

## Ordinance 5-03-2015

**AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SANTAQUIN CITY CODE PERTAINING TO PERMITTED USES IN THE RC ZONE, PROVIDING FOR CODIFICATION, INCLUSION IN THE CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has been given specific authority in Utah Code Annotated, Title 10, Chapter 9a. to adopt land use and subdivision ordinances to regulate the erection, construction, reconstruction, alteration, repair and uses 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**, Santaquin City has adopted land use regulations in accordance with Utah State Code, Annotated 1953, as amended, Section 10-9a; and

**WHEREAS**, a request has been made to amend Santaquin City Code, Title 10 of the Revised Ordinances of Santaquin City (the Land Development Code) by amending Section 10-7I, RC Residential Commercial Zone, in order to consider allowing kennels in the RC Zone and to clarify the list of permitted uses within the same zone; and

**WHEREAS**, the Santaquin City Planning Commission discussed the proposal at a public meeting held on March 12, 2015 and conducted a public hearing on the amendment on April 9, 2015, after which they forwarded the amendment with a positive recommendation to the City Council; and

**WHEREAS**, the aforementioned public 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 the Payson Chronicle Newspaper on March 18, 2015 in accordance with Section 10-9a-205 of the Utah State Code.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SANTAQUIN, UTAH, AS FOLLOWS:**

**Section I.**

1. Santaquin City Code, Title 10-7I-2 Permitted Uses is amended to read as follows:

**10-7I-2 Permitted Uses**

General land uses within the residential commercial zone shall complement the city's general plan for their respective areas. Those uses allowed in the RC Zone are listed in the following matrix. Abbreviations and alphabetic use designations in the matrix have the following meanings:

P	The listed use is a permitted use within the represented area, based on city development standards and ordinances.
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 only permitted as an accessory use within the represented area.
A	The listed use is a prohibited use within the represented area.

Accessory Apartments	P
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Alcohol Dispensing Establishment	C
Automotive Service and Repair	C
Automotive Service Station	C
Cemeteries	P
Child Daycare Center	C
Child Daycare Center	C
Commercial, Recreation	P
Commercial, Retail Sales and Service	P
Drive-In Retail	P
Dwelling, Caretaker	P
Dwelling, Caretaker	C
Dwelling, Single Family	P
Dwellings, Multi-family, subject to Title 10-6-6	P
Engraving, publishing, and printing.	P
Flag Lots, in Core Area only	C
Furniture and appliance stores.	P
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 RC 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
Healthcare Facility	C
Home occupations, subject to Title 10-12	P/C
Hotels and Motels	C
Institutions	P
Kennel, as a Home Occupation under 10-12 and subject to animal licensing requirements in Title 5	P/C
Kennel, as a standalone commercial businesses, subject to animal licensing requirements in Title 5	P
Large Scale Developments	C
Mobile Home Parks	C
Mortuary, Funeral Home	P
Parking Lot	P
Parks	P
Pawnshops	C
Planned Unit Developments	C
Professional Office or Financial Services	P
Public and quasi-public buildings.	P
Religious Center	P
Residential Facilities for persons with a disability pursuant to chapter 17 of this title and the Utah state code, section 10-9-605	P
Residential facilities for the elderly pursuant to chapter 16 of this title and the Utah state code, section 10-9-502.	P
Schools	P

Seasonal businesses on properties of a commercial use and subject to the provisions of section 10-6-30 of this title.	P
Seasonal businesses on properties of a residential use and subject to the provisions of section 10-6-30 of this title.	C
Stone and monument sales.	P
Storage unit facilities.	P
Taxidermy shops.	P
Telecommunications sites subject to section 10-6-34 of this title.	P/C
Theaters	C
Tire Recapping	C
Veterinarian services.	P
Wedding Chapel	P
Wholesale stores.	P

2. **S.C.C. §10-71 RC Residential Commercial Zone** is further amended as follows:

The following sections of 10-71 are deleted in their entirety and the remaining sections are renumbered accordingly: §10-71-3, §10-71-4, 10-71-5, 10-71-14, 10-71-15, 10-71-16, 10-71-17, 10-71-18, and 10-71-19.

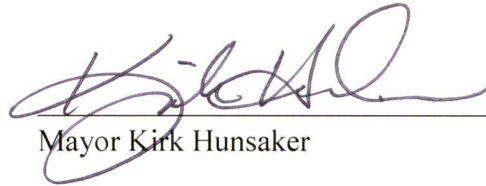
**Section II.** Contrary Provisions Repealed. Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

**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, 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 June 4, 2015

ADOPTED by the Santaquin City Council on the 3<sup>rd</sup> day of June, 2015.

  
\_\_\_\_\_  
Mayor Kirk Hunsaker

Attest:

  
\_\_\_\_\_  
Susan B. Farnsworth  
Santaquin City Recorder



Council Member Keith Broadhead  
Council Member Matt Carr  
Council Member David Hathaway  
Council Member Amanda Jeffs  
Council Member Nick Miller

*Aye*  
*Aye*  
*Aye*  
*Aye*  
*Aye*

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

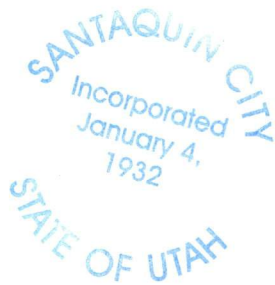
I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 3<sup>rd</sup> day of June, 2015, entitled

**“AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE SANTAQUIN CITY  
CODE PERTAINING TO PERMITTED USES IN THE RC ZONE”**

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 June, 2015.

Susan B. Farnsworth  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, SUSAN B. FARNSWORTH, 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 4<sup>th</sup> day of June, 2015.

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.

  
\_\_\_\_\_  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of June, 2015, by SUSAN B. FARNSWORTH.

My Commission Expires:

September 10, 2018  
\_\_\_\_\_  
Notary Public

Jenna O. Worthen  
Residing at:                   Utah County

