

## **ORDINANCE NO. 04-01-2024**

**AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO REDUCE THE MINIMUM SQUARE FOOTAGE REQUIREMENT FOR VARIOUS RESIDENTIAL UNIT SIZES WITHIN THE MAIN STREET BUSINESS DISTRICTS ZONE, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.**

**WHEREAS**, the City of Santaquin is a fourth-class city of the state of Utah; 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 state legislature requires that a moderate income housing element be included in the general plan of the City and that it include strategies and an implementation plan to provide moderate income housing; and

**WHEREAS**, the City Council approved a strategy and an implementation plan related to zoning incentives for moderate income units in new developments; and

**WHEREAS**, the City Council desires to amend Santaquin City Code Title 10 Chapter 20 Section 190 to reduce the minimum square footage requirement for various residential unit sizes within the Main Street Business Districts Zone.

**WHEREAS**, the Santaquin City Planning Commission held a public hearing on March 26, 2024, which hearing was preceded by the posting of public notice on the City's website ([www.santaquin.org](http://www.santaquin.org)), on the State of Utah's Public Notice Website, and in at least three public places within the City limits of Santaquin City in accordance with Section 10-3-711 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 20, Section 190 is amended as follows:** (underlined text is added, stricken text is deleted)

K. Multi-Family Development Standards: The maximum density allowed for multi-family developments shall be conditioned upon the architectural design of the development and its ability to meet the following zone standards. The following housing and open space

and amenities standards shall also be applied to mixed use developments unless addressed in the general standards above.

1. Minimum Lot and Unit Size: The minimum lot size for a multi-family development in the Main Street Residential (MSR) area shall be one (1) acre. The minimum density of a multi-family development shall be 8 units/acre. The maximum density of a multi-family development shall be 12 units/acre. The average minimum livable unit area shall be ~~five four~~ hundred (~~500~~400) square feet for a studio unit, ~~six hundred and fifty~~seven hundred ~~fifty~~ (~~750~~650) square feet for a single bedroom unit, and ~~nine eight~~ hundred (~~900~~800) square feet for a two (2) bedroom unit. No unit shall have less than ninety percent (90%) of the required average. Units with more than two (2) bedrooms shall provide an additional one hundred fifty (150) square feet per additional bedroom.

## **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. Contrary Provisions Repealed**

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

## **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 Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and 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. 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 V. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, April 3<sup>rd</sup>, 2024. 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 2<sup>nd</sup> day of April 2024.

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Daniel M. Olson, Mayor

Councilmember Art Adcock	Voted	____
Councilmember Brian Del Rosario	Voted	____
Councilmember Lynn Mecham	Voted	____
Councilmember Jeff Siddoway	Voted	____
Councilmember Travis Keel	Voted	____

ATTEST:

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Amalie R. Ottley, City Recorder

STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

I, AMALIE R. OTTLEY, 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 2<sup>nd</sup> day of April 2024, entitled

**“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO REDUCE THE  
MINIMUM SQUARE FOOTAGE REQUIREMENT FOR VARIOUS RESIDENTIAL  
UNIT SIZES WITHIN THE MAIN STREET BUSINESS DISTRICTS ZONE, PROVIDING  
FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY,  
AND AN EFFECTIVE DATE FOR THE ORDINANCE.”**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of  
Santaquin City Utah this 2<sup>nd</sup> day of April 2024.

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Amalie R. Ottley  
Santaquin City Recorder

(SEAL)

## AFFIDAVIT OF POSTING

STATE OF UTAH )  
COUNTY OF UTAH )  
 ) ss.

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that prior to the ordinance taking effect, I posted a short summary of the ordinance on the Utah Public Notice Website as required by Utah State Code 10-3-711(1)(b) as a Class A Notice and Santaquin City Code 1-2-050(D)

I further certify that copies of the ordinance were posted online at [www.santaquin.org](http://www.santaquin.org), at the City Hall Building at 110 S. Center Street and on the State of Utah's Public Notice Website, <https://www.utah.gov/pmn/index.html>. A copy of the notice may also be requested by calling (801)754-1904.

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AMALIE R. OTTLEY  
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_ 2024,  
by AMALIE R. OTTLEY.  
My Commission Expires:

## Notary Public