

## ORDINANCE NO. 02-04-2026

**AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO CLARIFY THAT RETAINING WALL MEASUREMENTS BE FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS**, the City of Santaquin is a fourth-class city of the state of Utah; and

**WHEREAS**, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

**WHEREAS**, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

**WHEREAS**, the City Council desires to amend Santaquin City Code Title 10, Chapter 16, Section 260; Title 10 Chapter 20, Section 120; and Title 10, Chapter 20, Section 230 to amend retaining walls measurement requirements to be consistent with Utah State Code 19.95.100; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on January 27, 2026, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City; and

**WHEREAS**, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council.

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

### **Section I. Amendments**

**Title 10 Chapter 16 Section 260 is amended as follows:** (underlined text is added, stricken text is deleted)

#### **10.16.260 FENCES, WALLS, AND HEDGES**

- B. Retaining Walls: All retaining walls of four feet (4') in height or greater, from ~~finished grade~~ bottom of the footing to top of the wall, 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.

**Title 10 Chapter 20 Section 120 is amended as follows:** (underlined text is added, stricken text is deleted)

**10.20.120 COMMERCIAL ZONES**

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

1. Lot Standards: No minimum lot area and width standards are specified for parcels within commercial zones, except that an area sufficient to accommodate building location requirements, off street parking, loading and unloading, and vehicular access shall be provided and maintained by the owner.
2. Building Location Standards: The following standards shall apply to structure locations within the respective commercial zones.
  - a. Submittal Of Plan: Where a development is to be completed in phases and with multiple buildings, a plan showing the overall commercial development, including all building and improvement locations must be submitted to the planning commission for concept review and approval prior to any site plan approvals for an individual building site or location. Construction of buildings on pad sites may not commence until construction has begun on the major anchor tenants of the property, without architectural review committee approval.
  - b. Setback Requirements:

	C-1	PO
Front setbacks:		
From primary public frontage to building/ parking	10/10	20/10
From secondary public frontage to building/ parking <sup>1</sup>	10/10	20/10
From private frontage	0	10
Side setbacks <sup>2</sup> :		
Minimum from adjacent property to building/ parking	0 or 10'0 if shared or 5'	10' plus 5' per building stories above
If side abuts a residential zone	15'	

			1/5'
	Minimum from private street/drive aisle curb	10'	10'
Rear setbacks:			
	Minimum from adjacent property to building/ parking	10'/0 if shared or 5'	20/5
	If rear abuts a residential zone	15'	20'
	Minimum from private street/drive aisle curb	10'	10'

Notes:

<sup>1</sup> Secondary frontage shall be the frontage on the lower classification of road if the development fronts onto 2 streets of differing classification. Where both fronted streets are equally classified, the secondary frontage shall be the street with lower traffic volumes.

<sup>2</sup> Commercial buildings may be designed and constructed to be conjoined or share a common wall along a side or rear property line, with a neighboring commercial 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 all other applicable standards are still met. If no wall is to be shared along the side or rear property lines, then the greater setback shall be required.

- c. Accessory Structures: Accessory structures (e.g., trash enclosures, storage buildings, etc.) may not be located in required front yard setback or landscape yard areas and must comply with all applicable landscape requirements found within SCC 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 grade and slope of the site. Grading of property should be sensitive to and compatible with surrounding properties and public streets. Commercial properties adjacent to existing or future residential properties will be restricted in raising or cutting the elevation of the commercial site near property lines unless approved by the city with appropriate buffering measures.
  - a. The use of landscaped, sloped areas is usually preferable to retaining walls. The use of terraced parking lots, stepped building pads, retaining walls and larger setbacks may be necessary to achieve this.
  - b. Retaining wall heights are limited to a maximum height of four feet (4') measured from the ~~highest point of grade~~ the bottom of the footing to the top of the wall, unless otherwise authorized by the architectural review committee. Cast in place concrete walls may not be utilized for retaining purposes unless a decorative stone or other approved veneer material and/or elements will be placed on the visible portions of the wall.

**Title 10 Chapter 20 Section 230 is amended as follows:** (underlined text is added, stricken text is deleted)

**10.20.230 HILLSIDE DEVELOPMENT OVERLAY ZONE**

- 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~~ **footing** to the top of the wall ~~vertically above the bottom point of measurement~~. No retaining wall shall exceed ten feet (10') in height.

## **Section II. 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 III. 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 IV. 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. 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 V. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, February 4<sup>th</sup>, 2026. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 3<sup>rd</sup> day of February 2026.



Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted <u>Yes</u>
Councilmember Brian Del Rosario	Voted <u>Yes</u>
Councilmember Lynn Mecham	Voted <u>Absent</u>
Councilmember Jeff Siddoway	Voted <u>Yes</u>
Councilmember Travis Keel	Voted <u>Yes</u>

ATTEST:



Stephanie Christensen, City Recorder

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, STEPHANIE CHRISTENSEN, 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 3<sup>rd</sup> day of February 2026, entitled

**“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO CLARIFY THAT RETAINING WALL MEASUREMENTS BE FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 3<sup>rd</sup> day of February 2026



A handwritten signature in blue ink, appearing to read "Stephanie Christensen", written over a horizontal line.

Stephanie Christensen  
Santaquin City Recorder  
(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

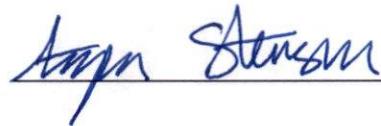
I, STEPHANIE CHRISTENSEN, City Recorder of Santaquin City, Utah, do hereby certify and declare that prior to the ordinance taking effect, I posted a short summary of the ordinance on the Utah Public Notice Website as required by Utah State Code 10-3-711(1)(b) as a Class A Notice and Santaquin City Code 1-2-050(D)

I further certify that copies of the ordinance were posted online at [www.santaquin.org](http://www.santaquin.org), at the City Hall Building at 110 S. Center Street and on the State of Utah's Public Notice Website, <https://www.utah.gov/pmn/index.html>. A copy of the notice may also be requested by calling (801)754-1904.

  
\_\_\_\_\_  
STEPHANIE CHRISTENSEN  
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this 4 day of Feb 2026, by STEPHANIE CHRISTENSEN.

My Commission Expires:

  
\_\_\_\_\_

