

ORDINANCE No. 25-17

Roll Call

VOTING	YES	NO
STEVE LEIFSON <i>Mayor (votes only in case of tie)</i>		
CHAD ARGYLE <i>Council member</i>	X	
STACY BECK <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	X	
MIKE MENDENHALL <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Council member Argyle

I SECOND the foregoing motion: Council member Beck

ORDINANCE No. 25-17

AN ORDINANCE CREATING A NEW RESIDENTIAL ZONE TO ALLOW HIGHER DENSITIES

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; and

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, there has been a need expressed for quality, higher density housing; and

WHEREAS, after extensive study by the Planning Commission, they also find a need for quality, higher density housing; and

WHEREAS, in order to accommodate the new zone created for higher densities, other sections of the Municipal Code also need to be amended; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 4th day of October, 2017, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 17th day of October, 2017, whereat additional public comment was received;

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

I.

Spanish Fork Municipal Code §15.3.16.033, "R-5 Residential District" is hereby created as follows:

15.3.16.033. R-5 Residential District

This district is intended to allow for the redevelopment of parcels located in the central part of the community. It is anticipated that the majority of the dwellings in this zone will be in multi-unit structures arranged primarily in a stacked configuration. The R-5 zone may only be utilized in the original plats of the City between 300 West, 1000 North, 800 East and 400 South. The R-5 zone is only available where properties have the Mixed Use, High Density Residential or Urban Density designations in the Comprehensive General Plan.

A. Permitted Uses:

1. Single-family dwellings.
2. Twin homes.
3. Duplexes.
4. Townhomes.
5. Stacked flats.
6. Recreation and other support facilities connected to housing developments.
7. Municipal facilities required for local service.
8. Churches (when located on a collector or arterial street).

B. Uses Subject to Conditions:

1. Home Occupations (as described in 5.40.010 et seq.).
2. Master Planned Developments (as described in 15.3.24.030 et seq.).
3. Subdivision Model Homes (as described in 15.3.24.060 et seq.).
4. Temporary office or construction trailers (as described in 15.3.24.040 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.

D. Accessory Buildings and Uses (see 15.3.24.090).

E. Development Standards.

1. Density shall not exceed 18 units per acre. For purposes of calculating allowed density, sensitive lands, church sites, school sites, and sites for other non-residential uses may not be counted in the density calculations.
2. Minimum project size is 2 acres.
3. Minimum street frontage for a development is 80 feet.
4. Maximum impervious surface in the R-5 zone shall be 75% of the project area.
5. Minimum parking shall include 2.25 spaces for each unit in the development. One covered parking space shall be provided for each unit and enclosed garages shall be provided for fifty percent 50% of the units.
6. Minimum finished living space shall be provided as follows:
 - a. Single-family residence, 1,000 square feet.
 - b. Twinhome, 900 square feet, each unit.
 - c. Duplex, 900 square feet, each unit.
 - d. Townhome, 900 square feet, each unit.
 - e. Other multi-family units, 600 square feet for each studio unit, 800 square feet for each one-bedroom unit, 1,080 square feet for each two-bedroom unit, 1,240 square feet for each unit with three or more bedrooms.
 - f. All projects must have an average dwelling unit size of 960 square feet or larger.
7. Curb, gutter, and sidewalk shall be provided in accordance with the City's Development Standards.

F. Development Design.

1. Building Design: multi-family projects shall include design features that differentiate adjoining units and create identity for each unit by meeting the following requirements:
 - a. Multi-family projects shall include a variety of unit sizes.
 - b. Multi-family projects shall include elements that engage public right-of-ways and common areas.
 - i. Where possible, units shall have direct access to the public right-of-way.
 - ii. Balconies and porches shall be provided adjacent to public rights-of-way and common areas.
 - c. Multi-family projects shall include a variety of heights with a maximum height of forty (40) feet.
 - d. Long, continuous rooflines and ridgelines greater than forty (40) feet shall not be permitted.
 - e. The front facade of multi-family structures shall exhibit visual relief through an array of architectural features such as roof dormers, hips, gables, porches, wall projections and fenestration.
 - f. Multi-family projects shall include a variety of building colors and materials. A minimum of three (3) colors per elevation is required. Multi-

family project proposals may be required to submit a sample board containing examples of all exterior surfacing materials and colors.

- g. Side-by-side multi-family dwelling units, that are attached horizontally, shall not exceed six (6) attached units per building.
 - h. Exposed foundation walls shall not exceed four (4) feet above finished grade at any point.
2. Project Design: multi-family projects shall meet the following requirements:
- a. All exposed sides of multi-family structures shall have framed windows.
 - b. Side and rear elevations that are visible from public and private streets shall match the architectural detailing of the front facade.
 - c. Building materials for multi-family structures shall consist of at least fifty percent (50%) brick, stone, or synthetic stone on all sides of the structure.
 - d. Street oriented facades shall protrude beyond the garage door by at least five (5) feet.
 - e. Shared entrances for multi-family structures shall be centrally located, accentuated with architectural detailing, and well lit.
 - f. Utility and mechanical equipment extending from multi-family structures shall be clustered and screened. When the project architecture contains pitched roofs, the roof mounted utility equipment shall be situated on the back side of the roof pitch.
 - g. Carports and garages shall complement the project architecture in terms of design, materials, and colors.
3. Building Placement and Orientation: multi-family projects shall meet the following requirements:
- a. All multi-family structures shall front onto a public right-of-way.
 - b. Where the R-5 zone abuts any R-1 or R-3 zone, the setback for primary buildings adjacent to the R-1 or R-3 zoned properties shall match or exceed the building's height. Otherwise, setbacks shall be as follows for all primary buildings:
 - i. Front yard, 10 feet from public right-of-way or shared driveway to living space.
 - ii. Corner side yard, 15 feet to living space.
 - iii. Interior side yard, 10 feet, provided 15 feet exists between buildings.
 - iv. Rear yard, 15 feet.
 - v. Accessory buildings, 5 feet to property lines and other structures.
 - vi. Garage doors, 20 feet from public rights-of-way.
 - c. Interior fencing for multi-family projects shall be limited to encourage shared open space, pedestrian access, and project integration into the surrounding neighborhood. Private fencing (owned by an owner of an individual unit) shall only be permitted when the fence extends directly from the unit to delineate between common and private space. Fencing shall be uniform in design and construction.

- d. Parking should generally be located behind multi-family structures. This includes rear loaded garages, auto courtyards, and parking lots.
 - e. Required guest parking shall be evenly distributed throughout multi-family projects and be easily accessible.
 - f. Landscaping strips in the middle of driveways (between parking spaces) should be used to break up expanses of impervious surface.
 - g. Parking areas shall be broken into smaller parking clusters of twelve (12) spaces or less.
4. Open Space: no less than twenty percent (20%) of the gross project area shall be open space. Applicants shall submit landscape plans for all open space. Landscape plans shall include a plant schedule, planting plan, irrigation plan, fencing plans, planting details, and plans for any proposed structures or features. Required open space may include the following:
- a. Open space areas shall be available to everyone residing in the boundaries of the development.
 - b. Open space may include pathways and outdoor amenities.
 - c. Open space excludes private balconies, decks, patio areas, recreation buildings, indoor amenities, vehicle parking, streets, and streetscape sidewalks.
 - d. Open space should be clustered to create the most beneficial and efficient use of space.
5. Amenities: centrally located amenities shall be provided for multi-family projects.
- a. Projects of fewer than fifty (50) dwelling units shall provide an amenities package appropriate for the project size and location.
 - i. Multi-family projects shall include at least one amenity per fifty (50) units from the following list:
 - a) Tot lot with play structure.
 - b) Community garden.
 - c) Courtyard with benches.
 - d) Picnic tables and BBQ area with shade structures.
 - e) Swimming pool (indoor or outdoor).
 - f) Sports courts (i.e., tennis, basketball, volleyball).
 - g) Other active or passive recreational areas that meet the intent of this guideline.
 - ii. Projects of fifty-one (51) to one hundred (100) dwelling units shall include the following amenities in addition to those required in subsection (5)(a)(i) of this section.
 - a) A minimum of one inside, centrally located, fully functional social area, no less than one thousand (1,000) square feet in size, or a minimum of one outside social function area, no less than two thousand (2,000) square feet in size.
 - iii. Projects of one hundred and one (101) or more dwelling units shall include the following amenities in addition to those required in subsection (5)(a)(i) and (ii) of this section.

- a) A minimum of one inside, centrally located, fully functional social area, no less than one thousand (1,000) square feet in size.
 - b) A minimum of one outside social function area, no less than two thousand (2,000) square feet in size.
6. Access: street connectivity should be enhanced with an R-5 development and connections to surrounding neighborhoods.
- a. A traffic impact study may be required for multi-family projects.
 - b. The number of street connections and access points for a multi-family project shall be proportional to the number of units.
 - c. Pedestrian pathways shall be provided between access points, entryways, public gathering nodes, and parking areas. Pedestrian access points should be installed between the project and the surrounding neighborhood.
 - d. All multi-family projects shall submit a photo-metric lighting plan.
7. Development Agreements: In order to ensure conformity to approved plans and conditions of approval, and to give assurance that any successor in interest is bound by the same plans and conditions, the City may require applicants to enter into project-specific development agreements with covenants which run with the land. A notice of the development agreement will be recorded against the land.

II.

Spanish Fork Municipal Code §15.4.16.130(B)(1)(a) is hereby amended as follows:

15.4.16.130 Landscaping, Buffering, Walls, and Fences

B. Residential Uses:

1. Multi-family Uses:

- a. A minimum of twenty-five (25) percent on-site landscaping as a percentage of total site area in developments zoned R-3 and R-4 is required. A minimum of twenty (20) percent on-site landscaping as a percentage of total site area in developments zoned R-5 is required.

III.

Spanish Fork Municipal Code, Title 15, Part 3, Table 1, Residential Development Standards, is hereby amended as follows:

Table 1 - Residential Development Standards

District	Base or Maximum Density Per Acre	Minimum lot dimensions			Minimum Setback				Max Building Height ⁵	
		Lot Area	Width	Depth	Front ⁶	Rear ⁷	Side	Corner	Principal Building	Accessory Building ¹
A-E	not applicable	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	not applicable	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units (base)	80,000 sf	180'	200'	40'	80'	20'	30'	35'	20'
R-1-60	.54 units (base)	60,000 sf	160'	200'	40'	60'	20'	30'	35'	20'
R-1-40	.81 units (base)	40,000 sf	140'	200'	30'	40'	20'	30'	35'	20'
R-1-30	1.07 units (base)	30,000 sf	130'	150'	40'	40'	15'	25'	35'	20'
R-1-20	1.61 units (base)	20,000 sf	125'	150'	30'	30'	15'	25'	35'	15'
R-1-15	2.15 units (base)	15,000 sf	100'	125'	20-25 ²	25'	10'	15-25 ⁴	35'	15'
R-1-12	2.69 units (base)	12,000 sf	100'	100'	20-25 ²	25'	10'	15-25 ⁴	35'	15'
R-1-9	3.58 units (base)	9,000 sf	85'	90'	20-25 ²	25'	10'	15-25 ⁴	35'	15'
R-1-8	4.03 units (base)	8,000 sf	75'	90'	20-25 ²	25'	10'	15-25 ⁴	35'	15'
R-1-6	5.37 units (base)	6,000 sf	50'	90'	20-25 ²	25'	5-10 ³	15-25 ⁴	35'	15'
R-3	8 units (maximum)	6,000 sf	50'	90'	20-25 ²	25'	5-10 ³	15-25 ⁴	35'	15'
R-4	18 units (maximum)	6,000 sf	50'	90'	20'	15'	15'	15'	45'	15'
R-5	18 units (maximum)	6,000 sf	50'	90'	10-20 ⁸	15'	15'	15'	40'	15'
R-O	not applicable	6,000 sf	50'	90'	20-25 ²	25'	5-10 ³	15-25 ⁴	35'	15'

- 1 - Refer to 15.3.24.090(A) for accessory buildings.
- 2 - 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of a side entry garage.
- 3 - 5 feet on one side, 10 feet on the other side for single family dwellings; 10 feet for non-residential uses.
- 4 - 15 feet to living area, 25 feet to garages or carports, and 20 feet to the front of a side entry garage.
- 5 - Flagpoles are limited to the height of principal buildings in a residential zone.
- 6 - Maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.
- 7 - On corner lots, the setback is reduced by 5 feet.
- 8 - 10 feet minimum front setback, 20 foot maximum front setback.

IV.

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 October, 2017.


 STEVE LEIFSON, Mayor

Attest:


 Kent R. Clark, City Recorder

