

**ORDINANCE NO. 04-09**

ROLL CALL

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

I MOVE this ordinance be adopted: Councilman Leifson

I SECOND the foregoing motion: Councilman Andersen

ORDINANCE 04-09

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

WHEREAS, City staff has researched and studied the issue of appropriate in-fill uses, as requested by the Council, and has made the recommendation to amend the in-fill ordinance which establishes standards for in-fill housing in the R-1-6 and R-3 zones; and

WHEREAS, public hearings were held before the Planning Commission on Wednesday, the 6<sup>th</sup> day of May, 2009, and Wednesday, the 3<sup>rd</sup> day of June, 2009, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 7<sup>th</sup> day of July, 2009, whereat additional public comment was received; and

WHEREAS, the Council finds that the proposed amendments to the 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 amendments to the 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 amended 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 and conforms to the physical characteristics of the adjoining properties including architectural style and materials, and size.

**A. Permitted Uses:**

- Single family dwellings.
- Twin homes (R-3 zone only).
- Duplexes (R-3 zone only).
- Triplexes (R-3 zone only).
- Fourplexes (R-3 zone only).

(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, 5 feet, provided 15 feet exists between residences.
  - D. Rear yard, 15 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 8,000 square feet in the R-3 zone and 12,000 square feet in the R-1-6 zone.
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 65% 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. Landscape plans shall be generally consistent with surrounding properties. Projects shall be landscaped in a manner that is consistent with the approved plans. 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.

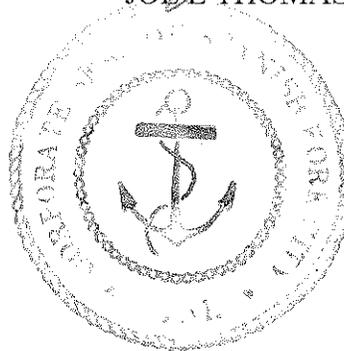
This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,  
UTAH, this 7th day of July, 2009.

  
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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,  
the first publication on the 21<sup>st</sup> day  
of May 2009  
And the last on the 21<sup>st</sup> day  
of May 2009  
Debbie Chandler

**PUBLIC NOTICE** has adopted amend- South Main, Span-  
ments to the in-fill ish Fork.  
Spanish Fork Or- ordinance. A com-  
dinance 04-09. plete copy of this Published in the  
**ORDINANCE** ordinance is avail- **Spanish Fork Press**  
04-09, The Spanish able at the Spanish May 21, 2009.  
Fork City Council Fork City Office, 40 UPAXLP



Subscribed and sworn to before me this 21<sup>st</sup> day of May 2009  
Debbie Chandler Karen Jordan  
Notary Public