

**ORDINANCE NO. 13-08**

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>	Absent	
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: Councilman Nielson

I SECOND the foregoing motion: Councilman Leifson

ORDINANCE 13-08

WHEREAS, Spanish Fork City has enacted a zoning ordinance setting forth a number of zones and the permitted uses within each zone; and

WHEREAS, The City has recently imposed a moratorium on multi-family construction in the R-1-6 and R-3 zones while the City studied appropriate multi-family uses in those zones, which moratorium has expired; and

WHEREAS, City staff has researched and studied the issue, as requested by the Council, and has made the recommendation to adopt an in-fill ordinance which will establish standards for multi-family housing in the R-1-6 and R-3 zones, which will protect single family residence property values, provide opportunities for the development of single family dwellings, provide opportunities for the development of affordable housing, and promote the development of owner-occupied dwellings; and

WHEREAS, public hearings were held before the Planning Commission on Wednesday, the 1<sup>st</sup> day of October, 2008 and Wednesday the 4<sup>th</sup> day of November, 2008, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 2<sup>nd</sup> day of December, 2008, whereat additional public comment was received; and

WHEREAS, the Council finds that the proposed in-fill zone is consistent with the language and intent of the City's Comprehensive General Plan; and

WHEREAS, the Council finds that the proposed in-fill zone would allow high quality

residential units that promote the general welfare and common good of the community;

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

**I.**

Spanish Fork City Municipal Code §15.3.16.035 is hereby created as follows:

**15.3.16.035. In-Fill Overlay Zone (I-F).**

This district is intended to provide flexibility in development standards for small residential parcels that are difficult to develop under standard residential requirements, allowing them to be developed with modified standards, while maintaining high quality construction and maintaining the general character of the underlying zone. This zone may only be applied as an overlay zone in the R-1-6 and R-3 zones. Prior to approving the I-F Zone, the City Council shall determine that the proposed development promotes the historic character of the neighborhood, conforms to the physical characteristics of the adjoining properties including architectural style and materials, and provides new opportunities for home ownership.

**A. Permitted Uses:**

- Single family dwellings.
- Twin homes.
- Duplexes.
- Triplexes.
- Fourplexes.

(see §15.3.08.060):

**B. Accessory Buildings and Uses (see §15.3.24.090).**

**C. Development Standards.**

Development standards for projects in the I-F Zone shall be generated on a project-by-project basis. It is expected that the development standards will provide for project designs that will promote conformity to existing neighborhood characteristics while allowing for innovation and creativity. Development standards shall also include design elements that will provide appropriate screening and buffers between the project and the surrounding properties. As appropriate, project designs should incorporate amenities for the use of the project's residents. In each case, standards created for elements including but not limited to setbacks, lot size, building design, fencing and landscaping shall be presented to the Planning Commission for recommendation and the City Council for approval.

Notwithstanding the potential flexibility in development standards for the I-F Zone, the following standards must be maintained:

1. Building design shall incorporate architectural elements that reinforce architectural styles found in other structures in the neighborhood and/or along the street. Architectural considerations shall offer reasonable protection relative to the privacy of adjoining properties. Architectural elements utilized to promote the purpose of the zone may include the following:
  - A. Roof pitch.
  - B. Building materials.
  - C. Door and window placement and orientation.
  - D. Building colors.
  - E. Building ornamentation.
  - F. Building articulation.
  - G. Garage placement.
2. Setbacks shall be as follows for all primary buildings:
  - A. Front yard, 20 feet from public right-of-way or shared driveway to living space.
  - B. Corner side yard, 15 feet to living space.
  - C. Interior side yard, 10 feet.
  - D. Rear yard, 10 feet.

- E. Accessory buildings, 5 feet to property lines and other structures.
- F. Garage doors, 20 feet from public right-of-way.
- 3. Density shall not exceed that which is identified on the Land Use Map of the Comprehensive General Plan.
- 4. Minimum project size is 6,000 square feet. Minimum lot sizes and/or area requirements shall be as follows:
  - A. Single family residences, 4,000 square feet;
  - B. Duplexes, 8,000 square feet;
  - C. Twinhomes, 8,000 square feet;
  - D. Triplexes, 14,000 square feet;
  - E. Other multi-family units, 18,000 square feet per four units.
- 5. Minimum street frontage for a development is 80 feet except for duplexes where the minimum frontage requirement is 60 feet.
- 6. Maximum impervious surface in the I-F zone shall be 60% of the project area.
- 7. Minimum parking shall include one garage per dwelling unit and 1.5 additional spaces per unit within the development.
- 8. Minimum finished living space shall be provided as follows:
  - A. Single family residence, 1,000 square feet;
  - B. Duplex, 900 square feet, each side;
  - C. Triplex, 900 square feet, each unit;
  - D. Other multi-family units, 900 square feet, each unit.
- 9. Curb, gutter, and sidewalk shall be provided in accordance with the City's Development Standards.

**D. Site Plan/Design Review (see §15.4.08.010 et seq.).**

**E. Landscaping, Buffering, Walls (see §15.4.16.130).**

Detailed landscape plans shall be submitted with each application for I-F Zone approval. Projects shall be landscaped in a manner that is generally consistent with surrounding properties. Landscape Plans shall identify the following:

- A. Planting Plan, including all ground cover.
- B. Plant schedule.
- C. Irrigation Plan.
- D. Details for any proposed structures or features.
- E. Walls.

**F. Signs. (see §5.36.010 et seq.)**

**G. Parking (see §15.4.16.120).**

**II.**

The following subsections of the Spanish Fork Municipal Code are hereby repealed:

- 15.3.16.020(A)(2) and (3);**
- 15.3.16.030(A)(2), (3), (4), and (5);**
- 15.3.16.030(F).**

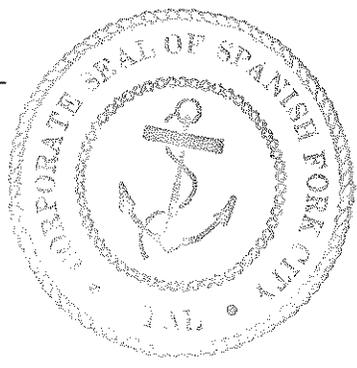
**III.**

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

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 2<sup>nd</sup> day of December, 2008.

  
\_\_\_\_\_  
JOE L THOMAS, Mayor

ATTEST:  
  
\_\_\_\_\_  
KIM ROBINSON, City Recorder

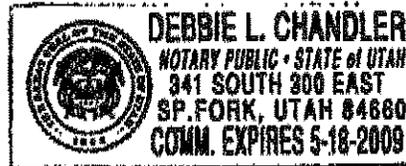


# Proof of Publication

**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 19<sup>th</sup> day  
of February 2009  
And the last on the 19<sup>th</sup> day  
of February 2009

**ORDINANCE 13-08** multi-family hous- South Main, Span-  
ing in the R-1-6 and ish Fork.  
R-3 zones. A com-  
The Spanish Fork City Council has adopted an in-fill ordinance establishing standards for complete copy of this ordinance is available at the Spanish Fork City Office, 40 South Main, Spanish Fork, Utah 84660. Published in the Spanish Fork Press February 19, 2009 UPAFLP



Subscribed and sworn to before me this 19<sup>th</sup> day of February 2009

Debbie L. Chandler  
Notary Public