

ORDINANCE NO. 10-02-2010

AN ORDINANCE AMENDING THE CITY LAND USE CODE TO ALLOW SOCIAL OR RECEPTION CENTERS IN THE R-8 ZONE AS A CONDITIONAL USE, 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 the City's land use code to allow Social or Reception Centers in the R-8 Zone; and

WHEREAS, the Santaquin City Planning Commission held a public hearing to discuss the proposed amended ordinances on October 14, 2010, 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 amendment to the City Council based on several goals and policies of the General Plan being furthered, namely

- a. Encouraging social and economic opportunities on a year round basis.
- b. Encourage Business Expansion And Retention (BEAR).
- c. Assure that proper zoning is currently in place to encourage appropriate businesses and discourage inappropriate businesses.
- d. Developed areas in the city core should be revitalized by promoting new development on vacant lands and the adaptive reuse of existing community resources.
- e. Growth should be directed to locations contiguous to existing development or on "in-fill" properties to provide city services and transportation in a cost-effective and efficient manner; and

WHEREAS, procedures have been established by the Land Development Code and Utah Code Ann. where appeals can be heard and decided if it is alleged that there is legislative or administrative error or where a special exception or variance to the ordinance is required.

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

Section I.

The Santaquin City Code, Title 10, Land Use and Development Management Code, Section 10-7a-3 is amended to include Social or Reception Centers as a Conditional Use.

Section II. 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 III. 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

The City Recorder shall deposit a copy of this ordinance in the official records of the City on October 21st, 2010, 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 on October 21, 2010

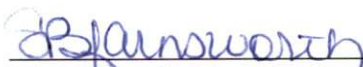
PASSED AND APPROVED this 20th day of October, 2010.


James E. DeGraffentred, Mayor



Councilmember Filip Askerlund	Voted <u>absent</u>
Councilmember Martin P. Green	Voted <u>NO</u>
Councilmember James F. Linford	Voted <u>yes</u>
Councilmember Rick Steele	Voted <u>yes</u>
Councilmember Brent R. Vincent	Voted <u>yes</u>

ATTEST:


City Recorder

ORDINANCE NO. 10-01-2010

AN ORDINANCE AMENDING THE CITY'S ZONING MAP, MORE SPECIFICALLY, APPROVING THE REZONING OF 1.4 ACRES FROM C-1 (COMMERCIAL) TO I-1 (INDUSTRIAL) AND 0.2 ACRES FROM I-1 TO C-1, PROVIDING SEVERABILITY 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 1.4 acres, located near 400 North Highway 198, from the Commercial (C-1) Zone to the City's Industrial (I-1) Zone; and

WHEREAS, City staff has recommended that an additional 0.2 acres, located adjacent to 1.4 acres be rezoned from I-1 to C-1 in order to comply with City zoning policies pertaining to not split zoning properties; and

WHEREAS, the Santaquin City Planning Commission discussed these items during their October 14, 2010 public meeting and held a public hearing on the items during the same 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 positive recommendation to the City Council for approval of the rezoning; and

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.

That the official zoning map of the City be amended such that approximately 1.4 acres of ground currently zoned C-1 be rezoned to I-1 and that 0.2 acres of ground currently zoned I-1 be rezoned to C-1 as illustrated on the attached map labeled as Exhibit A, which by this reference is made part hereof this ordinance.

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 IV. Effective Date

The City Recorder shall deposit a copy of this ordinance in the official records of the City on November 3rd, 2010, 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 November 4th, 2010.

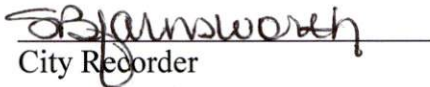
PASSED AND APPROVED this 3rd day of November, 2010.


James E. DeGraffenried, Mayor

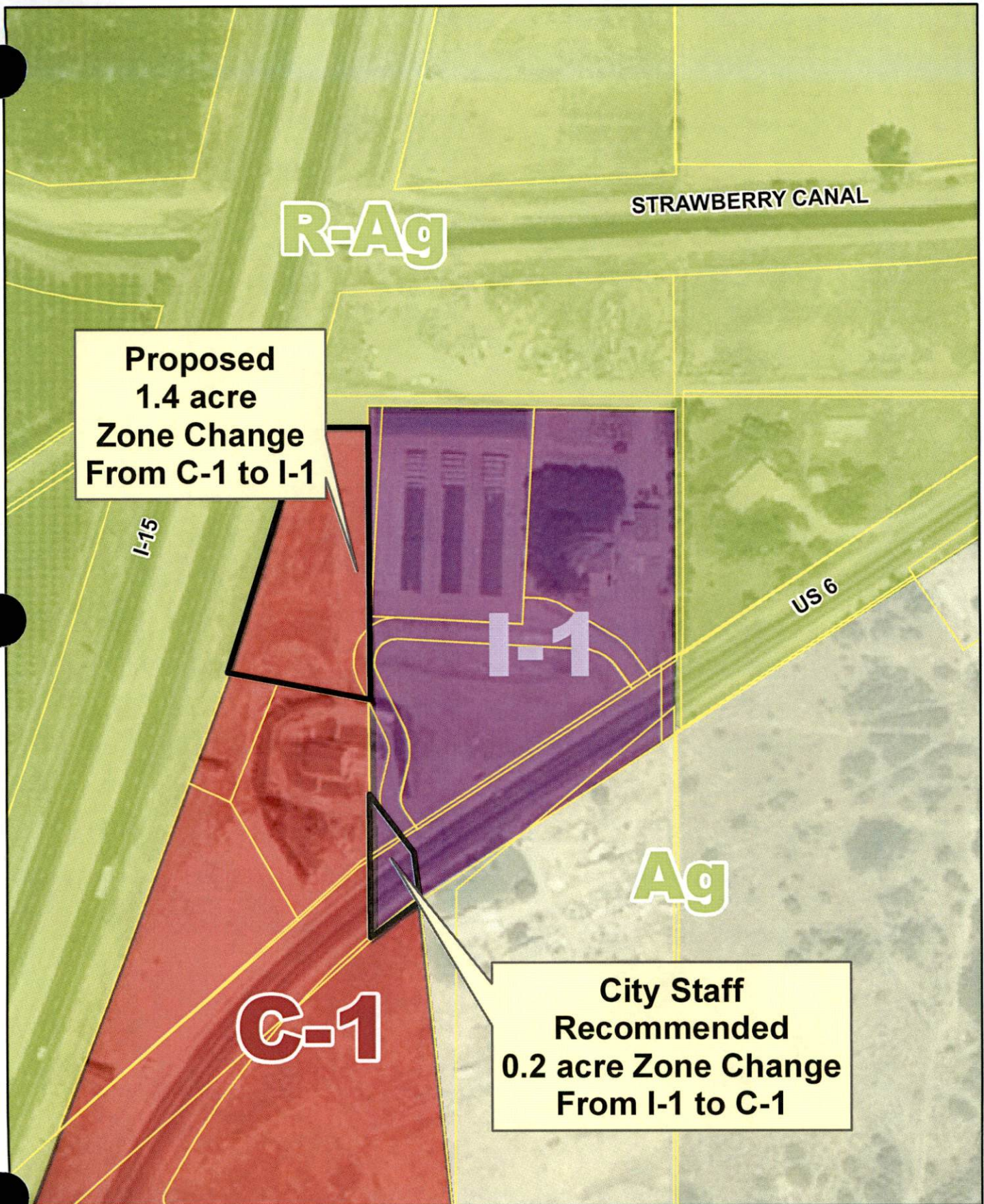


Councilmember Filip Askerlund	Voted <u>yes</u>
Councilmember Martin P. Green	Voted <u>yes</u>
Councilmember James F. Linford	Voted <u>yes</u>
Councilmember Rick Steele	Voted <u>yes</u>
Councilmember Brent Vincent	Voted <u>yes</u>

ATTEST:


City Recorder

Proposed Rezoning - Exhibit A



**Proposed
1.4 acre
Zone Change
From C-1 to I-1**

**City Staff
Recommended
0.2 acre Zone Change
From I-1 to C-1**

