

MEMO



To: Mayor Olson and City Council
From: Ryan Harris, Senior Planner
Date: February 16, 2024
RE: **Public Facilities (PF) Zone Code Amendment**

It is proposed that the City Council consider amending language in SCC 10.20.180 “PF Public Facilities Zone” related to temporary batch plants in the Public Facilities (PF) Zone.

The proposed amendment would allow as a conditional use, a temporary concrete batch plant only for the construction of federal, state, or local government capital improvement projects. Central Utah Water Conservancy District will be extending a water pipeline related to the Central Utah Project (CUP) through Santaquin in the coming year and is a federally mandated project. The pipeline will extend from Highway 198 along the railroad to Summit Ridge. The pipeline must be encased in concrete. They will need a temporary batch plant while working on the project.

The proposed amendment has several conditions for batch plants, including distance requirements to dwellings, hours of operation, nuisance mitigation, site reclamation, storm drainage, and road access. The proposed amendment also creates a land use table that makes it easier to see the allowed uses in the zone. All current uses in the PF zone have been added to the land use table.

The Planning Commission held a public hearing on January 9, 2024, and provided a recommendation to the City Council on February 13, 2024. The Planning Commission made the following motion.

Motion: Commissioner Romero made a motion to forward a positive recommendation to the City Council to approve the proposed code amendment that amends language in Santaquin City Code 10.20.180 related to temporary batch plants in the PF Zone. Commissioner Nixon seconded the motion.

Commissioner Moak, Yes; Commissioner Nixon, Yes; Commissioner Romero, Yes; Commissioner Tolman, Absent; Commissioner Weight, Yes; Commissioner Wood, Yes; the motion passed.

Recommended motion: “Motion to approve Ordinance No. 02-02-2024, an ordinance amending Santaquin City Code to allow temporary batch plants in the PF Zone, providing for codification, correction of scrivener’s errors, severability, and an effective date for the ordinance.

Attachments:

1. Draft Ordinance

ORDINANCE NO. 02-02-2024

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW TEMPORARY BATCH PLANTS IN THE PF 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 City Council desires to amend Santaquin City Code Title 10 Chapter 20 Section 180 to allow temporary batch plants in the PF Zone.

WHEREAS, the Santaquin City Planning Commission held a public hearing on January 9, 2024, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City; 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 180 is amended as follows: (underlined text is added, stricken text is deleted)

10.20.180 PF PUBLIC FACILITIES ZONE

A. Objectives And Characteristics: The PF public facilities zone has been established for the primary purpose of providing a place where facilities designed and designated for the service of the community in whole and the citizens of Santaquin may be located. Such uses are typically either governmentally owned and operated or owned and operated by a private utility company, although private property dedicated to the use and benefit of the community in whole may also be designated within the PF public facilities zone as determined in this section.

~~B. Permitted Uses: The following buildings, structures, and uses of land shall be permitted in the PF public facilities zone upon compliance with requirements as set forth in this section:~~

~~Cemeteries.~~

~~Culinary water facilities, i.e., pumps and pump houses, service facilities, well sites, and storage tanks, and associated structures.~~

~~Golf courses and golf clubhouses (private and public).~~

~~Governmental offices including, but not limited to, maintenance and equipment storage facilities.~~

~~Hospitals, excluding independent clinics.~~

~~Public and quasi-public buildings.~~

~~Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures.~~

~~Public utility facilities including, but not limited to, electrical substations and natural gas pressure regulatory stations, and their associated structures.~~

~~Public utility offices and their associated structures.~~

~~Regional type park complexes, amusement facilities, fairgrounds, similar facilities, and their associated structures.~~

~~Religious center.~~

~~Schools.~~

~~Solid waste disposal sites.~~

~~Telecommunications sites subject to SCC 10.16.340.~~

~~Television, telephone, and cellular transmission towers and their associated structures, subject to the provisions for industrial zones within ordinance 12-2-99, the Santaquin City telecommunications ordinance, its amendments and/or successors.~~

~~Transportation hubs and collector point facilities.~~

~~Wastewater treatment facilities, i.e., treatment facilities, storage ponds, etc., and associated structures and uses.~~

~~C. Conditional Uses: The following are conditional uses in the PF public facilities zone, subject to the provisions of SCC 10.24, "Conditional Uses":~~

~~Caretaker facilities associated with a permitted or conditional use.~~

~~Convalescent home, rest home, or nursing home.~~

~~Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent~~

~~of a development project permitted within and in association with the I-1 zone and with city council approval and planning commission recommendation for approval of a plan detailing the scope and time schedule for the work to be done.~~

~~Use listed as permitted or conditional in the I-1 industrial zone, typically classified as "heavy industrial".~~

- B. Permitted Uses: Land uses in the PF Public Facilities Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

<u>P</u>	<u>The listed use is a permitted use with the represented area, based on City development standards and ordinances.</u>
<u>C</u>	<u>The listed use requires a conditional use permit within the represented area in addition to complying with all applicable development standards and ordinances.</u>

<u>Use</u>	<u>PF</u>
<u>Caretaker facilities associated with a permitted or conditional use</u>	<u>C</u>
<u>Cemeteries</u>	<u>P</u>
<u>Convalescent home, rest home, or nursing home</u>	<u>C</u>
<u>Culinary water facilities, i.e., pumps and pump houses, service facilities, well sites, storage tanks, and associated structures</u>	<u>P</u>
<u>Golf courses and golf clubhouses (private and public)</u>	<u>P</u>
<u>Governmental offices including, but not limited to, maintenance and equipment storage facilities.</u>	<u>P</u>
<u>Hospitals, excluding independent clinics</u>	<u>P</u>
<u>Public and quasi-public buildings</u>	<u>P</u>
<u>Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures</u>	<u>P</u>
<u>Public utility facilities including, but not limited to, electrical substations and natural gas pressure regulatory stations, and their associated structures</u>	<u>P</u>
<u>Public utility offices and their associated structures</u>	<u>P</u>
<u>Regional type park complexes, amusement facilities, fairgrounds, similar facilities, and their associated structures.</u>	<u>P</u>
<u>Religious center</u>	<u>P</u>
<u>Schools</u>	<u>P</u>
<u>Solid waste disposal sites</u>	<u>P</u>
<u>Telecommunications sites subject to SCC 10.16.340</u>	<u>P</u>
<u>Television, telephone, and cellular transmission towers and their associated structures, subject to the provisions for industrial zones within ordinance 12-2-99, the Santaquin City telecommunications ordinance, its amendments and/or successors</u>	<u>P</u>
<u>Temporary Concrete Batch Plant only for the construction of federal, state, or local government capital improvement projects consistent with the use of the property.</u>	<u>C</u>
<u>Transportation hubs and collector point facilities</u>	<u>P</u>
<u>Wastewater treatment facilities, i.e., treatment facilities, storage ponds, etc., and associated structures and uses.</u>	<u>P</u>

- C. Area Requirements: In the PF public facilities zone, there shall be no land area requirements, except that an area sufficient to accommodate location requirements, off street parking, loading and unloading, and vehicular access, as necessary, shall be provided and maintained.
- D. Width Requirements: The minimum width of lots in this zone has not been specified except that the width shall be sufficient to accommodate the proposed or existing land use.
- E. Location Requirements:
1. Front Setback: All buildings and structures shall be set back at least twenty feet (20') from the front lot line.
 2. Side Setbacks:
 - a. Interior lots: All buildings shall be set back from the side property line a distance of at least ten feet (10').
 - b. Corner lots: All buildings shall be set back from any street not less than twenty five feet (25').
 3. Rear Setback:
 - a. Interior lots: All buildings shall be set back from the rear property line a distance of at least ten feet (10').
 - b. Corner lots: All dwellings and other main buildings shall be set back from the rear property line a distance of at least ten feet (10').
 4. Clear View: All structures must be placed in conformance with the clear view standards found in SCC 10.16.090. (Ord. 11-03-2014, 11-5-2014, eff. 11-6-2014)
- F. Size Of Buildings: The ground floor area of all buildings has not been specified.
- G. Height And Size Requirements: There are no height or size requirements in the PF public facilities zone.
- H. Special Provisions:
1. Development landscaping shall be in accordance with SCC 10.52, "Landscaping Standards".
 2. Materials placed in screened outside storage areas shall be stacked no higher than the screening fence, wall, hedge, or berm surrounding such area.
 3. Temporary Batch Plant Requirements:
 - a. The following items shall be submitted to the Community Development Department.
 - (1) A conditional use application and application fee.
 - (2) A site plan showing the location of the batch plant, all temporary structures, improvements, access routes, egress routes, on-site travel routes, and plans to address surface water issues.
 - (3) A site reclamation plan. The project will be expected to comply with such plan during the time for which a permit is issued. This plan shall include a complete set of written and drawn plans outlining the applicant's intentions for reclamation of the land after the expiration of the conditional use permit. No reclamation project shall be permitted to extend more than twelve (12) months beyond the end of the conditional use permit, or any extension thereof, whichever is later.

- (4) A nuisance mitigation plan. The project will be expected to comply with such plans during the time for which a permit is issued. These plans should provide written and drawn details of the applicant's intentions to control:
 - (A) Dust;
 - (B) Noise;
 - (C) Odors; and
 - (D) Any other possible nuisances that could originate from the site, any other possible nuisance recognized by the city, and/or any pertinent nuisance contained within the city's nuisance ordinance.
- b. The approval of a temporary batch plant is valid for one (1) year. A one-time extension of one (1) year can be requested.
 - (1) A written request for an extension must be submitted to the Community Development Department and approved by the Planning Commission before the one (1) year approval expires.
 - (2) The extension shall be approved by the Planning Commission if all conditions of the Conditional Use are being met.
- c. Location: A temporary batch plant shall not be located closer than 500 feet from any existing dwelling.
- d. Hours of Operation: The operating hours for a temporary batch plant shall be from six o'clock (6:00) A.M. to ten o'clock (10:00) P.M. Under special circumstances this time period may be modified by the mayor.
- e. Storm Drain:
 - (1) Track Out: When rock, mud or debris are spilled upon a public roadway, it shall be the responsibility of the permitted operator to remove such material immediately.
 - (2) Perimeter Berm: All storm water must be retained on site.
- f. Road Access: All sites shall have direct access to a City, County or State road.

10. Rezoning And Designation:

- 3. Rezoning: Rezoning of property existing within the city's boundaries and the designation of property being annexed into the city to the PF public facilities zoning classification shall only be done upon demonstration by the applicant that the property is strictly in conformity to the intent and characteristics of the zoning classification, as determined and approved by the city council with recommendation from the planning commission.

~~4. Spot Zoning: Due to the nature of the PF zoning classification and the inherent nature of some land uses permitted within the classification, and in addition to the provisions of SCC 10.20.060, spot zoning shall be permitted for the proper assignment of the PF zoning classification to property within the city. (Ord. 12-01-2002, 12-4-2002, eff. 12-5-2002)~~

- 11. Supplementary Requirements: See SCC 10.16, "Supplemental Provisions Applicable Within All Zones".

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, February 21, 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 20th day of February 2024.

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:

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 20th day of February 2024, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO ALLOW TEMPORARY BATCH PLANTS IN THE PF 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 20th day of February 2024.

Amalie R. Ottley
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

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, 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.

AMALIE R. OTTLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this ____ day of ____ 2023, by AMALIE R. OTTLEY.

My Commission Expires:

Notary Public

Residing at Utah County