

ORDINANCE No. 08-22

ROLL CALL

VOTING	YES	NO
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>		
CHAD ARGYLE <i>Councilmember</i>	X	
STACY BECK <i>Councilmember</i>	X	
BRANDON B. GORDON <i>Councilmember</i>	X	
SHANE MARSHALL <i>Councilmember</i>	X	
KEVIN OYLER <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Oyler

I SECOND the foregoing motion: Councilmember Beck

ORDINANCE No. 08-22

AN ORDINANCE AMENDING TITLE 15 REQUIRING ADDRESS CHANGE FOR ANNEXED PROPERTIES

WHEREAS Spanish Fork City has enacted a land use ordinance to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS the City has adopted Section 15.3.08.030 of the Spanish Fork Municipal Code dealing with the process of approving annexations;

WHEREAS amendments to the land use ordinance need to be made from time to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices; and

WHEREAS properties that have been annexed into Spanish Fork City should bear a Spanish Fork address to eliminate confusion for emergency response;

WHEREAS a public hearing was held before the Planning Commission on December 1, 2021, whereat public comment was received; and

WHEREAS a public hearing was held before the Spanish Fork City Council on December 1, 2022, whereat additional public comment was received;

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

Section 1. Amendment of Code. Spanish Fork Municipal Code § 15.3.08.030 Annexations” is hereby amended as follows:

15.3.08.30 Annexations


- A. Application: A party seeking Annexation to the City shall submit an Annexation petition. Petition is made by following the instructions on the electronic form provided by the Community Development Department, which meets the criteria established by state law. The petition will be placed on the Council agenda for rejection or acceptance for further review, the City Recorder shall publish the notices, and provide the written notices as required by state law and follow the requirements of state law. During the publication period, the petition will be forwarded to the Community Development Director for presentation to the DRC and Commission, for their recommendations. A petition for Annexation expires if it is not approved by the City within 36 months from the time its application is submitted and accepted. The City may also initiate an Annexation as outlined in Utah Code Ann. § 10-2-418 where islands or peninsulas exist within its boundaries.
- B. Development Review Committee: The DRC shall address the following items in its review of the Annexation petition:
 1. Whether the proposed property is within the Growth Management Boundary

of the General Plan.

2. Present and proposed land use and zoning.
 3. Present and potential demand for various municipal services.
 4. Distances from existing utility lines, public schools, parks, and shopping areas.
 5. Specific time tables for extension of services to the area and how these services would be financed.
 6. Potential impact on existing and proposed streets.
 7. The effect that the Annexation will have upon City boundaries and whether the Annexation will create potential for islands, or difficult service areas.
 8. An estimate of potential revenue versus potential service costs.
 9. Requirements imposed by State law.
- C. Planning Commission Review: The Commission shall consider the DRC recommendation, together with testimony from the petitioner and other interested parties, and make a recommendation on the Annexation and zoning districts to the Council.
- D. City Council Review: If no protest is filed, a public hearing shall be scheduled before the Council to act upon the petition. If a protest is filed, the Council shall schedule a public hearing to act upon the petition after the Boundary Commission has rendered its decision. The petitioners shall be responsible for the costs of any feasibility studies, which payment shall be made in advance of the study. The Council may schedule the matter at any time to deny the petition.
- E. Granting of Petition: If an Annexation petition is granted, an ordinance accepting the Annexation and designating the zoning shall be prepared for the territory shown on the plat map. A certified copy of the Annexation Ordinance and the Plat shall be filed in the office of the County Recorder.
- F. Address Change: The address of annexed properties shall be changed to a Spanish Fork address within one month from the date the annexation becomes final. The Engineering Division shall file the appropriate documents to formally change the address and street coordinates. Property owners shall change the address marker on the property and mailbox.

Section 2. Effective Date. This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH: February 1, 2022.


MIKE MENDENHALL, Mayor

Attest:


TARA SILVER, City Recorder

