

ORDINANCE NO. 07-01-2020

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW CONCRETE SIDING PRODUCTS AS A PRIMARY EXTERIOR FINISH IN THE MAIN STREET BUSINESS DISTRICTS ZONE, 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 15 to require landscaping in the front and side yards of every new residential dwelling; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on June 23, 2020, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City, and which notice of public hearing was published in a newspaper in accordance with Section 10-9a-205 of the Utah State Code; 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 7M Section 9E is amended as follows: (underlined text is added, stricken text is deleted)

E. Building Materials:

1. Primary Exterior Materials:

- a. Primary exterior finish materials shall make up at least the percentages of building elevations shown in the table below, after the transparent area, defined in this article, is deducted:

Building Area/Elevations	CBD	MSC	MSR
Single-family main floor facing a public street	n/a	n/a	50%
Single-family upper floors facing a public street	n/a	n/a	30%
Multi-family main floor	n/a	100%	100%
Multi-family upper floors	n/a	30%	30%
Commercial single-story buildings	n/a	50%	50%
Ground floor of a mixed use or commercial multi-story building	80%	80%	80%
Upper floors of a mixed use or commercial building visible from public rights-of-way	50%	30%	30%
Upper floors of a mixed use or commercial building not visible from public rights-of-way	30%	30%	30%

b. Primary exterior finish materials shall be low reflectance, have natural textures, and utilize natural earth tone colors. Examples of permitted materials include: brick, stone, natural split faced block, or cut stone. The use of all glass exterior, smooth faced concrete block, prefabricated steel panels, corrugated metal, and EIFS (stucco) ~~and masonry siding~~ shall be prohibited as primary building materials. Nonmasonry siding is prohibited.

c. Concrete siding products (i.e. hardie board) is considered a primary exterior finish but can only cover a maximum of 75% of each elevation, or 75% of the area defined in the table above, and must be accompanied by at least one other primary exterior finish.

2. Secondary Materials And Trim Materials: Secondary materials and trim materials shall complement the primary materials in texture and scale and provide enough contrast to be visible. EIFS materials may only be utilized for accents.
3. Accessory Structures: Accessory structures, such as gasoline pump canopies, utilities (gas, electric), trash enclosures and other accessory structures shall use the same architectural elements and types of materials and colors as the primary structure.
4. Material Colors: Material colors should consist of earth tones, e.g., muted shades of red or brown. The use of high intensity colors, primary colors, metallic colors, black or fluorescent colors is not permitted for primary exterior materials. Secondary materials and trim materials shall complement the primary material colors.
5. Wrapping: Where the two (2) sides of an extruding corner element are visible, materials and design elements shall wrap the visible corner and may only terminate at an interior corner location or the terminus of the visible wall plane.

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

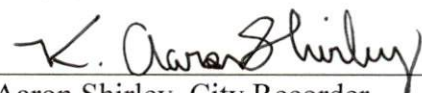
This ordinance shall become effective at 5:00 p.m. on Wednesday, July 8th, 2020. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 7th day of July 2020.


Kirk Hunsaker, Mayor

Councilmember Nick Miller	Voted <u>YES</u>
Councilmember Elizabeth Montoya	Voted <u>yes</u>
Councilmember Lynn Mecham	Voted <u>yes</u>
Councilmember Jennifer Bowman	Voted <u>Not Present</u>
Councilmember David Hathaway	Voted <u>yes</u>

ATTEST:


K. Aaron Shirley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)


I, K. AARON SHIRLEY, 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 7th day of July, 2020, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW CONCRETE SIDING PRODUCTS AS A PRIMARY EXTERIOR FINISH IN THE MAIN STREET BUSINESS DISTRICTS ZONE, 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 7th day of July, 2020.



(SEAL)



K. AARON SHIRLEY
Santaquin City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, 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 7th day of July, 2020.

The three places are as follows:

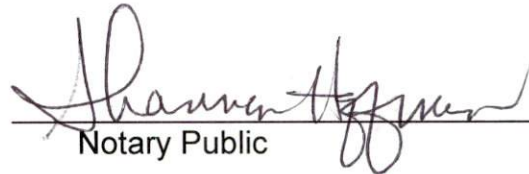
1. Zions Bank
2. Post Office
3. City Office

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



K. AARON SHIRLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 8th day of July, 2020, by K. AARON SHIRLEY.



Notary Public

