

ORDINANCE NO. 09-05-2020

AN ORDINANCE AMENDING SANTAQUIN CITY CODE ALLOWING DETACHED ACCESSORY DWELLING UNITS AND REMOVING FLAG LOTS FROM THE R-8 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 7A Section 2 to allow detached accessory dwelling units and removing flag lots from the R-8

WHEREAS, the Santaquin City Planning Commission held a public hearing on August 11, 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 7A Section 2 is amended as follows: (underlined text is added, stricken text is deleted)

10-7A-2: PERMITTED USES:

Land uses in the R-8 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

P	The listed use is a permitted use within the represented area, based on City development standards and ordinances.
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C	The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.
N	The listed use is a prohibited use within the represented area.

Use	R-8
Adult daycare	C
Assisted living facility - large	C
Assisted living facility - small in accordance with section <u>10-8-6</u> of this title	P/C
Caretaker facilities associated with a permitted or conditional use	C
Cemeteries	P
Child daycare centers	C
Crisis respite	C
Dwelling, two-family (for example, duplexes and twin homes)	N
Flag lots, in the core area only, subject to the provisions of <u>chapter 10</u> of this title	C
<u>Dwelling, Accessory Unit Attached</u>	<u>P</u>
<u>Dwelling, Accessory Unit Detached</u>	<u>P</u>
<u>Dwelling, Multiple-Unit</u>	<u>N</u>
<u>Dwelling, Single-Family Detached</u>	<u>P</u>
Golf courses and golf clubhouses (private and public)	P
Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent of a development project permitted within and in association with the R-8 Zone and with City Council approval and Planning Commission recommendation for approval of a plan detailing the scope and time schedule for the work to be done	C
Home occupations, in accordance with <u>chapter 12</u> of this title	P/C
Large scale developments	C

Multiple-unit dwellings	N
Parks	P
Recreational vehicle (RV) parks	N
Religious center	P
Residential facilities for persons with a disability pursuant to <u>chapter 17</u> of this title	P
Residential facilities for the elderly pursuant to <u>chapter 16</u> of this title	P
Residential support facility	P
Schools	P
Sheltered workshop	C
Single-family dwellings and related accessory uses	P
Social or reception centers	C
Telecommunications sites. See subsection <u>10-6-34D</u> of this title	
Temporary uses, subject to the provisions of section <u>10-6-30</u> of this title	P
Treatment facility	N

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

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 1st day of September, 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 8 day of September 2020, by K. AARON SHIRLEY.



Notary Public

