

ORDINANCE NO. 04-01-2014

AN ORDINANCE AMENDING FREESTANDING SIGN REGULATIONS, CODIFICATION, AND INCLUSION IN THE CODE; ALSO PROVIDING FOR THE CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City Council has been given specific authority in Utah Code Annotated, Title 10, Chapter 9a, to adopt land use 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, a request has been made to amend Title 10 of the Revised Ordinances of Santaquin City (the Land Development Code) by amending Section 10-13 Sign Regulations, and the standards for freestanding signs allowed therein; and

WHEREAS, the Santaquin City Planning Commission held a public hearing to discuss the proposal on March 13, 2014, 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 the Payson Chronicle Newspaper in accordance with Section 10-9a-205 of the Utah State Code; and

WHEREAS, The Planning Commission has forwarded a positive recommendation for the proposed amendment to the City Council; and

WHEREAS, The City Council finds that the proposed language will more fully carry out the intent and purpose of the general plan of the City, namely;

- a. Zoning policies should allow a variety of retail and commercial goods and services within the community while encouraging businesses to prosper and provide for adequate access, parking, traffic circulation, noise buffering, and other operational conditions within commercial areas,
- b. To improve the image and appearance of commercial corridors and carefully limit any negative impacts of commercial facilities on neighboring land-use areas, particularly residential development,
- c. Formulating thoughtful commercial site design and development standards to express the desired overall image and identity as outlined in the Community Vision of the General Plan,
- d. Reducing the potential amount of visual clutter so often common in more urban commercial centers; and

WHEREAS, the foregoing legitimate governmental objectives are achieved by reasonable means in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable; and

WHEREAS, procedures have been established by the Land Development Code and Utah Code Ann. whereby appeals can be heard and decided if it is alleged that an error in the application of a land use ordinance has occurred.

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

Section I.

1. That paragraph 10-13-8.C.1.c be amended as follows: (underlined text is added, stricken text is deleted)

c. Commercial Parcels Within One Thousand Feet Of An I-15 Off Ramp Terminus:

Commercial properties along Main Street, Highway 198, Highland Drive or between South Ridge Farms Road and I-15, which are not associated with a planned commercial center and are located within one thousand feet (1,000') of an I-15 off ramp terminus, may have one freestanding sign per frontage along the before mentioned roads. However, such properties must have at least one hundred feet (100') of frontage on the listed road or only a monument sign will be allowed along that frontage.

2. That paragraph 10-13-8.C.2.a. be amended as follows: (underlined text is added, stricken text is deleted)

a. Height Standards:

(1) Properties fronting the I-15 corridor may have freestanding signs that do not exceed forty five feet (45') above adjacent average grade and no more than fifteen feet (15') above the nearest traveled freeway lane, whichever is less. However, for those properties fronting I-15 and not able to have a minimum 15' tall sign due to natural topographic circumstances relative to freeway grades, a maximum 15' tall sign is permitted as measured from natural grade directly below the sign.

(2) Properties along other designated public streets may have freestanding signs that do not exceed twenty five feet (25') above the grade of closest paved edge of the fronted street. For those properties within the areas listed in this paragraph, which are not able to have a minimum 15' tall sign due to natural topographic circumstances relative to adjacent public street grades, a maximum 15' tall sign is permitted as measured from natural grade directly below the sign.

(3) Sign height increases may be allowed in accordance with subsection B2 of this section.

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 City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, 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 V. 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

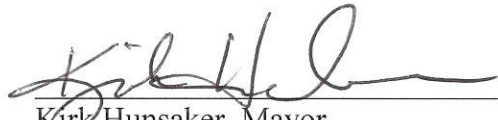
affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which 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 IV. Effective Date

On or before 5:00 p.m., April 17, 2014, 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 April 17, 2014.


PASSED AND APPROVED this 16th day of April, 2014.




Kirk Hunsaker, Mayor

Councilmember Keith Broadhead	Voted _____
Councilmember Matthew Carr	Voted _____
Councilmember David Hathaway	Voted _____
Councilmember Amanda Jeffs	Voted _____
Councilmember Nick Miller	Voted _____

ATTEST:

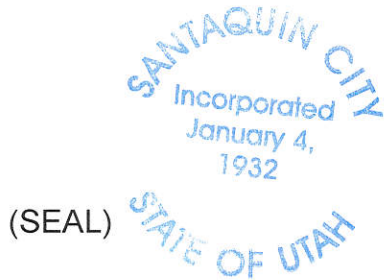

Susan Farnsworth, City Recorder


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 16th day of March, 2014, entitled

“AN ORDINANCE AMENDING FREESTANDING SIGN REGULATIONS, CODIFICATION, AND INCLUSION IN THE CODE; ALSO PROVIDING FOR THE CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, A SAVING CLAUSE AND EFFECTIVE DATE FOR THE ORDINANCE”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 16th day of March, 2014.





SUSAN B. FARNSWORTH
Santaquin City Recorder

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 17th day of March, 2014.

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 17 day of April, 2014, by SUSAN B. FARNSWORTH.

My Commission Expires: 12/1/2014



Notary Public

Residing at: Utah County

