

ORDINANCE No. 12-2024

Title 15 Amendments: Large Utility Facility Overlay District

ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
STACY BECK <i>Councilmember</i>	X			
JESSE CARDON <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>	X			
KEVIN OYLER <i>Councilmember</i>	X			
LANDON TOOKE <i>Councilmember</i>	X			

I MOVE this ordinance be adopted: Councilmember Cardon

I SECOND the foregoing motion: Councilmember Oyler

ORDINANCE No. 12-2024

Title 15 Amendments: Large Utility Facility Overlay District

AN ORDINANCE AMENDING TITLE 15 OF THE SPANISH FORK MUNICIPAL CODE PERTAINING TO A LARGE UTILITY FACILITY OVERLAY DISTRICT

WHEREAS Spanish Fork City has enacted a land use ordinance as Title 15 of

the Spanish Fork Municipal Code ("Code") to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS amendments to the land use ordinance and other sections of the Code 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;

WHEREAS the Planning Commission held a public hearing on June 5, 2024, wherein public comment was received; and

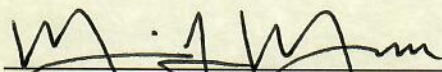
WHEREAS a public hearing was held before the Spanish Fork City Council on June 18, 2024, wherein public comment was received;

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

Section 1. Amendment of the Code. The Spanish Fork Municipal Code is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein. Only the sections of the Code set forth in the Exhibit A shall be amended. All other sections of the Code remain unchanged.

Section 2. Effective Date. This Ordinance shall become effective 20 days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH: June 18, 2024.


Mike Mendenhall, Mayor

Attest:

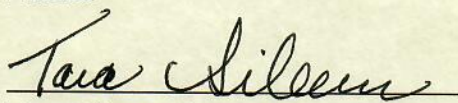

Tara Silver, City Recorder



Exhibit "A"

15.3.20.110

This district provides an opportunity for Spanish Fork City to approve large-scale utility facility projects that would not primarily provide local service. This Overlay may be approved in any Zoning District.

A. Application

1. Applications to establish a Large Utility Facility Overlay District shall be processed in the same manner as that for other zoning map amendments. The application shall be accompanied by a complete application which includes the following information:

- a. a complete description of the intended nature and character of the project,
- b. a description of the project's necessity and the importance of its proposed location,
- c. a map of the location of the proposed project including parcel numbers of all impacted properties,
- d. a proposed project phasing plan,
- e. plans representing proposed changes to any existing improvements,
- f. plans that identify the nature of any improvements that would be constructed with the project,
- g. plans that identify disturbed areas and the proposed means to restore those areas.

B. Performance Standards

1. Permitted Use

- a. Large Utility Facilities.

2. Project Impact

a. A review will be performed to ensure that appropriate measures are taken to mitigate impacts on surrounding properties and the community as a whole when Large Utility Facilities are constructed.

Mitigation measures may include but are not limited to:

- i. providing easements and right-of-way for roads, trails and other utilities;
- ii. revegetating disturbed areas;
- iii. using materials that limit the visual impact of the utility.

C. Findings: the following findings must be made by the Council before approving any Large Utility Facility Overlay District:

1. That the proposed project is needed to provide utility service to areas that are not located or are planned to be located within Spanish Fork City,

2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the area or community as a whole,
3. That sufficient assurance has been provided that any impacts generated by the project and its construction will be remediated.