

# MEMO



To: Mayor Olsen and City Council  
From: Ryan Harris, Senior Planner  
Date: December 15, 2023  
Re: **Ercanbrack Rezone**

From: MSC To: CLM
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Mr. Randall Ercanbrack with W.M. Ercanbrack Co., Inc. is proposing a rezone of 1.54 acres located at 580 West Main Street. The property is currently zoned as the Main Street Commercial (MSC) District within the Main Street Business Districts Zone. The applicant is requesting that a portion of his property be rezoned to the Commercial Light Manufacturing (CLM) Zone. Most of the property (Parcel 32:006:0109) is currently zoned CLM and a smaller portion of the property (1.54 acres) is zoned MSC. If the rezone is approved, the entire property will be in the CLM Zone.

The applicant has prepared a letter explaining why he is requesting the rezone (Attachment 2) and has provided a concept plan (Attachment 3). The letter and the concept plan are the applicant's justification for why the proposed zone change should be approved. The concept plan is not binding and is an idea of what could be developed on the property.

The Planning Commission reviewed the proposal and provided the following recommendation:

Commissioner Romero made a motion to forward a positive recommendation to the City Council that approximately 1.54 acres of the WM Ercanbrack Co, Inc property be rezoned from the Main Street Commercial (MSC) District within the Main Street Business Districts Zone to the Commercial Light Manufacturing (CLM) Zone. Commissioner Nixon seconded the motion.

Commissioner Moak	Yes
Commissioner Nixon	Yes
Commissioner Romero	Yes
Commissioner Weight	Yes
Commissioner Hoffman	Yes

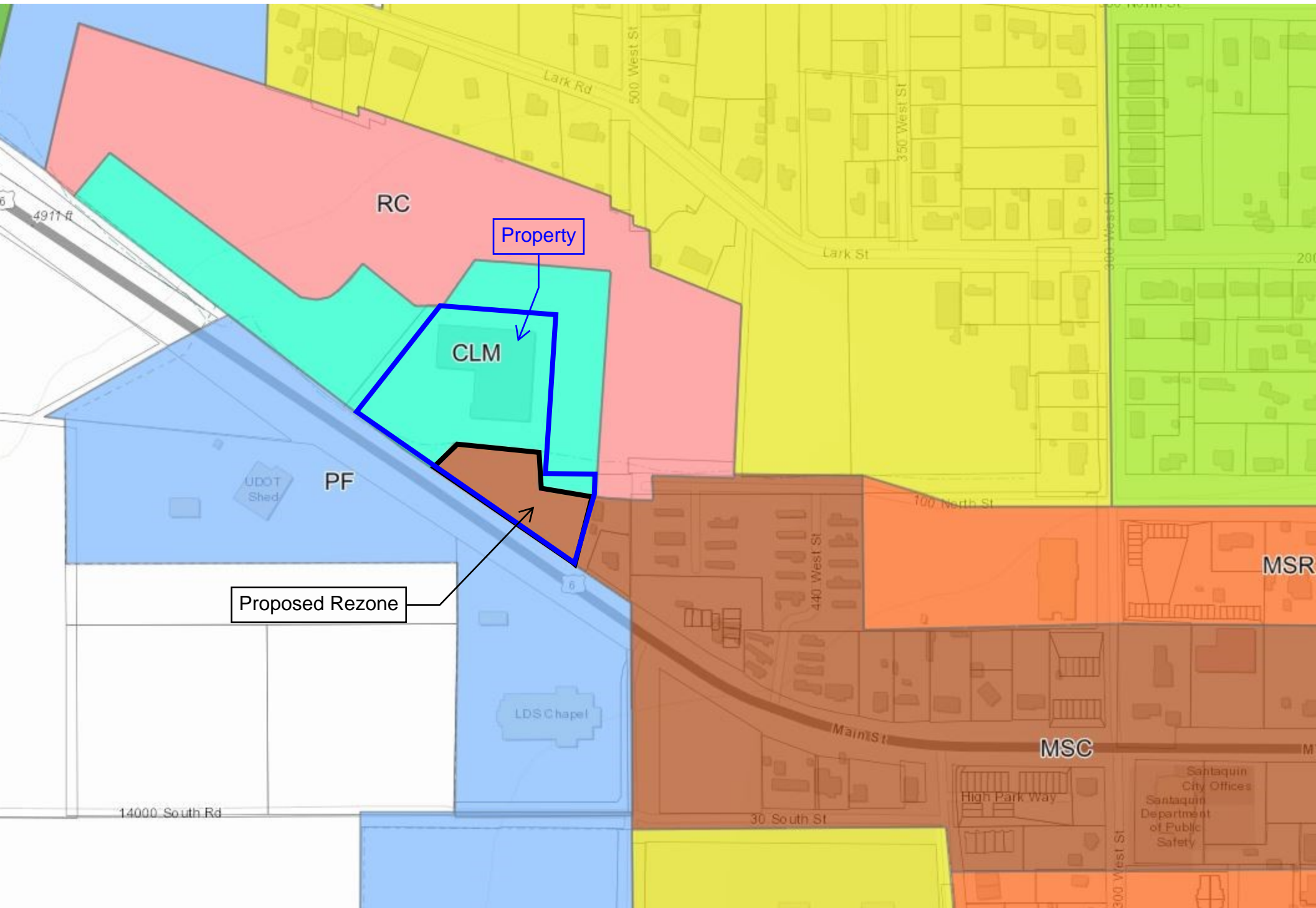
The motion passed.

**Recommended motion:** "Motion to approve/deny Ordinance No. 12-03-2023, an ordinance amending the zoning map of Santaquin City, more specifically, approving the rezoning of approximately 1.54 acres from the Main Street Commercial (MSC) District within the Main Street Business Districts Zone to the Commercial Light Manufacturing (CLM) Zone, providing severability and an effective date for the ordinance."

## **Attachments**

1. Zoning and Location Map
2. Applicant Letter
3. Ordinance

Attachment 1: Zoning and Location Map



## Attachment 2: Applicant Letter

Planning Commission,

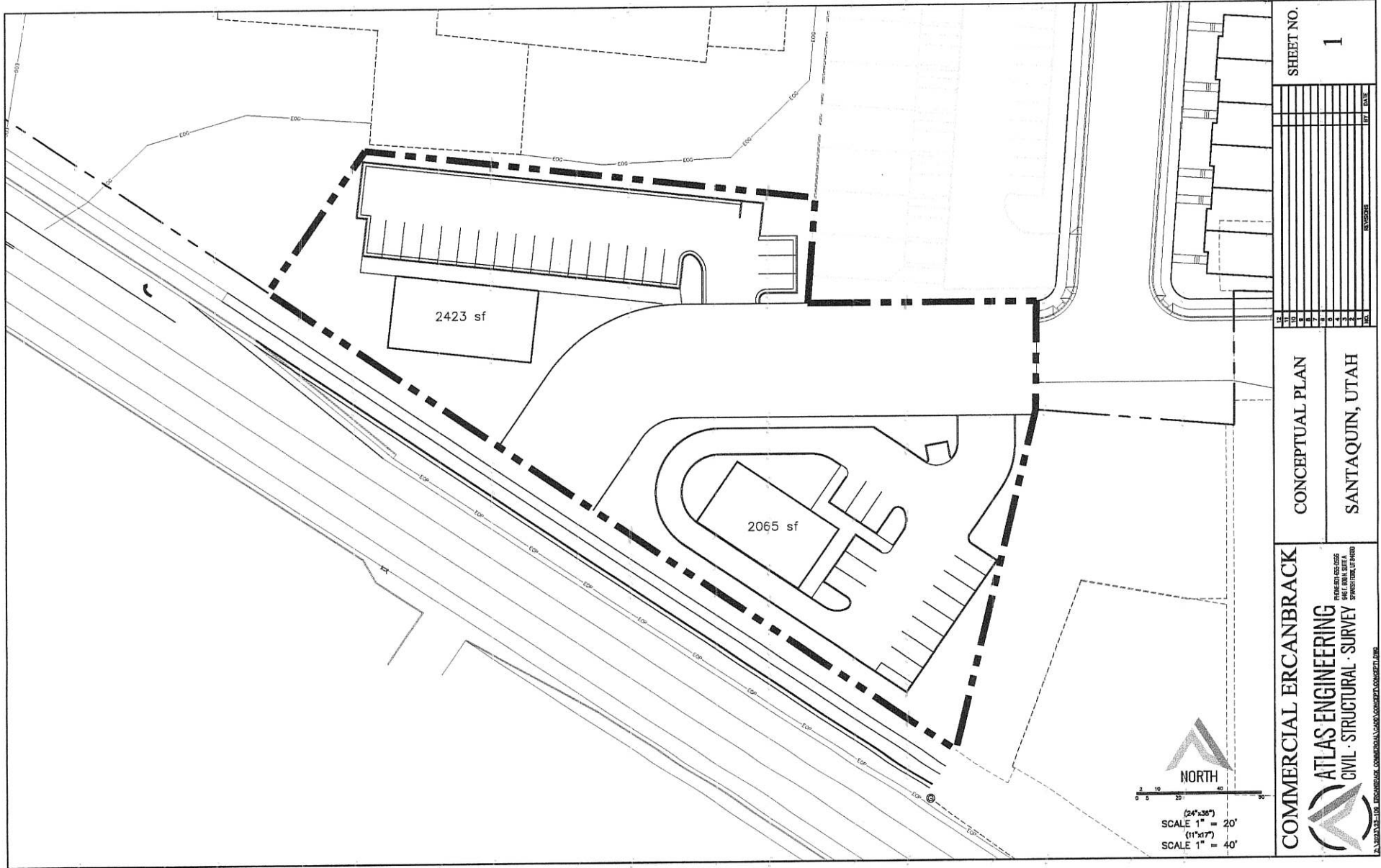
The reason I would like to rezone this section is so that I can have all my property, which is held by W M Ercanbrack Co., Inc. to be all as one CLM zone. This will be beneficial for your staff, and my engineering when it comes to developing the whole piece of property, which in turn benefits the city.

Thank you for your consideration,

Randall Ercanbrack

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SHEET NO.  
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CONCEPTUAL PLAN  
SANTAQUIN, UTAH

**COMMERCIAL ERCANBRACK**  
**ATLAS ENGINEERING**  
 CIVIL · STRUCTURAL · SURVEY  
 1200 WEST 1000 SOUTH, SUITE 200  
 SALT LAKE CITY, UTAH 84119  
 TEL: 801.487.8888  
 WWW.ATLASENGINEERING.COM

## **ORDINANCE NO. 12-03-2023**

**AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY, MORE SPECIFICALLY, APPROVING THE REZONING OF APPROXIMATELY 1.54 ACRES FROM THE MAIN STREET COMMERCIAL (MSC) DISTRICT WITHIN THE MAIN STREET BUSINESS DISTRICTS ZONE TO THE COMMERCIAL LIGHT MANUFACTURING (CLM) ZONE, PROVIDING 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 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, providing for the public safety, health, morals, and welfare; and

**WHEREAS**, the Santaquin City Planning Commission held a public hearing during their December 12, 2023 meeting, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City 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 regarding the proposed rezoning of property; and

**WHEREAS**, the Santaquin City Council desires to amend the Official Zoning Map of Santaquin City, more specifically the rezoning of approximately 1.54 acres of property from the Main Street Commercial (MSC) District within the Main Street Business Districts Zone to the Commercial Light Manufacturing (CLM) Zone, which property is located at approximately 580 West Main Street (Parcel No. 32:006:0109).

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

### **Section I.**

That the official zoning map of the City be amended such that approximately 1.54 acres of property from the Main Street Commercial (MSC) District within the Main Street Business Districts Zone to the Commercial Light Manufacturing (CLM) Zone as shown on the attached map labeled as Exhibit "A" and by this reference made part hereof.

### **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 V. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, December 20, 2023. 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 19<sup>th</sup> day of December, 2023.

\_\_\_\_\_  
Daniel M. Olson, Mayor

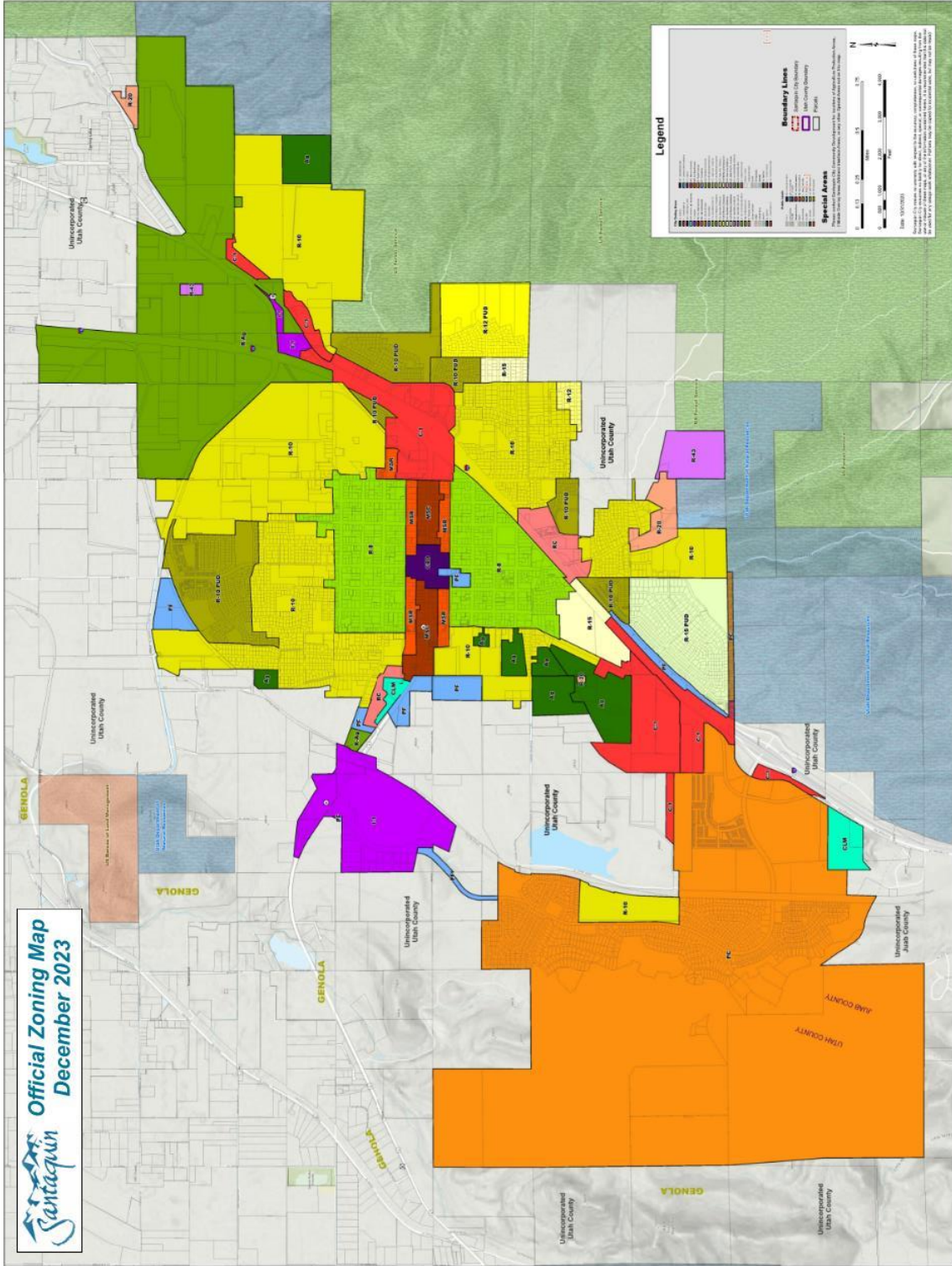
Councilmember Art Adcock	Voted	___
Councilmember Elizabeth Montoya	Voted	___
Councilmember Lynn Mecham	Voted	___
Councilmember Jeff Siddoway	Voted	___
Councilmember David Hathaway	Voted	___

ATTEST:

\_\_\_\_\_  
Amalie Ottley, City Recorder

# Exhibit A

## (Santaquin City Zoning Map)



STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, AMALIE R. OTTLEY, Deputy 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 19<sup>th</sup> day of December 2023, entitled

**AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY, MORE SPECIFICALLY, APPROVING THE REZONING OF APPROXIMATELY 1.54 ACRES FROM THE MAIN STREET COMMERCIAL (MSC) DISTRICT WITHIN THE MAIN STREET BUSINESS DISTRICTS ZONE TO THE COMMERCIAL LIGHT MANUFACTURING (CLM) ZONE, PROVIDING 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 19<sup>th</sup> day of December 2023.

\_\_\_\_\_  
Amalie R. Ottley  
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](http://www.santaquin.org), in three physical locations (Santaquin City Public Safety Building, Zions Bank, Santaquin Post Office), 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