

ORDINANCE NO. 11-03-2014

AN ORDINANCE MODIFYING CORNER LOT STANDARDS; AND ALSO PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fifth class city of the state of Utah; and

WHEREAS, the City Council has been given specific authority in the Utah Code Annotated, Title 10, Chapter 9a, to adopt land use ordinances to regulate the erection, construction, reconstruction, alteration, repair and use of buildings and structures and the uses of land, which are reasonably and appropriately related to the objectives of providing for the public safety, health, morals and welfare; and

WHEREAS, the Santaquin City Council adopted a zoning ordinance on February 5, 2002, to establish zones for various uses of property within the City, which ordinance has been amended from time to time; and

WHEREAS, Santaquin City desires to amend development standards pertaining to corner lot development standards within Santaquin City Code, Title 10 (The Land Development Code); and

WHEREAS, the Santaquin City Planning Commission held public hearing on September 25, 2014, which public hearing was preceded by the posting of public notice in at least 3 places within the City Limits of Santaquin City and which notice was published in the Payson Chronicle Newspaper in accordance with Section 10-9a-205 of the Utah State Code, and;

WHEREAS, The Planning Commission has forwarded its recommendations for the proposed amendment to the City Council with a positive recommendation; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Title 6-4-1 Clear View Areas:

Title 6-4-1: CLEAR VIEW AREAS is modified as follows:
(Underlined text is added, stricken text is deleted)

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", ~~formed by the street property lines and a line connecting them,~~ as provided in Section 10-6-9 of the this code. ~~diagrammed herein.~~ The size, ~~and~~ dimensions, and use of the clear view area shall be as defined in title 10-6-9 of this code. ~~Landscaping materials within the clear view area of corner lots shall be kept below thirty six inches (36") for the protection of motorists and pedestrians.~~

Section II. Title 10-6-9 Corner Lot Requirements:

Title 10-6-9 Corner Lot Requirements is modified as follows:
(Underlined text is added, stricken text is deleted)

Title 10-6-9 ~~Corner Lot Requirements~~ Clear View Areas

A. Lot Dimensions:

- ~~1. The designation of the "front lot line" may be designated to apply on either street at the corner intersection, such that the property line conforms to the provisions of subsection A4 of this section. For lots in existence before the effective date hereof, which remain unchanged, the front lot line may be designated to apply on either street side property line so long as it meets the minimum width requirement for the zoning classification in which the property is located.~~
- ~~2. The rear yard shall be applied to the interior lot line which is opposite the designated front lot line, but does not enter the front or side yards which face the street, further depicted in exhibit A in section 10-6-29 of this chapter.~~
- ~~3. One of the side yards must face upon the remaining street after the front yard street frontage has been designated, further depicted in exhibit A in section 10-6-29 of this chapter.~~
- ~~4. All corner lots within a newly created subdivision, or newly split from another property, shall have fifteen feet (15') plus the minimum frontage required for the zone in which it is located for all property lines adjacent to a public street.~~

BA. Clear View Areas: 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"; ~~formed by the street property lines and a line connecting them~~, as provided in the following table and diagrammed below.

<u>Design Speed</u>	<u>Triangle leg dimensions (feet)</u>
<u>25 mph</u>	<u>40' x 40'</u>
<u>35 mph</u>	<u>50' x 50'</u>
<u>45 mph +</u>	<u>70' x 70'</u>

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

The size and dimensions of the clear view area shall be as defined in subsections B1, B2 and B3 of this section.

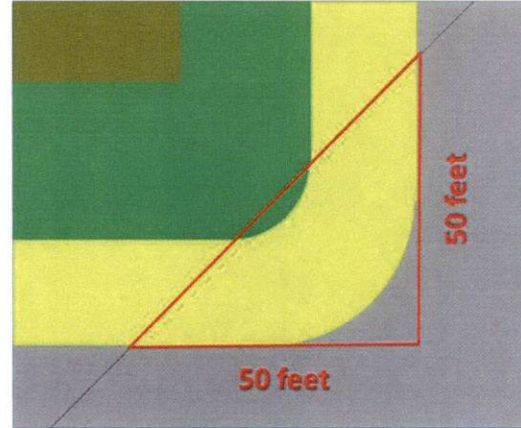
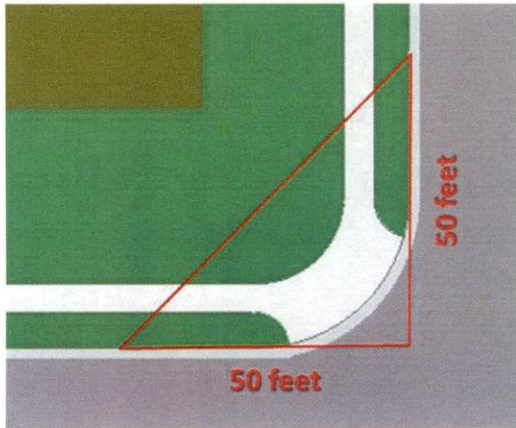


Figure 1: Example clear view area measured along back of curb where curbing exists.

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 of corner lots 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 (8') feet above nearest asphalt grade, for the protection of motorists and pedestrians.

1. Stop-Controlled Intersections: Intersections which have one or more legs of the intersection controlled by a "stop" sign are considered to be "stop controlled intersections". Whenever such conditions occur, the following shall apply to each leg of the intersection on which a "stop" sign is located:

a. "a" Dimensions: The "a" dimensions are those measured along the leg of an intersection on which a motorist is located at a "stop" sign preparing to enter onto or cross another intersecting street, as diagrammed above. The "a" dimension shall apply fully to each corner lot adjacent to said leg of the intersection. The "a" dimension along stop controlled intersections shall be five feet (5').

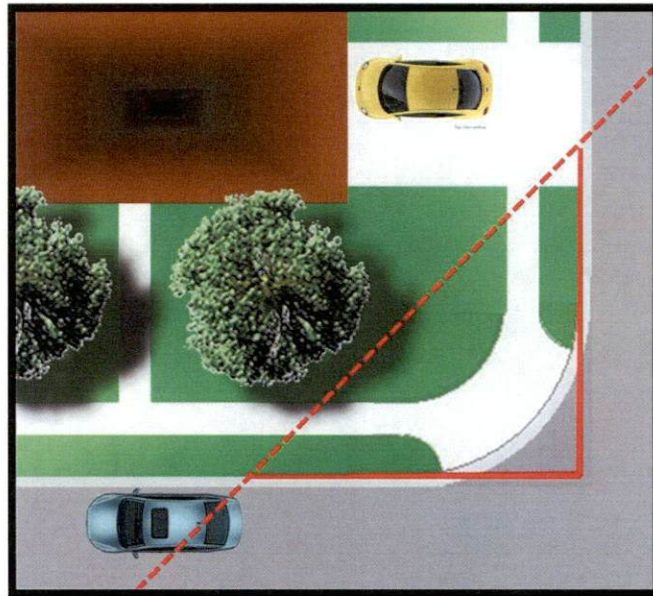
b. "b" Dimensions: The "b" dimensions are those measured along the legs of an intersection onto which a motorist at a "stop" sign is preparing to enter or cross, as diagrammed above. The "b" dimension shall apply fully to each corner lot adjacent to said leg of the intersection. The "b" dimension along stop controlled intersections shall be thirty five feet (35').

2. Yield Controlled Intersections: Intersections which have one or more legs of the intersection controlled by a "yield" sign are considered to be "yield controlled intersections". Whenever such conditions occur, an "a" and "b" dimension of forty five feet (45') shall apply to each leg of the intersection on which a "yield" sign is located.

3. All-Way Stop-Controlled Intersections: In the event the intersection of two (2) or more rights of way are controlled by "stop" signs on all legs of the intersection, the "a" dimension of the clear

view area, as determined in subsection B1 of this section, shall apply as both the "a" and "b" dimension for each leg of the intersection.

- C. Driveways: No driveway entrance shall be allowed within the clear view area. ~~along the "a" dimension leg of any intersection. Additionally, driveways shall be located not closer than thirty feet (30') from the intersection, as similarly measured, along the "b" dimension leg of any intersection. In the event a driveway is to be located on a corner lot adjacent to an all-way stop controlled intersection, no driveway shall be permitted within the clear view area as defined in subsection B3 of this section.~~



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

- D. Fencing: Fencing restrictions on corner lots shall be as outlined in section 10-6-26 of this chapter. Fencing shall not exceed 36-inches 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.

Section III. Title 10-6-26 Fences, Walls, and Hedge Requirements:

Title 10-6-26 Fences, Walls, and Hedges is modified as follows:
(Underlined text is added, stricken text is deleted)

- A. Restrictions: Fences, walls, hedges and other similar ~~items~~ 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 subsections B and C of this section, provided that no ~~fence, wall, hedge or similar item~~ Fencing shall exceed thirty six inches (36") in height within the front yard, nor in the clear view triangle, as ~~described herein and depicted~~ defined in section ~~10-6-29, exhibits B, C, and D,~~ 10-6-9 of this chapter.
1. Interior Lots And Properties: Fencing, ~~walls or hedges~~ in excess of thirty six inches (36") in height, subject to subsection B of this section, shall not extend beyond the front setback or front outside corners of a building, whichever is further from the front property line, as depicted in Figure 1 of this section ~~on the lot or property as depicted in section 10-6-29, exhibit C, of this chapter.~~

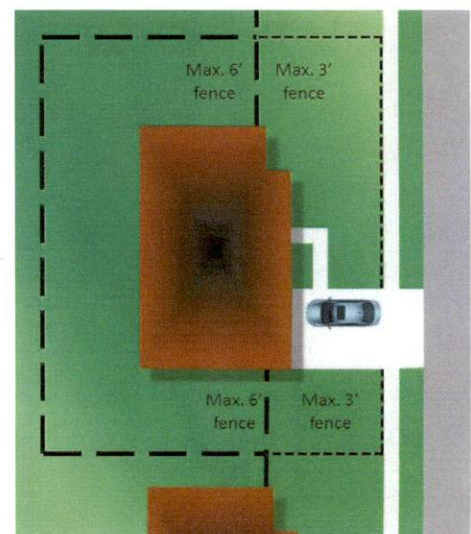


Figure 1: Interior lot maximum fencing height areas

2. Corner Lots And Properties: ~~Fences, walls or hedges~~Fencing in excess of thirty six inches (36") in height, subject to subsection B of this section, shall be allowed for the interior side of the property as outlined in subsection A1 of this section. ~~In the event the front corner of the main structure is located closer to the front property line than the length of either the "a" or "b" dimension, as applicable and determined in section 10-6-9 of this chapter, the fence, wall or hedge may not be located closer than the determined dimension of the clear view area, as depicted in section 10-6-29, exhibit D, of this chapter.~~ For corner lots where no sidewalk exists along the secondary frontage, no fencing, exceeding 36-inches in height shall be installed within 10 feet of the back of curb (See figure 2). Where sidewalk is installed along the secondary frontage, fencing may be installed to the property line.

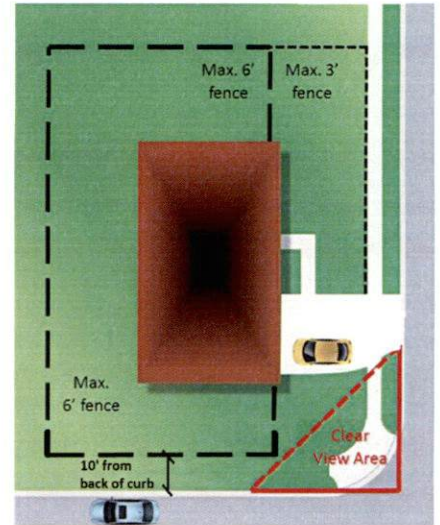


Figure 2: Maximum fence height areas on a corner lot.

- 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 subsection C1 or C2 of this section, 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.

Section IV. Title 10-6-29 Illustrations:

Exhibits B, C, and D are deleted from Title 10-6-29

Section V. Modifications to Clear View Area References:

1. Title 10-7G-6 paragraph D is modified as follows:
(Underlined text is added, stricken text is deleted)
- D. Clear View: All structures must be placed in conformance with the clear view standards found in section 10-6-9 of this title. ~~No obstruction over thirty-six inches (36") in height, which will obscure the view of automobile drivers and pedestrians shall be placed on a corner lot within the triangular~~

~~area formed by the street side property lines and a line connecting them from points forty five feet (45') from the intersection of the street side property lines.~~

2. Title 10-7I-10 paragraph D is modified as follows:
(Underlined text is added, stricken text is deleted)

D. Clear View: All structures must be placed in conformance with the clear view standards found in section 10-6-9 of this title. ~~No obstruction over thirty six inches (36") in height, which will obscure the view of automobile drivers and pedestrians shall be placed on a corner lot within the triangular area formed by the street side property lines and a line connecting them from points forty five feet (45') from the intersection of the street side property lines. No building, or any portion thereof, shall be constructed within the clear view triangle.~~

3. Title 10-7L-6 paragraph D is modified as follows:
(Underlined text is added, stricken text is deleted)

D. Clear View: All structures must be placed in conformance with the clear view standards found in section 10-6-9 of this title. ~~No obstruction over thirty six inches (36") in height, which will obscure the view of automobile drivers and pedestrians shall be placed on a corner lot within the triangular area formed by the street side property lines and a line connecting them from points forty five feet (45') from the intersection of the street side property lines. No building, or any portion thereof, shall be constructed within the clear view triangle.~~

Section VI. Subdivision Standards:

1. Title 11-6-8 Lots, is modified as follows: (Underlined text is added, stricken text is deleted)

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.

B. Lots Abutting A Street: All lots shall abut a dedicated street, public street, approved private street, 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.

C. Corner Lots: ~~Corner lots shall have fifteen feet (15') in width in addition to the minimum frontage required within the zone in which the property is located along all property lines which abut any public street in order to accommodate the additional corner lot side setback requirements of the zoning title. Such property lines which abut private streets may also be required to comply with this provision.~~

1. Orientation and Access. Whenever possible, subdivisions shall be designed to encourage the orientation of corner lots towards 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 towards 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.—Orientation: Whenever possible, subdivisions shall be designed to encourage the orientation of corner lots towards the street of 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 towards the street logically anticipating a lower level of normal traffic.~~

~~FE.~~ 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.

~~GF.~~ 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.

~~HG.~~ 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.

~~IH.~~ Side Lot Lines: Where possible, side lot lines shall be substantially at right angles and/or radial to right of way boundary lines.

~~JI.~~ 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 section 11-13-1, exhibit B, of this title.
2. Corner Lots: Frontage for both streetside property lines shall be determined by extending both streetside 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 section 11-13-1, exhibit B, of this title.
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 section 11-13-1, exhibit C, of this title. 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 section 11-13-1, exhibit C, of this title.

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.
2. Title 11-6-12 Residential Driveways, paragraph D, is modified as follows:
(Underlined text is added, stricken text is deleted)
 - 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 ~~forty feet (40') of any street right of way intersection as measured from the point created by the extension of street side property lines~~clear view areas.

Section VII. Contrary Provisions Repealed.

All provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

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

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section IX. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section X. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on October 2, 2014, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on October 2, 2014.



MOUNTAINLAND
Metropolitan Planning Organization

MOUNTAINLAND MPO REGIONAL PLANNING COMMITTEE
THURSDAY, NOVEMBER 6TH 2014

5:30 P.M.

HISTORIC COURTHOUSE, 3RD FLOOR BALLROOM
51 SOUTH UNIVERSITY AVE, PROVO

On a monthly basis between 5:00-5:30 MAG Staff will be available to discuss the current agenda or future agenda items in detail before the meeting begins.

AGENDA

1. Approve the September 4, 2014 meeting minutes
2. Public Comment
3. Water Conservation - *Utah County Association of Realtors*
4. UTA's 2015 Budget & Goals Report - *Steve Meyer, UTA*
5. I-15 / FrontRunner Study - 2050 - *Shawn Seager & Jeff Harris, UDOT*
6. I-15 - *Teri Newell, UDOT Region 3*
7. Corridor Preservation Funds Interlocal Agreement - *Jim Price*
8. Update Reports from FHWA, UDOT, UTA, and Transportation Commission
9. Other Business
 - a. Next Meeting - January 8, 2015

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Nan Kuhn at 229-3834 at least 24 hours prior to the meeting.

- * Meeting minutes are recorded. A hard copy of the attendees, a brief summary, and all motions made during a meeting will be approved at the next meeting. A CD of the entire meeting is available upon request. *

PASSED AND APPROVED this 5th day of November, 2014.


Kirk F. Hunsaker, Mayor

Councilmember Keith Broadhead	Voted <u>absent</u>
Councilmember Matthew Carr	Voted <u>yes</u>
Councilmember David Hathaway	Voted <u>yes</u>
Councilmember Amanda Jeffs	Voted <u>yes</u>
Councilmember Nick Miller	Voted <u>yes</u>

ATTEST:


City Recorder



STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 5th day of November, 2014, entitled

“AN ORDINANCE MODIFYING CORNER LOT STANDARDS; AND ALSO PROVIDING FOR CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY AND EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 5th day of November, 2014.



(SEAL)



SUSAN B. FARNSWORTH
Santaquin City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance which is attached hereto on the 6th day of November, 2014.

The three places are as follows:

- 1. Zions Bank
- 2. Post Office
- 3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

SBFarnsworth
SUSAN B. FARNSWORTH
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 6th day of November, 2014, by SUSAN B. FARNSWORTH.

My Commission Expires: 9/10/18

Jenna O. Worthen
Notary Public

Residing at: Utah County

