

ORDINANCE NO. 12-08

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Mayor Pro Tem</i>		
RODNEY 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: Steve Leifson

I SECOND the foregoing motion: Richard M. Davis

ORDINANCE 12-08

AN ORDINANCE AMENDING TITLE 15 CONCERNING SITE PLANS

WHEREAS, Spanish Fork City has adopted a land use ordinance which includes a chapter on site plans and a chapter on design and development; and

WHEREAS, the planning department has recommended that the site plan ordinance be amended to provide higher quality development and create a more streamlined and efficient process to approve site plans, which will necessitate amendments to chapters four and sixteen of Title 15, Part 4 of the Spanish Fork Municipal Code; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 3rd day of September, 2008, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 16th day of September, 2008, where additional public comment was received; and

WHEREAS, in order to protect the health, safety, and welfare of the residents of the City amending the site plan standards in the land use ordinance is necessary;

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

I.

Spanish Fork Municipal Code Title 15, Part 4, Chapter 8, Site Plans, is hereby amended as follows:

**PART 4 DEVELOPMENT
CHAPTER 08 SITE PLANS**

15.4.08.010. Purpose.

The Site Plan review process is established in order to assure that development proposed for Spanish Fork City will comply with all zoning and development standards. The general appearance of developments shall contribute to an orderly, sustainable, and harmonious appearance and a safe and efficient development.

It is not the purpose of this Chapter that design should be so rigidly controlled so as to stifle creativity or individual expression, or that substantial additional expense be incurred; rather, it is the intent of this Chapter that any control exercised be the minimum necessary to achieve the objectives as stated above.

15.4.08.020. Site Plan required.

1. Requirement. Site Plan review shall be required for the following:

a) [no changes]

b) All additions to commercial or industrial structures

c) Any change of use of an existing commercial or industrial site or structure

d) [no changes]

e) [no changes]

The Planning Director may waive full Site Plan review, including fees, if it is determined that such review will not further the purpose of the City's development standards.

15.4.08.030. Application and Review Process.

1. [no changes].

2. Staff Review.

A. An application provided by the City shall be filled out in completeness with all supporting documentation submitted to the City Planning Department.

B.~U. [no changes].

V. Parking stalls (9'x18') and calculations identifying the required number of handicapped and non-handicapped parking spaces in the development.

- W. Photometric lighting plan.
- X.~CC. [No changes].
- DD. Landscape Plan prepared by a licensed landscape architect
 - A. Planting schedule showing plant material and sizes
 - B. Planting Plan
 - C. Irrigation Plan
- EE.~LL. [no changes].
- MM. Public Utility Easement documents for all utilities or public facilities.
- NN. [no changes].
- OO. Other data or plans or reports deemed necessary by the Planning, Public Works, or Fire and Police Departments. In the event that a traffic study, geotechnical study, environmental study or other technical study is required, the applicant may be required to pay additional review fees. The additional review fees will be utilized to prepare studies deemed necessary by the City Engineering Department or to perform a peer review of work submitted on behalf of the applicant.

15.4.08.040. Approval or Disapproval - Procedure.

[No Changes].

15.4.08.050. Duration of Approval.

A Site Plan expires if it is not approved by the DRC within twelve months from the time a complete application is submitted and accepted. Approval of the Site Plan by the DRC shall be valid for a period of twelve months after approval unless, upon application by the developer, the DRC grants an extension. An extension may not exceed six months.

15.4.08.060. [Reserved]

15.4.08.070. Amendments to Site Plan.

The Planning Director may approve minor amendments to approved Site Plan, if he/she finds that the proposed amendments do not jeopardize the interest of the City or adjoining property owners. The types of minor amendments contemplated by this section may include, but not be limited to, legal description mistakes, minor boundary changes, and items that should have been included on the original Site Plan. Major amendments to the final Site Plan shall go back through the approval process.

15.4.08.080. Appeals.

[No Changes].

II.

Spanish Fork Municipal Code Title 15, Part 4, Chapter 16 Design and Development, Sections 120, 130, 140, and 150 are hereby amended as follows:

PART 4 DEVELOPMENT

CHAPTER 16 DESIGN AND DEVELOPMENT

15.4.08:120. Off-Street Parking.

A. [no changes].

B. General Requirements:

1. [no changes].

2. Each parking space shall be at least nine (9) feet wide and eighteen (18) feet deep (See parking design standards in the Construction and Development Standards for details on aisle widths, maneuvering areas, and fire lanes).

3.~6. [no changes].

7. For purposes of identifying required parking, square feet shall mean the gross floor area of the building.

8.~11. [no changes].

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, Major	1:100 sq. ft.
Auto Repair, Minor	1:300 sq. ft.
Automobile Service Station	1:200 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 per pew
Child Care Center	1:employee, plus 1:10 children
Home Furnishings, Major Appliances	1:500 sq. ft.
Hospitals	1:bed
Manufacturing/Assembly	1:employee on the highest shift
Wholesale/Warehouse	1:employee on the highest shift
Mixed Uses or Unlisted Uses	To be determined by Planning Director
Motels/Hotels	1:room
Restaurants	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 Miniature Golf Course Batting Cages Water Park, Theme Parks	6:hole 2:hole 1:cage To be determined by Planning Director
Residential: Single Family Duplex or Twin Home Multi-Family: Studio or 1 Bedroom 2 or more Bedrooms Guest Parking	2:unit - 1 covered, 2nd space not in side or front setback 2:unit - 1 covered, 2nd space not in front setback 1:unit 2:unit; one covered, 2 nd uncovered 1:3 units
Restaurant - freestanding	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	1:employee on highest shift plus 0.4:unit
Schools: Elementary Middle or Junior High High School College Vocational/Technical	2:classroom 3:classroom 7:classroom 10:classroom 1:2 students
Storage Building/Space	0.5 per 1,000 sq. ft. of storage space

15.4.08.130. 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 should also contribute to the reduction of heat and glare through the proper placement of plants and trees.

Multi-family residential uses:

1. Minimum of thirty-five percent (35%) on-site landscaping as a percentage of total site area.
2. Parking lots shall include planter areas within the parking lot, with a minimum of 108

square feet of planter area for every ten (10) parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least 6 feet wide. Required planter areas shall include non-ornamental trees with a maximum spacing of thirty (30) feet.

3. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.

4. Minimum of ten (10) foot wide planter area and six (6) foot high decorative block wall, where any multi-family use abuts a single-family residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet.

a. The DRC may waive or modify this requirement, if it is determined that this requirement does not further the intent of this ordinance.

5. All other landscaped areas shall include at least three (3) non-ornamental trees and twenty (20) shrubs for each 1,000 square feet of landscaped area.

Professional Office and Non-Residential or Non-Commercial uses:

1. Minimum of thirty percent (30%) on-site landscaping as a percentage of total site area.

2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every ten (10) parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least 6 feet wide. Required planter areas shall include non-ornamental trees with a maximum spacing of thirty (30) feet.

3. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.

4. Minimum of ten (10) foot wide planter area and six (6) foot high decorative block wall, where site abuts a residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet.

a. The DRC may waive or modify this requirement, if it is determined that this requirement does not further the intent of this ordinance.

5. All other landscaped areas shall include at least three (3) non-ornamental trees and twenty (20) shrubs for each 1,000 square feet of landscaped area.

Commercial uses:

1. Minimum of fifteen percent (15%) on-site landscaping as a percentage of total site area.

2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every ten (10) parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least 6 feet wide. Required planter areas shall include non-ornamental trees with a maximum spacing of thirty (30) feet.

3. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.

4. Minimum of ten (10) foot wide planter area and six (6) foot high decorative masonry wall,

where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet.

a. The Development Review Committee may waive or modify this requirement, if it is determined that this requirement does not further the intent of this ordinance.

5. All other landscaped areas shall include at least three (3) non-ornamental trees and twenty (20) shrubs for each 1,000 square feet of landscaped area.

Industrial uses:

1. Minimum of ten percent (10%) on-site landscaping as a percentage of total site area.

2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every ten (10) parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least 6 feet wide. Required planter areas shall include non-ornamental trees with a maximum spacing of thirty (30) feet.

3. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area.

4. Minimum of ten (10) foot wide planter area and six (6) foot high decorative block wall, where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet.

a. The DRC may waive or modify this requirement, if it is determined that this requirement does not further the intent of this ordinance.

5. All other landscaped areas shall include at least three (3) non-ornamental trees and twenty (20) shrubs for each 1,000 square feet of landscaped area. Natural vegetation may be included if materials are appropriate for the setting and location.

E. Standards and Maintenance:

1. All deciduous trees shall have a minimum of two (2) inch caliper trunk. All evergreen trees shall be a minimum of five (5) feet in height.

2. All shrubs shall be a minimum of one (1) gallon size.

3. Planting areas shall be separated from parking areas and driveways by a six (6) inch concrete curb.

4. Landscaped areas shall be maintained with an automatic sprinkler system.

5. Landscaped areas shall be maintained in a neat, clean, and orderly condition. This is meant to include proper pruning, lawn mowing, weeding, removing of litter, fertilizing, replacing of dead plants, and regular watering of all landscaped areas.

F. General Fencing Requirements:

1. The maximum height of a fence is six (6) feet in all zoning districts; pillars are not to exceed 6 ½ feet. The Council may waive the height requirement at their sole discretion.

2. The maximum height of a solid fence within the front yard setback area is three (3) feet. Substantially open fences such as chain link, or wrought iron may be four (4) feet high.

3. Barbed wire fencing is allowed in A-E, R-R, I-1, and I-2 districts.

4. Razor wire, and other similar type fencing is allowed in C-2, I-1, and I-2 districts when located above a height of six (6) feet, subject to Design Review approval. Additional screening

of any such fence with plant materials may be required.

5. Corner lots must maintain a second clear vision area as set forth in §15.4.08.150.

15.4.08.140. Solid Waste Receptacle Areas.

Multi-family dwellings, 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. A steel site-obscuring gate at least six (6) feet in height is required. 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.

15.4.08.150. 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:

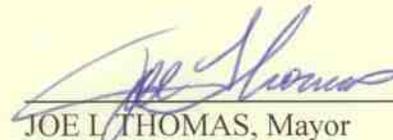
1. No fence shall exceed a height of three (3) feet, measured from the curb.
2. Shrubs shall be pruned to a height not to exceed three (3) feet.
3. Trees shall be pruned to maintain a clear area below eight (8) feet.

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.

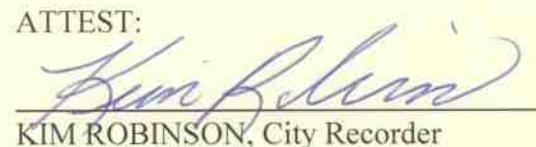
III.

This ordinance shall become effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 16th day of September, 2008.



JOE L. THOMAS, Mayor

ATTEST:


KIM ROBINSON, City Recorder

