

MEMORANDUM



To: Mayor Olson and City Council
From: Ryan Harris, Senior Planner
Date: November 3, 2023
RE: **Andrea Lee Rezone Request**

It is proposed that the City Council consider amending the Santaquin City Zoning Map to change the zoning of the lot at 55 S. 300 E. (parcel ID 09:091:0012) from Main Street Residential (MSR) to Main Street Commercial (MSC). The area proposed to be rezoned is 0.4688 acres and currently has a single-family dwelling on the premises.

The applicant Andrea Lee submitted a proposal (Attachment 2). This proposal is the applicant's justification for why the proposed zone change should be approved.

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

Motion: Commissioner Weight made a motion to forward a positive recommendation to the City Council that 55 S. 300 E. be rezoned from Main Street Residential (MSR) Zone to Main Street Commercial (MSC) Zone. Commissioner Moak seconded the motion.

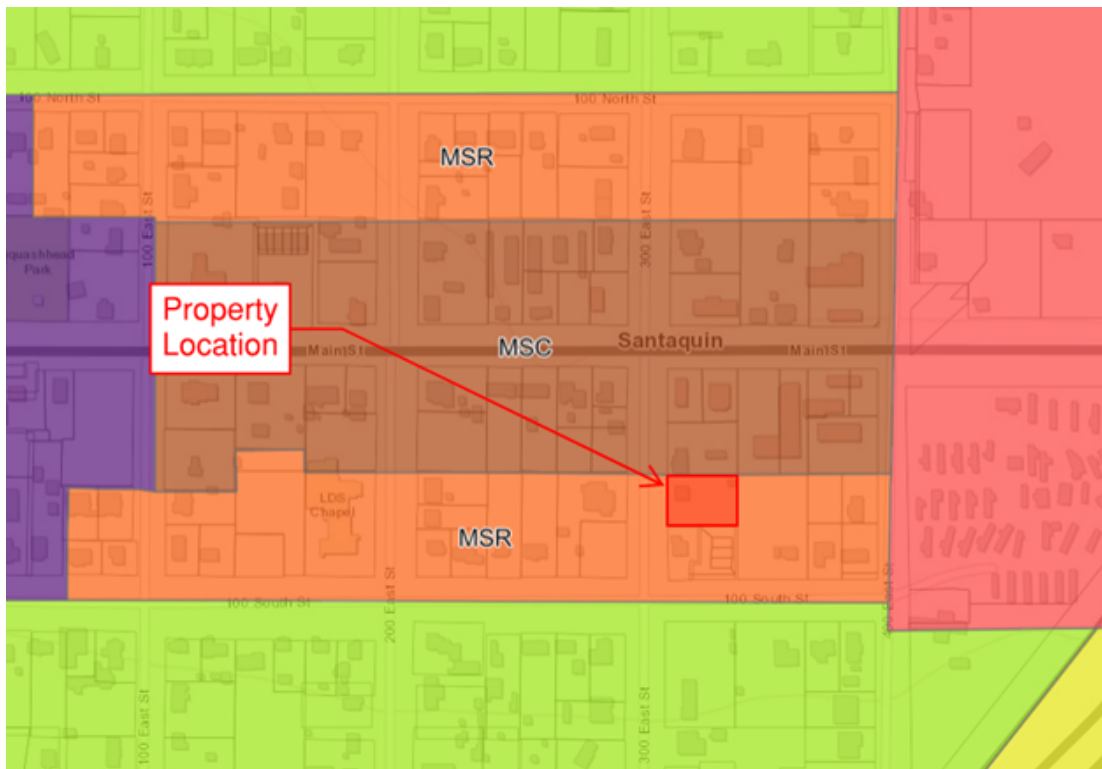
Commissioner Wood, Yes; Commissioner Lance, Yes; Commissioner Hoffman, Yes; Commissioner Nixon, Yes; Commissioner Weight, Yes; Commissioner Romero, Yes; Commissioner Moak, Yes The motion was unanimously approved.

Recommended motion: ““Motion to approve/disapprove Ordinance No. 11-02-2023, an ordinance amending the zoning map of Santaquin City, more specifically, approving the rezoning of approximately 0.47 acres located at 55 South 300 East from the Main Street Residential (MSR) Zone to Main Street Commercial (MSC) zone.”

Attachments:

1. Property Location and Current Zoning
2. Application (Zone Change Proposal)

Attachment 1: Property Location and Current Zoning





Santaquin City Corporation Rezoning Request Application

Review Time: Rezoning Requests require seven weeks on average for review and Public hearings. This may be increased as determined by completeness of plans, complexity of the proposal and the need for additional review time.

Meetings: City Council meetings are held the 1st and 3rd Wednesday of each month at 7:00 p.m. Development Review Committee (DRC) meetings are held the 2nd and 4th Tuesday of each month at 3:00 p.m. Planning Commission meetings are held the 2nd and 4th Thursday of each month at 7:00 p.m.

All of the above meetings are held in the City Council Chambers at City Hall, 45 West 100 South, Santaquin. All meeting dates are subject to City-observed holidays, scheduling necessities and each reviewing body's approved yearly meeting schedule.

Rezoning Information	
Address: 55 S 300 E Santaquin, UT 84655	
Current Zoning:MSR	Requested Zoning:MSC
Date of Submission:10/3/2023	Acres: .47

Contact/Developer Information	
Company Name:	Contact:
Address:	City, State, Zip:
Phone:	Alternate Phone:
Email:	Signature:

Application Checklist

- ' Legal Description of properties proposed for rezoning.
- ' Rezoning Application fees
- ' Subdivision plans, as applicable

Multiple Property / Zoning Proposals:

- ' Layout and surrounding zoning map
- ' Development Proposal Maps

55 S 300 E REZONE PROPOSAL

My name is Andrea Lee, my husband and I own the property at 55 S 300 E Santaquin Utah. We have been residents of Santaquin for over 21 years. We have raised our 2 sons in Santaquin. I am requesting a Consideration of a Rezone. The reason for the request is to streamline the process for selling the property as a Commercial Property. The home currently is in the MSR zone which is a mixed use zone.

I have had several interested parties interested in building Multi-Family Units on the property, however the challenge I'm dealing with is 3 years ago there was a change in the MSR Code that requires a minimum of 1 acre+ for a Multi-Family Development. Unfortunately this requirement has limited my ability to sell the house/property to multiple interested parties.

I have had very little interest in any potential buyer wanting to come in and rebuild/add on to the current residential home on the property for the use of their Primary Residence.

With the new expansion to the Holiday gas station on the north side of my lot, the Rezoning of my Property as a Commercial Lot creates a natural flow for customers in this specific geographic area.

I'm confident that rezoning the lot to MSC will create more options to the lot and will greatly benefit this growing city. Allowing the lot to be zoned MSC will open up more options for businesses looking to grow and expand here in Santaquin. Thank you in advance for your time and efforts in reviewing my request, I appreciate it.

ORDINANCE NO. 11-02-2023

AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY, MORE SPECIFICALLY, APPROVING THE REZONING OF APPROXIMATELY 0.47 ACRES FROM MAIN STREET RESIDENTIAL (MSR) ZONE TO MAIN STREET COMMERCIAL (MSC) 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 October 24, 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 0.47 acres of property from Main Street Residential (MSR) Zone to Main Street Commercial (MSC) Zone, which property is located at approximately 55 South and 300 East (Parcel No. 09:091:0012).

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 0.47 acres of property from Main Street Residential (MSR) Zone to Main Street Commercial (MSC) 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, November 8, 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 7th day of November, 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

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 7th day of November 2023, entitled

AN ORDINANCE AMENDING THE ZONING MAP OF SANTAQUIN CITY, MORE SPECIFICALLY, APPROVING THE REZONING OF APPROXIMATELY 0.47 ACRES FROM MAIN STREET RESIDENTIAL (MSR) ZONE TO MAIN STREET COMMERCIAL (MSC) 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 7th day of November 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, 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