

ORDINANCE NO. 03-03-2022

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO DEFINE A TRUCK STOP AND TO DETERMINE THE LAND USE DESIGNATION OF A TRUCK STOP IN THE INTERCHANGE COMMERCIAL (C-1) 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 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 08 and Title 10 Chapter 20 Section 120 to define a Truck Stop and to determine the land use designation of a Truck Stop in the Interchange Commercial (C-1) Zone; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on March 8, 2022, 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 08 Section 020 is amended as follows: (underlined text is added, stricken text is deleted)

Truck Stop: means an establishment on property or within building(s) which are used primarily for the fueling or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. Without limitation of the foregoing, a facility offering highway diesel products for sale which also provides an area for overnight parking, any overnight accommodations, and/or showers is conclusively deemed to be a “truck stop” under this definition.

Title 10 Chapter 20 Section 120 is amended as follows: (underlined text is added, stricken text is deleted)

C. Permitted Uses: General land uses within commercial zones shall complement the city's general plan for their respective areas. Those uses allowed in the city's commercial zones are listed in the following matrix. Abbreviations and alphabetic use designations in the matrix have the following meanings:

P	The listed use is a permitted use within the represented area, based on city development standards and
C	The listed use requires a conditional use permit within the represented area in addition to complying with
A	The listed use is only permitted as an accessory use within the represented area.
N	The listed use is a prohibited use within the represented area.

Use	C-1	PO
Accessory building	A	A
Adult daycare	C	P
Alcoholic beverage class A license (store; beer only)	P	N
Alcoholic beverage class B license (bars)	N	N
Alcoholic beverage class C license (restaurants/clubs)	P	N
Alcoholic beverage class D license (hotel/conventions)	P	P
Alcoholic beverage class E license (liquor store, etc.)	P	N
Arcade	C	N
Art gallery	P	P
Auto, truck, RV, and equipment sales or rental	P	N
Auto, truck, RV, and equipment storage	N	N
Automotive service and repair, major	C	N
Automotive service and repair, minor	P	N
Automotive service station	P	N
Bakery, commercial	P	N

Brewpub	C	N
Car wash service	C	N
Caretaker facilities associated with a permitted or conditional use	P	P
Commercial, ancillary	P	N
Commercial, convenience store	P	N
Commercial parking lot or garage	N	N
Commercial, repair services	P	N
Commercial, retail sales and services	P	N
Day treatment	N	C
Daycare center	A	P
Drive-in, retail	P	N
Dwelling, multiple-family	N	N
Engraving, publishing, and printing	P	C
Financial, insurance, and real estate offices	P	P
Furniture and appliance stores	P	N
Healthcare facility (large)	P	C
Healthcare facility (small)	P	P
Hotels	P	N
Institutions	N	P
Kennels	N	N
Mortuaries, funeral home	N	P

Motels	P	N
Multiple-unit dwellings as part of a mixed use development	N	N
New and used car sales	P	N
Pawnshops	C	N
Permanent makeup establishment	P	N
Professional offices or financial services	P	P
Public and quasi-public buildings	P	P
Public park, private park or playground	P	P
Public safety buildings including, but not limited to, police, fire, and ambulance stations, and their associated structures	P	P
Recreational activity businesses	P	C
Recreational vehicle (RV) parks	N	N
Religious center	P	P
Research and development and related offices space	N	C
Resident healthcare facility	N	P
Restaurant	P	N
Restaurant with drive-through facilities	P	N
School, commercial (art, music, hair, massage)	P	P
Schools, public or quasi-public	C	P
Seasonal businesses, subject to SCC 10.16.300	P	P
Sexually oriented business	N	N
Social or reception center	C	P

Stone and monument sales	P	P
Storage unit facilities	N	N
Tattoo parlor	N	N
Taxidermy shops	N	N
Telecommunications sites. See SCC 10.16.340 paragraph D		
Temporary businesses, subject to the provisions of SCC 10.16.300	P	P
Theaters	C	N
Tire recapping	N	N
Treatment facility (large)	N	C
Treatment facility (small)	N	P
Truck Stop	N	N
Veterinarian hospital, small animal	P	P
Wedding chapels	N	P
Wholesale stores	P	N

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, March 16th, 2021. 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 15th day of March 2021.

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:

Dennis L Marker, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, DENNIS L. MARKER, 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 15th day of March 2022, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO DEFINE A TRUCK STOP AND TO DETERMINE THE LAND USE DESIGNATION OF A TRUCK STOP IN THE INTERCHANGE COMMERCIAL (C-1) 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 15th day of March, 2022.

Dennis L. Marker
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Dennis L. Marker, 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 15th day of March, 2022.

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.

Dennis L. Marker
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by Dennis L. Marker.

Notary Public