

## ORDINANCE NO. 04-02-2019

### AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE RELATED TO THE LAND USE AUTHORITY FOR THE COMMERCIAL ZONES, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

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 7 Article F-5 regarding the Land Use Authority for the commercial zones (C-1 and PO); and

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

#### Section I. Amendments

Title 10 Chapter 7 Article F-5 is amended as follows: (underlined text is added, stricken text is deleted)

##### **10-7F-5: REVIEW OF DEVELOPMENT APPLICATIONS:**

~~In addition to review by the City's Development Review Committee, a~~ All applications within the commercial zones affected by these standards shall be reviewed by the City's Architectural Review Committee (ARC) and Development Review Committee (DRC). Compliance with the building architectural standards shall be determined by the ARC. ~~The Architectural Review Committee shall~~ The DRC shall be the Land Use Authority for determining and will determine compliance with the site ~~and architectural~~ standards set forth below.

Appeals of final decisions based upon these standards or the underlying zone shall be subject to Appeal Authority review in accordance with the procedures of the Santaquin City zoning and Appeal Authority ordinances, as appropriate. (Ord. 03-04-2014, 3-19-2014, eff. 3-20-2014)

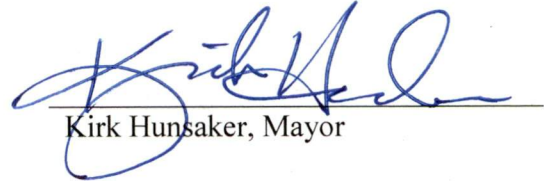
#### Section II. Severability

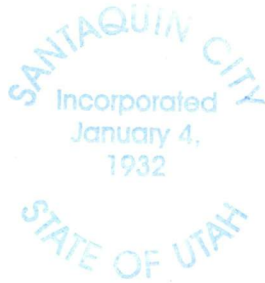
If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof 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. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, April 17, 2019. 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 16<sup>th</sup> day of April 2019.

  
Kirk Hunsaker, Mayor



Councilmember Elizabeth Montoya	Voted	<u>Aye</u>
Councilmember Lynn Mecham	Voted	<u>Aye</u>
Councilmember Keith Broadhead	Voted	<u>Aye</u>
Councilmember Nick Miller	Voted	<u>Aye</u>
Councilmember Chelsea Rowley	Voted	<u>Aye</u>

ATTEST:

  
Susan Farnsworth, City Recorder