

ORDINANCE No. 15-13

ROLL CALL

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

I MOVE this ordinance be adopted: Council member Davis

I SECOND the foregoing motion: Council member Dart

ORDINANCE No. 15-13

AN ORDINANCE AMENDING TITLE 15 TO CLARIFY MASTER PLANNED DEVELOPMENTS, INCREASE BUILDING HEIGHTS IN THE BUSINESS PARK ZONE, ADD THE RECREATION DIRECTOR TO THE DEVELOPMENT REVIEW COMMITTEE AND OTHER MINOR CHANGES

WHEREAS, Spanish Fork City has adopted a land use section in the municipal code which addresses development and zoning regulations; and

WHEREAS, a section of the land use code addresses master planned developments and establishes certain architectural standards for variety and value, which need to be clarified to carry out the intent of the Council; and

WHEREAS, building heights in the Business Park (BP) Zone need to be increased to accommodate hospitals, which are permitted uses in that zone; and

WHEREAS, many master planned developments address open space and parks and,

thus create a need for the Parks and Recreation Director to be involved in plat review and other planning issues covered by the DRC; and

WHEREAS, various minor changes are needed in the land use code, from time to time, to meet various legal requirements, to be more efficient, or to be more accommodating to the public; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 28th day of August, 2013, where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 3rd day of September, 2013, where additional public comment was received; and

WHEREAS, the Council finds it is in the best interest of the City to amend the land use code;

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

I.

Spanish Fork Municipal Code §15.1.04.020, Definitions, is hereby amended by deleting the definition of "Functionally Dependent Use," amending the definition of "Accessory Use or Building," and by adding the definitions of "Funeral Home," "Hospital," and "Principal Building" as follows:

Accessory Use or Building: A subordinate use or building customarily incidental to and located upon the same lot occupied by the main use, building or buildings.

Funeral Home: The provision of services including storing and preparing human remains for burial, cremation, and arranging, managing, and conducting funerals.

Hospital: A facility used for inpatient or outpatient medical and healthcare-related uses or services (one of which provides emergency medical services) or any incidental, ancillary or related uses or services including but not limited to medical office, research and/or development, information technology, warehouse and distribution, hospitality, food service and lodging.

Principal Building: A primary building located upon a lot, or a building that provides services in direct support of a property's primary use. Properties that are developed in a campus fashion may have more than one principal building located on an individual parcel.

II.

Spanish Fork Municipal Code §15.3.08.010(B)(2), Administrative Bodies and Officers, is hereby amended to include the parks and recreation director as a member of the DRC, as follows:

15.3.08.010 Administrative Bodies and Officers

B. Development Review Committee:

2. Organization: The DRC shall consist of the city public works director, engineering division manager, electric division superintendent, city manager, city community development director, city attorney, public safety director, parks and recreation director, and building official. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of the member. Other entities may be invited to participate as non-voting members, such as utility companies, irrigation companies, the US Postal Service, or others. The city public works director shall be the chair of the DRC and shall retain the right to cast a vote while acting as chair. A quorum of the Committee necessary before any business can be transacted shall consist of five (5) voting members. A majority vote of a quorum shall be necessary to approve any item or recommend approval of any item to the Commission or Council.

III.

Spanish Fork Municipal Code §§15.3.16.040, R-O Residential Office, 15.3.16.050, C-O Commercial Office, and 15.3.16.120, I-1 Light Industrial are hereby amended to allow funeral homes as permitted uses.

IV.

Table 2 of the Zoning Code, entitled Commercial and Industrial Development Standards is hereby amended to allow building heights in the B-P Business Park Zone of 120 feet.

V.

Spanish Fork Municipal Code §15.3.24.030(C)(5), Master Planned Developments, Design Appeal, is hereby repealed and §15.3.24.030(C)(2), Master Planned Developments, Duplicate Houses, is repealed and re-enacted as follows:

15.3.24.030 Master Planned Developments

C. Architecture

1. [no change]
2. Distinct Designs – Master Planned Developments shall provide a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive homes constructed along the same street are not allowed. In order to ensure that the neighborhood is non-repetitive, the same street facing elevation shall not be built on adjacent lots on the same street or on lots directly or diagonally across the street from one another. Different elevations shall be characterized by elements such as, but not limited to, distinct footprints,

rooflines, cladding materials or architectural features which contribute to home designs that are easily distinguishable from other home designs along the same street. The City Council may waive this requirement for developments which include multi-family housing that present specific architectural designs for the multi-family portion of the development at the time of project approval.

3. [no change]
4. [no change]
5. Repealed
6. Exterior Materials, to become subparagraph 5
7. Bonus Density, to become subparagraph 6

VI.

Spanish Fork Municipal Code §15.4.16.150(A)(1), Clear Vision Area, is hereby amended as follows:

15.4.16.150 Clear Vision Area

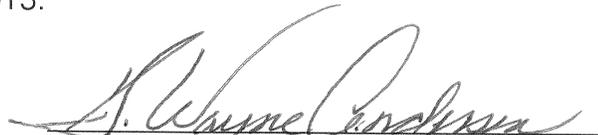
A. The clear vision area is formed by extending lines from each curb face to the point that the lines intersect, measuring back forty-five (45) feet along each curb face and connecting those points. Fencing, planting and other obstacles are restricted within this area as follows:

1. No solid fence shall exceed a height of three (3) feet, measured from the curb. Open fences such as chain link and wrought iron may be as tall as four (4) feet in the clear vision area, measured from the curb.
- 2 ~ 5 [no change]

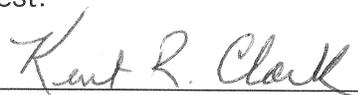
VII.

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

DATED this 3rd day of September, 2013.


G. WAYNE ANDERSEN, Mayor

Attest:


KENT R. CLARK, City Recorder

