

**ORDINANCE NO. 09-02-2015**

**AN ORDINANCE CLARIFYING THE APPLICATION OF MULTI-FAMILY 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 fourth 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 Land Use and Development Management Code to establish regulations and standards for new development within the city, which ordinances are amended from time to time; and

**WHEREAS**, Santaquin City desires to clarify the applicability of multi-family development standards; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on August 27, 2015 and another public meeting on August 13, 2015 which were 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 goal from the City's adopted General Plan:

- Developed areas in the city core should be revitalized by promoting new development on vacant lands
- Growth should be directed to locations contiguous to existing development or on "in-fill" properties
- Enable higher density residential developments which support local retail establishments, promote a walkable community, support transit development and provide housing options for varying income levels and lifestyles.
- Provide design standards for the development of higher density housing in close proximity to public recreation facilities, services, schools, mass transit and shopping centers
- Establish design standards for the development of high density and multi-family dwellings to assure high quality materials, recreation opportunities and maintained landscaping.
- Developed areas in the city core should be revitalized by promoting new development on vacant lands and the adaptive reuse of existing community resources.

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

### **Section I. Code Changes**

1. Section 10-6-6 paragraph A is amended in part as follows: (underlined text is added, stricken text is deleted)

In addition to the architectural standards in subsection C of this section, the following site requirements shall apply to developments with multiple-unit dwellings having five (5) or more units and that are not part of a planned unit development:

(Note to Codifiers: All subparagraphs of paragraph A are to remain the same)

2. Section 10-6-6 paragraph B is amended in part as follows: (underlined text is added, stricken text is deleted)

In addition to the architectural standards in subsection C of this section, the following site requirements shall apply to developments ~~dwellings~~ having two (2) to four (4) units and which are not part of a planned unit development (e.g., duplexes, twin homes, triplexes and fourplexes, but ~~does not include~~ including accessory apartments):

(Note to Codifiers: All subparagraphs of paragraph B are to remain the same)

### **Section II. Contrary Provisions Repealed.**

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

### **Section III. 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.

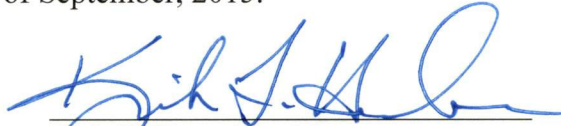
### **Section IV. Severability**

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 September 9, 2015, 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 September 9, 2015.

PASSED AND APPROVED this 9<sup>th</sup> day of September, 2015.

  
Kirk F. Hunsaker, Mayor

Councilmember Keith Broadhead	Voted <u>Aye</u>
Councilmember Matthew Carr	Voted <u>Aye</u>
Councilmember David Hathaway	Voted <u>Aye</u>
Councilmember Amanda Jeffs	Voted <u>Aye</u>
Councilmember Nick Miller	Voted <u>Aye</u>

ATTEST:

  
City Recorder



STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, SUSAN B. FARNSWORTH, 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 9<sup>th</sup> day of September, 2015, entitled

**“AN ORDINANCE CLARIFYING THE APPLICATION OF MULTI-FAMILY DEVELOPMENT STANDARDS”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 9<sup>th</sup> day of September, 2015.

SBFarnsworth  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

I, SUSAN B. FARNSWORTH, 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 9<sup>th</sup> day of September, 2015.

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.

Susan B. Farnsworth  
SUSAN B. FARNSWORTH  
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of September, 2015, by SUSAN B. FARNSWORTH.

My Commission Expires: 10-1-17

Shannon Hoffman  
Notary Public

Residing at: Utah County

