall be done with the passenger side of the vehicle toward the residence.
- b. A traffic circulation and safety plan must be submitted to, reviewed and approved by the city.
- c. At least one adjacent residential street must be of sufficient width to accommodate the increased average daily vehicular traffic (ADT) counts caused by the business.
- d. The number of business related vehicle stops at the home per day shall not exceed twenty four (24) (e.g., dropping off and picking up a child would count as 2 vehicle stops).

4. Location Requirements: No child oriented home occupation, which requires a conditional use permit, may be operated within three hundred feet (300'), as measured from property line to property line, of another child oriented home occupation operating under a conditional use permit.

5. Licensure: Copies of all licenses required by the state shall be provided to the city for verification of compliance with all state standards.

C. Businesses not conducted within a home, which must obtain a conditional use permit and which may include welding, carpentry, sheet metal work, furniture manufacturing, upholstery and other similar manufacturing activities, must comply with the following:

1. Machinery Operation: No machinery may be operated between the hours of seven o'clock (7:00) P.M. and eight o'clock (8:00) A.M.

2. Noise Levels:

- a. No power equipment which emits a sound pressure level in excess of seventy four (74) dB, as measured at a distance of fifty feet (50') (15 m) from such machinery, shall be used.
 - b. No equipment shall cause a noise disturbance for a consecutive period longer than fifteen (15) minutes or for more than thirty (30) minutes per hour.
 - c. Business machinery noise levels are not to exceed fifty five (55) dB when measured at the closest property boundary.
 3. Storage Qualifications: All storage qualifications listed in SCC 10.40.050 must be met.
 4. Designated Areas: The applicant shall designate the areas of the home, attached/detached garage or accessory structure that will be used for the home occupation and, if approved, the home occupation may be conducted only in the designated areas. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)
- D. Businesses having more than four (4) business related vehicles parked or stored at the home at one time or which utilize a commercial vehicle that exceeds the maximum height, weight or length requirements established in SCC 10.40.050, must comply with the following conditions:
1. All business related commercial vehicles are to be parked on the property and behind the front of the home when parked on the property.
 2. The vehicles and attachments are to be located behind a six foot (6') tall opaque fence, or other obstruction, so as to minimize their view from the front property line.
 3. Proof of proper CDL licensing must be provided with each license renewal.
 4. No maintenance of vehicles exceeding sixteen thousand (16,000) GVW may occur at the home unless conducted within a fully enclosed permanent structure compliant with building codes. (Ord. 02-03-2017, 2-1-2017, eff. 2-2-2017)
- E. Businesses entailing food or beverage preparation, storage or catering must comply with the following conditions:
1. Obtain all authorizations required by a state or county department or agency prior to approval of a business license and maintain all such authorizations for the duration of the business.
 2. Compliance with all business related vehicle qualifications listed in SCC 10.40.050 must be met.

F. Businesses which have operating hours past eight o'clock (8:00) P.M. and before six o'clock (6:00) A.M. must comply with the following:

1. Applicants must show that any operation conducted after eight o'clock (8:00) P.M. and before six o'clock (6:00) A.M. will be compatible with like uses and operations found in the residential neighborhoods between such hours.
2. All business activities are to be conducted within closed doors between eight o'clock (8:00) P.M. and six o'clock (6:00) A.M. unless shown to be compatible with like uses and operations found in the residential neighborhood between such hours.
3. Any business lighting shall be shielded and directed downward away from adjoining properties or contained within the building from which it emanates. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

HISTORY

Amended by Ord. [02-03-2017](#) on 2/1/2017

10.40.070 PROHIBITED HOME OCCUPATIONS

The following uses, by the nature of the occupation, substantially impair the use and value of residentially zoned areas for residential purposes and are therefore prohibited:

- A. Mortuaries, crematoriums, columbaria, mausoleums.
- B. Clinics, dental offices, medical offices, chiropractic offices, or other healthcare facilities.
- C. Junkyards, auto wrecking yards, salvage yards, impound lots, or vehicle towing operations.
- D. Storage, service, repair, sales or rental of ambulances, tow trucks, recreational vehicles, watercraft, automobiles, ATVs, or other motorized vehicles.
- E. Food or drink preparation, storage or catering which is not permitted by an appropriate state or county department or agency.
- F. Fitness or health spa facility.
- G. Auto body repair, motor vehicle repair.
- H. Any home occupation which entails the use of chemicals exceeding typical household quantities, pesticides and flammable/combustible materials, and including any other process or business where current, adopted building and fire codes would require an "operational permit".
- I. Any home occupation unable to comply with the standards outlined in SCC 10.40.040. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.40.080 BED AND BREAKFAST HOMES

The planning commission may grant a conditional use permit for a bed and breakfast home, if the following conditions are met:

- A. Any bed and breakfast homes must be reviewed by the city's development review committee to assure compliance with all building, zoning, fire, health, and other applicable ordinances prior to review by the planning commission.
- B. Bed and breakfast homes are either a permitted or a conditional use within the zone.
- C. Bed and breakfast homes shall not have less than two (2) guestrooms nor more than eight (8).
- D. The applicant shall submit a plot plan showing the location of the bed and breakfast home, parking, required yards, and property lines at a scale of not less than one inch to twenty feet (1" : 20') to the planning commission, health, and fire departments.
- E. The bed and breakfast home must be and remain the primary residence of the owner or lessee. If approved by the planning commission, employees who are not family members may be hired; however, such employees shall not be allowed to reside at the residence. A notarized letter attesting that the owners will occupy said bed and breakfast home, except for bona fide temporary absences, shall be submitted to the planning commission and kept on record with the city.
- F. Signs shall be limited to one nonlighted sign not larger in area than sixteen (16) square feet.
- G. Each bed and breakfast home must collect and pay all applicable transient room taxes, sales tax, and all other applicable taxes and obtain a Santaquin City business license.
- H. No more than two (2) unrelated adult persons may occupy any guestroom.
 - I. If meals are served, they shall be prepared, served, and placed upon the table family style, without service or ordering of individual portions from a menu.
- J. All applicable licenses and inspections are to be done by the appropriate governing agencies and officials, including, but not limited to, any remodeling or construction requiring a Santaquin City building permit, prior to approval of the business license by the city council.
- K. A Santaquin City business license has been obtained prior to opening. (Ord. 08-01-2006, 8-17-2006, eff. 8-17-2006)

10.44 SIGN REGULATIONS

10.44.010 PURPOSE

[10.44.020 SCOPE](#)
[10.44.030 INTERPRETATION](#)
[10.44.040 ENFORCEMENT](#)
[10.44.050 NONCONFORMING SIGNS](#)
[10.44.060 PROHIBITED SIGN DEVICES](#)
[10.44.070 SIGNS ALLOWED WITHOUT A PERMIT](#)
[10.44.080 SIGNS THAT REQUIRE A PERMIT](#)
[10.44.090 TEMPORARY SIGNS](#)
[10.44.100 SIGN PERMIT PROCESS](#)
[10.44.110 SITE PLAN REVIEW; SIGN DESIGN](#)
[10.44.120 REQUIRED PERMIT INFORMATION](#)
[10.44.130 SAFETY AND LOCATION STANDARDS FOR PERMANENT SIGNS](#)
[10.44.140 MEASUREMENT OF REGULATED SIGN AREA](#)
[10.44.150 ATTACHMENTS AND GRAPHS](#)
[10.44.160 DEFINITIONS - SIGN REGULATIONS](#)

HISTORY

Amended by Ord. [05-02-2019](#) on 5/7/2019

Amended by Ord. [05-03-2019](#) on 5/21/2019

10.44.010 PURPOSE

It is the purpose of this chapter to regulate signs and to authorize the use of signs that are compatible with their surroundings, are legible under the circumstances in which they are seen, are effective in indexing the environment, are conducive to promoting traffic safety and the convenience and enjoyment of public travel by preventing visual distraction, protecting pedestrians, attracting tourists to the city, preserving and enhancing property values, establishing first class business and commercial districts, and eliminating fire hazards.

It is also the intention and purpose of this chapter to promote short and long term civic beauty and order by establishing standards and regulations for sign design, location, size, type, compatibility, and aesthetics. By doing so it is hoped that this chapter will help to create streetscapes that are functional and attractive to both residents of Santaquin City as well as visitors. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.020 SCOPE

The intent is to regulate the design and placement of commercial and governmental identification/communication devices and structures that are built specifically to identify, inform, and direct patrons to a particular merchant, store, establishment, or service. It is not the intent of this chapter to regulate the content of public speech.

The regulations of this chapter are intended to apply to both on premises and off premises signs, but do not apply to hand held placards and other similar devices traditionally used for public protest and the exercise of free speech. Any noncommercial message may be substituted for any commercial message permitted under this title.

(Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.030 INTERPRETATION

In interpreting and applying the provisions of this chapter, the sign regulations contained herein are declared to be the maximum allowable for the purposes set forth. If the zoning administrator, or other authorized officer, determines that an application needs further interpretation, he may request planning commission review of the proposal. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

If the applicant wishes to propose or retain a sign that exceeds ordinance standards, the applicant may apply to the appeal authority for a variance or special exception as outlined in SCC 2.08. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.44.040 ENFORCEMENT

Any sign not expressly allowed by this title is prohibited. The zoning administrator, or other authorized officer, shall be vested with the duty of enforcing this chapter and in performance of such duty, shall be empowered and directed to:

- A. Permits: Issue permits to construct, alter, or repair signs which conform to the provisions of this title. The expiration date for such permits shall be one hundred eighty (180) days in conjunction with building permits.
- B. Inspections: Ascertain that all signs, construction, and all reconstruction or modification of existing signs are built or constructed in conformance with the land use and development management code by conducting:
 - 1. Initial Inspection After Construction: The chief building official, or other authorized officer, under the direction of the zoning administrator, or other authorized officer, may make an initial inspection upon the completion of construction, erection, reerection, or remodeling of any sign for which a permit has been issued and an inspection request is made. This shall also include the inspection of temporary electrical signs.
 - 2. Reinspection, If Necessary: The building official, or other authorized officer, may make a reinspection of any sign for which a permit was issued but which upon primary inspection was not built in complete compliance with the regulations of this chapter.
- C. Legal Action: The zoning administrator, or other authorized officer, shall be empowered to institute any appropriate action or proceeding in any case where any sign is illegally erected, constructed, reconstructed, altered, repaired, converted, or maintained in any case where any sign is used in violation of any city ordinance including, but not limited to, the land use and development management code by:

1. Issuing Notices Of Violations, Citations, And Information: The zoning administrator, or other authorized officer, may issue a written notice of violation to the person having charge, control, or benefit of any sign found to be unsafe, dangerous, or in violation of this code, particularly when the city is contemplating removal of said sign. Such official may also issue criminal citations and swear to information against violators.
2. Abating And Removing An Unsafe Or Dangerous Sign: If an unsafe or dangerous sign is not repaired or made safe within five (5) working days after giving said notice, the zoning administrator, or other authorized officer, may at once abate and remove said sign, and the person having charge, control, or benefit of any such sign shall pay to Santaquin City, within thirty (30) calendar days after written notice is mailed to such person, the costs incurred in such abatement or removal.
3. Abating And Removing An Illegal Sign:
 - a. If a permanent sign installed without a permit, or otherwise illegal as defined by this code, is not made conforming within thirty (30) calendar days after written notice has been given, the zoning administrator, or other authorized officer, may at once abate and remove said sign. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the city is authorized to effect the collection of said cost.
 - b. If a temporary sign posted upon private property has been installed without a permit, or is otherwise illegal as defined by this code, and after written notice it has not been made conforming after seventy two (72) hours either through removal of the temporary sign or by obtaining a temporary sign permit, the zoning administrator, or other authorized officer, may at once abate and remove said temporary sign or, in the alternative, use all available legal means to have the sign removed, including, but not limited to, criminal or civil action with the appropriate court. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the city is authorized to effect the collection of said cost.
 - c. Any sign posted upon public property as defined in SCC 10.44.060 paragraph B may be removed by the city. Notwithstanding the foregoing, the sign, though removed, cannot be destroyed in a period less than thirty (30) days from the date of removal. In no case shall the failure to remove said signs constitute approval by the city of the illegal placement of the sign.
4. Abate And Remove Nonmaintained, Abandoned, Or Sign Identifying A Discontinued Use: The zoning administrator, or other authorized officer,

shall require each nonmaintained, abandoned, or sign identifying a discontinued use to be removed from the building or premises when such sign has not been repaired or put into use by the owner, person having control, or person receiving benefit of such structure within forty five (45) calendar days after written notice of nonmaintenance, abandonment, or discontinuance is given to the owner, person having control, or person receiving benefit of such structure. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

- D. Right To Appeal: Any person who has been ordered to alter or remove any sign, or any person whose application for a sign permit has been denied because of conflict with regulations stated herein, may appeal to the appeal authority by serving a written notice to the zoning administrator, or other authorized officer, within ten (10) working days of the order or denial. An applicant may also appeal to the appeal authority an alleged error by the zoning administrator, other authorized officer, or staff. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.44.050 NONCONFORMING SIGNS

- A. Regulation, Containment, And Elimination: In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy the current Sign Ordinance standards, the City intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment, and restoration. Excluding normal maintenance and repair, a nonconforming sign shall not be moved, altered, (including face changes) or enlarged unless it is brought into complete compliance with this chapter. The following alterations are exempt from this provision:
1. Face changes in nonconforming multi-tenant signs, and
 2. Copy changes in nonconforming permanent signs which were originally approved by the City with a changeable copy feature.
- B. Abandonment: Within forty five (45) calendar days after vacation of an existing business, any on site nonconforming signs must be removed or brought into compliance by the property owner. If removal does not occur, Santaquin City may have the entire nonconforming sign (both face and structure) removed through the processes specified in SCC 10.44.040 paragraph C. An abandoned sign may not regain any legal nonconforming status later, even if the original business reoccupies the property. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- C. Special Exceptions: Upon appeal by the sign owner or business, the Appeal Authority is empowered to grant a special exception to allow the retention, alteration, movement, or expansion of a nonconforming sign, provided the

Appeal Authority determines that: (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

1. The nonconforming sign poses an alternative equivalent means of meeting the intent of this chapter and the City's comprehensive plan;
2. The action will not impose a burden on other properties in the City beyond that posed by a conforming sign; and
3. Approval will provide a forum for free expression or other articulable benefits to the public. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

Unfair competitive disadvantage of businesses in the City whose signs do comply with this chapter is to be construed as a burden to be considered by the Appeal Authority. A new business generally shall not qualify for a special exception for reuse of a nonconforming sign left by a previous business. Purely economic factors, such as the expense of removing or altering a nonconforming sign or of purchasing a new conforming sign are not to be considered as reasons for granting a special exception by the Appeal Authority.

The Appeal Authority is empowered to attach reasonable requirements with which the petitioner must comply as a condition of approval of a special exception. The duration of the special exception shall not extend beyond that period allowed by any Amortization Ordinance in effect at the date the exception is granted and any special exception shall be conditioned on the posting of a bond with the City sufficient to cover the cost of timely removal of such sign. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

10.44.060 PROHIBITED SIGN DEVICES

- A. Prohibited Sign Devices: The following devices used to attract pedestrian or vehicular attention are prohibited in any zone in Santaquin City. Any sign not specifically allowed herein is also prohibited.
1. Hot or cold air balloons or inflatables, except as specifically allowed by this title for temporary signs or as part of a grand opening period or special promotion.
 2. Any sign which flashes, blinks, uses chaser lights, etc. Commercial signs may be approved with time/temperature or electronic message center capability. Animate or inanimate images of low intensity are allowed in accordance with applicable standards.
 3. Statuary bearing the likeness or suggestion of any product or logo.
 4. Projecting sign.

5. Roof sign.
6. Wind sign.
7. Temporary sign.
8. Any truck, trailer, or other vehicle conspicuously or regularly parked on or off premises with an advertising message or logo displayed to attract attention to a business, product, or promotion. The Zoning Administrator, or other authorized officer, may require a business to remove same if in his opinion such vehicle is being utilized for advertising purposes.
9. Graffiti.
10. Spotlights directed into the night sky except as part of an approved promotional period for temporary signs. (Ord. 05-02-2019, 5-7-2019, eff. 5-8-2019)

B. Handbills, Signs; Public Places And Objects:

1. No person shall paint, mark, write on, post, or otherwise affix any handbill or sign to or upon any sidewalk, crosswalk, curb, curbstone, parking strip, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light, or power, telephone, telegraph, or trolley wire pole, or wire appurtenance thereof or upon any lighting system, public bridge, drinking fountain, life saving equipment, street sign, or traffic sign.
2. Any handbill or sign found posted upon any public property contrary to the provisions of this section may be removed by the Police Department, Public Works Department, Parks and Recreation Department, or the Community Development Department. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.
3. Nothing in this section shall apply to the installation of a metal plaque, plate, or individual letters or figures in a sidewalk commemorating a historical, cultural, or artistic event, location, or personality for which the Department of Public Works has granted a written permit.
4. Nothing in this section shall apply to the painting of house numbers upon curbs. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.070 SIGNS ALLOWED WITHOUT A PERMIT

A. All Zones: The following signs are allowed in any zoning district, except on public property, without the requirement of a sign permit.

1. Directional Or Instructional Signs: Signs which provide direction or

instruction and are located entirely on premises and which do not in any way advertise a business shall not exceed four (4) square feet in area or four feet (4') in height. These signs may identify restrooms, public telephones, walkways, or shall provide direction such as parking lot entrance and exit signs and those of a similar nature.

2. No Trespassing Or No Dumping Signs: No trespassing or no dumping signs may not exceed sixteen (16) square feet in area for a single sign or are limited to four (4) signs at four (4) square feet for each lot unless the Zoning Administrator, or other authorized officer, finds more signs are required to prevent violation.
3. Plaques: Plaques or nameplate signs not more than two (2) square feet which are fastened directly to the building.
4. Symbols Or Insignia: Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies, provided that no such sign shall exceed eight (8) square feet in area, and provided further that all such signs be placed flat against the building.
5. Neighborhood Identification Signs: In any zoning district, a sign, masonry wall, landscaping, and other similar materials or features may be combined to form a display for neighborhood identification, provided that the legend of such sign or display shall consist of only the neighborhood name and/or address.
6. Institutional Uses: Churches, public schools, public utility companies, libraries, governmental buildings, parks, public golf courses, etc., are allowed one monument sign of thirty two (32) square feet. If the institution has more than one frontage and is located on an arterial street, then an additional sign of the same size is allowed. Wall signs are regulated as per SCC 10.44.080 paragraph E.
7. Flags: The flags, emblems, or insignia of any nation or political subdivision. Corporation flags may not exceed twelve (12) square feet and may be flown in tandem with the State or national flag. Large flags flown in high wind may cause a noise nuisance and are subject to removal upon investigation.
8. Public Necessity Signs: Signs installed by a unit of the government for control of traffic and other regulatory purposes, including street signs, danger and warning signs, railroad crossing signs, hospital signs, directional or warning signs for public service companies, utilities or institutions, or signs erected by or on the order of a public officer in the performance of his public duty.
9. Memorial Signs: Memorial signs or tablets with the names of buildings and date of erection cut into any masonry surface or inlaid so as to be part

of the building.

10. Notice Bulletin Boards: Notice bulletin boards not over thirty two (32) square feet in area for medical, public, charitable, or religious institutions, where the same are located on the premises of such institutions and are oriented solely to the interior of the property and are not used to direct exterior vehicular attention to any product or service of the institution.
11. Holiday Decorations: Noncommercial signs of a primarily decorative nature, clearly incidental and customary, and commonly associated with any national, local, or religious holiday. Such signs may be of any type, number, area, and shall be contained entirely within the boundaries of the lot or premises on which they are erected and should be placed so as to avoid confusion with authorized traffic lights and signals and shall conform to traffic safety standards. They shall be removed within a reasonable period after the holiday is over.
12. Changing Copy: The changing of the message on a permitted sign that has an approved marquee, reader board, electronic message center, or other replaceable copy area. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
13. Electioneering Signs: In addition to signage otherwise authorized by this chapter, electioneering signs are allowed as follows:
 - a. Any one sign shall not exceed sixty four (64) square feet in aggregate area and, if freestanding, shall not exceed eight feet (8') in height. Such sign shall not be erected in a manner as to constitute a roof sign. Signs may not be placed on public property, in a public right of way, or in any place which would impede traffic visibility or safety.
 - b. Electioneering signs or other such materials may not be placed within a polling place or in any public area within one hundred fifty feet (150') of any building where an official voting station is located. (Ord. 09-01-2011, 9-7-2011, eff. 9-8-2011)
14. Community Signs: Community signs require review by the community development department including recommendation of the city traffic engineer and/or other pertinent city department, for compliance with the following criteria:
 - a. No sign(s) shall be permitted which is unsafe for vehicular or pedestrian traffic, is inappropriate with respect to location, size, time, or duration of display, or is maintained in a deteriorated condition.
 - b. Such sign(s):
 - (1) Must be made of durable, weather resistant material;

- (2) Must use logos or symbols instead of copy where possible, where copy would cause a distraction to vehicular traffic; and
 - (3) May be located at various gateway areas to the city, along major streets and important intersections adjacent to nonresidential properties, as approved by the community development department.
- c. Such signs shall be uniform in size for each individual display and shall be no larger than four feet (4') wide and ten feet (10') tall for signs attached to light or utility poles. Signs attached to a building may be larger but must be appropriate in scale and location as approved by the community development department.

Freestanding community signs shall be allowed on parcels with the permission of the owner and approval of the community development department. The size of the sign depends on the number of acres involved on the property according to the following size and height standard:

| | |
|-------------------|-----------------|
| Less than 5 acres | 32 square feet |
| 5 to 10 acres | 64 square feet |
| 10 to 20 acres | 96 square feet |
| 20 or more acres | 128 square feet |
| Maximum height | 15 feet |

- d. Such signs may not be attached to another temporary sign or a permanent traffic or business sign.
- e. Such signs may be part of a "rotating permanent feature" of the city or community for such events as:
 - (1) Santaquin Pride.
 - (2) Holidays.
 - (3) Cultural and/or arts events.
 - (4) Change in seasons.
 - (5) General community promotion; i.e., business, with the prohibition of commercial endorsement or name on any such sign.
- f. Such signs for any single purpose or event may not be displayed

for more than thirty (30) days. However, the community development department may approve community purpose signs for long term purposes subject to review on a ninety (90) day basis.

B. Residential Zones: It is recognized that signs announcing the location, availability, or development of property are necessary. Restraint is advised. The following shall apply:

1. On Premises Development Identification Signs:

- a. Individual Lots: One sign announcing the name of the construction/development company is allowed. The area of the sign may not exceed sixteen (16) square feet nor six feet (6') in height. The sign may not be erected more than five (5) days prior to the beginning of construction for which a valid building permit has been issued. It must be removed before final occupancy.
- b. Subdivisions Or Planned Unit Developments: One development promotional sign may be placed on the premises of each development having five (5) or more lots or approved unit sites in any residential zone. The size allowed for the sign depends on the number of lots to be developed.

| | | | | |
|----------------|---|------------------|-----|-------------|
| 5 | - | 24 units (lots) | 64 | square feet |
| 25 | - | 49 units | 96 | square feet |
| | | 50 or more units | 128 | square feet |
| Maximum height | | | 12 | feet |

Such signs shall be removed within five (5) years of the issuance of the first building permit in the project or if the lots are sold out before five (5) years immediately upon sale of the last lot.

2. On Premises Real Estate Signs:

- a. Signs advertising the sale, rent, or lease of property shall be limited to one real estate sign on each lot. Each such sign shall not exceed six (6) square feet in size and six feet (6') in height.
- b. One real estate sign per street frontage is allowed for any multiuse residential or professional office building or lot intended for such and may not exceed thirty two (32) square feet in area or eight feet (8') in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty four (64) square feet.

c. Model home signs shall not exceed sixteen (16) square feet in area nor exceed six feet (6') in height and shall be placed entirely upon the premises of the model.

3. Temporary Open House Real Estate Signs: Open house signs not to exceed six (6) square feet in area and four feet (4') in height, advertising real estate open for inspection may be placed on private property in the vicinity of the property open for inspection. They shall not be placed in the parking strip. They shall not be attached to trees, poles or street signs, etc. Open house signs shall be displayed only during those hours/day(s) which the house is open for actual inspection.

4. On Premises Signs For Home Occupation In Residential Zones: Home occupations may need some form of identification. Because of their nature and restrictions on the intensity of use, they are not required to obtain a permit. They may have one nonilluminated flat wall sign two (2) square feet in area which identifies the name of the business. This applies to uses operated out of a single-family home.

C. Commercial And Industrial Zones: It is recognized that signs announcing the location, availability, or development of property are necessary. Because these are allowed without a permit, restraint is advised.

1. On Premises Development Identification Signs: Signs announcing or identifying the future development of commercial or industrial property are allowed one per public or private street frontage. The sign(s) may not be erected before the proposed development has been submitted for site plan review. They must be removed before final inspection or before permanent signs are installed. The size of the sign depends on the number of acres involved in the project.

| | | | |
|--------------------|--|-----|-------------|
| Less than 2 acres | | 32 | square feet |
| 2 to 5 acres | | 48 | square feet |
| 5 to 10 acres | | 64 | square feet |
| 10 to 20 acres | | 96 | square feet |
| More than 20 acres | | 128 | square feet |
| Maximum height | | 15 | feet |

2. On Premises Real Estate Signs:

a. One on premises real estate sign advertising the sale of property per street frontage is allowed for any commercial or planned

industrial center, building, or lot intended for such and may not exceed thirty two (32) square feet in area or eight feet (8') in height. If the parcel is over two (2) acres in size, the sign may not exceed sixty four (64) square feet. Individual pads or parcels within centers are allowed their own sign, but may not exceed sixteen (16) square feet or six feet (6') in height.

- b. One on premises sign advertising the availability of commercial or industrial space, for lease or sale, for space within a multi-tenant building or for a pad within the same center is allowed. The sign must be securely attached to the vacancy in question. It may not exceed twenty four (24) square feet in area.

3. Other Allowed Signs:

- a. Window Signs: Window signs which are painted on or temporarily affixed to the window surface shall cover no more than twenty five percent (25%) of any single window, or twenty five percent (25%) of the entire surface area of a group of windows and shall not be so affixed as to block clear view of exits or entrances, or to create a safety hazard. This applies also to inside illuminated signs (e.g., neon, etc.) which are within eighteen inches (18") of the window surface.
- b. Menu Boards: Menu boards for drive-in restaurants are to be reviewed and approved by the community development department at site plan review. The following shall apply although the planning commission may approve them at different locations at the time of site plan review only, depending upon circumstances:
 - (1) Only two (2) menu boards are allowed per site and must be located behind the front landscaped setback area.
 - (2) Maximum area shall not exceed thirty five (35) square feet per sign and six feet (6') in height.
- c. Gasoline Price Signs: One double faced sign for each type of fuel sold is allowed per gas island with a maximum of ten (10) sets per station. The area of said sign may not exceed four (4) square feet each. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

HISTORY

Amended by Ord. [09-01-2011](#) on 9/7/2011

10.44.080 SIGNS THAT REQUIRE A PERMIT

- A. Purpose; Streetscape: The streetscape is the combination of vehicles, buildings, signs, landscaping, roads, utility poles, etc., that dominate the view of a driver or pedestrian. The streetscape tells residents and visitors how the city as a whole feels about the environment, safety, aesthetics, and its sense of order, among other things. A useful, attractive, and safe streetscape is one that necessarily regulates the size, location, and design of business signs. Because a proliferation of poorly designed, oversized, and inappropriately located signs in commercial and industrial areas can be detrimental to the achievement of effective, safe and attractive streetscapes, it is important that the permanent signs in these areas receive approved permits from the city.

Commercial and industrial uses are generally more intensive than those found in residential zones. Since these uses are designed by size, location, and style to attract attention and provide services to the public, they generally need signage to achieve that end. Business signs of any kind in residential neighborhoods can diminish the quality of life for which those zones were specifically created. However, there may be some residential uses which merit a sign, though much smaller and subdued than in commercial or industrial zones.

Therefore, it is the intent and purpose of this section to outline regulations and design standards for signs in both commercial/industrial and residential areas that will allow the business to identify itself while allowing Santaquin City to create and maintain safe and aesthetically pleasing streetscapes regardless of zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Development Sign Plans:

1. All multi-tenant centers or buildings must submit a sign plan to the zoning administrator prior to site plan approvals. These plans shall include the following:
 - a. The anticipated ground locations for all business and development identification signs.
 - b. The materials, architectural design and lighting styles for any freestanding, monument, or directional signs on the property.
 - c. Building elevations showing designated areas for wall signs.
 - d. The allowed wall sign types and illumination methods.
2. Planned commercial centers or developments having seven (7) or more acres, and at least three hundred feet (300') of frontage, may have a sign plan which varies from the regulations of this chapter under the following standards:
 - a. The standards of safety, location, architectural consideration and spacing between signs are maintained as set forth in this chapter.

- b. Signs exceeding the standards of this chapter shall be set back one additional foot from the required setback for each additional one foot (1') of height or additional ten (10) square feet of sign area proposed. Minor architectural embellishments without copy, which relate the signs to the associated development themes, will not be considered additional height.
- c. Any existing signs on the premises will be altered or removed if necessary at the sole discretion of the City to conform to the approved sign plan.
- d. Increases in height shall not exceed that which is reasonably necessary for a peak hour five (5) second exposure time, taking into consideration site topography, adjacent traffic speeds, volumes, travel routes and site access points. Overall height of signs shall not exceed the lesser of fifty five feet (55') or, if the sign is placed adjacent to the I-15 corridor, a maximum of fifteen feet (15') above nearest adjacent I-15 travel lanes.
- e. Additional development signs may be allowed per five hundred feet (500') of development street frontage, but not to exceed two (2) freestanding signs within five hundred feet (500') along the same frontage (e.g., 600 feet of frontage may allow 2 development signs, 1,200 feet of frontage may allow 3 development signs). (Ord. 06-01-2008, 6-4-2008, eff. 6-5-2008)

C. On Premises Freestanding Signs:

1. Parcels Where Freestanding Signs Are Allowed:

- a. Commercial Parcels With Seven Acres And Three Hundred Feet Of Frontage: One freestanding sign shall be allowed per frontage on a collector or higher class road for any parcel that has at least seven (7) acres and three hundred feet (300') of street frontage. No freestanding signs are allowed for parcels with less than seven (7) acres and three hundred feet (300') of street frontage, except as provided in paragraphs C,1,b and C,1,c.
- b. Commercial Parcels Fronting I-15: Commercial properties not associated with a planned commercial center and having three hundred feet (300') of frontage on the I-15 corridor may have one freestanding sign along the fronted I-15 corridor.
- c. Commercial Parcels Within One Thousand Five Hundred Feet Of An I-15 Off Ramp Terminus: Commercial properties along Main Street, Highway 198, Highland Drive or between South Ridge Farms Road and I-15, which are not associated with a planned commercial center and are located within one thousand five

hundred feet (1,500') of an I-15 off ramp terminus, may have one freestanding sign per frontage along the before mentioned roads. However, such properties must have at least one hundred feet (100') of frontage on the listed road or only a monument sign will be allowed along that frontage.

2. General Freestanding Sign Standards: On parcels where freestanding signs are allowed pursuant to paragraph C,1, the following standards shall apply unless noted:

a. Height Standards:

- (1) Properties fronting the I-15 corridor may have freestanding signs that do not exceed forty five feet (45') above adjacent average grade and no more than thirty feet (30') above the nearest traveled freeway lane, whichever is less. However, for those properties fronting I-15 and not able to have a minimum thirty foot (30') tall sign due to natural topographic circumstances relative to freeway grades, a maximum thirty foot (30') tall sign is permitted as measured from natural grade directly below the sign.
- (2) Properties along other designated public streets may have freestanding signs that do not exceed twenty five feet (25') above the grade of closest paved edge of the fronted street. For those properties within the areas listed in this paragraph, which are not able to have a minimum fifteen foot (15') tall sign due to natural topographic circumstances relative to adjacent public street grades, a maximum fifteen foot (15') tall sign is permitted as measured from natural grade directly below the sign.
- (3) Sign height increases may be allowed in accordance with paragraph B,2. (Ord. 05-03-2019, 5-21-2019, eff. 5-22-2019)

b. Area Standards:

- (1) Properties with at least one hundred fifty feet (150') of frontage on the I-15 corridor may have an on-premises freestanding sign with total signage area that does not exceed three hundred fifty (350) square feet.
- (2) Properties along other designated public streets may have freestanding signs that do not exceed the size set forth in SCC 10.44.150, attachment A or B of this chapter, where applicable. Sign area increases may be allowed in accordance with paragraph B,2.

c. Location Standards: Signs must be located as follows:

- (1) At least one hundred feet (100') from a monument sign or one hundred fifty feet (150') from another freestanding sign on the same side of the street,
- (2) Outside of visibility triangles at intersections and site ingress/egress points,
- (3) On private property not less than five feet (5') behind sidewalk or property line whichever is furthest from the street,
- (4) Located within thirty feet (30') of the property line fronting the public road to which the sign is facing,
- (5) If by government action a freestanding sign is condemned for health or safety issues the sign may be reconstructed and relocated on the same property to a location which complies with the above location standards where possible.

d. Architectural Considerations:

- (1) Signs must be in architectural harmony with associated uses and thematic elements of the associated development.
- (2) All on premises freestanding signs must have the structural supports covered or concealed with pole covers (pylon covers) at least thirty six inches (36") wide. The actual structural supports shall not be exposed, and the covers must be architecturally and aesthetically designed to match the building or development to which it is associated.
- (3) Materials, colors, illumination methods, and sign design should complement the rural and agrarian character of Santaquin City.
- (4) Landscaping and/or architectural elements shall be provided under the copy area to integrate the sign with the landscape and not create isolated and barren structures on a site.

e. Reader Boards And Message Centers:

- (1) No reader boards or electronic message centers may exceed thirty percent (30%) of the total sign copy area of

the sign. Amber lighting of electronic message centers is encouraged.

- (2) If electronic message centers are utilized in signs along I-15, the message changes may not be more frequent than eight (8) seconds and the actual message rotation process must be accomplished in three (3) seconds or less.

f. Animate And Inanimate Images:

- (1) On-premises freestanding signs along the I-15 corridor may have signs with inanimate images. If inanimate images are utilized, the image changes may not be more frequent than eight (8) seconds and the actual image rotation process must happen instantly. Animate images on freestanding signs along I-15 are prohibited.
- (2) Properties along other designated public streets may have freestanding signs with animate or inanimate images that are no more than twenty five (25) square feet. Such area shall be included within the maximum total sign area allowed.

D. Monument Signs: The following standards shall apply:

1. Street Frontage Requirement For Monument Signs: Monument signs are allowed for any size parcel provided that the parcel has thirty feet (30') of street frontage. The sign area allowed is determined by the following formula: thirty two (32) square feet plus one square foot per one linear foot of street frontage over fifty feet (50'), maximum size is eighty (80) square feet. Parcels with two (2) street frontages are allowed a sign on each street. However, the signs must be separated by at least one hundred feet (100') as measured diagonally across the property from center to center of both signs or only one sign will be allowed. Signs within the visibility triangle may be allowed with the permission of the Santaquin City Engineer.
2. Monument Signs For Planned Commercial Centers:
 - a. Monument sign shall have a logo/identification theme as part of the sign.
 - b. Planned commercial centers with two (2) or more street frontages are allowed one sign on each street frontage. The signs must be separated by at least one hundred feet (100') as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred

feet (100') to any other sign (monument or freestanding/pole) located on the same side of street.

- c. The area of the sign is determined by the length of the frontage along which the sign is to be placed, including the frontage of any freestanding buildings included within the planned commercial center. The sign area is determined as provided in paragraph D,1.
- d. In the case of the development of a planned commercial center on multiple parcels of property having common frontages, regardless of the number of separately owned parcels or buildings of separate occupancy within the planned commercial center, the frontage shall be considered to be the composite of the entire commonly used parcels or buildings and not the frontage of each individual business or occupancy. The overall frontage shall be used to calculate allowable sign area for the center identification sign as provided in paragraph D,1.
- e. In the event that a planned commercial center has several freestanding buildings (single or multi-occupant), each permitted monument sign shall be separated from each other by no less than one hundred feet (100').

3. Freestanding Building Within A Planned Commercial Center:

- a. A freestanding building within an approved planned commercial center may request a monument sign provided that the freestanding building lot is contiguous to a major arterial street and has at least one hundred feet (100') of street frontage.
- b. Freestanding buildings with two (2) or more street frontages are allowed one sign on each frontage. The signs shall be separated by at least one hundred feet (100') as measured diagonally across the property from center of sign. In no case shall the approved monument sign be placed closer than one hundred feet (100') to any other sign (monument or freestanding/pole) located on the same side of street.
- c. The business or tenant occupying the freestanding building shall be allowed a monument sign upon determination of the Community Development Department that the sign is not in conflict with the purpose of this chapter and is in architectural harmony with uses adjacent to the development.
- d. The sign area is determined as provided in paragraph D,1.

4. Freestanding Building Not Associated With A Planned Commercial Center:

- a. A freestanding building not associated with a planned commercial center is allowed one monument sign provided that the parcel has at least one hundred feet (100') of street frontage.
 - b. In the case of the freestanding building having two (2) or more frontages, one sign may be placed on each street frontage provided that the signs are separated by at least one hundred feet (100') as measured diagonally from center of sign. In no case shall the permitted monument sign be placed closer than one hundred feet (100') to any other sign (monument or freestanding/pole) located on the same side of street.
 - c. The sign area is determined as provided in paragraph D,1.
 5. Height Requirements For Monument Signs: Monument signs must have at least a one foot (1') pedestal, and the illuminated cabinet may not exceed five feet (5') for a total of six feet (6'). The height to the top of the sign as measured from the street curb may vary depending upon landscaping, but the combined height of the sign and berming/landscaping may not exceed nine feet (9'). The entire frontage of the property must be randomly bermed for this to occur, not just where the sign is to be positioned. The sign base shall be landscaped.
 6. Reader Boards And Electronic Message Centers: Reader boards (changeable copy areas) and electronic message centers may be allowed, however, such devices shall not exceed fifty percent (50%) of the total sign area.
 7. Animate And Inanimate Images: Monument signs may have animate or inanimate images that are no more than twenty five (25) square feet. Such area shall be included within the maximum total sign area allowed. (Ord. 05-02-2019, 5-7-2019, eff. 5-8-2019)
- E. Wall Signs: Wall signs should be the primary form of identification for business uses in the city. Each business is entitled to one wall sign if the following criteria are met:
1. Area Occupied: The sign may not occupy more than fifteen percent (15%) or six hundred (600) square feet, whichever is less, of the flat wall area. If a sloping facade or roof exists, the sign may not exceed fifteen percent (15%) or six hundred (600) square feet, whichever is less, of that area. A wall sign may not use a combination of both flat and sloping areas in calculating the fifteen percent (15%). On a sloping roof the vertical projection is used to calculate area not actual length of the slope.
 2. Multiple Signs: The fifteen percent (15%) area of the primary wall and the five percent (5%) area of all secondary walls may be divided into more than one sign with the approval of the building official under the following

guidelines and restrictions:

a. Guidelines:

- (1) The sign package blends with the aesthetics of the building and surrounding natural and manmade environment.
- (2) The sign package color, style, size, scale and proportion enhances the exterior of the building and does not place too much bulk and external distractions on the exterior of the building.
- (3) The number of signs are appropriate to the scale of the building.

b. Restrictions:

- (1) The maximum number of wall signs on any given wall, including multi-tenant buildings, shall be seven (7). For the purpose of this title, a sign will be considered a complete phrase and the suggested layout of the sign package (i.e., the individual words may either be lumped together as 1 phrase to equal 1 sign, or spread out to be many different signs, such as "1 Hour Photo" would be considered 1 sign).
- (2) The maximum number of multiple wall signs on any given wall shall be limited to seven (7). The maximum square footage shall be limited to six hundred (600) square feet or fifteen percent (15%) of the wall (5 percent if a secondary wall), whichever is less.
- (3) Multi-tenant buildings may receive a conditional use permit so that the building may exceed the maximum number of signs to accommodate the additional sign if the planning commission judges the additional sign to be consistent with the criteria set forth above.
- (4) Multiple wall signs shall utilize individual lettering and logos only. No multiple cabinet signs or combination of cabinet and individual lettering signs shall be approved. It is encouraged that the use of multiple materials and lettering styles, such as exposed neon, different type styles, use of logos in conjunction with the lettering be implemented.

3. Painted Signs: Painted signs applied directly to any building face, must

have specific approval of the community development department. If the building is in historic Santaquin, the sign must have approval of the planning commission upon recommendation of the historic commission.

4. Changeable Copy: Wall signs with changeable copy, reader board, or electronic message capability are not allowed.
5. Wall Specified: Buildings or businesses with exposure on the side(s) and front may choose which wall to mount their sign upon. Signs are allowed on the rear of the building with planning commission approval.
6. Multiple Walls: A sign on a third and fourth wall must be approved by the planning commission using the criteria as listed in paragraph E,2.
7. Multi-Tenant Buildings: Owners of buildings that have small offices inside, accessory and/or secondary to the main use, are required to create a building identification sign instead of trying to obtain signage for every tenant. This is especially true for buildings with two (2) or more levels.
8. Sloping Roofs: Wall signs on sloping roofs shall be erected so as to appear as a sign applied to a similarly vertical wall surface and finished in such a manner that the visual appearance from all sides is such that they appear to be part of the building itself. All such signs shall be installed or erected in such a manner that there is no visual support structure such as guywires or braces.
9. Projection: No part of any wall sign or of the sign structure shall project above or below the highest or lowest part of the wall upon which the sign is mounted or painted.
10. Projection From Face Of Building: No wall sign including any light box or structural part, shall project more than eighteen inches (18") from the face of the building to which it is attached. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

F. Off Premises Billboard Signs: Off premises billboard signs shall be permitted only as provided for in this paragraph F.

1. Limits On The Number Of Billboards: No billboards are allowed within Santaquin City limits. The following provisions of this paragraph F shall apply to the rebuilding or relocation of all legal nonconforming billboards within the city to which an owner is entitled by Utah law:
 - a. Billboard signs shall not be permitted within any zone in which residential uses are permitted including zones allowing mixed use developments.
 - b. No billboard shall be erected within five hundred feet (500') of another existing billboard sign.

2. Sign Construction: All off premises signs shall be of a monopole construction.
3. Size: The maximum size of billboard signs shall be as follows:
 - a. I-15 Corridor: Billboard signs located within one hundred feet (100') of the I-15 right of way and which are oriented to I-15 traffic shall be a maximum of fourteen feet by forty eight feet (14' x 48').
 - b. Other Signs: All billboard signs which are located more than one hundred feet (100') from the I-15 right of way shall be a maximum of twelve feet by twenty four feet (12' x 24').
 - c. Height: Maximum height of billboard signs shall be twenty five feet (25') to the highest point of the haggles above the grade of the traveled way of the right of way it fronts, as measured from the elevation of the roadway on the same side as the billboard at a point perpendicular to the roadway.
4. Lighting:
 - a. No billboard may be illuminated by artificial means between the hours of eleven o'clock (11:00) P.M. and six o'clock (6:00) A.M.
 - b. All luminary devices shall be installed and directed to primarily illuminate the sign face with minimal light spill occurring off of the sign.
 - c. Luminary devices shall be set at least ten feet (10') inside the outer edges of the sign face and no more than five feet (5') from the face of the sign.
 - d. Metal halide or "white light" luminaries are not permitted. Existing lighting which does not comply with this standard shall be made compliant when such is repaired or replaced.
5. Relocation Of Billboards: The current provisions of this code and the Utah state code shall apply to the rebuilding, replacement, or relocation of any billboard.
6. Applications For Relocating Or Rebuilding Billboards: No billboard shall be constructed until the owner has obtained a Santaquin City building permit and paid all applicable fees. All building permit applications submitted for the replacement, rebuilding, or relocation of a billboard shall be valid for a period of six (6) calendar months from the date of issuance, except as required by Utah law.
7. Construction Standards: All billboard applications shall comply with the international building code or its adopted successor, this code, as amended, and the national electrical code, or its adopted successor, as

applicable. All billboards shall be constructed in accordance with these codes.

8. Other Provisions: All other aspects of billboard placement and design shall be adhered to as provided in the Utah state code. (Ord. 02-01-2008, 2-6-2008, eff. 2-7-2008)

G. Suspended Signs: Suspended signs used in place of wall signs are allowed if the architecture of the building or planned center lends itself to that design and a sign theme is submitted and approved by the building official. The following shall apply:

1. The zoning administrator, or other authorized officer, must review any proposal for a suspended sign for compatibility with the building.
2. Any sign may not exceed fifteen percent (15%) of the flat wall of the tenant space.
3. No sign may project beyond the outside limit of the arcade, marquee, or canopy or facade to which they are attached.
4. Any sign must have at least an eight foot (8') clearance above the sidewalk or seven feet (7') above any landscaped area.
5. There must be a minimum horizontal distance of five feet (5') on both sides between suspended signs.

H. Awning Signs: Awning signs are allowed only under the following circumstances:

1. The zoning administrator, or other authorized officer, may approve any applicant for an awning sign which fully complies with sign standards.
2. Awning signs in planned centers must be designed to conform to an approved sign theme.
3. No awning signs will be allowed on multitenant buildings or in planned centers unless the building or center has consistent treatment.
4. Awning signs shall be limited to single story buildings or to the first level only of multistory buildings.
5. Awning signs must function as true awnings by being placed over a doorway, window, or walkway to protect such from the elements.
6. Awning signs are not allowed on or above sloping or mansard roof.
7. The area of awning signs shall be a maximum of fifteen percent (15%) of the primary wall upon which the sign is mounted. Awning signs for secondary walls are limited to five percent (5%) of the wall area.
8. Area of copy/logo on awnings shall be limited to forty percent (40%) of the

awning. Illuminated signs on other sides shall be permitted.

9. Awning signs shall conform to all provisions of the uniform building code governing such structures.
10. Illuminated (backlit), translucent, vinyl awnings are not permitted. Translucent letters or accents sewn into opaque canvas or acrylic awnings are permitted.
11. Awning signs shall not project out from the wall more than eight feet (8'), nor less than two feet (2'). In the case of entrance canopies the awning may project out from the building over a walkway and must lead to a bona fide business entrance. Such canopies will be permitted if they are compatible with the architecture of the building.
12. Awning signs shall not project above the roofline, defined as the highest part of the vertical wall.
13. Awning signs shall maintain a minimum clearance of seven feet (7') to the bottom of the valance and eight feet (8') to the frame above the sidewalk and comply with all other clearance requirements.
14. Awning signs shall be maintained in a clean, safe and attractive condition. Failure to do so will result in revocation of the sign permit.

I. Canopies (Gas Stations): Signs for canopies over gas islands are regulated as follows:

1. Sign copy, corporate logos, etc., may be a maximum of fifteen percent (15%) of one face of the canopy.
2. Up to three (3) sides of the canopy may be used for signs.
3. The height to the top of the canopy may not exceed twenty feet (20') from grade and no canopy fascia may exceed four feet (4') in height.
4. Individual letters, logos, or symbols may not exceed four feet (4') in height or project out from the surface of the canopy more than eighteen inches (18") or project above or below the canopy face.
5. Gas price signs are allowed on the monument sign or below the canopy over the pumps. One double faced sign for each type of fuel sold is allowed per gas island with a maximum of four (4) sets per station. Area of said sign may not exceed four (4) square feet each.

J. Residential Zones: Conditional uses may risk being more intensive uses allowed in residential zones. Therefore, the sign area allowances are more restrictive than in commercial areas and a sign permit is required for signs of conditional uses. If deemed appropriate upon planning commission review, conditional uses are limited to one monument sign of thirty two (32) square feet. Such signs may

not have changeable copy capability. Wall signs shall be regulated as set forth in this chapter. Multitenant buildings with monument signs must identify the center primarily. (Home occupations are limited to nonilluminated flat wall signs no more than 2 square feet in area.)

K. Advertising Bench Signs And Transit Bus Stop Enclosures: Such shall be regulated as follows:

1. Location: Advertising bench and transit bus stop enclosures signs may be allowed in all commercial and industrial districts. In other districts, the planning commission shall review and may either approve or deny the location. The criteria that may be used by the planning commission when reviewing these alternative sites includes:

- a. Does this bus stop warrant a bench or transit bus stop enclosure due to ridership (ridership figures to be confirmed by the Utah transit authority or its successor)?
- b. Is the location upon a street with back facing lot?
- c. Is there sufficient space to place the entire bench or transit bus stop enclosure upon private property and not cause a pedestrian or traffic hazard?

2. Placement:

- a. Advertising bench and transit bus stop enclosure signs shall be placed parallel to the roadway and shall not be placed within the public right of way. The right of way shall include all asphalt, curb, gutter, parking strip and sidewalk. Such bench signs or structures shall be permitted only at public transit bus stops, and shall be no closer than thirty feet (30') from an intersection.
- b. No bench or transit bus stop enclosure shall be placed upon or along any unimproved right of way.

3. Information On Display Surface: The name and telephone number of the owner of the advertising bench shall be printed on the bench or at a conspicuous location within the transit bus stop enclosure. Advertisement must conform to the Utah outdoor advertising code.

4. Bench And Transit Stop Enclosure Sign Concession: To install a bench advertising sign or transit bus stop enclosure sign, the company must be an approved concessionaire to operate such facilities. The number of concessions and ratio of bench signs to transit bus stop enclosure signs shall be determined by the city at the time the concession(s) are awarded.

5. Permits: Prior to locating an advertising bench or transit bus stop enclosure sign, the concessionaire must obtain a sign permit for the site

at which the advertising bench or transit bus stop enclosure sign will be placed. This permit shall be issued for the calendar year or as otherwise specified within the concession agreement. The permit shall not be issued until Santaquin City receives all documents and approvals as required by the concession agreement.

6. Fee: The fee for an advertising bench sign permit shall be established by resolution of the city council.
7. Bond Required: No permit shall be issued or remain in effect unless the permittee, at the permittee's own cost and expense and without cost to the city, shall procure and maintain in force and on file with the community development department a policy of insurance or a certificate of insurance and form of policy issued by an insurance company licensed to do business in Utah and approved by the city attorney and city risk manager; protecting Santaquin City, its officers, agents and employees and the abutting property owners, lessees and tenants from any and all claims for injury, death or damage to persons or property that might result through the placing and/or maintenance of the sign or signs. The minimum amount of the insurance policy shall be one hundred thousand dollars (\$100,000.00) for injuries arising from each accident, and fifty thousand dollars (\$50,000.00) for property damage in each accident. The policy shall also contain a provision that the community development department shall be notified at least thirty (30) days prior to any cancellation of such insurance. Advertising bench sign applicants need only procure and maintain one such policy of insurance per year which covers all permit applications submitted by the applicant.
8. Time Limit For Placement: Advertising bench and transit bus stop enclosure signs shall be placed at the permitted site within thirty (30) days after the permit has been issued or the permit shall become null and void, unless otherwise specified in the concession agreement. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

HISTORY

Amended by Ord. [04-01-2014](#) on 4/16/2014

Amended by Ord. [05-02-2015](#) on 5/6/2015

10.44.090 TEMPORARY SIGNS

- A. Standards For Temporary Signs: Temporary signs shall not be placed in or over a public right of way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building or ground. Temporary signs may be attached to existing permanent signs only for the grand opening period.

Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. No off premises temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in this title.

B. Temporary Signs Requiring A Permit:

1. Grand Opening Signs: Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than sixty (60) days and that the permit is issued within the first year of operation. There shall be no more than two (2) signs allowed per business. A combination banner and portable sign is acceptable. The signs must comply with general size and location standards for signage in this chapter and must be removed at the end of the sixty (60) day period. A temporary sign permit is required.

NOTE: "Now Open", "Grand Opening", "New Location of ...", "New Ownership", etc., are appropriate type message for such signs.

2. Special Promotion Periods: A business may apply for three (3) special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively. A temporary sign permit is required. A banner or portable sign is allowed during this period.

NOTE: Special product, price, or service advertising is appropriate during these periods.

3. Going Out Of Business/Bankruptcy Period: A business may apply for a permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days. Such permit will be allowed only once for any business license. A temporary sign permit is required. A banner or portable sign is allowed during this period.

NOTE: Special product, price or service advertising is appropriate during these periods.

C. Temporary Signs Allowed Without A Permit:

1. Holiday Periods: A business may advertise a special service, product or sale during the following holiday periods without a permit:

| | |
|----------------------------|--------|
| Presidents' Day - February | 5 days |
| Easter - March or April | 5 days |
| | |

| | |
|------------------------------------|--|
| Memorial Day - May | 5 days |
| July 4 - July 24 | 5 days each |
| Labor Day - September | 5 days |
| Thanksgiving - November | 7 days |
| Hanukkah, Christmas, New Year's | 21 days starting December 15 and ending January 2 |

NOTE: One banner sign only is allowed during these periods. The sign must be mounted on the building. The sign must be removed by the end of the first working day after the holiday period ends.

2. Directional Signs For Subdivisions And Planned Unit Developments: These signs do not need a permit. However, written permission of the property owner must be obtained and presented to the community development department before they are erected.
 - a. Three (3) directional signs may be allowed for a developer to guide traffic to the site and should contain only the name, address, and direction of the development. They are limited to thirty two (32) square feet in area and eight feet (8') in height and must be placed entirely upon private property with the permission of the owner. Two (2) additional sixteen (16) square foot directional signs may be allowed by the zoning administrator, or other authorized officer, if a special need or unusual circumstance can be demonstrated. They may not encroach upon any public right of way and may not be located within the sixty foot (60') traffic visibility triangle on corners except where they are not more than three feet (3') in height as per SCC 10.44.130 paragraph C or receive approval from the Santaquin City engineer.
 - b. Such signs shall be removed within two (2) years of the issuance of the first building permit in the project or if the lots are sold out before two (2) years immediately upon sale of the last lot. An extension may be granted by the community development department if a substantial number of the lots have not been sold at the end of the two (2) year period. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.100 SIGN PERMIT PROCESS

No person shall erect, install, or paint any sign, or change the face of any sign, whether it be temporary or permanent in nature, without obtaining a sign permit from the community development department except as outlined in this title. This includes new signs, signs

to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or modified.

NOTE: New or existing signs installed or maintained without a permit will be required to be removed or will be charged a penalty fee of one hundred dollars (\$100.00), or a double sign permit fee, whichever is greater, at the time the owner/operator of the sign makes application for a sign permit with the community development department. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.110 SITE PLAN REVIEW; SIGN DESIGN

- A. Site Plan Review: When new buildings or developments are presented for site plan review, signs proposed for the development shall be reviewed concurrently by staff. All planned centers and multitenant buildings must submit a sign theme for approval by the building official. The center must have an approved sign theme before any sign permits will be issued. If a plan for a sign package is not submitted at site plan review, which is encouraged, the developer will be notified of sign ordinance standards and expected to submit plans that will adhere to the code.
- B. Sign Design: Applicants for sign permits should give serious consideration to the following elements when submitting plans for signs:
 - 1. Architectural compatibility.
 - 2. Color and style.
 - 3. Size, scale, proportion (balance).
 - 4. Location.
 - 5. Landscaping.

NOTE: The building official may refer an application for a sign permit to the planning commission for further approval/denial if the building official feels adherence to the above listed criteria is not shown in submitted plans. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.120 REQUIRED PERMIT INFORMATION

- A. Monument And Freestanding Signs:
 - 1. Plot plan showing relationship of sign to buildings, property lines, setback from public rights of way, intersections, easements and driveways.
 - 2. Two (2) accurately dimensioned, scaled drawings showing height, color, square foot dimensions, landscaping, sign composition, type of illumination, and how the sign will appear from the street.

3. Details of sign construction including electrical plan, foundation scheme, and value of the sign.
4. Number of acres and length of lineal frontage of property.

B. Wall Signs:

1. Two (2) scaled drawings showing square foot dimensions of both the building and the sign, sign composition, and type of illumination.
2. A profile drawing of how the sign will appear from the street/parking area and on the building.
3. Details of sign construction and attachment including electrical plan.

C. Temporary Signs:

1. Plot plan showing relationship of sign(s) to buildings, property lines, setback from public rights of way, intersections, easements and driveways.
2. Length of period for display, type of request.

D. Additional Information Required:

1. Proof of current Santaquin City business license.
2. Business address and phone number.
3. Address of property owner and phone number.
4. General or electrical contractor license, phone and address.
5. Value of the sign. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.130 SAFETY AND LOCATION STANDARDS FOR PERMANENT SIGNS

A. Standards Of Construction:

1. Code Compliance: All signs erected in Santaquin City shall comply with the provisions of the national electrical code, uniform building code and the Santaquin City sign ordinance effective at the time the sign permit is issued.
2. Licensed Sign Contractor Required: No sign, fixture or device involving electrical wiring or connections shall be erected or installed in Santaquin City except by a licensed and bonded contractor.
3. Engineering Required: All sign permit applications shall be engineered to demonstrate conformance with the applicable provisions of the uniform building code; and, where required by the chief building official, shall be

accompanied by a drawing stamped by a structural engineer licensed by the state of Utah attesting to the adequacy of the proposed construction of the sign and its supports.

4. Durability: All signs must be built of durable and permanent materials.
5. Power Source: Permanent power sources for signs must be concealed underground away from public view.

- B. Traffic Safety: No sign or other advertising structure shall be erected which in any manner may be confused with an official traffic sign or signal, or which bears words normally used in such signs, i.e., stop, go slow, caution, danger, warning, etc. No sign or any advertising structure shall be erected which by reason of its size, location, shape, content, coloring, or manner of illumination might be confused as a traffic control device. No sign shall have lighting which impairs the vision of anyone traveling upon a public street or distracts any driver so as to create a public nuisance. Specifically, no sign or group of signs may not exceed one foot-candle in brightness as measured at the property line.
- C. Clear View Of Intersecting Streets: No sign more than three feet (3') in height (above the top back of curb) shall be erected at any intersection for vehicular traffic within a triangular area formed by the intersection of straight lines extended from the back of curb (or future curb) and a line connecting them at points sixty feet (60') from the intersection of the lines.

NOTE: Monument signs may be erected in the above mentioned area if they are less than three feet (3') above the curb grade to the top of the sign. The building official must approve any removal of landscaping in order to accomplish that objective. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

Deviations from these requirements must be reviewed and approved by the Santaquin City traffic engineer, if found to maintain an acceptable degree of safety. Deviations beyond those approved by the traffic engineer must be appealed to the appeal authority. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002; amd. Ord. 02-02-2008, 2-6-2008, eff. 2-7-2008)

- D. Specific Clearance And Location Requirements: The following rules apply for all signs:
1. Freestanding signs shall not extend over any pedestrian or vehicular access area unless specifically approved by the traffic engineer.
 2. No part of any sign shall interfere with the use of any fire escape, exit, required stairway, door ventilator, or window.
 3. No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state of Utah or its

agencies.

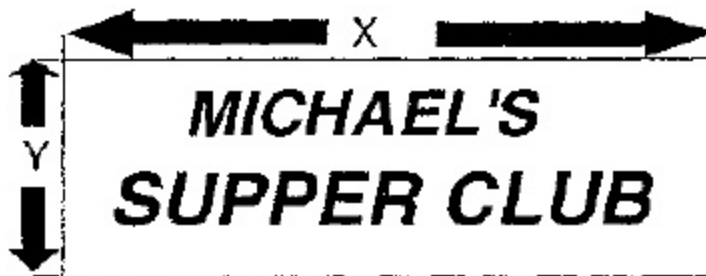
4. No sign shall be located on publicly owned land or inside street rights of way, except signs owned and erected by permission of an authorized public agency or specifically authorized herein.
 5. High profile (freestanding) and low profile (ground or monument) signs shall be located at least their height in distance from side property lines in order to prevent damage to adjacent land in case a sign is toppled by accident or an act of God.
 6. Low profile (monument) signs shall be set back at least three feet (3') from the front sidewalk and from all driveways.
- E. Maintenance: Every sign shall be kept in complete operating condition. The landscaped area in which any sign is placed shall be kept free from weeds, garbage, and debris. "Maintenance" includes the repair of facades where signs have been removed; the painting, cleaning, repairing of the sign. "Maintenance" does not include structural alterations, cosmetic or style changes or enlargements of face changes.
- F. Landscaping: All freestanding or monument detached signs installed in Santaquin City must be incorporated into a landscape design or planter box. Exceptions to this rule must be approved by the planning commission. The planning commission must also approve any permanent removal of landscaping for the purpose of situating a sign.
- G. Pole Cover Required: All on premises freestanding signs must have the structural supports covered or concealed with pole covers (pylon covers) at least thirty six inches (36") wide. The actual structural supports shall not be exposed, and the covers must be architecturally and aesthetically designed to match the building.
- H. Foundations: All signs must be permanently mounted on foundations and footings which conform to the uniform building code.
- I. Pedestal Required: All monument signs must have at least a one foot (1') opaque pedestal designed as part of the foundation which conceals any pole support. The pedestal should run at least fifty percent (50%) of the horizontal length of the sign, and there may not be any exposed space between the pedestal and the ground or landscaped area. The planning department may review and approve/deny any variation to the pedestal base requirement.
- J. Lighting: The light from the illumination of signs shall be carefully directed so that the light is not obtrusive or a nuisance to adjacent properties particularly residential areas. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- K. Building Identification: All buildings within the city shall be clearly identified with a street address number in addition to any business identification, as applicable,

and such numbers shall be identified using the following standards:

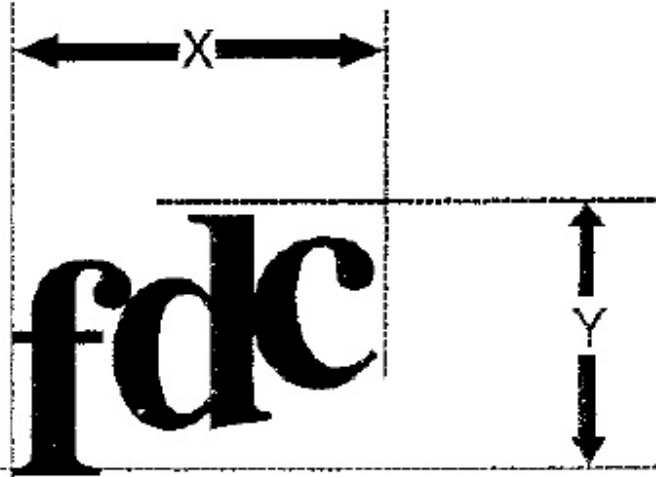
1. Background: Numbers shall be set on a background of a contrasting color.
2. Size: Numbers shall be at least four inches (4") in height and/or located and large enough to be easily seen from the street.
3. Visibility: When a dwelling is some distance from a street or when view of the dwelling is blocked by trees or shrubs, numbers should be displayed on a sign attached to a fence, gate, or street mailbox.
4. Corner Lots: House numbers shall face the street named in the address. (Ord. 03-01-2003, 3-5-2003, eff. 3-17-2003)

10.44.140 MEASUREMENT OF REGULATED SIGN AREA

- A. Wall Signs: Sign copy mounted or painted on a background panel or area distinctly painted, textured or constructed as a background for the sign copy shall be measured as that area contained within the outside dimensions of the background panel or surface. Any illuminated bands or illuminated structures which contain sign copy, corporate logos, etc., are by definition wall signs in their entirety and as such may not exceed fifteen percent (15%) of the wall area. However, illuminated bands on canopies covering gasoline pump islands shall be regulated per this chapter.

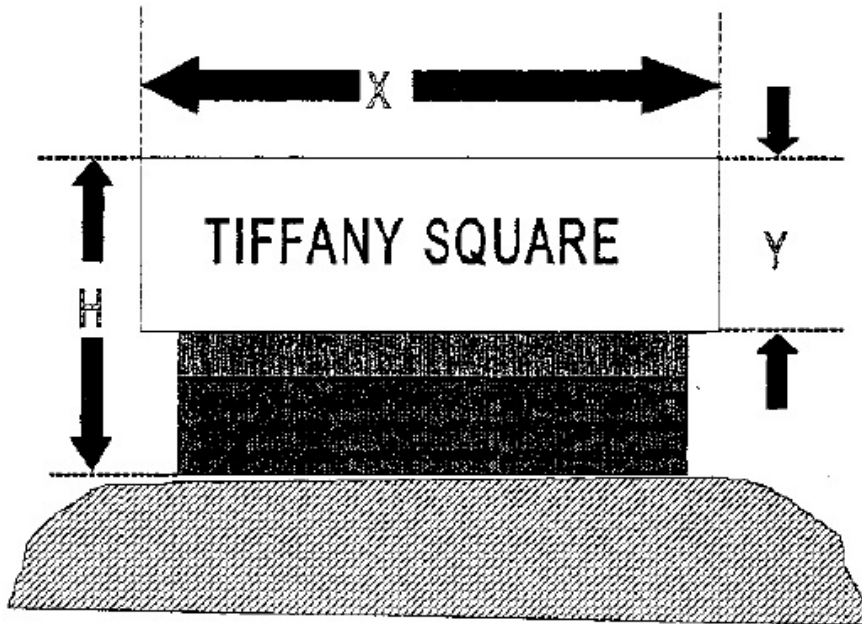


For sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, the area shall be defined as the area enclosed by the smallest six (6) sided polygon that will enclose all sign area.



For sign copy on an illuminated sign or illuminated architectural element of a building, the entire illuminated surface or illuminated architectural element which contains sign copy shall be counted as sign area.

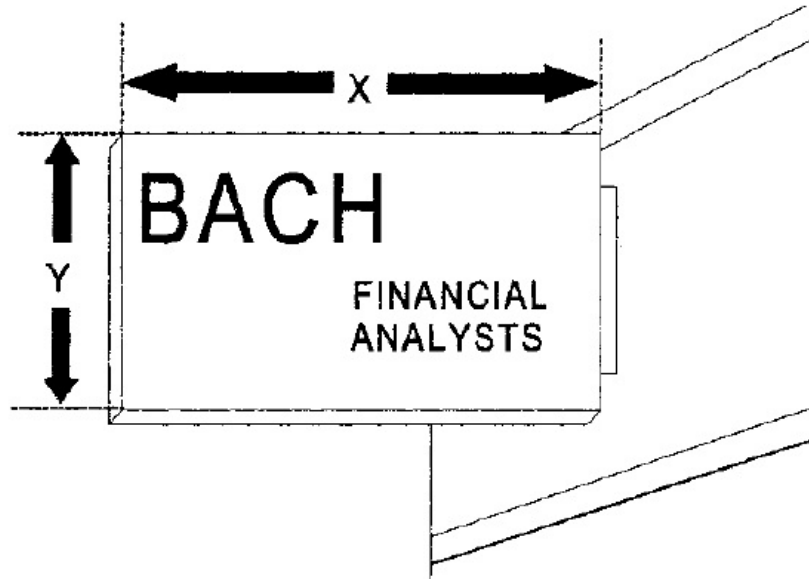
- B. Monument Signs: The regulated area of a monument sign shall include all parts of the sign or structure that contains identification (words or symbols) and information.



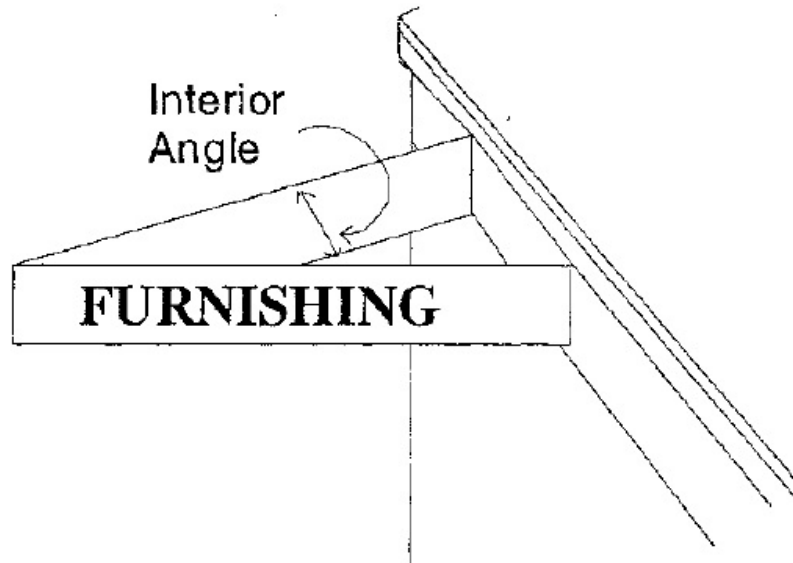
The height of a ground sign shall be the distance from the highest point of the sign to the height of the street curb or sidewalk.

- C. Multiple Face Signs (Including, But Not Limited To, Freestanding Or Monument Signs):

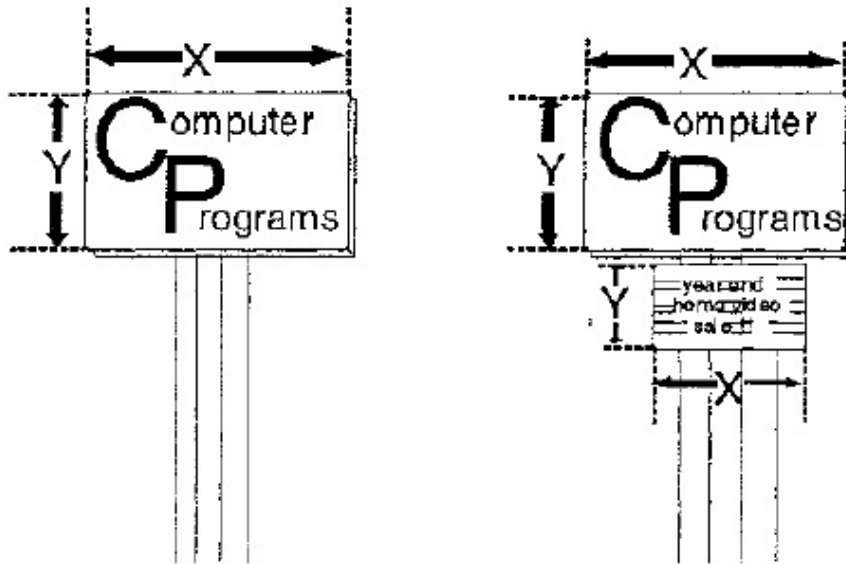
1. Single Panel: Measure the area of the single face only.



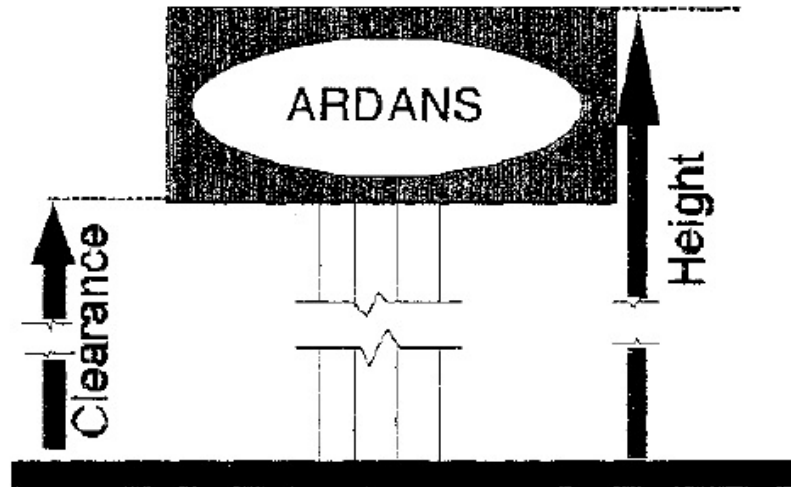
2. Double Panel: If the interior angle between the top two (2) faces is forty five degrees (45°) or less, the area to be measured will be the area of one face only. If the angle between the two (2) sign faces is greater than forty five degrees (45°), the sign area to be measured will be the sum of the areas of the two (2) faces.



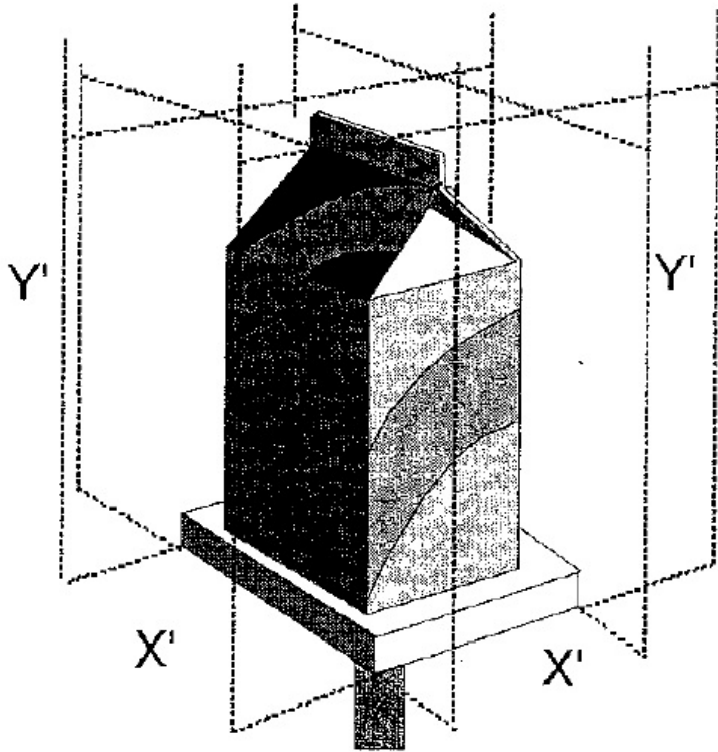
3. Three Or More: The sign area shall be the sum of the areas of the three (3) or more faces.
- D. Freestanding Signs: The regulated area of a freestanding sign shall include all parts of the sign or structure that contains identification (words or symbols) and information.



The height of a freestanding sign shall be the distance from the highest point of the sign to the top of the curb or sidewalk or crown of the street when there is no curb or sidewalk.



E. Nonplaner Signs: For spherical, free form, sculptural, or other nonplaner signs, the sign area shall be the sum of the areas of the four (4) vertical sides of the smallest polyhedron that will encompass the sign structure.

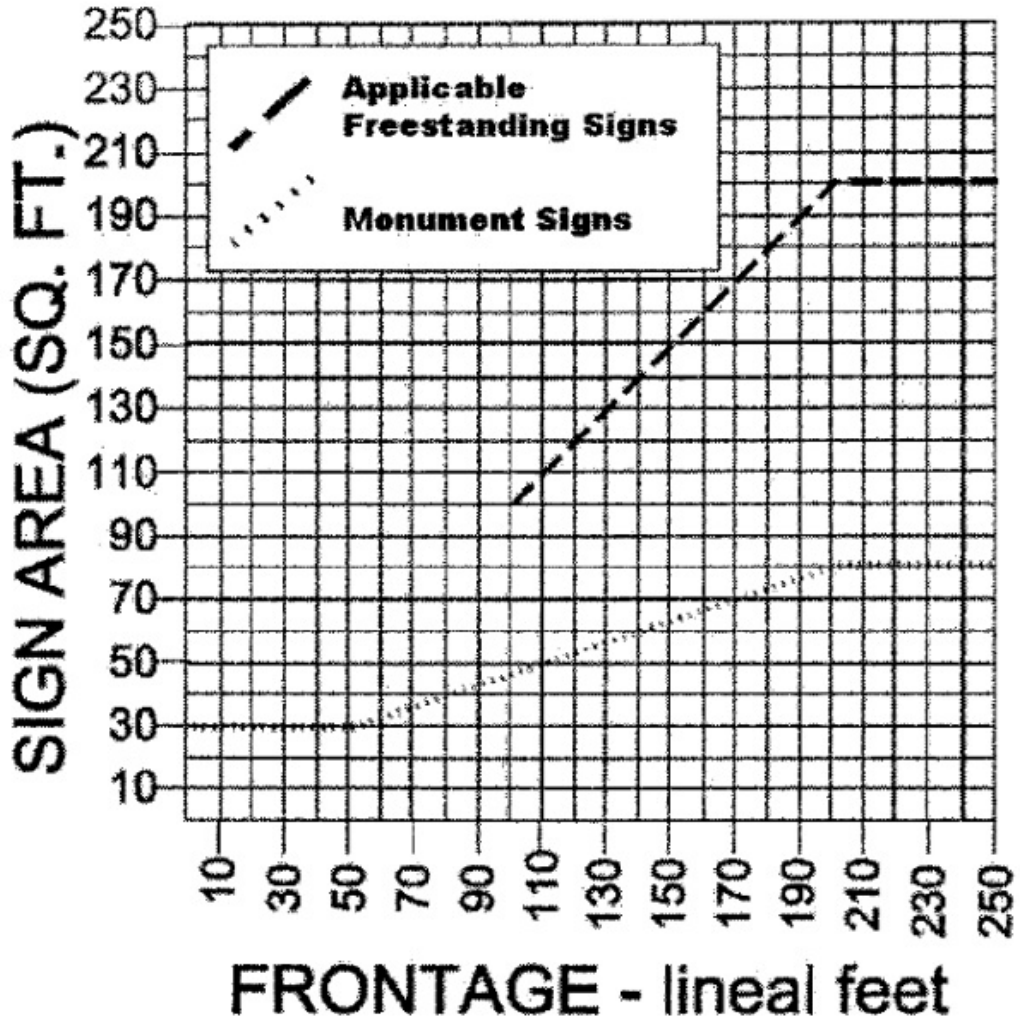


(Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.44.150 ATTACHMENTS AND GRAPHS

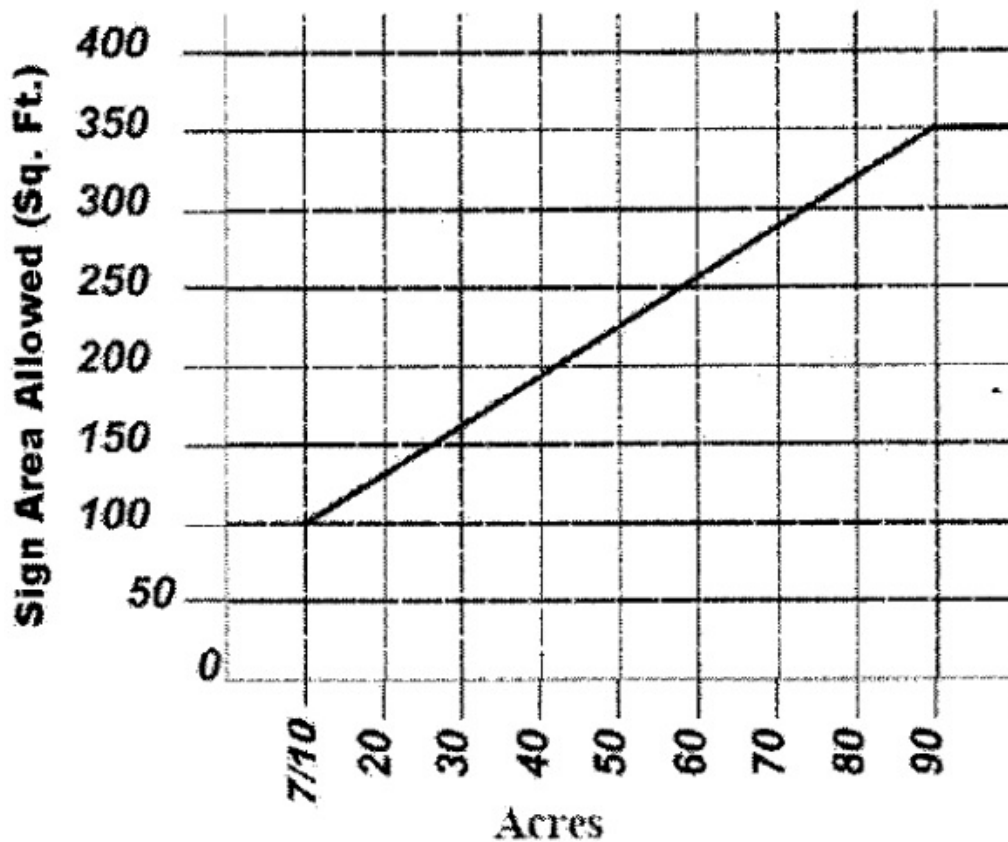
ATTACHMENT A

Size Allowance For Monument And Applicable Freestanding Signs



(Ord. 05-02-2019, 5-7-2019, eff. 5-8-2019)

ATTACHMENT B
Sign Area Allowance For Development Identification Signs



(Ord. 06-01-2008, 6-4-2008, eff. 6-5-2008)

10.44.160 DEFINITIONS - SIGN REGULATIONS

In this chapter, it is the intent to define certain words and phrases in order that they may be understood when used in the sign regulation sections of this code. Words used in the present tense include the future; the singular includes the plural and the plural the singular. Further questions concerning definitions as defined in this chapter shall be referred to the zoning administrator, or other authorized officer. The following terms, as defined, shall apply as such throughout these sign regulations:

SIGN: Every message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service. The definition of sign shall include all flags of any type. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, ornaments or other features used to draw the attention of observers.

Abandoned Sign: A sign which no longer correctly advertises a bona fide business, lessor, owner, product or activity conducted or available. Such signs may also be a nonmaintained sign. A sign which contains a public service announcement is not an abandoned sign.

Billboard: A freestanding sign, usually having more than one hundred twenty (120) square feet of sign area, and which may be owned by a commercial company which rents or leases use of the sign for advertising purposes.

Freestanding (Or Pole) Sign: A sign which generally exceeds eight feet (8') in height which is vertically self-supported by a fixed, permanent form or support(s) in the ground.

Ground (Or Monument) Sign: A sign which does not generally exceed eight feet (8') in height which is vertically self-supported by a fixed permanent form or support(s) in the ground.

Illegal Sign: Any sign which does not conform to the regulations of this code as currently adopted or as adopted at the time of construction.

Illuminated Sign: A sign which has characters, letters, figures, designs, background, or outlines illuminated by electric lights or luminous tubes as part of the sign proper.

Nonconforming Sign: A sign, sign structure or portion that was constructed in accordance with all laws and regulations in effect on the date that the complete application for such construction was received by the city, but which does not conform to all applicable regulations prescribed herein.

Nonmaintained Sign: A sign which, due to lack of repair, cleaning, painting, oiling, or changing of light bulbs has become deteriorated, nonfunctional, or may pose a health and safety risk.

Off Premises Sign: An advertising sign which directs attention to a site, product, commodity, or services not related to the premises on which it is erected. This may include billboards.

On Premises Sign: A sign which directs attention to a business, commodity, product, use, service or other activity which is sold, offered or conducted on the premises upon which the sign is located.

Permanent Sign: Any sign which is not temporary by definition. And intended to be displayed for more than sixty (60) consecutive days.

Sign Area: The area of a sign that is used for display purposes, excluding the minimum frame and supports and as further detailed in these sign regulations.

Temporary Sign: A banner, pennant, valance or other advertising display with or without frames, intended to be displayed in or out of doors for a short period of time; shall include political signs, special events signs, special business promotions, mobile signs, banners, wind signs, portable signs, and inflatables.

Unsafe Or Dangerous Sign: A sign constituting a hazard to public safety, or which

does not meet lateral and/or vertical load requirements, or applicable wiring and installation standards of the city adopted codes.

Wall Sign: A sign that is mounted to or painted on a building wall or its facing, or is applied in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing. (Ord. 02-01-2008, 2-6-2008, eff. 2-7-2008)

10.48 PARKING AND CIRCULATION STANDARDS

10.48.010 PURPOSE

10.48.020 SCOPE

10.48.030 GENERAL PARKING STANDARDS

10.48.040 NUMBER OF PARKING SPACES REQUIRED

10.48.050 ACCESS TO PARKING FACILITIES

10.48.060 CIRCULATION WITHIN A PARKING AREA

10.48.070 SITE LIGHTING

10.48.010 PURPOSE

The following regulations are established to increase safety and lessen congestion on public streets, to provide adequately for parking needs associated with the development of land and increased automobile usage, to set standards for off street parking according to the amount of traffic generated by each use, and to reduce the on street storage of vehicles. (Ord. 12-01-2006, 12-6-2006)

10.48.020 SCOPE

The following regulations shall apply to parking facilities for all new, reconstructed, or modified development sites for public agency projects, private nonresidential projects, and multi-family residential projects. These standards shall also apply to existing businesses which are nonconforming as to parking standards when such businesses apply for or make alterations to their parking facilities or when any structural alteration is proposed or made to the associated building. These standards will also apply if the change in use of a building occurs which would require additional parking than that provided. (Ord. 12-01-2006, 12-6-2006)

10.48.030 GENERAL PARKING STANDARDS

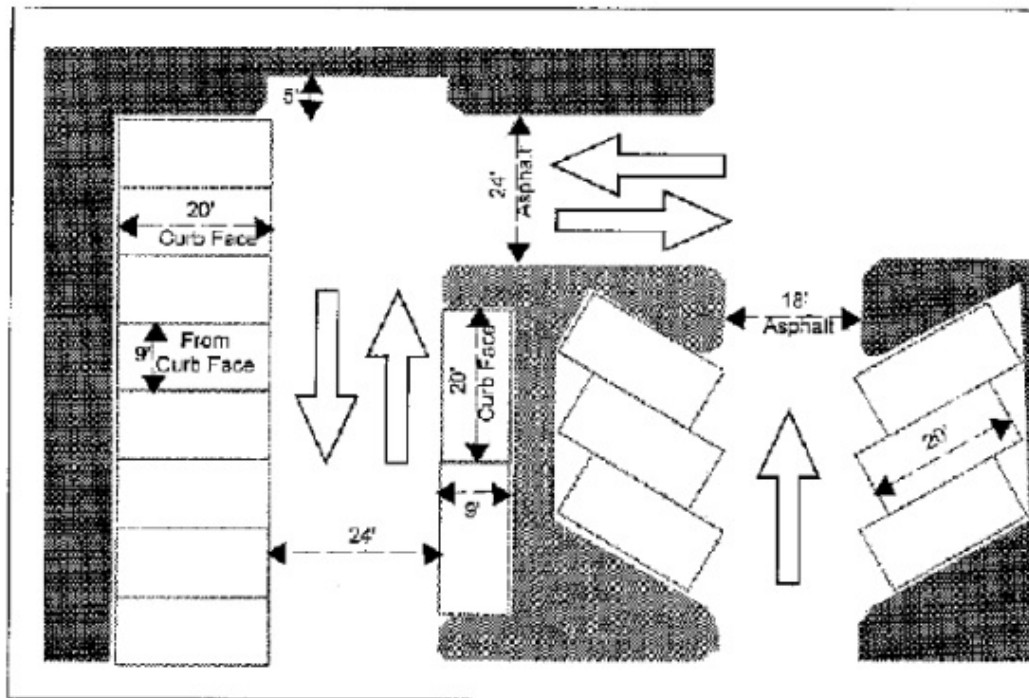
- A. Plot Plan Required: At the time a building permit is requested for any building or structure, or at the time the use of land is changed in a manner which requires additional off street parking space, a plot plan shall be submitted for review by the development review committee. Such plans must show the location and layout of the proposed spaces, ADA compliant spaces, access and drive aisles, roadways, curbs, and cutouts. All parking spaces, drive aisles, and accesses shall meet the requirements for street parking as set forth in this title and the Santaquin City fire codes, and construction and development standards. Parking and circulation plans must be stamped by a

engineer licensed in the state of Utah. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

B. Parking Stall Dimensions: All parking spaces shall be a minimum of nine feet (9') by twenty feet (20') long and according to the following:

1. Square Parking: Square parking is determined to be ninety degree (90°) parallel parking, or any other parking where any one side of a parking stall flush with the exterior border of a parking facility. Square parking may also interior parking oriented essentially parallel or perpendicular to the aisle; providing vehicular access to that parking stall. The dimensions of all square parking shall be measured along the boundaries of the parking stall as shown in figure 1 of this section.
2. Angled Parking: The width of all angled parking stalls shall be measured perpendicular to the centerline of the parking stall, as shown below. The length of an angled parking stall, despite the angle, shall be measured along the side of the parking stall, as shown in figure 1 of this section.
3. Required Backing Distances: All parking stalls shall have a minimum clear backing area of twenty four feet by nine feet (24' x 9') as measured from the rear of the parking stall in a manner parallel to the backing motions of a vehicle exiting the stall.

FIGURE 1



4. Reduction In Stall Depth: Parking stall depth can be decreased to eighteen (18') under the following circumstances:

- a. Where cars overhang landscape areas which are at least ten feet (10') wide along street frontages and at least five feet (5') wide along side and rear property lines.
- b. Where cars overhang an overly large sidewalk area adjacent to a building which is at least six feet (6') wide.

C. Parking Locations:

1. Main Street: Parking facilities may be located to the rear or side of the associated building except for areas that are required to be landscaped.
2. General commercial: Parking facilities may be located anywhere on the premises except for areas that are required to be landscaped.
3. Parking stalls shall have a minimum spacing of six feet (6') from primary structures.

D. Proximity To Use:

1. The off street parking facilities required by this title shall be located on the lot or within three hundred feet (300') of the parcel of land as the use they are intended to serve. Off street parking spaces which are required with a use shall be located within the same or similar zone as the associated use.
2. Parking facilities not located on the same parcel as the associated use must provide documentation to the city of permanent lease, ownership, or shared parking agreement that runs with the land and business on the ground where such parking is located so long as the use is maintained or other parking is made available. Shared parking facilities or agreements must be approved by the land use authority before petitioning business operations commence and must be in accordance with the standards outlined below.
3. Parking facilities not located on the same parcel as the associated use must comply with the applicable parking standards outlined below.

E. Parking Area Landscaping: All parking areas shall comply with the landscaping and screening requirements found in the city's landscape standards (SCC 10.52).

F. Parking Lot Surface, Drainage And Maintenance: Every parcel of land used as a parking or storage area shall be paved with asphalt, brick or concrete surfacing, and shall be so arranged and striped as to provide the orderly and safe loading or unloading, parking and storage of vehicles.

1. Striping: Parking lot striping shall be maintained on a regular basis so that striping is visible for the safe ingress/egress and parking of vehicles.
2. Maintenance: Parking lot shall be kept free of debris, including, but not limited to, trash, blowing debris, sand, dirt, gravel, etc.

3. Surfacing: Parking lot surfacing shall be kept true to line and in accordance with city engineering approved finish grading and drainage plans.
4. Drainage Plans: Drainage plans must be reviewed by the appropriate city department for compliance with adopted storm drainage standards, any storm drain master plans, and impacts on adjacent properties caused by a proposed development.
5. Deviations To Surfacing Materials: The City Engineer shall review and may approve or deny other types of hard surfacing materials based on site drainage and grading, durability and adequacy of materials, and ability to withstand climate and geologic conditions. Compacted or treated typical subgrade materials are not an appropriate surface material.

G. Continuing Obligation: The required off street parking and loading facilities shall be a continuing obligation of the property owner so long as the use requiring vehicle parking or vehicle loading facilities continues. It shall be unlawful for an owner of any building use to discontinue or dispense with the required vehicle parking or loading area which meets the requirements of this title. (Ord. 12-01-2006, 12-6-2006)

10.48.040 NUMBER OF PARKING SPACES REQUIRED

A. Rules For Computing Required Off Street Parking Spaces: For the purpose of computing required off street parking spaces which are required by this title, the following rules shall apply:

1. "Floor area" shall mean gross floor area, unless otherwise specified for a particular use.
2. In stadiums, sports arenas, churches, and other places of assembly in which benches or pews are used in place of seats, each eighteen inches (18") of length of such benches or pews shall be counted as one seat. Any remaining length of any one bench or pew shall be considered to be a whole seat. (Ord. 12-01-2006, 12-6-2006)

B. Minimum Requirements: The number of off street parking spaces required below for each land use is established as minimum requirements:

| Use | Parking Required |
|--|---|
| Residential: | |
| Assisted living center, nursing home, convalescent | 1 visitor parking space per 3 patients' beds, plus 1 parking space for each employee at work during the largest shift |

| | | |
|--------------------|---|---|
| | home, or other similar use | |
| | Attached single-family units ¹ | 2 parking spaces per unit. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces |
| | Bed and breakfast facility | 1 parking space for each bedroom and 1 space for each employee at work during the largest shift |
| | Duplex | 2 parking spaces per unit |
| | Mixed use development with residential dwellings ¹ | 2 parking spaces per unit. Additional parking is required per nonresidential uses as provided below. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces |
| | Multiple-unit dwelling (apartments) ¹ | 2 parking spaces per unit. Garages will be counted as 1 parking space unless the garage dimension is a minimum of 24' x 24' with at least 20' for the opening, whether 1 door or 2 door, for vehicle entrance in which it would count as 2 parking spaces |
| | Single-family as part of a PUD | 2 car garage per unit |
| Retail commercial: | | |
| | Ancillary commercial | 2 spaces per 1,000 sq. ft. |
| | Automotive service and repair (major) | 5 spaces per 1,000 sq. ft. plus 2 stalls per major service bay for the temporary storage of customer vehicles |
| | Automotive service and repair (minor) | 2 spaces per 1,000 sq. ft. |
| | Automotive service station | 5 spaces per 1,000 sq. ft. |
| | Convenience | 5 spaces per 1,000 sq. ft. |

| | | |
|-------------------------------|--|--|
| | commercial | |
| | Heavy commercial | 5 spaces per 1,000 sq. ft. |
| | Retail sales and services | 5 spaces per 1,000 sq. ft. |
| Commercial services, offices: | | |
| | Commercial recreation | 1 parking space per 2 patrons, based on the design capacity of the facility |
| | Hotels and motels | 1 parking space per room or suite, plus 1 parking space for each employee at work during the largest shift |
| | Medical clinics or offices, includes dentists and other healing art facilities | 6 parking spaces per staff doctor, plus 1 parking space for each employee on the property during the largest shift |
| | Mortuaries and funeral parlors | 30 parking spaces or 1 space for each 25 sq. ft. of combined floor space in all assembly rooms, whichever is greater, plus 1 space for each employee typically at work during normal facility function |
| | Professional office or financial services | 1 parking space per 200 sq. ft. of floor area in the building minus storage and bathroom areas |
| Industrial: | | |
| | Business/research park | 1 space per 1,000 sq. ft. of floor area or 1 space per 2 employees at work during the largest shift with Planning Commission approval |
| | Industrial, heavy | 1 space per 1,000 sq. ft. of floor area |
| | Industrial, light | 1 space per 1,000 sq. ft. of floor area |
| | Storage unit facility | 1 space per site employee/manager on duty and 3 spaces per 50 units with a maximum of 8 spaces required. See also storage unit facility standards below ² |
| Restaurants: | | |
| | Drive-in | 1 space per 4 seats including outdoor seating or 1 space per |

| | |
|---|--|
| restaurants | 125 sq. ft. of gross floor area, whichever is greater |
| Restaurants | 1 space per 4 seats, including outdoor seating |
| Public: | |
| Churches | 1 parking space per 4 seating spaces in the main assembly room based on the design capacity of the structure |
| Hospitals | 1 visitor parking space per 3 patients' beds, plus 1 parking space for each employee at work during the largest shift |
| Places of assembly (e.g., theaters, auditoriums, sports arenas, etc.) | 1 parking space per 4 seating spaces |
| Private clubs or lodges | 1 parking space per 2 persons based on the design capacity of the facility |
| Schools - commercial, vocational | 1 space per teacher and staff member plus 1 space for every 5 students based on design capacity |
| Schools - public, private or quasi-public | Parking spaces required for public schools shall be determined by the Nebo or Juab School Districts, or the State of Utah as applicable. Private schools shall utilize similar standards as applied to public schools |
| Special review: | |
| Automotive equipment sales or rental Impound yards Uses not mentioned | The required off street parking for any use not listed above shall be determined by the Planning Commission. The Planning Commission shall make the determination based on similar uses listed above, nature and impact of the use on public streets and adjoining properties, and typical customer and employee needs |

Notes:

¹ Additional guest parking shall be provided as follows: The first 5 residential units ($1 \leq \text{units} \leq 5$) in a development require 1 parking space per residential unit. The next 5 residential units ($5 < \text{units} \leq 10$) in a development require 0.75 parking space per residential unit. The next 5 residential units ($10 < \text{units} \leq 15$) in a development require 0.50 parking space per residential unit. Residential units above 15 ($\text{units} > 15$) in a development require 0.25 parking space per

residential unit. (Fractional spaces shall require a whole space.)

² Businesses with warehouse and storage areas may utilize a 0.5 space per 1,000 square feet of storage area when determining required number of stalls.

(Ord. 10-01-2017, 10-18-2017, eff. 10-19-2017)

- C. Americans With Disabilities Act (ADA): ADA parking requirements must be complied with in every way. This includes, but is not limited to, adequate stall dimensions, travel areas, pavement markings, signage, connectivity within a site, proximity to business entrances and access points.
- D. Reduction In Parking Requirements: Businesses or mixed use developments seeking a reduction in parking must receive special exception approval by the Planning Commission. Such exceptions shall be based on the following review considerations and conditions:
 - 1. Considerations For Reduction:
 - a. Large Floor Area: The proposed business may have an exceptionally large floor area per volume of sales and customers; e.g., furniture store, car wash, etc.
 - b. Shared Parking: Where compatible occupancies within mixed use buildings and development projects allow sharing of parking stalls, impervious parking areas and "heat island" effects can be reduced. Different occupancies often have parking demands that differ with the time of day or week. This allows sharing of parking spaces between occupancies and reducing the site area dedicated to car storage. In addition to the above review items, where a shared arrangement is proposed, the following shall also be provided for review and approval:
 - (1) A parking study must be conducted by a transportation engineer licensed in the State of Utah, which can illustrate peak hours and parking demands for the existing or proposed uses.
 - (2) The total number of parking spaces between the uses shall not be less than that needed to handle the yearly average peak hour parking demands for the individual uses.
 - (3) Shared parking facilities may have a reduction greater than that outlined above.
 - (4) Documentation of a permanent lease, easement, association agreement, or other supporting documents between parties sharing the parking must be obtained prior to final approvals for the affected development.

2. Conditions For Parking Reduction:

- a. Compliance: All parking stalls and drive aisles will comply with the standards established by this section.
- b. Reduction Not Applicable To ADA: In no case shall any such reduction be applicable to any requirements of the Americans With Disabilities Act. The calculation of the required number of handicapped parking stalls shall be computed from the prereduction total.
- c. Impacts On Adjacent Properties: Impacts on adjacent properties will not be increased due to the lack of parking required by this Code.

E. On Street Parking: Businesses located within the Main Street Business District Zones (i.e., CBD, MSC, MSR) or fronting on 100 South, may petition the Land Use Authority for a reduction in required on premises parking and the use of on street parking as a fraction of their required parking. Approvals of such request must be based on the following:

1. There is no parking between the associated building and the public street.
2. Due to site constraints, the total required parking cannot be provided on the associated property.
3. On street parking will only be counted where adjacent to the business property.
4. The location of on street parking is constructed to City standards and the street cross section provides for parking adjacent to the business's property.
5. For mixed use developments, all required parking for residential units must be accommodated on site. Dedicated parking for nonresidential customers shall be provided in accordance with SCC 10.20.190 paragraph F. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

F. Storage Unit Facilities: The following parking standards shall apply to storage unit facilities:

1. Outdoor storage and parking areas are for recreational vehicle storage only (i.e., boats, campers, trailers, jet skis, snowmobiles, automobiles).
2. Outdoor vehicle storage areas shall be located only at the rear of the project where vehicles will not be visible from any public streets.
3. Outdoor vehicle storage areas shall be designed so as not to block any driveways, accessways or parking aisles within the project. (Ord. 12-01-

2006, 12-6-2006)

HISTORY

Amended by Ord. [10-03-2010](#) on 10/20/2010

Amended by Ord. [03-01-2021](#) on 3/2/2021

10.48.050 ACCESS TO PARKING FACILITIES

- A. Access driveways shall be provided for access to and egress from all parking and loading facilities designed as provided in the Santaquin City construction standards. Each parking and loading space shall be easily accessible to the intended user.
- B. Forward travel in an automobile to and from parking facilities from a dedicated street or alley shall be required for all uses, except for parking which has been provided in connection with single- and multi-family dwellings. The parking area shall be adequate to facilitate the turning of vehicles to permit forward travel upon entering a street.
- C. Access to all off street parking facilities shall be designed in a manner which will not interfere with the movement of vehicular and pedestrian traffic.
- D. All commercial developments shall provide access to and between adjacent nonresidential properties and their associated parking areas. Such access shall be designed based on the adjacent or anticipated use of the adjoining property. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
- E. Any development with a single point of access (ingress and egress) shall have a maximum ADT (average daily trips) of two hundred fifty (250) trips. Any development that exceeds an ADT of two hundred fifty (250) shall provide a secondary access for ingress to and egress from the site. (Ord. 04-02-18, 4-18-2018, eff. 4-19-2018)

HISTORY

Amended by Ord. [04-02-2018](#) on 4/18/2018

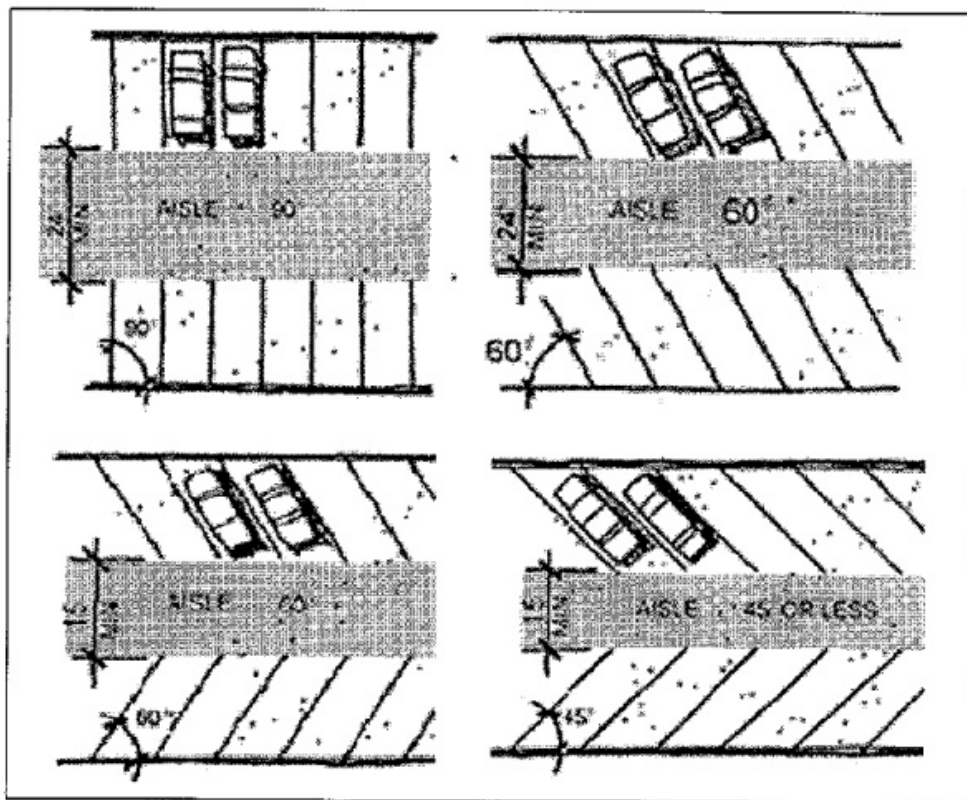
10.48.060 CIRCULATION WITHIN A PARKING AREA

- A. Traffic Aisles: Circulation within a parking area shall comply with the following requirements:
 - 1. Parking areas with more than one aisle must be so arranged that a car need not enter the street to reach another aisle within the same parking area.
 - 2. Drive aisles within a parking facility shall be designed to accommodate two-way traffic and required backing distances from parking spaces. Drive aisle widths shall be provided as shown in figure 2 of this section. Aisles

designed to accommodate one-way traffic shall be not less than eighteen feet (18') in width, measured perpendicular to the centerline of the aisle.

3. Primary access points and an emergency access route shall be designed for the site to accommodate the City's largest emergency response vehicle, in accordance with City adopted IFC standards.
4. Drive aisles adjacent to a building that exceeds thirty feet (30') in height must be a minimum of twenty six feet (26') in width and be located a minimum of fifteen feet (15') and a maximum of thirty feet (30') from the building and shall be parallel to one entire side of the building. (Ord. 09-02-2018, 9-18-2018, eff. 9-19-2018)

FIGURE 2



B. Queuing Lanes For Drive-Up Or Drive-Through Businesses:

1. Queuing lanes shall have a minimum width of ten feet (10').
2. Queuing lanes shall provide a minimum queuing distance for three (3) vehicles in addition to a vehicle at the drive-up window (i.e., 80 feet).
3. Queuing lanes are to be independent of circulation aisles and not interfere with required backing distances for parking stalls.
4. Turning radii within or at exits from queuing lanes shall not be less than

ten feet (10').

5. Queuing lanes should be designed so that cars queue facing or along the rear of the associated building and vehicles can exit the queuing lane onto an approved development drive aisle or public street.
6. Queuing lanes are prohibited between the building and the front property lines.
7. A business may apply for a conditional use permit to queue contrary to the provisions of this section. Each such application shall establish that queuing does not conflict with the use of required parking stalls, Fire Code, Building Code; does not and will not result in queuing on any public street; and that it does not and will not interfere with any public rights-of-way.

C. Queuing Areas For Automotive Service Bays:

1. Adequate clear areas shall be provided at entry and exit points for the safe and unobstructed movements of vehicles for which the service bay has been designed to facilitate.
2. Parking stalls shall not be located within areas necessary to facilitate the movement of vehicles entering or exiting service bays.

D. Directional Signs And/Or Pavement Markings: Directional signs and/or pavement markings shall be required to differentiate between vehicular entrance and exit points to the streets as well as direct flow within a site.

E. Pedestrian Crossings Within Developments: Pedestrian crossings within developments shall be established by raised crossings or change of surface materials or colors. The use of pavement markings and signage shall also be used where appropriate to assure pedestrian safety and visibility.

F. Storage And Service Areas:

1. Outside storage of materials or parts shall not cover required parking stalls nor block any driveway or pedestrian areas as approved on the site plan for the development.
2. To alleviate the unsightly appearance of loading facilities, these areas shall not be located on the side(s) of the building facing the public street(s). Such facilities shall be located at the rear or side of the site.
3. Additional screening, such as decorative walls along the sides of loading and service bay areas, may be required where a development abuts a residential zone or residential development.
4. Access to trash enclosures, compaction devices, and service entries should be located to have minimal impact on the circulation of a site. (Ord.

12-01-2006, 12-6-2006)

HISTORY

Amended by Ord. [09-02-2018](#) on 9/18/2018

Amended by Ord. [04-01-2020](#) on 4/7/2020

10.48.070 SITE LIGHTING

Site lighting shall be designed and installed for the primary purpose of providing visibility and safety around structures, within parking areas, and along vehicular and pedestrian travel areas. Careful consideration should be given to reducing the number of lights and resulting ambient light generated.

A. Pole Heights: Luminary mounting heights are to be measured from the parking lot or driveway surface, to the bottom of the luminary device.

1. Light poles shall not exceed sixteen feet (16') in height if located within one hundred feet (100') of a residential zone.
2. Pole heights may not exceed twenty feet (20'). The location of lights and luminary amounts should give consideration to the following:
 - a. Review of the site and landscape plans,
 - b. Proposed land uses on the site,
 - c. Impacts on the surrounding land uses and properties,
 - d. Parking area size,
 - e. Building mass,
 - f. Location of the site with respect to other lighting sources, and
 - g. Topography of site.
3. Special consideration may be given to allowing pole heights of thirty five feet (35') for developments which are required to provide over one hundred fifty (150) parking stalls. The items of consideration in paragraph A,2 shall also be reviewed for this increased height.

B. Pole Design:

1. Metal fixtures or poles used should be black, dark brown or earth tone.
2. The base of the pole shall be treated with paint, stain, stucco or another form of decorative cover.
3. Each base of a light pole shall be placed within a landscape area where reasonably practicable.

C. Luminary Devices:

1. All luminary devices used to illuminate off street parking facilities or vehicle sales areas shall be so arranged as to reflect the light away from the adjoining premises and streets and be fully shielded and directed downward.
2. Exterior wall mounted floodlights are expressly prohibited for use as customer parking lot illuminators. They may be utilized for security purposes around the building if shielded and set to motion detectors.

D. Gas Station Canopies: All lighting on gas station canopies which serves to illuminate pump islands shall be recessed and designed to minimize glare and impact on motorists within or traveling by the site.

E. Pedestrian Paths And Walking Areas: The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Three foot (3') bollards with louvers and ten foot (10') pole mounted, down directed luminaries shall be utilized to maintain a minimum one horizontal foot-candle along the path.

F. Photometric Lighting Plan: A photometric lighting plan is required for each new commercial development, in order to ensure adequate and appropriate lighting levels throughout the development. All site lighting should comply with the minimum lighting standards generally applied and recommended by the Illuminating Engineering Society of North America (IES). (Ord. 06-04-2009, 6-3-2009, eff. 6-4-2009)

10.52 LANDSCAPING STANDARDS

10.52.010 PURPOSE

10.52.020 CITY WIDE LANDSCAPING REQUIREMENT FOR NEW RESIDENTIAL DWELLINGS

10.52.030 DEVELOPMENT PROJECT LANDSCAPING REQUIREMENTS

10.52.010 PURPOSE

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

- A. Enhancing the appearance and visual character of the community;
- B. Promoting compatibility between all land uses by reducing visual, noise and light impacts of development on adjacent properties;
- C. Reducing the area of impervious surfaces and storm water drainage impacts;

- D. Providing shade to help mitigate heat and exposure on paved surfaces and to help conserve energy;
- E. Encouraging the conservation of water resources through inclusion of more drought tolerant plants;
- F. Defining entry points on property and guides for the separated circulation of vehicles and pedestrians.
- G. The relief of heat, noise, and glare through the proper placement of landscaping. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

10.52.020 CITY WIDE LANDSCAPING REQUIREMENT FOR NEW RESIDENTIAL DWELLINGS

All new residential dwellings must provide completely landscaped front yards and side yards, as defined in SCC 10.16.290, where such yard area is visible from the public street or private street. Acceptable landscaping must include plants and sufficiently control erosion, dust, and weeds to mitigate negative impact on neighboring residences. Unless an appropriate bond is posted, landscaping must be completed before the residential dwelling receives a certificate of occupancy.

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

HISTORY

Adopted by Ord. [06-01-2020](#) on 6/16/2020

10.52.030 DEVELOPMENT PROJECT LANDSCAPING REQUIREMENTS

- A. Scope Of Requirement: The provisions of this section shall apply to landscaping for all new and reconstructed landscaping for public agency projects, private nonresidential projects, developer installed landscaping in multi-family residential projects, and developer installed landscaping in single-family projects, which require project review and approval by the city. Such review may include initial or modified site plan reviews, modified conditional use permit review, and building permits issued for commercial and multi-family building exterior or site modifications, other than typical maintenance, where the estimated cost of construction is greater than fifty thousand dollars (\$50,000.00) in either a single application or any number of applications within a five (5) year period. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)
- B. General Landscaping Standards: The following requirements apply to all landscaping projects that are subject to city review:

1. **Site Landscaping:** All areas not utilized in a building footprint or necessary for site access, parking, or vehicle and pedestrian circulation shall be planted with an effective combination of trees, ground cover, lawn, shrubbery, and/or approved dry landscape materials and mulches under the standards established by this section and in accordance with an approved landscape plan.
2. **Landscape Plans:** A landscape plan is required for all developments under the scope of this chapter and shall be submitted to and approved by the development review committee prior to issuance of any permit or site plan approval. Each landscape plan shall address the functional aspects of landscaping such as grading, drainage, runoff, erosion prevention, wind barriers, provisions for shade, and reduction of glare. The landscape plan shall be prepared by a landscape architect registered in the state of Utah or professional landscape designer and shall contain the information required in exhibit A attached to the ordinance codified herein.
3. **Plant Selection:** Plants selected for landscape areas shall be well suited to the microclimate and soil conditions at the project site as well as year round aesthetics of the property. Developments should include a good combination of evergreen trees in addition to deciduous trees in order to achieve a nonbarren landscape design during winter months when there are no leaves on the trees. Preference shall be given to those species listed in the city approved tree species list provided in the city's construction standards. Sod shall not be permitted in landscape areas less than four feet (4') in width.
4. **Installation:** All landscaping shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth. The following shall also apply:
 - a. It shall be the responsibility of the developer to grade, place topsoil, seed or sod, install automatic sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials. Plants with similar water needs shall be grouped together as much as possible.
 - b. Landscaping shall be completed in accordance with the landscape plans submitted and approved by the development review committee.
 - c. All landscape work must be installed prior to a certificate of occupancy of the associated building or as otherwise approved by the development review committee as seasonal conditions may dictate.
 - d. The developer shall bond for such landscape improvements prior

to occupancy to ensure that installations are completed as submitted and approved. Guarantee requirements for landscape improvements shall be the same as required by the city for all other site improvements.

5. **Maintenance:** Trees and vegetation, irrigation systems, fences, walls, and other landscape elements shall be considered as elements of the project in the same manner as parking, and other site details. The applicant, landowner, or successors in interest shall be responsible for the regular and proper maintenance of all landscaping elements installed. Maintenance is required on all landscaping appropriate to the method and type, which may include, but is not limited to, mowing, removal of litter, trash, or garbage, pruning, watering, and repair of all landscape structures such as fences and walls, etc. Maintenance also includes replacing dead or dying plants with healthy stock of the same species or another as approved by the community development department, and as required by the approved landscape plan. Failure to adequately maintain the health, condition, and number of plantings required by an approved landscape plan is a violation of this chapter.
6. **Vegetation Removal:** Any alterations to site landscaping beyond typical maintenance must be approved by the community development department. Any vegetation removed or needing to be replaced due to disease, health, or condition, shall be replaced within one growing season. No vegetation required by a landscape plan shall be removed for purposes of greater visibility to a site or signage.
7. **Curbing:** All landscape yards and areas abutting driveways, drive aisles, parking stalls and property lines shall be protected by a concrete curb, which shall be four inches wide and six inches deep (4" x 6"). No curbing is required along property lines where a shared landscaping area extends over a property line and the adjacent property has been or will be developed within six (6) months or is part of a master planned development. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

C. Landscape Yards And Screening:

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

**TABLE 1
REQUIRED LANDSCAPE YARDS AND AREAS**

| Zone/Use | Front To Building | Street Side To Building/ | Side | Rea | Side Or Rear Abutting | Minimum Percentage Of |
|-----------------|--------------------------|---------------------------------|-------------|------------|------------------------------|------------------------------|
|-----------------|--------------------------|---------------------------------|-------------|------------|------------------------------|------------------------------|

| | To Parking | To Parking | | r | A Residential Zone ¹ | Landscape Area |
|---|--|----------------------|------------------|------------------|---------------------------------|--|
| MBD along Main Street (200 W to 100 E) | 10'/10' ² | 10'/10' ² | 5' ³ | 5' | 5' | See MBD development standards |
| C-1 | Landscape yards within these zones shall be established in relationship to required setbacks for buildings and parking areas | | | | | 10% |
| RC | 30'/15' | 20'/10' | 10' | 10' | 20' | 10% |
| PC | 30'/15' ² | 20'/10' ² | 10' | 10' | 20' | 10% |
| I-1 | 35'/20' | 25'/20' | 10' ⁴ | 10' ⁴ | 15' | 8% |
| PO | 30'/15' | 20'/10' | 10' | 20' | 20' | 10% |
| Multiple-unit residential dwellings ⁵ | 30'/20' | 30'/20' | 20' | 30' | 30' | See multi-family development standards |
| Core area (multi-family/nonresidential) other than MBD | 20'/20' | 15'/20' | 10' | 20' | 20' | 10% |
| Nonresidential uses that may be appropriate in a residential zone | 30'/20' | 30'/20' | 5' | 5' | 10' | 15% |

Notes:

¹ A site is considered to abut a residential zone even if the residential zone begins at the centerline of an adjacent public street to the rear or side of the proposed development.

² Where sites are constructed with outdoor eating and display areas along the public right of way, a maximum of 60 percent of this area may include pavers or other city approved hardscape.

³ This side yard requirement for the building can be waived when the

associated building is constructed with 0 setback from a side property line and an adjoining building is or will be constructed with a similar 0 setback as part of a master planned development or plans for the adjoining site are under review by the city.

⁴ Landscaping yards are not required within storage or material yards unless adjacent to a residential zone.

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

2. Required Landscaping Amounts Within Landscape Yards:

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

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

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

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

6. Fencing And Property Line Screening:

- a. In addition to the required landscaping, screening along rear or side property lines should incorporate berming, open construction barriers, low maintenance fencing materials or decorative walls constructed of stone, masonry or decorative iron.
 - b. Screening heights along front property lines and along side property lines within the existing or proposed building front setbacks shall be the same as outlined in SCC 10.16.260 for all fences, walls, and hedges.
 - c. Fences or walls along rear or side property lines shall not exceed six feet (6') in height for general nonindustrial uses. Walls may be ten feet (10') tall to lessen the sound and visual impacts of industrial uses or uses where diesel traffic or noise caused by service bays, loading docks, crushing operations, etc., is expected. Walls greater than six feet (6') in height must be architecturally articulated (e.g., materials, planes, columns, crown features, etc.) and landscaping around such walls shall be designed to soften the wall presence.
 - d. Screening shall be designed and located to provide a natural crime deterrent. Barbed or razor wire is not permitted unless specifically approved by the planning commission for security, public safety, health, or general welfare of the citizens and property owners of Santaquin and/or their property. This provision does not apply to agricultural uses and public utility facilities. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)
7. Decorative Materials: Materials such as crushed rock, redwood chips, pebbles, pavers, or stamped concrete and stones may not cover more than fifty percent (50%) of the areas required to be landscaped. Artificial plants are not acceptable.
 8. Clear View Areas: Landscaping within designated clear view areas shall comply with SCC 10.16.090. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)

D. Building Landscaping:

1. Except within MBD areas, exposed sections of building walls that are in high visibility areas along arterial and collector streets as well as on site, general public access areas, shall have planting beds approximately six feet (6') wide placed directly along at least fifty percent (50%) of such walls. These planting areas may overlap required landscape yards.
2. Trash enclosures and other accessory structures shall have a minimum five foot (5') wide planting area along three (3) sides and a minimum of four (4) shrubs per landscaped side. These planting areas may overlap required landscape yards.

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

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

1. Landscape Areas: Landscaping shall be provided in the amount of six percent (6%) of the interior space of parking lots with less than one hundred (100) spaces, and ten percent (10%) of the interior space of all parking lots with one hundred (100) spaces or more. For single developments on less than two (2) acres, this percentage will count toward the minimum landscape requirement provided in paragraph C,1. (Ord. 07-01-2016, 7-6-2016, eff. 7-7-2016)
2. Screening: Screening from the street and all nonresidential uses shall be of sufficient height and opacity to continuously block the lowest three feet (3') of the cross section view of the parking area from the street or adjacent use. These screening standards may be met in any number of different ways, including, but not limited to, a garden wall, earthen berm, constructed planter, dense hedge, or combination of ways. Landscape plans submitted for review shall include a graphic depiction of the parking lot screening as viewed from the street. Plant material used for the required screening shall achieve required capacity in its winter seasonal condition within three (3) years of construction of the vehicular use area.
3. Pedestrian Walking/Refuge Areas: Pedestrian walking/refuge areas shall be provided between parking aisles closest to major business entries where one hundred (100) or more parking spaces are required. Such areas shall be at least eleven feet (11') wide and have a five foot (5') wide meandering sidewalk running the length of the area. Those portions of this area not utilized as sidewalk shall be landscaped with at least one tree and four (4) shrubs per sidewalk return. Additionally, ground cover shall be provided over the entire landscape area.
4. Planter Islands: Landscaped islands shall be provided at the end of parking aisles and appropriately spaced at intermediate locations along parking aisles.
 - a. Dimensions: Islands at the end of single stall width parking aisles

shall be at least six feet (6') in width and eighteen feet (18') in length. Islands at the end of dual stall width parking aisles shall be at least six feet (6') in width and thirty six feet (36') in length, with at least one hundred sixty (160) square feet of ground area per shade tree or one hundred (100) square feet of ground per ornamental tree to allow for root aeration.

- b. Vegetation: Islands shall include one or more canopy shade trees and four (4) or more shrubs per eighty (80) square feet of planter area. Additionally, ground cover shall be provided over the entire landscape area.
- c. Curbing: All islands shall have raised concrete curbs surrounding them. Curb extents shall not be included in the required dimensions. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

F. Species Diversity And Minimum Standards:

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

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

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

| Type | Minimum Size |
|---|--|
| Canopy shade (deciduous) tree | 2.0 inch caliper balled and burlapped equivalent |
| Canopy shade (deciduous) tree as a street tree on a residential local street only | 2.0 inch caliper container or equivalent |
| Evergreen tree | 6.0 foot height balled and burlapped or equivalent |
| | 1.5 inch caliper balled and burlapped |

| | |
|-----------------|---|
| Ornamental tree | or equivalent |
| Shrubs | 5 gallon or adequate size consistent with design intent |

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

- G. Waivers And Exceptions: The city's land use authority may waive a requirement of a site plan if, in its opinion, specific requirements are unnecessary or inappropriate due to circumstances unique to the property, or if the requirements have been previously submitted and approved. Such requirements may be set aside only to the extent that the intent and purpose of this chapter is not violated. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)
- H. Nonconforming Status: Any use of property, which, on the effective date hereof, is nonconforming only as to the regulations relating to landscaping may be continued in the same manner as if the landscaping were conforming until such time that any such land use, parking area, site development or landscaping changes. (Ord. 12-02-2006, 12-6-2006, eff. 12-7-2006)

HISTORY

Amended by Ord. [10-01-2014](#) on 10/1/2014

Amended by Ord. [06-01-2020](#) on 6/16/2020

[10.56 RESIDENTIAL FACILITIES FOR THE ELDERLY](#)

[10.56.010 PURPOSE](#)

[10.56.020 OPERATION](#)

[10.56.030 REQUIREMENTS](#)

[10.56.040 CITY REVIEW PROCESS](#)

10.56.010 PURPOSE

The purpose of this chapter is to:

- A. Comply with Utah Code Annotated, 1953, as it pertains to residential facilities for the elderly.
- B. Establish criteria for reviewing a proposal to construct a residential facility for the elderly within the city, such criteria being legitimate land use criteria and not predicated upon the age of persons to be housed or utilizing such residential facilities.
- C. Implement standards and provisions which prohibit discrimination against elderly persons and against residential facilities for the elderly. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.56.020 OPERATION

A residential facility for elderly persons may not operate as a business. A residential facility for elderly persons may not be considered a business because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility. A residential facility must be owned by one of the residents or by an immediate family member of one of the residents or be a facility for which the title has been placed in trust for a resident. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.56.030 REQUIREMENTS

A residential facility for elderly persons shall comply with the following criteria:

A. Occupancy:

1. No person who is being treated for alcoholism or drug abuse may be placed in a residential facility for elderly persons.
2. Occupants placed in a residential facility for elderly persons shall be on a strictly voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution.
3. A facility may house up to four (4) unrelated persons without having to obtain a conditional use permit. This number does not include any caregiver or provider associated with the facility or who may frequent the facility.
4. The facility must be occupied on a twenty four (24) hour per day basis by eight (8) or fewer elderly persons in a family type arrangement.

B. Zoning: Residential facilities for the elderly are a permitted use in all strictly single-family residential zones of the city, including those residential zones located in the core area of the city.

C. Proximity To Other Facilities: A residential facility for the elderly may not be located closer than five hundred feet (500') to another such facility.

D. Parking:

1. Those facilities having four (4) or fewer full time occupants shall provide four (4) off street parking stalls. These stalls may be tandem stalls (i.e., driveway/garage style) consistent with surrounding single-family properties.

2. Those facilities having more than four (4) full time occupants shall provide 1.5 parking stalls per two (2) full time occupants plus one on site staff member during the highest shift. Such parking must comply with the standards of SCC 10.48, "Parking And Circulation Standards".
- E. Landscaping: All facilities shall provide and maintain completely landscaped front, side and rear yard areas in accordance with the city's landscaping standards as found in this code.
 - F. Building Permit: A building permit shall be obtained for any internal or external construction work for a facility, as required by city building codes.
 - G. Use Termination: The use granted and permitted by this section is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or if the structure fails to comply with applicable health, safety, and building codes. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.56.040 CITY REVIEW PROCESS

- A. New facilities for four (4) or less occupants: A building permit shall be obtained and site plan reviewed by the community development director for compliance with the above standards. If the director determines the proposal warrants conditional use review the application will be forwarded to the planning commission for such review. The application may also be referred to the city architectural review committee if the director determines a proposed building exterior is not consistent with or complementary to surrounding single-family properties.
- B. Retrofit of existing residential dwelling to house up to four (4) occupants: All facilities shall obtain a building permit for any internal or external alterations of an existing structure, as required by city building codes. Site plan review shall be conducted by the community development director. External alterations which are not consistent with or complementary to surrounding single-family properties must be reviewed by the city's architectural review committee.
- C. New facilities for more than four (4) occupants: Applications for facilities to house more than four (4) occupants are required to obtain a conditional use permit from the planning commission. Building and site plans shall be reviewed under the city's site plan review process. Building elevations shall also be reviewed by the architectural committee for compatibility with surrounding properties and residential structures. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.60 RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

10.60.010 PURPOSE

10.60.020 DEFINITIONS - RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

10.60.030 REQUIREMENTS

10.60.040 LICENSURE

10.60.010 PURPOSE

The purpose of this chapter is to:

- A. Comply with Utah Code Annotated, 1953, as it pertains to residential facilities for persons with a disability.
- B. Establish criteria for reviewing a proposal to construct a residential facility for persons with a disability in the city. Such criteria complying with Utah Code 57-21, Utah fair housing act, and the federal fair housing amendments act of 1988, 42 USC section 3601 et seq.; and to the extent required by federal law, provide that a residential facility for persons with a disability is a permitted use in any zone where similar residential dwellings that are not residential facilities for persons with a disability are allowed. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.60.020 DEFINITIONS - RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

As used in this chapter:

DISABILITY: A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. It does not include current illegal use of, or addiction to, any federally controlled substance, as defined in section 102 of the controlled substances act, 21 USC 802.

RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY: A residence:

- A. In which more than one person with a disability resides.
- B. Is licensed or certified by the department of human services under Utah Code 62A-2, licensure of programs and facilities.
- C. Is licensed or certified by the department of health under Utah Code 26-21, health care licensing and inspection act. (Ord. 07-02-2010, 7-21-2010)

HISTORY

10.60.030 REQUIREMENTS

A residential facility for persons with a disability is a permitted use in any zoning area where residential dwellings are allowed under the following criteria:

- A. Dispersal: A residential facility for persons with a disability shall be located a minimum of three-fourths (3/4) mile from another such facility.
- B. Proximity To Schools: Residential facilities for persons with a disability that are substance abuse facilities and are located within five hundred feet (500') of a school shall provide, in accordance with rules established by the department of human services under Utah Code 62A-2, licensure of programs and facilities:
 - 1. A security plan satisfactory to local law enforcement authorities.
 - 2. Twenty four (24) hour supervision for residents.
 - 3. Other twenty four (24) hour security measures.
- C. Building, Safety, And Health Regulations: All residential facilities for persons with a disability shall obtain permits that verify compliance with the same building, safety, and health regulations as are applicable in the same zoning area to similar uses that are not residential facilities for persons with a disability.
- D. Occupancy: No more than four (4) persons with a disability may reside within the facility at any one time. This number shall not include any licensed care providers, assistants, or supervisors who may also dwell and/or be employed within the same facility.
- E. Impacts On Surrounding Properties: A residential facility for persons with a disability that would likely create a fundamental change in the character of a residential neighborhood may be denied approvals to operate. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.60.040 LICENSURE

All facilities for persons with a disability shall obtain and maintain a city business license. Application for such license shall include documentation to show compliance with the regulations outlined by:

- A. The department of human services as provided in Utah Code 62A-5, services to people with disabilities, or
- B. The department of health under Utah Code 26-21, health care facility licensing

and inspection act. (Ord. 07-02-2010, 7-21-2010)

HISTORY

Amended by Ord. [07-02-2010](#) on 7/21/2010

10.64 ANIMAL RIGHTS

10.64.010 OBJECTIVES AND CHARACTERISTICS

10.64.020 SCOPE

10.64.030 EXISTING RIGHTS

10.64.040 LEASH LAW (RESERVED)

10.64.050 NUISANCE

10.64.060 MITIGATION OF NUISANCE

10.64.070 CARE, CLEANLINESS, AND IMMUNIZATIONS (RESERVED)

10.64.080 RIGHTS GRANTED BY THIS CHAPTER

10.64.090 STRUCTURES

10.64.100 FENCING STANDARDS

10.64.110 DRAINAGE

10.64.120 KENNELS

10.64.130 FORBIDDEN USES

10.64.140 RESTRAINTS (RESERVED)

10.64.150 PENALTY

HISTORY

Amended by Ord. [02-01-2012](#) on 2/1/2012

10.64.010 OBJECTIVES AND CHARACTERISTICS

The purpose of this chapter is to provide animal rights for the enjoyment of city residents while protecting the rights of adjoining property owners and ensuring the peaceful enjoyment of their property ownership. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.64.020 SCOPE

This overlay regulates animal rights in all zones in Santaquin. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10.64.030 EXISTING RIGHTS

Existing nonconforming animal rights shall remain valid until such time as the rights are abandoned for twelve (12) consecutive months. If and when this occurs, the rights associated with such properties are removed and the property is again subject to the provisions of this chapter. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10.64.040 LEASH LAW (RESERVED)

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.64.050 NUISANCE

Any animal which does any of the following shall be deemed a nuisance:

- A. Causes damage to property.
- B. Causes unreasonable fouling of the air by odors.
- C. Is vicious or wild.
- D. Makes disturbing noises excessively.
- E. Molests, bites, or attacks other animals or people.
- F. Is sick due to neglect, abuse, or similar condition. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.64.060 MITIGATION OF NUISANCE

In addition to any of the remedies and/or penalties provided in this code, a duly authorized agent of the city may take any of the following actions as deemed appropriate under existing conditions:

- A. Summarily abate such nuisance.
- B. Impound.
- C. Reduce or eliminate the nuisance as necessary. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.64.070 CARE, CLEANLINESS, AND IMMUNIZATIONS (RESERVED)

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.64.080 RIGHTS GRANTED BY THIS CHAPTER

- 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.
- B. General Rights Granted: The rights granted according to this overlay are the pasturing, care, and keeping of domesticated animals (excepting hogs, or other closely related animals) for exclusive use and enjoyment of the residing family. These rights are not subject to forfeiture, abandonment or discontinuance except as outlined in SCC 10.64.150, the city's animal control provisions, or as determined by a court of competent jurisdiction. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

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.
3. All pens, coops, and structures shall be kept clean and free from objectionable odor. (Ord. 5-06-2015, 6-3-2015, eff. 6-4-2015)

D. Farm Animals:

1. Lots Of Less Than Fourteen Thousand Three Hundred Seventy Five Square Feet: Lots of less than fourteen thousand three hundred seventy five (14,375) square feet or one-third (1/3) acre shall not contain animal rights as outlined in this chapter.
2. Lots Of Fourteen Thousand Three Hundred Seventy Five Square Feet Or More: Lots with fourteen thousand three hundred seventy five (14,375) square feet or one-third (1/3) acre or more shall maintain animal rights in all zones in accordance with the number of animals allowed per paragraph D.3. However, multi-family dwellings shall be prohibited from having farm animals or fowl on property.
3. Number Of Farm Animals Allowed: The number of farm animals or fowl permitted shall be governed by the following schedule except that dependent young may be kept in addition to the following numbers:

| Farm Animals | Points |
|---|--------|
| Large: Pastured Horse | 100 |
| Large: Stabled, corralled or penned Horse | 30 |
| Medium: Goat Llama Sheep | 10 |
| Small: Chinchilla Rabbits | 2.5 |

| | |
|--|--|
| | |
|--|--|

| Agricultural Zones Only | Points |
|--------------------------------|---------------|
| Cows | 50 |
| Mink | 5 |
| Pigs | 200 |

| Fowl | Points |
|------------------------------------|---------------|
| Large: Emu Ostrich Turkey | 10 |
| Medium: Ducks Geese | 5 |

| Household Fowl Permitted In All Zones | Points |
|--|---------------|
| Chickens | 5 |
| Small: Doves Finches Pheasants Pigeons | 2 |

| Agricultural Zones Only | Points |
|--------------------------------|---------------|
| Rooster | 20 |

- a. Each property is allowed one hundred (100) points for farm animals and another one hundred (100) points for fowl per acre. Points for farm animals and fowl are given on a prorated basis starting at one-third (1/3) acre (e.g., 1/2 acre [50 points], 2/3 acre [66 points], 1 acre [100 points], 1 1/3 acre [133 points], etc.).
- b. Any combination of large, medium and small animals shall be permitted on any lot one-third (1/3) acre or larger as long as the point total is not greater than allotted for that lot size.
- c. Animals shall be considered "pastured" if no humanely

- constructed animal shelter is provided or supplementary feed provided during the growing season.
- d. One large farm animal may be kept per pastured acre with no more than one large farm animal per one-third (1/3) acre if stabled.
 - e. Three (3) medium farm animals may be kept per one-third (1/3) acre.
 - f. Small farm animals shall be considered household pets, unless their numbers exceed more than four (4) of any one type of animal on any lot, of which a larger amount may be allowed based on the prorated size of the lot and the points allotted for small farm animals over one-third (1/3) acre.
 - g. Large and medium fowl are only permitted on lots one-third (1/3) acre or larger and on a prorated amount based on lot size and points allotted for each fowl type.
 - h. Chickens will not be considered as household pets or farm animals. Chickens will be allowed on any residential lot based on the prorated size of the lot and the points allotted for chickens. One acre is allotted one hundred (100) points.
 - i. Small fowl or birds will not be considered as household pets or farm animals. Small birds will be allowed on any residential lot based on the prorated size of the lot and the points allotted for small fowl. There is a maximum limit of fifty (50) small fowl per lot.
 - j. A minimum of two (2) acres is required for each pig and any associated pens or enclosures must be located at least an additional twenty feet (20') further than required setbacks from neighboring dwellings and properties. Pigs, roosters, cows and mink are only allowed in agriculture zones of the city and based on the allotted points for each animal.

E. Temporary Animal Care:

1. Parcels for single-family dwelling uses, where persons are engaged in projects involving temporary animal care through state recognized schools or clubs (e.g., 4-H, FFA) are temporarily exempt from the minimum parcel size requirement during such pursuits. Size and number of animals allowed shall be in accordance with paragraph D.3.a. All other standards pertaining to enclosure locations and nuisance regulations shall still apply.
2. If an education sponsored project includes a large farm animal (e.g., hogs, horses, cows, llamas, etc.) being kept on a parcel intended for or occupied by a single-family dwelling, the person raising such animals

must notify all occupied households within two hundred feet (200') of the project property prior to commencing project. Such notice must include:

- a. A description of the project duration and animals involved,
 - b. The club or education group for which the project is being conducted,
 - c. Contact information for the education club or program advisor, and
 - d. Contact information for the project participant and their responsible parent or guardian where applicable,
 - e. Contact information for the Santaquin City community development.
3. Applicant must first contact community development prior to commencing project with applicable information. Temporary animal care for education sponsored projects may not exceed ten (10) months. The animal must be removed at the end of the school year. The permit may be renewed annually. A maximum of two (2) animals from paragraph D.3 per permit. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

HISTORY

Amended by Ord. [09-01-2012](#) on 9/5/2012

Amended by Ord. [05-06-2015](#) on 6/3/2015

10.64.090 STRUCTURES

- A. Animal stables shall have a minimum of one hundred fifty (150) square feet of floor area per large farm animal. Other structures, including barns, pens, stables, coops, feeding areas, and corrals, shall be constructed adequately and of sufficient nature to accommodate the total number of animals to be located on the property. All such construction shall be properly inspected and approved by the city building official in accordance to this code.
- B. No barns, pens, stables, shelters, feeding bins, or water bins shall be constructed closer than forty feet (40') from any existing dwelling.
- C. No barns, pens, stables, shelters, feeding bins, water bins or corrals shall be constructed closer than thirty feet (30') from any public street. Corrals and pasture areas larger than one acre may be adjacent to a public street except as indicated in the fencing standards below.
- D. Structures shall not be constructed closer than thirty feet (30') to any open waterway that drains into a natural stream.
- E. All coops or hutches must be in the rear yard of the primary residence and ten feet (10') from any property line. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

HISTORY

Amended by Ord. [09-01-2012](#) on 9/5/2012

10.64.100 FENCING STANDARDS

Any fencing utilized for the corralling, penning, or holding of animals, including household pets, shall be of sufficient durability, strength, and design so as to prevent any encroachment or damage by such contained animals upon adjacent properties. Fencing shall be set back a minimum of five feet (5') when fronting a sidewalk. Animal fencing which consists of electrical barriers or barbed strands may not be used except where customary for agricultural animal retention. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

HISTORY

Amended by Ord. [09-01-2012](#) on 9/5/2012

10.64.110 DRAINAGE

Animal waste runoff from paddocks, stables, pasture, or other enclosures must be contained by the animal owner so not to contaminate residential water resources, public rights of way, adjacent property, nor drain into a waterway, including irrigation ditches, that drain into a natural stream, onto roads, or to adjoining property. (Ord. 09-01-2012, 9-5-2012, eff. 9-6-2012)

HISTORY

Amended by Ord. [09-01-2012](#) on 9/5/2012

10.64.120 KENNELS

- A. Objectives Of Kennels: The purpose of this section is to provide guidelines and regulations to govern the occurrence of kennels within the city. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)
- B. Inspections, Fees, Permits, And Revocations:
 - 1. Duly authorized agents of the city may inspect animal habitats and restraints to ensure compliance with this overlay.
 - 2. Kennels may not operate without first obtaining a city business license, and all necessary permits, approved by the city council.
 - 3. License fees shall be established by resolution of the city council.
 - 4. Violation of any provision of this overlay shall result in immediate suspension of license and permits, as applicable, and the city council shall consider action to revoke such license and permits. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

10.64.130 FORBIDDEN USES

A. The following animals are not permitted in any applicable zone: (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

1. No "vicious animal", as such is defined in this code, shall be kept or possessed in any nonagricultural zone, however, this paragraph shall not apply to any animal kept or possessed in the city as part of any rodeo, circus, etc., for less than ten (10) days. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

B. Processing and rendering, unless specifically permitted within the applicable zoning classification, are not permitted. (Ord. 11-02-2003, 11-19-2003, eff. 11-20-2003)

10.64.140 RESTRAINTS (RESERVED)

(Rep. by Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.64.150 PENALTY

- A. Misdemeanor: Any person violating any provision of this overlay may be charged with a class B misdemeanor and upon conviction thereof shall be punished 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. Each day that said violation is not mitigated will be considered a separate violation.
- B. Impounding: Duly authorized agents of the city may indefinitely impound animals which are nuisances or which have been treated cruelly. Owners shall be liable for any impounding and/or capture fees. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)
- C. Loss Of Privilege: Any and all of the rights conferred on the owners of property by this chapter shall be forfeited upon the third conviction and/or violation of:
1. any provision of this chapter; or
 2. any violation of SCC 5;

within any twelve (12) month period. A forfeiture of right pursuant to this section shall not run with the property. (Ord. 08-01-2007, 8-15-2007, eff. 8-16-2007)

10.68 ANNEXATION AND DEVELOPMENT PROCEDURES

10.68.010 INTENT AND PURPOSE

10.68.020 SCOPE

10.68.030 REVIEWING BODIES

10.68.040 ANNEXATION PROCESS

10.68.050 SUBDIVISION REVIEW PROCESS

10.68.060 NONRESIDENTIAL AND MULTI-FAMILY DEVELOPMENT PROCESS

[10.68.070 CONDITIONAL USES](#)

[10.68.080 CONCURRENT APPROVALS](#)

[10.68.090 FEES](#)

[10.68.100 VALIDITY OF APPROVALS](#)

[10.68.110 PUBLIC NOTIFICATION OF LAND USE APPLICATIONS](#)

[10.68.120 DEVELOPMENT APPLICATION REQUIREMENTS](#)

[10.68.130 DEVELOPMENT PROCESS EXHIBITS](#)

10.68.010 INTENT AND PURPOSE

It is the intent and purpose of this chapter to adopt the annexation process established by Utah Code and by which all new annexation petitions are reviewed in harmony with the Santaquin City general plan and Development Code.

It is also the intent and purpose of this chapter to establish an approval process by which all new development proposals are efficiently and expeditiously reviewed and approved in harmony with the Santaquin City general plan, Development Code, and adopted building and construction standards. Furthermore, that each development proposal will be treated in a consistent manner and that the ordinances of the City will be applied equally and fairly to all proposals. (Ord. 03-02-2007, 3-7-2007)

10.68.020 SCOPE

All applications for annexation or development within the City after the adoption of this chapter shall adhere to the regulations and requirements of this chapter with the exception of the construction of signs, the construction of a single-family residence on no more than one property, parcel, or tract of land, and other minor construction and remodeling as determined by the Community Development Director. (Ord. 03-02-2007, 3-7-2007)

10.68.030 REVIEWING BODIES

In accordance with the Utah State Code Public Meetings Laws, the Santaquin City Council, Planning Commission and Development Review Committee shall review all land use applications, as provided in this section and this Code.

No project shall receive any preliminary or final approval from a review body listed above, except as explicitly outlined in the processes established by this section. No land use application shall be reviewed within five (5) days of receiving approval or recommendation from any separate review body. (Ord. 07-01-2019, 7-2-2019, eff. 7-3-2019)

HISTORY

Amended by Ord. [05-04-2015](#) on 5/6/2015

10.68.040 ANNEXATION PROCESS

All proposed annexations shall conform to the process outlined by State law and as further illustrated in SCC 10.68.130, exhibit A. (Ord. 03-02-2007, 3-7-2007)

10.68.050 SUBDIVISION REVIEW PROCESS

Proposed developments consisting of subdivisions, condominiums, PUDs, etc., shall have the appropriate recording documents (i.e., legal descriptions, plats, CC&Rs, etc.) reviewed under the process illustrated in SCC 10.68.130, exhibits B-1 and B-2 prior to such subdivision, condominium conversion, etc., being recorded and taking effect. (Ord. 03-02-2007, 3-7-2007; amd. Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

10.68.060 NONRESIDENTIAL AND MULTI-FAMILY DEVELOPMENT PROCESS

Proposed commercial, industrial, mixed use and multi-family developments shall be eligible for approval according to SCC 10.68.130, exhibits C-1 and C-2 and in accordance with the provisions that follow:

- A. Master Planned Nonresidential, Mixed Use Or Multi-Family Projects: Proposals for a master planned nonresidential, mixed use or multi-family development shall complete the review process illustrated in SCC 10.68.130, exhibit C-1 prior to application for site development review on any portion of the development. Other developments that necessitate such review are proposed commercial and/or industrial developments where:
1. The entire development is to be phased;
 2. The development plans to be reviewed do not propose the "final development product" for all or a portion of the development area; and/or
 3. The development consists, whether entirely or in part, of one or more pad sites on which commercial and/or industrial buildings or uses are to be constructed.
 4. The proposed use of the property requires a conditional use permit.
- B. Individual Site Developments: Proposals for site developments of permitted uses or pad sites within master planned developments which have received development approval in accordance with the process outlined in exhibit C-1 in SCC 10.68.130 may apply for review under the review process illustrated in exhibit C-2 in SCC 10.68.130. (Ord. 03-02-2007, 3-7-2007)

10.68.070 CONDITIONAL USES

All proposed projects which are required to obtain a conditional use permit, as provided for in the Santaquin City development code, shall receive the conditional use permit prior to any final site development approvals. (Ord. 03-02-2007, 3-7-2007)

10.68.080 CONCURRENT APPROVALS

Except as otherwise provided in this code, where developments must complete multiple processes before final approvals can be granted, such processes may be applied for and processed concurrently where appropriate and under the following circumstances:

- A. No project shall receive final development approval before annexation is completed.
- B. No application for final review may be submitted until all annexation approvals have been granted and conceptual recommendations have been given by the planning commission.
- C. City council approval of an annexation proposal does not equate to conceptual or preliminary project approval for any such development unless specifically stated in motion by the city council.
- D. Development applications may be reviewed concurrently with an annexation petition. Any and all land use applications submitted during the annexation process must be accompanied by nonrefundable application fees.
- E. All zoning approvals (i.e., rezoning applications, conditional use permits, variances, etc.) must be completed prior to final development approvals. (Ord. 03-02-2007, 3-7-2007)
- F. Concurrent review processes shall be completed in accordance with exhibits A, B-1, B-2, C-1 and C-2 in SCC 10.68.130. (Ord. 03-02-2007, 3-7-2007; amd. Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

10.68.090 FEES

All required development fees, additional review fees as established in the city's fee schedule, and required guarantee amounts shall be paid or provided to the city before site work can commence on a development project. (Ord. 03-02-2007, 3-7-2007)

10.68.100 VALIDITY OF APPROVALS

Final site plan approvals for all nonresidential or multi-family developments shall be valid for one year from the date this chapter is adopted or the date such plans are approved and signed by the appropriate city departments, whichever is later, unless construction has started and significant efforts are being made to complete the approved development. Subdivision approvals shall be valid as outlined in the city subdivision standards, SCC 11. (Ord. 03-02-2007, 3-7-2007)

10.68.110 PUBLIC NOTIFICATION OF LAND USE APPLICATIONS

- A. State Requirements:

1. Land use applications requiring notice to the public according to state law¹ include the following:

| Land Use Application Type | Local Notice Period (Calendar Days) |
|--|--|
| General plan adoption and amendments | 10 |
| Adoption or modification of land use ordinances | 10 |
| Rezoning or zoning map change | 10 |
| Code amendment of land use ordinance | 10 |
| Subdivisions (preliminary plats) | 10 |
| Plat amendments, vacation or alteration | 10 |
| Subdivision of less than 10 lots | 10 |
| Amendment to a subdivision | 10 |
| Street, right of way or easement vacations or closures | 10 |
| Development of multi-unit residential, commercial or industrial projects | 10 |
| Others as required by local authority | See paragraph B, "Local Requirements" |

2. Noticing required by state law shall be in accordance with guidelines established by the state unless more strict requirements are established.
3. Where state law requires municipalities to provide specific public noticing based on the type of land use application to be reviewed, applicants shall compensate the city for any costs incurred due to the specific noticing of applicant's request.

B. Local Requirements:

1. In addition to the state requirements listed above, the following land use applications are to be noticed to adjacent property owners prior to the first public hearing on the application:

| Land Use Application Type | Local Notice Period Before First Hearing |
|----------------------------------|---|
|----------------------------------|---|

| | (Calendar Days) |
|---|-----------------|
| Applications to be reviewed by the city's appeal authority | 10 |
| Conditional use permit or special exemption | 10 |
| Home occupation permit | 10 |
| Planned unit or multi-family developments | 10 |
| Subdivisions, including plat amendments, infill development or lot splits | 10 |
| Variances | 10 |
| Others where the city determines that a compelling, countervailing public interest is present | 10 |

C. Notification To Public Utilities: Prior to final approvals of any proposed development, the subdivider shall provide the city with proof that notice of the proposed development has been provided to each public utility company having a franchise agreement with the city and including the city. It shall be the sole responsibility of the subdivider to ensure that all public utility companies have been properly notified. Such notifications shall include the information specified in paragraph E.

D. Notification To Adjacent Property Owners: When notice to adjacent property owners is required, applicants shall provide to the city with their application a notification packet containing the following materials and information:

1. Stamped and preaddressed envelopes for each property owner of record of each parcel located entirely or partly within five hundred feet (500') from any boundary of the property subject to the application, including any owners of such property in unincorporated Utah or Juab County or adjacent municipalities. Home occupations, which are required to obtain a conditional use permit shall provide the above notice materials and information for property owners within three hundred feet (300') from any boundary of the property. It shall be the sole responsibility of the applicant to verify that the mailing list and envelopes are complete and accurate;
2. A mailing list, provided by the Utah and/or Juab County recorder's office, for those property owners stipulated above;
3. A notification letter to be sent to the above property owners, which includes the information specified in paragraph E, with any and all maps and attachments.

E. Notice Contents: All notices shall include at least the following information:

1. The date of the notice;
2. The exact time, location and place of the review of the proposal, as determined and scheduled by the community development department;
3. That the public has the right to be present at the meeting and to express any comments or concerns regarding the proposal;
4. The exact address of the property that is the subject of the proposal;
5. A detailed description of the proposal including copies of maps, plans or graphics;
6. A description of the requirement for notification;
7. The zoning of the property that is the subject of the proposal;
8. A statement declaring one of the following as applicable:
 - a. The hearing outlined in the notice is to be the only review of the proposal; or
 - b. The hearing outlined in the notice is the first in a series of reviews of the proposal and no further direct notification will be directly mailed to the recipient. Later reviews of the proposal will be noticed only through general advertisement of agendas by the city. City meeting agendas are advertised on the Utah Public Notice Website created in Utah Code §§ 63F-1-701 and/or posted at Santaquin City Hall, the Santaquin post office and the Zions Bank branch located on Santaquin City Main Street. It is the responsibility of the public to make themselves aware of future agendas and reviews of the proposal;
9. Contact information for the applicant and the community development department;
10. The following paragraph:

If notice given under this Title is not challenged in written form to the City's Appeal Authority within 30 days after the meeting or action for which notice is given, the notice is considered adequate and proper. Furthermore, if no challenge or protest is filed within 30 days after the meeting or action for which notice was given, any defect in the notice shall not affect or invalidate any hearing or action by the Planning Commission or City Council.

F. Postings On Property: The city may, but is not required to, provide a courtesy notice of the first public hearing of an application by posting information on the

subject property. This courtesy notice is not a legal requirement, and any defect in the courtesy notice shall not affect or invalidate any hearing or action by the planning commission or city council. (Ord. 05-01-2012, 5-16-2012, eff. 5-17-2012)

¹ Utah Code § 10-9A.

HISTORY

Amended by Ord. [05-01-2012](#) on 5/16/2012

Amended by Ord. [05-01-2021](#) on 5/4/2021

10.68.120 DEVELOPMENT APPLICATION REQUIREMENTS

All development proposals shall include the appropriate city approved application forms; required information listed on such forms, and required fees prior to city review of the proposal. These forms include the following:

Site development review application - concept.

Site development review application.

Subdivision or condominium review application - concept.

Subdivision or condominium review application - preliminary.

Subdivision or condominium review application - final.

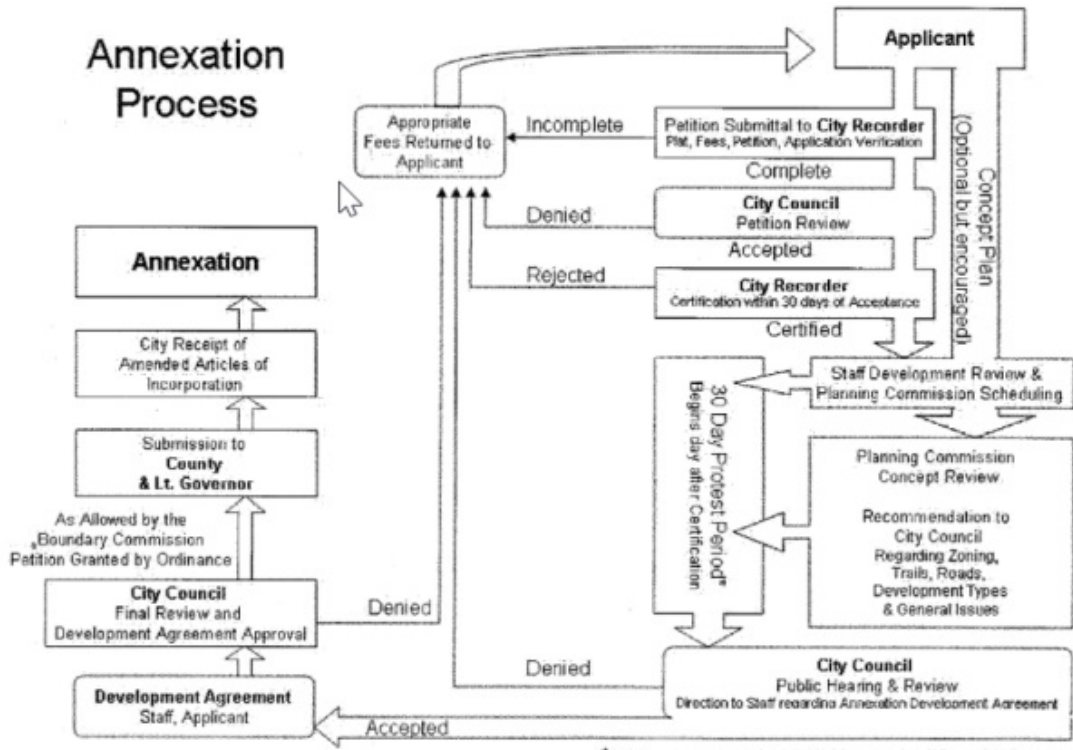
Complete applications or resubmittals for development proposals shall be submitted at least fourteen (14) days prior to the applicable public meeting. The Community Development Director and City Engineer may recommend that an application or resubmittal be on an agenda earlier than fourteen (14) days if they find that the submitted materials are ready for review by a public body. Applicants are encouraged to meet with city staff prior to submittal to discuss development concerns, required materials, review time frames and development options. (Ord. 03-02-2007, 3-7-2007)

HISTORY

Amended by Ord. [03-02-2021](#) on 3/2/2021

10.68.130 DEVELOPMENT PROCESS EXHIBITS

EXHIBIT A



* Petitions under protest will be handled as outlined by State law.

(Ord. 03-02-2007, 3-7-2007)

EXHIBIT B-1

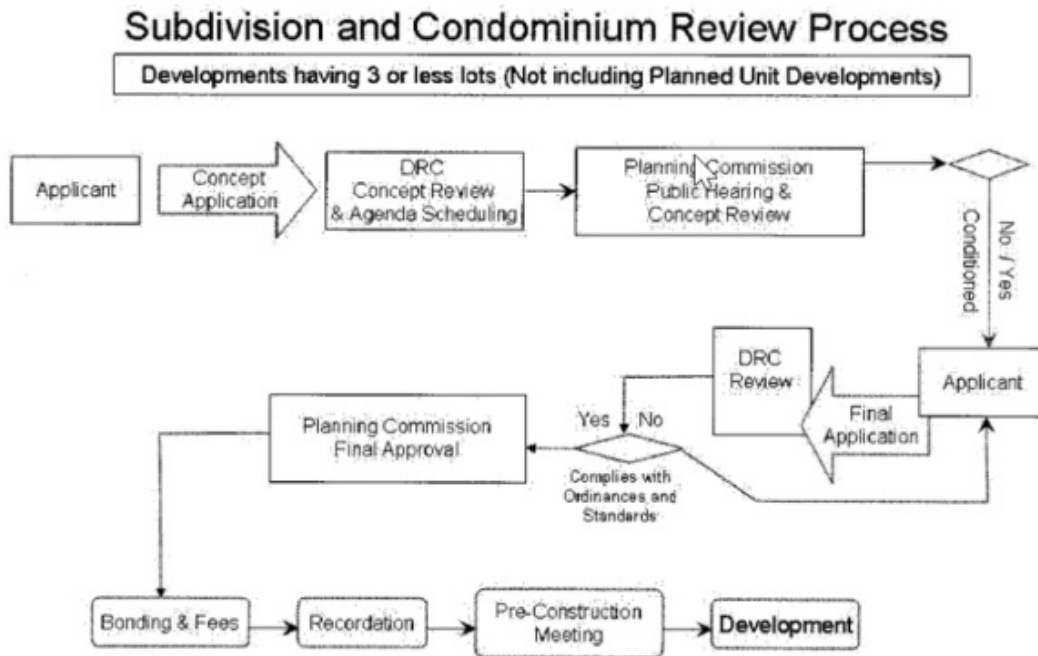
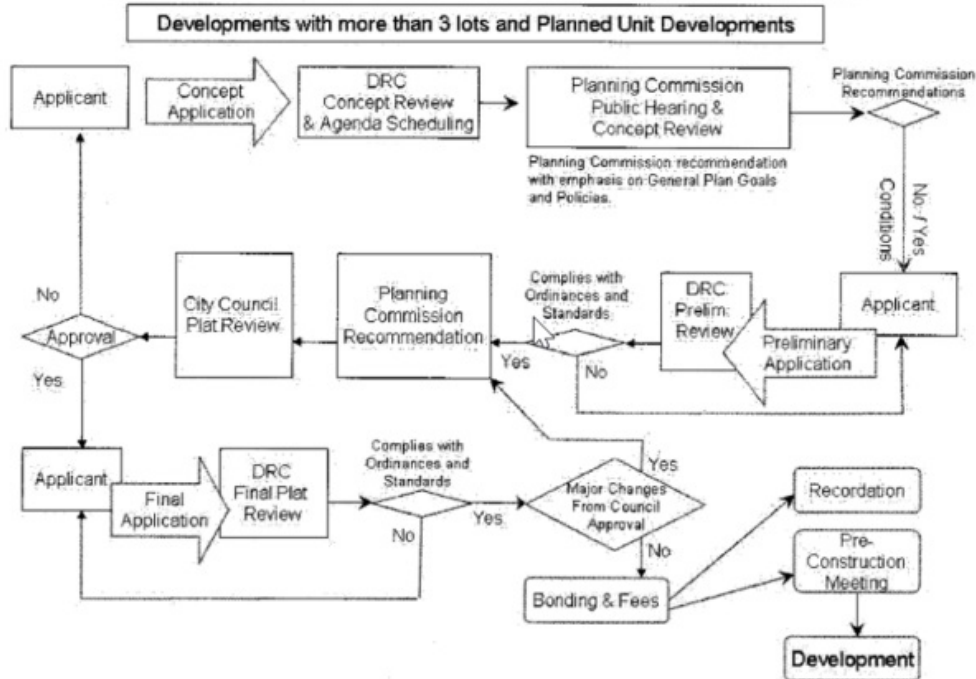


EXHIBIT B-2

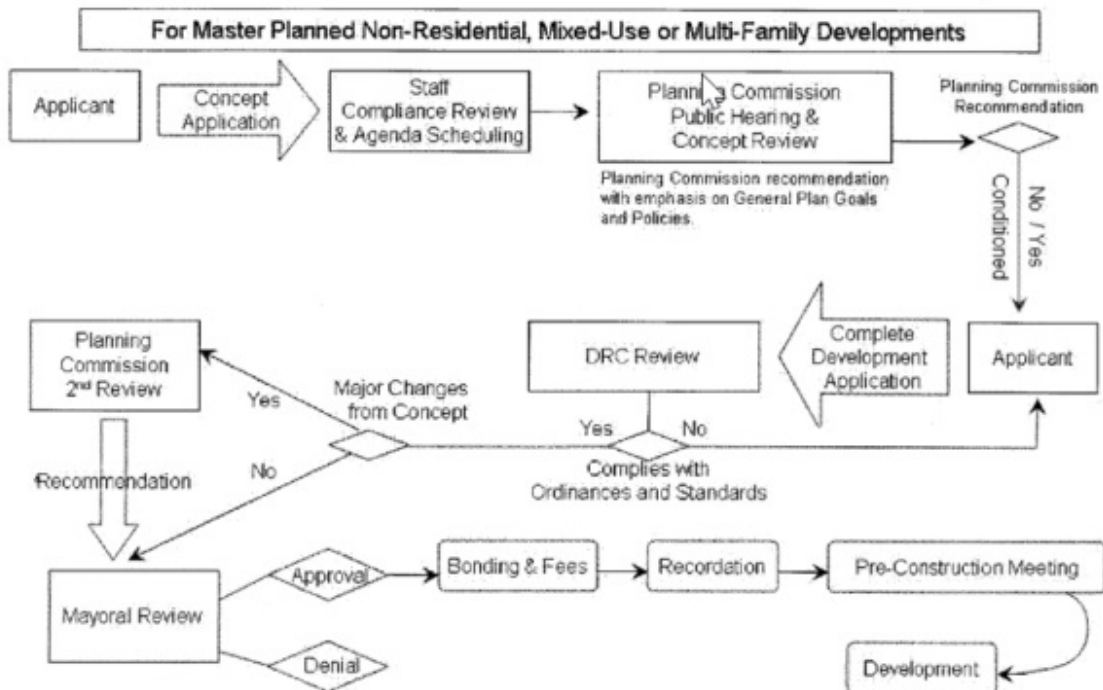
Subdivision and Condominium Review Process

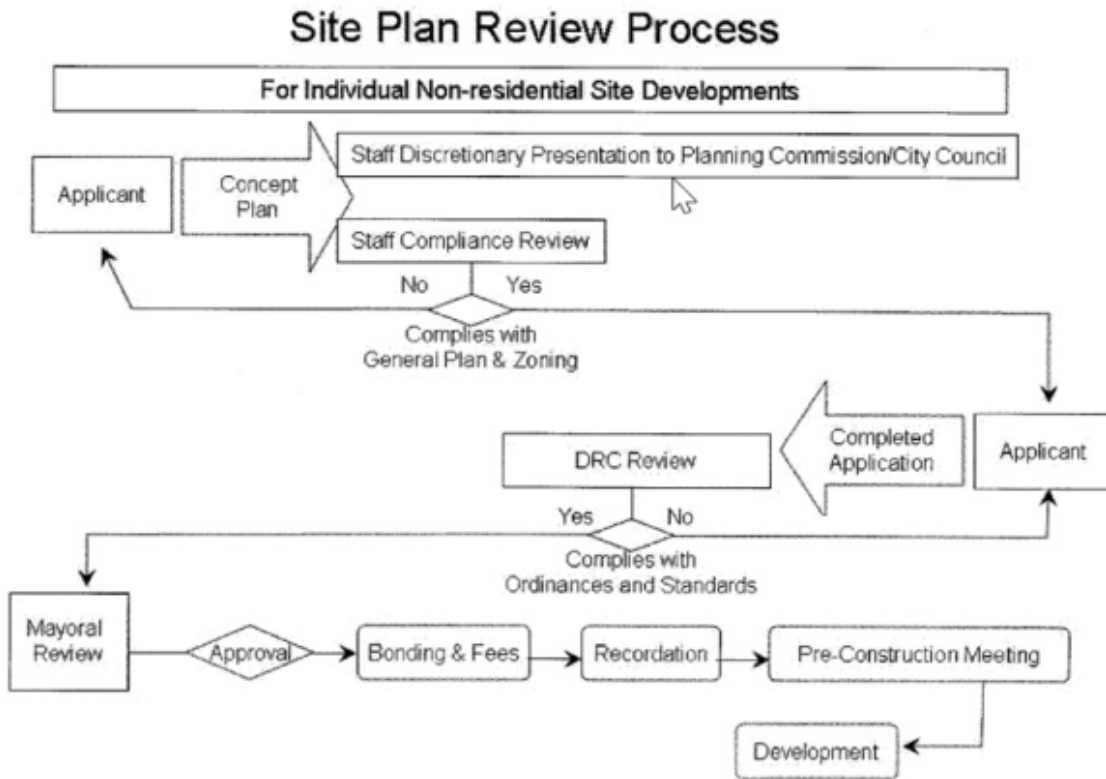


(Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

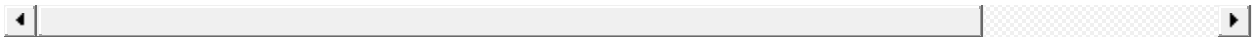
EXHIBIT C-1

Site Plan Review Process





(Ord. 03-02-2007, 3-7-2007)



11 SUBDIVISION REGULATIONS

11.04 PURPOSE AND INTENT

11.08 DEFINITIONS - SUBDIVISION REGULATIONS

11.12 ADMINISTRATION, ENFORCEMENT, AND PERMITS

11.16 GENERAL PROVISIONS

11.20 PLATS, PLANS, DRAWINGS, AND STANDARDS

11.24 DESIGN STANDARDS

11.28 STREET NAMING AND ADDRESSING

11.32 INFRASTRUCTURE AND INSPECTIONS

11.36 SUBDIVISION IMPROVEMENTS

11.40 ACCEPTANCE OF DEDICATED STREETS AND PUBLIC IMPROVEMENTS

11.44 SUBDIVISION IMPROVEMENTS REQUIRED

11.48 STORM DRAINAGE CRITERIA

11.52 SUBDIVISION EXHIBITS

11.04 PURPOSE AND INTENT

11.04.010 PURPOSES

11.04.020 INTENT

11.04.030 SCOPE OF APPLICATION

11.04.040 EXEMPTIONS

11.04.010 PURPOSES

The purposes of this title are:

- A. To promote the health, safety, and general welfare of the residents of Santaquin City;
- B. To promote efficient and orderly growth of Santaquin City; and
- C. To provide standards for the physical development of subdivisions of land, construction of buildings, and improvements within the city including, but not limited to, the construction and installation of roads, streets, curbs and gutters, sidewalks, drainage systems, water and sewer systems, parks, trails, public facilities, utilities, accesses to public rights of way, dedication of land and streets, and the granting of easements and/or rights of way. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.04.020 INTENT

The intent of this title is to facilitate the proper development of approved subdivisions and any interpretation of provisions herein should be in favor of the general welfare of the citizens of Santaquin City in general, and their property, without compromising the intent and meaning of any part of this code. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.04.030 SCOPE OF APPLICATION

All lots, plots, or tracts of land to be subdivided and/or land located within a subdivision shall be subject to this title, whether the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land. The provisions and requirements of this title shall not relieve a developer or property owner from the provisions and requirements of SCC 10, other city ordinances, codes, and standards, state codes, or any other applicable code or provision. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.04.040 EXEMPTIONS

In subdivisions of three (3) lots or less, land may be subdivided as permitted under SCC 10.68.130. Such a subdivision shall be eligible for approval, if all zoning and other ordinance requirements and regulations are met, by decision of the planning commission. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

HISTORY

Amended by Ord. [04-03-2020](#) on 4/7/2020

11.08 DEFINITIONS - SUBDIVISION REGULATIONS

11.08.010 WORDS OTHERWISE DEFINED

11.08.020 TERMS DEFINED - SUBDIVISION REGULATIONS

11.08.010 WORDS OTHERWISE DEFINED

Words not included herein, but which are defined in other titles of this code or revised ordinances of Santaquin City, shall be construed as defined therein. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.08.020 TERMS DEFINED - SUBDIVISION REGULATIONS

As used in this title, the following words shall be defined as stated herein:

AVERAGE PERCENT OF SLOPE: The average percent of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a designated parcel.

BLOCK: Land surrounded by streets and other rights of way or land which is designated or shown as a block on any recorded subdivision plat, official map, or plat adopted by the city council.

BUILDABLE AREA: That portion of an approved lot which, in its natural state, has an average percent of slope less than thirty percent (30%), not including those portions of the lot designated as setback areas for the zone in which the property is located.

CITY: Santaquin City, Utah, a city of the third class of the state of Utah, including where appropriate, its city council, planning commission, city officials or staff.

CITY COUNCIL: The governing body of Santaquin City.

CITY ENGINEER: The person appointed by the Santaquin City council to serve as the Santaquin City engineer.

CIVIL ENGINEER: See definition of Engineer.

COLLECTOR STREET: See definition of Street, Collector.

CONSTRUCTION STANDARDS: The provisions contained with the Santaquin City construction standards and specification details, as adopted and amended.

CUL-DE-SAC: See definition of Street, Cul-De-Sac.

CUL-DE-SAC BOWL: The circular or knuckled turnaround area located at the end of a cul-de-sac street.

CURB CUT: A section of curbing along a street where the curb back height is reduced or otherwise designed to allow for vehicular or pedestrian travel to and/or from the street.

CUT: Either excavated material or the void resulting from the excavation of earth material, as measured from natural grade to finished grade. Also, where appropriate, the measured difference in elevation between natural grade and a temporary or final grade.

DEVELOPABLE LAND: Land which may be eligible for development by to its natural state and location.

DEVELOPER: Any subdivider, person, or organization that develops, who makes application to develop, or who sells property for the purpose of future development.

ENGINEER: A person licensed and registered with the state of Utah to practice as a civil engineer.

FENCE: Any tangible barrier, line of obstacles, latticework, screen, wall, hedge, or continuous growth of shrubs or trees having the effect of preventing passage or view across the fence line.

FILL: Earth materials, or similar materials, used as a manmade deposit to raise an existing grade or the depth or volume of such material as measured from an initial grade to finished grade.

FINAL GRADING: The final stage of the grading of soil or earth materials prior to landscaping, the installation of concrete, bituminous paving, or other required final surfacing material.

FINAL PLAT: A plat with supporting maps and documentation, as applicable, prepared in accordance with the provisions of this title with the intent of recording in the office of the

county recorder.

FLOODPLAIN: Land adjacent to or near a waterway which may be submerged by a temporary rise in the waterway's flow due to an unusual or rapid accumulation of runoff and/or surface water.

GENERAL PLAN: The adopted general plan of Santaquin City.

GRADING: Either an excavation, fill, or leveling or the act of excavating, filling, or leveling.

HALF PLUS TEN FEET (10') STREET: A street within a subdivision constructed only in portion and only when permitted by the city, as per Santaquin City construction standards.

HILLSIDE AREA: Any area of land with a slope of thirty percent (30%) or greater.

IMPROVED LOT: A lot which has been established as a legal lot of record or which has been properly approved and subdivided and which has been prepared for human use as residential, commercial, industrial, or other approved use through the installation of required infrastructure, as provided herein, to the lot and the adjacent right of way providing access to the lot.

IMPROVEMENTS: Construction on a lot or the construction of roads, streets, curbs and gutters, sidewalks, grading, water and sewer systems, drainage systems, landscaping, and others as required by this title.

LAND SURVEYOR: See definition of Surveyor.

LOT: A parcel or tract of land within a subdivision which is or may be occupied by a building or structure and the accessory buildings, structures, or uses customarily incidental thereto, including such open spaces as are arranged and designed to be used in connection with the building according to the zone within which the lot is located.

MASTER STREET PLAN: The Santaquin City master roads plan.

MONUMENT: A permanent survey marker established by the Utah County surveyor and/or a survey marker set in accordance with the city engineer's specifications and referenced to Utah County survey monuments.

NATURAL STATE: The condition of land which has not been graded, disturbed in any manner except through natural forces, or built upon and which contains natural vegetation.

OFF SITE IMPROVEMENTS: Improvements outside of the boundaries of a subdivision or development site which are designated and located to serve the needs, whether in part or in whole, of the subdivision or development.

OFFICIAL MAP: The map or maps approved and adopted by Santaquin City pursuant to municipal zoning and planning enabling legislation.

ON SITE IMPROVEMENTS: Improvements installed or located within or on the perimeter of a subdivision or development site.

PARCEL: An area of land in the possession or ownership of one person, group, or organization and as depicted on the official records of the County Recorder, as applicable.

PARK STRIP: A strip of land, typically used for landscaping, located between the curb and the sidewalk, as detailed in the Santaquin City construction standards.

PERSON: An individual, group of individuals, partnership, corporation, association, political subdivision or its units, governmental subdivision or its units, public or private organization or entity of any character, or another agency, however styled or designated.

PLANNING COMMISSION: The Planning Commission of Santaquin City as established in SCC 10.

PLAT: A map or graphical representation of lands being laid out or prepared in accordance with Utah Code § 10-9-804 and the requirements as outlined within this title. The land represented a plan, map, or chart of a piece of land with actual or proposed features (as lots).

PRELIMINARY PLAT: A plat prepared in accordance with this title, showing the design of a proposed subdivision and the existing conditions in and around the subdivision, which is intended to be a working drawing and not intended for recording.

PROTECTION STRIP: A strip of land typically containing less than the minimum width required by the zoning title for a building lot which forms a barrier for the purpose of controlling the access of a property to and/or from a street and where said strip is considered buildable.

SENSITIVE AREA: An area of land which contains natural environmental or geological hazards where any alteration of which may cause damage to the environment. Also, areas of inherent frailty or a unique nature.

STORMS:

A. 100-Year Storm: A storm having a one percent (1%) chance of annual occurrence or being of such magnitude, as measured by the applicable entity, as to possess a level of severity as experienced on an average of once every one hundred (100) years within a specific area.

B. 10-Year Storm: A storm having a ten percent (10%) chance of annual occurrence or being of such magnitude, as measured by the applicable entity, as to possess

a level of severity as experienced on an average of once every ten (10) years within a specific area.

- C. 25-Year Storm: A storm having a four percent (4%) chance of annual occurrence or being of such magnitude, as measured by the applicable entity, as to possess a level of severity as experienced on an average of once every twenty five (25) years within a specific area.

STREET: A thoroughfare which has been dedicated and accepted by the City which has been acquired by prescriptive right, or which the City owns or acquired by an offer of dedication on an approved final plat when constructed to Santaquin City construction standards, or a thoroughfare of at least fifty six feet (56') in width which has been abandoned or made public by right of use and which affords access to abutting property, including highways, roads, lanes, avenues, and boulevards. Furthermore:

Arterial: A street, whether existing or proposed, designed to serve as the primary means of access to the interstate highway system and major areas of interest and attraction with little or no direct access from individual lots or properties and characterized by a typically higher volume of traffic and rate of speed.

Collector: A major street, whether existing or proposed, designed as a primary means of travel from one area of a community to another.

Cul-De-Sac: A minor terminal street provided and constructed with a turnaround bowl.

Major Street: A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the Master Roads Plan as a controlled access right-of-way, major collector, arterial, parkway, or other equivalent term to identify those streets comprising the basic structure of the street plan.

Minor Street: A street, whether existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.

Private Street: A thoroughfare which has been reserved by dedication unto the subdivider, homeowners' association, or lot owners to be used as private access to serve lots within platted subdivisions which was constructed or vested prior to September 20, 2017 by the City for use as a private street, and which is maintained by the subdivider or other person.

SUBDIVISION: The act or the result of the division of any tract or parcel of land, by a person into three (3) or more lots, whether for immediate sale, future sale, or development.

SUBGRADE:

- A. Soil prepared and compacted to support a structure or a pavement system; or
- B. The elevation of the bottom of a trench in which a sewer, water, or other pipe or utility service line is laid.

SURVEYOR: A person licensed and registered with the State of Utah to practice as a professional land surveyor.

UNDEVELOPABLE LAND: Land determined to be ineligible for development by its nature and/or location.

URBAN-WILDLAND INTERFACE: A geographical area where structures and other development is adjacent to or intermingled with wildland and/or naturally occurring vegetative fuels.

UTILITIES: Includes, but may not be limited to, culinary water lines, pressure and gravity irrigation lines, sanitary and storm water systems, sewer lines, electric power, gas, and telephone transmission lines, underground conduits and junction boxes, internet and other transmission lines, and cable television lines.

UTILITY EASEMENT: The area designated for access to construct or maintain utilities on privately or publicly owned land.

ZONING TITLE: The Santaquin City Land Use and Development Management Code. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003; amd. Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

11.12 ADMINISTRATION, ENFORCEMENT, AND PERMITS

11.12.010 ADMINISTRATION AND ENFORCEMENT

11.12.020 PERMITS

11.12.030 AGREEMENT BETWEEN CITY AND DEVELOPER

11.12.040 PROHIBITED ACTS

11.12.050 VIOLATIONS

11.12.060 PENALTIES

11.12.070 SEVERABILITY

11.12.010 ADMINISTRATION AND ENFORCEMENT

The Zoning Administrator and the chief building official are hereby designated and authorized as the officials charged with the administration and enforcement of this title. They shall enforce all provisions of this title unless otherwise provided for herein. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.12.020 PERMITS

The chief building official shall not grant a building permit, nor shall any City officer grant any license or permit, for the use of any land, construction, or alteration of any building or

structure on a lot within a proposed subdivision until a subdivision plat has been approved pursuant to this title and recorded in the Office of the County Recorder, as applicable. Any license or permit issued in conflict with such provisions shall be null and void. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.12.030 AGREEMENT BETWEEN CITY AND DEVELOPER

Prior to any final approval of a subdivision, the subdivider shall enter into an agreement with the City, which shall be in such form as is approved by the City Council. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.12.040 PROHIBITED ACTS

- A. Subdivisions: It shall be unlawful for a developer or owner of property to transfer, sell, convey, gift, or assign any subdivided property, which has begun but not completed the subdivision approval process, as defined in this Code before a final subdivision plat is approved and recorded pursuant to the requirements of this title and applicable State law¹.
- B. Unlawful Subdivision: It shall be unlawful for any person to record a plat in the Office of the County Recorder, as applicable, as a subdivision unless the subdivision has been approved by the City and meets the provisions of this title.
- C. Occupancy Permits: Unless waived by the Planning Commission and City Council, it shall be unlawful for any person to receive an occupancy permit until all improvements, including roads fronting the lot and utilities are installed to the lot on which the building is to be constructed. There shall be no human occupancy of any building until the improvements have been accepted by the City and the building and lot fully comply with the subdivision and zoning titles of the City. It shall be unlawful for any subdivider/developer to sell any portion of an approved subdivision until the prospective buyer or builder has been advised that occupancy permits will not be issued until the improvements are completed. It shall be unlawful to occupy any building located within a subdivision without first obtaining a certificate of occupancy from the chief building official.
- D. Plat Modification: It is unlawful to amend, vacate, alter, or modify any plat which has already been approved and/or recorded, without first receiving written City approval of the amendment, vacation, alteration, or modification in their appropriate form. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)
- E. Division Of Property: It is unlawful to divide real property in such a way that a parcel of property is created or left behind, such as a lot remnant, that cannot be developed according to the requirements of the Santaquin City Land Use and Development Management Code, or other applicable laws, regardless of whether or not a subdivision plat is required for the division. Examples of this type of violation include, but are not limited to, nuisance or protection strips, other than those allowed by law, parcels created or left for the sole purpose of denying

another property owner access to his or her property, parcels with insufficient square footage, parcels with insufficient buildable area, parcels that do not meet the sensitive area requirements of the Santaquin City Land Use and Development Management Code, parcels that cannot be included in future subdivided parcels, and parcels that do not abut on a dedicated street or a private street which was constructed or vested prior to September 20, 2017. (Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

11.12.050 VIOLATIONS

- A. The violation of any provision of this title shall be deemed a violation of this Code, punishable as outlined in SCC 11.12.060.
- B. Any plat of a subdivision recorded without all of the required approvals, signatures, and stamps required by this Code shall be determined to be void.
- C. Any owner of land who transfers or sells any land before a plan or plat of the subdivision has been approved and recorded as required in this title is guilty of a violation of this part for each lot or parcel transferred or sold.
- D. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from a violation or from the penalties or remedies provided in this title. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.12.060 PENALTIES

- A. At the discretion of the City Council, a violation of any part of this title can result in the revocation of any and all plat and plan approvals obtained for a subdivision submittal. Any such decision by the City Council shall not void or nullify the occurrence of a violation of this title.
- B. Violations of this title shall be deemed a separate violation for each day the individual violation exists.
- C. Violations of this title shall constitute a Class B misdemeanor for each violation, punishable by fines, imprisonment, or a combination thereof, as deemed appropriate through a court of sufficient jurisdiction and as outlined in the Utah State Code. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.12.070 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this title, or any part thereof, is for any reason determined to be unconstitutional, invalid, or ineffective by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Code, or any part thereof. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence,

clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16 GENERAL PROVISIONS

11.16.010 CONSTRUCTION OF TERMS

11.16.020 COMPLIANCE REQUIRED

11.16.030 REQUIREMENTS AND REGULATIONS AS A MINIMUM

11.16.040 LICENSED CONTRACTOR

11.16.050 ENDANGERING HEALTH OR PROPERTY PROHIBITED

11.16.060 EXCEPTIONS TO AVOID HARDSHIPS

11.16.070 PRESERVATION OF EXISTING FEATURES

11.16.080 TRAFFIC IMPACT STUDIES

11.16.090 ONLY DEVELOPABLE LAND TO BE USED

11.16.100 DEVELOPMENT ON SLOPED LANDS TO BE ENGINEERED

11.16.110 ALL WORK TO BE INSPECTED

11.16.120 PHASING

11.16.010 CONSTRUCTION OF TERMS

Words in the present tense shall include the future and the future shall include the present. The words "lot", "plot", "tract", "plat", "parcel", and "development site" shall be considered synonymous when the context so requires. The term "construct" shall be synonymous with the terms "build", "erect", "alter", "move", "install", "repair", "reconstruct", "convert", or "maintain". The word "shall" is always mandatory. The terms "mayor", "city attorney", "director of community development", "fire chief", "public works director", "chief building official", "zoning administrator", "city engineer", "subdivider", "applicant", "property owner", or other city official specifically referenced within this title shall include their appointed agents and/or designees. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.020 COMPLIANCE REQUIRED

Prior to subdividing any tract of land, a subdivider shall comply with the requirements of the annexation and development procedures outlined in the land use and development portions of this code. (Ord. 03-02-2007, 3-7-2007)

11.16.030 REQUIREMENTS AND REGULATIONS AS A MINIMUM

All requirements and regulations described in this title shall be hereby determined to be minimum standards unless otherwise specifically noted. Applicants are encouraged to exceed the minimum standards, particularly to better portray the intent and design of the application. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.040 LICENSED CONTRACTOR

All work performed in accordance with this title shall be performed by or conducted under the supervision of a contractor licensed to perform such work by the state of Utah and which is registered and bonded with the city. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.050 ENDANGERING HEALTH OR PROPERTY PROHIBITED

No subdivision shall be developed in the city which, in the opinion of the city council, endangers the health or well being of the citizens of Santaquin City and the future landowners when the subdivision is completed. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.060 EXCEPTIONS TO AVOID HARDSHIPS

Whenever a tract or tracts of land to be subdivided are, in the opinion of the city council, of such unusual shape or size, or are surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the city council may deviate or modify such requirements so that the subdivider is allowed to develop his or her property in a reasonable manner but so, at the same time, the public welfare and interests of the city and surrounding areas are protected and the general intent and spirit of this title is preserved. Such a deviation or modification shall not go beyond what is absolutely necessary to allow the subdivider to develop his or her property in a reasonable manner and any decisions in favor of deviation or modification shall be based only upon facts of the issues regarding the subdivision in question and all outside information or development shall be disregarded. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.070 PRESERVATION OF EXISTING FEATURES

Subdividers shall make efforts to preserve existing features of significance, and their surroundings as applicable, including, but not limited to, old growth vegetation such as trees, historically significant features, and sensitive lands such as canyons, wetlands, naturally steep slopes, and forest lands. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.080 TRAFFIC IMPACT STUDIES

All subdivisions consisting of twenty five (25) lots or more, whether in a single plat or multiple plats combined, shall complete a traffic impact study (TIS) to determine and delineate any and all apparent and potential traffic impacts on the city of Santaquin and its citizens. The study shall include mitigation measures to eliminate or minimize each identified impact. Whenever possible, alternative designs for the subdivision or a portion thereof shall also be included in order to demonstrate mitigation of impacts. The TIS shall be completed by the developer and submitted to the community development department with the preliminary subdivision submission and shall be reviewed by the city engineer within a reasonable amount of time, prior to the subdivision's eligibility for preliminary review by any reviewing body. The city engineer shall provide a report to the

reviewing bodies regarding the TIS at the time of preliminary subdivision review. Traffic study, including traffic analysis, shall be completed using the current standards and methods of the Institute of Traffic Engineers from the highway capacity manual. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.090 ONLY DEVELOPABLE LAND TO BE USED

No land which is determined or defined to be undevelopable shall be improved as a part of a subdivision but may be contained within the boundaries of a subdivision so long as such land is maintained in its natural state. Undevelopable land includes land which, in its natural state, contains, but is not limited to, any of the following:

- A. Slopes of thirty percent (30%) or more;
- B. Waterways;
- C. Wetlands; and/or
- D. Potential environmentally sensitive areas. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.100 DEVELOPMENT ON SLOPED LANDS TO BE ENGINEERED

All building and/or development to be done on lands containing natural state slopes of twenty percent (20%) or more, even if such slopes constitute a portion of the subdivision or development, where such lands are to be developed, shall be engineered and all plans stamped by an engineer licensed by the state of Utah. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.110 ALL WORK TO BE INSPECTED

All construction and development done within an approved and recorded subdivision shall be inspected and approved, according to the Santaquin City infrastructure inspection procedures, by the appropriate city official prior to the dedication of any infrastructure to the city or the issuance of any certificates of occupancy for structures to be located within the boundaries of the subdivision. In addition, it shall be the sole responsibility of the subdivider, developer, or contractor, as applicable, to schedule all required inspections, and reinspections when necessary, with the community development department and to have the features or structures to be inspected available and ready for inspection at the appropriate time. Failure to make features or structures available for inspection or the failure to have features or structures constructed for inspection, at the time scheduled with the community development department shall result in a failed inspection and any applicable penalties thereof. In addition, it shall be the right of the city official conducting an inspection to require the movement or removal of features and/or structural components in order to conduct a proper inspection. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.16.120 PHASING

All residential subdivisions with more than ten (10) lots, parcels, or units shall include a phasing plan which specifies the timing of public improvements and residential construction. This plan must be submitted to the planning commission at concept review. The phasing plan shall include the number of units or parcels to be developed in each phase, the approximate timing of each phase, the timing on construction of public improvements, and subdivision amenities to serve each phase whether on or off site and the relationship between the public improvements in the current subdivision and contiguous land previously subdivided. A developer may request a revision of the phasing plan which may be necessary due to conditions such as changing market conditions, inclement weather, or other factors. (Ord. 03-02-2007, 3-7-2007)

11.20 PLATS, PLANS, DRAWINGS, AND STANDARDS

11.20.010 PURPOSE

11.20.020 NECESSITY OF SUBDIVISION PLAT APPROVAL

11.20.030 CONCEPT PLAN REVIEW

11.20.040 PRELIMINARY DEVELOPMENT PLANS

11.20.050 FINAL PLAT AND PLANS

11.20.060 APPROVALS AND RECORDING

11.20.070 VALIDITY OF PRELIMINARY PLAT APPROVAL

11.20.080 VALIDITY OF FINAL PLAT APPROVAL

11.20.090 FINAL PLAT DESIGN AND APPROVAL

11.20.100 RECORDING

11.20.110 VACATING OR CHANGING A SUBDIVISION PLAT

11.20.120 BOUNDARY LINE ADJUSTMENTS

11.20.010 PURPOSE

The following instructions are for the purpose of standardizing the preparation of drawings to obtain uniformity in appearance, clarity, size, and style. The requirements listed in this section are minimum requirements on drawings. The Community Development Department shall have authority to modify but not reduce the requirements of this chapter, in terms of what plans are required, what must be shown on the plans, and what level of detail is needed on the plans, as determined by necessity of the individual application. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.20.020 NECESSITY OF SUBDIVISION PLAT APPROVAL

Any division of real property located within the City of Santaquin which conforms to the definition of a "subdivision", as set forth in this Code, is subject to the terms of this title and the applicant therefore must obtain the approval of the City before said division may be recorded at the County Recorder's Office.

Subdivisions which have a total of three (3) lots or less may be reviewed under a streamlined process and approved by the City's Land Use Authority without a plat under

the following circumstances:

- A. Proper notice of the subdivision was given in accordance with City noticing requirements.
- B. The proposed subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan and does not require the dedication of any land for street or other public purposes.
- C. The proposed subdivision does not exceed capacity of and complies with the water and sewer systems of the City.
- D. The proposed subdivision conforms to all applicable land use ordinances or has properly received a variance, conditional use permit, and/or special exception where required by City ordinances. (Ord. 03-02-2007, 3-7-2007)

11.20.030 CONCEPT PLAN REVIEW

- A. Required: Prior to submitting a preliminary plat, a subdivider shall submit a concept plan of a proposed subdivision in which the proposed subdivision is sufficiently depicted to enable staff and the Planning Commission to determine whether the proposed subdivision complies with the basic intent of the City's zoning title, General Plan, Roads Master Plan, Parks, Recreation, and Open Space Master Plan, and services. Review and recommendation of a concept plan shall not constitute an approval of any kind. Concept plan submittals may be required by the City prior to the annexation of property if development is anticipated or planned thereon. (Ord. 03-02-2007, 3-7-2007)
- B. Documents And Information Required For Submittal: Prior to concept review, a subdivider shall provide to the Community Development Department the following documents and information:
 - 1. Payment of all required concept application fees, which shall be in the amount listed in the fee schedule in effect at the time of the individual application submittal, as adopted by resolution of the City Council;
 - 2. Completed development concept application forms and supporting information required therewith;
 - 3. Completed application to appear before the planning commission for concept review; and
 - 4. Public notification materials as outlined in the notification procedures of this code. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

11.20.040 PRELIMINARY DEVELOPMENT PLANS

- A. Required: Preliminary approval of development plans shall be required of all

subdivision applications prior to the submission of a plat and plans for said subdivision.

- B. Documents And Information Required For Submittal: The subdivider shall provide to the community development department not later than the time a subdivision plat and plans are submitted for preliminary approval the following documents and information:
1. Payment of all required preliminary application fees, which shall be in the amount listed in the fee schedule in effect at the time of the individual application submittal, as adopted by resolution of the city council; (Ord. 03-02-2007, 3-7-2007)
 2. A report of determination of the ability of the city's water system to deliver one thousand (1,000) gallons per minute fire flow at each fire hydrant within the subdivision while maintaining the minimum water pressure standards as outlined in the Utah administrative code for public water systems; (Ord. 10-01-2011, 10-5-2011, eff. 10-6-2011)
 3. Completed preliminary subdivision application forms and supporting information required therewith;
 4. Completed application to appear before the development review committee for preliminary subdivision review. Similar application forms for planning commission or city council review may be submitted following development review committee final review and are required to be eligible for planning commission and city council final review and approval;
 5. Where the land contained within a subdivision includes two (2) or more parcels in separate ownership, a signed, written agreement between the property owners shall be submitted to the community development department as a part of the subdivision's preliminary submittal. This agreement shall detail any arrangement, or lack thereof, between the property owners with regards to the proposed subdivision; and
 6. In addition, the following documents and approvals will be required prior to preliminary subdivision submittal when applicable:
 - a. Zone Change: All required or anticipated changes to existing zoning district boundaries or zoning classifications shall have been approved or be pending;
 - b. Agreements With Adjacent Owners: Copies of any and all agreements, as requested by the city, with the owners of any property adjacent to a proposed subdivision; and
 - c. Traffic Impact Studies (TIS): An adequate number of copies of a completed TIS, as requested by the community development department, prepared in compliance with SCC 11.16.080. (Ord.

03-02-2007, 3-7-2007)

HISTORY

Amended by Ord. [10-01-2011](#) on 10/6/2011

11.20.050 FINAL PLAT AND PLANS

- A. Required: After approval of the preliminary plans, a final plat and plans of the subdivision covering all or part of an approved preliminary plan area may be prepared and submitted to the community development department by the subdivider. The final plat and plans shall be prepared by a licensed surveyor and/or engineer, not in the employ of the city as the city engineer or any firm providing engineering services to the city by means of contract, in conformance with all applicable preparation standards. Final subdivision plats and plan approvals shall be required prior to the recording of any subdivision plat with the county recorder's office, as applicable. (Ord. 03-02-2007, 3-7-2007)
- B. Documents, Information And Fees Required For Submittal: The following documents and information shall be submitted for final approval of all subdivision plats and plans:
 - 1. Payment of all required final application fees, including recording fees, in the amount listed in the fee schedule in effect at the time of the individual application submittal, as adopted by resolution of the city council and which may be changed from time to time as the city council deems necessary;
 - 2. Completed final subdivision application forms and all required supporting information required therewith;
 - 3. Completed applications to appear before the development review committee and subsequently before the planning commission and city council for final subdivision review if applicable. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)
- C. Agriculture Protection Areas: Any new subdivision development located in whole or in part within three hundred feet (300') of the boundary of an agriculture protection area shall provide on any final plat the following notice:

"Agriculture Protection Area"

This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result

from such normal agricultural uses and activities.

(Ord. 11-02-2008, 11-12-2008, eff. 11-13-2008)

11.20.060 APPROVALS AND RECORDING

A. Planning Commission: The planning commission may recommend approval, approval with conditions, or denial, either conceptually or after the development review committee's preliminary review, for a subdivision. Where the planning commission has final approval authority for small subdivisions, the planning commission may approve, approve with conditions, or deny, either conceptually or after the development review committee's review of any final subdivision plat. The planning commission actions/recommendations shall be based on the following:

1. The goals and policies of the city's general plan are being upheld and implemented with the development proposal, including the adopted land use, transportation, and parks and trails master plans.
2. The application is appropriate based on the established or proposed zoning and its stated objectives and characteristics. (The planning commission may forward a proposal to the development review committee and/or city council with a concurrent recommendation for rezoning after appropriate public hearings and notice has been provided.)
3. All adopted standards of development are or can be complied with before final approval is granted.
4. If applicable, all conditional use standards have been or can be met.

The planning commission may recommend approval of a subdivision plat subject to conditions that are intended to mitigate any shortcoming related to the above items, or in order to foster the betterment of the health, safety, and general welfare of the citizens of Santaquin.

B. Development Review Committee: The development review committee may only approve a plat submittal or forward a positive recommendation of a development application to the planning commission or city council after finding the following:

1. The development standards of this title, the zoning title, the laws of the state of Utah, and any other applicable ordinances, rules, and regulations have been or can be met prior to recordation or construction beginning;
2. The subdivision will have adequate fire protection;
3. There is or will be a sufficient supply of water as required by city ordinance regulating the culinary and secondary water systems prior to issuance of a building permit; (Ord. 06-04-2010, 6-16-2010, eff. 6-17-

2010)

4. The addition of the subdivision will not decrease the pressure in the culinary water system at any point within the city to less than the minimum water pressure standards as outlined in the Utah administrative code for public water systems; (Ord. 10-01-2011, 10-5-2011, eff. 10-6-2011)
 5. The subdivision will not cause the city sewer system to exceed its capacity to treat sewage;
 6. The traffic created thereby will not exceed class C level of service, as defined within the general plan;
 7. It will not create an unreasonable potential for flooding within or outside of the subdivision; and
 8. Geologic hazards, which could affect future residents and property owners within the development, have been adequately addressed to provide reasonable protections from such hazards.
- C. City Council Approval: Following a recommendation from the development review committee and the planning commission, the city council may do one of the following:
1. approve a preliminary plat application if it finds that the application fully complies with the ordinances of the city,
 2. approve a subdivision plat subject to conditions that are intended to mitigate any shortcoming as determined through the review process, or in order to foster the betterment of the health, safety, and general welfare of the citizens of Santaquin, or
 3. deny an application based on a compelling countervailing public interest.
- D. City Engineer: The city engineer shall sign the final plat if he/she finds that the subdivision fully complies with the improvements required by this code, that the survey description(s) is correct, that all data and documentation submitted with a subdivision application are adequate, proper, and substantially correct, that any and all easements are appropriately located, depicted, and described, and that all conditions of approval set by the city council have been met.
- E. Recordation: Final plats will only be recorded after all appropriate bonding documents, final fees, CC&Rs (where applicable) and signatures/approvals have been provided to the city recorder's office. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

HISTORY

Amended by Ord. [10-01-2011](#) on 10/6/2011

11.20.070 VALIDITY OF PRELIMINARY PLAT APPROVAL

- A. Any preliminary plats approved after the adoption of this section shall be valid for three (3) years from the date of such approval and shall remain valid so long as there is a valid and unrecorded final plat within the preliminary plat area.
- B. If the developer desires to change a preliminary approved plat (e.g., the location of streets, or increase the number of lots, or substantially alters the original subdivision design from the city council approved preliminary plat) the developer must submit new preliminary plans for review by the development review committee and pay any associated fees. The planning commission must provide a recommendation concerning the proposed changes before the proposal is forwarded to the city council for preliminary approval. All previous preliminary approvals shall become null and void upon the preliminary approval of the new submission.
- C. The city council may grant extensions of the preliminary plat approval in not more than one year increments, provided the plat still complies with all ordinances in place at the time of application for extension. No person or entity has a vested right to an extension of a preliminary plat approval. Petitions for extension must be received prior to the approval period lapsing and will be subject to fees as set forth by resolution of the city council. (Ord. 05-02-2012, 5-16-2012, eff. 5-17-2012)

HISTORY

Amended by Ord. [03-01-2012](#) on 3/7/2012

Amended by Ord. [05-02-2012](#) on 5/16/2012

11.20.080 VALIDITY OF FINAL PLAT APPROVAL

- A. Any final plat approved after the adoption of this section shall expire and be void two (2) years after final approval is granted.
- B. Developers may petition the city council for extensions of the final plat approval in increments of not more than one year increments, provided the final plat still complies with all applicable ordinances in place on the date the petition for extension is submitted. Requests for extension must be received prior to the validity period lapsing and will be subject to fees as set forth by resolution of the city council.
- C. If a plat which covers only a portion of the approved final plat area is recorded within the validity time of a final approval or extension thereof, the validity of the unrecorded portion of the approved final plat shall be extended for one year from the last date a phase in such plat area was granted final plat approval, bonded for and recorded. (Ord. 05-02-2012, 5-16-2012, eff. 5-17-2012)

HISTORY

Amended by Ord. [03-01-2012](#) on 3/7/2012

Amended by Ord. [05-02-2012](#) on 5/16/2012

11.20.090 FINAL PLAT DESIGN AND APPROVAL

- A. Changes From Approved Preliminary Plats: It is recognized that through the final review process the design of street grades, stormwater facilities, and utilities may necessitate changes from preliminary plats approved by the City Council.
1. Minor Changes: The Development Review Committee may, in their discretion, approve minor changes from approved preliminary plats. The types of minor changes contemplated by this section include legal description mistakes, minor boundary changes, reduction of the number of parcels, modifications to road alignments and items that should have been included on the preliminary plat. In such a case, the Community Development Director shall provide written notice to the Planning Commission and City Council of such changes at each body's next meeting.
 2. Major Changes: Major changes from approved preliminary plats, including an increase in the total lots within the development, reduction of approved lot sizes, change of public open space locations, elimination or increase in the number of roads, shall be submitted for review by the Planning Commission and City Council.
- B. Final Plat Approval: The Development Review Committee shall be the Land Use Authority for approval of final plat applications. The Development Review Committee may only grant final plat approvals in accordance with paragraph A, SCC 11.20.060 paragraph B, and any conditions or direction the Planning Commission and/or City Council has given relative to the final plat.
- C. Changes To Final Plats Before Recordation: The Development Review Committee shall review any request to modify an approved final plat before it is recorded. Review of such request shall be in accordance with paragraph B. This may include rephrasing of the plat or minor plat boundary changes with adjacent unrecorded plats.
- D. Changes To Recorded Plats: Changes to recorded final plats shall be in accordance with State law. (Ord. 06-04-2010, 6-16-2010, eff. 6-17-2010)

11.20.100 RECORDING

Following achievement of all required approvals, the final plat, bearing all official approvals, stamps, and signatures, as required herein, shall be deposited in the Office of the County Recorder, as applicable, by the City Recorder for recording at the expense of the subdivider. No lot included in a subdivision to be recorded shall be sold or exchanged and no offer shall be made to sell or exchange any such lot until the final plat is so recorded. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.20.110 VACATING OR CHANGING A SUBDIVISION PLAT

A fee owner of land, as shown on the last County assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition to have some or all of the plat vacated or amended.

- A. Petition Submittal Requirements: Except as provided in SCC 11.20.120, a petition to vacate, alter, or amend an entire plat, portion of a plat, or a street or lot contained in a plat shall be accompanied by the following:
1. The name and address of all owners of record of the land contained in the entire plat;
 2. The name and address of all owners of record of land adjacent to any street that is proposed to be vacated, altered, or amended; and
 3. The signature of each of these owners who consents to the petition.
- B. Considering And Resolving Petitions: The City Council may consider and resolve any petition submitted under paragraph A in accordance with the following paragraphs:
1. The City shall provide notice of the petition by mail to the owners within the plat and each affected entity that provides a service to an owner of the record of the portion of the plat that is being vacated or amended at least ten (10) calendar days before the City Council may approve the vacation or amendment of the plat.
 2. The City Council shall hold a public hearing within forty five (45) days after the day on which the petition is filed if:
 - a. Any owner within the plat notifies the Municipality of the owner's objection in writing within ten (10) days of mailed notification; or
 - b. A public hearing is required because all of the owners in the subdivision have not signed the revised plat.
 3. The public hearing requirement does not apply and the City Council may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if the petition seeks only to:
 - a. Join two (2) or more of the petitioning fee owner's contiguous lots;
 - b. Subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
 - c. On a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the City; or
 - d. Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are

not:

- (1) Owned by the petitioner; or
- (2) Designed as a common area.

C. Petition To Vacate, Or Alter A Street Or Alley: If a petition is submitted containing a request to vacate or alter any portion of a street or alley within a subdivision the following shall apply:

1. The Planning Commission shall review the request and make a recommendation to the City Council.
2. The City Council shall hold a public hearing, after providing notice to property owners within three hundred feet (300') of the area being petitioned for vacation or alteration. After the public hearing, the City Council may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if it finds that good cause exists for the vacation or alteration and neither the public interest nor any person will be materially injured by the vacation. If the City Council vacates or alters any portion of a street or alley, the City Recorder shall ensure that the plat is recorded in the Office of the Recorder of the County in which the land is located.
3. The action of the City Council vacating or narrowing a street or alley that has been dedicated to public use shall operate to the extent to which it is vacated or narrowed, upon the effective date of the vacating plat, as a revocation of the acceptance thereof, and the relinquishment of the City's fee therein, but the right-of-way and easements therein, if any, of any lot owner and the franchise rights of any public utility may not be impaired thereby. (Ord. 12-01-2017, 3-7-2018, eff. 3-8-2018)

11.20.120 BOUNDARY LINE ADJUSTMENTS

A. The owners of record of adjacent parcels that are described by either a metes and bounds description or a recorded plat may exchange title to portions of those parcels if properly executed and acknowledged as required under the provisions of Utah Code § 10-9a-523 and Utah Code § 10-9a-524. The Community Development Department shall review the proposed boundary line adjustment to assure compliance with the following:

1. No additional parcel results from the boundary line adjustment;
2. The boundary line adjustment does not result in remnant land that did not previously exist;
3. The adjustment does not result in violation of applicable zoning

requirements;

4. The proposed boundary does not materially affect any approved public utility easements, or an agreement with and between any and all affected utility agencies or entities is formed to maintain or realign the easement.

B. A boundary line agreement shall include:

1. A legal description of the agreed upon boundary line;
2. The signature of each grantor;
3. A sufficient acknowledgement for each grantor's signature; and
4. The address of each grantee for assessment purposes.

C. An exchange of title by either quit claim deed or by boundary line adjustment under this section shall:

1. Be executed by each owner included in the exchange;
2. Contain an acknowledgement for each party executing the notice in accordance with the provisions of Utah Code 57-2a, Recognition of Acknowledgements Act; and
3. Recite the descriptions of both the original parcels and the parcels created by the exchange of title.

D. A document of conveyance shall be recorded in the Office of the County Recorder.

E. A notice of approval recorded under this paragraph does not act as a conveyance of title to real property and is not required in order to record a document conveying title to real property. (Ord. 12-01-2017, 3-7-2018, eff. 3-8-2018)

11.24 DESIGN STANDARDS

11.24.010 PURPOSE

11.24.020 STREETS

11.24.030 MAINTAINING EXISTING ROAD SURFACES

11.24.040 PRIVATE STREETS (RESERVED)

11.24.050 INTERSECTIONS

11.24.060 BUFFERING ALONG ARTERIAL STREETS

11.24.070 BLOCKS

11.24.080 LOTS

11.24.090 VARYING LOTS

11.24.100 CURBS, GUTTERS, AND SIDEWALKS

11.24.110 PEDESTRIAN RAMPS

11.24.120 RESIDENTIAL DRIVEWAYS

11.24.130 EASEMENTS

[11.24.140 DITCHES AND CANALS](#)
[11.24.150 PARKS, TRAILS, AND OPEN SPACE](#)
[11.24.160 PROTECTION STRIPS PROHIBITED](#)
[11.24.170 CULINARY WATER SYSTEMS](#)
[11.24.180 FIRE PROTECTION](#)
[11.24.190 SANITARY SEWER SYSTEMS](#)
[11.24.200 HIGH WATER TABLE AREAS](#)
[11.24.210 FLOODPLAIN AREAS](#)
[11.24.220 ALTERATION OR RELOCATION OF NATURAL WATERWAYS](#)
[11.24.230 BRIDGES](#)
[11.24.240 WALKWAYS](#)
[11.24.250 SURVEY MONUMENTS](#)
[11.24.260 PUBLIC UTILITIES](#)
[11.24.270 SIGNS](#)
[11.24.280 STREET LIGHTING](#)
[11.24.290 LANDSCAPING](#)
[11.24.300 FENCING CANALS](#)
[11.24.310 FENCING REGULATIONS](#)
[11.24.320 PUBLIC SITES AND OPEN SPACES](#)
[11.24.330 COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS](#)
[11.24.340 DEVELOPMENT ADJACENT TO AGRICULTURE ZONE AND PROTECTION AREAS](#)

11.24.010 PURPOSE

This chapter shall establish performance and development standards to encourage and facilitate orderly growth and well planned development within Santaquin City. These standards are intended to ensure quality development, overall design, good architectural design, and visual appearance, as well as compliance with zoning regulations and other provisions of this Code relating to public health, safety, and general welfare of the overall community. The standards set forth within this chapter shall be interpreted to be the minimum standards unless otherwise stated. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.020 STREETS

- A. Design: The arrangement, character, extent, width, grade, and location of all streets shall conform to the Roads Master Plan and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- B. Arrangement: Where the Roads Master Plan does not show proposed streets, the arrangement of streets in a subdivision shall either:
 - 1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

2. Conform to a plan for the neighborhood approved or adopted by the City Council with recommendation from the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- C. Construction: All street and right-of-way improvements shall be designed and constructed in accordance with the City construction standards.
 - D. Allowable Grades: The maximum grade allowed for any City street is 10.0 percent unless otherwise approved by the City Council with recommendation from the Planning Commission and City Engineer. In cases where a greater than 10.0 percent grade is requested, the City Council shall only approve such increases when no other subdivision design that may eliminate the need for the request is reasonably possible. In no case shall grades greater than 12.0 percent be allowed.
 - E. Half Streets: Half streets are prohibited, except where it can be shown that it is essential to the development of the subdivision in conformance with the other requirements of these regulations and where the planning commission finds that the remaining portion of the street and related improvements will most likely be completed within a reasonable period of time by developers or subdividers in connection with development of the remaining affected property. A minimum improvement width of half plus ten feet (10') of the right of way width will be required for all approved half streets. In the case that a half plus ten feet (10') road is approved, the developer shall install said road with all subgrade features, including, but not limited to, road base, and two and one-half inches (2 1/2") of asphalt. At such a time that the remaining right of way improvements are made, the developer responsible for the remaining right of way improvements shall install complete road surfacing as well as apply a one inch (1") overlay to the original half plus ten feet (10') portion of the road, bringing the entire road surface to three and one-half inches (3 1/2") total thickness.
 - F. Park Strips: Park strips shall be required on all streets, as determined within the roads master plan, unless otherwise determined by the planning commission, and shall be designed and installed according to the city construction standards.
 - G. Waivers: The requirements of this section may be waived or modified by the city council after considering a recommendation from the planning commission and community development department, the location, and the intended use of the proposed street.
 - H. Minor Streets:
 1. Angle: Minor streets shall approach major, collector, and arterial streets at an angle of at least eighty degrees (80°).
 2. Width: Minor residential streets shall have a minimum right of way width of fifty six feet (56') and be designed and developed according to the

roads master plan and the city construction standards, as applicable.

I. Major Streets:

1. Angle: No major street shall bisect either a collector street or an arterial street at an angle less than eighty degrees (80°).
2. Width: Major streets shall have a minimum right of way width of sixty six feet (66') and be located, designed, and developed according to the roads master plan and the city construction standards, as applicable.

J. Collector And Arterial Streets: Subdivisions containing collector and/or arterial streets shall conform to the details designated in the roads master plan and the city construction standards, as applicable. For territory where such street plan has not been completed at the time the subdivision is submitted to the planning commission for preliminary approval, collector and/or arterial streets shall be provided as determined by the city council, with the recommendation from the planning commission and community development department, with minimum widths of eighty eight feet (88').

K. Cul-De-Sacs:

1. Design: Cul-de-sacs are to be implemented only when design and property layout constraints necessitate and must be terminated by a circular turnaround not less than one hundred feet (100') in diameter, as measured across the bowl from the property line on one side to the same point on the opposite side of the bowl, and consist of paved surfacing not less than eighty feet (80') in diameter measured in the same manner. The length of any cul-de-sac shall not exceed two hundred fifty feet (250') measured from the center point of the bowl to the centerline of the nearest connecting street, measured along the centerline of the cul-de-sac.
2. Drainage: Cul-de-sac turnaround areas shall be designed and graded as to provide a relatively level surface for the perimeter of the turnaround so as to provide proper drainage, or as otherwise specified by the city engineer. The interior portion of the turnaround shall be designed and graded as to provide a minimum of two percent (2%) slope away from the center point of the bowl, or as otherwise required by the city engineer. Drainage for storm and runoff water within the turnaround shall be provided and is subject to the approval of the city engineer. If there is surface water drainage into the turnaround due to the grade of the street, a drainage system adequate to dispose of the water shall be provided in such a manner as to satisfy the requirements of the city engineer.

L. Temporary Turnarounds: Where a street is designed and reasonably intended to be used as a dead end street only on a temporary basis, the city may approve a deviation from the usual requirements as follows:

1. An adequate temporary turning area of not less than eighty feet (80') in diameter shall be provided at the dead end to remain and be available for public use so long as the dead end exists;
2. The turnaround area shall be improved to a minimum of six inch (6") compacted road base and shall not have curb, gutter, or sidewalk through the turnaround area unless otherwise arranged with the City;
3. Bonding is established, if and when requested by the City, to assure that the remaining improvements will eventually be constructed; and
4. Temporary dead end streets of one lot in depth shall not require a temporary turnaround.

M. Access To And From Subdivisions:

1. All subdivisions, or plats thereof, with an access in excess of five hundred feet (500') shall provide two (2) or more accesses onto other approved and dedicated City streets. All such accesses shall be dedicated to the City as fully improved streets as a part of the required subdivision improvements and shall be accessible from every lot within the subdivision or plat(s). An access in excess of one hundred fifty feet (150') shall be provided with turnaround provisions in accordance with the following table:

| Length | Turnarounds Required |
|----------------------|--|
| 0 feet to 150 feet | None required |
| 151 feet to 500 feet | In accordance with the city's adopted standard street cross sections |
| Over 500 feet | Special approval required from the city council |

2. Criteria used to consider special approval for the length of a single access includes, but is not limited to, the following:
 - a. The fire chief, public works director, and city engineer have reviewed and unanimously recommended approval;
 - b. Water quality is not negatively impacted (for example, water lines are looped, extra fire hydrants are provided, and the like);
 - c. A snow storage area is provided at the end of the single access;
 - d. A traffic analysis is provided by the applicant for the extension of the access, and shows that there will be no significant impacts on the neighborhood on the single access;
 - e. The single access does not exceed seven hundred and fifty feet

(750'); and

- f. Other applicable requirements in the city code can be sufficiently met. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003; amd.)

HISTORY

Amended by Ord. [09-02-2019](#) on 9/17/2019

11.24.030 MAINTAINING EXISTING ROAD SURFACES

Until the time of dedication to and acceptance by the City, the subdivider shall be responsible for maintaining existing road surfaces suitable for travel by the public. The subdivider shall be responsible for all dust and mud control and all claims and damages resulting from failure to maintain a construction or development area. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.040 PRIVATE STREETS (RESERVED)

(Rep. by Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

11.24.050 INTERSECTIONS

Whenever possible, streets shall be designed to intersect each other at ninety degree (90°) angles as measured along the centerline of the rights-of-way. When a street contained within or installed as a part of a subdivision connects to or intersects a right-of-way which is under the jurisdiction of the Utah Department of Transportation (UDOT), the design standards for the intersection, as applied by UDOT, shall be implemented. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.060 BUFFERING ALONG ARTERIAL STREETS

A. Residential: Developments shall not be constructed as to permit motor vehicle access directly onto an arterial street or roadway from individual residential lots unless necessary. No new residential developments shall be permitted within the City which abut an existing or planned arterial street without requiring improvements to the street along the entire length of the development, as it abuts the arterial street, to the following standards:

1. Curb, gutter, and sidewalk to specifications approved by the City Engineer.
2. Asphalt and other roadway improvements to the centerline of the arterial for existing streets or improvement of half plus ten feet (10') of planned but undeveloped arterial streets.
3. A minimum five foot (5') landscaped buffer between the sidewalk and street curb. Such landscaping is to be installed according to the City

construction standards for arterial streets.

4. Sprinkling system and water connections sufficient to maintain landscaping in all buffer areas to the specifications approved by the Public Works Department.

B. Existing Lots: Subdivided lots for which a building permit application has not been filed with the City for purpose of construction of the primary structure on the property at the time this title takes effect and which abut upon an arterial street shall be subject to the following provisions:

1. Corner Lots: In the event that the lot abuts upon an arterial street and a street of lesser classification, the driveway and primary access routes shall be oriented toward the street of lesser classification. In the event the lot abuts upon two (2) arterial streets, all driveways and vehicular access and egress routes shall be designed in a hammerhead or circular nature in order to avoid vehicular backing onto an arterial street.
2. Interior Lots: Interior lots abutting upon an arterial street shall have all driveways and vehicular access and egress routes designed in a hammerhead or circular nature in order to avoid vehicular backing onto an arterial street.
3. Construction Approval: At the time of construction review for the issuance of a building permit, the chief building official shall have the ability to require the approvals of the Zoning Administrator, City Engineer, and/or Planning Commission in such instances. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.070 BLOCKS

A. Determination Of Size: The length, width, and shape of blocks shall be determined by the following:

1. Provision of adequate building sites suitable to the special needs of the type of use proposed;
2. Zoning requirements as to lot size and dimensions;
3. Needs for convenient access, circulation, control, and safety of street traffic; and
4. Limitations and opportunities of topography.

B. Maximum Length: Block lengths shall not exceed one thousand feet (1,000').

C. Crosswalks: The City may require crosswalks both inside and outside the subdivision in its sole discretion.

- D. Depth: Blocks shall be at least twice the required depth of a building lot for the zone in which the property is located.
- E. Measurement: The length and width of blocks shall be measured along each right-of-way boundary line to determine compliance with the requirements herein. In determining block measurements through corner lots, the measurements shall be taken to and from the point created by the extension of the corner lot's streetside property lines to their intersection. The distance from this point to the same point at the opposite end of the block shall determine the length and width of the block, respectively. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.080 LOTS

- A. Compliance: Every parcel of land created by a subdivision shall comply with the minimum lot size requirements of the City zoning title, and shall be platted as part of a subdivision. No parcel of land shall be created or left unplatted which is either undevelopable, serves merely as a nuisance, or is a lot remnant. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)
- B. Lots Abutting A Street: All lots shall abut a dedicated street, public street, a private street which was constructed or vested prior to September 20, 2017, or a street which has become public by right of use. In the event a lot abuts a public right-of-way created by use, the subdivider shall improve the right-of-way to the standards required by this title. (Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)
- C. Corner Lots:
 - 1. Orientation And Access: Whenever possible, subdivisions shall be designed to encourage the orientation of corner lots toward the street of lesser classification. Access restrictions shall be included on plats to assure lot access is from the street with the lesser classification. In the instance where both streets abutting a corner lot are, or are planned to be of equal classification, the property orientation shall be encouraged toward the street logically anticipating a lower level of normal traffic.
 - 2. Setbacks And Buildable Area: A corner lot must contain a front setback, side street setback, side setback and a rear setback as outlined in the different zones, but the rear setback does not need to be directly opposite the front setback. The front lot line may be designated to apply on either street side property line. The buildable area within required setbacks must allow for the minimum building square footage required in the underlying zone.
- D. Remnants: Remnant property shall not be allowed within subdivisions to be approved by the city. All remnants shall be added to adjacent lots rather than being allowed to remain as a lot remnant.
- E. Canals: Where a canal abuts a subdivision the area of the portion of the canal

which is located in the lot(s) shall not be included in the computation of total lot size nor front, side, or rear yard setbacks for purposes of determining compliance with the Santaquin City land use and development management code.

- F. Monumentation: All lot corners, points of curvature, tangency, and bearing changes shall be marked with permanent metal stakes approved by the city. The front corners of the lot shall be marked as per the construction standards.
- G. Double Or Reverse Frontage Lots: Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- H. Side Lot Lines: Where possible, side lot lines shall be substantially at right angles and/or radial to right of way boundary lines. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)
- I. Determination Of Frontage:
 - 1. Interior Lots: Frontage shall be determined through measurement of the front property line from the point of intersection with the side property line to the same point on the opposite side of the lot, following the front lot line, as depicted in SCC 11.52.010, exhibit A.
 - 2. Corner Lots: Frontage for both street side property lines shall be determined by extending both street side property lines to their intersection. From this point, measuring along the property line, to the point of intersection with the interior lot line on each side shall determine frontage for each side of the corner lot respectively, as depicted in SCC 11.52.010, exhibit A.
 - 3. Cul-De-Sacs: Properties whose frontage is located entirely along the bowl of a cul-de-sac shall have frontage determined by measuring along each side property line to a point thirty feet (30') back from the front property line. The length of a straight line connecting the two (2) resulting points shall be the line used to determine the required frontage for the lot, as depicted in SCC 11.52.010, exhibit B. In addition, the length of the arc forming the front property line for such a lot shall not be less than twenty feet (20') less than the frontage requirement for the zone in which the property is located. Any lot partially on, or abutting the bowl area of an approved cul-de-sac shall have frontage as determined to be the distance from one front property corner to the same point on the opposite side of the lot, following the front lot line, as depicted in SCC 11.52.010, exhibit B.
 - 4. Odd Shaped Lots: Lots containing property lines which are curvilinear, or partially curvilinear, along any side being measured for frontage and are not located on a cul-de-sac, shall have frontage measured as the distance from one property corner to the opposite property corner following the

property line. (Ord. 06-01-2015, 6-17-2015, eff. retroactive to 6-15-2015)

HISTORY

Amended by Ord. [11-03-2014](#) on 11/5/2014

Amended by Ord. [06-01-2015](#) on 6/17/2015

11.24.090 VARYING LOTS

Subdividers should design subdivisions with a variation of lot sizes, widths, and front setbacks whenever possible in order to avoid a monotonous or "cookie cutter" design and feeling within the subdivision. At no time shall this variation in lot characteristics fall below the minimum required measurements for the zone in which the property is located, except as provided for planned unit developments in SCC 10. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.100 CURBS, GUTTERS, AND SIDEWALKS

Unless waived by the planning commission, or in the case of planned unit developments, curbs, gutters, and sidewalks shall be installed on all existing and proposed streets and along the frontage of any lot within a subdivision in conformance with the city construction standards. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.110 PEDESTRIAN RAMPS

Pedestrian ramps shall be provided, in conjunction with sidewalk paths, at the corner of all street intersections, designated pedestrian crosswalks, as determined by SCC 11.24.070, trails, walkways as determined in SCC 11.24.240, and at all other places of regular pedestrian travel across roads as determined by the city. All such pedestrian ramps shall conform in full to the provisions of the Americans with disabilities act. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.120 RESIDENTIAL DRIVEWAYS

- A. Driveways shall be provided for each residential building lot prior to the issuance of a certificate of occupancy for the lot. The drive approach for the driveway shall be a minimum width of twelve feet (12') and shall not exceed the maximum width of thirty feet (30'). A secondary drive approach, or an addition to the primary driveway, may be permitted upon review and approval by the zoning administrator.
- B. No negative grade driveways shall be permitted, unless approved by the city engineer, due to unusual topographic constraints. Driveways must maintain a slope away from the home as required by the international building code, or subsequently adopted code.
- C. The minimum slope to which a driveway shall be built is two percent (2%) and the maximum slope to which a driveway shall be built is twelve percent (12%),

except as hereafter provided. The city engineer may grant approval, following application for such approval by the property owner, under exceptional circumstances, to allow driveway slopes having a grade exceeding twelve percent (12%) and may impose conditions of approval to mitigate any present or potential hazards created by the steepness of the driveway.

- D. Accesses onto residential driveways, including those for any extensions or expansions, shall be separated by at least twenty feet (20') in order to facilitate safe vehicle access and egress. In addition, no driveway access of any kind shall be permitted within clear view areas.
- E. The construction of residential driveway approaches shall conform to the standards as required for drive approaches and sidewalk sections as outlined in the Santaquin City construction standards. This shall include requirements for both concrete and untreated base course installation. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003; amd. Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014;)

HISTORY

Amended by Ord. [11-03-2014](#) on 11/5/2014

Amended by Ord. [10-03-2019](#) on 10/15/2019

11.24.130 EASEMENTS

- A. Public Utility Easements (PUEs): A PUE shall be provided around each lot within a subdivision. Such PUEs shall be five feet (5') in width along all side and rear property lines and ten feet (10') in width along front property lines, per lot. Any utility service lines which are previously located, newly required to be located, or planned to be located in areas of the subdivision not covered by approved streets or PUEs, shall have an easement provided, which is noted and depicted on all subdivision plat and plans, and shall not be less than fifteen feet (15') in width.
- B. Provided Where Necessary: Easements for utilities and drainage shall be provided where necessary as determined by various public utility agencies, the Santaquin City public utilities department, public works department, and/or city engineer.
- C. Provided When Necessary; Protection: Easements for surface water runoff drainage, canals, irrigation ditches, waterways, public utilities, clear vision areas, culverts, and rights of way within the subdivision and across adjoining property may be required by the city when necessary to properly serve the subdivision or protect the citizens of the city.
- D. Public Trails: Easements for public trails shall be provided where necessary, as determined by the city parks, recreation, and open space master plan and various public agencies including the Santaquin City community development department, the Utah County and Juab County parks and recreation departments, and the U.S. forest service. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.140 DITCHES AND CANALS

- A. Open ditches or canals shall not be allowed within or adjoining a subdivision except along rear or side lot lines. The subdivider shall work with the controlling company, owner, and/or the Santaquin City public utilities department as to:
1. Methods of covering, realigning, and/or eliminating ditches or canals within or adjoining the subdivision;
 2. The size of pipe and culverts required; and
 3. The responsibility for periodic inspection, cleaning, and maintenance of such ditches, pipes, and culverts which shall be approved by the Santaquin City public utilities department. In cases where canals or ditches cross public roads or proposed public roads, specifications, and grades for pipe or culverts must be approved by the Santaquin City public utilities department and the city engineer in accordance with the city construction standards.
- B. The subdivider may be required to install a six foot (6') fence of a nature which is typically difficult to climb, such as, but not limited to, smooth surfaced concrete, or an equivalent feature, along all open ditches, canals, waterways, open reservoirs, bodies of water, railroad rights of way, and other such features of a potentially hazardous nature, on or contiguous to the property being subdivided as determined by the planning commission and city council.
- C. After installation and acceptance by Santaquin City, individual property owners shall be responsible for maintenance of fences or portions of fences erected upon their property and the developer shall indemnify for any and all defects of workmanship, maintenance, repair, and liabilities arising from the erection or intended use of said fence prior to acceptance by the city. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.150 PARKS, TRAILS, AND OPEN SPACE

Parks, trails, open space, and other similar land uses shall be provided for on subdivision plats and plans, as outlined and determined in the city parks, recreation, and open space master plan, or as required by the planning commission and/or city council. Such facilities shall be constructed and installed, according to city construction standards, as a part of the subdivision improvements at the expense of the subdivider unless a cooperative agreement or arrangement is proposed by the subdivider and accepted by the city council. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.160 PROTECTION STRIPS PROHIBITED

Protection strips shall be prohibited. Plats shall not be approved where a proposed

subdivision street cuts off access to adjacent property owners. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.170 CULINARY WATER SYSTEMS

- A. Public System Standards: The developer shall extend culinary water systems to each lot within a subdivision which shall be in conformance with the city construction standards. The developer shall install water mains and laterals throughout the subdivision, extending to each lot within the subdivision and to the farthest extent of all streets within or adjacent to the subdivision, or beyond as may be determined by the city to be necessary. All water utility trenches within a Santaquin City right of way shall be compacted in conformance with the Santaquin City construction standards. All trenches located outside of a Santaquin City right of way shall be backfilled and compacted as required by the city engineer. Backfill and compaction operations shall be observed and inspected by Santaquin City inspection personnel. The developer shall locate and mark by curb stamping, at the property line, the location of the ends of water laterals.
- B. Private Water Systems:
1. Approval: Developments over one thousand feet (1,000') from an existing public water line and in authorized zones of the city may utilize private water systems. All proposed private systems must be approved for adequacy by the city engineering department prior to approval of preliminary development plans by the city council.
 2. Standards: Private water systems must be designed to meet all city standards for delivery and construction design as if it were a public system.
 3. Maximum: A maximum of five (5) homes are permitted on a private water system.
 4. Connection To Public System:
 - a. Private water system users are not required to connect to the city's public water line if future development constructs a public water line within one thousand feet (1,000') of their private system.
 - b. Private system users desiring to connect to the city's public system, shall pay for the connection costs and provide water rights or money in lieu of water rights sufficient for the city to provide services to their properties. All users of a multiuser private system must connect to city's services at the same time. (Ord. 09-04-2011, 9-21-2011, eff. 9-22-2011)

HISTORY

Amended by Ord. [09-04-2011](#) on 9/21/2011

11.24.180 FIRE PROTECTION

- A. Subdivisions On Public Water Systems: Fire hydrants shall be installed by the subdivider, spaced not more than two hundred fifty feet (250') from the farthest point along the front property line of each lot within the subdivision and not farther than five hundred feet (500') apart, as measured through the right of way.
- B. Subdivisions Having An Approved Private Water System:
 - 1. All homes on private water systems shall be equipped with a fire detection system which will communicate directly with dispatch services.
 - 2. Homes with over six thousand (6,000) square feet of floor area, including basements, garages, and deck space, etc., which are not within two hundred fifty feet (250') of a public or private fire hydrant, must be fire sprinkled. Home sprinkler systems must be designed by a state licensed engineer so that its flow is independent of culinary pressure in the home and operable at all times.
 - 3. Developments located in recognized wildland-urban interface areas must provide the following fire protection systems:
 - a. Fire hydrants, standpipe, or other fire official approved source of water supply shall be located within two hundred fifty feet (250') of each dwelling. If hydrants will be installed they must be constructed in accordance with paragraph C and Santaquin City construction standards.
 - b. Fire flows shall be provided in accordance with the international fire code.
 - 4. Developments located outside of wildland-urban interface areas are not required to provide fire protection systems other than those listed in paragraphs B,1 and B,2. (Ord. 09-04-2011, 9-21-2011, eff. 9-22-2011)
- C. Fire Hydrants:
 - 1. All fire hydrants providing service to residential areas shall produce a flow of one thousand (1,000) gallons per minute for a period of one hour and be able to maintain the minimum water pressure standards in the Utah administrative code for public water systems. (Ord. 10-01-2011, 10-5-2011, eff. 10-6-2011)
 - 2. Fire hydrants must be installed in accordance with the Santaquin City construction standards, the international building code and applicable National Fire Protection Association (NFPA) standards. (Ord. 09-04-2011,

9-21-2011, eff. 9-22-2011)

HISTORY

Amended by Ord. [09-04-2011](#) on 9/21/2011

Amended by Ord. [10-01-2011](#) on 10/6/2011

11.24.190 SANITARY SEWER SYSTEMS

The developer shall extend sanitary sewer systems to each lot in a subdivision in conformance with the requirements of the city construction standards and/or any responsible sewer district. The developer shall install sewer mains and laterals throughout the entire subdivision, extending to the farthest boundaries thereof, or beyond as determined by the city to be necessary. All sanitary sewer trenches within a Santaquin City right of way shall be compacted in conformance with the Santaquin City construction standards. All trenches located outside of a Santaquin City right of way shall be backfilled and compacted as required by the city engineer. Backfill and compaction operations shall be observed and inspected by Santaquin City inspection personnel. The developer shall locate and mark, at the property line, the location of the ends of sewer system laterals. No subdivision shall be permitted to develop using septic disposal systems. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.200 HIGH WATER TABLE AREAS

- A. In areas that are known for the potential of ground water impacts, a ground water investigation shall be made by a geotechnical engineer and provided to the city for review with the application for final plat approval which is to include at least the following:
 - 1. The mitigation measures to be taken to assure that homes will be protected from potential ground water impacts, including a proposed method of ground water disposal to be reviewed and approved by the city engineer;
 - 2. The provision for such ground water information to be provided in writing to each lot purchaser/owner which shall also be included on the plat; and
 - 3. Any other information, as required by the city engineer, to ensure the safety and well being of the property owners with respect to ground water impacts.

- B. Ground water drainage systems, if required, shall be designed and installed in accordance with city construction standards and as determined by the city engineer.

- C. All such drainage systems shall be extended to the outermost boundaries of the subdivision by the developer, or beyond, as determined by the city to be necessary.

- D. The developer shall install, or replace when required by the city, all sewer and water system infrastructure within a high water table area of a subdivision to eliminate or minimize possible damage to such systems and/or contamination of the ground water.
- E. The city may prohibit basements in high water table areas upon recommendation from the city engineer. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.210 FLOODPLAIN AREAS

- A. Any subdivision in or adjacent to a floodplain identified by the federal emergency management agency (FEMA) shall be required to comply with the provisions of this section.
- B. The design and development of the subdivision shall provide each lot with a buildable area that will permit the lowest floor elevation, including the basement, to be constructed one foot (1') above the 100-year flood elevation. The developer shall be required to obtain an elevation certificate prior to issuance of building permits.
- C. The design of the subdivision shall minimize the effects of flooding and facilitate the flow of surface water runoff.
- D. The following base flood elevation data shall be submitted with the application for preliminary plat approval:
 - 1. The elevation of the 100-year floodplain in relation to mean sea level, as noted in FEMA data and maps; and
 - 2. The elevation of the lowest floor level, including basements, for all proposed dwelling lots. An elevation certificate will be required for all dwellings in areas adjacent to a floodplain.
- E. The developer and/or subdivider shall deliver a copy of all information required in this section to the Santaquin City community development department.
- F. The subdivider may be required to install or replace, when required by the city, all sewer and water systems within an identified floodplain in such a manner as to eliminate or minimize possible damage to such systems, discharge from such systems into floodwater, infiltration of floodwaters into such systems, or the contamination of ground water.
- G. To assure compliance with all applicable regulations, the developer and/or subdivider shall obtain the approval of the Santaquin City public utilities department and/or engineer of all new storm drain and water systems. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.220 ALTERATION OR RELOCATION OF NATURAL WATERWAYS

- A. Prior to approval of a preliminary plat by the city, the developer/subdivider shall complete any alteration or relocation of any natural waterway, which the army corps of engineers and/or the Utah County flood control department, or its successor, require in connection with the subdivision.
- B. Any request for alteration or relocation of a natural waterway on a subdivision plat shall be accompanied by the appropriate approval of the city engineer to ensure:
 - 1. That the proposed alteration or relocation will not decrease the flow capacity or increase the velocity of the waterway, or otherwise result in any condition that could reasonably be anticipated to cause an increased danger to the safety of persons or property;
 - 2. That the soil conditions in the proposed location will not increase flooding potential; and
 - 3. That the proposed waterway can be adequately maintained. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.230 BRIDGES

The developer shall pay all costs of designing and constructing or installing any bridge, pipe, culvert, or other structure required by the city for any ditch, canal, railroad, or similar feature which is within or adjacent to the subdivision. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.240 WALKWAYS

- A. Walkways, other than trails and sidewalks, at least six feet (6') in width may be required within a subdivision.
- B. The developer may be required to dedicate a sufficient amount of property to be used exclusively as a pedestrian walkway. Such parcels to be dedicated shall be of sufficient size and located in a position within the development as may be determined by the planning commission with the recommendation of the community development department.
- C. The developer may be required to install upon the walkway such improvements as determined by the city council and the city engineer. All such improvements shall be erected and constructed in accordance with standards as may be established by the Santaquin City council and the city engineer.
- D. Dedicated walkways, other than trails and sidewalks, may be required by the planning commission or city council which shall have a paved surface of at least six feet (6') in width located within an easement of not less than ten feet (10'). Where a walkway is required, the subdivider shall surface the full width of the walkway with concrete or asphalt with the remainder being landscaped or being

of city approved native vegetation and install a fence at least six feet (6') high on each side of the full length of the walkway, as necessary. The fence(s) shall be owned and maintained by the property owner(s) on whose property the fence is located. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.250 SURVEY MONUMENTS

Survey monuments shall be indicated on the final plat and plan drawings and shall be accurately installed by a licensed land surveyor before any subdivision improvements are accepted. Such monuments shall be established at the intersection of street right of way centerlines and at the center point of cul-de-sac bowls. Monuments shall be of a type approved by the city engineer and/or county surveyor. All subdivisions shall be tied to a section corner or monument of record in the office of the county surveyor or recorder. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.260 PUBLIC UTILITIES

- A. The developer shall be responsible for the installation of service lines prior to street paving.
- B. All utilities which will serve a parcel being subdivided shall be buried beneath the surface of the ground and shall be located within the easements provided for such use or within the rights of way, at a location to be determined and/or approved by the city.
- C. All utility structures shall be included as part of the construction drawings submitted with the preliminary and final plats.
- D. No aboveground utility structure shall be placed in a right of way, with the exception of light poles or similar structures, but may be placed within the sidewalk and/or park strip as approved by the public works department. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.270 SIGNS

The subdivider shall obtain the approval of the Santaquin City police department with regard to the number, placement and nature of traffic regulation signs on subdivision plans. The subdivider shall be responsible for payment to the city, in an amount established by resolution of the city council and recorded on the Santaquin City fee schedule, for all materials, equipment and labor necessary for the city installation of street identification signs required for the development. Required street sign fees must be paid prior to the recordation of the final plat. (Ord. 04-01-2007, 4-18-2007, eff. 4-19-2007)

11.24.280 STREET LIGHTING

- A. Locations: Street lighting shall be implemented as a part of all subdivisions reviewed in accordance with this title. Streetlights shall be located in accordance with the city construction standards and at the discretion of the Santaquin City director of public works for safety purposes.
- B. Fees: Fees shall be in an amount adopted in the Santaquin City fee schedule for all hardware and materials necessary for the installation of the street lighting system, including all electrical services lines and all related appurtenances, unless otherwise arranged with the city in writing.
 - 1. Streetlight fees must be paid prior to the recordation of the final plat.
 - 2. After recordation and during construction of the subdivision, additional fees may be charged to the subdivider at the time of streetlight installation for the following items:
 - a. Installation of wire for electrical service lines that extend more than ten feet (10') from the nearest junction box.
 - b. Trenching by the city or authorized contractor for installation of electrical service lines. This fee can be waived when electrical service lines are installed in open power trenches dug by the developer. The city must be notified of the open power trenches at the time they are dug.

Any additional fees must be paid prior to obtaining certificate of occupancy permits for homes in the subdivision. (Ord. 04-01-2007, 4-18-2007, eff. 4-19-2007)

11.24.290 LANDSCAPING

The planning commission and/or city council may require the subdivider to provide ground cover where it determines soil erosion may be a problem, surface water may flood portions of the city or damage municipal property, to prevent the growth of noxious weeds which may become a nuisance, fire hazard, or endanger the public health. The planning commission and/or city council may also specify the types of ground cover to be implemented. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.300 FENCING CANALS

- A. Any parcel of land being subdivided which is adjacent to, or has within its boundaries, a canal right of way may be required to provide a fence of a nature which is typically difficult to climb, such as, but not limited to, smooth surfaced concrete, along such right of way, unless otherwise approved by the city council with the recommendation of the planning commission. The height of the fence shall be not less than six feet (6'). The bottom of the fence shall match the grade

at the location of the fence to minimize gaps between the fence and the ground. The developer shall install a concrete strip, if necessary, to eliminate gaps between the bottom of the fence and the ground.

As an alternative to fencing a canal, and with the review and approval of the Santaquin City public utilities department and engineer, the developer may pipe the canal. If a canal is piped, the developer must obtain written permission from the controlling canal company and construct the pipe according to the controlling canal company requirements and specifications.

- B. All fences bordering canals shall be installed as part of the improvements for the subdivision. No occupancy permits, whether temporary or final, shall be granted until all such required fencing is installed in the subdivision, inspected, and approved.
- C. Where practical, the fencing materials and type should be alternated to create an "open" appearance and avoid a "walled in" alley look. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.310 FENCING REGULATIONS

- A. Effect Of Section On Covenants, Agreements, Etc.: Restrictive covenants of an individual subdivision may exceed, but may not reduce, the provisions of this section.
- B. Residential Fencing Standards: All developed residential lots for which a certificate of occupancy is issued shall comply with the fencing regulations set forth in the Santaquin City land use and development management code.
- C. Vacant Lots: For the purpose of this chapter, it shall be presumed that a vacant lot shall contain a minimum front, side, and rear yard that are otherwise required by ordinance. Fencing for such lots shall conform to the fencing regulations as determined in the Santaquin City land use and development management code.
- D. Barbed Or Razor Wire: Fences containing strands of barbed wire, razor wire, or other similar fencing designed to prevent intrusions are prohibited within subdivisions unless specifically approved by the planning commission and city council for public safety, health, or general welfare of the citizens of Santaquin or their property. This provision excludes fencing for farm animals and public utility stations.
- E. Exceptions: The provisions of this section shall not apply to certain other fences such as tennis courts, backstops, or patio enclosures in the front, side, or rear yards, if they do not create a hazard or violation of other ordinances. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.320 PUBLIC SITES AND OPEN SPACES

- A. Where a proposed park, playground, school, trail, or other public use, as shown in the general plan, zoning title, parks, recreation, and open space master plan, or other city adopted plan is located in whole or in part within a subdivision, the planning commission may require the development, dedication, or reservation of such area.
- B. Where deemed appropriate by the planning commission and/or city council, upon consideration of the particular type of development proposed in the subdivision, the city council may require the dedication or reservation of other areas, the need for which is created by or added to by such development for schools, parks, and other neighborhood purposes. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.24.330 COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS

- A. Development: Any commercial or industrial development to be located within a subdivision shall conform to the regulations and requirements of the same commercial or industrial development within a commercial or industrial zone, as set forth within the land use and development management code.
- B. Approval: Any such development, as determined within this section, shall be required to receive a conditional use approval prior to applying for site approval in conformance to the approval process as determined by SCC 10.68. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)
- C. Screening: Screening along nonresidential development boundaries shall be consistent with the standards outlined for the zone in which the project is located. (Ord. 05-01-2006, 5-17-2006, eff. 5-22-2006)

11.24.340 DEVELOPMENT ADJACENT TO AGRICULTURE ZONE AND PROTECTION AREAS

- A. Landscaping: New developments adjacent to orchard operations shall plant and cause to be maintained an effective windrow along any orchard abutting property lines. Additional vegetation shall be planted along such property lines which will discourage access onto adjacent orchard property(ies).
- B. Fencing And Screening: All development which abuts an active agricultural operation must install perimeter fencing along property lines adjacent to such operations. Materials shall be durable and require little to no maintenance. Such fencing must also be sturdy enough and/or incorporate elements to prevent damage by livestock. (Ord. 11-03-2008, 11-12-2008, eff. 11-13-2008)

11.28 STREET NAMING AND ADDRESSING

11.28.010 PURPOSE

11.28.020 STREET NAMING

11.28.030 STREET NUMBERING

[11.28.040 PROPERTY NUMBERING](#)

[11.28.050 RECORD KEEPING](#)

[11.28.060 PROCEDURES](#)

11.28.010 PURPOSE

This chapter is established to provide a standard system for consecutive and logical numbering of streets and properties, to avoid the duplication of street names within Santaquin City, Utah County, and Juab County, as applicable, and to avoid similar sounding names and confusing designators. This chapter shall establish standard procedures for changing existing street names, adding names to existing numbered streets, keeping addressing numbers clearly identifiable, and to provide a complete current listing of all streets and addresses within Santaquin City. For the purpose of this chapter, street naming shall include and emphasize the assignment of numbered coordinates for streets. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.28.020 STREET NAMING

The following standards shall be applied to the naming of streets in the city of Santaquin:

- A. Duplication: Proposed street names that duplicate existing street names shall be avoided. Proposed street names that duplicate existing street names in Utah or Juab County, as applicable, should be avoided.
- B. Confusion: Proposed street names that sound very similar to existing names or street names that have unconventional spellings or which are difficult to pronounce shall be avoided.
- C. Character: Proposed street names are encouraged to have the following characteristics:
 - 1. Historic significance;
 - 2. Local flavor and a sense of place;
 - 3. An overall theme; and
 - 4. Compatibility with adjacent streets.
- D. Name Length: Proposed street names shall not be longer than the typical seventeen (17) letter street sign, including blank spaces between words. Names shall also appear unabbreviated.
- E. Required Naming: In order to minimize confusion and to facilitate proper addressing, the following types of proposed streets shall be named rather than numbered.
 - 1. Streets that change their general compass direction;

2. Loop or horseshoe streets;
3. Streets that have intersection coordinate changes;
4. Cul-de-sacs; and
5. Dead end streets that will likely be extended as above.

F. Thoroughfare Designations: Proposed street names and street types should be matched as follows:

1. Boulevard, parkway: Arterials and collectors, especially if with planted medians.
2. Drive or road: Streets longer than five thousand feet (5,000').
3. Way: Curvilinear streets longer than five thousand feet (5,000').
4. Street or avenue: Straight directional streets.
5. Lane: Short secondary connecting streets.
6. Circle, court, place, or cove: Cul-de-sacs, loop or horseshoe roads, and permanent dead end streets. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.28.030 STREET NUMBERING

All streets and intersections shall have numbered coordinates. On streets that do not conform to the four (4) compass directions, numbered coordinates should be assigned from the axis that most nearly matches the principal direction of the thoroughfare. For simplicity, street numbers shall end with the digit "0" or "5". Private numbering systems shall be avoided. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.28.040 PROPERTY NUMBERING

The following standards shall be applied to the numbering of properties in the City of Santaquin:

- A. Numbers To Coincide: Building numbers should be comparable, but not duplicated, on parallel streets and shall be in consecutive order.
- B. Even-Odd: Building numbers shall be numbered in an increasing manner as the distance from Main Street and Center Street, respectively, increases and shall be determined as follows:
 1. North of Main Street and west of Center Street: In this area of the City, even numbers shall be located along the north and east sides of streets with odd numbers on the opposite side.
 2. North of Main Street and east of Center Street: In this area of the City,

even numbers shall be located along the south and east sides of streets with odd numbers on the opposite side.

3. South of Main Street and west of Center Street: In this area of the City, even numbers shall be located along the north and west sides of streets with odd numbers on the opposite side.
4. South of Main Street and east of Center Street: In this area of the City, even numbers shall be located along the south and west sides of streets with odd numbers on the opposite side.

- C. Compass Direction: On streets that do not conform to the four (4) compass directions, building numbers shall be assigned from the axis that most nearly matches the principal direction of the thoroughfare within the City.
- D. Corner Lots: Addressing shall be provided on subdivision plat submittals for orientation of the property upon either street. Following development of such a lot, dual addresses shall be eliminated and the address used for the property shall be that of the orientation of the dwelling as listed on the subdivision plat.
- E. Buildings Without Public Frontage: Buildings that are hidden behind other buildings, such as flag lots, or do not have public frontage shall be numbered from the centerline of the principal access or driveway. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)
- F. Insufficient Numbers: Where insufficient numbers exist for proper addressing (e.g., buildings without public frontage), a private access shall be assigned a numbered coordinate to facilitate addressing. (Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

11.28.050 RECORD KEEPING

The following standards should be adhered to in maintaining addressing records:

- A. Numbers Assigned: Numbers shall be proposed by the developer and approved by the City building official, Post Office, and/or City Planning Department.
- B. Inventory: A complete inventory of existing street names and building numbers shall be compiled and maintained in the Community Development Department. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.28.060 PROCEDURES

All proposed street names shall be coordinated with the Santaquin area Post Office to avoid duplication. In addition, the following procedures shall be adhered to with new development and the proposed changing of street names.

- A. Subdivision: Street names shall be approved by the Planning Commission as a

part of preliminary approval. Street coordinates and house numbers shall be proposed by the developer and approved by the City building official, Post Office, and/or City Planning Department.

- B. Commercial, Industrial, And Multi-Family: The chief building official shall assign numbers to site plans for such developments before final site plan approval.
- C. Duplicate Street Names: The City Council may change duplicated street names without a petition when it is determined that the change is in the public interest. The following criteria should be used in eliminating street name duplications prior to recording:
 - 1. Historical significance;
 - 2. The number of buildings addressed on the street;
 - 3. The length of time that the name has been in use;
 - 4. The length of the street;
 - 5. The amount of traffic; and
 - 6. Compatibility with adjacent street names.
- D. Changing Existing Street Names: The city council may change existing street names by petition or by recommendation of the city council, planning commission, or the city staff. The criteria for making changes shall be the same as that outlined for duplicate street names. In any case, a public hearing shall be held before a determination is made, in accordance with the regulations and requirements of the Utah state code.
- E. Adding Names To Existing Numbered Streets: The city council may add street names to existing numbered streets by petition or by recommendation of the chief building official. New names shall be coordinated with the Santaquin area post office using the guidelines as outlined for street naming. A public hearing before the city council shall be held, in accordance with the regulations and requirements of the Utah state code, before a final determination is made.
- F. Adding Numbers To Existing Named Streets: The city council may add street numbers to existing named streets by petition or by recommendation of the city council, planning commission, or the city staff. New numbers shall be coordinated with the Santaquin City building official to ensure compliance with the street number system. A public hearing before the city council shall be held, in accordance with the regulations and requirements of the Utah state code, before a final determination is made. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.32 INFRASTRUCTURE AND INSPECTIONS

11.32.010 ALL IMPROVEMENTS TO BE INSPECTED

11.32.020 TESTING AND INSPECTION FEES

11.32.030 PRECONSTRUCTION MEETING

[11.32.040 CONSTRUCTION BOND RELEASES](#)

[11.32.050 INSPECTIONS](#)

[11.32.060 FINAL WALK THROUGH](#)

[11.32.070 INSPECTION SCHEDULING](#)

[11.32.080 CONSTRUCTION DRAWINGS](#)

[11.32.090 RECORD DRAWINGS](#)

[11.32.100 PERFORMANCE GUARANTEE RELEASES](#)

11.32.010 ALL IMPROVEMENTS TO BE INSPECTED

All construction work involving the installation of infrastructure improvements shall be subject to inspections by Santaquin City. Santaquin City may also contract with an independent organization which is licensed to provide materials testing and/or inspection services. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.020 TESTING AND INSPECTION FEES

- A. Required Prepayment Of Inspection Costs: All inspection and testing, as provided and detailed within this title and the Santaquin City standard specifications and drawings, shall be paid for by the developer. The developer shall prepay for such inspection costs in the form of a cash payment to Santaquin City prior to the recording of the subdivision plat and the installation of any infrastructure. Prepaid fees will be placed into an escrow account and drawn upon as inspection costs are incurred by the city. If costs for inspections and testing exceed the amount in the escrow account, they will be the responsibility of the developer and paid for prior to receiving final approvals at the end of the development warranty period.
- B. Determining Prepayment Amount: The prepaid amount shall be a percentage, determined by resolution of the city council, of the city engineer's cost estimate created under SCC 11.44.030, but shall not indemnify the developer from paying for testing and inspection costs, which the city may incur, above the prepaid amount.
- C. Tracking: The city shall establish a file for each subdivision plat to monitor and track the inspection and testing progress of the subdivision improvements. Each inspection shall be scheduled by the developer through the community development department and performed by city personnel. Materials testing may be conducted by personnel of the independent organization with which the city has contracted to perform such testing.
- D. Reimbursement: At the conclusion of a final walk through and city acceptance of the improvements, the developer may be reimbursed any amount remaining in the escrow account. Before final acceptance, the developer shall submit a formal

written request to determine the reimbursement amount or additional costs, if necessary. Any reimbursement shall be given in accordance with SCC 11.44.030. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.030 PRECONSTRUCTION MEETING

A preconstruction meeting shall be required prior to the commencement of any work on an approved subdivision plat with at least the appropriate Santaquin City staff, the city engineer, the developer or the developer's representative in attendance. The developer shall provide a completed preconstruction application and six (6) full size sets of final, approved drawings to the community development department not less than ten (10) days prior to the meeting. City staff shall provide the developer direction with respect to the nature of all required inspections and materials testing. As most developers have several representatives, i.e., contractors, engineers, surveyors, etc., the developer shall remain wholly responsible for any and all installation of infrastructure including, but not limited to, the construction of said improvements to city construction standards. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.040 CONSTRUCTION BOND RELEASES

Bond releases shall be in accordance with SCC 11.44.030. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.050 INSPECTIONS

Inspections, reviews, and materials testing shall be required of every approved subdivision, or approved subdivisions that are constructed at developer risk prior to recordation of the plat. All improvements shall adhere to the Santaquin City standard specifications and drawings. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.060 FINAL WALK THROUGH

Following completion of all necessary improvements, a final walk through inspection shall be conducted with at least city staff, the developer and/or the developer's representative, and the city engineer. The developer shall complete all incomplete work and requirements, and correct all nonconforming work. As a part of the final walk through

inspection, all underground sewer, storm drainage, and similar pipe infrastructure shall have been videotaped to inspect the piping for abnormalities, debris, and/or obstructions and the pipelines been jet rodded to ensure the pipelines are cleaned out. The cost of all such testing shall be the responsibility of the developer and the original copy of any and all electronic files and/or documentation of results of these tests, and any necessary retests, shall become the property of the city. A copy of such testing results may be provided to the developer upon request. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.070 INSPECTION SCHEDULING

A minimum of twenty four (24) hours' notice shall be required for the scheduling of all inspections. All inspections are to be scheduled through the Santaquin City community development department. All test report data shall be delivered to the Santaquin City community development department. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.080 CONSTRUCTION DRAWINGS

Following the preconstruction meeting, after the required bonding is in place, the city shall issue two (2) sets of stamped and approved construction drawings to the developer. These plans shall remain on the subdivision construction site at all times and will be the basis for all inspections. At any time, should the construction plans not be on the construction site, inspections and construction may be postponed. In such cases, the normal amount of charges for the inspections being done shall be charged against the inspections prepayment amount posted with the city. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.090 RECORD DRAWINGS

The developer shall be responsible for submitting detailed record drawings of the subdivision, prepared and stamped by a licensed engineer and/or surveyor, to the city within fourteen (14) days of the final city acceptance of all infrastructure improvements. All such drawings shall indicate location, dimensions, materials, improvements, other information required by the city engineer with a statement that the improvements were built in accordance with the plans, and certification that all layouts of the line and grade of all public improvements are in accordance with the city approved standards and the details of the recorded subdivision plat and plans. All such drawings shall also be submitted in digital form, in PDF format to the community development department. In addition, two (2) copies of a title insurance policy shall be furnished to the city indicating

that the improvements have been completed, are ready for dedication to the city, and are free and clear of any and all liens and encumbrances. Upon approval of the record drawings and recommendation from the city engineer to the city council, the city council shall accept the improvements for dedication in accordance with the city's adopted policies and procedures. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.32.100 PERFORMANCE GUARANTEE RELEASES

Releases shall be in accordance with SCC 11.44.030. (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

11.36 SUBDIVISION IMPROVEMENTS

[11.36.010 TIME OF CONSTRUCTION](#)

[11.36.020 PUBLIC OR UTILITY OWNED PROPERTY](#)

[11.36.030 CURBS, GUTTERS, SIDEWALKS, AND DRAINAGE FACILITIES](#)

[11.36.040 WATER SUPPLY](#)

[11.36.050 SEWAGE DISPOSAL](#)

[11.36.060 UTILITY EXTENSIONS](#)

[11.36.070 CITY GAS EXTENSIONS \(RESERVED\)](#)

[11.36.080 UTILITY EXTENSION AGREEMENTS](#)

[11.36.090 REQUIRED SUBDIVISION IMPROVEMENTS](#)

[11.36.100 COSTS OF IMPROVEMENTS](#)

[11.36.110 STREET DEDICATION](#)

[11.36.120 SINGLE LOT CONSTRUCTION](#)

11.36.010 TIME OF CONSTRUCTION

The improvements required by this title shall be installed only following the recording of the final plat without exception. Improvements shall not be installed until their location and specifications are approved by the City Engineer. All utilities including, but not limited to, water and sewer mains, water and sewer laterals, and fire hydrants shall be installed prior to the surfacing of streets and the installation of road base, curbs, gutters, and sidewalks. All curbs, gutters, and sidewalks within the approved and recorded plat shall be installed prior to the issuance of a building permit for any permanent structure to be located within the area described on the recorded plat. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.020 PUBLIC OR UTILITY OWNED PROPERTY

Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement, and maintenance of

such streets shall be obtained from the public agency or utility company. All streets shall be constructed by the subdivider in accordance with the standards, rules, and regulations of this title, the zoning title, the City construction standards and specification details, and any other applicable ordinance or regulation. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.030 CURBS, GUTTERS, SIDEWALKS, AND DRAINAGE FACILITIES

Curbs, gutters, sidewalks, and drainage facilities shall be installed along all streets, except as noted in SCC 11.44.010, by the site developer or subdivider in all subdivisions and shall be constructed by the developer or subdivider in accordance with the standards, rules, and regulations of this title, the zoning title, the City construction standards and specification details, and any other applicable ordinance or regulation. (Ord. 06-01-2015, 6-17-2015, eff. retroactive to 6-15-2015)

HISTORY

Amended by Ord. [06-01-2015](#) on 6/17/2015

11.36.040 WATER SUPPLY

All subdivisions, and properties within subdivisions, shall connect to the City culinary water system including the installation of water mains, service lines, and/or laterals in such a manner as approved by the City Engineer and the State Division of Drinking Water as necessary. All such improvements shall be provided in conformance with the standards, rules, and regulations of the City. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.050 SEWAGE DISPOSAL

All subdivisions shall be connected to the City sanitary sewer system, including the installation of sewer mains, and laterals from the mains to each lot within the subdivision. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.060 UTILITY EXTENSIONS

The subdivider shall provide all typical utility services to every lot within a subdivision. Such utilities include, but are not limited to, natural gas, electricity, and telephone services. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.070 CITY GAS EXTENSIONS (RESERVED)

(Rep. by Ord. 02-02-2018, 2-7-2018, eff. 2-8-2018)

HISTORY

Repealed by Ord. [02-02-2018](#) on 2/7/2018

11.36.080 UTILITY EXTENSION AGREEMENTS

All extensions to the utility systems off site of an approved subdivision or large scale

development shall comply with the provisions of this section. This section shall apply to City owned utilities only.

- A. Application: Any person desiring to extend water, sewer, or storm drainage systems may make application to the City Council. Such application shall be considered by the City Council on a case by case basis and the City Council may approve such applications if:
 - 1. The proposed extension to be constructed is consistent with the City's extension standards;
 - 2. There is adequate capacity in the applicable utility system to be extended to meet said need; and
 - 3. The existing utility system has the needed capacity at the point of beginning of the extension.

- B. Contents Of Application: The application shall contain a description of the proposed extension accompanied by a map showing the location thereof. Detailed engineering drawings showing the location and size of all lines, mains, appurtenant facilities must be included. The application shall also include an extension agreement signed by the applicant in a form approved by the City Council by which the applicant agrees to construct the facilities and accepts the conditions agreeing to reimbursement as outlined in paragraph F and SCC 10.36.090 paragraph F.

- C. Review By The City Engineer: Before any such application is reviewed by the City Council the applicant shall refer the application to the City Engineer for his review and report. Such report shall also be provided to the City Council for their review with the application.

- D. Standards And Specifications: The design, location, materials, and methods of construction shall be in accordance with City construction standards and specification details, as approved by the City Council.

- E. Oversized Facilities: The City Council may require the construction of oversized facilities as a condition of the approval of any application governed by this section.

- F. Cost Reimbursement: Upon completion of an extension, the applicant's share of the actual cost of making such extension shall be determined by the City Engineer from as built drawings to be provided by the applicant. Whenever an extension of a utility benefits property which is adjacent to the extension or extended from the end of an existing extension other than that which is owned by the applicant, the City will enter a deferred credit on its books and record the amount of the actual prorated cost of extension across the front of said benefited property and shall reimburse the applicant, his assignees or successors, upon collection by the City of charges assessed against such benefited property as

service connections are made or property is developed in certain cases. All such reimbursements shall extend for a period of ten (10) years from the date of the completion of the extension and acceptance by the City or until the initial prorated cost of the extension along the frontage not owned by the applicant shall have been refunded. The City shall retain ten percent (10%) of the total reimbursable total as a payment of interest.

G. Extension Charge:

1. Required: A utility main extension charge for each and every subsequent service connection to an extension under the provisions of this section shall be paid before such service connection is made, except for frontage owned by the applicant at the time of the application. The extension charge is separate and is in addition to any service connection charge that may be required by the City.
2. Determination: The amount of an extension charge to benefited property shall be determined by multiplying the number of linear feet of frontage in the lot or parcel for which utility is requested by one-half (1/2) the average cost per linear foot of said extension. All necessary appurtenances that are provided in making the extension shall be included in determining the average cost per linear foot. The City reserves the right to allocate the costs of improvements by other methods.
3. Diameter: All extension charges levied for purposes of reimbursement shall be determined using the costs for installing water and/or sewer mains of sufficient capacity for the subdivision and the actual size of stormwater drainage facilities. Where the City requires that the extension be made using larger lines, the difference between the costs of installing a typically sized water and/or sewer line and the size required by the city shall not be subject to reimbursement by the property owners which are served by said extension. All cost for water and/or sewer line size over a typically sized line shall be borne according to an agreement formulated between the city and the subdivider which must be reviewed and approved by the city council prior to taking effect. All utility line extensions become the property of the city upon acceptance by the city. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.090 REQUIRED SUBDIVISION IMPROVEMENTS

- A. The following improvements are mandatory in all subdivisions and shall be installed by the developer in accordance with the city construction standards and specification details:
1. Street paving, including proper road base;
 2. Curbs, gutters, and sidewalks;

3. All necessary curb cuts;
4. Culinary water systems;
5. Sanitary sewer systems;
6. Surface water runoff drainage systems;
7. Survey monuments;
8. Permanent markers to identify lot corners, as required by the city engineer;
9. Utilities service lines;
10. Mailbox locations, as required and determined by the Santaquin City branch of the United States postal service;
11. Regulatory signs;
12. Street lighting; and
13. Fire hydrants.

B. The city may also require the developer to install or provide any or all of the following improvements according to the particular needs of the subdivision:

1. Subsurface water drainage systems;
2. Bridges;
3. Fencing and barrier walls;
4. Grading;
5. Retaining walls;
6. Landscaping and/or streetscaping;
7. Public facilities;
8. Open space and/or trails;
9. Piping, relocation, or abandonment of irrigation ditches;
10. Engineered footings;
11. Extending and constructing roads, water lines, and sewer lines beyond the boundary of the subdivision;
12. Flood control system; and
13. Any other improvements deemed necessary by the city.

C. In determining the particular needs of a subdivision and in determining whether any of the improvements specified in paragraph B should be required in a

particular subdivision, the city shall consider, among other things:

1. The requirements of the uniform building code, uniform fire code, city ordinances, and the urban-wildland interface code, or their successors;
2. The topography of the property;
3. The soil types on the property;
4. The existence of subsurface water drainage systems in the vicinity of the property;
5. The City's Stormwater Drainage Master Plan;
6. The impact to which the proposed subdivision causes or contributes to utility services, infrastructure, or the need for the improvements;
7. The need for improvements to protect the health, safety, and welfare of residents of the subdivision and the community at large; and
8. The types of development and uses within the subdivision and adjacent to the subdivision.

D. The developer may be required to install off site improvements when it is shown that the proposed subdivision causes or contributes to the need for such improvements. In cases where the proposed subdivision causes or contributes to the need for off site improvements, but the developer is not required to install them, the City may impose an impact fee as allowed by law, or may otherwise require financial contribution pursuant to written agreements between the City and the developer. Whether or not the developer actually installs the improvements, the City may require that owners of other undeveloped properties, the development of which will also contribute the need for the improvements, pay impact fees or be party to such agreements. The fees or the monies collected pursuant to agreements shall be used towards the costs of installing the improvements.

E. Unless otherwise authorized by the Community Development Department Director, no building permit for any structure may be issued until the following subdivision improvements have been installed:

1. Street paving, including proper road base;
2. Curb, gutter, and sidewalk;
3. Permanent markers to identify lot corners;
4. Operational fire hydrants;
5. Water and sewer line facilities; and
6. Storm drainage facilities.

F. When installing any of the subdivision improvements, the developer and contractors shall be required to keep all paved streets, sidewalks, and gutters within or outside the subdivision, free from any debris, trash, mud, or dirt from the project. Upon notification by the City of a violation of this provision, the developer and/or contractors shall have the affected areas cleaned or repaired within twenty four (24) hours. If the developer fails to do so, the City may clean the affected areas with the developer being responsible for providing reimbursement to the City for all costs incurred. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.100 COSTS OF IMPROVEMENTS

The developer shall pay for all costs of designing, purchasing, installing, warranting, and otherwise providing the improvements required by this title. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.36.110 STREET DEDICATION

The developer shall dedicate to the City the full width of all street rights-of-way depicted on the final plat, unless previously dedicated, constructed or vested as a private street prior to September 20, 2017, or located within a planned unit development provided, however, that in cases where a proposed street in the subdivision parallels undeveloped property where no street currently exists and evidence is provided showing that the owner of the abutting property has no intention of developing within the near future, and as may be recommended by the Community Development Department and the Planning Commission, the City Council may waive the full width dedication requirement and allow the dedication of a half plus ten feet (10') width right-of-way if the City Council finds that it promotes the public interest. In no case, however, shall the pavement width be less than thirty eight feet (38'). (Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

11.36.120 SINGLE LOT CONSTRUCTION

For the purpose of construction on a single lot within a subdivision, all vehicles accessing the property for the purpose of construction shall enter and exit the property from a single location only, which is to be the permanent access and egress point for the property (i.e., the driveway for a residence). As a part of said access and egress, any use of dirt, soil, sand, gravel, or similar substance as a bridge over the curb, gutter and sidewalk shall be strictly forbidden. However, access and egress may be achieved with the use of ramps or platforms, or no such feature at all over the curb, gutter and sidewalk. Regardless of the use, or lack of use of a ramp or platform, any and all damage to the curb, gutter, and/or sidewalk shall be repaired and approved by the building official and/or infrastructure inspector prior to the issuance of a certificate of occupancy, whether temporary or permanent. In the event that the required bonding for the subdivision has not been fully released, the developer shall be responsible for the cost of repairing the damaged curb, gutter, and/or sidewalk. In the event that the entire bonding requirement has been released, it shall be the responsibility of the general contractor for the construction on the property to pay for the repairs, even if the general contractor is

considered to be an owner-builder. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.40 ACCEPTANCE OF DEDICATED STREETS AND PUBLIC IMPROVEMENTS

11.40.010 DEDICATION

11.40.020 TIME OF ACCEPTANCE

11.40.010 DEDICATION

The subdivider shall dedicate the streets, easements, and other public improvements to the city at the time the final plat is approved by the city. The dedication shall be deemed an offer by the subdivider which shall be irrevocable. The city shall accept the offer of dedication only if it finds that the subdivider has constructed, installed, and maintained the public improvements required by this title and that the improvements comply with the minimum requirements of this title, the zoning title, the city construction standards and specification details, and/or any other city ordinance, master plan, or applicable provision at the time of acceptance. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.40.020 TIME OF ACCEPTANCE

Unless the city council extends the time for acceptance of the dedicated public improvements, the dedication shall be accepted by action of the city council, or the expiration of two (2) years following the completion of the public improvements. In the event the city council does not accept the dedication of the public improvements, the subdivider shall be so advised in writing as well as to the reason for nonacceptance. In such an event, the subdivider shall be responsible for the correction of any and all problems for which the city council denied acceptance of the improvements. In the event that the subdivider cannot or declines to make such improvements, the city shall have the ability to take the necessary steps to correct the issues resulting in the city council's nonacceptance of the improvements and the subdivider shall be responsible for reimbursement to the city in an amount equal to the full and total expenses incurred by taking such action. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.44 SUBDIVISION IMPROVEMENTS REQUIRED

11.44.010 APPLICABILITY

11.44.020 ORDER OF MAKING IMPROVEMENTS

11.44.030 GUARANTEE OF IMPROVEMENTS

11.44.010 APPLICABILITY

- A. The improvements required by these subdivision regulations apply to all subdividers and to all persons that purchase, lease, rent, or receive any interest in any land which is located within a subdivision. Such improvement requirements shall also apply to developers of nonresidential, mixed use or multifamily developments. (Ord. 06-01-2015, 6-17-2015, eff. retroactive to 6-15-2015)

B. Developments within the core area of the city must install the required improvements under the following circumstances:

1. Any development having at least one hundred fifty feet (150') of frontage must install all required improvements.
2. Developments having less than one hundred fifty feet (150') of frontage, but which abut properties having the required improvements already installed, must install all the required improvements.
3. Developments having less than one hundred fifty feet (150') of frontage and which do not abut properties having existing required improvements shall:
 - a. Install the required improvements, or
 - b. Enter into an agreement approved by the city council, which will be recorded against the property being developed and which will outline appropriate timing and standards for installation of the required improvements by the current or future property owner/developers.
4. In each situation listed in paragraphs B,1 through B,3, if the improvements will create a health and/or safety risk to persons or property, as determined by the city engineer, the city may require the developer to enter into an agreement under paragraph B,3,b, rather than install such improvements. (Ord. 09-01-2015, 10-7-2015, eff. 10-8-2015)

HISTORY

Amended by Ord. [06-01-2015](#) on 6/17/2015

Amended by Ord. [09-01-2015](#) on 10/7/2015

11.44.020 ORDER OF MAKING IMPROVEMENTS

Underground utilities, service lines, storm drainage facilities, water system, including the installation of fire hydrants, and sewer system improvements including laterals, shall be installed and approved prior to the installation of any other street improvements such as road base, curbs, gutters, and sidewalks. All curbs, gutters, and sidewalks within the approved and recorded plat shall be installed prior to the issuance of a building permit for any permanent structure to be located within the area described on the recorded plat. The installation, inspection, and approval of proper road base shall also be required on all streets within a recorded plat prior to the issuance of any building permit. All streets within a recorded plat shall have the final surfacing installed, inspected and approved prior to the issuance of any certificate of occupancy. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.44.030 GUARANTEE OF IMPROVEMENTS

- A. **Guarantee Required:** Prior to the recording of any final plat for a subdivision in the office of the county recorder, the city must receive a guarantee that all subdivision improvements identified on the subdivision plat will be completed in a timely and workmanlike manner.

Developers may choose to construct subdivision improvements "at risk", meaning construction takes place prior to recording of the subdivision plat. However, no subdivision improvements may be constructed without the required inspections or prior to obtaining the required city engineer's cost estimate and payment of all fees associated therewith (e.g., inspection, streetlight, street signs, etc.). (Ord. 03-01-2013, 3-20-2013, eff. 3-20-2013)

- B. **Purpose Of The Guarantee:** The guarantee shall be provided to the city as a security only and shall serve to ensure the completion of all subdivision improvements shown or described on the final plat in accordance with applicable construction standards and to warrant the materials and workmanship of the same for two (2) years from the completion of said improvements; however, the guarantee does not release the developer from any obligation for the installation of improvements, the quality of work, any of the materials used therein or the applicable warranty of the same.

- C. **Acceptable Forms Of Guarantee:** The guarantee referred to in paragraph A shall consist of one or more of the following:

1. A performance bond in a form and with a surety that is acceptable to the City;
2. A cash bond, together with a written agreement of the terms by which said cash bond shall be held or dispersed;
3. A letter of credit from an institution or a surety that is acceptable to the City; or
4. An escrow account as approved by the City.

Together, the acceptable forms of guarantee may be referred to herein as "bond" or "guarantee". Each bond shall guarantee that all improvements shall be constructed in accordance with the content of the final plat and completed within two (2) years of the commencement of construction of the same.

- D. **Guarantee Amount:** The amount of a guarantee shall be determined in accordance with the steps described below:

1. The person from whom a bond is required (hereinafter "developer" or "subdivider") shall deliver to the City Engineer a written estimate, prepared by a licensed engineer, of the costs of the subdivision improvements for which a bond is required;

2. The developer shall deliver to the City Engineer a written request for a City Engineer's cost estimate. The City will not provide an estimate without such written request;
3. The City Engineer shall review whatever information he deems relevant, including the developer's engineer's estimate, and shall determine the "City Engineer's cost estimate";
4. The City Engineer shall deliver a written copy of the City Engineer's cost estimate to the developer;
5. The minimum bond amount shall be one hundred twenty five percent (125%) of the City Engineer's cost estimate.

E. Acceptance Of Improvements:

1. Initiation Of Inspection For Release Of Guarantee: The developer shall request in writing that the City inspect completed improvements.
2. Acceptance Of Improvements: The City shall accept improvements only if and when City inspections show that the improvements have been constructed in accordance with all applicable standards and specifications. If, in the opinion of the City, improvements have not been constructed in accordance with all such standards and specifications, the City shall not accept said improvements and shall not release any portion of the bond for the improvements until appropriate completion, removal, reconstruction or correction is satisfactory to the City.

F. Release Of Bond:

1. Partial Release: At the developer's written request, from time to time and prior to one hundred percent (100%) completion of improvements, the City may release up to eighty percent (80%) of the bond as work is completed and accepted by the City. No such partial release may exceed the amount attributed to the completed improvements in the City Engineer's cost estimate. In no event shall the amount of the bond that is retained by the City be less than one hundred twenty five percent (125%) of the total of the estimated cost to complete the improvements and the amount required for the two (2) year warranty period.
2. Release Of Bond: Any remaining balance of the bond, except that required for the two (2) year warranty period described below, shall be released within fourteen (14) business days from the acceptance of all of the improvements by the City. (Ord. 06-01-2006, 6-7-2006, eff. 6-22-2006)

G. Warranty:

1. Warranty Period: In order to warrant that all improvements are free from any defects in materials or workmanship, the City shall hold ten percent

(10%) of the original bond for a period of two (2) years from the date of final acceptance of all improvements.

- a. Based on proper and adequate documentation provided by a licensed geotechnical engineer, and based on sufficient field evidence of proper performance of improvements, the City Engineer and Public Works Director may reduce the warranty period to one year for improvements installed in areas of the City that are less susceptible to failure due to inadequate soil conditions and based on geotechnical technical data provided.
2. City's Right To Draw On Bond: The City may draw on the bond at any time during, or at the end of, the warranty period to correct or replace any patent or latent defects in the improvements.
3. Final Release Of Bond: If, at the end of the warranty period described above, the City determines that the improvements are free of any defects, the remainder of the bond will be released.
4. Liability Of Developer: In the event that the bond does not cover the costs incurred in any correction of defect in the improvements, the developer shall, at the election of the City, either make all necessary corrections or replacements to the improvements, or immediately reimburse the City for all such costs. (Ord. 09-01-2018, 9-18-2018, eff. 9-19-2018)

HISTORY

Amended by Ord. [06-03-2011](#) on 6/15/2011

Amended by Ord. [03-01-2013](#) on 3/20/2013

Amended by Ord. [09-01-2018](#) on 9/18/2018

11.48 STORM DRAINAGE CRITERIA

11.48.010 PURPOSE

11.48.020 GENERAL REQUIREMENTS

11.48.030 DESIGN REQUIREMENTS

11.48.040 OPERATION AND MAINTENANCE

11.48.050 SURFACE WATER TO BE RETAINED

11.48.010 PURPOSE

The purpose of this chapter is to set guidelines for the management of storm water that ensures that all land development and improvements within the jurisdiction of Santaquin City have an adequate and safe storm water management system. In addition to the requirements of this chapter, any proposed construction must be in compliance with the regulations of all of the appropriate Santaquin City ordinances. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.48.020 GENERAL REQUIREMENTS

The design of the storm water management system should be consistent with general and specific concerns, values, and standards of the municipal master plan and applicable county, regional, and state storm drainage control programs. Design should be based on environmentally sound site planning and engineering techniques.

The best available technology should be used to minimize off site storm water runoff, increase on site infiltration, encourage natural filtration functions, simulate natural drainage systems, and minimize off site discharge of pollutants to ground and surface water. Best available technology may include measures such as retention basins, recharge trenches, piping, contour terraces, and swales.

The following general requirements apply to all new developments within Santaquin City:

- A. All new developments in the city shall conform to the specifications of this ordinance and be compatible with basin wide master drainage plans. All storm water management systems must be approved by the city engineer.
- B. All storm water calculations and designs shall be prepared by a qualified professional engineer using currently accepted civil engineering practices, applicable safety standards and city approved design standards. Calculations and designs shall be based on a field investigation taking into consideration the development's off site contributing and receiving drainage areas.
- C. All new developments are encouraged to utilize ground water recharge methods when designing a storm water management system.
- D. All storm water management systems shall provide on site retention for a 25-year storm event.
- E. New developments shall not cause a natural drainage channel to be filled in, obstructed, or diverted. When proposing modifications to a natural drainage channel, a development drainage control plan shall be submitted for approval by the city engineer.
- F. The point where the natural drainage channel enters and leaves the property shall not be changed without approval of the city engineer.
- G. Storm drain improvements shall be considered to be permanent and shall be designed and constructed accordingly. Storm drain improvements shall be designed for trouble free maintenance.
- H. All lots shall be graded with a minimum slope of two percent (2%) away from any building for at least ten feet (10') from the building.
- I. All storm water management systems shall be separate and independent from sanitary sewer systems.
- J. Maintenance easements shall be provided for storm water facilities where such

facilities are located outside of the public right of way. The size of the easement should be dictated by working needs. In general, the easement should be twenty feet (20') in width for one utility and five (5) additional feet, if practicable, for each additional utility located in the same easement.

- K. All storm water management systems shall be designed for erosion control, the velocity should be estimated and compared to the allowable velocity for the material on which the water is flowing. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.48.030 DESIGN REQUIREMENTS

The following design standards shall apply to the design of all storm water management improvements whether public or private, whether new development or "off site", whether above or below design discharge points, whether within a floodplain or not, or within a natural channel or not:

- A. Hydrology: Estimation of peak storm water runoff rates shall be performed using the Rational method or a hydrograph method analysis accepted by the city engineer.
- B. Storm Frequency:
 - 1. All storm water management systems shall provide collection and on site retention of a 25-year storm event.
 - 2. Control the flooding hazard of a 100-year storm event.
- C. Storm Intensity: The intensity used for design purposes shall be according to the following table:

| Intensity Given In Inches Per Hour | | | | | | |
|------------------------------------|--------|--------|---------|---------|---------|----------|
| Time (Minutes) | 2-Year | 5-Year | 10-Year | 25-Year | 50-Year | 100-Year |
| 5 | 1.90 | 2.64 | 3.24 | 3.96 | 4.44 | 5.04 |
| 10 | 1.44 | 2.04 | 2.46 | 3.00 | 3.42 | 3.84 |
| 15 | 1.16 | 1.72 | 2.04 | 2.56 | 2.92 | 3.32 |
| 30 | 0.76 | 1.14 | 1.38 | 1.72 | 1.98 | 2.24 |
| 60 | 0.47 | 0.70 | 0.86 | 1.07 | 1.24 | 1.40 |
| 120 | 0.28 | 0.41 | 0.49 | 0.60 | 0.69 | 0.78 |
| 180 | 0.21 | 0.30 | 0.36 | 0.43 | 0.50 | 0.56 |
| 360 | 0.13 | 0.18 | 0.21 | 0.25 | 0.29 | 0.32 |
| | | | | | | |

| | | | | | | |
|-------|------|------|------|------|------|------|
| 720 | 0.08 | 0.11 | 0.13 | 0.15 | 0.17 | 0.19 |
| 1,440 | 0.05 | 0.06 | 0.07 | 0.09 | 0.10 | 0.11 |

D. Runoff Coefficients: The design engineer shall calculate a composite runoff coefficient based on surface type and associated runoff coefficient, weighted by the area of each surface type. Acceptable ranges of runoff coefficients are as follows:

| | Description Of Area | Runoff Coefficients | Character Of Surface | Runoff Coefficients |
|--|----------------------|---------------------|----------------------|----------------------------------|
| | Business | | Pavement | |
| | Downtown | 0.70 to 0.95 | | Asphalt or concrete 0.85 to 0.95 |
| | Neighborhood | 0.50 to 0.70 | | Brick 0.70 to 0.85 |
| | Residential | | Roofs | 0.70 to 0.95 |
| | R-8 | 0.48 | Lawns, sandy soil | |
| | R-10 | 0.42 | | Flat - 2% slope 0.05 to 0.10 |
| | R-12 | 0.38 | | Average - 2-7% 0.10 to 0.15 |
| | R-15 | 0.32 to 0.34 | | Steep - 7% or more 0.15 to 0.20 |
| | R-20 | 0.28 to 0.32 | Lawns, heavy soil | |
| | Industrial | | | Flat - 2% slope 0.13 to 0.17 |
| | Light | 0.50 to 0.80 | | Average - 2-7% 0.18 to 0.22 |
| | Heavy | 0.60 to 0.90 | | Steep - 7% or more 0.25 to 0.35 |
| | Parks and cemeteries | 0.10 to 0.25 | | |
| | Unimproved | 0.10 to 0.30 | | |

E. Collection: Storm water inlets are located at the transition between open surface flow and a closed conduit system. They are either constructed as part of the

street's curb and gutter system or used to drain open areas.

1. Inlets shall be designed and constructed to remove runoff from surfaces when the flows exceed the criteria for velocity, reduce the spread of water across streets, eliminate the flow of runoff across intersections, and to prevent localized ponding.
2. Inlet boxes shall be spaced to ensure that there will be no curb overtopping during a 25-year storm event.
3. Inlet box spacing shall not exceed five hundred feet (500') for any length of curb and gutter.
4. The vertical height of any curb opening should be no greater than six inches (6").
5. All inlet boxes shall have a "snout" type grease trap (or approved equivalent) over the outlet of the box.
6. Curb inlet box grates shall be D&L model I-3517 (or approved equivalent).
7. All inlet grates must be bicycle safe.
8. Assume fifty percent (50%) blockage of inlets when designing capacity.

F. Conveyance: In general, storm water conveyance capacity shall be designed to safely convey runoff resulting from a 25-year storm event. At no time shall the storm water management system be designed to be a pressurized system without prior approval from the city engineer.

1. Runoff collected in ditches or natural channels shall be carried as far as practical before entering an underground pipe system.
2. All open channels used to convey storm water must have a minimum freeboard of twelve inches (12").
3. Open channel side slopes shall be limited to a maximum of three to one (3:1) (3 horizontal, 1 vertical), unless otherwise approved by the city engineer.
4. Open channels must be designed to have adequate maintenance access along its entire length.
5. Pipes must be designed to adequately handle storm water flows resulting from a 25-year storm event.
6. The minimum pipe size shall be fifteen inches (15") in diameter.
7. The minimum slope of storm water piping shall be 0.2 percent.
8. All storm drain pipe shall be designed by applying Manning's equation. The Manning's "n" value shall represent that value that will be appropriate during the useful life of the pipe, rather than that of a new pipe.

9. Pipe sizes fifteen inches (15") through twenty two inches (22") in diameter can be PVC, HDPE, ductile iron, or reinforced concrete. Pipe sizes twenty four inches (24") diameter and larger shall be reinforced concrete.

10. Junction boxes shall have a minimum inside diameter of forty eight inches (48").

G. Streets And Curbs: Planning a drainage system should be done simultaneously with street layout and gradient planning, and careful consideration should be given to the following:

1. The functions of streets as parts of the storm water management system.
2. Street slopes in relation to storm water capacity and flow velocity in gutters.
3. Location of streets in relation to natural streams, storage ponds and open channel components of the system.
4. Location and capacity of inlet points to pipes in relation to gutter slopes, the spread of water across streets and the flow of water across intersections.
5. Coordination of street grades with lot drainage; positive slope away from all sides of the house should be accomplished. Lot drainage becomes difficult when there is less than one and one-half (1 1/2) to two percent (2%) fall from the earth grade at the center rear of the house to the street curb at the lowest front corner of the lot.

H. Street Flooding Evaluation: In general, the following criteria should be used to determine at what threshold street flooding should be considered unacceptable:

1. For the 25-year storm event:
 - a. Allowable flows in streets shall be limited to the height of the curb.
 - b. Flow shall not extend into traffic lanes.
 - c. Storm water runoff should be discharged into storm drains as soon as is practically possible.
2. For the 100-year storm event:
 - a. Street flooding is acceptable as long as no property damage occurs.
 - b. Street flooding should be contained within the road right of way.
 - c. Street flooding should at no time exceed twelve inches (12") in depth.

d. Street flooding should not exceed two (2) hours in duration.

I. Flow Across Intersections: A critical situation exists where a street on a grade intersects with another street, especially a collector road. Cross gutters shall be provided along all collector or higher class streets. For local roads cross gutters shall be provided to eliminate ponding at low points of intersections. Even when the flow on the grade is severely limited, great care should be taken to provide that inlets will intercept virtually all the flow from a 25-year storm event.

J. Storm Water Retention: Storm water retention shall be designed to reduce peak runoff rates, aid in the replenishment of the ground water supply, provide an attenuation mechanism for storm water treatment, lessen the possibility of downstream flooding, stream erosion, and sedimentation, and can be used in the development of upstream areas to avoid increasing the runoff peaks which impact existing downstream facilities. Storm water storage shall be provided by either sumps or retention basins.

1. Sumps: Under favorable conditions of deep, permeable subsoil, runoff may be discharged into sumps backfilled with gravels chosen and placed in accordance with sound graded filter principles. As long as the system does not become clogged by sediment, it will accomplish the dual purpose of disposing of at least part of the storm water and of recharging ground water storage. Following are some sump design requirements:

- a. All new developments requiring sumps must locate them within the boundaries of the development.
- b. A percolation test must be performed within four hundred feet (400') of any proposed sump location and shall be witnessed by the city engineer.
- c. When calculating the percolation area of a sump, the area of the bottom of the sump is to be omitted.

2. Retention Basin:

- a. Retention basins are intended to temporarily store runoff and to provide ground water infiltration. They shall be designed to fully contain runoff of a 25-year storm event.
- b. Retention facilities should be located as far horizontally from surface water and as far vertically from ground water as is practicable. Retention facilities should not intercept the postdevelopment ground water table, where practicable.
- c. If a retention basin is intended for access by the public, the maximum depth of the basin, from the invert to the top of the embankment, shall be three feet (3'), including one foot (1') of

freeboard. All retention basins intended for public access shall be sodded or otherwise landscaped as approved by the city council upon recommendation from the city engineer.

- d. If a retention basin is not intended for public access, the basin depth may exceed three feet (3') but shall not exceed fifteen feet (15'), including one foot (1') of freeboard. Such retention basins shall not be located near streets and shall be out of public view. All retention basins not intended for public access must be enclosed by a six foot (6') high sight obscuring fence, having at least one 10-foot wide access gate. The fence must be placed on the outer edge of the embankment, providing maintenance access to the entire perimeter of the basin.
- e. The minimum top widths of all embankments shall be ten feet (10').
- f. Retention basins must be designed to have at least one foot (1') of freeboard.
- g. Side slopes of retention basins shall have a maximum slope of three to one (3:1) (3 horizontal, 1 vertical) unless approved by the city engineer.
- h. Retention basins shall be designed to provide maintenance access around the entire embankment. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.48.040 OPERATION AND MAINTENANCE

Adequate provision for short and long term maintenance of the storm water system is an important design consideration. Maintenance and replacement needs and costs should be considered.

When planning an on site retention pond, determination should be made about long term ownership and/or maintenance and operation of the facility. The choices will generally be between public and private organizations and the final decision will be dependent on local conditions. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.48.050 SURFACE WATER TO BE RETAINED

All surface water drainage, rated to the capacity of a 25-year storm event, shall be retained and properly disposed of within the boundaries of the subdivision. In the event that such surface water cannot be retained within the subdivision, such water may be properly disposed of off site only through the applicant securing drainage easements for that purpose. No such off site drainage shall be permitted except following city council approval upon recommendation of the city engineer. In no case shall any surface water

be allowed to drain beyond the boundaries of any approved drainage easement. (Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003)

11.52 SUBDIVISION EXHIBITS

11.52.010 EXHIBITS

11.52.010 EXHIBITS

EXHIBIT A

Frontage Determination For Interior And Corner Lots

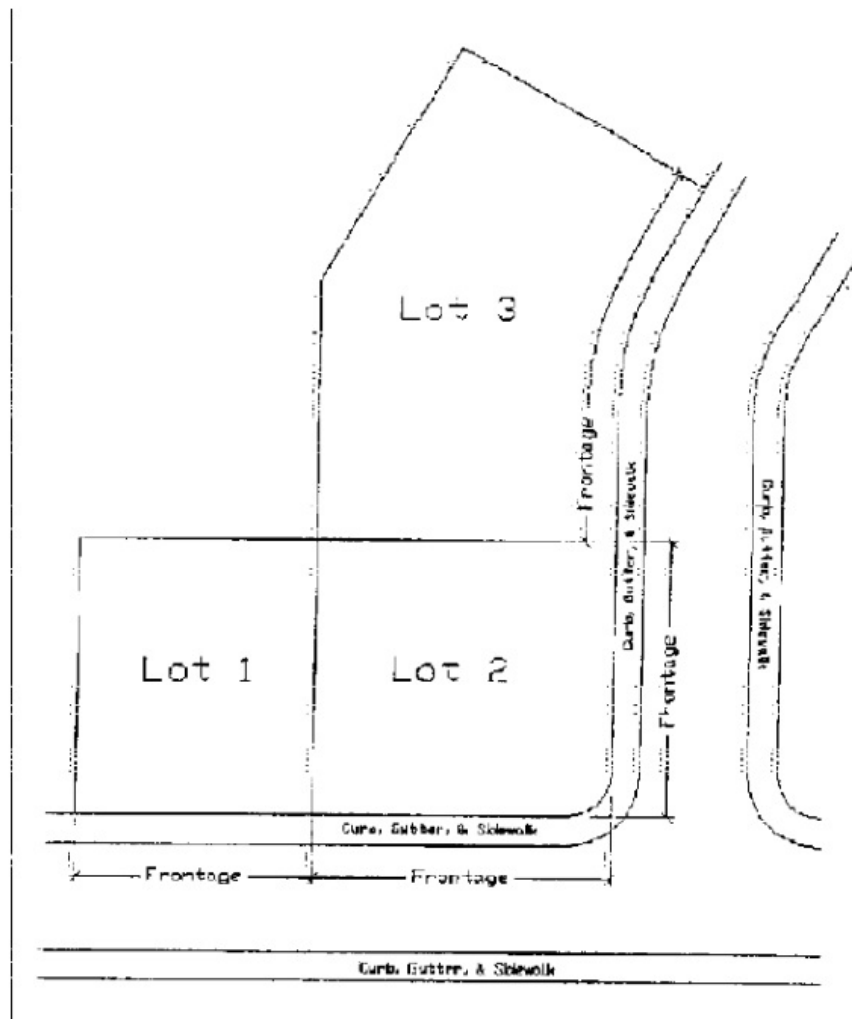
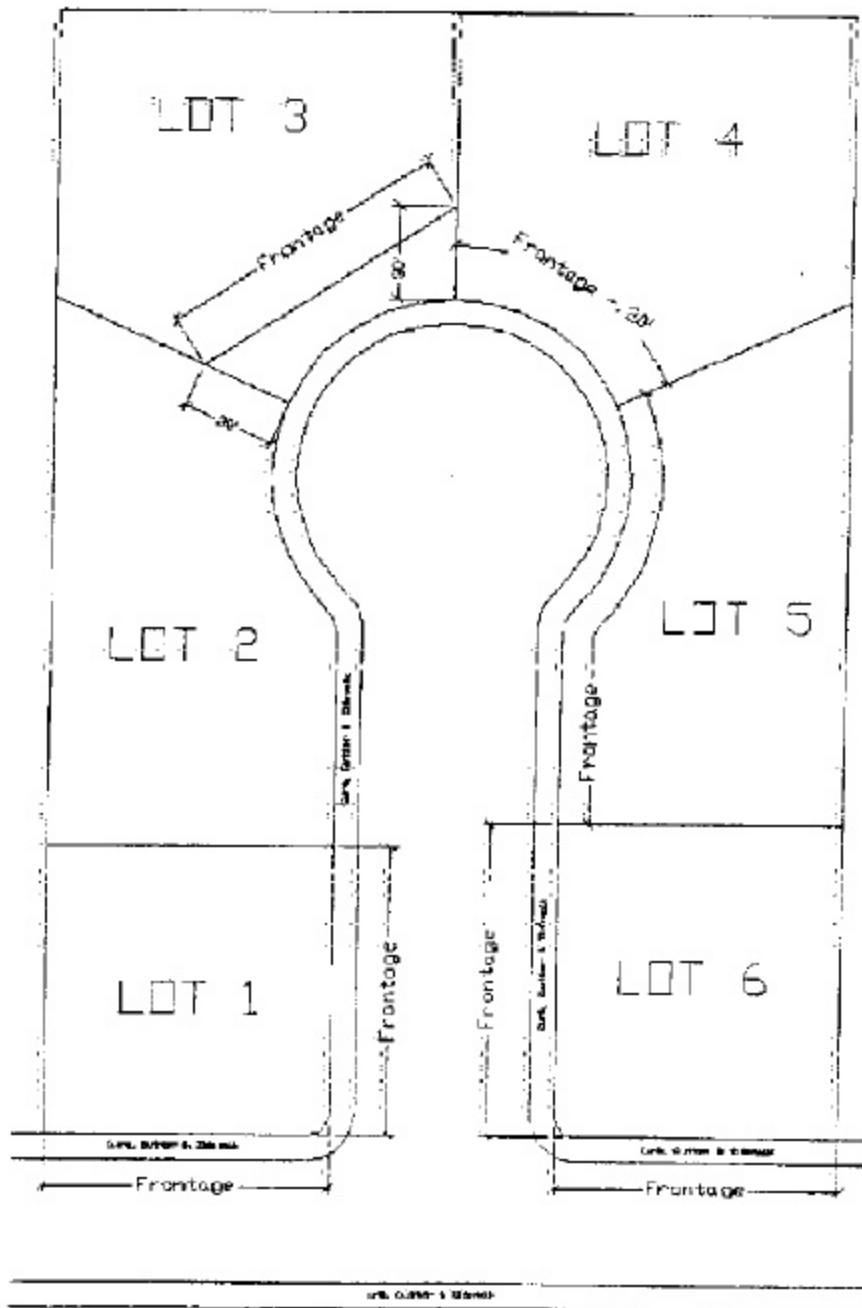


EXHIBIT B

Frontage Determination For Cul-De-Sacs



(Ord. 05-01-2003, 5-7-2003, eff. 5-8-2003; amd. Ord. 06-01-2015, 6-17-2015, eff. retroactive to 6-15-2015)

HISTORY

Amended by Ord. [03-01-2013](#) on 3/20/2013

Amended by Ord. [06-01-2015](#) on 6/17/2015