

ORDINANCE NO. 10-09

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 Davis

I SECOND the foregoing motion: Councilman Nielson

ORDINANCE 10-09

AN ORDINANCE MAKING CHANGES IN TITLE 15, AMENDING 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, because of the mixed use nature of the C-UV zone, high standards need to be maintained to allow a full range of commercial uses, while protecting the residential uses; and

WHEREAS, minor amendments are needed to the C-UV zone to maintain the high standards, thus providing a high quality mixed use development; and

WHEREAS, the Planning Commission reviewed the issue and held a public hearing on Wednesday the 3rd day of June, 2009 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 16th day of June, 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 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) [Unchanged].

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. [Unchanged].

G. Landscaping, Buffering, Walls (see §15.4.16.130). [Unchanged].

H. Signs (see §5.36.101 et seq.). [Unchanged].

I. Parking Standards (see §15.4.16.120). [Unchanged].

J. Solid Waste Receptacle Areas (see §15.4.16.140). [Unchanged].

K. Building Height. [Unchanged].

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.

Spanish Fork Municipal Code Title 15, Table 2, Commercial and Industrial

Development Standards is hereby amended by adding C-UV zone standards as follows:

TABLE 2 - Commercial and Industrial Development Standards							
District	Minimum District Size	Minimum Setback ¹				Max. Building Height	
		Front	Rear	Side	Corner	Principal Bldg	Accessory Bldg
C-UV	5 acres	25'	0~25'	0~20'	15'	30~48' ²	15'

1- Where range is indicated, side or rear setbacks are when the adjacent parcel is a residential use or district.

2- Lower heights shown are for buildings and structures within 50 feet of a residential district or use.

Note: There are no minimum lot size, width, or lot frontage requirements. However, any new building or development must have permanent access on a paved road or driveway with a minimum width of 24 feet, proper base material. Other improvements, such as curb and gutter, sidewalk, and additional pavement width or thickness may be required depending upon the nature of the business. (Ord. No. 07-04, Amended Industrial Zones Height Restriction, 05/04/2004)

III.

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

DATED this 16th day of June, 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,

the first publication on the 9th day

of July 2009

And the last on the 9th day

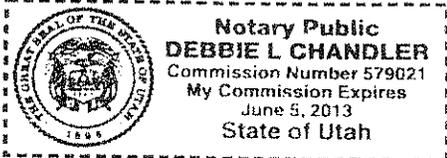
of July 2009

Janie C. Harris

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

PUBLIC NOTICE	Title 15, chang-	Spanish Fork City,
ORDINANCE	ing the standards	40 South Main,
10-09, The Spanish	in Urban Village	Spanish Fork.
Fork City Coun-	Commercial Zones.	Published in the
cil has adopted an	A complete copy	Spanish Fork Press
ordinance making	of this ordinance	July 9, 2009.
amendments to	is available at the	UPAXLP

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



Subscribed and sworn to before me this 9th day of JULY 2009

Debbie L. Chandler
Notary Public