

ORDINANCE NO. 03-01-2017

AN ORDINANCE MODIFYING THE CITY'S CORE AREA AND INFILL DEVELOPMENT STANDARDS; AND ALSO PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fifth class city of the state of Utah; and

WHEREAS, the City Council has been given specific authority in the Utah Code Annotated, Title 10, Chapter 9a, to adopt land use ordinances to regulate the erection, construction, reconstruction, alteration, repair and use 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, the Santaquin City Council adopted a zoning ordinance on February 5, 2002, to establish zones for various uses of property within the City, which ordinance has been amended from time to time; and

WHEREAS, Santaquin City desires to amend development standards in the Core Area of town and the infill development standards within Santaquin City Code, Title 10 (The Land Development Code); and

WHEREAS, the Santaquin City Planning Commission held public hearing on February 23, 2017, which hearing was preceded by the posting of public notice in at least 3 places within the City Limits of Santaquin City and which notice 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 its recommendations for the proposed amendment to the City Council with a positive recommendation; and

WHEREAS, the drafted amendments serve to achieve the following goals and policies from the City's adopted General Plan:

- Channel future growth and development into areas that can be efficiently and effectively served by public infrastructure and facilities.
- Developed areas in the city core should be revitalized by promoting new development on vacant lands and the adaptive reuse of existing community resources.
- A variety of quality housing types should be provided to accommodate a growing population. Innovative planning, development patterns and building methods that define the unique living opportunities in Santaquin are encouraged.
- 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.

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

Section I. Title 10-10 Infill Standards

1. Title 10-10-1, Definition is amended as follows: (Underlined text is added, stricken text is deleted)

"Infill development" means development in the core area only consisting of either:

- A. Construction on one or more vacant legal lots or redevelopment of properties in an area which is mostly developed, or
 - B. Subdivision or lot line adjustments to property having existing dwelling(s) upon them in order to facilitate development or redevelopment of under-utilized or vacant properties (e.g. New construction between two (2) existing ~~structures~~ single family dwellings), or
 - C. Development of a flag lot site which is landlocked except for an access lane.
2. Title 10-10-4, Infill Reduction paragraph A is amended as follows: (Underlined text is added, stricken text is deleted)
 - A. Infill Reduction:
 1. A proposed lot area may be reduced by no more than twenty percent (20%) of the underlying zone standard.
 2. A proposed ~~or~~ frontage may be ~~reduction shall be reduced~~ by no more than twenty percent (20%) of the ~~provisions stipulated within the zoning classification in which the property is located~~ underlying zone standard.
 3. Except as provided for architectural considerations in paragraph B below, all new construction must comply with setbacks of the underlying zone. Existing dwellings, which are to remain as part of an infill development, may have reduced rear setbacks to a minimum setback of 15 feet, so long as all other setbacks and lot standards are met relative to the remaining dwelling.

Section X. Contrary Provisions Repealed.

All provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section XI. 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.

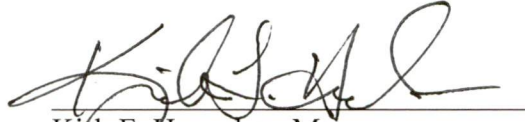
Section XII. Severability

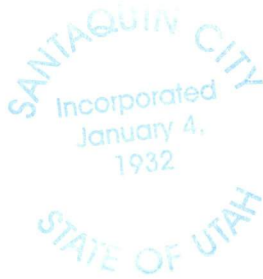
If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof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

The City Recorder shall deposit a copy of this ordinance in the official records of the City on March 9, 2017, 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 March 9, 2017.

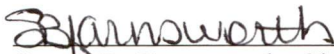
PASSED AND APPROVED this 8th of March, 2017.


Kirk F. Hunsaker, Mayor



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

ATTEST:


Susan B. Farnsworth, City Recorder