

# ORDINANCE No. 03-19

## 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 Scoubes

I SECOND the foregoing motion: Council member Mendenhall

# ORDINANCE No. 03-19

## AN ORDINANCE MAKING ASSORTED AMENDMENTS TO THE INFILL OVERLAY ZONE AND MASTER PLANNED DEVELOPMENTS

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, many large lots exist in the older parts of the City that have become weedy and difficult to maintain; and

WHEREAS, the Infill Overlay Zone is intended to assist the City, property owners, and developers in making better use of large lots with interior open space in the older part of the City, rather than have them become weedy and difficult to maintain; and

WHEREAS, matching the maximum size of projects in the Infill Overlay Zone with the minimum size of projects in the Master Planned Developments creates harmony between zones and allows for consistent and better development; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 9th day of January, 2019, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 22nd day of January, 2019, 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 §15.3.16.035(A) and (C), "Infill Overlay Zone (I-F)," is hereby amended as follows:

**15.3.16.035. Infill Overlay Zone (I-F)**

This district is intended to provide flexibility in development standards for small residential parcels, consisting of two (2) acres or less, that are difficult to develop under standard residential requirements, allowing them to be developed with modified standards, while maintaining high quality construction and maintaining the general character of the underlying zone. This zone may only be applied as an overlay zone in the R-1-6 and R-3 zones. Prior to approving the I-F Zone, the City Council shall determine that the proposed development promotes the historic character of the neighborhood and conforms to the physical characteristics of the adjoining properties including architectural style, materials and size.

A. Permitted Uses:

1. Single-Family Dwellings.
2. Twin Homes (R-3 zone only).
3. Duplexes (R-3 zone only).

4. Triplexes (R-3 zone only).
5. Fourplexes (R-3 zone only).
6. Townhomes, up to six (6) units per building (R-3 zone only).

C. Development Standards. Development standards for projects in the I-F Zone shall be generated on a project-by-project basis. It is expected that the development standards will provide for project designs that will promote conformity to existing neighborhood characteristics while allowing for innovation and creativity. Development standards shall also include design elements that will provide appropriate screening and buffers between the project and the surrounding properties. As appropriate, project designs should incorporate amenities for the use of the project's residents. In each case, standards created for elements including but not limited to setbacks, lot size, building design, fencing and landscaping shall be presented to the Planning Commission for recommendation and the City Council for approval.

Notwithstanding the potential flexibility in development standards for the I-F Zone, the following standards must be maintained:

1. Building design shall incorporate architectural elements that reinforce architectural styles found in other structures in the neighborhood and/or along the street. Architectural considerations shall offer reasonable protection relative to the privacy of adjoining properties. Architectural elements utilized to promote the purpose of the zone may include the following:
  - a. Building articulation.
  - b. Building colors.
  - c. Building materials.
  - d. Building ornamentation.
  - e. Door and window placement and orientation.
  - f. Garage placement.
  - g. Roof pitch.
2. Variations in setbacks from the underlying zone may be considered on a case by case basis.
3. No more than one unit for every 3,260 square feet of project area shall be permitted for developments in the R-3 Zone. No more than one unit for every 4,420 square feet of project area shall be permitted for developments in the R-1-6 Zone.
4. Minimum street frontage for a development is 80 feet except for duplexes where the minimum frontage requirement is 60 feet.
5. Maximum impervious surface in the I-F zone shall be 70% of the project area.
6. Minimum parking shall include one (1) garage per dwelling unit and one point five (1.5) additional spaces per unit within the development.

7. Minimum finished living space shall be provided as follows:
  - a. Single-family residence, 1,000 square feet.
  - b. Duplex, 900 square feet, each side.
  - c. Triplex, 900 square feet, each unit.
  - d. Other multi-family units, 900 square feet, each unit.
8. Curb, gutter, and sidewalk shall be provided in accordance with the City's Development Standards.

## II.

Spanish Fork Municipal Code §15.3.24.030(C), "Master Planned Developments," is hereby amended as follows:

### **15.3.324.030 Master Planned Developments**

#### C. Subdivision Design:

1. For purposes of calculating base density, sensitive lands shall be excluded from the calculation.
2. The minimum size of a Master Planned Development is five (5) contiguous acres, except in R-1-6 and R-3 zones, where two (2) contiguous acres are required. School and church sites are to be excluded from the acreage calculation.
3. Density Calculations - Church sites, school sites, and sites for other non-residential uses may not be counted in the density calculations.
4. Street Design - Local streets shall not exceed 600 feet in length without an intersecting street.

## III.

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

IV.

This ordinance becomes effective twenty days after passage and publication.

Table 1 - Residential Development Standards										
District	Base Density Per Acre	Minimum lot dimensions			Minimum Setback				Max Building Height <sup>5</sup>	
		Lot Area	Width	Depth	Front <sup>6</sup>	Rear <sup>7</sup>	Side	Corner	Principal Building	Accessory Building <sup>1</sup>
A-E	N/A	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	N/A	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 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	35'	15'
R-1-12	2.69 units (base)	12,000 sf	100'	100'	20-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	35'	15'
R-1-9	3.58 units (base)	9,000 sf	85'	90'	15-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	35'	15'
R-1-8	4.03 units (base)	8,000 sf	75'	90'	15-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	35'	15'
R-1-6	5.37 units (base) <sup>9</sup>	6,000 sf	50'	90'	15-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	35'	15'
R-3	12 units (maximum) <sup>9</sup>	6,000 sf	50'	90'	15-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	35'	15'
R-4	18 units (maximum)	6,000 sf	50'	90'	15-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	45'	15'
R-5	18 units (maximum)	6,000 sf	50'	90'	10-20 <sup>8</sup>	15'	15'	15'	40'	15'
R-O	N/A	6,000 sf	50'	90'	15-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	35'	15'

- 1 - Refer to 15.3.24.090(A) for accessory buildings.
- 2 - 15 feet to porches, 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 except for lots with 50 feet of lot width or less. When the lot width is 50 feet or less the minimum setback is five (5) feet on each side. The setback is 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 five (5) feet.
- 8 - 10 feet minimum front setback, 20-foot maximum front setback.
- 9 - Except as defined with the Infill Overlay Zone.

DATED this 22<sup>nd</sup> day of January, 2019



STEVE LEIFSON, Mayor

Attest:



Kent R. Clark, City Recorder

