ORDINANCE NO. 17-09

ROLL CALL

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

I MOVE this ordinance be adopted: Councilman Davis
I SECOND the foregoing motion: Councilman Andersen

ORDINANCE 17-09

AN ORDINANCE RE-ENACTING CERTAIN STANDARDS
IN THE URBAN VILLAGE COMMERCIAL ZONE

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, the Spanish Fork land use ordinance contains a zone called the C-UV Urban Village Commercial Zone, which allows for compatible residential and commercial uses in the same zone; and

WHEREAS, on the 16th day of June, 2009 some of the standards and requirements of the C-UV zone were adopted by the Spanish Fork City Council in Ordinance 10-09; and

WHEREAS, a major overhaul of the permitted uses allowed in the various zones found in Title 15 was adopted by the Spanish Fork City Council on the 4th day of August, 2009 in Ordinance 12-09; and

WHEREAS, certain of the new standards in the C-UV zone adopted in June were inadvertently omitted when the August revisions to Title 15 were made; and

WHEREAS, the Planning Commission held a public hearing on Wednesday the 2nddday of September, 2009 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 15th day of September, 2009 where public comment was received;

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

I.

Spanish Fork City Municipal Code §15.3.16.100 is hereby amended by adding subparagraphs D through L as follows:

15.3.16.100. C-UV Urban Village Commercial

This district is intended to provide controlled and compatible settings for a wide range of commercial and residential uses in the same area, uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center. Developments in this district will be designed towards pedestrians in mind; designs will have the character of an urban village; with high quality materials being used. All site plans and subdivisions will be reviewed by the Planning Commission.

A. Permitted uses [Unchanged].

B. Uses Subject to Conditions (as described in §15.3.24.010) [Unchanged].

C. Uses Subject to Conditional Use Permit (see §15.3.08.060) [Unchanged].

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Site Plan/Design Review/Performance Standards (see §15.4.08.010 et seq.):

These standards are intended to foster the creation of an urban environment that accommodates growth and is compatible with the existing homes and uses in the area:

1. Outdoor Sales, Display and Storage.

a) The outdoor permanent sales or display of merchandise shall not encroach into

areas of required parking, sidewalks, or landscaping.

2. Lighting. On-site lighting, including parking lot lighting and illuminated signs, shall be located, directed or designed in a manner to prevent glare on adjacent properties and be designed for pedestrians. All lighting should have the same design elements throughout the development.

3. Location of Service Areas. All loading docks and other service activities shall be located away from view of any public street. Exceptions to this requirement may be approved through the site plan process. If such activities are permitted adjacent to a public street, a visual screening design approved by the Planning Department shall be required.

4. Urban Design. Designs for this area should envision a "village character" relating to the heritage of the early residents of the community. Safe and efficient pedestrian circulation is a priority

a) Architectural Character and Materials.

i. A differentiated base will provide human scale through change, contrast, and intricacy in facade form. Scaling elements such as insets and projects serve to break up flat or monotonous facades along with color and a change in materials.

ii. The climate in Spanish Fork City is such that in the summer months shade is preferred, and in the winter months protection from the snow and wind is necessary. By providing the pedestrian with a sidewalk that is enjoyable to use year round, a pedestrian oriented development is encouraged. Therefore, the following will be encouraged

I. Arcades.

II. Awnings and/or marquees.

b) Entrance and Visual Access

i. The intent in this district is to encourage pedestrian activity between the public street/sidewalk and buildings. Sidewalks shall provide continuous, uninterrupted interest to the pedestrian by providing visual interest and/or amenities. The environment will benefit with increased pedestrian activity, this activity will only occur if opportunities are provided that make walking to a destination a preferred and an enjoyable pursuit. The use of blank building facade walls is discouraged. Therefore, all buildings in this district are subject to the following standards:

I. Minimum First Floor Glass. The first floor elevation of a commercial building facing a street shall not have less than forty (40%) percent glass surfaces. All first floor glass shall be a nonreflective. Display windows that are three dimensional and are at least two feet deep are permitted and may be counted toward the 40% glass requirement.

II. Provide at least one (1) operable building entrance per elevation that faces a public street. Buildings that face multiple streets are only required to have one door on either street, if the facades for both streets meet the forty (40%) percent glass requirement.

III The maximum length of any blank wall uninterrupted by windows, doors, art or architectural detailing at the first floor level shall be forty (40) feet.

IV. All building equipment and service areas, including on-grade and roof mechanical equipment and transformers that are readily visible from the public right-of-way, shall be screened from public view.

c) Public Amenities and Public Art.

i) Amenities and works of art enhance quality of life as well as visual interest. Public amenities and art encourage pedestrian activity and contribute to the "village" experience. A cohesive, unified lighting and amenity policy will help give the district its own distinctive identity. Therefore, all projects will be required to have public amenities and art that are subject to the following standards:

I. Sidewalks and street lamps installed in the public right of way shall be of the type specified in the city's construction and development standards. All parking lot lights will be required to match the city's standards.

II. Park benches will be required within the development.

III. Public art (which may include artists' work integrated into the design of the building, and landscaping, sculpture, painting, murals, glass, mixed media or work by artisans), that is accessible or directly viewable to the general public shall be included in all projects. The plan to incorporate public art shall be reviewed and approved by the Spanish Fork Arts Council.

IV. All projects will be required to have a minimum of 20% open space and developments with residential units will be required to have 35% open space.

5. Conditional Use Approval.

A modification to the urban design/performance provisions of this section may be granted as a conditional use, subject to conformance with the standards and procedures.

F. Definitions.

For the purpose of this section, the following terms shall have the following meanings.

"Facade" means the front of a building, or any other "face" of a building on a street or courtyard given special architectural treatment.

G. Landscaping, Buffering, Walls (see §15.4.16.130).

Same as the S-C zone requirements.

H. Signs (see §5.36.101 et seq.).

All individual developments (not a planned center) must follow the requirements of the C-O zone.

I. Parking Standards (see §15.4.16.120).

1. Restrictions on Parking Lots. The following regulations shall apply to parking facilities.

(a). All parking lots adjacent to a public street will be required to have a twenty-five (25) foot landscape setback and a minimum three (3) foot berm, with trees spaced every thirty (30) feet.

J. Solid Waste Receptacle Areas (see §15.4.16.140).

K. Building Height.

Same as the S-C zones requirements.

1. Height Exceptions: spires, towers, or decorative non-inhabitable elements shall have a maximum height of sixty (60) feet measured from the street grade.

L. Development Standards.

1. Projects are allowed a density of 5 to 12 residential units per acre.

2. Projects will be required to have public art integrated and 35% open space area.
3. Projects with a residential component will be required to have at least 30% of the project's total building square footage dedicated to commercial or office uses. The City will require that this ratio be maintained with each phase of the development.
4. Residential units will be required to meet the High Density Residential (R-3) setbacks.
5. Residential units must be designed in a manner to blend with the urban village and not be a separate element of the area.

II.

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

DATED this 15th day of September, 2009.

JOE L. THOMAS, Mayor

ATTEST:

KIMBERLY ROBINSON, City Recorder

Proof of Publication

THE SPANISH FORK PRESS, a weekly newspaper printed and published at Provo, Utah County and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

for. . . . . 1 . . . . . consecutive weeks,

STATE OF UTAH, UTAH COUNTY>SS.....

the first publication on the 24th day

of December 2009

And the last on the 24th day

of December 2009

PUBLIC NOTICE

ORDINANCE 17-09, The Spanish Fork City Council has adopted an ordinance re-enacting certain standards in the Urban Village Commercial Zone. A complete copy of this ordinance is available at the Spanish Fork City, 40 South Main, Spanish Fork.

Published in the **Spanish Fork Press** December 24, 2009.

UPAXLP

RESIDENCE: SPANISH FORK, UT
MY COMMISSION EXPIRES 06/05/2013

Notary Public
DEBBIE L CHANDLER
Commission Number 579021
My Commission Expires
June 5, 2013
State of Utah

Subscribed and sworn to before me this 28th day of December 2009

Notary Public