

**ORDINANCE NO. 13-96**

ROLL CALL

VOTING	YES	NO
MAYOR MARIE W. HUFF <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
THORA L. SHAW <i>Councilmember</i>	X	
CLYDE A. SWENSON <i>Councilmember</i>	X	
REX WOODHOUSE <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Woodhouse

I SECOND the foregoing motion: Councilmember Swenson

ORDINANCE 13-96

**ORDINANCE ADOPTING A NEW COMPREHENSIVE  
ZONING PLAN AND ZONING MAP**

WHEREAS, Spanish Fork City has adopted a new Comprehensive General Plan; and

WHEREAS, in order to implement the provisions of the Comprehensive General Plan a new zoning ordinance is necessary; and

WHEREAS, the Spanish Fork Planning Commission held a public hearing on the new zoning ordinance on the 16th day of July 1996, in conjunction with the Comprehensive General Plan; and

WHEREAS, Spanish Fork City Council held a public hearing on the new zoning ordinance on the 4th day of September 1996, in conjunction with the Comprehensive General Plan; and

WHEREAS, growth in areas subject to the Strawberry Electric Service District litigation needs to be controlled to limit the City's damages until that matter is resolved; and

WHEREAS, growth in those areas which do not have sewer capacity needs to be controlled to avoid a proliferation of septic tanks; and

WHEREAS, growth boundaries as identified in the Comprehensive General Plan need to be followed so that the City can meet the demand for infrastructure needs brought on by growth; and

WHEREAS, the best method to control growth, until the Strawberry litigation is resolved, sewer capacity is available, or infrastructure needs are adequate, is through zoning; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, a zoning ordinance and map implementing the concepts of the Comprehensive General Plan is necessary and desirable;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I. Title 17 and the Standard Land Use Chart of the Spanish Fork City Municipal Code, both dealing with zoning, are hereby repealed in their entirety.

II. Chapter 8 of Title 12 (§12.08.010 et seq.) Of the Spanish Fork City Municipal Code, dealing with signs, is hereby repealed in its entirety.

III. Title 17 of the Spanish Fork City Municipal Code is hereby reenacted as set forth in the attached document entitled "Spanish Fork City Zoning Ordinances."

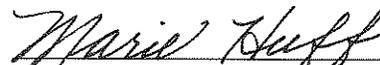
IV. A zoning map of the City is hereby adopted as set forth in the attached document. Each property shall be classified in the zone as shown on the map. Any question about the zoning designation for any particular parcel of property shall be decided in the sole discretion

of the City Planner.

WHEREFORE, to protect the health, safety, and welfare of the citizens of Spanish Fork City, this ordinance shall take effect immediately upon passage.

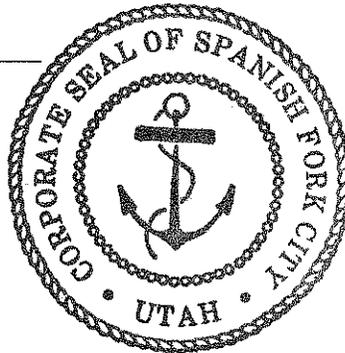
PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of November, 1996.

DATED this 6th day of November 1996.

  
\_\_\_\_\_  
MARIE HUFF, Mayor

ATTEST:

  
\_\_\_\_\_  
KENT CLARK, City Recorder

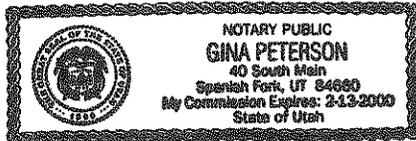


STATE OF UTAH        )  
                                  :SS.  
COUNTY OF UTAH    )

KENT R. CLARK, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of Spanish Fork City, County of Utah, State of Utah; that as part of his duties to keep the minutes, resolutions, and ordinances of Spanish Fork City, that the attached ordinance is the same as the ordinance passed on the 6<sup>th</sup> day of Nov., 1996 by the Spanish Fork City Council.

Kent R. Clark  
KENT CLARK, City Recorder

Subscribed and sworn to before me this 6<sup>th</sup> day of Nov, 1996.



Gina Peterson  
NOTARY PUBLIC

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**TITLE 17. ZONING.**

- Chapter 17.04. Purpose and Applicability.
- Chapter 17.08. Definitions.
- Chapter 17.12. Administration.
- Chapter 17.16. Zoning Districts.
- Chapter 17.20. Zoning District Regulations.
- Chapter 17.24. Overlay District Regulations.
- Chapter 17.28. General Development Standards.

**Chapter 17.04. Purpose and Applicability.**

- 17.04.010. Title.
- 17.04.020. Authority and Purpose.
- 17.04.030. Severability.
- 17.04.040. Compliance and Enforcement.
- 17.04.050. Nonconforming Buildings, Uses, and Lots.

**17.04.010. Title.**

The ordinance contained in this Title shall be known as the "Zoning Ordinance of the City of Spanish Fork, Utah". Within the ordinance text, it shall be cited as "this ordinance".

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.04.020. Authority and Purpose.**

This ordinance is adopted pursuant to the authority contained in Utah Code Annotated §10-9-401 (1953 as amended) to promote the public health, safety, and general welfare of the community. It is the intention of the City Council that this ordinance and any amendments thereto implement the planning policies as expressed and adopted in the General Plan. The purpose of this ordinance is to:

- A. Establish land use classifications dividing the City into various zoning districts;
- B. Govern the use of land for residential, commercial, office, industrial, and all other uses;
- C. Regulate and limit the height and bulk of buildings and other structures;
- D. Limit the occupancy and size of yards and open spaces;
- E. Establish performance and design standards;
- F. Establish boards and commissions and define powers and duties for each;
- G. Provide procedures for changing zoning districts and the standards which govern these districts, conditional use permits, variances and all other permits required by this ordinance;
- H. Prescribe penalties for violations of this ordinance.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.04.030. Severability.**

- A. This ordinance revises and re-enacts all zoning laws. Whenever any provision of this ordinance refers to or cites a section of the Utah Code and that section is later amended or superseded, this ordinance shall be deemed amended to refer to the amended section or section that most nearly corresponds to that superseded section.
- B. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remainder of the ordinance other than the part determined to be unconstitutional or invalid.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.04.040. Compliance and Enforcement.**

- A. No building permit may be lawfully issued nor shall a Certificate of Occupancy be granted until the City Planner or his designee has given authorization indicating all requirements of this ordinance, all conditions and stipulations of approval, and any other specific project related requirements have been met.
- B. A person, firm, or corporation violating any of the stipulations, conditions of approval, or any other provision of this ordinance (Title 17) shall be guilty of a Class C misdemeanor, punishable by a fine or imprisonment, or by both. Any such person, firm, or corporation shall be deemed guilty of a separate offense for each and every day during which any violation occurs.
- C. In addition to, or independent of the criminal penalties provided above, the City may bring a civil proceeding in a court of competent jurisdiction to enforce compliance with the terms of this ordinance, or to prevent, restrain, or abate any violation of the terms of this ordinance.
- D. Any violation of this ordinance is declared to be a public nuisance, and instead of, or in addition to, any criminal or civil enforcement measure authorized by this ordinance, may be enjoined or restrained by the City as other nuisances are abated under authority of the Spanish Fork Municipal Code. (Ord. No. 13-96, Enacted, 11/06/1996)

**Hotel/Motel:** A building which provides six (6) or more guest rooms for the overnight lodging of travelers. It may include customarily incidental uses such as meeting rooms, restaurants, cocktail lounges, and gift shops.

**Housekeeping Unit:** One (1) or more individuals living, sleeping, and cooking in a single dwelling unit who share housekeeping tasks and responsibilities as an interdependent unit.

**Instructional Studio:** A facility in which instruction is offered for piano, gymnastics, voice, art, or similar activities for seven (7) to twelve (12) students, including the instructor's own participating family members. Instruction of six (6) or fewer students is exempt from these regulations. (See Chapter 17.28.050 for further details).

**Lot:** A parcel of land with frontage or other approved access to a public street, occupied or designed to be occupied by a building and its accessory uses, and which has been subdivided or otherwise lawfully permitted.

**Lot, Corner:** A lot located at the intersection of two or more streets.

**Lot Depth:** The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.

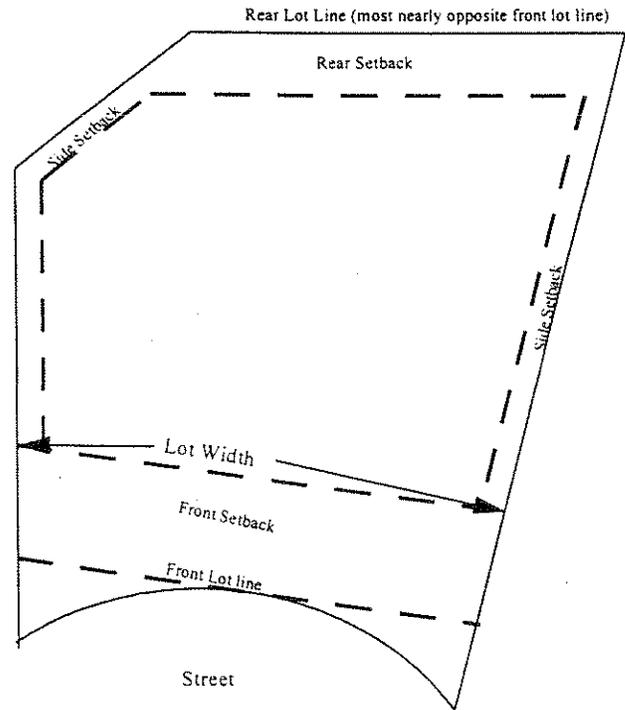
**Lot, Interior:** A lot other than a corner lot.

**Lot Line:**

- A. **Front:** The lot line adjacent to a street, except as follows:
  1. **Corner Lot.** The shorter of the two lot lines adjacent to the street shall be the front lot line. The other street frontage shall be the corner side lot line.
  2. **Through or Double Frontage Lot.** The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such property line is not obviously evident, the City Planner shall determine the front property line.
- B. **Rear:** The lot line most nearly opposite the front property line or, if the front property is a curved line, to a line tangent to the front property line at its midpoint.
- C. **Side:** Those other lot lines not defined as a front or rear lot line.

**Lot, Through or Double Frontage:** A lot which abuts upon two parallel or approximately parallel streets.

**Lot Width:** If the side lot lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width shall be the distance between the side lines at the front setback line, as in the following illustration:



**Manufactured Home:** A transportable factory built housing unit constructed on or after June 15, 1976, according to the national Manufactured Housing Construction and Safety Standards Act of 1974. (See Chapter 17.28.050 for further details)

**Manufactured Home Park:** A residential development of manufactured homes where all of the land area within the development is owned by the same person, firm, or corporation. (See Chapter 17.28.050 for further details)

**Master Planned Development:** A residential development which typically contains common design elements, some variation in dwelling types, and common open space or parks. Variation in certain zoning standards and increase in density of development may also be allowed for especially well planned projects.

**Nursing or Retirement Homes:** A long term residential facility for elderly, or otherwise ill persons which may include some or all of the following: Individual dwelling units, living and sleeping rooms, a common dining room, skilled nursing care, recreational facilities, and transportation for social and medical purposes.

**Office:** A building or portion of a building where services are performed involving predominately administrative, professional, or clerical operations.

**Personal Service Business:** A business involved in a service that does not usually produce a commodity. Typical uses include beauty and barber shops, tanning salons, massage therapists, laundry and dry cleaning establishments, shoe repair, and tailors.

**Retail Use:** A business involved in the sale of commodities to ultimate consumers for personal or household consumption.

**Shelter Care Facility:** A short-term residential care service which provides temporary lodging, meals, and counseling to individuals and groups such as the homeless, pregnant teenagers, victims of domestic violence, neglected children, and runaways. Short-term care is typically less than thirty (30) days.

**Sign:** Any device used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The term "sign" shall not include any flag, badge or insignia of any governmental unit nor shall it include any item of merchandise normally displayed within a show window of a business.

**Sign, Awning:** Signs which are placed on or integrated into a fabric or other material canopies which are mounted on the exterior of a building.

**Sign, Billboard:** A sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than on the property where the sign is located.

**Sign, Construction and Development:** A temporary sign providing information about future development or current construction on a site, and the parties involved in the project.

**Sign, Directional:** An on-premise sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way.

**Sign, Directory:** A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings, which is centrally located and intended to provide on-site directions.

**Sign, Fascia:** A sign which is mounted against the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

**Sign, Freestanding:** A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

**Sign, Identification:** A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which it is located.

**Sign, Mansard:** A sign permanently affixed to a wall or surface designed to protect the edge of a roof, such surface being no more than thirty (30) degrees from vertical.

**Sign, Menu Board:** A permanently mounted sign displaying the menu and prices for a drive thru restaurant.

**Sign, Noncommercial:** A sign which does not contain information or advertising for any business, commodity, service, entertainment, product, or attraction.

**Sign, Nonconforming:** A sign lawfully erected and maintained prior to the adoption of this ordinance which does not conform with the requirements of this ordinance.

**Sign, Political:** A sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

**Sign, Portable:** Any sign not affixed to a structure or ground mounted on a site.

**Sign, Projecting:** A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building.

**Sign, Reader Panel:** A sign designed to permit immediate change of copy either manually or electronically.

**Sign, Roof:** A sign erected on a roof, or signs that project above the highest point of the roof line, parapet, or fascia of the building.

**Sign, Shingle:** A sign suspended from, and located entirely under a covered porch, covered walkway, or awning.

**Sign, Temporary:** A sign not intended or designed for permanent display.

**Sign, Wall:** A sign mounted flat against and projecting less than fourteen (14) inches from, or painted on the wall of a building with the exposed face of the sign parallel to the face of the wall.

**Sign, Window:** A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane so as to attract the attention of persons outside the building.

**Supervisory Care Facility:** A facility with characteristics of a Group Home which has nine (9) or more individuals.

**Twin Home:** One (1) single residence dwelling unit attached to one (1) other single residence dwelling unit by a common vertical wall, with each dwelling unit located on a separate lot.

(Ord. No. 13-96, Enacted, 11/06/1996)

The term of office for the designated City Councilmember shall be one (1) year beginning on January 1st and terminating December 31st of the same year. In the event the City Councilmember shall cease to be a member of the City Council while he/she is also a member of the Planning Commission, his/her term on the Planning Commission shall also cease, and the City Council shall select a new Councilmember to fill the unexpired term.

**Policies and Procedures:**

The Planning Commission shall adopt rules for its own organization for the transaction of business, conduct of meetings, voting, etc. Such rules shall not be in conflict with any ordinances or laws.

**Powers and Duties:**

The Planning Commission shall have the following powers and perform the following duties in accordance with the requirements of the Utah Code:

1. Prepare and recommend a general plan and amendments to the general plan to the City Council;
2. Recommend zoning ordinances and maps, and amendments to zoning ordinances and maps to the City Council;
3. Recommend subdivision regulations and amendments to those regulations, and review and make recommendations on proposed subdivisions to the City Council;
4. Hear and decide on the approval or denial of conditional use permits;
5. Review and recommend the City's Capital Facilities Plans to the City Council;
6. Exercise any other powers that are delegated to it by the City Council.

**D. Board of Adjustment:**

**Purpose:**

The Board of Adjustment is a quasi-judicial body created to hear requests for relief from the terms of this ordinance and to hear and decide appeals from the decisions of the City Planner.

**Organization:**

The Board of Adjustment shall consist of five (5) members, each to be appointed by the mayor with the consent of the City Council from among qualified residents of Spanish Fork. Members shall be selected without respect to political affiliations, and shall serve without compensation except for reasonable expenses. Each member shall be appointed for a term of five (5) years or until his/her successor is appointed, and may

not serve full successive terms. Two (2) alternate members to the Board of Adjustment may be appointed in the same manner as described for regular members.

**Policies and Procedures:**

The Board of Adjustment shall adopt rules for its own organization for the transaction of business, conduct of meetings, voting, etc. Such rules shall not be in conflict with any ordinances or laws.

**Powers and Duties:**

The Board of Adjustment shall hear and decide:

1. Appeals from decisions applying the zoning ordinance made by the City Planner;
2. Variances from the terms of the zoning ordinance.

A complete description of the procedures for requesting a variance or appealing the City Planner's decision can be found in Chapter 17.12.060.

(Ord. No. 13-96. Enacted, 11/06/1996)

**17.12.020. Fees.**

Fees for all services as required by this ordinance, including, but not limited to, rezoning, text amendments, conditional use permits, variances, design review, appeals, and administrative reviews shall be established by resolution of the City Council.

(Ord. No. 13-96. Enacted, 11/06/1996)

**17.12.030. Interpretations and Administrative Review.**

- A. Interpretations: The City Planner shall be responsible for interpretation of the Zoning Ordinance. Interpretations may be considered if there is a question of clarity of any development standard or permitted use as described in this ordinance.
- B. Administrative Review: The City Planner shall review all uses specified in Chapter 17.12.050 (Uses Subject to Conditions) to determine that all conditions are met.
- C. Appeals: All decisions and interpretations by the City Planner performed in accordance with this section may be appealed to the Board of Adjustment as described in Chapter 17.12.060.

(Ord. No. 13-96. Enacted, 11/06/1996)

**17.12.040. Annexations.**

**A. Application:**

A party seeking annexation to the City of Spanish Fork shall submit an annexation petition and a plat describing the property to the City Recorder's office, meeting the criteria established by state law. The petition and plat, together with the necessary fee shall

**D. Submittal Requirements:**

A Design Review submittal shall contain the following:

1. Completed application form and fee.
2. A site plan.
3. Building elevations.
4. A conceptual landscape plan and grading and drainage plan.
5. Proposed signage.

The technical information to be included with these items along with the appropriate number of copies of each is described in the application guidelines accompanying the Design Review application form.

**E. Review and Approval:**

The City Planner shall forward complete design review submittals to the Development Review Committee for review. The Committee shall consider the following items when evaluating a project:

1. Whether the proposed development complies with the General Plan, all provisions of this ordinance and all other City ordinances, development standards, and codes.
2. Whether the proposed site developments plan's building heights, mass and locations, access points, and parking areas will not negatively impact adjacent properties or the surrounding neighborhood.
3. Whether the proposed development promotes a functional relationship of structures to one another, to open spaces, and to the surrounding neighborhood.
4. Whether the building materials, colors, project signage, lighting, and landscaping is appropriate to the development, the neighborhood, and the City.
5. Whether driveway locations, traffic circulation, any drive-thru facilities, off-street parking, loading and service areas, and pedestrian ways are designed to promote safety and convenience.
6. Whether the structures are constructed of high quality, durable materials with an architectural character that avoids excessive variety or monotonous repetition.
7. Whether all mechanical equipment, appurtenances, and utility lines are concealed from view and integral to the building and site design.

The Development Review Committee may approve, approve with conditions, or deny the application. The decision of the Committee shall be final and effective fifteen (15) days from the date of the decision unless an appeal is filed pursuant to the following section.

**F. Appeals:**

The applicant may appeal the decision of the Development Review Committee to the City Council. Such requests for appeal must be filed on an application form provided by the City with the appropriate fee within fifteen (15) days following the date of the Committee's decision. The City Council shall act to affirm or reverse, in whole or in part, or modify the Development Review Committee's decision.

**G. Period of Approval and Completion of Improvements:**

Design review approval shall be valid for a period of six (6) months from the date of approval and shall become invalid if a building permit has not been issued in that time. Up to six (6) additional months may be granted by the City Planner upon written request by the applicant. The City Planner shall grant the extension only upon a finding that special circumstances prevented the applicant from obtaining a building permit, and that no changes in City ordinances have occurred which would significantly alter the previous design review approval.

All improvements shown in conjunction with the development shall be completed prior to issuance of a certificate of occupancy. If certain improvements have not been completed at such time as the building is complete and would otherwise be ready for occupancy, the applicant may bond for the remaining improvements for a period not to exceed six (6) months from the date of Certificate of Occupancy.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.12.060. Variance and Appeals.****A. General:**

Variations from the terms of this ordinance and appeals from decisions made by the City Planner in administering or interpreting this ordinance shall be processed and reviewed in accordance with this section.

**B. Application:**

Only the owner of record, the equitable interest owner, or a person owning a specific power of attorney with respect to the property may request a variance. Any interested party may appeal a decision made by the City Planner.

Applications shall be filed with the City Planner on a form provided by the City. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the Board of Adjustment properly evaluate the request. The specific information to be included with the application is described on the application form.

- 2. For amendments to the Zoning Map, consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.

**D. Review and Public Hearing Procedures:**

**1. Development Review Committee:**

Completed applications will be reviewed by the Development Review Committee and evaluated in accordance with the criteria described in the above "Findings". The Development Review Committee shall forward a recommendation to the Planning Commission for approval, approval with conditions, or denial based upon consideration and evaluation of the "Findings".

**2. Planning Commission:**

The Planning Commission shall hold at least one (1) public hearing on the application. Prior to the hearing, notice shall be provided as follows:

- a. A notice of the time and place of such hearing shall be published in a newspaper of general circulation within the City at least fourteen (14) days prior to the time of such hearing, and for Zoning Map amendments, the following additional notice shall be provided:
- b. All property owners, as shown on the last tax assessment role, within 300 feet of the exterior boundaries of the property subject to the application shall be sent notice by first class mail, postmarked at least seven (7) days prior to the date of the scheduled public hearing.

Notwithstanding the notice requirements set forth above, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

The Planning Commission shall consider the recommendation of the Development Review Committee, together with information provided by the applicant, and any statements made at the public hearing both for and against the application. The Commission may recommend approval, approval with conditions, or denial of the application to the City Council.

**3. City Council:**

The City Council shall hold at least one (1) public hearing on the application. Prior to the hearing, notice shall be provided as follows:

- a. A notice of the time and place of such hearing shall be published in a newspaper of general circulation within the city at least fourteen (14) days prior to the time of such hearing.

After the public hearing, the City Council may approve, approve with conditions, or deny the application.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.12.080. Conditional Use Permits.**

**A. Purpose:**

Certain uses have characteristics that may have a greater impact on the adjoining properties, surrounding neighborhood, or community as a whole than do other permitted uses in the specific zoning district. These uses require a more comprehensive review to determine whether the proposed use at a specific location is appropriate, or whether the use can be made compatible by placing certain conditions on its operation that mitigate or eliminate potential detrimental impacts. The Planning Commission is empowered to grant, to grant with conditions, or to deny the conditional use permit application, subject to the findings and hearing requirements of this section.

**B. Application:**

Applications shall be filed with the City Planner on a form provided by the City. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the Development Review Committee and Planning Commission properly evaluate the request. The specific information to be included with the application is described on the application form.

**C. Findings:**

The Development Review Committee shall consider and the Planning Commission must make the following findings prior to granting a conditional use permit:

- 1. The proposed use is consistent with the policies of the City's General Plan and the purpose of the zoning district in which the site is located.
- 2. The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, when consideration is given to the character and size of the use and hours of operation.

**G. Transfer of Conditional Use Permit:**

A Conditional Use Permit granted in accordance with this section shall run with the land and continue to be valid regardless of ownership of the site or structure, as long as it operates within the conditions or stipulations of the Conditional Use Permit approval.

(Ord. No. 13-96, Enacted, 11/06/1996)

**TITLE 17. ZONING.**

**Chapter 17.16. Zoning Districts.**

- 17.16.010. Zoning Map.
- 17.16.020. District Boundaries.
- 17.16.030. Districts Established.

**17.16.010. Zoning Map.**

- A. Boundaries of the zoning districts established in this Zoning Ordinance shall be shown on a map titled "Official Zoning Map of Spanish Fork City", which is incorporated and adopted as a part of this ordinance.
- B. Amendments to the Official Zoning Map shall be by ordinance as prescribed in this ordinance.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.16.020. District Boundaries.**

When there is uncertainty with respect to the boundaries of any zoning district on the Official Zoning Map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following streets or highway rights-of-way, the center line of such street or highway right-of-way shall be constructed to be the boundary;
- B. Where district boundaries approximately follow property lines, such lines shall be construed to be the boundary.
- C. Where district boundaries are approximately parallel to rights-of-way of streets or highways, such boundaries shall be construed as being parallel thereto at such distance as specified by ordinance, or, if no such distance is specified, as determined by the use of the scale of measurement shown on the map.
- D. Where the application of the above rules do not clarify the zoning district boundary, the City Planner shall interpret the map and determine the boundary location.

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.16.030. Districts Established.**

The City of Spanish Fork shall be divided into zoning districts as follows:

- A-E Exclusive Agriculture
- R-R Rural Residential
- R-1-30 Very Low Urban Residential
- R-1-12 Low Urban Residential
- R-1-9 Standard Urban Residential
- R-1-8 Medium Urban Residential
- R-2 Medium High Urban Residential
- R-3 High Urban Residential
- R-O Residential Office
- C-O Commercial Office
- C-D Downtown Commercial
- C-1 Neighborhood Commercial
- C-2 General Commercial
- S-C Shopping Center
- B-P Business Park
- I-1 Light Industrial
- I-2 Medium Industrial
- I-3 Heavy Industrial
- AIO Airport Impact Overlay
- FP Floodplain Hazard Overlay
- GH Geologic Hazards Overlay
- SM Surface Mining Overlay

(Ord. No. 13-96, Enacted, 11/06/1996)

homes and duplexes in R-1-8 and R-2 districts, but larger Master Planned Developments may also include other dwelling types.

**A. Permitted Uses:**

1. One (1) single residence dwelling per lot.
2. Twin homes (R-1-8 and R-2 districts only).
3. Duplexes (R-2 district only).
4. Foster home.
5. Public parks and playgrounds.
6. Golf courses and related facilities.
7. Public utility facilities required for local service.
8. Churches (when located on a collector or arterial street).
9. Public or private schools (when located on a collector or arterial street).

**B. Uses Subject to Conditions (as described in Chapter 17.28.050):**

1. Group Homes.
2. Home Child Care Centers.
3. Home Occupations.
4. Instructional Studio.
5. Manufactured Homes.
6. Master Planned Developments.
7. Subdivision Model Home Complexes.
8. Temporary office or construction trailers.

**C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):**

1. Nursing or retirement homes.
2. Supervisory care facilities.
3. Manufactured Home Park. (R-1-8 and R-2 districts only. Must comply with all of the conditions as described in Chapter 17.28.050(F), plus any additional conditions imposed as a part of the conditional use permit).

**D. Accessory Buildings and Uses (see Chapter 17.28.040):**

**E. Development Standards (see Table 1):**

**F. Design Review (see Chapter 17.12.050):**

**G. Landscaping, Buffering, Walls (see Chapter 17.28.030):**

**H. Signs (see Chapter 17.28.010):**

**I. Parking (see Chapter 17.28.020):**

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.20.030. R-3 High Residential.**

This district is intended to promote high density residential uses. There will be a mix of dwelling types, with a larger proportion of twin homes, duplexes, and multi-family dwellings than single residence dwellings.

**A. Permitted Uses:**

1. Single residence dwellings.
2. Twin homes.

3. Duplexes.
4. Three-Plexes or Four-Plexes.
5. Foster homes.
6. Public parks and playgrounds.
7. Public utility facilities required for local service.
8. Churches (when located on a collector or arterial street).
9. Public or private schools (when located on a collector or arterial street).

**B. Uses Subject to Conditions (as described in Chapter 17.28.050):**

1. Group Homes.
2. Home Child Care Centers.
3. Home Occupations.
4. Instructional Studio.
5. Manufactured Homes.
6. Master Planned Developments.
7. Subdivision model home complexes.
8. Temporary office or construction trailers.

**C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):**

1. Child care centers.
2. Nursing or retirement homes.
3. Shelter care facilities.
4. Supervisory care facilities.
5. Manufactured Home Parks. (Must comply with all of the conditions as described in Chapter 17.28.050(F), plus any additional conditions imposed as a part of the Conditional Use Permit).

**D. Accessory Buildings and Uses (see Chapter 17.28.040):**

**E. Development Standards (see Table 1):**

**F. Design Review (see Chapter 17.12.050):**

**G. Landscaping, Buffering, Walls (see Chapter 17.28.030):**

**H. Signs (see Chapter 17.28.010):**

**I. Parking (see Chapter 17.28.020):**

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.20.040. R-O Residential Office.**

This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and site plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and residential land uses, or is located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

**Table 1: Residential Development Standards**

DISTRICT	MIN. LOT AREA	MIN. WIDTH <sup>2</sup>	MIN. DEPTH	MINIMUM SETBACK <sup>1</sup>				MAX. BUILDING HEIGHT	
				FRONT	REAR	SIDE	CORNER	PRINCIPAL BUILDING	ACCESSORY BUILDING
A-E	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-30	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-12	12,000 s.f.	100'	100'	25'	25'	10'	15-25' <sup>8</sup>	30'	15'
R-1-9	9,000 s.f.	85'	90'	20-25' <sup>8</sup>	25'	10'	15-25' <sup>8</sup>	30'	15'
R-1-8	8,000 s.f. <sup>3</sup>	75'	90'	20-25' <sup>6</sup>	25'	10'	15-25' <sup>8</sup>	30'	15'
R-2	6,000 s.f. <sup>4</sup>	50'	90'	20-25' <sup>6</sup>	25'	5-10' <sup>7</sup>	15-25' <sup>8</sup>	30'	15'
R-3	6,000 s.f. <sup>5</sup>	50'	90'	20-25' <sup>6</sup>	25'	5-15' <sup>7</sup>	15-25' <sup>8</sup>	30'	15'
R-O	6,000 s.f. <sup>4</sup>	50'	90'	20-25' <sup>6</sup>	25'	5-10' <sup>7</sup>	15-25' <sup>8</sup>	30'	15'

- 1 - Refer to Chapter VII, D for Accessory Buildings setbacks.
- 2 - "Flag" lots are allowed in the Original "Blocks" with the panhandle section having a minimum paved driveway width of 18 feet, approved fire turnaround, with 6" concrete curbing or other approved method of handling drainage. No more than two dwelling units may be served on a flag lot. The panhandle section shall not be included when calculating the minimum lot area.
- 3 - 15,000 s.f. for twin home lots.
- 4 - 10,000 s.f. for twin home or duplex lots.
- 5 - 10,000 s.f. for twin home or duplex lots; 14,000 s.f. for 3-plex lots; 18,000 s.f. for 4-plex lots.
- 6 - 20' to living areas, 25' to garages or carports.
- 7 - 5' for single family dwellings; 10' for twin homes, duplexes or non-residential uses; 15' for 3 and 4 plexes.
- 8 - 15' to living areas, 25' to garages or carports.

**Table 2: Commercial and Industrial Development Standards**

DISTRICT	MINIMUM DISTRICT SIZE	MINIMUM SETBACK <sup>1</sup>				MAX. BUILDING HEIGHT	
		FRONT	REAR	SIDE	CORNER	PRINCIPAL BUILDING	ACCESSORY BUILDING
C-O	N/A	25'	0-25'	0-10'	15'	30'	15'
C-D	N/A	0' (10' max)	0-25'	0'	0' (10' max)	48'	15'
C-1	1 acre (5 ac max)	25'	0-25'	0-20'	15'	30'	15'
C-2	N/A	25'	0-25'	0-20'	15'	30-48' <sup>2</sup>	15-25' <sup>2</sup>
S-C	5 acres	25'	0-25'	0-20'	15'	30-48' <sup>2</sup>	15'
B-P	10 acres	25'	0-25'	0-20'	15'	30'	15'
I-1	10 acres	25'	0-25'	0-25'	15'	30-48' <sup>2</sup>	15-25' <sup>2</sup>
I-2	20 acres	50'	50'	50'	50'	48'	25'
I-3	80 acres	50'	50'	50'	50'	48'	25'

- 1 - Where range is indicated, side or rear setbacks are when the adjacent parcel is a residential use or district.
- 2 - Lower heights shown are for buildings and structures within 50 feet of a residential district or use.

**Note:** There are no minimum lot size, width, or lot frontage requirements. However, any new building or development must have permanent access on a paved road or driveway with a minimum width of 24 feet, with proper base material. Other improvements, such as curb and gutter, sidewalk, and additional pavement width or thickness may be required depending upon the nature of the business.

- B. Uses Subject to Conditions (as described in Chapter 17.28.050):
  - 1. Seasonal sales and special events.
- C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):
- D. Accessory Buildings and Uses (see Chapter 17.28.040):
  - 1. Caretaker's residence.
- E. Development Standards (see Table 2):
- F. Design Review (see Chapter 17.12.050):
- G. Landscaping, Buffering, Walls (see Chapter 17.28.030):
- H. Signs (see Chapter 17.28.010):
- I. Parking (see Chapter 17.28.020):

(Ord. No. 13-96, Enacted, 11/06/1996)

#### 17.20.080. C-2 General Commercial.

This district is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center.

##### A. Permitted Uses:

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Art galleries and studios.
2. Automotive service stations, minor automotive repair.
3. Child care centers.
4. Churches.
5. Cocktail lounges or private clubs.
6. Entertainment uses such as theaters, museums, indoor commercial recreation, health clubs.
7. Financial institutions.
8. Hotels and motels.
9. Medical and dental laboratories, clinics, emergency medical care facilities.
10. Nursing or retirement homes.
11. Office supply, copying, printing businesses.
12. Offices.
13. Personal service businesses.
14. Public utility facilities required for local service.
15. Restaurants.
16. Retail uses.
17. Supervisory care facilities.
18. Veterinary offices for small animals with no outside boarding of animals.

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such business:

19. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.
20. Retail plant nurseries.

- B. Uses Subject to Conditions (as described in Chapter 17.28.050):
  - 1. Seasonal sales and special events.
- C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):
  - 1. Hospitals.
  - 2. Self-storage warehouses and/or recreational vehicle storage facilities.
  - 3. Automotive body repair, major automotive repair, or impound lots.
  - 4. Outdoor commercial recreation facilities.
  - 5. Veterinary offices for large animals and/or outside boarding of any animals.
  - 6. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
- D. Accessory Buildings and Uses (see Chapter 17.28.040):
  - 1. Caretaker's residence.
- E. Development Standards (see Table 2):
- F. Design Review (see Chapter 17.12.050):
- G. Landscaping, Buffering, Walls (see Chapter 17.28.030):
- H. Signs (see Chapter 17.28.010):
- I. Parking (see Chapter 17.28.020):

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#### 17.20.090. S-C Shopping Center.

This district is intended to provide retail uses, service oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically be five (5) to fifteen (15) acres in size and provide neighborhood or community level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

##### A. Permitted Uses:

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Retail uses.
2. Personal service businesses.
3. Offices.
4. Restaurants.
5. Cocktail lounges.
6. Entertainment uses such as theaters, museums, indoor commercial recreation, and health clubs.
7. Office supply, copying, and printing businesses.
8. Child care center.
9. Art galleries and studios.
10. Repair services for small appliances, bicycles, jewelry, and similar items.

**A. Permitted Uses:**

1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those uses listed as conditional uses in the I-2 District.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contract construction.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Self-storage warehouses and/or recreational vehicle storage.
9. Trade or business schools.
10. Office supply, copying, printing businesses.
11. Offices.
12. Restaurants.
13. Financial institutions.
14. Retail businesses less than 7,500 square feet in size.
15. Telecommunication towers not taller than sixty (60) feet.
16. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.

The following additional uses are permitted only in the area bounded by 300 West, 1600 North, and Interstate 15:

17. All permitted uses in the C-2 district except nursing or retirement homes and supervisory care facilities.

**B. Uses Subject to Conditions (as described in Chapter 17.28.050):**

1. Seasonal sales and special events.

**C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):**

1. Outdoor commercial recreation facilities.
2. Drive-in theaters.
3. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
4. Telecommunication towers taller than sixty (60) feet.
5. Jails, county and city.
6. Retail businesses containing 7,500 square feet or greater.

**D. Accessory Buildings and Uses (see Chapter 17.28.040):**

1. Caretaker's residence.

**E. Development Standards (see Table 2):****F. Design Review (see Chapter 17.12.050):****G. Landscaping, Buffering, Walls (see Chapter 17.28.030):****H. Signs (see Chapter 17.28.010):****I. Parking (see Chapter 17.28.020):**

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.20.120. I-2 Medium Industrial.**

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

**A. Permitted Uses:**

1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contract construction.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Self-storage warehouses and/or recreational vehicle storage.
9. Trade or business schools.
10. Office supply, copying, printing businesses.
11. Offices.
12. Restaurants.
13. Financial institutions.
14. Retail businesses less than 7,500 square feet in size.
15. Telecommunication towers not taller than sixty (60) feet.
16. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.

**B. Uses Subject to Conditions (as described in Chapter 17.28.050):**

1. Seasonal sales and special events.

**C. Uses Subject to Conditional Use Permit (see Chapter 17.12.080):**

1. Manufacture of primary metals, concrete products, asphalt, paper, animal and marine fats, chemical products, and other similar materials or products.
2. Outdoor commercial recreation facilities.
3. Drive-in theaters.
4. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
5. Telecommunication towers taller than sixty (60) feet.
6. Jails, county and city.
7. Retail businesses containing 7,500 square feet or greater.

**D. Accessory Buildings and Uses (see Chapter 17.28.050):**

1. Caretaker's residence.

**E. Development Standards (see Table 2):**

- F. Design Review (see Chapter 17.12.050):
- G. Landscaping, Buffering, Walls (see Chapter 17.28.030):
- H. Signs (see Chapter 17.28.010):
- I. Parking (see Chapter 17.28.020):

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.20.130. I-3 Heavy Industrial.**

This district is intended to provide for intense industries involving manufacturing and assembly of ammunition and explosives. Residential uses are not allowed.

- A. Permitted Uses:
  - 1. Manufacturing and assembly of ammunition and explosives.
- B. Accessory Buildings and Uses (see Chapter 17.28.040):
  - 1. Caretaker's residence.
- C. Development Standards (see Table 2):
- D. Design Review (see Chapter 17.12.050):
- E. Landscaping, Buffering, Walls (see Chapter 17.28.030):
- F. Signs (see Chapter 17.28.010):
- G. Parking (see Chapter 17.28.020):

(Ord. No. 13-96, Enacted, 11/06/1996)

2. That the proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, when consideration is given to the character and size of the use, noise, dust, and hours of operation.
3. That the proposed site is adequate in size and shape to accommodate the intended use, and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met.
4. That the proposed site has adequate access to public streets to carry the type and quantity of traffic which may be generated by the use.
5. That adequate conditions or stipulations have been incorporated into the approval of the operation to insure that any anticipated detrimental effects can be minimized.

**E. Bond:**

1. A cash or surety bond in the amount set by City Council, but not less than \$2,500 per acre shall be posted by the applicant to guarantee compliance with the performance standards and any other conditions imposed by the City Council.
2. The bond shall be forfeited if rehabilitation has not been completed within one (1) year of cessation of operation in the pit.

(Ord. No. 13-96. Enacted. 11/06/1996)

- ii. Wall, fascia, mansard, and parapet mounted signs: The height shall be the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

**C. Prohibited Signs:**

Any sign not specifically listed as permitted by this ordinance is prohibited, including, but not limited to the following:

1. Signs located within, or projecting over any public street, right-of-way, or other public property except shingle signs as provided in Section D(3a). The City or other governmental entities may install signs on their own property to identify public buildings and uses and to provide necessary traffic control.
2. Roof signs.
3. Projecting signs.
4. Any sign which interferes with or confuses traffic, or presents a traffic hazard.
5. Signs emitting sound, except for approved drive-up menu boards as provided for in Section D(3d).
6. Signs with intermittent or flashing illumination and animated or moving signs, except for time and temperature signs.
7. Awning mounted signs, unless painted directly on the face of the awning.
8. Signs mounted, attached, or painted on trailers, boats, or motor vehicles when parked, stored, or displayed in a manner intended to attract the attention of the public for advertising purposes.
9. Pennants, banners, balloons, flags, and similar displays except as provided in Section E(3).
10. Temporary signs which advertise a business, commodity, service, entertainment, product, or attraction, except as permitted in Section E.
11. Reader panel signs except as specifically authorized herein.
12. Portable signs except as provided in Section E.
13. Signs which extend below the bottom edge of a fascia board or mansard roof.

**D. Permitted Permanent Signs:**

1. Agriculture, Residential, and Residential Office Districts.
  - a. General:
    - i. Freestanding signs shall not exceed a height of five (5) feet.

- ii. Wall signs shall not exceed a height of fifteen (15) feet.

b. Identification Signs:

- i. Residence signs: One (1) or more wall signs not to exceed a total aggregate area of three (3) square feet which may include the name of the residence, the name of the occupant, and the street address.

- ii. Commercial farm or ranch signs: One (1) or more wall signs not to exceed a total aggregate area of eight (8) square feet which may include the name of the farm or ranch and a street address.

- iii. Multiple residence development, subdivision, and manufactured home park entrance signs: A maximum of two (2) freestanding signs with an aggregate area of twenty-four (24) square feet shall be permitted at each entrance. The sign may include only the name of the development and the street address.

iv. Nonresidential uses:

- The maximum aggregate area of all identification signs shall be forty-eight (48) square feet.
- One (1) freestanding sign not to exceed twenty-four (24) square feet.

c. Reader panel signs:

- i. Churches may use up to one-half (½) of the allowed freestanding sign area for a reader panel.

- ii. Public and private schools may have one (1) freestanding reader panel sign not to exceed thirty-two (32) square feet in area and fourteen (14) feet in height.

d. Temporary signs in accordance with Section E.

2. Commercial Office and Business Park Districts:

a. Wall, fascia, mansard, and parapet identification signs:

- i. The maximum sign area permitted per building is forty-eight (48) square feet.

**E. Permitted Temporary Signs:**

## 1. Sale, lease, or rent signs.

Signs shall be non-illuminated, with one (1) sign permitted for each street frontage, with a maximum of two (2) signs per parcel or building.

## a. Agricultural, Residential, and Residence Office Districts:

i. Vacant land: Less than five (5) acres, each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet. Five (5) acres or more, each sign shall have a maximum area of thirty-two (32) square feet, and a maximum height of eight (8) feet.

ii. Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.

## b. Commercial Office, Commercial, and Industrial Districts:

i. Vacant land: Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

ii. Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.

## 2. Off-site open house or other directional signs.

a. A maximum of two (2) signs is permitted for each open house or directional sign for the sale of property.

b. Each sign shall have a maximum area of six (6) square feet and a maximum height of three (3) feet.

c. Signs must be placed on private property and with the permission of the owner or lessee of the property.

## 3. Subdivision Advertising Signs.

a. One (1) sign is permitted at each major entry with a maximum of four (4) signs per subdivision.

b. Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

c. No sign permit shall be issued until a final plat has been recorded.

d. Such signs may be maintained until ninety percent (90%) of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

## 4. Special Events, Seasonal Sales, Grand Openings.

a. These displays may be used to advertise grand openings, a change of business ownership, special sales, seasonal sales, new products or services, and other similar promotions.

b. These displays may include such displays as pennants, banners, flags, inflatable structures, search lights, character or product likeness, and other similar attention attracting media and devices.

c. Such displays shall be allowed for a maximum of ten (10) consecutive days no more than four (4) times per year, except Christmas tree sales lots which may have signage from Thanksgiving to December 31.

d. Grand opening displays are allowed for thirty (30) consecutive days. The grand opening display requires a new business, change in business name, or new management.

e. There shall be a minimum of thirty (30) days between each display.

## 5. Construction and Development Signs.

a. One (1) non-illuminated sign is allowed on a construction site with a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

b. The sign may identify the name of the project, the names of the developer, contractor, architect, subcontractor, and financier of the project, and the projected completion date.

c. The sign may only be installed after building permits have been issued for the project.

d. The sign shall be removed prior to the issuance of a Certificate of Occupancy for the project.

## 6. Window Signs.

a. May be used for business identification and advertising of any service, product, person, business, place or activity on the premises.

## 7. Non-commercial Signs including political signs.

a. In agricultural, residential, and residence office districts such signs shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.

**B. General Requirements:**

1. Off-street parking is not required for permitted uses in the Downtown Commercial (C-D) district.
2. Each parking space shall be at least nine (9) feet wide and eighteen (18) feet deep. (See parking design standards in Engineering Development Standards for details on aisle widths, maneuvering areas, fire lanes).
3. Tandem parking (front to rear) shall not be permitted.
4. All parking spaces and driveway areas serving such parking spaces shall be surfaced with concrete, asphalt, or paving blocks.
5. Required parking shall be provided on-site or on contiguous lots.
6. Backing and maneuvering areas shall be provided on-site for all uses other than single family, twin homes, and duplexes.
7. Square feet shall mean the gross floor area of the building.
8. No part of any vehicle may overhang onto a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
9. All parked vehicles must comply with the City's clear vision area requirements.
10. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle with a one ton chassis, having a capacity of not more than 10,000 pounds gross vehicle weight rating (GVWR).
11. Landscaping and screening of parking lots shall be in accordance with the requirements of Chapter 17.28.030, Landscaping, Buffering Walls.

**C. Parking Requirements by Use:**

USE	MINIMUM # OF SPACES
Auditorium, Stadium, Public Assembly, Private Clubs, Health Clubs, Theaters	1:100 Sq. Ft. or 1:5 seats
Auto Repair	1:100 Sq. Ft.
Banks, Financial Institutions	1:250 Sq. Ft.
Barber Shop or Beauty Shop	1:100 Sq. Ft.
Churches	1:5 seats or 90 lineal inches of pew
Cocktail lounge	1:100 Sq. Ft.
Child Care Center	1:employee, plus 1:10 children
Home Furnishings, Major Appliances	1:500 Sq. Ft.
Hospitals	1: Bed
Manufacturing/Assembly/Wholesale/Warehouse	1:employee on the highest shift
Mixed Uses or Unlisted Uses	To be determined by City Planner
Motels/Hotels	1:Room
Restaurant/Cocktail Lounge	1:200 Sq. Ft.
Banquet, Meeting Rooms	1:200 Sq. Ft.
Office: General/Professional	1:300 Sq. Ft.
Medical/Dental	1:150 Sq. Ft.
Indoor Recreation Facility:	
Amusement Center, Arcades	1:100 Sq. Ft.
Bowling Alley	4:lane
Outdoor Recreation Facility:	
Golf Course	6:Hole
Miniature Golf	2:Hole
Barring Cages	1:Cage
Water Park, Theme Parks	To be determined by City Planner
Residential: Single Family	2:unit - 1 covered, 2nd space not in side or front setback
Duplex or Twin Home	2:unit - 1 covered, 2nd space not within 5' of front entrance
Multi-family: Studio or 1 Bedroom	1:unit
2 or more Bedrooms	2:unit
Guest Parking	1:3 units
Restaurant - free standing	1:100 Sq. Ft.
Retail/Shopping Center (including up to 10% restaurant, health club, beauty shops ... additional percentages calculated at rate for each use)	1:250 Sq. Ft.
Retirement/Senior Housing/Nursing Home	0.4:unit
Schools:	
Elementary	2:Classroom
Middle or Junior High	3:Classroom
High School	7:Classroom
College	10:Classroom
Vocational/Technical	1:2 Students

(Ord. No. 13-96, Enacted, 11/06/1996)

**17.28.030. Landscaping, Buffering, Walls and Fences.**

**A. Purpose:**

The purpose of these requirements is to enhance, conserve, and stabilize property values by encouraging pleasant and attractive surroundings and to provide proper separations between uses. Landscaping also contributes to the reduction of heat and glare through the proper placement of plants and trees.

**B. Multi-family, manufactured home parks, and non-residential uses in R-1, R-2, R-3, and R-O Districts:**

1. Minimum of thirty-five (35%) on-site landscaping as a percentage of total site area.
2. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with an approximate spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.

screening of any such fence with plant materials may be required.

**G. Solid Waste Receptacle Areas:**

Multi-family dwellings, manufactured home parks, and non-residential uses shall provide solid waste receptacle areas screened on three (3) sides with a masonry wall having a height at least one (1) foot above any receptacle or container. This requirement may be waived or modified by the Development Review Committee when it is determined that a "roll-out" residential style container is sufficient for the type of operation proposed, or, the screen wall requirement may be waived when solid waste receptacle areas are sufficiently screened or otherwise located within the project to not be visible by or adversely impact adjoining properties.

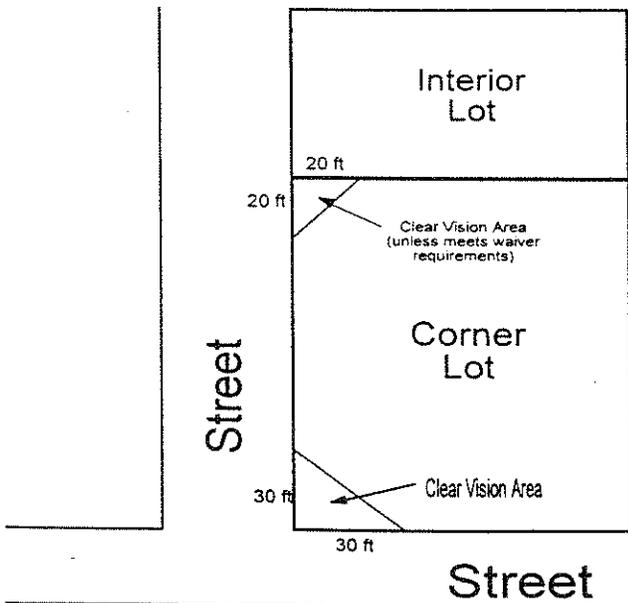
**H. Clear Vision Area:**

The clear vision area is that triangular area of a corner lot or parcel formed by the street property lines and the line connecting them at points thirty (30) feet from the intersecting right of way lines of the two streets. Fencing and planting is restricted within this area as follows:

1. No fence shall exceed a height of three (3) feet.
2. Shrubs shall be pruned to a height not to exceed three (3) feet.
3. Trees shall be pruned to maintain a clear area below eight (8) feet.

A second clear vision area with twenty (20) foot sides is also required where the rear of a corner lot adjoins an interior lot. The same restrictions for landscaping and fencing apply in this area unless the interior lot is already developed and has no existing driveway within ten (10) feet of the property line adjoining the corner lot.

(Ord. No. 13-96, Enacted, 11/06/1996)

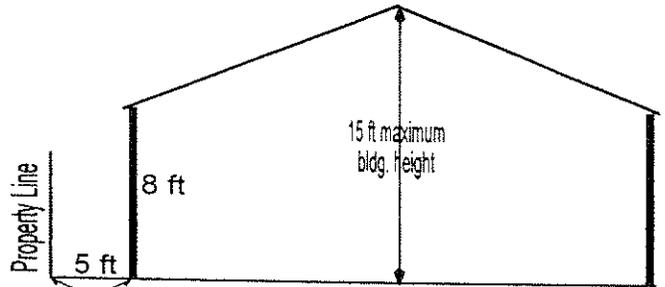


**17.28.040. Accessory Buildings and Uses.**

**A. Accessory Buildings, Satellite Earth Stations:**

All detached buildings, structures, or satellite earth stations must be located behind the front wall plane of the principal structure, with the following additional regulations:

1. Buildings, structures, or satellite earth stations not over seven (7) feet in height or over 120 square feet in area are not subject to side or rear yard setback requirements.
2. Buildings, structures, or satellite earth stations over seven (7) feet in height or over 120 square feet in area must maintain a minimum of three (3) feet to a side or rear property line, with two (2) feet of additional setback for each additional foot for that portion of the building wall over seven (7) feet in height. The maximum required setback is ten (10) feet. (See sketch for example of an accessory building in most residential districts with an eight (8) foot wall height.)
3. The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or five percent (5%) of the total lot area, whichever is greater.



**B. Swimming Pools:**

Swimming Pools not completely enclosed within a building must maintain a minimum of six (6) feet to side or rear property line and be completely surrounded by a fence or wall with a height of at least six (6) feet. There shall be no openings in said fence or wall larger than thirty-six (36) square inches, except for gates, and such gates shall be equipped with self-closing and self-latching devices.

**C. Yard Sales:**

Yard sales are permitted for no more than three (3) events of forty-eight (48) hours or less within a twelve (12) month period at the same residence or street address. No signage related to such events shall be placed in the public right-of-way.

8. Permits one (1) name plate or identification sign no larger than eighteen (18) inches by twenty-four (24) inches located within five (5) feet of the dwelling unit; and
9. Possesses a valid City business license.

**D. Instructional Studio:**

Is permitted subject to obtaining a Spanish Fork business license, and complying with applicable fire and building codes.

**E. Manufactured Homes:**

Are permitted subject to the following:

1. The minimum width of the home shall be twenty (20) feet and the minimum length shall be forty (40) feet, exclusive of any garage, porch or awning area.
2. Transportable sections shall be at least ten (10) feet wide, unless transportable in three (3) or more sections, in which case only one section must be ten (10) feet wide.
3. At least sixty percent (60%) of the roof of the dwelling must be pitched at a minimum of 2.5:12 and shall have a roof surface of wood shakes, asphalt or fiberglass shingles, composition, concrete, or slate.
4. The dwelling shall be placed on a fully enclosed perimeter foundation of concrete and masonry materials which has been engineered and meets all Uniform Building Code requirements.
5. There must be a porch landing at each exit with the minimum dimensions of three (3) feet by three (3) feet constructed to the requirements of the Uniform Building Code.
6. All running gear, tongues, axles, and wheels must be removed at the time of installation.
7. The dwelling shall be permanently connected to all required utilities.
8. The dwelling shall be taxed as real property and appropriate affidavit filed with the Utah State Tax Commission.

**F. Manufactured Home Parks:**

All manufactured homes within the Park must comply with the requirements of subsection E. (1-3) and (5-7) above. The space beneath the structure must be enclosed at the perimeter with masonry or concrete materials which provides the appearance of a full perimeter foundation.

1. The minimum size of a manufactured home park is ten (10) acres.
2. The manufactured home park shall be designed and reviewed in accordance with the City's Subdivision Ordinance requirements and the City's Engineering Development Standards.

3. The exterior (perimeter) setbacks shall be a minimum of twenty-five (25) feet. Interior setbacks and lot or space sizes within the park shall be in accordance with the setbacks and sizes of the underlying zoning district unless otherwise approved with the conditional use permit.
4. The density of development of the manufactured home park shall be in accordance with the ranges established for Master Planned Developments for the underlying zoning district (see Chapter 17.28.050 (G)) with the final density determined in accordance with the review criteria of the "Findings" section.
5. Landscaping, fencing, and solid waste receptacle enclosures shall be in accordance with the requirements of Chapter 17.28.030.
6. Recreation area(s) shall be established which are at least ten percent (10%) of the gross area of the manufactured home park. The improvements within the recreation areas shall be determined during the conditional use permit review process.
7. A permanent administrative office shall be included with the manufactured home park.
8. A declaration of conditions, covenants, and restrictions for the manufactured home park must be approved by the City.

**G. Master Planned Developments:****1. Purpose:**

The purpose of the Master Planned Development concept is to:

- a. Encourage imaginative and innovative planning of residential neighborhoods by providing greater flexibility in design;
- b. Encourage the provision of useable open space and recreation facilities within developments;
- c. Encourage variation in lot size, setbacks, and residential products within the development;
- d. Establish residential neighborhoods which have a distinct character and convey a sense of place;
- e. Allow projects that provide superior design features, amenities, and open space to be developed at the high end of the density ranges as shown on the General Plan Map.

2. The goods or services displayed are customarily and traditionally related to a widely celebrated or observed seasonal activity, event, or holiday;
3. The activity or event is consistent with other uses permitted in the zoning district;
4. The use does not interfere with pedestrian access-ways, fire lanes, driveways, or traffic visibility;
5. Parking on the property is adequate to serve any existing permanent uses and the seasonal sale or special event use.
6. The sale or special event possesses a valid City business license.

**I. Subdivision Model Home Complexes:**

A model home complex may be provided in conjunction with residential subdivisions subject to the following:

1. The complex is used only to market homes being built in the subdivision or Master Planned Development in which it is located. No off-site sales are allowed.
2. A model home complex plan is required which shows the lots to be used, parking areas, fencing, lighting, and signage. The City Planner shall review and approve the plan prior to the issuance of building permits for models.
3. Prior to occupancy as a residential unit, all model homes must conform to all provisions of this ordinance, and any temporary parking, office, lighting, fencing, signage, and similar improvements shall be removed.

**J. Temporary Office or Construction Trailers:**

Temporary office trailers are allowed in conjunction with new development projects subject to the following:

1. The office trailer is allowed only after building permits have been issued for the permanent building(s) to occupy the site.
2. May be authorized for use exclusively as a temporary office or construction shed incidental to a construction project for a period of twelve (12) months. The City Planner may authorize extensions of additional six (6) month increments where construction within the project site is proceeding in a timely manner.
3. May be authorized for use as a home sales office subject to submitting a home complex plan which shows the parking areas, fencing, lighting, and signage.

(Ord. No. 13-96, Enacted, 11/06/1996)

# Proof of Publication

J. Lane Henderson being first duly sworn according to law, disposes and says that he is the *Publisher* of *THE SPANISH FORK PRESS*, a weekly newspaper, printed and published at Spanish Fork, Utah County, Utah, and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper.

## ORDINANCE 13-96

### ORDINANCE ADOPTING A NEW COMPREHENSIVE ZONING PLAN AND ZONING MAP

WHEREAS, Spanish Fork City has adopted a new Comprehensive General Plan; and

WHEREAS, in order to implement the provisions of the Comprehensive General Plan a new zoning ordinance is necessary; and

WHEREAS, the Spanish Fork Planning Commission held a public hearing on the new zoning ordinance on the 16th day of July 1996, in conjunction with the Comprehensive General Plan; and

WHEREAS, Spanish Fork City Council held a public hearing on the new zoning ordinance on the 4th day of September 1996, in conjunction with the Comprehensive General Plan; and

WHEREAS, growth in areas subject to the Strawberry Electric Service District litigation needs to be controlled to limit the City's damages until that matter is resolved; and

WHEREAS, growth in those areas which do not have sewer capacity needs to be controlled to avoid a proliferation of septic tanks; and

WHEREAS, growth boundaries as identified in the Comprehensive General Plan need to be followed so that the City can meet the demand for infrastructure needs brought on by growth; and

WHEREAS, the best method to control growth, until the Strawberry litigation is resolved, sewer capacity is available, or infrastructure needs are adequate, is through zoning; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, a zoning ordinance and map implementing the concepts of the Comprehensive General Plan is necessary and desirable;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I. Title 17 and the Standard Land Use Chart of the Spanish Fork City Municipal Code, both dealing with zoning, are hereby repealed in their entirety.

II. Chapter 8 of Title 12 (§12.08.010 et seq.) Of the Spanish Fork City Municipal Code, dealing with signs, is hereby repealed in its entirety.

III. Title 17 of the Spanish Fork City Municipal Code is hereby re-enacted as set forth in the attached document entitled "Spanish Fork City Zoning Ordinances."

IV. A zoning map of the City is hereby adopted as set forth in the attached document. Each property shall be classified in the zone as shown on the map. Any question about the zoning designation for any particular parcel of property shall be decided in the sole discretion of the City Planner.

WHEREFORE, to protect the health, safety, and welfare of the citizens of Spanish Fork City, this ordinance shall take effect immediately upon passage.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 6th day of November, 1996.

A summary of the Chapter Headings are as follows:

- 17.04. Purpose and Applicability.
- 17.08. Definitions.
- 17.12. Administration.
- 17.16. Zoning Districts.
- 17.20. Zoning District Regulations.
- 17.24. Overlay District Regulations.
- 17.28. General Development Standards.

The full text of the Spanish Fork City Title 17 - Zoning Ordinance is available at the City Office.

Published in the Spanish Fork Press on November 14, 1996.

for One consecutive weeks,  
the first publication on the 14th day  
of November 1996  
and the last on the 14th day of  
November 1996  
J. Lane Henderson

Subscribed and sworn to before me this

14th day of November, 1996  
Sara Worthington  
Notary Public



Residing at Spanish Fork, Utah

My Commission expires

3-14-99