

## ORDINANCE NO. 05-08

### ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>	X	
ROD DART <i>Councilmember</i>	X	
RICHARD M. DAVIS <i>Councilmember</i>	X	
STEVE LEIFSON <i>Councilmember</i>	X	
JENS P. NIELSON <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilman Nielson

I SECOND the foregoing motion: Councilman Davis

### ORDINANCE 05-08

#### AN ORDINANCE MAKING CHANGES IN TITLE 15, INCLUDING CLARIFYING FRONTAGE REQUIREMENTS FOR DUPLEXES AND TWIN HOMES AND ELIMINATING INCONSISTENCIES

WHEREAS, Spanish Fork City has adopted a land use title in the municipal code, known as Title 15, which includes zoning and development chapters; and

WHEREAS, Title 15 needs minor adjustments from time to time in order to accomplish the goals and intent of the City Council; and

WHEREAS, a recent review of the land use title has revealed some inconsistencies and the table containing residential development standards has had enough footnotes added to create confusion; and

WHEREAS, minor amendments to Title 15 can cure both the inconsistencies and the confusion; and

WHEREAS, the Planning Commission reviewed the issue and held a public hearing on Wednesday the 5<sup>th</sup> day of March, 2008 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 1st day of April, 2008 where public comment was received; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City, it is appropriate to make minor amendments to Title 15 to eliminate inconsistencies and confusion;

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

**I.**

Spanish Fork City Municipal Code §15.3.16.020(A) is hereby amended as follows:

**15.3.16.020. Residential Districts**

**R-1-80, R-1-60, R-1-40, R-1-30:** [Unchanged].

**R-1-20, R-1-15, R-1-12:** [Unchanged].

**R-1-9, R-1-8:** [Unchanged].

**R-1-6:** This district provides a residential environment that is medium high density with a variety of housing choices including single family homes, twin homes, townhomes and duplexes.

**A. Permitted Uses:**

1. [Unchanged].

2. Twin homes in the R-1-8 and R-1-6 districts only. The minimum lot size is 9,700 square feet, the minimum lot width is 80 feet, 40 feet per unit, and the

side setback is 10 feet.

3. Duplexes in the R-1-6 district only. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.

4~10 [Unchanged].

## **II.**

Spanish Fork City Municipal Code §15.3.16.030(A) is hereby amended as follows:

### **15.3.16.030. R-3 Residential District.**

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. [Unchanged].
2. Twin homes. The minimum lot size is 9,700 square feet, the minimum lot width is 80 feet, 40 feet per unit, and the side setback is 10 feet.
3. Duplexes. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.
4. Three-plexes. The minimum lot size is 14,000 square feet, the minimum lot width is 80 feet and the side setback is 15 feet.
5. Four-plexes. The minimum lot size is 18,000 square feet, the minimum lot width is 80 feet and the side setback is 15 feet.

6~11. [Unchanged].

## **III.**

Spanish Fork Municipal Code §15.3.16.040(A) is hereby amended as follows:

**15.3.16.040. 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.

**A. Permitted Uses:**

1. [Unchanged].
2. Duplexes. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.
- 3~11. [Unchanged].

**IV.**

Spanish Fork Municipal Code Title 15, Table 1, Residential Development Standards is hereby amended as follows:

TABLE 1 - Residential Development Standards										
District	Base Density	Minimum Lot Area	Minimum Width <sup>2</sup>	Minimum Depth	Minimum Setback <sup>1</sup>				Max. Building Height	
					Front <sup>7</sup>	Rear	Side	Corner	Principal Bldg <sup>6</sup>	Accessory Bldg <sup>1</sup>
A-E	n/a	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	n/a	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units per acre	80,000 s.f.	180'	200'	40'	80'	20'	30'	30'	20'

R-1-60	.54 units per acre	60,000 s.f.	160'	200'	40'	60'	20'	30'	30'	20'
R-1-40	.81 units per acre	40,000 s.f.	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	1.07 units per acre	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	1.61 units per acre	20,000 s.f.	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	2.15 units per acre	15,000 s.f.	100'	125'	30'	30'	15'	25'	25'	15'
R-1-12	2.69 units per acre	12,000 s.f.	100'	100'	25'	25'	10'	15-25 <sup>5</sup>	30'	15'
R-1-9	3.58 units per acre	9,000 s.f.	85'	90'	20-25 <sup>3</sup>	25'	10'	15-25 <sup>5</sup>	30'	15'
R-1-8	4.03 units per acre	8,000 s.f.	75'	90'	20-25 <sup>3</sup>	25'	10'	15-25 <sup>5</sup>	30'	15'
R-1-6	5.37 units per acre	6,000 s.f. <sup>2</sup>	50'	90'	20-25 <sup>3</sup>	25'	5-10 <sup>4</sup>	15-25 <sup>5</sup>	30'	15'
R-3	5.37 units per acre	6,000 s.f. <sup>2</sup>	50'	90'	20-25 <sup>3</sup>	25'	5-10 <sup>4</sup>	15-25 <sup>5</sup>	30'	15'
R-O	n/a	6,000 s.f. <sup>2</sup>	50'	90'	20-25 <sup>3</sup>	25'	5-10 <sup>4</sup>	15-25 <sup>5</sup>	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- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the garage door of a side entry garage.

4- 5 feet on one side, 10 feet on the other for single family dwellings; 10 feet for non-residential uses.

5- 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.

6-flagpoles are limited to the height of principal buildings in residential zones.

7-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.

## V.

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

DATED this 1<sup>st</sup> day of April, 2008.

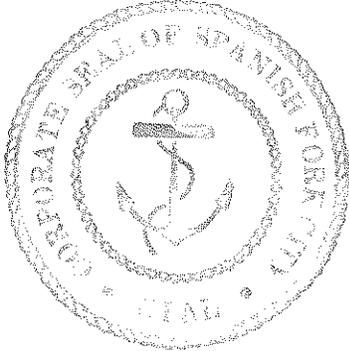


JOE L THOMAS, Mayor

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 24 day

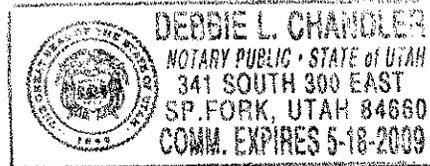
of April 2008

And the last on the 24 day

of April 2008

*Erica Savage*

**ORDINANCE 05-08** Fork City Office, 70 South Main, Spanish Fork.  
The Spanish Fork City Council has adopted an ordinance making changes in Title 15, clarifying frontage requirements for duplexes and twin homes and eliminating inconsistencies. A complete copy of this ordinance is available at the Spanish Fork City Office, 70 South Main, Spanish Fork.  
Published in the **Spanish Fork Press** on April 24, 2008.  
UPAXLP



Subscribed and sworn to before me this 24<sup>th</sup> day of April 2008

*Debbie L. Chandler*  
Notary Public