

ORDINANCE No. 10-2025

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: Councilman Tooke

I SECOND the foregoing motion: Councilman Marshall

ORDINANCE No. 10-2025

AN ORDINANCE AMENDING TITLE
15 REGARDING REGULATIONS FOR DETACHED
ACCESSORY DWELLING UNITS

WHEREAS Spanish Fork City has enacted 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 ordinances 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 a public hearing was held before the Planning Commission on September 3, 2025, whereat public comment was received; and

WHEREAS a public hearing was held before the Spanish Fork City Council on September 16, 2025, whereat additional public comment was received;

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

Section 1. Amendment of 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 take effect upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,
UTAH: September 16, 2025.


MIKE MENDENHALL, Mayor

Attest:


TARA SILVER, City Recorder



AMENDMENTS TO THE
SPANISH FORK MUNICIPAL CODE

15.3.24.090 Supplementary Regulations

- m. **On parcels that are less than one (1) acre in size**, external or detached Accessory Dwelling Units shall not have more than 1,000 square feet of habitable living space. **External or detached Accessory Dwelling Units on parcels that are one (1) acre in size or larger, must meet the minimum setback requirements applicable to the Primary Structure and may be constructed in a manner that is not architecturally compatible with the Primary Structure as long as the style is consistent with other homes in the area.**

TO: Spanish Fork City Council
FROM: Dave Anderson, AICP
DATE: September 16, 2025
RE: Proposed Changes to Regulations for External Accessory Dwelling Units

This proposal would allow detached Accessory Dwelling Units on parcels that are at least one acre in size to have more than 1,000 square feet of habitable living space. Currently, property size is not considered. Today, all detached Accessory Dwelling Units are limited to 1,000 square feet of habitable living space.

When the proposal was reviewed by the Development Review Committee, it was recommended that the proposal be approved, with one additional change. The DRC recommended that language in the section that requires architectural compatibility be removed. The Planning Commission discussed the idea of removing the architectural requirement and instead recommended that it remain in the Code with additional language that provides flexibility when the subject property is on-acre or larger. The language provided in this memorandum reflects what the Planning Commission recommended for approval.

15.3.24.090 Supplementary Regulations

Accessory Buildings, Structures, or Satellite Earth Stations.
Swimming Pools
Yard/Garage Sales
Irregular Lots
Accessory Dwelling Units (ADUs)
Awnings, Carports or Covered Decks
Animals
Wind Turbines (WT)
Outdoor Storage Areas
Public Rights-of-Way
Temporary Uses
Amateur Radio Antennas

A. Accessory Structures:

1. All accessory structures must meet the following requirements:

- a. All accessory structures are required to obtain a building permit.
- b. Permits for structures that are less than 200 square feet or are otherwise exempt from the adopted Building Code, as set forth in §14.04.010, are free of charge.
- c. All detached accessory structures must be located behind the front wall plane of the principal structure.

Where property abuts against Interstate 15 or U.S. Highway 6, accessory structures have no required set back from the Interstate 15 or Highway 6 right-of-ways.

- d. The combined square footage of all detached accessory structures shall not exceed 15% of the total lot area if the structure is entirely within the setbacks for the principal structure, or 10% of the total lot area if the structure is located elsewhere on the lot.
- e. If any accessory structure must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation or modification, together with all costs of restoration.
- f. Accessory structures located on a corner lot shall meet the same front, rear, and side setbacks as required for accessory structures on an interior lot. Accessory structures located behind the front plane of the house and within 20 feet a public right-of-way shall be architecturally compatible with the primary structure on the lot. The second clear vision area as addressed in §15.4.16.150 needs to be maintained at all times.
- g. The minimum front setback for detached accessory structures shall conform to the minimum front setback for the existing principal structure and shall be set at least five (5) feet, measured from eave to eave, from all structures on the property.
- h. Accessory structures that meet the setback requirement for the principal building may be allowed to meet the maximum height allowed in that zone.
- i. The maximum height for detached accessory structures shall be 20 feet to the peak of the roof measured from the finish grade (measured five (5) feet from the proposed structure). Any structures taller than 15 feet shall have a roof pitch of no less than 2/12.
- j. Properties over one-half (1/2) acre in size can increase the maximum height to 24 feet by having the rear and side setbacks the same as the building height.
- k. The structure must be constructed so all water runoff from the accessory structure does not flow onto adjoining properties.
- l. Accessory structures that house Accessory Dwelling Units shall be architecturally compatible with the Primary Structure on the lot, shall be permanently connected to utilities via laterals from the Primary Structure or laterals from the public right-of-way, and shall maintain setbacks of no less than five (5) feet from all property lines and other structures.
- m. **On parcels that are less than one (1) acre in size**, external or detached Accessory Dwelling Units shall not have more than 1,000 square feet of habitable living space. **External or detached Accessory Dwelling Units on parcels that are one (1) acre in size or larger, must meet the minimum setback requirements applicable to the Primary Structure and may be constructed in a manner that is not architecturally compatible with the Primary Structure as long as the style is consistent with other homes in the area.**
- n. A Recreational Vehicle is not considered an accessory structure and may not be used as a dwelling unit within any zone. It shall be unlawful for any person to reside in a Recreational Vehicle as a dwelling unit.