

ORDINANCE NO. 03-04

ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
MATTHEW D. BARBER <i>Councilmember</i>	X	
PAUL M. CHRISTENSEN <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	X	
SETH V. SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Kelepolo

I SECOND the foregoing motion: Councilmember Wadsworth

ORDINANCE 03-04

AN ORDINANCE MAKING VARIOUS AMENDMENTS TO THE COMPREHENSIVE ZONING ORDINANCE

WHEREAS, Spanish Fork City has adopted a Comprehensive Zoning Ordinance; and

WHEREAS, the Comprehensive Zoning Ordinance is intended to preserve property values to allow for compatible uses within similar districts and to protect the health, safety, and welfare of the residents of the City; and

WHEREAS, as the City grows and over time, it is necessary to amend the Comprehensive Zoning Ordinance from time to time in order to achieve its purposes and goals; and

WHEREAS, the Comprehensive Zoning Ordinance contains provisions for Master Planned Developments, whereby a developer can obtain bonus densities in return for various amenities which

are provided with the development; and

WHEREAS, the concept of a Master Planned Development allows both the city and the developer to obtain increased benefits; and

WHEREAS, in order to obtain the objectives of the Comprehensive General Plan and to protect the property values of other properties within the City, it is necessary to make various changes in the Comprehensive Zoning Ordinance as it relates to Master Planned Developments; and

WHEREAS, the Development and Review Committee and Planning Commission have reviewed the issues and various solutions and made their respective recommendations; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on the 2nd day of December, 2003 whereat public comment was received; and

WHEREAS, a decision was tabled to allow councilmembers elect to consider the issues, as well; and

WHEREAS, the new councilmembers have had adequate time to familiarize themselves with the issue; and

WHEREAS, in order to protect the health, welfare, and safety of the residents of the City, it is appropriate to enact the changes proposed by the Planning Commission to the Comprehensive Zoning Ordinance relating to Master Planned Developments;

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

I.

Section 17.28.050(J)(3) of the Spanish Fork City Municipal Code is hereby amended to read as follows:

3. Area Requirements and Density Ranges:

The number of dwelling units allowed in a Master Planned Development is calculated in the following manner:

- a. A density bonus shall follow the density ranges listed in the General Plan.
- b. The minimum size of a Master Planned Development in an R-1 zone is 20 acres.
- c. The minimum size of a Master Planned Development in an R-1-6 or R-3 zone is five (5) acres.

II.

Section 17.28.050(J)(6) of the Spanish Fork Municipal Code is hereby amended to read as follows:

6. Performance Standards

- a. Duplicate Houses - There shall be no identical houses, i.e. same footprint (floor plan and elevation) within 120 feet of another.
- b. Parking - Single family housing developments shall provide at least a two-car garage. Developments are encouraged to have side-entry garages, especially on corner lots. Townhomes and multi-family units must have one attached or detached garage (minimum 12 feet x 20 feet) per unit.
- c. Roofing - Homes in the development shall have at least a 5/12 pitched roof.
- d. Design Appeal - Homes in the development will be required to blend in with adjacent homes sharing similar design characteristics and using high quality materials.
- e. Minimum lot size and width - Single family lots shall be a minimum of 6,000 square feet, with a minimum of 60 feet of frontage; twinhome lots shall be a minimum of 5,000 square feet each, with a minimum of 50 feet of frontage each.
- f. Density Calculations - Churches, schools, and other non-residential uses may not be counted in the density calculations.

III.

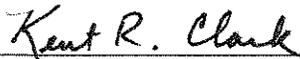
This Ordinance shall become effective 20 days after passage and publication..

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH, this 2nd day of March, 2004.



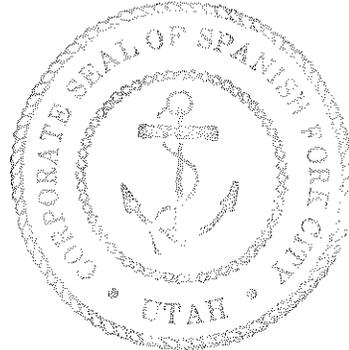
DALE R. BARNEY, Mayor

ATTEST:



KENT R. CLARK, City Recorder

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Proof of Publication

I **Steve Hardman** being first duly sworn according to law, disposes and says that he is the General Manager 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

for consecutive 1 weeks,

the first publication on the 11 day

of March 2004

And the last on the 11 day

of March 2004

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**PUBLIC NOTICE
ORDINANCE 03-
04, An Ordinance
Making Various
Amendments to the
Comprehensive
Zoning Ordinance.**

**NOW THERE-
FORE**, be is enacted
and ordained by the
Spanish Fork City
Council as follows:

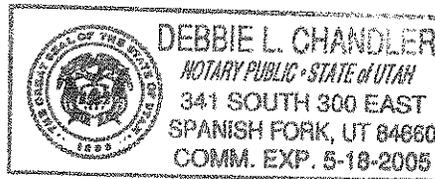
**Section
17.28.050(J)(3) of the
Spanish Fork City
Municipal Code is
hereby amended.**

**Section
17.28.050(J)(6) of the
Spanish Fork City
Municipal Code is
hereby amended.**

A complete copy of
the ordinance is avail-
able for inspection at
the Spanish Fork City
Office, 40 South Main,
Spanish Fork.

This Ordinance
shall become effective
20 days after passage
and publication.
Passed and Ordered
published by the City
Council of Spanish
Fork, Utah, this 2nd
day of March.

Published in the
Spanish Fork Press
on March 11, 2004.



Subscribed and sworn to before me this 11th day of March 2004

Debbie L. Chandler

Notary Public