

**ORDINANCE NO. 07-01-2011**

**AN ORDINANCE PERTAINING TO FACILITIES FOR HUMAN SERVICES OR HEALTH, 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 Title 10, Chapter 9a Utah Code Ann. 1953 to adopt a zoning plan including ordinances which regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

**WHEREAS**, Title 10, of the Revised Ordinances of Santaquin City (the Land Development Code), regulates the location and development requirements for certain uses of property within the City; and

**WHEREAS**, the City's Planning Commission, initiated an amendment of the Land Development Code, in accordance with S.C.C. §10-6-3, to regulate the use of land within the City for facilities providing human services or health; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on April 28, 2011 and subsequently forwarded its positive recommendation for the proposed amendment to the City Council. The noted 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**, a public meeting was held before the Santaquin City Council on June 8, 2011, and July 20, 2011 to consider adoption of the proposed amendment; and

**WHEREAS**, the City Council finds that adoption of the proposed amendment accomplishes the following purposes:

- Residential Facilities for Persons with a Disability (RFPD) are regulated in accordance with Utah Code Annotated 1953, as amended.
- Distinctions are made between RFPDs and Treatment Facilities, which may also provide services to disabled persons.
- Provisions are made to allow certain facilities seeking to provide assistance to disabled persons, but which may not qualify as an RFPD. T
- The City's terms and definitions pertaining to Human Services or Health are aligned with to the State Department of Human Services and Health Department licensing provisions.

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

**Section I. Changes to Santaquin City Code, §10-2 Definitions.**

Santaquin City Code, §10-2 Definitions is amended as follows: (underlined text is added, stricken text is deleted)

~~ADULT DAYCARE: A nonresidential care facility providing supervision for three (3) or more adults for at least four (4) but less than twenty-four (24) hours a day; and that offers a variety of health, social, recreational, and related support services in a protective setting to functionally impaired adults. Adult daycare does not include residential facilities for the elderly or a residential facility for persons~~

~~with a disability.~~ (Note to Codifier: This term with its associated definition has been moved under Day Care, see below)

~~CLINIC: A building, or group of buildings, used for the diagnosis and treatment of ill, infirm, and injured persons, but which building(s) does not provide board, room, or regular hospital care and services.~~ (Note to Codifier: This term with its associated definition has been incorporated into the term Professional Office or Financial Services, see below)

CRISIS RESPITE. A facility providing a 24 hour crisis shelter to protect children and help families cope with crisis. Such facility is licensed through the State Department of Human Services and provides programs designed to offer immediate, temporary respite care (up to 72 hours) to children ranging in age from one week to generally eleven years of age.

~~CONVALESCENT HOME, REST HOME, OR NURSING HOME: A building for the care and keeping of elderly or infirm people afflicted with infirmities or chronic illness.~~

DAYCARE: The provision of care for four (4) or more cumulative hours during the day for a group of ~~children~~ individuals not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, with or without compensation, specifically:

ADULT DAYCARE. A facility licensed through the State Department of Human Services or Department of Health as an Adult Daycare and which is typically a nonresidential care facility providing supervision for three (3) or more adults for at least four (4) but less than twenty four (24) hours a day; and that offers a variety of health, social, recreational, and related support services in a protective setting to functionally impaired adults. Adult daycare does not include residential facilities for the elderly or a residential facility for persons with a disability.

DAYCARE CENTER: A nonresidential care facility wherein daycare is provided for five (5) or more children, for less than twenty four (24) hours per day, having a regularly scheduled, ongoing enrollment, for direct or indirect compensation and licensed by the state of Utah.

FAMILY DAYCARE: A home wherein care is provided for at least one, but not more than eight (8) children who are unrelated by blood or marriage to, or not the legal wards or foster children of, the attendant adult at one time for less than twenty four (24) hours a day and which may be licensed by the state of Utah.

FAMILY GROUP DAYCARE: A home wherein care is provided for nine (9) to sixteen (16) children not related by blood or marriage to, or not the legal wards or foster children of, the attendant adult, for less than twenty four (24) hours a day, for direct or indirect compensation and licensed by the state of Utah.

DAY TREATMENT: A program or facility providing services to individuals who have emotional, psychological, developmental, physical, or behavioral dysfunctions, impairments, or chemical dependencies. Day treatment is licensed by the State of Utah and provided in lieu of, or in coordination with, a more restrictive residential or inpatient environment and means specialized treatment for less than 24 hours a day, for four or more persons who are unrelated to the owner or provider in accordance with State rules and regulations. This does not include Sheltered Workshops.

HEALTHCARE FACILITY: Any general acute hospital, specialty hospital, home health agency, hospice, nursing care facility, residential assisted living facility, birthing center, ambulatory surgical facility, small healthcare facility, abortion clinic, facility owned or operated by any health

maintenance organization, end stage renal disease facility, but does not include the offices of a private physician or dentist, whether for individual or group practices nor does this include youth correction facilities or social rehabilitation facilities, which may be licensed through the State Department of Health.

LARGE HEALTH CARE FACILITY: A Healthcare Facility with more than 16 beds.

SMALL HEALTH CARE FACILITY: A Healthcare Facility with 16 beds or less.

ASSISTED LIVING FACILITIES: A Large or Small Healthcare Facility, which may include a mental retardation facility, nursing care facility, home for the aging, or those facilities which are licensed as either Type I or Type II Assisted Living Facilities or Small Type N Health Care Facilities by the State Department of Health.

OUTDOOR YOUTH PROGRAM. A facility or program licensed by the State of Utah as an Outdoor Youth Program and designed to provide rehabilitation services to adjudicated minors. Characteristics of such include recreational therapy activities such as but not limited to hiking or camping, and where participants are under direct supervision. This shall include only Stationary Camp Sites.

PROFESSIONAL OFFICE OR FINANCIAL SERVICES: An establishment intended for the conduct or service or administration of a commercial enterprise, or offices for the conduct of professional or business service, but not including medical, dental, chiropractor or other similar professions. Uses intended by this definition would include, but not be limited to, business offices, banks, credit unions (or other establishments performing financial services, including outside drive-up facilities), radio or television stations, dental, chiropractic, optometric or other similar professions, and medical clinics for the diagnosis and treatment of ill, infirm, or injured persons, but which do not provide board, room, or regular hospital care. This definition shall include no business in which goods or merchandise are sold or stored.

RESIDENTIAL SUPPORT FACILITY. Residential dwelling operated in conjunction with government financed and licensed organizations for the temporary care or housing of victims of domestic abuse or as part of witness protection programs.

SHELTERED WORKSHOP. An on site supervised educational or vocational training facility for persons with a disability and does not provide any residential facilities.

TRANSITIONAL TREATMENT HOME FACILITY: A facility licensed by or contracted by the State of Utah to provide temporary occupancy and supervision for adults or juveniles in order to provide rehabilitation, treatment, or counseling services (e.g. Day Treatment (excluding Sheltered Workshops), Intermediate Secure Care, Residential Treatment, Social Detoxification or Rehabilitation, Therapeutic Schools, or Youth Correction Facilities as defined by the State). Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants. A rehabilitation/treatment facility does not include a residential facility for persons with a disability.

Transitional Treatment Home TREATMENT FACILITY, LARGE: A transitional treatment home for more than four (4) adult or juvenile patients. A large rehabilitation/treatment facility does not include a residential facility for persons with a disability.

Transitional Treatment Home TREATMENT FACILITY, SMALL: A transitional treatment

home for four (4) or less adult or juvenile patients. A small Treatment Facility may include a Residential Facility for Persons with a Disability if compliant with the standards found in Section 10-17 of this Title.

~~Transitional Victim Home: Residential dwelling operated in conjunction with government financed and licensed organizations for the temporary care or housing of victims of domestic abuse or as part of witness protection programs.~~

## **Section II. Changes to Santaquin City Code §10-8 Conditional Uses.**

Santaquin City Code, §10-8-6 Conditional Uses: Criteria and Factors to be Considered is amended as follows: (underlined text is added, stricken text is deleted)

### 10-8-6: CRITERIA AND FACTORS TO BE CONSIDERED:

A. The following general factors shall be weighed and considered when determining whether a conditional use permit application should be approved, approved with conditions, or denied:

- A1. Harmony of the request with the general objectives of the general plan, development code, subdivision ordinance, any other city ordinances, and the particular zone in which the request is located.
- B2. Harmony of the request with existing uses in the neighborhood.
- C3. Development, or lack thereof, adjacent to the site.
- D4. Whether or not the request may be injurious to present or potential development in the vicinity.
- E5. Present and future requirements for transportation, traffic, water, sewer, and other utilities.
- F6. Suitability of the specific property for the proposed use.
- G7. Economic impact on the neighborhood.
- H8. Aesthetic impact on the neighborhood.
- I9. Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants, and odor.
- J10. Attempts by the applicant to minimize other adverse effects on people and property in the area.
- K11. Impact of the proposed use on the health, safety, and welfare of the city, the area, and persons owning or leasing property in the area.

B. The following are standards applicable to the specified uses.

1. Adult Day Care Facilities in Residential Zones.

- a. Number of individuals being cared for within the facility shall not exceed 4 at one time.
- b. Proof of compliance with State regulations for such facilities shall be provided with each renewal of the facility's business license.

2. Assisted Living Facilities in Agriculture and Residential Zones. The following regulations pertain to Large Assisted Living Facilities and Small Type I assisted living facilities. Small Type I or Type II Facilities are permitted in those zones where listed.

- a. Only if the additional standards below are met and the general review criteria for Conditional Uses are complied with, may a facility be approved with more than 16 beds. Additional beds may only be permitted to the extent of compliance with the City's development standards, building codes, fire codes, and public utilities can handle the additional demands placed upon them by a proposed facility.

b. Location Criteria

- 1. Proposed facilities must be situated along or have direct access to a collector or arterial street, or
- 2. The proposed facility site must abut a non-residential or mixed use zone so that it may act as a buffer between single family neighborhoods and the impacts associated with greater intensity of uses.

- c. Facilities proposed under this section must be located at least  $\frac{3}{4}$  of a mile away from any similar facilities.

- d. Proof of compliance with State regulations for such facilities shall be provided with each renewal of the facility's business license.

3. Major Home Occupation specific standards shall be as provided in the Home Occupation Regulations of this Title.

4. Outdoor Youth Programs.

- a. Stationary Camps shall have at least 20 acres.
- b. Facilities must annually demonstrate compliance with state licensing laws, rules, and regulations.
- c. A security plan must be provided and approved by the City's public safety department.

d. A list of all clients and employees must be provided to the City public safety department within 7 days of their arriving at the site.

5. Sheltered Workshops

a. The maximum number of patrons or clients allowed at one time at a sheltered workshop within a residential zone is four [4].

b. A traffic and circulation plan must be reviewed and approved by the Planning Commission as part of any Conditional Use review.

c. Parking must be available on site for any patrons or clients of the workshop.

d. Any building or accessory building in which the workshop is operating must be inspected by the Chief Building Official for compliance with the applicable building, life, accessibility and safety codes.

**Section III. Changes to Permitted Use Sections of Established Zones.**

A. Santaquin City Code, §10-7A-2, Permitted Uses in the R-8 Zone is amended as follows:  
(underlined text is added, stricken text is deleted)

10-7A-2: PERMITTED USES:

The following uses shall be permitted in the R-8 residential zone. Land uses in the R-8 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>
<u>N</u>	<u>The listed use is a prohibited use within the represented area.</u>

<u>Use</u>	<u>R-8</u>
<u>Adult Day Care</u>	<u>C</u>
<u>Assisted Living Facility – Large</u>	<u>C</u>
<u>Assisted Living Facility – Small in accordance with 10-8-6</u>	<u>P/C</u>
<u>Caretaker facilities associated with a permitted or conditional use.</u>	<u>C</u>
<u>Cemeteries.</u>	<u>P</u>
<u>Child daycare centers</u>	<u>C</u>
<u>Convalescent Home, Rest Home, or Nursing Home,</u>	<u>P</u>
<u>Crisis Respite</u>	<u>C</u>
<u>Flag lots, in the core area only, subject to the provisions of chapter 10 of this title.</u>	<u>C</u>
<u>Golf courses and golf clubhouses (private and public).</u>	<u>P</u>
<u>Gravel, sand, earth extraction, and mass grading when necessary to accomplish the</u>	<u>C</u>

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.	
Home Occupations. In accordance with Section 10-12	P/C
Large scale developments	C
"Minor" class home occupations.	
Multiple-unit dwellings inside the core area subject to section 10-6-6 of this title.	P
Parks.	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
Residential Support Facility	P
Schools.	P
Sheltered Workshop	C
Single-family dwellings and related accessory uses.	P
Temporary Uses, subject to the provisions of section 10-6-30 of this title.	P
Treatment Facility	N

- B. Santaquin City Code, §10-7A-3, Conditional Uses in the R-8 Zone is deleted and all following sections under §10-7A are re-numbered accordingly:
- C. Santaquin City Code, §10-7B-2, Permitted Uses in the R-10 Zone is amended as follows: (underlined text is added, stricken text is deleted)

**10-7B-2: PERMITTED USES:**

The following uses shall be permitted in the R-10 residential zone. Land uses in the R-10 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>
<u>N</u>	<u>The listed use is a prohibited use within the represented area.</u>

<u>Use</u>	<u>R-10</u>
<u>Adult Day Care</u>	<u>C</u>
<u>Assisted Living Facility – Large</u>	<u>C</u>
<u>Assisted Living Facility – Small</u>	<u>P/C</u>
<u>Caretaker facilities associated with a permitted or conditional use.</u>	<u>C</u>
<u>Cemeteries.</u>	<u>P</u>
<u>Child daycare centers</u>	<u>C</u>
<u>Convalescent Home, Rest Home, or Nursing Home,</u>	<u>P</u>
<u>Flag lots, in the core area only, subject to the provisions of chapter 10 of this title.</u>	<u>C</u>

Golf courses and golf clubhouses (private and public).	<u>P</u>
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.	<u>C</u>
Home Occupations, in accordance with Section 10-12	<u>P/C</u>
Large scale developments	<u>C</u>
"Minor" class home occupations	
Parks	<u>P</u>
Public and quasi-public buildings	<u>P</u>
Religious center	<u>P</u>
Residential facilities for persons with a disability pursuant to <a href="#">chapter 17</a> of this title and the Utah state code section 10-9-605.	<u>P</u>
Residential facilities for the elderly pursuant to <a href="#">chapter 16</a> of this title and the Utah state code section 10-9-502.	<u>P</u>
Residential Support Facility	<u>P</u>
Schools.	<u>P</u>
Sheltered Workshop	<u>C</u>
Single-family dwellings and related accessory uses.	<u>P</u>
Temporary Uses, subject to the provisions of section <a href="#">10-6-30</a> of this title.	<u>P</u>
Treatment Facility	<u>N</u>

D. Santaquin City Code, §10-7B-3, Conditional Uses in the R-10 Zone is deleted and all following sections under §10-7b are re-numbered accordingly:

E. Santaquin City Code, §10-7C-2, Permitted Uses in the R-12 Zone is amended as follows: (underlined text is added, stricken text is deleted)

10-7C-2: PERMITTED USES:

Land uses in the R-12 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>
<u>N</u>	<u>The listed use is a prohibited use within the represented area.</u>

<u>Use</u>	<u>R-10</u>
Adult Day Care	<u>C</u>
Assisted Living Facility – Large	<u>C</u>
Assisted Living Facility – Small	<u>P/C</u>
Caretaker facilities associated with a permitted or conditional use.	<u>C</u>
Cemeteries.	<u>P</u>
Child daycare centers	<u>C</u>
Convalescent Home, Rest Home, or Nursing Home,	<u>P</u>
Flag lots, in the core area only, subject to the provisions of <a href="#">chapter 10</a> of this title.	<u>C</u>

Golf courses and golf clubhouses (private and public).	<u>P</u>
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.	<u>C</u>
Home Occupations, in accordance with Section 10-12	<u>P/C</u>
Large scale developments	<u>C</u>
"Minor" class home occupations	
Parks	<u>P</u>
Public and quasi-public buildings	<u>P</u>
Religious center	<u>P</u>
Residential facilities for persons with a disability pursuant to <a href="#">chapter 17</a> of this title and the Utah state code section 10-9-605.	<u>P</u>
Residential facilities for the elderly pursuant to <a href="#">chapter 16</a> of this title and the Utah state code section 10-9-502.	<u>P</u>
Residential Support Facility	<u>P</u>
Schools.	<u>P</u>
Sheltered Workshop	<u>C</u>
Single-family dwellings and related accessory uses.	<u>P</u>
Temporary Uses, subject to the provisions of section <a href="#">10-6-30</a> of this title.	<u>P</u>
Treatment Facility	<u>N</u>

F. Santaquin City Code, §10-7C-3, Conditional Uses is deleted and all following sections under §10-7C are re-numbered accordingly:

G. Santaquin City Code, §10-7D-2, Permitted Uses in the R-15 Zone is amended as follows: (underlined text is added, stricken text is deleted)

10-7D-2: PERMITTED USES:

Land uses in the R-15 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings.

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>
<u>N</u>	<u>The listed use is a prohibited use within the represented area.</u>

<u>Use</u>	<u>R-15</u>
Adult Day Care	<u>C</u>
Assisted Living Facility – Large	<u>C</u>
Assisted Living Facility – Small	<u>P/C</u>
Caretaker facilities associated with a permitted or conditional use.	<u>C</u>
Cemeteries.	<u>P</u>
Child daycare centers	<u>C</u>
Convalescent Home, Rest Home, or Nursing Home,	<u>P</u>
Flag lots, in the core area only, subject to the provisions of <a href="#">chapter 10</a> of this title.	<u>C</u>

Golf courses and golf clubhouses (private and public).	<u>P</u>
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.	<u>C</u>
Home Occupations, in accordance with Section 10-12	<u>P/C</u>
Large scale developments	<u>C</u>
"Minor" class home occupations.	
Parks.	<u>P</u>
Public and quasi-public buildings.	<u>P</u>
Religious center.	<u>P</u>
Residential facilities for persons with a disability pursuant to <a href="#">chapter 17</a> of this title and the Utah state code section 10-9-605.	<u>P</u>
Residential facilities for the elderly pursuant to <a href="#">chapter 16</a> of this title and the Utah state code section 10-9-502.	<u>P</u>
Residential Support Facility	<u>P</u>
Schools.	<u>P</u>
Sheltered Workshop	<u>C</u>
Single-family dwellings and related accessory uses.	<u>P</u>
Temporary Uses, subject to the provisions of section 10-6-30 of this title.	<u>P</u>
Treatment Facility	<u>N</u>

H. Santaquin City Code, §10-7D-3, Conditional Uses is deleted and all following sections under §10-7D are re-numbered accordingly.

I. Santaquin City Code, §10-7E-2, Permitted Uses in the R-20 Zone is amended as follows: (underlined text is added, stricken text is deleted)

10-7E-2: PERMITTED USES:

Land uses in the R-20 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>
<u>N</u>	<u>The listed use is a prohibited use within the zone.</u>

<u>Use</u>	<u>R-20</u>
Adult Day Care	<u>C</u>
Assisted Living Facility – Large	<u>C</u>
Assisted Living Facility – Small	<u>P/C</u>
Caretaker facilities associated with a permitted or conditional use.	<u>C</u>
Cemeteries	<u>P</u>
Child daycare centers	<u>C</u>
Convalescent Home, Rest Home, or Nursing Home,	<u>P</u>
Flag lots, in the core area only, subject to the provisions of <a href="#">chapter 10</a> of this title.	<u>C</u>

Golf courses and golf clubhouses (private and public)	<u>P</u>
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.	<u>C</u>
Home Occupations, in accordance with Section 10-12	<u>P/C</u>
Large scale developments	<u>C</u>
"Minor" class home occupations	
Parks.	<u>P</u>
Public and quasi-public buildings.	<u>P</u>
Religious center.	<u>P</u>
Residential facilities for persons with a disability pursuant to <u>chapter 17</u> of this title and the Utah state code section 10-9-605.	<u>P</u>
Residential facilities for the elderly pursuant to <u>chapter 16</u> of this title and the Utah state code section 10-9-502.	<u>P</u>
Residential Support Facility	<u>P</u>
Schools	<u>P</u>
Sheltered Workshop	<u>C</u>
Single-family dwellings and related accessory uses	<u>P</u>
Temporary Uses, subject to the provisions of section 10-6-30 of this title.	<u>P</u>
Treatment Facility	<u>N</u>

J. Santaquin City Code, §10-7E-3, Conditional Uses is deleted and all following sections under §10-7E are re-numbered accordingly.

K. Santaquin City Code, §10-7F-3, Permitted Uses in Commercial Zones is amended as follows: (underlined uses are added, stricken uses are deleted)

Use	<u>C-1</u>
Adult Day Care	<u>C</u>
<del>Clinic</del>	<u>P</u>
<u>Crisis Respite</u>	<u>P</u>
<del>Convalescent Home, Rest Home, Nursing Home</del>	<u>N</u>
<u>Day Treatment</u>	<u>P</u>
<u>Healthcare Facility</u>	<u>P</u>
<u>Treatment Facility</u>	<u>N</u>

L. Santaquin City Code, §10-7G-2, Permitted Uses in Industrial Zones is amended as follows: (underlined text is added, stricken text is deleted)

The following buildings, structures, and uses of land shall be permitted in the I-1 industrial zone upon compliance with requirements as set forth in this article: Land uses in the I-1 residential zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use within the represented area, based on city development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>

<u>Use</u>	<u>I-1</u>
Accessory buildings and parking lots incidental and accessory to other permitted uses.	<u>P</u>
Agriculture, fruit packing, and processing plants.	<u>P</u>
Caretaker dwellings.	<u>P</u>
<u>Crisis Respite</u>	<u>P</u>
Commercial, recreation.	<u>P</u>
Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent of a development project permitted within and in association with the I-1 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, in accordance with Section 10-6-28 of this Code.	<u>P</u>
Manufacturing, compounding, processing, packing, fabrication, and warehousing of goods and materials, except the processing of animal byproducts, livestock feed yards, oil refineries, wallboard manufacturing, and similar establishments which emit offensive fumes, smoke, noise, odor, etc.	<u>P</u>
Public and quasi-public buildings.	<u>P</u>
Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures.	<u>P</u>
Research and development and related offices space.	<u>P</u>
Retail commercial uses when related to the product being manufactured.	<u>P</u>
<u>Sheltered Workshop</u>	<u>P</u>
<u>Seasonal Temporary</u> businesses, subject to the provisions of section <u>10-6-30</u> of this title.	<u>P</u>
Storage unit facilities.	<u>P</u>
<u>Treatment Facility</u>	<u>C</u>

M. Santaquin City Code, §10-7M-3 Permitted Uses in the Main Street Business Districts Zones is amended as follows:

The land use “Clinic” is deleted from the list of Permitted Uses.

N. Santaquin City Code, §10-7O-3, Permitted Uses in Agriculture Zones is amended by adding the following uses:

<u>Use</u>	<u>Ag</u>	<u>R-Ag</u>
<u>Assisted Living Facility – Large</u>	<u>N</u>	<u>C</u>
<u>Assisted Living Facility – Small</u>	<u>N</u>	<u>P</u>
<u>Convalescent Home, Rest Home, Nursing Home</u>	<u>N</u>	<u>P</u>
<u>Home Occupations, in accordance with Section 10-12</u>	<u>P/C</u>	<u>P/C</u>
<u>Residential Support Facility</u>	<u>P</u>	<u>P</u>
<u>Outdoor Youth Program</u>	<u>C</u>	<u>C</u>
<u>Sheltered Workshop</u>	<u>N</u>	<u>C</u>
<u>Transitional Treatment Home Treatment Facility – Large</u>	<u>N</u>	<u>N</u>
<u>Transitional Treatment Home Treatment Facility – Small</u>	<u>N</u>	<u>C</u>

**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 corrected without need of public hearing by 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 the section, subdivision, sentence or part of the section held to be unconstitutional or otherwise invalid.

**Section VI. Effective Date**

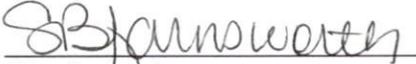
The City Recorder shall deposit a copy of this ordinance in the official records of the City on July 28, 2011, and before 5:00 p.m. on that same day, shall place a copy of this ordinance in three places within the City. This ordinance shall become effective at 5:00 p.m. on July 28, 2011.

PASSED AND APPROVED this 27<sup>th</sup> day of July, 2011.

  
James E. DeGraffenried, Mayor



ATTEST:

  
City Recorder

Councilmember Filip Askerlund	Voted <u>Yes</u>
Councilmember Martin P. Green	Voted <u>Yes</u>
Councilmember James F. Linford	Voted <u>Yes</u>
Councilmember Rick Steele	Voted <u>Yes</u>
Councilmember Brent Vincent	Voted <u>Yes</u>