

ORDINANCE NO. 05-03-2019

AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE RELATED TO THE HEIGHT OF ON-PREMISES FREESTANDING SIGNS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City Council has specific authority pursuant to 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 and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; 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 13 regarding the height of on-premises freestanding signs; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on April 23, 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 13 is amended as follows: (underlined text is added, stricken text is deleted)

10-13-8: SIGNS THAT REQUIRE A PERMIT:

C. On Premises Freestanding Signs:

1. Parcels Where Freestanding Signs Are Allowed:

- a. Commercial Parcels With Seven Acres And Three Hundred Feet Of Frontage: One freestanding sign shall be allowed per frontage on a collector or higher class road for any parcel that has at least seven (7) acres and three hundred feet (300') of street frontage. No freestanding signs are allowed for parcels with less than seven (7) acres and three hundred feet (300') of street frontage, except as provided in subsections C1b and C1c of this section.

- b. Commercial Parcels Fronting I-15: Commercial properties not associated with a planned commercial center and having three hundred feet (300') of frontage on the I-15 corridor may have one freestanding sign along the fronted I-15 corridor.
 - c. Commercial Parcels Within One Thousand Five Hundred Feet Of An I-15 Off Ramp Terminus: Commercial properties along Main Street, Highway 198, Highland Drive or between South Ridge Farms Road and I-15, which are not associated with a planned commercial center and are located within one thousand five hundred feet (1,500') of an I-15 off ramp terminus, may have one freestanding sign per frontage along the before mentioned roads. However, such properties must have at least one hundred feet (100') of frontage on the listed road or only a monument sign will be allowed along that frontage.
2. General Freestanding Sign Standards: On parcels where freestanding signs are allowed pursuant to subsection C1 of this section, the following standards shall apply unless noted:
- a. Height Standards:
 - (1) Properties fronting the I-15 corridor may have freestanding signs that do not exceed forty five feet (45') above adjacent average grade and no more than ~~fifteen foot (15')~~ thirty foot (30') above the nearest traveled freeway lane, whichever is less. However, for those properties fronting I-15 and not able to have a minimum ~~fifteen foot (15')~~ thirty foot (30') tall sign due to natural topographic circumstances relative to freeway grades, a maximum ~~fifteen foot (15')~~ thirty foot (30') tall sign is permitted as measured from natural grade directly below the sign.
 - (2) Properties along other designated public streets may have freestanding signs that do not exceed twenty five feet (25') above the grade of closest paved edge of the fronted street. For those properties within the areas listed in this subsection, which are not able to have a minimum fifteen foot (15') tall sign due to natural topographic circumstances relative to adjacent public street grades, a maximum fifteen foot (15') tall sign is permitted as measured from natural grade directly below the sign.
 - (3) Sign height increases may be allowed in accordance with subsection B2 of this section.

Section II. Severability

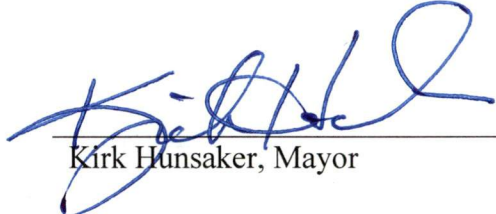
If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof 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, May 22, 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.

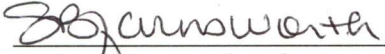
PASSED AND ADOPTED this 21st day of May 2019.




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:


Susan Farnsworth, City Recorder