

ORDINANCE NO. 07-01-2017

AN ORDINANCE AMENDING THE CITY'S ZONING MAP WHICH REFLECTS THE REZONING OF APPROXIMATELY 7.96 ACRES OF LAND FROM COMMERCIAL BUSINESS DISTRICT (CBD) TO MAIN STREET COMMERCIAL (MSC) AND MAIN STREET RESIDENTIAL (MSR), PROVIDING SEVERIBILITY AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend the Official Zoning Map of Santaquin City, more specifically to rezone approximately 7.96 acres of land located approximately between 200 West and 100 West on Main Street from the Commercial Business District (CBD) to Main Street Commercial (MSC) and Main Street Residential (MSR); and

WHEREAS, the Santaquin City Planning Commission held a public hearing during their June 22, 2017 meeting, 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, after the noted public hearing, the Santaquin City Planning Commission forwarded a favorable recommendation to the City Council for approval of the rezoning,

WHEREAS, the City Council has been given specific authority in 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 of any number, shape, or area; 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;

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

Section I. Amendment

That the official zoning map of the City be amended such that approximately 7.72 acres is changed from the Central Business District (CBD) Zone to the MSC (Main Street Commercial) Zone and approximately 0.24 acres is changed from the Central Business District (CBD) Zone to the MSR (Main Street Residential) Zone 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 II. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Thursday, July 6, 2017. 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 5th day of July, 2017.




Kirk Hunsaker, Mayor

Councilmember David Hathaway	Voted <u>aye</u>
Councilmember Marianne Stevenson	Voted <u>aye</u>
Councilmember Amanda Jeffs	Voted <u>aye</u>
Councilmember Keith Broadhead	Voted <u>aye</u>
Councilmember Nick Miller	Voted <u>aye</u>

ATTEST:

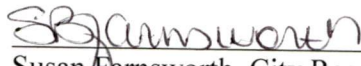

Susan Farnsworth, City Recorder

Exhibit A: Santaquin Zoning Map

