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**Draft Minutes**  
**Spanish Fork City Planning Commission Meeting**  
**June 3, 2009**

**Commission Members Present:** Chairman Del Robins, Sherman Huff, Shane Marshall, Michael Christianson, Dave Lewis, Dave Stroud.

**Staff Present:** Dave Anderson, Planning Director; Shelley Hendrickson, Planning Secretary; Chris Thompson, Design Engineer; Kirk Nord, Assistant City Attorney.

**Citizens Present:** Angela Murdock, Kelly Murdock, Paul Pullman, Lynn Otteson, Travis Butler, illegible name, illegible name, Rex Taylor, Julie Frank, Sherman Frank, illegible name.

**CALL TO ORDER**

Chairman Robins called the meeting to order at 7:00 p.m.

**PRELIMINARY ACTIVITIES**

**Pledge**

Commissioner Christianson led the pledge of allegiance.

**Adoption of Minutes: May 6, 2009**

Commissioner Stroud **moved** to **approve** the minutes of May 6, 2009 with the noted corrections. Commissioner Lewis **seconded** and the motion **passed** all in favor.

Commissioner Christianson **moved** to open into public hearing. Commissioner Marshall **seconded** and the motion **passed** at 7:03 p.m.

42 **PUBLIC HEARINGS**

43

44 **Peterson Zoning and General Plan Map Amendments**

45 Applicant: Warren Peterson

46 General Plan: Residential 5.5 to 8 units per acre existing, Residential 9 to 12 units  
47 per acre proposed

48 Zoning: R-1-6 existing, R-3 proposed

49 Location: the General Plan Amendment includes the blocks between 200 East and  
50 300 East, 200 North and 400 North and the block bounded by 200 East, 100 North,  
51 300 East and Center Street; the Zoning Map Amendment is for the property located  
52 at 245 North 300 East.

53

54 Mr. Anderson explained how 300 East was something of a delineator between two of  
55 the General Plan designations. He said that, with the current General Plan  
56 Designation, if someone were to own an entire block, and receive In-Fill Overlay  
57 Zone approval, that the maximum number of dwelling units that could be constructed  
58 on a block would be 30. With the proposed change, the number would increase from  
59 30 to 44 units per block. It was explained that no property owner or developer was  
60 guaranteed the maximum density; it was possible but not guaranteed. He said the  
61 applicant was applying for a Zone Change along with the General Plan Amendment  
62 in order to construct two twin homes. The applicant, with the current designation,  
63 could build one single-family dwelling and one twin home. Mr. Anderson said he felt  
64 that the proposal had considerable merit and that the In-Fill Overlay Zone was  
65 written to promote this type of project.

66

67 Chairman Robins welcomed public comment.

68

69 Vicky Thompson

70 Ms. Thompson explained that her mother lived right next door to the property. She  
71 was concerned with the density and whether or not more than four units could be  
72 placed on the property if Mr. Peterson were to sell the property before the two twin  
73 homes (if approved) were built. She said she was also concerned with the structure  
74 being abutted right next to her home.

75

76 Chairman Robins explained to Ms. Thompson that the maximum number of units  
77 that could be achieved on the parcel was four units even if the property was sold to  
78 someone else.

79

80 Commissioner Lewis asked for clarification on the number of units. Mr. Anderson  
81 said the maximum number was four units.

82

83 Discussion was held regarding setbacks. Mr. Anderson said the rear setback was  
84 10 feet and that there had been discussion to increase that to 15 feet and that the  
85 minimum distance from a neighboring dwelling would need to be 15 feet.

86

87 Kelly Murdock

88 Mr. Murdock said that, prior to purchasing the home he lives in, a flag lot was  
89 approved for the property behind his house. He explained that his concern was  
90 density and, if any more multi-family dwellings were constructed, that it would  
91 increase the traffic. He also said he felt it was already too congested.

92

93 Chairman Robins asked how many units could be allowed on the flag lot.

94

95 Mr. Anderson said that single-family dwellings were all that could be built on a flag  
96 lot. Mr. Anderson said the flag lot was a legal building lot.

97

98 Mr. Murdock asked why the flag lot was included in the change.

99

100 Chairman Robins explained the flag lot was not included in the Zone change, only  
101 the General Plan Amendment change.

102

103 Lynn Ottison

104 Ms. Ottison said that her main concern was density. She gave an example of the  
105 school house apartments and the things that have happened there. She expressed  
106 her disappointment with the City's webpage resources. She said she was told by the  
107 Mayor that some of the information had not been updated for over three years. She  
108 said if she had known that obtaining signatures was not a requirement it would have  
109 saved her a lot of time. She explained that she felt if the public notice that was  
110 mailed out would have been more specific than it would have resolved a lot of  
111 questions.

112

113 Chairman Robins asked Ms. Ottison to be more specific about what the citizens'  
114 issues were; whether it was density or architecture, etc. Ms. Ottison said that when  
115 people look to purchase property that they look very carefully at the neighborhood  
116 and that people do not want to share a small space. She said that social problems  
117 are common when you put a large number of people in a small area.

118

119 Chairman Robins explained to Ms. Ottison that the City ordinance requiring  
120 signatures of 75 percent of the property owners only applied when the application  
121 covered more than one property.

122

123 Ms. Ottison suggested that more information be given for future public hearings.

124 Angela Murdock  
125 Ms. Murdock asked for clarification on the properties included in the Zone Change.  
126 Mr. Anderson explained that over the past 60 years a lot of different things had been  
127 allowed to be constructed in Spanish Fork City. He said when the 4-plexes were  
128 built (within the blocks involved in the General Plan Amendment) they were  
129 permitted on small parcels and that over time City officials had stopped permitting 4-  
130 plexes to be constructed on small lots. He said City officials were trying to create,  
131 through the overlay zone, a mechanism where we can look at a specific site and  
132 determine what might make sense.

133  
134 Commissioner Marshall explained that he felt the General Plan blueprint showed  
135 some inconsistencies and the impetus for the change was to fix the inconsistencies.

136  
137 Paul Pullman  
138 Mr. Pullman said he felt it was a shame that the neighbors did not have a say in this  
139 proposed change. He asked, if the General Plan continues to change, when it would  
140 stop? Commissioner Marshall explained he felt it would not stop and that the City  
141 would continue to grow and that responsible decisions needed to be made.

142  
143 Mr. Pullman said he felt the proposal was too congested. He said he knew the  
144 property behind him would change and did not want to see his block turn into  
145 something like the neighborhood by Albertsons.

146  
147 Commissioner Marshall said the In-Fill Overlay would be the mechanism to control  
148 that from happening.

149  
150 Discussion was held regarding density and development.

151  
152 Commissioner Marshall said he would prefer that the Commission look further than  
153 one block when considering changes to the General Plan. He said he felt to either  
154 approve the General Plan Amendment as proposed, or not approve it at all. He said  
155 he felt it was a reasonable proposal and that he wanted to preserve land and have  
156 places for his children to live in Spanish Fork, and to do that the City would need to  
157 be denser in some places.

158  
159 Commissioner Christianson said the General Plan designations were not that much  
160 different and the likelihood of someone purchasing the entire block was just not that  
161 reasonable.

162

163 Chairman Robins said he felt the project was good quality and, if anything, it would  
164 be the best multi-family dwelling in the neighborhood and it would be a shame to  
165 lose that.

166

167 Commissioner Christianson asked if they moved to approve the General Plan  
168 Amendment to only apply to one block, what would happen when the proposal went  
169 to the City Council.

170

171 Mr. Anderson said that the proposal would go to the City Council as proposed but  
172 with the Planning Commission recommendation to change only one block of the  
173 General Plan if that was what they chose to do.

174

175 Commissioner Huff said he was tending to lean to only approving one block and was  
176 torn by the attitude of what's good for me is not good for you. He said he was trying  
177 to base a decision on logic, and what was good for the City, instead of his heart.

178

179 Commissioner Marshall **moved** to recommend that the Planning Commission  
180 **approval** of the Peterson General Plan and Zoning Map Amendment based on the  
181 following findings:

182

- 183 1. That the proposed General Plan Amendment would establish an appropriate  
184 delineation for projects that are approved with R-1-6 and R-3 zoning provisions.
- 185 2. That the proposed R-3 zone is appropriate for the subject property given the  
186 General Plan designation and the property's proximity to 300 East.

187

188 Commissioner Lewis **seconded** and the motion **passed** by a roll call vote.

189 Chairman Robins voted nay because he felt the neighborhood did not understand  
190 the impacts of the In-Fill Overlay. Commissioner Stroud voted nay because he felt  
191 the General Plan Amendment should only apply to one block.

192

### 193 **Promise of Women and Families Conditional Use Permit**

194 (continued from April 1, 2009)

195 Applicant: Utah County

196 General Plan: Light Industrial

197 Zoning: Industrial 1

198 Location: 1169 East 1010 North

199

200 Mr. Anderson explained that since the April meeting the applicant had met one of the  
201 conditions of approval. He said he appreciated their efforts and having their facility  
202 in town.

203

204 Chairman Robins asked the applicant if they would like to comment. They did not.  
205 He welcomed public comment. There was none.

206

207 Commissioner Stroud **moved** to **approve** Promise of Women and Families  
208 Conditional Use Permit based on the following findings and conditions:

209

210 Findings

211

- 212 1. That upon meeting the proposed conditions, this use is consistent with the  
213 General Plan and the purpose of the Industrial 1 zoning district.
- 214 2. That the use is not materially detrimental to the health, safety or general  
215 welfare of persons who are either working or residing in the area based upon  
216 the conditions.
- 217 3. That the proposed site is adequate in size for its intended use and, with those  
218 conditions, does meet all of the setbacks, landscaping and buffers.
- 219 4. That the proposed site does have adequate access to public streets and, with  
220 the conditions being met, does have adequate parking.
- 221 5. That no additional conditions are needed to offset any other detrimental  
222 affects.

223

224 Conditions

225

- 226 1. That the applicant provide in writing that the requisite 15 parking stalls are  
227 made available for The Promise of Women and Families Facility.
- 228 2. That the operation of the facility be limited to indoor activities and that the  
229 exterior fencing be removed immediately.

230

231 Commissioner Huff **seconded** and the motion **passed** all in favor.

232

233 **Proposed Amendments to Title 15, Permitted and Conditional Uses**

234 (continued from May 6, 2009)

235 Applicant: Spanish Fork City

236 General Plan: City-wide

237 Zoning: City-wide

238 Location: City-wide

239

240 Mr. Anderson said he needed another month to address an issue that he would like  
241 to talk to the Commission about in a joint meeting with the City Council.

242

243 Chairman Robins **moved to continue** the proposed Amendments to Title 15,  
244 Permitted and Conditional Uses along with the public hearing. Commissioner Huff  
245 **seconded** and the motion **passed** all in favor.

246

### 247 **Public Facilities Map Amendment**

248 (continued from May 6, 2009)

249 Applicant: Spanish Fork City

250 General Plan: City-wide

251 Zoning: City-wide

252 Location: City-wide

253

254 Mr. Anderson said he had prepared an amendment to the text that he believes  
255 clarified that public and charter schools are appropriate uses to have in the Public  
256 Facilities zone. Mr. Anderson acknowledged that the ALA Academy had a structure  
257 that did not conform but that it was not the principal motivation in suggesting that the  
258 ALA Academy be zoned Public Facilities.

259

260 Commissioner Stroud asked if there were other cities that allowed charter schools in  
261 public facilities zones. Mr. Anderson said he did not know.

262

263 Discussion was held regarding the Public Facilities Zone being a good zone so that it  
264 is clear to citizens what they would be living next to.

265

266 Commissioner Lewis said that the Spanish Fork City and the American Leadership  
267 Academy had a contract for Spanish Fork City to use the American Leadership  
268 Academy's facilities.

269

270 Commissioner Huff said he had reservations zoning the American Leadership  
271 Academy because the school is on private property. Commissioner Lewis said the  
272 property was owned by a non-profit organization.

273

274 Mr. Anderson said that the purpose of zoning codes and land-use regulations are  
275 intended to address impacts and that he felt the American Leadership Academy met  
276 the language of the Public Facilities zone.

277

278 Commissioner Stroud asked Mr. Anderson if the City would force the American  
279 Leadership Academy to remove the non-conforming structure if the proposal did not  
280 pass. Mr. Anderson said no.

281

282 Commissioner Christianson asked if charter schools would have to locate to the  
283 Public Facilities zone in the future. Mr. Anderson said that, because charter schools  
284 are already exempt, the proposed change would not have much of an affect.

285

286 Commissioner Huff asked, if the proposed change would bring the non-conforming  
287 use into a conforming use, how tall could the structure become if the American  
288 Leadership Academy built onto it. He said he remembered that there were concerns  
289 about whether or not elevation should be added to the structure because of the  
290 neighbors.

291

292 Mr. Anderson said the American Leadership Academy could not add onto the legal  
293 non-conforming structure in the current zoning but if the proposal was approved than  
294 they would be able add onto the structure, but that it was not the main motivation for  
295 the proposal.

296

297 Commissioner Huff said he would be completely against the proposal if the non-  
298 conforming structure were brought into a conforming use and asked how tall it could  
299 be and, if it became obtrusive to the neighbors, if they may have some reservation  
300 as well. Mr. Anderson said 65 feet would be the maximum height and that if they  
301 wanted to build it that tall the setback would need to match.

302

303 Chairman Robins welcomed public comment. There was none.

304

305 Commissioner Marshall said he felt the American Leadership Academy was a good  
306 fit for the proposed zone.

307

308 Commissioner Marshall **moved** to recommend that the City Council **approve** the  
309 Public Facilities Map Amendments. Commissioner Christianson **seconded** and the  
310 motion **passed** by a roll call vote. Commissioner Huff voted nay because of his  
311 belief that the American Leadership Academy property is owned by a private entity.

312

### 313 **Proposed Amendments to Title 15, In-Fill Overlay**

314 (continued from May 6, 2009)

315 Applicant: Spanish Fork City

316 General Plan: City-wide

317 Zoning: City-wide

318 Location: City-wide

319

320 Mr. Anderson said he had condensed the changes into six or seven bullet points and  
321 described the most significant change involved no longer allowing multi-family uses  
322 in the R-1-6 zone.

323 Discussion was held regarding detached single-family homes and impervious  
324 surface area.

325

326 Commissioner Marshall expressed that he felt that only allowing multi-family in one  
327 zone is huge; as you move away from the core of the City the density decreases and  
328 he feels the transition should be gradual.

329

330 Mr. Anderson said that in the R-3 and R-1-6 zones it made sense to allow the  
331 General Plan to identify what the density would be.

332

333 Commissioner Marshall said he feels this proposal takes away from open space.

334

335 Chairman Robins asked if you could still build a twin home in the R-1-6 without  
336 applying for the In-Fill Overlay Zone. Mr. Anderson said no; that twin homes were  
337 not permitted by right.

338

339 Chairman Robins said he did not feel that we should be restricting the units that  
340 could be built in the Overlay zone. The In-Fill Overlay zone was made to encourage  
341 developers to be creative and he felt that the proposal was removing the creativity.

342

343 Commissioner Marshall **moved** to recommend that the City Council **approve** the  
344 changes with the exception of the change involving the disallowance of twinhomes  
345 and duplexes making the R-1-6 zone exclusively a single-family zone. Discussion  
346 was held regarding twin homes, duplexes, tri-plexes, and four-plexes in the R-1-6  
347 and R-3 zones. Chairman Robins **seconded** and the motion **passed** all in favor.

348

349 Commissioner Stroud **moved** to close public hearing. Commissioner Lewis  
350 **seconded** and the motion **passed** all in favor at 8:50 p.m.

351

352 Chairman Robins said it was Commissioner Lewis' and Commissioner Huff's last  
353 meeting. He said he will really miss them and thanked them for their service.

354

355 Commissioner Huff said it was a pleasure to serve the City.

356

357 Commissioner Lewis said he liked the direction the City was going and that the  
358 Planning Commission was in good hands. He said it was a pleasure to live in  
359 Spanish Fork.

360

361

362

363 **OTHER DISCUSSION**

364

365 **Discussion on Planning Commission work program**

366

367 Mr. Anderson said he had tentatively scheduled a joint meeting for the Planning  
368 Commission and City Council on July 7, 2009, to discuss the industrial area on the  
369 North side of the City. He said the homogenous zone was creating challenges for  
370 the City and that he had prepared a concept plan. He said the City was constantly  
371 trying to attract new companies, and felt that the inquiries have had some  
372 component of a regional headquarters for company operations where companies  
373 want to know that they are going into an area that is protected from noxious uses.

374

375 **ADJOURNMENT**

376

377 Commissioner Huff **moved** to **adjourn**. Commissioner Marshall **seconded** and the  
378 motion **passed** all in favor at 9:01 p.m.

379

380 **Adopted:**

381

382

383

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Shelley Hendrickson, Planning Secretary



# REPORT TO THE PLANNING COMMISSION FRIAR'S POINTE PRELIMINARY PLAT

**Agenda Date:** July 1, 2009

**Staff Contacts:** Dave Anderson, Community Development Director

**Reviewed By:** Development Review Committee

**Request:** The applicant, Jonathan Taylor, is requesting Preliminary Plat approval for a 1.37-acre site located at 200 East 1000 North.

**Zoning:** Commercial 2

**General Plan:** General Commercial

**Project Size:** 1.37 acres

**Number of lots:** 3

**Location:** 200 East 1000 North

## Background Discussion

In August of 2008, the City Council approved a Zone Change for the subject property. At that time, the Zoning was changed from R-3 to Commercial 2.

The proposed Preliminary Plat is consistent with the City's requirements for subdivisions in the Commercial 2 zone. The types of land uses that are permitted in the Commercial 2 zone are primarily retail-oriented. At present, staff understands that the applicant is working with prospective tenants for two of the three proposed lots. Prior to commencement on construction, a Site Plan must be approved by the City's Development Review Committee. Staff understands that the applicant plans to submit a Site Plan application for the development in the very near future.

## Development Review Committee

The Development Review Committee reviewed this request in their June 24, 2009 meeting and recommend that it be approved. Draft minutes of that meeting will be available in your meeting.

## Budgetary Impact

While the development of this project may eventually lead to an increase of revenue for the City, it is anticipated that the overall budgetary impact of the proposal is negligent.

## Recommendation

Staff recommends that the Friar's Pointe Preliminary Plat be approved based on the following finding and subject to the following condition:

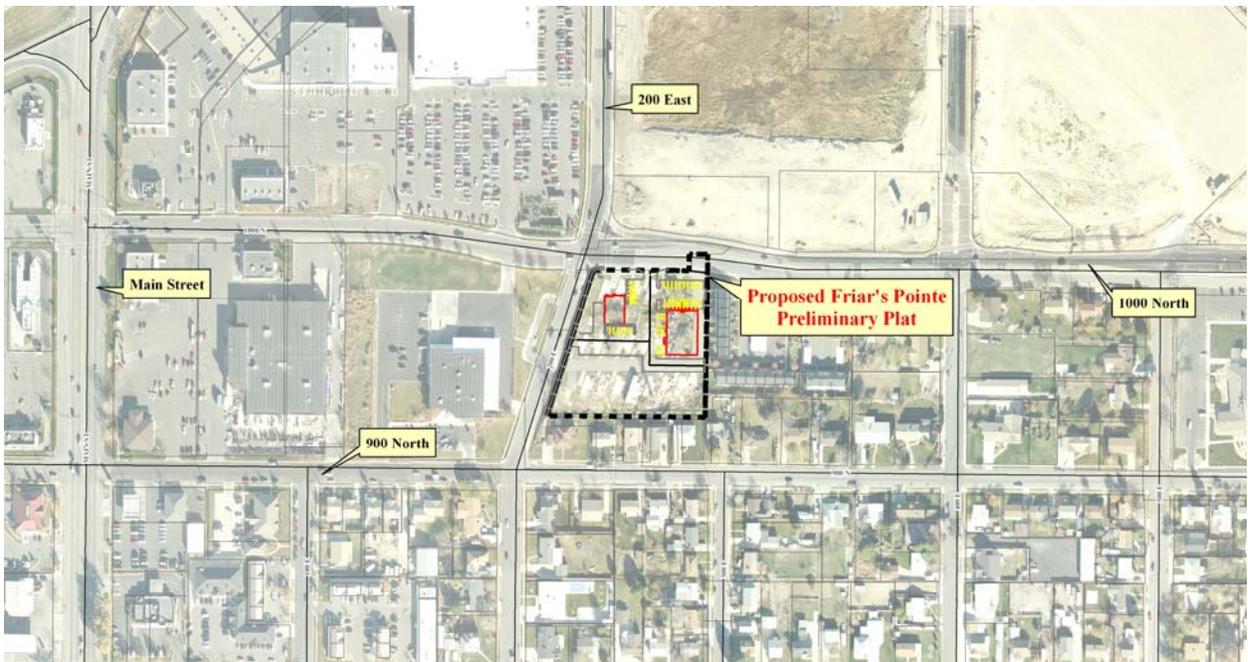
## Finding

1. That the proposed subdivision meets the requirements for the Commercial 2 zone.



**Condition**

1. That the applicant address the redlines provided by the City's Engineering and Power Departments prior to submitting a Final Plat application or receiving Site Plan approval.







# REPORT TO THE PLANNING COMMISSION PIDCOCK ZONE CHANGE

**Agenda Date:** July 1, 2009

**Staff Contacts:** Dave Anderson, Community Development Director

**Reviewed By:** Development Review Committee

**Request:** The applicant, Jerry Pidcock, is requesting that the zoning of a parcel be changed from R-1-9 to R-1-6.

**Zoning:** R-1-9 existing, R-1-6 requested

**General Plan:** Residential 2.5 to 3.5 units per acre

**Project Size:** 6,300 square feet

**Number of lots:** not applicable

**Location:** 1156 East Canyon

## Background Discussion

The applicant, Jerry Pidcock, would like to raze a legal non-conforming dwelling that currently exists on the subject property and replace it with a single-family home. However, the subject property falls short of having sufficient square footage in the R-1-9 zoning district to qualify as a legal building lot. If Mr. Pidcock removes the existing structure then the property's legal non-conforming status will be abandoned.

In order for the lot to be recognized as a legal building lot, the area needs to increase or the zoning must change. At present, Mr. Pidcock is permitted to demolish the existing structure but is not eligible for a building permit to replace the existing dwelling.

The subject property is currently zoned R-1-9. Mr. Pidcock has requested that the zoning be changed to R-1-6. If the zoning is changed to R-1-6 then the lot will be a legal building lot and would be eligible for a building permit.

In this case, three lots immediately east of the subject property are zoned R-1-6 but most of the surrounding area is zoned R-1-9. Also, the General Plan designation for the subject property is Residential 2.5 to 3.5 units per acre. R-1-9 zoning is consistent with the General Plan designation but R-1-6 zoning is typically considered inconsistent with the 2.5 to 3.5 unit per acre designation.

With all that said, staff supports the proposed Zone Change, as staff believes it will result in the removal of a blighted dwelling and facilitate the construction of a new home. Staff also believes it is appropriate to review a prospective amendment of the General Plan for the properties surrounding the 1100 East/Canyon Road intersection. In this case, staff suggests that such an amendment to the General Plan be undertaken as part of the City-wide update that will be performed in 2010.

## Development Review Committee

The Development Review Committee reviewed this request in their June 24, 2009 meeting and



recommended that it be approved. Minutes from that meeting will be presented in the July 1, 2009 Planning Commission meeting.

### **Budgetary Impact**

There is no budgetary impact anticipated with the proposed Zone Change.

### **Recommendation**

Staff recommends that the proposed Zone Change be approved based on the following findings:

1. That the proposed change will permit the construction of a new single-family dwelling on the subject property.
2. That the adjacent properties to the East are zoned R-1-6.



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# SPANISH FORK

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## MEMORANDUM

**TO:** Spanish Fork City Planning Commission

**FROM:** Dave Anderson, Community Development Director

**DATE:** June 25, 2009

**RE:** July 1, 2009 Agenda

Accompanying this correspondence is a draft copy of the changes that we propose to make to the lists of permitted and conditional uses that are identified in each of the City's zoning districts. A public hearing to review these changes was scheduled for your May 6 meeting and has been continued in both May and June. A public hearing is now scheduled for your July 1, 2009 meeting.

Additional modifications to Title 15 have been proposed and are scheduled for your July 1 meeting as well. A draft ordinance relative to those proposed changes has been prepared by the City Attorney and accompanies this memorandum. The nature of these changes is fairly simple: Spanish Fork City is proposing to remove the City's requirement to hold a public hearing as part of the Preliminary Plat review process. This change is proposed at this time as the State Code was recently amended to make public hearings for Preliminary Plat approval optional, rather than mandatory.

The Development Review Committee reviewed the proposed changes and recommended that they be approved on June 24, 2009. Subsequent to holding a public hearing, the Planning Commission may take action to continue the proposed changes, recommend that the proposed changes be approved, recommend that the proposed changes be approved with modifications or recommend that the proposed changes be denied. Given the substantial impact that these changes will have on the City's land-use regulations, staff invites the Planning Commission to spend ample time reviewing what is proposed. In staff's view, discussing the proposed changes in more than one meeting would not cause any hardship or problem.

attachment: proposed ordinance to rescind public hearing requirement for Preliminary Plats  
proposed changes to permitted and conditional uses

**ORDINANCE NO.**

**ROLL CALL**

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

I MOVE this ordinance be adopted:

I SECOND the foregoing motion:

**ORDINANCE No.** \_\_\_\_\_

**AN ORDINANCE AMENDING THE NOTICE REQUIREMENTS FOR COMMERCIAL,  
INDUSTRIAL, AND MULTIFAMILY RESIDENTIAL PLATS**

WHEREAS, Spanish Fork City has adopted a land use ordinance in accordance with State Law; and

WHEREAS, in order to comply with State Law, the Spanish Fork Land Use Ordinance mandates notices and public hearings for preliminary plats for industrial, commercial, and multifamily residential projects; and

WHEREAS, State Law also mandates that preliminary plat applications which are in conformance with the City standards must be approved, which makes the necessity of public hearings meaningless; and

WHEREAS, the 2009 Utah State Legislature repealed the requirement to hold public hearing for commercial, industrial, and multifamily residential plats; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday the 1st day of July 2009, where public comment was received; and

WHEREAS, public hearing was held before the Spanish Fork City Council on Tuesday the 21st day of July 2009, where additional public comment was received; and

WHEREAS, in order to protect the health, safety, welfare of the residents of the City, and in compliance with Utah State law, it is advisable to repeal the requirements of public hearings for preliminary plats for commercial, industrial, and multifamily residential projects;

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

**I.**

Spanish Fork Municipal Code §15.1.04.040(C) is hereby repealed.

**II.**

Spanish Fork Municipal Code §15.1.04.040(B) is hereby amended to read as follows:

**15.1.04.040 Notices.**

- B. Conditional use permits and specific property zone changes shall be posted on the subject property and mailed to all property owners located within 300 feet of the subject property.

**III.**

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

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

JOE L THOMAS, Mayor

ATTEST:

KIMBERLY ROBINSON, City Recorder

### **15.3.16.010. Agricultural and Rural Residential Districts.**

#### **A-E Exclusive Agriculture.**

#### **R-R Rural Residential.**

**A-E:** The purpose of this district is to promote agricultural production on lands with high quality soil types. The lands will usually not be suited for other urban uses because of location within a floodplain, or distance to other urban services.

**R-R:** This district is similar in character with the A-E District, but parcel sizes are generally somewhat smaller and the soil types may be lower quality. Many of these areas within the Growth Management boundary will likely be rezoned and developed with higher density uses as utilities are extended and adequate streets are developed and/or widened. Other lands outside the Growth Management boundary may eventually be converted to urban uses when a need is shown to expand that boundary.

#### **A. Permitted Uses:**

1. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.

2. Commercial horse riding, training, and boarding stables. (A-E District only)

3. Living quarters for agricultural employees employed on the premises. (A-E District only)

4. Wholesale plant nurseries. ~~(A-E District only)~~

5. One (1) single residence dwelling per lot.

#### ~~6. Foster home.~~

7. Seasonal fruit, vegetable, and hay retail sales structures of less than 500 square feet when located on the premises where the products are raised.

#### ~~8. Public parks and recreational facilities.~~

#### ~~9. Golf courses and related facilities.~~

#### ~~10. Public schools. (R-R District only, and when located on a collector or arterial street)~~

11. Veterinary offices including outdoor boarding of animals if animals are kept at least 200 feet from any neighboring house.

#### ~~12. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

13. Churches. (R-R District only, and when located on a collector or arterial street)

#### **14. Veterinary offices for large animals and/or outside boarding of any animals.**

15. Municipal facilities required for local service.

#### **B. Uses Subject to Conditions ~~(as described in §15.3.24.010 et seq.):~~**

#### ~~1. Home Child Care Center.~~

2. Home Occupations. ~~(as described in §5.40.010 et seq.)~~

#### ~~3. Instructional Studio.~~

4. Manufactured Home. ~~(as described in §15.3.24.040 et seq.)~~

5. Residential facility for persons with a disability. ~~(as described in §15.3.24.010 (A) et seq.)~~

6. Residential facility for elderly persons. ~~(as described in §15.3.24.010 (B) et seq.)~~

#### **C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

**15.3.16.020. Residential Districts.**

**R-1-80, R-1-60, R-1-40, R-1-30:** These districts provide a rural residential environment within Spanish Fork that are characterized by large single family lots conducive to animal rights **as defined in section 15.3.24.090 H.**

**R-1-20, R-1-15, R-1-12:** These districts provide low-density single family lots within Spanish Fork City.

**R-1-9, R-1-8:** These districts are to provide moderate density that is characterized by a variety of single family housing types and lot sizes.

**R-1-6:** This district provides a residential environment that is medium high density with a variety housing choices include single family homes, twin homes, townhomes and duplexes.

**A. Permitted Uses:**

1. One (1) single residence dwelling per lot.

~~2. Foster home.~~

~~3. Public parks and recreational facilities.~~

~~4. Golf courses and related facilities.~~

5. Municipal facilities required for local service.

6. Churches. (when located on a collector or arterial street)

~~7. Public schools (R-R District only, and when located on a collector or arterial street)~~

~~8. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

**B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):**

~~1. Home Child Care Centers.~~

2. Home Occupations. (as described in §5.40.010 et seq.)

~~3. Instructional Studio.~~

4. Manufactured Home. (as described in §15.3.24.040 et seq.)

5. Master Planned Developments. (as described in §15.3.24.030 et seq.)

6. Subdivision Model Home Complexes. (as described in §15.3.24.060 et seq.)

7. Temporary office or construction trailers. (as described in §15.3.24.040 et seq.)

8. Residential facility for persons with a disability. (as described in §15.3.24.070 (A) et seq.)

9. Residential facility for elderly persons. (as described in §15.3.24.010 (B) et seq.)

**C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

2. Accessory, mother-in-law, or basement apartments (R-1-6 district only) must meet the conditions of 15.3.24.090.

3. Private schools (when located on a collector or arterial street).

4. Residential treatment center must meet conditions of §15.3.24.010.

5. Assisted living facility must meet minimum conditions of §15.3.24.010.

### **15.3.16.030. R-3 Residential District.**

This district is intended to promote high density residential uses. There will be a mix of dwelling types, with a larger proportion of twin homes, duplexes, and multi-family dwellings than single residence dwellings.

#### **A. Permitted Uses:**

1. Single residence dwellings.

#### ~~2. Foster home.~~

#### ~~3. Public parks and recreational facilities.~~

4. Municipal facilities required for local service.

5. Churches. (when located on a collector or arterial street)

#### ~~6. Public schools (R-R District only, and when located on a collector or arterial street)~~

#### ~~7. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

#### **B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):**

#### ~~1. Home Child Care Centers.~~

2. Home Occupations. (as described in §5.40.010 et seq.)

#### ~~3. Instructional Studio.~~

4. Manufactured Home. (as described in §15.3.24.040 et seq.)

5. Master Planned Developments. (as described in §15.3.24.030 et seq.)

6. Subdivision Model Home Complexes. (as described in §15.3.24.060 et seq.)

7. Temporary office or construction trailers. (as described in §15.3.24.040 et seq.)

8. Residential facility for persons with a disability. (as described in §15.3.24.010 (A) et seq.)

9. Residential facility for elderly persons. (as described in §15.3.24.010 (B) et seq.)

#### **C. Uses Subject to Conditional Use Permit**

#### **(see §15.3.08.060):**

1. Residential treatment center must meet minimum conditions of §15.3.24.090.

2. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

3. Assisted living facility must meet minimum conditions of §15.3.24.090.

### **15.3.16.040. R-O Residential Office.**

This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and site plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and residential land uses, or is located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

#### **A. Permitted Uses:**

1. Single residence dwellings.
2. Duplexes. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback 10 feet.
3. Bed and Breakfast Inns.
4. Offices.
5. Home Occupations.

#### ~~6. Foster home.~~

#### ~~7. Public parks and recreational facilities.~~

8. Churches (when located on a collector or arterial street).

#### ~~9. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

10. Child care centers.

#### **11. Instructional Studio.**

#### **12. Museums.**

13. Municipal facilities required for local service.

The following uses will only be allowed on properties between 100 West and 100 East:

1. Art galleries and studios.
2. Financial institutions with no drive-thru service.
3. Personal service businesses.
4. Restaurants (no drive-thru or drive-in service).
5. Specialty retail uses including, but not limited to, gift shops, bookstores, florists, antiques, crafts, collectibles, food and beverages, apparel, and other similar items.

#### **B. Uses subject to Conditions (as described in §15.3.24.010 et seq.):**

##### ~~1. Home child care centers.~~

##### ~~2. Instructional Studio.~~

3. Manufactured Home. (as described in §15.3.24.040 et seq.)
4. Residential facility for persons with a disability. (as described in §15.3.24.010 (A) et seq.)
5. Residential facility for elderly persons. (as described in §15.3.24.010 (B) et seq.)

#### **C. Accessory Buildings and Uses (see §15.3.24.090).**

#### **D. Development Standards (see Table 1).**

#### **E. Site Plan/Design Review (see §15.4.08.010 et seq.):**

Architectural and building materials review will be critical in this district to ensure that new or remodeled structures maintain an appearance which is highly compatible with adjoining residential areas.

#### **F. Landscaping, Buffering, Walls (see §15.4.16.130).**

#### **G. Signs (see §5.36.010 et seq.).**

#### **H. Parking (see §15.4.16.120):**

No parking will be allowed in front of the principal structure for non-residential uses.

#### **I. Uses subject to Conditional Use Permit (see §15.3.08.060):**

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
2. Nursing or retirement homes.
3. Supervisory Care Facility.
4. Assisted Living Facility.
5. Shelter Care Facility

**~~6. Nursing or Retirement Home.~~**

7. Residential Treatment Center.

8. Financial Institutions not located between 100 West and 100 East.

**9. Museums.**

**15.3.16.050. C-O Commercial Office.**

This district is intended to provide for general office development. It may serve as a transition between commercial uses and residential areas, or it may be designed as a concentration of similar uses intended as an employment center.

**A. Permitted Uses:**

1. Child care centers.
2. Churches.
3. Financial institutions.
4. Medical and dental laboratories, clinics, emergency medical care facilities.
5. Nursing or retirement homes.
6. Offices.
7. Municipal facilities required for local service.
8. Supervisory care facilities.
9. Veterinary offices for small animals with no outside boarding of animals.

**10. Instructional Studio.**

~~11. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

**B. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Hospitals.
2. Restaurants ~~(no drive-thru or drive-in service).~~
3. Retail stores, personal service businesses, office supply stores, pharmacies when integrated into the office complex.
4. Veterinary offices for large animals and/or outside boarding of any animals.
5. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
6. Medical and dental clinics.
7. Emergency medical care facilities.

**8. Museums.**

### **15.3.16.060. C-D Downtown Commercial.**

This district is intended to promote and maintain the character of a pedestrian oriented retail district along Main Street. Building orientation should strongly encourage pedestrian use by having buildings close to the street with frequent entrances to buildings, and significant amounts of glass. Drive-thru uses should be strongly discouraged.

#### **A. Permitted Uses:**

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Art galleries and studios.
2. Entertainment uses ~~such as theaters, museums, indoor commercial recreation, and health clubs.~~
3. Financial institutions with no drive-thru service.
4. Hotels, with all guest rooms above the first floor.
5. Office supply, copying, printing businesses.
6. Offices.
7. Personal service businesses.
8. Residential uses when located above the first floor.
9. Restaurant ~~(no drive-thru or drive-in service).~~
10. Retail uses, except those which include automotive service, repair **or sales.**

#### **11. Instructional Studio.**

~~12. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

13. Municipal facilities required for local service.

#### **B. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Drive-thru facilities as part of a financial institution.

#### **2. Parking structures.**

3. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

### **15.3.16.070. C-1 Neighborhood Commercial.**

This district is intended to provide small scale retail, personal and business services, and office uses to serve the immediate residential area. Individual businesses may not exceed 7,500 square feet to discourage uses which draw from outside of the immediate neighborhood.

#### **A. Permitted Uses:**

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise. The hours of operation are limited to 6:00 A.M. to 11:00 P.M.

##### ~~1. Automotive service stations.~~

##### ~~2. Automobile wash, self-service or automatic.~~

3. Child care centers.

4. Financial institutions.

5. Office supply, copying, printing businesses.

6. Offices.

7. Personal service businesses.

8. Restaurants.

9. Retail uses.

##### ~~10. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

##### 11. Convenience store.

##### 12. Instructional Studio.

13. Municipal facilities required for local service.

#### **B. Uses Subject to Conditions ~~(as described in §15.3.24.010 et seq.):~~**

1. Seasonal sales and special events. **(as described in §15.3.24.050 et seq.)**

#### **C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

##### **2. Car wash. (self or full service)**

**15.3.16.080. C-2 General Commercial.**

This district is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center.

**A. Permitted Uses:**

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Art galleries and studios.
- ~~2. Automotive service stations, minor automotive repair.~~
3. Child care centers.
4. Churches.
5. Private clubs.
6. Entertainment uses ~~such as theaters, museums, indoor commercial recreation, and health clubs.~~
7. Financial institutions.
8. Hotels and motels.
9. Medical and dental laboratories.
- ~~10. Nursing or retirement homes.~~
11. Office supply, copying, printing businesses.
12. Offices.
13. Personal service businesses.
14. Public utility facilities required for local service.
15. Restaurants.
16. Retail uses.
17. Repair services for small appliances, bicycles, jewelry, and similar items.
- ~~18. Supervisory care facilities.~~
- ~~19. Veterinary offices for small animals with no outside boarding of animals.~~
- ~~20. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~
21. Instructional Studio
22. Lube Center.
23. Tire Center.
24. Convenience Store.
25. Car wash (full service).
26. Municipal facilities required for local service.

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such:

1. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.

~~2. Retail plant nurseries.~~

**B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):**

1. Seasonal sales and special events. (as described in §15.3.24.050 et seq.)

**C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

- ~~1. Automotive body repair, major automotive repair.~~
2. Outdoor commercial recreation facilities.
- ~~3. Veterinary offices for large animals and/or outside boarding of any animals.~~
4. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
5. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

### **15.3.16.090. S-C Shopping Center.**

This district is intended to provide retail uses, service oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically be five (5) to fifteen (15) acres in size and provide neighborhood or community level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

#### **A. Permitted Uses:**

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Retail uses.

#### **2. Personal service businesses.**

3. Offices.

4. Restaurants.

5. Entertainment uses ~~such as theaters, museums, indoor commercial recreation, and health clubs.~~

6. Office supply, copying, and printing businesses.

#### **7. Child care center.**

8. Art galleries and studios.

~~9. Repair services for small appliances, bicycles, jewelry, and similar items.~~

~~10. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).~~

11. Instructional Studio

12. Lube Center.

13. Tire Center.

14. Convenience Store.

15. Car wash. (full service)

~~16. Retail plant nurseries.~~

17. Municipal facilities required for local service.

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such business:

#### **B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):**

1. Seasonal sales and special events. (as described in §15.3.24.050 et seq.)

#### **C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

~~1. Automotive service stations, minor automotive repair, automobile wash facilities.~~

2. New **and used** automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.

3. Hotels and motels.

4. Outdoor commercial recreation facilities.

5. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.

6. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

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

#### **E. Development Standards (see Table 2).**

#### ~~F. Performance Standards:~~

~~1. Design review for the entire shopping center must be approved prior to issuance of building permits for any portion of the site. A shopping center may be built in phases, but at least fifty percent (50%) of the gross floor area must be built in the first phase.~~

~~2. The shopping center must include a plaza or plazas containing at least 1,000 square feet per acre of the site. The plaza shall include shade trees, seating areas, tables, and trash receptacles.~~

~~3. Freestanding buildings apart from the main center must access from interior shopping center drives and not directly to the adjoining streets.~~

### **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:**

1. Multi-family residential.
2. Retail uses.
3. Offices.
4. Restaurants.
5. Financial institutions, without drive through facilities.

#### ~~6. Department stores.~~

#### ~~7. Gas station/convenience stores.~~

#### ~~7. Convenience Store.~~

8. Health and fitness facilities, recreation facilities.
9. **Public** Private schools, professional and vocational.
10. Personal service businesses.

#### ~~11. Government facilities.~~

#### ~~12. Museums, art galleries, dance studios, live performance theaters.~~

#### ~~13. Movie theaters.~~

#### ~~13. Dental/medical offices.~~

#### ~~14. Farmer's markets.~~

#### ~~15. Plant and garden shops with outdoor sales.~~

#### ~~16. Hotels.~~

#### ~~17. Laundry and dry cleaning.~~

#### ~~18. Personal service businesses.~~

#### ~~19. Instructional Studio.~~

#### **B. Uses Subject to Conditions (as described in ~~§15.3.24.010~~):**

1. Seasonal sales and special events. (as described in §15.3.24.050 et seq.)

#### **C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Financial institutions, with drive through facilities.

#### ~~2. Veterinary offices. (small animals)~~

3. Restaurants with drive through facilities.

#### ~~4. Child Care Center.~~

#### ~~4. Day care facilities.~~

#### ~~5. Auction sales. (indoor only)~~

#### ~~6. Private schools.~~

### **15.3.16.110. B-P Business Park.**

This district is intended to provide employment areas in a large scale campus style development. Projects will include generous landscaped areas, functional pedestrian spaces and walkways, and will also be designed to be compatible with any adjoining residential areas. Typical uses include administrative and research companies, offices, laboratories, and limited manufacturing and assembly industries. Limited commercial uses which are compatible with and support the Business Park are allowed.

#### **A. Permitted Uses:**

The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise:

1. Research, development, and testing services.
- ~~2. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those listed as conditional uses in the I-2 District.~~
3. Trade or business schools.
4. Office supply, copying, printing businesses.
5. Offices.
6. Restaurants.
7. Financial institutions.
8. Health clubs.
9. Personal service businesses.
10. Child care centers.
11. Telecommunication towers not taller than sixty (60) feet.

#### **12. Hospitals.**

#### **13. Convenience Store.**

#### **14. Tire Center.**

#### **15. Lube Center.**

#### **16. Instructional Studio.**

#### **17. Car wash (full service).**

#### **18. Museum.**

#### **19. Retail uses.**

20. Municipal facilities required for local service.

#### **B. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

~~1. Automotive service stations, minor automotive repair, automobile wash facilities.~~

~~2. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.~~

3. Hotels and motels.

#### **C. Accessory Buildings and Uses (see §15.3.24.090).**

#### **D. Development Standards (see Table 2).**

#### **E. Performance Standards:**

1. No use shall be conducted which may cause the dissemination of glare, vibration, smoke, gas, dust, odor, or any other atmospheric pollutant outside the building in which the use is conducted.
2. No use shall result in noise perceptible beyond the boundaries of the immediate site of the use.
3. Outdoor storage is prohibited.

### **15.3.16.120. I-1 Light Industrial.**

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water, or noise pollution will not be allowed. Residential uses are not allowed.

#### **A. Permitted Uses:**

~~1. Manufacturing and assembly of finished products except animal and marine fats and oils, ammunition, and those uses listed as conditional uses in the I-2 District.~~

**1. The indoor manufacturing, assembly and storage of finished products.**

**2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.**

3. Lumber and building material yards.

4. Contractor warehouse and storage yards.

5. Trucking and warehousing.

6. Research, development, and testing services.

7. Automotive service, paint and body work, other consumer goods repair.

~~8. Self-storage warehouses and/or recreational vehicle storage.~~

9. Trade or business schools.

10. Office supply, copying, printing businesses.

11. Offices.

12. Restaurants.

13. Financial institutions.

14. Retail **uses.**

15. Telecommunication towers not taller than sixty (60) feet.

16. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.

**17. Instructional Studio.**

**18. Veterinary offices for large animals and/or outside boarding of any animals.**

**19. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.**

**20. Car wash (self or full service).**

**21. Automotive repair.**

**22. Lube Center.**

**23. Tire Care Center.**

24. Municipal facilities required for local service.

~~21. All permitted uses in the C-2 district except nursing or retirement homes and supervisory care facilities.~~

#### **B. Uses Subject to Conditions (as described in ~~§15.3.24.010 et seq.~~):**

1. Seasonal sales and special events. **(as described in §15.3.24.050 et seq.)**

2. Sexually oriented businesses as defined in Chapter 5.28 of the Spanish Fork Municipal Code.

#### **C. Uses Subject to Conditional Use Permit**

**(see §15.3.08.060):**

1. Outdoor commercial recreation facilities.

2. Drive-in theaters.

3. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.

4. Telecommunication towers taller than sixty (60) feet.

5. Jails, county and city.

~~6. Transfer facility~~

7. Residential Treatment Center (not owner occupied).

8. Rehabilitation treatment facility.

9. Shelter care facility.

10. Publically owned and operated recycling centers.

11. Publically owned and operated compost facilities.

### **15.3.16.130. I-2 Medium Industrial.**

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

#### **A. Permitted Uses:**

1. Manufacturing and assembly of finished products except animal ~~and marine~~ fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards.
5. Trucking and warehousing.
6. Research, development, and testing services.

#### **7. Automotive repair.**

#### **8. Lube Center.**

#### **9. Tire Care Center.**

10. Municipal facilities required for local service.
11. Trade or business schools.
12. Office supply, copying, printing businesses.
13. Offices.
14. Restaurants.
15. Financial institutions.
16. Retail **uses**.
17. Telecommunication towers not taller sixty (60) feet.

#### **18. Car wash (self or full service).**

#### **19. Impound yard.**

#### **B. Uses Subject to Conditions ~~(as described in §15.3.24.010 et seq.):~~**

1. Seasonal sales and special events. **(as described in §15.3.24.050 et seq.)**

#### **C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Manufacture of concrete products.

#### ~~**2. Outdoor commercial recreation facilities.**~~

3. Drive-in theaters.
4. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
5. Telecommunication towers taller than sixty (60) feet.
6. Self-storage warehouses and/or recreational vehicle storage.

#### **7. Transfer facility.**

~~15.3.16.150. Recreation Facilities (R-F):~~

~~The purpose of this zoning district is to allow indoor and outdoor recreation activities and facilities in similar activities in certain sections of the City while insuring compatibility with surrounding uses:~~

~~A. Permitted Uses:~~

- ~~1. Animal exhibitions and competitions. (fairgrounds only)~~
- ~~2. Antique fairs and shows.~~
- ~~3. Art and craft fairs and shows.~~
- ~~4. Auctions.~~
- ~~5. Campgrounds. (tent and RV)~~
- ~~6. Circuses. (fairgrounds only)~~
- ~~7. Fairgrounds.~~
- ~~8. Fishing and boating.~~
- ~~9. Home, farm, and garden shows. (fairgrounds only)~~
- ~~10. Horse and animal shows. (fairgrounds only)~~
- ~~11. Jamborees, scouting events, 4H club events, etc.~~
- ~~12. Municipal facilities required for local service.~~
- ~~13. Public events (concerts, picnics, farmer's markets, etc):~~
- ~~14. Public parks, recreation events, swimming pools and facilities.~~
- ~~15. Public golf course.~~
- ~~16. Rodeo. (fairgrounds only)~~
- ~~17. Public shooting range. (gun club only)~~
- ~~18. Sporting events.~~
- ~~19. Wireless communication facilities on light stanchions on public property (so long as the structure height does not exceed 60 feet and is a monopole). Because no list of uses can be complete, uses similar in size, scope, type, and impact to those listed above will be reviewed and allowed by the Planning Director. Appeals can be made to the City Council.~~

~~B. Uses subject to conditional use permit. (see §15.3.08.060):~~

- ~~1. Wireless communication facilities over 60 feet in height to a maximum of 120 feet must be located on a parcel over five acres in size.~~

~~C. Prohibited uses:~~

~~Uses not identified as permitted or allowed with conditions, are prohibited.~~

**15.3.16.160. Public Facilities (P-F).**

This district is intended to provide for structures and uses that are owned, leased, or operated by a governmental entity for the purpose of providing governmental services to the community. Allowed uses will be necessary for the efficient function of the local community or may be desired services which contribute to the community's cultural or educational enrichment. Other allowed uses will be ancillary to a larger use that provides a direct governmental service to the community.

**A. Permitted Uses:**

1. Child care centers.
2. Offices.
3. Public safety facilities.
4. Court buildings and related facilities.
6. Government owned nurseries and tree farms.
7. Municipal facilities required for local service.
8. Golf courses and related facilities.
9. Public parks and recreational facilities.
10. Libraries.
11. Public art galleries.
12. Transit centers and related facilities.
13. Government maintenance shops and related facilities.
14. Campgrounds.
15. Government storage buildings.
16. Government storage yards.
18. Public schools.
19. Museums.
20. Theaters.
21. Publicly owned zoos.
22. Temporary office and construction trailers.
24. Cemeteries.
25. Publicly owned stadiums and arenas.
26. Gun clubs and firing ranges.
27. Parking structures.

**28. Automotive repair.**

**29. Lube Center.**

**30. Car wash. (self or full service)**

31. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).

**B. Uses Subject to Conditional Use Permit**

**(see §15.3.08.060):**

1. Hospitals.
2. Restaurants.
3. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

**Instructional Studio:** A facility in which instruction is offered for piano, gymnastics, voice, art, or similar activities. ~~for seven (7) to twelve (12) students, including the instructor's own participating family members. Instruction of six (6) or fewer students is exempt from these regulations.~~

**Outdoor commercial recreation facility:** Enterprises which include such uses as miniature golf courses, batting cages, waterslides, swimming pools or other similar activities that do not involve motorized vehicles.

**Museum:** A building or place where works of art, scientific specimens, historic artifacts or other objects of permanent value are kept and displayed.

**Caretaker dwelling:** A dwelling which is ancillary to the principal use of a property which is exclusively occupied by an individual or individuals who are in charge of the maintenance of a building or business. Caretaker dwellings shall not have more than one bedroom.

**Lube Center:** A facility which primarily provides oil change and similar servicing or performs minor mechanical repair of motor vehicles. The outdoor overnight storage of vehicles is not permitted in association with the Lube Center use.

**Tire Care Center:** A facility which primarily sells and services automotive tires, provides oil change and similar servicing, and performs minor mechanical repair of motor vehicles. The outdoor overnight storage of vehicles is not permitted in association with the Tire Care Center use.

**Convenience Store:** A building or use which is primarily engaged in the provision of frequently needed, day to day retail goods including gasoline, food and non-food products.

**Impound Yard:** A facility that provides for the secured storage of automobiles with or without the permission of the owners by a person who is licensed to hold the automobiles.

**Carwash (full service):** A car wash that is completely mechanized (drive-thru operation) and that is ancillary to another use or an operation where the cleaning services are exclusively performed by employees of the establishment without the aid of the patron or coin operated devices.

**Carwash (self serve):** A business establishment which provides car cleaning services where part or all of the cleaning is performed by the patron with the aid of coin operated cleaning devices.

~~**Automotive Repair, Major:** A facility which services motor vehicles with all types of repair work including major engine and transmission repairs, body work, painting, and similar activities.~~

~~**Automotive Repair, Minor:** A facility which services motor vehicles with minor engine repair, tire repair, battery repair or changing, lubrication, storage of merchandise and supplies relating to the servicing of motor vehicles, but excluding major automobile engine or transmission repairs, body work, painting, or similar activities.~~

**Automotive Repair:** A facility which services motor vehicles with all types of repair work including major engine and transmission repairs, body work, painting, and similar activities.