

ORDINANCE NO. 04-12

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>	ABSENT	
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	ABSENT	
STEVE LEIFSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Councilmember Dart

I SECOND the foregoing motion: Councilmember Davis

ORDINANCE No. 04-12

AN ORDINANCE AMENDING CONDITIONS FOR TREATMENT CENTERS IN EXISTING VACANT BUILDINGS

WHEREAS, Spanish Fork City allows treatment centers in residential zones upon meeting certain conditions to maintain the residential nature of the neighborhood; and

WHEREAS, one of the conditions is that building sizes cannot exceed the size of the largest home in the neighborhood by more than twenty percent (20%); and

WHEREAS, there are just a few old schools and similar large buildings which are no longer used for the purpose they were built for and which are vacant buildings in residential zones; and

WHEREAS, putting those large buildings to a good use enhances the property values throughout the neighborhood, as old, dilapidated buildings are refurbished rather than left in a run down state; and

WHEREAS, allowing existing buildings which are in residential zones and which are vacant to be used for residential treatment facilities provides a benefit to the neighborhood if appropriate conditions can be imposed to mitigate any adverse circumstances, and provided the building can be made safe; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 4th day of April, 2012 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 17th day of April, 2012, where additional public comment was received; and

WHEREAS, putting old, vacant buildings to a beneficial use is in the best interests of the City in order to protect the health, safety, and welfare of the City and its residents;

NOW THEREFORE, be it enacted and ordained as follows:

I.

Spanish Fork Municipal Code §15.3.24.010(E)(4) is hereby created as follows:

15.3.24.010. Treatment Facilities.

E. Design and Separation.

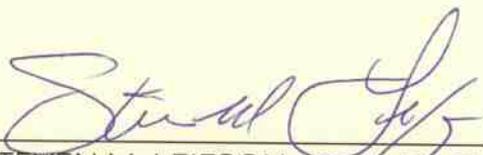
4. An existing building which has been vacant for over one year may be converted to a residential treatment facility, if it meets all other criteria of §15.3.24.010(D) and (E), but shall be exempt from the criteria found in subsection (E)(2) and shall, in lieu thereof, meet the following criteria:
 - a. provide a report from a licenced structural engineer indicating the building is safe, or can be made safe, for its intended use. The City building official and fire inspector will have the final say on what must be done to meet current codes;
 - b. veneer finishes to the exterior of the building may be required, depending on the exterior material of the building and the other buildings in the neighborhood, to match the type and color of existing materials on other residences within the neighborhood;
 - c. bring the building up to current standards on all codes (building, fire, safety, energy, etc).
 - d. provide a landscaping plan prepared by a landscape architect which shows

- a minimum of 50% of the entire site to be green landscaped, unless the size of the vacant building makes it impossible or very difficult, then a landscape plan shall be approved by the Planning Commission;
- e. provide off-street parking for all staff members on duty at the highest shift, plus one additional stall for each three residents;
 - f. at the discretion of the electric division, remove any overhead electric lines and place them underground;
 - g. the facility shall have a fully fenced rear yard of either masonry or solid vinyl materials six (6) feet in height;
 - h. the only signage shall conform to that permitted for a home occupation;
 - i. security lighting shall be adjusted such that no overflow light falls onto adjoining properties;
 - j. windows shall be non-reflective;

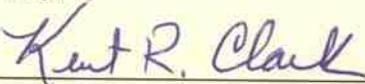
II.

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

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 17th day of April, 2012.


STEVEN M. LEIFSON, Mayor Pro Tem

ATTEST:


Kent R. Clark, City Recorder

