

ORDINANCE No. 21-18

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>	ABSENT	

I MOVE this ordinance be adopted: Council member Mendenhall

I SECOND the foregoing motion: Council member Argyle

ORDINANCE No. 21-18

AN ORDINANCE MAKING AMENDMENTS TO TITLE 15 CONCERNING CHURCHES AND TRANSFER STATIONS

WHEREAS, Spanish Fork City has enacted a land use ordinance to regulate the development of land within the City, establish development standards, 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, removing churches from most of the commercial zones allows for more varied types of commercial uses, while still providing numerous locations where churches can be located, nearer the residents who will attend them; and

WHEREAS, removing the requirement for churches to be located with frontage on collector or arterial streets in certain zones opens more opportunity for churches to be sited within the City; and

WHEREAS, making solid waste transfer stations conditional uses allows the City to mitigate against adverse impacts to the surrounding areas by requiring enclosure, noise limitations, landscaping, and other requirements deemed necessary on a case by case basis to make that use compatible with surrounding uses; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 7th day of November, 2018, whereat public comment was received and again on Wednesday the 5th day of December, 2018; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 11th day of December, 2018, 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 §15.3.16.010, "Agricultural and Rural Residential Districts" is hereby amended by deleting the requirement for churches in the R-R Rural Residential zone to be located on collector or arterial streets.

II.

Spanish Fork Municipal Code §15.3.16.020, "Residential Districts" is hereby amended by deleting the requirement for churches in the R-1-6 zone to be located on collector or arterial streets.

III.

Spanish Fork Municipal Code §15.3.16.030, "R-3 Residential District" is hereby amended by deleting the requirement for churches in the R-3 Residential zone to be located on collector or arterial streets.

IV.

Spanish Fork Municipal Code §15.3.16.032, "R-4 Residential District" is hereby amended by deleting the requirement for churches in the R-4 Residential zone to be located on collector or arterial streets.

V.

Spanish Fork Municipal Code §15.3.16.035(E), "Infill Overlay Zone (I-F)" is hereby amended as follows:

E. Landscaping, Buffering, Walls (see §15.4.08.010). An exception to the requirement to install a masonry wall where a multi-family use abuts a single-family residential use or district may be waived for projects that have four or fewer multi-family units when the City Council finds that a different type fence or wall is sufficient.

VI.

Spanish Fork Municipal Code §15.3.16.040, "R-O Residential Office" is hereby amended by deleting the requirement for churches in the R-O Residential Office zone to be located on collector or arterial streets.

VII.

Spanish Fork Municipal Code §15.3.16.050, "C-O Commercial Office" is hereby amended by deleting Churches as permitted uses.

VIII.

Spanish Fork Municipal Code §15.3.16.060(B), "C-D Downtown Commercial" is hereby amended by deleting churches as uses subject to a conditional use permit.

IX.

Spanish Fork Municipal Code §15.3.16.080(A), "C-2 General Commercial" is hereby amended by deleting churches as permitted uses.

X.

Spanish Fork Municipal Code §15.3.16.160(A) and (C), "Public Facilities (P-F)" is hereby amended by deleting solid waste transfer facilities as a permitted use under paragraph A and making them a conditional use under paragraph C as follows:

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

1. Hospitals.
2. Restaurants.
3. Solid Waste Transfer Facilities, provided all operating aspects of the facility are fully enclosed within a building and the grounds are completely fenced.
4. 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.

XI.

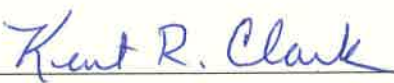
This ordinance becomes effective twenty days after passage and publication.

DATED this 11th day of December, 2018



STEVE LEIFSON, Mayor

Attest:



Kent R. Clark, City Recorder

