

ORDINANCE NO. 12-07

ROLL CALL

| VOTING | YES | NO |
|--|-----|----|
| MAYOR JOE L THOMAS <i>(votes only in case of tie)</i> | | |
| G. WAYNE ANDERSEN <i>Councilmember</i> | X | |
| MATTHEW D. BARBER <i>Councilmember</i> | X | |
| STEVE LEIFSON <i>Councilmember</i> | X | |
| SETH V. SORENSEN <i>Councilmember</i> | X | |
| CHRIS C. WADSWORTH <i>Councilmember</i> | X | |

I MOVE this ordinance be adopted: Councilman Barber

I SECOND the foregoing motion: Councilman Sorensen

ORDINANCE 12-07

AN ORDINANCE CHANGING THE FLAG LOT REQUIREMENTS OF THE ZONING CODE

WHEREAS, Spanish Fork City has adopted a land use title in their municipal code which includes a zoning ordinance; and

WHEREAS, the zoning ordinance regulates flag lots and which zones they may be in; and

WHEREAS, the current requirements, in some instances, make for an inefficient use of space, creating potential weed patches and areas which collect various kinds of debris, which situation is not conducive to preserving property values or making for aesthetic neighborhoods; and

WHEREAS, amending the flag lot requirements, allowing them in additional zones on existing lots, will help protect property values, make more efficient use of yards and will not create

a detriment to neighboring properties; and

WHEREAS, the Planning Commission reviewed the issue and held a public hearing on Wednesday the 6th day of June, 2007 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 19th day of June, 2007 where public comment was received; and

WHEREAS, the City Council closed the public hearing and sent the matter back to the Planning Commission to explain their recommendation, which clarification has been received and reviewed at a public meeting on Wednesday, the 7th day of August, 2007; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is appropriate to amend the flag lot requirements;

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

I.

Spanish Fork City Municipal Code §15.3.24.090(F) sub-paragraphs(a) and (b) are hereby amended as follows:

15.3.24.090 Supplementary Regulations.

F. Flag Lots:

a. Flag lots are allowed as in-fill lots in the R-O, R-3, R-1-6, R-1-8, and R-1-9 zones, but not as building lots in new subdivisions..

b. Minimum lot area of a flag lot is 8,000 square feet, except in the R-1-9 zone, where the minimum size is 9,000 square feet.

II.

Table 1, Residential Development Standards, of Spanish Fork City Municipal Code §15.3.16

et seq. is hereby amended as follows:

| TABLE 1 - Residential Development Standards | | | | | | | | | |
|---|----------------------------|----------------------------|---------------|------------------------------|------|-------------------|--------------------|------------------------------|-----------------------------|
| District | Minimum Lot Area | Minimum Width ² | Minimum Depth | Minimum Setback ¹ | | | | Max. Building Height | |
| | | | | Front ¹¹ | Rear | Side | Corner | Principal Bldg ¹⁰ | Accessory Bldg ¹ |
| 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-1-80 | 80,000 s.f. | 180' | 200' | 40' | 80' | 20' | 30' | 30' | 20' |
| R-1-60 | 60,000 s.f. | 160' | 200' | 40' | 60' | 20' | 30' | 30' | 20' |
| R-1-40 | 40,000 s.f. | 140' | 200' | 30' | 40' | 20' | 30' | 30' | 20' |
| R-1-30 | 30,000 s.f. | 130' | 150' | 40' | 40' | 15' | 25' | 30' | 20' |
| R-1-20 | 20,000 s.f. | 125' | 150' | 30' | 30' | 15' | 25' | 30' | 15' |
| R-1-15 | 15,000 s.f. | 100' | 125' | 30' | 30' | 15' | 25' | 25' | 15' |
| R-1-12 | 12,000 s.f. | 100' | 100' | 25' | 25' | 10' | 15-25 ⁸ | 30' | 15' |
| R-1-9 | 9,000 s.f. ² | 85' | 90' | 20-25 ⁶ | 25' | 10' | 15-25 ⁸ | 30' | 15' |
| R-1-8 | 8,000 s.f. ^{4,2} | 75' ⁹ | 90' | 20-25 ⁶ | 25' | 10' | 15-25 ⁸ | 30' | 15' |
| R-1-6 | 6,000 s.f. ^{2,12} | 50' | 90' | 20-25 ⁶ | 25' | 5-10 ⁷ | 15-25 ⁸ | 30' | 15' |
| R-3 | 6,000 s.f. ^{5,2} | 50' | 90' | 20-25 ⁶ | 25' | 5-10 ⁷ | 15-25 ⁸ | 30' | 15' |
| R-O | 6,000 s.f. ^{2,3} | 50' | 90' | 20-25 ⁶ | 25' | 5-10 ⁷ | 15-25 ⁸ | 30' | 15' |

- 1- refer to 15.3.24.090(A) for accessory buildings
- 2- refer to 15.3.24.090(F) for flag lots.
- 3- 10,000 s.f. for duplex lots in the R-O zone.
- 4- 10,000 s.f. for twinhome or duplex lots.
- 5- 9,700 s.f. for twinhome or duplex lots; 14,000 s.f. for 3-plex lots; 18,000 s.f. for 4-plex lots.
- 6- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
- 7- 5 feet on one side, 10 feet on the other for single family dwellings; 10 feet for twinhomes, duplexes, accessory apartments, or non-residential uses; 15 feet for 3-plexes and 4-plexes
- 8- 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
- 9-80 feet for twin homes or duplexes, 40 feet per unit.
- 10-flagpoles are limited to the height of principal buildings in residential zones.
- 11-maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.
- 12- 9,700 s.f. for twinhome or duplex lots.

III.

This Ordinance shall take effect 20 days after passage and publication.

DATED this 7th day of August, 2007.

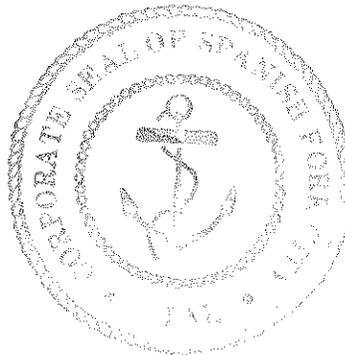


JOE L THOMAS, Mayor

ATTEST:



Kim Robinson, City Recorder



Proof of Publication

THE SPANISH FORK PRESS, a weekly newspaper printed and published at Provo, 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 25 day

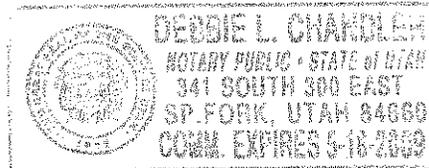
of February 2008

And the last on the 28 day

of February 2008

Eric Savage

ORDINANCE 12-0 in-fill lots in the R- Fork City Office, 40
0, R-3, R-1-6, R-1-8, South Main, Span-
and R-1-9 zones, ish Fork.
The Spanish Fork but not as building
City Council has lots in new sub- Published in the
made amendments divisions. A complete copy of this **Spanish Fork Press**
to the Spanish Fork ordinance is avail- on February 28,
City Municipal Code 2008.
§15.3.24.090(F) to able at the Spanish UPAXLP
allow flag lots as



Subscribed and sworn to before me this 28th day of February 2008

Debbie L. Chandler
Notary Public