

## ORDINANCE NO. 07-02-2013

### AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS FOR MULTIPLE-UNIT DWELLINGS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

**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**, a request to amend Section 10-6-6 of the Revised Ordinances of the Santaquin City Code, Title 10 (The Land Development Code) was petitioned by Scott Peterson on May 20, 2013; and

**WHEREAS**, the Santaquin City Planning Commission held public hearings on June 27, 2013 and on August 8, 2013 as well as discussed the matter during their June 13, 2013 and May 23, 2013 meetings. The first noted 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

**WHEREAS**, the drafted amendments serve to achieve the following goals and policies from the City's adopted General Plan:

- Channel future growth and development into areas that can be efficiently and effectively served by public infrastructure and facilities.
- Developed areas in the city core should be revitalized by promoting new development on vacant lands and the adaptive reuse of existing community resources.
- A variety of quality housing types should be provided to accommodate a growing population. Innovative planning, development patterns and building methods that define the unique living opportunities in Santaquin are encouraged.
- Growth should be directed to locations contiguous to existing development or on "in-fill" properties to provide city services and transportation in a cost-effective and efficient manner.
- To enable higher density residential developments which support local retail establishments, promote a walkable community, support transit development and provide housing options for varying income levels and lifestyles.

- Provide design standards for the development of higher density housing in close proximity to public recreation facilities, services, schools, mass transit and shopping centers.
- Establish design standards for the development of high density and multi-family dwellings to assure high quality materials, recreation opportunities and maintained landscaping.

**NOW THEREFORE, BE IT ORDAINED** BY THE CITY COUNCIL OF THE CITY OF SANTAQUIN, UTAH, AS FOLLOWS:

**Section I.**

Section 10-6-6 of the Santaquin City Code is amended as follows and includes the following illustrations and captions: (underlined text is added, stricken text is deleted)

10-6-6: MULTIPLE-UNIT DWELLINGS:

- A. In addition to the architectural standards in subsection C of this section, the following site requirements shall apply to multiple-unit dwellings having ~~three (3)~~ five (5) or more units and that are not part of a planned unit development:
1. Distance: ~~The closest point of the lot on which such development is proposed must be located greater than~~ Developments under this section A shall be separated by a five hundred feet foot (500') linear distance along the same street and a 250' radial distance. All distances shall be measured from the nearest point of any lot containing an existing multiple-unit dwelling having ~~three (3)~~ five (5) or more units. These buffer requirements do not apply to or from properties located in the Main Street Business District Zones.
  2. Parking Standards:
    - a. ~~Off street parking: There shall be provided two (2) spaces for every unit plus one additional visitor parking space for every two (2) three (3) units on the property.~~
    - b. No Parking shall comply with the commercial design standards found in Title 10 Chapter 14 of the Santaquin City code be designated on the site plan within the required front or side yards.
  3. Required Open Space:
    - a. Landscape yard requirements shall be the same as those outlined in chapter 15 of this title.
    - b. There shall be a minimum fifty (50) 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 ~~three (3)~~ five (5) or more units, an additional ~~five hundred (500)~~ 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 per each eight (8) units. The size of playground equipment should accommodate and be designed for five (5) to twelve (12) year old children.



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

- B. In addition to the architectural standards in subsection C of this section, the following site requirements shall apply to dwellings having ~~only~~ two (2) to four (4) units and which are not part of a planned unit development (e.g., duplexes, twin homes, tri-plexes and four-plexes, but does not include accessory apartments):
1. Location: A ~~three hundred foot (300')~~ two hundred foot (200') distance is required between parcels along the same street having two (2) to four (4) or more units and any other multiple-unit dwellings so long as said units are not on abutting parcels.
  2. Parking Standards: ~~Each unit shall have~~ Two (2) unit structures shall have a minimum one car garage and at least two (2) additional parking spaces of on-site parking. Carports or awnings are not allowed. 3-4 unit structures shall have 2.5 parking spaces per unit of on-site parking. (e.g. 3 units x 2.5 spaces = 8 spaces (7.5), 4 units x 2.5 spaces = 10 spaces). A maximum of thirty five (35%) percent of the area in the required front setback may be 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 such instance, where a twin home development is proposed, the side setback which prohibits a 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~~) five (750) square feet of usable recreation open space shall be provided per unit.
  4. Building Design: Each dwelling unit shall be distinguishable from the adjoining unit 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 fifty percent (50%) of the front elevation (not including the garage), in no case being less than ten feet

- 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. Developments on corner lots should design the homes such that garage doors face separate 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 or ground floor units ~~shall~~ should be oriented toward the public right of way with entry sidewalks that connect directly to public sidewalks. Entrances should be identifiable by an architectural treatment such as a covered portico or a different roofline treatment.

2. Fenestration: Each elevation shall have at least one window per unit on such elevation. Window openings shall be designed with three-dimensional relief, which may include a combination of pop outs, shutters, keystone features, etc.

Appropriate use of 3-dimensional relief around windows and doors



3. Building Articulation: All exterior walls shall be articulated through combinations of the following techniques:
- a. Facade modulation: Stepping portions of the facade to create shadow lines and changes in volumetric spaces,
  - b. Use of engaged columns or other expressions of the structural system, porch columns must be wrapped with an appropriate brick or stone or other substantial architectural features.
  - c. 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 24 inches),
  - d. Variation in the rooflines by use of dormer windows, overhangs, arches, stepped 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. They must be articulated by at least two (2) of the following means: change in wall plane of five feet (5') for every thirty feet (30'), covered deck or patios along at least forty percent (40%) of the rear elevation, bay or box windows, or chimneys, horizontal or vertical material changes (e.g. wainscoat, gable finish, etc.), or sufficient plantings to create similar variation to the plane of the building elevations.



Appropriate articulation on a multi-family structure.

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



Appropriate roof top equipment treatments

- 5. Fences And Walls: Developments shall install perimeter fencing and landscaping in accordance with the city adopted buffering standards. Chainlink is not allowed as a fencing material in front yards.

- 6. Building Materials:

- a. Exterior Materials:

- 1. Thirty percent (30%) of any elevation facing a street must contain masonry materials. For calculation purposes, this shall include windows and entry door areas. Examples of permitted materials include: brick, stone, split faced block, or cut stone. Masonry material must wrap the corners a



Appropriate use of materials in context with building architecture

minimum of three (3) feet on the structure at outside corners.

2. Wood, metal, or other paneling materials shall be reviewed on a case by case basis.
3. Aluminum or vinyl materials are only allowed for soffit or fascia treatments except under the following conditions.
  - a. Vinyl shake style panels may be permitted in gable areas on all elevations.
  - b. A maximum of 35% of front elevations can be covered with vinyl products.
  - c. Any vinyl product must have the appearance of Hardyboard or similar product with horizontal plank features having a minimum width of 8" and vertical planks having a minimum 10" width.
4. Except as allowed in paragraph (1) above, material types shall wrap all corners and terminate at interior corner points.



Appropriate wrapping of corners

5. Multi-story buildings should provide materials and/or color changes that distinguish building levels, especially the ground level from upper stories.
  - b. Material Colors: Colors should consist of earth tones, e.g., natural shades of wood, stone or brick.
7. 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.



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.

**Section II.** Contrary Provisions Repealed. Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

**Section III.** Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. 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 IV.** Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section V.** Posting and Effective Date. Prior to 5:00 p.m. on August 15, 2013, the City Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on August 15, 2013.

ADOPTED by the Santaquin City Council on the 21<sup>st</sup> day of August, 2013.

  
Mayor James E. DeGraffenried

Attest:

  
Susan B. Farnsworth  
Santaquin City Recorder

Council Member Keith Broadhead	<u>nay</u>
Council Member Matt Carr	<u>aye</u>
Council Member Kirk Hunsaker	<u>aye</u>
Council Member James Linford	<u>aye</u>
Council Member Rick Steele	<u>nay</u>




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 21<sup>st</sup> day of August, 2013, entitled

**“AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS FOR MULTIPLE-UNIT DWELLINGS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 21<sup>st</sup> day of August, 2013.

  
\_\_\_\_\_  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

(SEAL)





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 21<sup>st</sup> day of August, 2013.

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 22 day of August 2013, by SUSAN B. FARNSWORTH.

My Commission Expires:

Ann Edington Adams  
Notary Public

Residing at: Utah County

