

ORDINANCE NO. 12-02-2021

AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY, MORE SPECIFICALLY, APPROVING THE REZONING OF APPROXIMATELY 30.86 ACRES OF PROPERTY LOCATED AT APPROXIMATELY MAIN STREET AND 900 EAST CHANGING APPROXIMATELY 23.28 FROM R-10 RESIDENTIAL TO R-10 PLANNED RESIDENTIAL DEVELOPEMNT (PUD) AND APPROXIMATELY 7.58 ACRES FROM R-10 RESIDENTIAL TO INTERCHANGE COMMERCIAL (C-1), PROVIDING SEVERABILITY AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the Santaquin 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 Santaquin City Planning Commission held public hearings during their November 9, 2021 and November 30, 2021 meetings, which hearings were preceded by the posting of public notice in at least three public places within the City limits of Santaquin City in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, after the noted public hearings, the Santaquin City Planning Commission forwarded a recommendation to the City Council regarding the proposed rezoning of property; and

WHEREAS, Santaquin City desires to work with the property owner to draft a development agreement that will mutually benefit the City and the property owner; and

WHEREAS, the Santaquin City Council desires to amend the Official Zoning Map of Santaquin City, more specifically the rezoning of approximately 30.86 acres of property located at approximately Main Street and 900 East. The rezone changes approximately 23.28 from R-10 Residential to R-10 Planned Residential Development PUD and approximately 7.58 acres from R-10 Residential to Interchange Commercial (C-1).

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

Section I.

That the official zoning map of the City be amended such that approximately 30.86 acres of property located at approximately Main Street and 900 East be rezoned. The rezone changes approximately 23.28 from R-10 Residential to R-10 Planned Residential Development PUD and

approximately 7.58 acres from R-10 Residential to Interchange Commercial (C-1) as shown on the attached map labeled as Exhibit A and by this reference made part hereof.

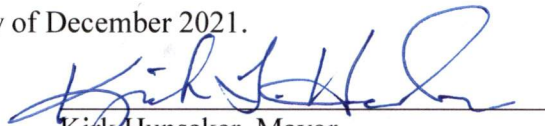
Section II. Severability

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 V. Posting and Effective Date


This ordinance shall become effective at 5:00 p.m. on Wednesday, December 15, 2021. 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 14th day of December 2021.


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 David Hathaway	Voted	<u>Yes</u>

ATTEST:


K. Aaron Shirley, City Recorder

