

ORDINANCE NO. 09-03-2019

AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE TO REMOVE MULTI-FAMILY DWELLINGS AND TWO-FAMILY DWELLINGS AS A PERMITTED USE IN THE R-8 RESIDENTIAL ZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; 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 City Council desires to amend Santaquin City Code Title 10 Chapter 7 Article A Section 2 regarding permitted uses in the R-8 Residential Zone; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on September 10, 2019, 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 a 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 recommendation to the City Council;

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 A Section 2 is amended as follows:

(underlined text is added, stricken text is deleted)

10-7A-2: PERMITTED USES:

Land uses in the R-8 Residential Zone are permitted as follows. Alphabetic use designations in the table below 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 a prohibited use within the represented area.

Use	R-8
Adult daycare	C
Assisted living facility - large	C
Assisted living facility - small in accordance with section <u>10-8-6</u> of this title	P/C
Caretaker facilities associated with a permitted or conditional use	C
Cemeteries	P
Child daycare centers	C
Crisis respite	C
Dwelling, Two-Family (i.e. duplexes and twin homes)	N
Flag lots, in the core area only, subject to the provisions of <u>chapter 10</u> of this title	C
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 R-8 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
Home occupations, in accordance with <u>chapter 12</u> of this title	P/C
Large scale developments	C
Multiple-unit dwellings inside the core area subject to section <u>10-6-6</u> of this title	P-N
Parks	P
Recreational vehicle (RV) parks	N
Religious center	P
Residential facilities for persons with a disability pursuant to <u>chapter 17</u> of this title	P
Residential facilities for the elderly pursuant to <u>chapter 16</u> of this title	P
Residential support facility	P
Schools	P
Sheltered workshop	C
Single-family dwellings and related accessory uses	P
Social or reception centers	C
Telecommunications sites. See subsection <u>10-6-34D</u> of this title	
Temporary uses, subject to the provisions of section <u>10-6-30</u> of this title	P
Treatment facility	N

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

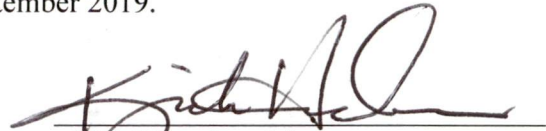
Section II. Severability

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, September 18, 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 17th day of September 2019.


Kirk Hunsaker, Mayor

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

ATTEST:


K. Aaron Shirley, City Recorder

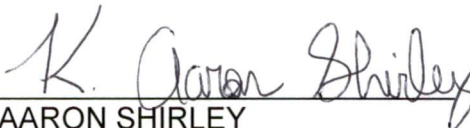
STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, 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 17th day of September, 2019, entitled

“AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE TO REMOVE MULTI-FAMILY DWELLINGS AND TWO-FAMILY DWELLINGS AS A PERMITTED USE IN THE R-8 RESIDENTIAL ZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 17th day of September, 2019.




K. AARON SHIRLEY
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, K. AARON SHIRLEY, 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 September, 2019.

The three places are as follows:

- 1. Zions Bank
- 2. Post Office
- 3. City Office

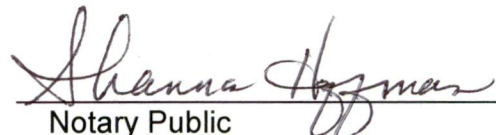
I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.



K. AARON SHIRLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 18 day of September, 2019, by K. AARON SHIRLEY.

My Commission Expires: 11/22/21



Notary Public

Residing at: Utah County

