

## ORDINANCE NO. 07-02-2016

### AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT STANDARDS, 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**, The Planning Commission initiated an amendment to Section 10-7 Article K of the Revised Ordinances of the Santaquin City Code, Title 10 (The Land Development Code); and

**WHEREAS**, the Santaquin City Planning Commission discussed revisions of the PUD ordinance during public meetings on May 12, June 23, July 28, August 25, 2016 and held a public hearing on the proposed revisions during their meeting on June 23, 2016. The 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 positive recommendation for the proposed amendment to the City Council; 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.
- 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.

- A. Section 10-7K-3: PUD DESIGNATION is amended as follows: (Underlined text is added, stricken text is deleted)

Only developments having more than ~~20~~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 affect 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.

- B. Paragraphs B and C of Section 10-7K-4: MINIMUM STANDARDS is amended as follows: (Underlined text is added, stricken text is deleted)

B. Parking. Parking shall be provided in accordance with Title 10-14 of this Code as well as the following minimum standards.

1. Garages~~Dwellings~~. Each single family attached or detached dwelling unit in a PUD shall include at least a two (2) car garage that measures no less than twenty (20) feet by twenty (20) feet. Apartment or stacked condominium style housing may have uncovered parking but each unit shall have at least one covered parking stall.
2. Guest Parking. Where guest parking is provided, such shall be located within two hundred feet (200') of the dwelling entrances served.
3. Covered Parking. The architecture of any covered parking structures shall ~~incorporate~~ 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.
34. 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.

- C. Dwellings and Development Structures. Dwellings and Development Structures must comply with the following minimum standards:



1. The following dwelling types are allowed within a PUD and must meet the associated minimum yard standards listed.

Dwelling Type	Minimum Yard-Lot Area
Detached Single Family	70% of the underlying zone <u>for those lots abutting developments without a PUD designation. Otherwise, the minimum lot size is 6,000 sq.ft.</u>
Clustered Single Family (aka Common Drive Detached Patio Home)	4,000 square feet
Attached Single Family	250 square feet of private/limited common open space <u>shall be</u> attached to each unit.
Live/work Residences	Minimum necessary to comply with all applicable site, parking and landscaping regulations of this <u>chapter Title</u> and other conditions established by the City Council in accordance with 10-7K-3, above.
Stacked Apartments/Condominiums	

2. 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	<u>30% masonry* coverage of ground floor.</u>	<u>30% of ground floor, except where the only building entrance from private street is a garage entrance then a minimum 3' wainscot is sufficient.</u>	<u>Min 3' wrap of masonry from rear or front.</u>	<u>No minimum masonry coverage.</u>
Clustered Single Family (aka Common Drive Detached Patio Homes)	<u>Vinyl products (e.g. shake, board &amp; baton, etc.) may only be used in gable pediment areas</u>	<u>a garage entrance then a minimum 3' wainscot is sufficient.</u>	<u>Vinyl products are permitted to the extent that ground floor and pediment areas are materially distinct (e.g. material type and style) from upper stories. Separation bands between material types must be provided.</u>	<u>Vinyl products are permitted to the extent that ground floor and pediment areas are materially distinct (e.g. material type and style) from upper stories. Separation bands between material types must be provided.</u>
Attached Single Family		<u>Vinyl products may only be used in gable pediment areas.</u>		
Stacked Apartments/ Condominiums	<u>All standards in Title 10-6-6, Multi-Family shall apply with the following differences: A minimum 3' masonry wainscot on all sides shall be part of the minimum masonry* requirement in Title 10-6-6, a maximum of 35% of any elevation may have vinyl products.</u>			

All structure elevations facing a public or private street or which are owned by an HOA or similar entity must be constructed of masonry material (e.g. \*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.

3. ~~Side and rear elevations must have a minimum 30% masonry material~~
43. Roof pitches shall be a minimum 5:12 for gabled and multi-story buildings and 4:12 for hipped single story homes.
54. No building footprint, its reverse or front elevation may be repeated within the five 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 different conceptual building plans and elevations for approval and construction within the PUD. Consideration shall be given to the following elements:
  - 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,
  - 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 36-inches),
  - d. Variation in the rooflines by use of dormer windows, overhangs, arches, stepped roofs, gables or other similar devices.
  - e. Wrap-around porches, particularly on corner lots.
65. Building elevations, materials and colors must be consistent with the natural, rural setting in which the structures will be built.
76. 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 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.
87. Living units shall have the following minimum finished floor areas
  - a. Single story detached single family/patio units: ~~One Thousand two hundred (1,200) square feet.~~ 1,200 square feet
  - b. Multi-level detached single family/patio units: ~~One Thousand four hundred (1,400) square feet.~~ 1,400 square feet
  - c. Attached single family: ~~One Thousand two hundred (1,200) square feet.~~ 1,200 square feet
  - d. Live/Work Units: ~~One Thousand two hundred square feet (1,200) square feet residential space.~~ 1,200 square feet of residential space
  - e. Stacked condominiums/apartments: ~~One thousand (1,000) square feet.~~ must meet the following average minimum livable unit areas with no unit(s) having less than 90% of the average.
    1. Studio Units – 500 square feet



- 2. One bedroom units – 750 square feet
- 3. Two bedroom units – 900 square feet

98. Rear elevations are not allowed to be flat wall expanses. They must be articulated by at least two of the following means: change in wall plane of 5' for every 30 feet, covered deck or patios along at least 40% of the rear elevation, bay or box windows, or chimney's

**F.C.** Paragraph H of Section 10-7K-4: MINIMUM STANDARDS is amended as follows:  
(Underlined text is added, stricken text is deleted)

Non-Residential 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 non-residential zoning for these uses would not be necessary.

**G.D.** Paragraph A.3 of Section 10-7K-5: DENSITY BONUS is amended as follows: (Underlined text is added, stricken text is deleted)

Yield Plan Lot Buildability Standards: The determined buildable area on lots must be contiguous, unencumbered, and contain non-sensitive lands. Minimum buildable areas, not including underlying zone setbacks, shall be as follows:

Zone	<u>Min. Buildable Lot Area on Lots</u>
<u>RC</u>	<u>2,900 square feet</u>
R-10	3,500 square feet
R-12	4,100 square feet
R-15	5,000 square feet
R-20	8,000 square feet

**H.E.** Paragraphs B and C of Section 10-7K-5: DENSITY BONUS are amended as follows:  
(Underlined text is added, stricken text is deleted)

B. 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 article. 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 ~~thirty-five~~forty-five percent (~~35~~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.

1. 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 ~~fifteen~~ twenty percent (~~15~~20%) density increase based on the following table

Amenity per 100 units or equivalent	% Increase
Tot Lot sized for ages <del>8</del> <u>12</u> +	2.0
30,000 sq. ft. Sports Court or similar	3.0
400 sq. ft. Bowery with tables and barbecue areas	4.0
<u>Community Club House (per thousand s.f.)</u>	<u>2.0</u>
Community size Swimming Pool and Club House	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.	

2. 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 ~~five~~four percent (~~5~~4%) density increase.
3. 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 five percent (~~5~~6%) density increase based on the following table. Chain-link fencing is not permitted. Vinyl coated chain-link is not allowed unless utilized around sport 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	% 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' spacing	2.0
Cast in Place Concrete Wall (must be color treated and have anti-graffiti coating)	<del>3</del> <u>4</u> .0
Decorative Fencing (i.e. decorative iron, full brick masonry, real stone, etc. but excluding CMU products)	<del>3</del> <u>5</u> .0
Decorative Fencing with Masonry Pillars maximum 10' spacing and half walls along fence	<del>6</del> <u>5</u> .0

4. 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% Minimum	% Increase
5% (equal to 20% total)	5.0
15% (equal to 30% total)	15.0
25% (equal to 40% 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.

5. 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	% 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

6. Non-Residential Uses: Non-residential 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:

- a. Religious or cultural sites may be eligible for bonus density based on the following:

1. 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.

2. No additional bonus density is available for on-site amenities provided by the non-residential uses.

3. Uses under this part shall have a minimum 3 acre site and be owned, operated and maintained by a public or tax-exempt entity.

4. 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 part.

b. School sites may be eligible for bonus density based on the following:

1. Half of any grass playing field areas may be counted as additional open space under part B.4 above.

2. 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.

3. Written acknowledgment and intent to accept the site by a school entity is required to receive bonus density under this part.

c. 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 non-residential use under this part.

C. 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 ~~thirty-five~~forty-five percent (~~35~~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).

**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.

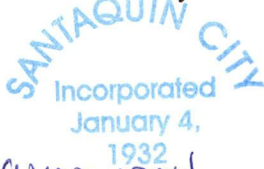
**Section III.** Codification, Inclusion in the Code, and Scrivener's Errors. It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may 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.

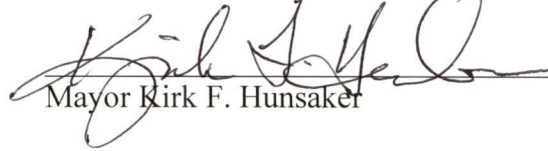
**Section IV.** Severability. If any section, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



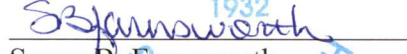
**Section V.** Posting and Effective Date. Prior to 5:00 p.m. on October 20, 2016, the City Recorder shall: (a) deposit a copy of this ordinance in the official records of the City; and (b) post a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on October 20, 2016.

ADOPTED by the Santaquin City Council on the 20<sup>th</sup> day of October, 2016.



  
Mayor Kirk F. Hunsaker

Attest:

  
Susan B. Farnsworth  
Santaquin City Recorder