

MEMO



To: Planning Commission

From: Aspen Stevenson, Planner

Date: February 25, 2025

RE: **Code Amendment To Permit Detached ADUs in the R-15 Residential Zone**

After selecting five Moderate Income Housing Strategies for 2025, it is proposed that the Planning Commission and City Council amend Santaquin City Code Title 10 Chapter 16 Section 080 and Title 10 Chapter 20 Section 100 to permit detached accessory dwelling units in the R-15 Residential Zone. The proposed code amendment will satisfy Strategy 1 (E) of the Moderate Income Housing which is referenced below.

Strategy 1 (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

Implementation Plan – Santaquin City will consider modifying zoning regulations to expand the area where detached accessory dwelling units are permitted. Considerations to permit detached accessory dwelling units in the R-15 Zone will be reviewed by the Planning Commission and City Council.

Benchmarks and Timeline – A legislative process will be initiated to consider permitting detached accessory dwelling units in the R-15 Zone before June 1, 2025. Possible action will be implemented before August 1, 2025.

The attached draft ordinance has the proposed code amendment. The Planning Commission's responsibility is to hold a public hearing and forward a recommendation to the City Council.

Recommended Motion: "Motion to recommend (approval/denial) of the proposed code amendment, which permits detached accessory dwelling units within the R-15 zone."

ORDINANCE NO. DRAFT

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO PERMIT DETACHED ACCESSORY DWELLING UNITS IN THE R-15 RESIDENTIAL 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 16, Section 080 and Title 10, Chapter 20, Section 100 to permit detached accessory dwelling units in the R-15 Residential Zone; and

WHEREAS, the City Council hereby implements one of their strategies in the Moderate-Income Housing Plan, as required by Utah Code Annotated 10-9a-408, in order address the need for moderate income housing within Santaquin City; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on February 25, 2025, 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 16 Section 080 is amended as follows: (underlined text is added, stricken text is deleted)

10.16.080 ACCESSORY DWELLING UNITS

- C. Detached (i.e., Cottages, Casitas): Detached accessory dwelling units shall be allowed in the Main Street Residential (MSR) area of the Main Street Business

District zone, the Residential R-8 zone, ~~and~~ the Residential R-10 zone, and the Residential R-15 zone, subject to the following criteria:

Title 10 Chapter 20 Section 100 is amended as follows: (underlined text is added, stricken text is deleted)

10.20.100 R-15 RESIDENTIAL ZONE

A. Objectives And Characteristics: The objectives of establishing the R-15 Residential Zone are to encourage the creation and maintenance of residential areas within the City which are characterized by medium sized lots on which single-family dwellings are situated, surrounded by well kept lawns, trees, and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone.

In order to accomplish the objectives and purposes of this title and to promote the characteristics of this zone, the following regulations shall apply in the R-15 Zone. (Ord. 2-01-2002, 2-5-2002, eff. 2-5-2002)

B. Permitted Uses: Land uses in the R-15 Residential Zone are permitted as follows. Alphabetic use designations in the table below have the following meanings:

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

Use	R-15
<u>Accessory Use</u>	<u>P</u>
Adult daycare	C
Assisted living facility - large	C
Assisted living facility - small	P/C
Caretaker facilities associated with a permitted or conditional use	C

Cemeteries	P
Child daycare centers	C
Dwelling, accessory unit attached	P
Dwelling, accessory unit detached	P
Dwellings, single-family detached	P
Golf courses and golf clubhouses (private and public)	P
Gravel, sand, earth extraction, and mass grading when necessary to accomplish the intent of a development project permitted within and in association with the R-15 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	C
Home occupations, in accordance with SCC 10.40	P/C
Large scale developments	C
Parks	P
Public and quasi-public buildings	P
Recreational vehicle (RV) parks	N
Religious center	P
Residential facilities for persons with a disability pursuant to SCC 10.60	P
Residential facilities for the elderly pursuant to SCC 10.56	P
Residential support facility	P
Schools	P

Sheltered workshop	C
Single family dwellings and related accessory uses	P
Telecommunications sites. See SCC 10.16.340 paragraph D	
Temporary uses, subject to the provisions of SCC 10.16.300	P
Treatment facility	N

(Ord. 07-01-2011, 7-27-2011, eff. 7-28-2011; amd. Ord. 03-02-2014, 4-16-2014, eff. 4-17-2014; Ord. 02-01-2018, 2-7-2018, eff. 2-8-2018)

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 5, 2025. 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 4th day of March 2025.

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 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 4th day of March 2025, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO MODIFY REGULATIONS FOR DETACHED ACCESSORY DWELLING UNITS AND PERMIT DETACHED ACCESSORY DWELLING UNITS IN THE R-10 RESIDENTIAL 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 4th day of March 2025.

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 I posted in three (3) public places the ordinance, which is attached hereto on the 4th day of March 2025.

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.

Amalie R. Ottley
Santaquin City Recorder

The foregoing instrument was acknowledged before me this ___ day of _____, 20__, by Amalie R. Ottley.

Notary Public