

**SPANISH FORK CITY
ORDINANCE 22-19**

MAKING ASSORTED AMENDMENTS TO TITLE 15

WHEREAS, Spanish Fork City has adopted a land use title as part of their municipal code; and

WHEREAS, amendments need to be made from time to time in order to remain compliant with State law, correct errors, or to further the intent of the code to protect property values and provide for orderly development; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 4th day of September, 2019, where public comment was received; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 17th day of September, 2019, where additional public comment was received;

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

SECTION 1: **AMENDMENT** "15.1.04.020 Definitions" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.1.04.020 Definitions

"Accessory Use or Building": A subordinate use or building customarily incidental to and located upon the same lot occupied by the main use or buildings.

"Accessory Apartment": A self-contained dwelling incorporated within an existing owner-occupied structure that is designed as a single-family dwelling and does not substantially alter the structure or appearance of the existing structure.

"Adult Day Care": Continuous care and supervision for three or more adults for at least four but less than 24 hours a day, that meets the needs of functionally impaired adults through a comprehensive program that provides a variety of health, social, recreational, and related support services in a protective setting.

"Affected Entity": A government entity, school district, public utility, interlocal cooperative entity, or a service or similar district, whose facilities are likely to require expansion or significant modification because of an intended use of land, or the entity's facilities or boundaries are within one mile of land which is the subject of the land use ordinance change.

"Alluvial Fan Flooding": Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

"Apex": A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"Area of Shallow Flooding": A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one (1) percent chance or greater annual chance of flooding to an average depth of one to three feet as well as a shaded X zone on a community's FIRM with a one (1) percent chance or greater annual chance of flooding to an average depth of less than one foot where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of Special Erosion Hazard": Island that is adjacent to or within 200 feet of the centerline of the Spanish Fork River or within 100 feet of any other open channel facility that conveys runoff water located within the corporate limits of City.

"Area of Special Flood Hazard": Is the land in the floodplain within a community subject to a one (1) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AE, AH, AO, or A1-99.

"Assisted Living Facility": A residential facility, licensed by the State of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available 24-hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting the resident's independence and self-sufficiency. Such facility does not include adult day care provided in conjunction with a residential facility for persons with a disability.

"Attached Structure": Any structure that is attached to another structure by a common wall, or by a footing or foundation and roof combination. This does not include an open breeze way.

"Automotive Repair": A facility which services motor vehicles with all types of repair work, including major engine and transmission repairs, body work, painting, and similar activities.

"Automotive Service Station": A facility having pumps and storage tanks from which fuel is dispensed into motor vehicles. Minor automotive repair may also be included as an incidental use.

"Base Flood": The flood having a one (1) percent chance of being equaled or exceeded in any given year.

"Basement": A story of a building, partly or wholly underground.

"Bed and Breakfast": A dwelling in which five (5) or fewer guest rooms are provided for overnight lodging of travelers.

"Blade Sweep": The diameter of the wind turbine blades as determined by the blade rotation.

"Building": A structure.

"Building Height": The vertical distance from the average finished grade surface of the building to the peak of the roof.

"Building Setback Line": The required distance between the property line and closest point of any building.

"Caretaker Dwelling": A dwelling which is ancillary to the principal use of a property which is exclusively occupied by an individual or individuals who are in charge of the maintenance of a building or business. Caretaker dwellings shall not have more than one bedroom.

"Carwash (full service)": A carwash that is completely mechanized (drive-thru operation) and that is ancillary to another use or an operation where the cleaning services are exclusively performed by employees of the establishment without the aid of the patron or coin operated devices.

"Carwash (self-serve)": A business establishment which provides car cleaning services where part or all of the cleaning is performed by the patron with the aid of coin operated cleaning devices.

"Child Care Center": Any facility in which child care is provided to 13 or more children, including the provider's own pre-school age children, on the premises at the same time.

"Church": A structure which is intended for conducting organized religious services for organizations with tax-exempt status, with no overnight facilities. Secondary uses such as child care, senior services, professional counseling, rehabilitation services, or similar uses are not included in the definition. A church does not include organizations that violate Federal, State, or City laws or codes.

"City": Spanish Fork City.

"City Council": The governing body of the City, consisting of five elected council persons and the Mayor.

"Civil Engineer": A person licensed with the State of Utah to practice as a professional engineer.

"Clinics, Emergency Medical Care Facilities": A medical facility for the diagnosis and treatment of human patients which may include emergency services, but not overnight housing of patients.

"Commercial Child Care Center": Any facility located in a non-residential or non-industrial zone in which child care is provided on the premises.

"Commission": The Planning Commission of Spanish Fork City, unless indicated otherwise.

"Completion Date": The date the entire subdivision, development, or construction is completed and an approved final inspection statement is given.

"Comprehensive General Plan" or "General Plan": The land use element of the Comprehensive General Plan document as approved by the City Council.

"Construction Plans and Profiles": Plans drawn by a civil engineer or land surveyor showing all required improvements including the location, size, grade and elevations.

"Convenience Store": A building or use which is primarily engaged in the provision of frequently needed, day to day retail goods including gasoline, food and non-food products.

"Council": The City Council.

"Critical Feature": An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

"Design and Development Standards": The standards as referred to in this Title and adopted by the Council.

"Development": Any man-made change in improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Developer": Person, Partnership, Limited Liability Company, Corporation, or other legal entity developing residential, commercial or industrial property.

"Development Review Committee" or "DRC": A committee that provides technical review, analysis, and recommendations to the Planning Commission and City Council related to the City's Comprehensive General Plan, Zoning Ordinance, subdivisions, capital facilities plans and site plans.

"Disability": A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. A "disability" does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802 or successor law.

- A. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- B. "Has a record of such an impairment" means has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Duplex": A building designed for two (2) family units living independently of each other on the same lot.

"Dwelling, Multiple-Family": A building arranged or designed to include three (3) or more homes, each to be occupied by one (1) family.

"Dwelling, Single-family": A detached building designed for one family unit and having one main kitchen.

"Elderly Person": A person who is 60 years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

"Elevated Building": A non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "Elevated Building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

"Engineer": The person appointed by the City to be the City Engineer.

"Event Center": A place with indoor or outdoor facilities that provides for gatherings of individuals assembled for purposes such as a weddings, receptions, meetings or parties.

"Existing Construction": For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM effective before that date. "Existing Construction" may also be referred to as "Existing Structures".

"Fence": A structure serving as an enclosure, a barrier, or a boundary, usually made of posts or stakes joined together by boards, wire, vinyl panels or fiberglass encapsulated foam panels.

"Final Decision": A decision by a land use authority which approves, approves with conditions, or denies a land use application. A final decision is made by motion and majority vote in a public meeting, or by a written decision if no vote is taken in the public meeting. When the land use authority is a staff member, it is their decision, granting or denying a land use application in writing.

"Final Plat": An original map or plat drawn on mylar in a form as approved by the City, showing all lots, streets, utility easements, etc.

"Flag Lot": A lot of irregular configuration in which an access strip (a strip of land of a width less than the required lot width) connects the main body of the lot to the street frontage.

"Flag Pole": A staff or pole that is no greater than 24 inches in diameter that exists for the primary purpose of displaying a flag.

"Flood Insurance Rate Map (FIRM)": Means an official map of the City, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study": The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

"Flood" or "Flooding": A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; or
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Proofing": Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Flood Protection System": Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodplain Management Regulations": Zoning Ordinances, subdivision regulations, Building Codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodplain Management": The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Floodplain": That area designated as a floodplain on the most recent Flood Insurance Rate Map, for the City of Spanish Fork, prepared by the Federal Emergency Management Agency.

"Flood-prone Area": Any land area susceptible to being inundated by water from any source (see definition of flood or flooding).

"Floodway (Regulatory Floodway)": The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Formally Initiated": An act taken to change or modify a land use ordinance by application or by motion of the Planning Commission or City Council, made in a public meeting.

"Funeral Home": The provision of services including storing and preparing human remains for burial, cremation, and arranging, managing, and conducting funerals.

"Garage": A building or indoor area with four walls, a roof and at least one door, of which the primary purpose is to provide an enclosed space for parking or storing motor vehicles. Required garages must have an unobstructed area that is at least nine (9) feet wide by 18 feet deep.

"General Plan": The Comprehensive General Plan of Spanish Fork City.

"Highest Adjacent Grade": The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure": Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior.
- D. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior.
 2. Directly by the Secretary of the Interior in states without approved programs.

"Home Child Care Center": Any single home in which child care is provided for seven (7) to 12 children, including the provider's own pre-school age children, on the premises at the same time.

"Home Occupation": An occupation, profession, activity, or use that is clearly incidental and secondary to the use of a residential home.

"Hospital": A facility used for inpatient or outpatient medical and healthcare-related uses or services (one of which provides emergency medical services) or any incidental, ancillary or related uses or services including but not limited to medical office, research and/or development, information technology, warehouse and distribution, hospitality, food service and lodging.

"Hotel/Motel": A building which provides guest rooms for the overnight lodging of travelers. It may include customarily incidental uses such as meeting rooms, restaurants, and gift shops.

"Impound Yard": A facility that provides for the secured storage of automobiles with or without the permission of the owners by a person who is licensed to hold the automobiles.

"Improved Lot": A lot which has all the improvements required in Part 4 of this Title.

"Improvements": Includes roads, streets, curbs, gutters, sidewalks, grading, landscaping, water systems, sewer systems, irrigation systems, drainage systems, power systems, fences, public facilities, trees, and/or other items required by this Title.

"Instructional Studio": A facility in which instruction is offered for piano, gymnastics, voice, art, or similar activities.

"Jail": A place of incarceration owned and operated by the County or State.

"Juvenile Detention Facility": A place of temporary detention for delinquent juveniles, which either is owned and operated by the State of Utah or is under contract with the State of Utah.

"Juvenile Secure Facility": A place of incarceration for delinquent juveniles, which either is owned and operated by the State of Utah or is under contract with the State of Utah.

"Land Surveyor": A person licensed by the State of Utah to practice as a land surveyor.

"Land Use Authority": A person, board, commission, agency, or other body designated by ordinance to act upon a land use application.

"Land Use Ordinance": A planning, zoning, development, or subdivision ordinance of the City, but does not include the Comprehensive General Plan.

"Large Wind Energy System": Wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of more than 100 kW.

"Levee": A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee System": A flood protection system, which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lot": A parcel of land with frontage or other approved access to a public street, occupied or designed to be occupied by a building and its accessory uses, and which has been subdivided or otherwise lawfully permitted.

"Lot, Corner": A lot located at the intersection of two or more streets.

"Lot, Depth": The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.

"Lot, Interior": A lot other than a corner lot.

"Lot, Irregular": A building lot whose rear property line is not generally parallel to the front property line such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

"Lot, Through" or "Double Frontage": A lot which abuts upon two parallel or approximately parallel streets.

"Lot Line":

A. Front: The lot line adjacent to a street, except as follows:

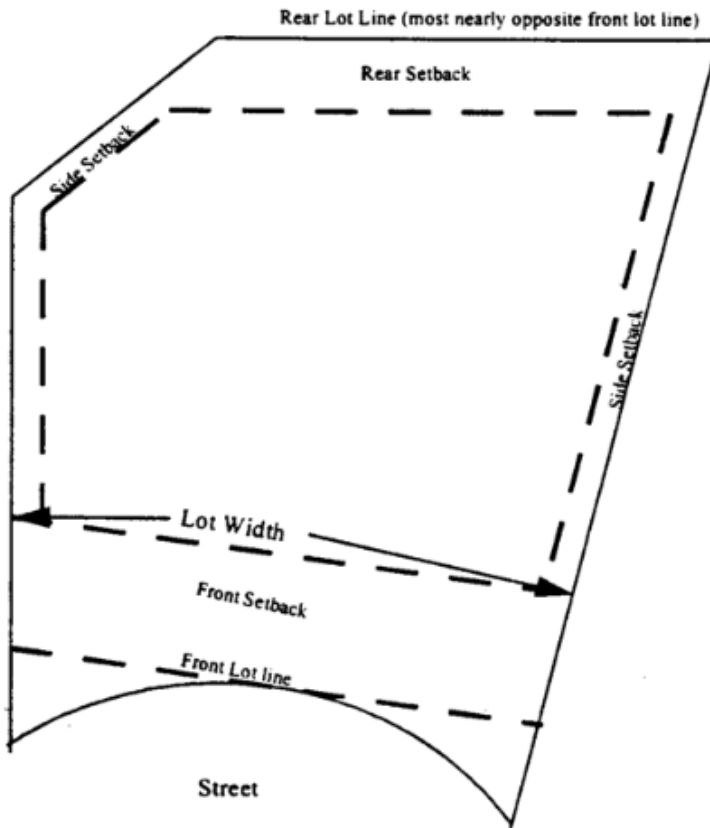
1. Corner Lot. The front property line is determined by which direction the required setbacks for the front and rear can both be met. If all applicable setbacks can be met either way, the front setback shall be located on the same side as the front door of the structure and the other frontage shall be the side-street side.
2. Through or Double Frontage Lot. The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such property line is not obviously evident, the Community Development Director shall determine the front property line.

B. Rear: The lot line most nearly opposite the front property line or, if the front property is a curved line, to a line tangent to the front property line at its midpoint.

C. Side: Those other lot lines not defined as a front or rear lot line.

"Lot Width": If the side lot lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width shall be the distance between the side lines at the front setback line, as in the following illustration: **"Lube Center"**: A facility which primarily provides oil change and similar servicing or performs minor mechanical repair of motor vehicles. The outdoor overnight storage of vehicles is not permitted in association with the Lube Center use.

"Manufactured Home": A transportable factory-built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act of 1974.



"Master Planned Development (MPD or Planned Unit Development)": A residential development which typically contains common design elements, some variation in dwelling types, and common open space or parks.

"Mother-in-law Apartment": See Accessory Apartment.

"Municipal Utility Easement": an easement which:

- A. Is not a public utility easement pursuant to Utah Code Ann. §54-3-27;
- B. Is entirely owned by Spanish Fork City; and
- C. Is either:
 1. Not being used or occupied; or
 2. Is being exclusively used and occupied by Spanish Fork City or its approved franchisees to provide utility services, such as sanitary sewer, culinary water, pressurized irrigation water, storm water, broadband, telecommunications, etc.

"Museum": A building or place where works of art, scientific specimens, historic artifacts or other objects of permanent value are kept and displayed.

"New Construction": For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"Non-complying Structure": A structure that (1) legally existed before its current land use designation; and (2) because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulation excluding those regulations, which govern the use of land.

"Non-conforming Use": A use of land that:

- A. Legally existed before its current land use designation; and
- B. Has been maintained continuously since the time a land use ordinance governed the land; and
- C. Because of one or more subsequent land use ordinance changes, does not conform to regulations that now govern the use of the land.

"Nursing" or "Retirement Homes": A long term residential facility for elderly, or otherwise ill persons which may include some or all of the following: individual homes, living and sleeping rooms, a common dining room, skilled nursing care, recreational facilities, and transportation for social and medical purposes. Such facility does not include an adult day care facility or adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

"Office": A building or portion of a building where services are performed involving predominately administrative, professional, or clerical operations.

"Offsite Facilities": Facilities outside of the boundaries of the subdivision or development site which are designated and located to serve the needs of the subdivision or development or adjacent property, usually lying between a development and existing facilities.

"Onsite Facilities": Facilities installed within or on the perimeter of the subdivision or development site.

"Outdoor Commercial Recreation Facility": Enterprises which include such uses as miniature golf courses, batting cages, waterslides, swimming pools or other similar activities that do not involve motorized vehicles.

"Outdoor Display Area": An area that is designated on a Site Plan for the outdoor display of the following items that are available for retail sale or rent: new or used automobiles, trailers, boats, recreational vehicles, construction equipment, or other finished products.

"Outdoor Storage Area": An area that is designated on a Site Plan for the storage of raw materials, finished products, vehicles, trailers or other equipment.

"Parcel of Land": A contiguous area of land in the possession or ownership of one entity with one tax identification number.

"Personal Service Business": A business involved in a service that does not usually produce a commodity. Typical uses include beauty and barber shops, tanning salons, massage therapists, laundry and dry-cleaning establishments, shoe repair, tailors, insurance agents, lawyers, accountants, and medical providers.

"Planning Commission": The Planning Commission of Spanish Fork City.

"Porch": a covered approach on a platform to a pedestrian entrance to a building which is open on at least two sides. The purpose of a porch is to shelter persons, not to shelter cars, material, or other equipment.

"Preliminary Plat": A map or plat of a proposed subdivision or development with accompanying supplementary documents.

"Principal Building": A primary building located upon a lot, or a building that provides services in direct support of a property's primary use. Properties that are developed in a campus fashion may have more than one principal building located on an individual parcel.

"Private School, Academic": A parochial or private institution offering academic or religious curriculum which is accredited to grant a degree or other indication of successful completion of an instructional program. The definition includes elementary, middle, junior, and high schools, colleges and universities. This does not include post high school educational facilities or educational facilities which include residential facilities for its students.

"Recreational Vehicle, Trailer," or "Motorhome": Means a vehicle, which is:

- A. Built on a single chassis.
- B. 400 square feet or less when measured at the largest horizontal projections.
- C. Designed to be self-propelled or be permanently towable by a light duty truck.
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Rehabilitation/Treatment Facility": A facility owned and operated by a government entity to provide temporary occupancy and supervision of individuals (adults/juveniles) in order to provide rehabilitation, treatment, or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol and drug abuse, sex offenders, sexual abuse, or mental health. Associated education services may also be provided to juvenile occupants.

"Residential Treatment Center": A 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, rehabilitation, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment, individuals are assisted in acquiring the social and behavioral skills necessary for living independently in the community. This does not include individuals who have been charged with the commission of any felony or who are sex offenders.

"Residential Facility for Persons with a Disability": A residence in which eight (8) or fewer persons with disability reside and which is:

- A. Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities.
- B. Licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

"Residential Facility for Elderly Persons": A facility that houses and provides at least some services that contribute towards the care of elderly residents.

"Retail Use": A business involved in the sale of commodities to ultimate consumers for personal or household consumption.

"Sensitive Lands": Lands having any of the following characteristics: slopes in excess of 30%, wetlands, 100-year floodplain, natural drainages, fault zones, streams, and lakes.

"Shelter Care Facility (Protective Housing Facility)": A facility either (1) operated, licensed or contracted by a governmental entity, or (2) operated by a charitable, non-profit organization, which, for no compensation provides temporary lodging, meals, and counseling to individuals and groups such as the homeless, pregnant teenagers, victims of domestic violence, neglected children, and runaways. Short-term care is typically less than 30 days.

"Sign": Any device used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The term "sign" shall not include any flag, badge or insignia of any governmental unit nor shall it include any item of merchandise normally displayed within a show window of a business.

"Sign, Awning": Signs which are placed on or integrated into a fabric or other material canopies which are mounted on the exterior of a building.

"Sign, Billboard": A sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than on the property where the sign is located.

"Sign, Construction and Development": A temporary sign providing information about future development or current construction on a site, and the parties involved in the project.

"Sign, Directional": An on-premise sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way.

"Sign, Directory": A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings, which is centrally located and intended to provide on-site directions.

"Sign, Fascia": A sign which is mounted against the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

"Sign, Freestanding": A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

"Sign, Identification": A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which it is located.

"Sign, Mansard": A sign permanently affixed to a wall or surface designed to protect the edge of a roof, such surface being no more than 30 degrees from vertical.

"Sign, Menu Board": A permanently mounted sign displaying the menu and prices for a drive thru restaurant.

"Sign, Monument": A freestanding sign whose sign face extends to the ground or to a base.

"Sign, Noncommercial": A sign which does not contain information or advertising for any business, commodity, service, entertainment, product, or attraction.

"Sign, Nonconforming": A sign lawfully erected and maintained prior to the adoption of this ordinance which does not conform with the requirements of this ordinance.

"Sign, Pole or Pylon": A freestanding sign, other than a monument sign, erected and maintained on a mast(s) or pole(s) and not attached to any building.

"Sign, Political": A sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

"Sign, Portable": Any sign not affixed to a structure or ground mounted on a site.

"Sign, Projecting": A sign attached to a building or other structure and extending in whole or in part more than 14 inches beyond the building.

"Sign, Reader Panel": A sign designed to permit immediate change of copy either manually or electronically.

"Sign, Roof": A sign erected on a roof, or signs that project above the highest point of the roof line, parapet, or fascia of the building.

"Sign, Shingle": A sign suspended from, and located entirely under a covered porch, covered walkway, or awning.

"Sign, Temporary": A sign not intended or designed for permanent display.

"Sign, Wall": A sign mounted flat against and projecting less than 14 inches from, or painted on the wall of a building with the exposed face of the sign parallel to the face of the wall.

"Sign, Window": A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane so as to attract the attention of persons outside the building.

"Solid Waste Transfer Facility": A publicly owned facility for the drop off and temporary holding of refuse, green waste, compost, recyclables, and similar materials.

"Stacked Flat": One home attached to one or more homes by common horizontal and vertical walls.

"Start of Construction": Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as homes or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Streets": A thoroughfare which has been dedicated and accepted by the City Council, which the City has acquired by prescriptive right or which the City owns, or is offered for dedication on an approved recorded

"Final Plat": For further explanation see the streets section of the Construction and Development Standards.

"Structure": Anything built, placed or constructed on a parcel of land including, but not limited to, portable buildings or storage containers.

"Subdivision": Any parcel of land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes:

- A. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and
- B. Divisions of land for all land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

"Substantial Damage": Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

"Substantial Improvement": Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before "Start of Construction" of the improvement. This includes structures, which have incurred "Substantial Damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the City Building Official and which are the minimum necessary conditions; or
- B. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Supervisory Care Facility": A facility with characteristics of a residential facility for persons with a disability or residential facility for elderly persons which has nine (9) or more individuals.

"Tire Care Center": A facility which primarily sells and services automotive tires, provides oil change and similar servicing, and performs minor mechanical repair of motor vehicles. The outdoor overnight storage of vehicles is not permitted in association with the Tire Care Center use.

"Tower Height": The height of a wind turbine measured from the grade level to the hub.

"Townhome": One single home constructed in a group of three or more attached homes in which each home extends from the foundation to roof and with open space on at least two (2) sides.

"Transfer Facility": A publicly owned facility for the drop-off and temporary holding of refuge. The facility is to be self-enclosed and completely fenced.

"Twin Home": One (1) single residence home attached to one (1) other single residence home by a common vertical wall, with each home located on a separate lot.

"Utilities": Includes culinary water lines; irrigation lines; sanitary and storm sewer lines; gas lines; electric power lines; telecommunication lines; underground conduits; and junction boxes and all appurtenances to the above.

"Wall": Barrier structure constructed of concrete, either precast or poured in place, or of individual concrete units that are adjoined with mortar.

"Water Surface Elevation": The height, in relation to the North American Vertical Datum of 1988 (NAVD 88) (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of riverine areas.

"Zoning Text Amendment": Change(s) to the wording of the comprehensive Zoning Ordinance, new zones, and changes to the zone map.

"Xeriscape": Landscaping that utilizes climate appropriate or native vegetation, rocks, minerals and other organic or non-organic materials to beautify property without creating a significant demand for water to maintain plant life in the landscape. (Ord. No. 07-09, Amended 02/10/2009) (Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 02-10, Amended 02/16/2010) (Ord. No. 15-13, Amended 09/03/2013) (Ord. No. 04-14, Amended 04/01/2014) (Ord. No. 13-14, Amended 08/19/2014) (Ord. No. 15-14, Amended 10/07/2014) (Ord. No. 02-15, Amended 02/03/2015) (Ord. No. 11-15, Amended 06/16/2015) (Ord. No. 15-15, Amended 09/15/2015) (Ord. No. 05-16, Amended 04/05/2016) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 04-17, Amended 02/07/2017) (Ord. No. 20-18, Amended 11/20/2018)(Ord. No. 14-19, Amended 07/09/2019)

SECTION 2: **AMENDMENT** "15.1.04.040 Notices" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.1.04.040 Notices

Notices informing of public hearings shall provide a minimum of 10 days' notice and shall be given as follows: Zoning Map Changes, Zoning Text amendments, and Comprehensive General Plan amendments shall be published in a newspaper of general circulation within the City.

Conditional Use Permits and specific property Zone Changes shall be posted on the subject property and mailed to all property owners located within 300 feet of the subject property.

Land Use Ordinance amendments shall be mailed, sent by facsimile, or e-mailed to affected entities.

In addition to the above notices, all notices shall be posted on the State Notice Website. (Ord. No. 11-09, Amended 09/15/2009) (Ord. No. 04-14, Amended 04/01/2014)

SECTION 3: AMENDMENT "15.2.04.030 Amendments To The General Plan - Text And Maps" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.2.04.030 Amendments To The General Plan - Text And Maps

- A. **General:** Amendments to the General Plan which change property from one land use designation to another or which amend text within the document or maps within the document shall be adopted in accordance with this section.
- B. **Application:** Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials The application form will require the applicant to provide certain documentation and information about the text change or the site, surrounding area, and proposed use that will help the DRC, Commission, and Council to properly evaluate the request. The specific information to be included with the application is described on the application form. The General Plan Text or Map Amendment application expires if it is not approved by the City within 24 months from the time its application is submitted and accepted. Any interested party may request a change in the text of the General Plan. Only the following may request an amendment to change property from one land use designation to another:
1. The owner or any of the joint owners of the property.
 2. The owners of 75% or more of the area covered by the application when the application covers more than one property.
 3. The Commission or Council on its own motion at a public meeting.
- C. **Amendment Procedures:**
1. Development Review Committee: Completed applications will be reviewed and evaluated by the DRC. The DRC shall forward a recommendation to the Commission for approval, approval with conditions, or denial based upon its evaluation.
 2. Planning Commission: The Commission shall hold a public hearing to consider an application. It shall also consider the recommendation of the DRC, together with information provided by the applicant, and any statements made at the public hearing both for and against the application. The Commission may recommend approval, approval with conditions, or denial of the application to the Council.

3. City Council: The Council shall hold a public hearing to consider an application. It shall consider the recommendations of both the DRC and Commission, together with information provided by the applicant, and any statements made at the public hearing both for and against the application. After the public hearing, the Council may approve, approve with conditions, or deny the application.

SECTION 4: AMENDMENT “15.3.04.030 Nonconforming Buildings, Uses, And Lots” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.04.030 Nonconforming Buildings, Uses, And Lots

These regulations are designed to regulate and protect the rights of legally existing nonconforming uses and noncomplying structures. Any lawful use or activity conducted under County zoning regulations at the effective date of Annexation or under previous City zoning regulations in effect at the adoption of this ordinance which no longer complies with the regulations of this ordinance shall be considered a legal nonconforming use or noncomplying structure. The site, structure, or use will be encouraged to convert to a conforming use in the future, although some limited expansion or enlargement may be allowed subject to the provisions of this section. A nonconforming use is lost if it is abandoned. Abandonment may be presumed to have occurred if:

- A. A majority of the primary structure associated with the nonconforming use has been voluntarily demolished without prior written agreement with the City regarding an extension of the nonconforming use.
- B. The use has been discontinued for a minimum of one year.
- C. The primary structure associated with the nonconforming use remains vacant for a period of one year.
- D. A legal nonconforming use may continue subject to the following limitations:
 1. A nonconforming building may not be reconstructed or structurally altered during its life to an extent in the aggregate of 50% of the fair market value of the building.
 2. A building which is nonconforming only as to setback regulations may be added to as long as the portion to be added conforms to the setback regulations.
 3. Any legal lot which does not conform to lot area or lot dimensions for the zoning district in which it is located may be used for any use permitted in that district provided all other applicable City and zoning regulations are complied with. However, substandard residential lots will be restricted to the number of homes allowed in accordance with this ordinance, except as otherwise permitted in this section.
 4. No nonconforming building or use shall be changed to another nonconforming use.
 5. A noncomplying structure or a nonconforming use of a structure that has been damaged by fire, flood, explosion, or an act of God can be rebuilt or repaired. The new structure must be constructed using the same footprint as prior to being destroyed. The new structure will need to meet all other applicable Building Codes and zoning regulations.
 6. A noncomplying structure that has been allowed to deteriorate to a condition that the structure is rendered uninhabitable and is not repaired or restored within six months after written notice to the property owner from the City may not be reconstructed or restored and any nonconforming use shall be lost.
- E. Expansion or Enlargement: Limited expansion or enlargement of a nonconforming use or

noncomplying structure, not to exceed 25% of the existing size of the current site or building area, may be considered and approved by the Commission. The Commission will hold a public hearing and review the expansion or enlargement generally in accordance with the findings for Conditional Use Permits in §15.3.08.070 recognizing that not all of the findings may be met because the use or building is nonconforming to certain zoning regulations and/or General Plan policies. The Commission may place certain conditions, similar to those described in §15.3.08.050, on the operation or expansion to help mitigate potential impacts and to increase compatibility of the use with surrounding development and the City as a whole. Nonconforming signs shall be removed or brought into conformance with this ordinance when:

1. More than 50% of the reproduction cost of the sign or sign structure has been damaged or destroyed or has deteriorated to such an extent that the cost of repairs exceeds 50% of the reproduction cost of the sign or sign structure.
2. The property undergoes development or redevelopment in accordance with the Design Review section of this ordinance.
3. There is a change in the business name.

SECTION 5: **AMENDMENT** “15.3.08.030 Annexations” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.08.030 Annexations

- A. **Application:** A party seeking Annexation to the City shall submit an Annexation petition. Petition is made by following the instructions on the electronic form provided by the Community Development Department, which meets the criteria established by state law. The petition will be placed on the Council agenda for rejection or acceptance for further review, the City Recorder shall publish the notices, and provide the written notices as required by state law and follow the requirements of state law. During the publication period, the petition will be forwarded to the Community Development Director for presentation to the DRC and Commission, for their recommendations. A petition for Annexation expires if it is not approved by the City within 36 months from the time its application is submitted and accepted. The City may also initiate an Annexation as outlined in Utah Code Ann. §10-2-418 where islands or peninsulas exist within its boundaries.
- B. **Development Review Committee:** The DRC shall address the following items in its review of the Annexation petition:
1. Whether the proposed property is within the Growth Management Boundary of the General Plan.
 2. Present and proposed land use and zoning.
 3. Present and potential demand for various municipal services.
 4. Distances from existing utility lines, public schools, parks, and shopping areas.
 5. Specific time tables for extension of services to the area and how these services would be financed.
 6. Potential impact on existing and proposed streets.
 7. The effect that the Annexation will have upon City boundaries and whether the Annexation will create potential for islands, or difficult service areas.
 8. An estimate of potential revenue versus potential service costs.

9. Requirements imposed by State law.

- C. **Planning Commission Review:** The Commission shall consider the DRC recommendation, together with testimony from the petitioner and other interested parties, and make a recommendation on the Annexation and zoning districts to the Council.
- D. **City Council Review:** If no protest is filed, a public hearing shall be scheduled before the Council to act upon the petition. If a protest is filed, the Council shall schedule a public hearing to act upon the petition after the Boundary Commission has rendered its decision. The petitioners shall be responsible for the costs of any feasibility studies, which payment shall be made in advance of the study. The Council may schedule the matter at any time to deny the petition.
- E. **Granting of Petition:** If an Annexation petition is granted, an ordinance accepting the Annexation and designating the zoning shall be prepared for the territory shown on the plat map. A certified copy of the Annexation Ordinance and the Plat shall be filed in the office of the County Recorder.

(Ord. No. 14-16, Amended 09/20/2016)

SECTION 6: AMENDMENT “15.3.08.050 Amendments To The Zoning Ordinance - Text And Maps” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.08.050 Amendments To The Zoning Ordinance - Text And Maps

- A. **General:** Amendments to this Zoning Ordinance which change property from one zoning district to another, which modify ordinance text, or which amend or modify stipulations or conditions of approval shall be adopted in accordance with this section.
- B. **Application:** Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the City properly evaluate the request. The specific information to be included with the application is described on the application form. A Zoning Text or Map Amendment application expires if it is not approved by the City within 24 months from the time its application is submitted and accepted.

Any interested party may request a change in the text of the Zoning Ordinance. Only the following may request an amendment to change property from one zoning district to another:

- 1. The owner or any of the joint owners of the property.
 - 2. The owners of 75% or more of the area covered by the application when the application covers more than one property.
 - 3. The Planning Commission or City Council on its own motion at a public meeting.
- C. **Findings:** Amendments to the Zoning Ordinance and the Zoning Map may be approved only upon making the following findings:
 - 1. The amendment is consistent with the policies of the General Plan, including any policies of the Capital Improvements Plan.
 - 2. For amendments to the Zoning Map, consideration has been given to include any conditions necessary to mitigate adverse impacts on adjoining or nearby properties.
 - D. **Review and Public Hearing Procedures:**

1. Development Review Committee: Completed applications will be reviewed by the DRC and evaluated in accordance with the criteria described in the above “Findings”. The DRC shall forward a recommendation to the Commission for approval, approval with conditions, or denial based upon consideration and evaluation of the “Findings”.
2. Planning Commission: The Commission shall hold a public hearing on the application. Prior to the hearing, notice shall be provided as set forth in §15.1.04.040. The Commission shall consider the recommendation of the DRC, together with information provided by the applicant, and any statements made at the public hearing both for and against the application. The Commission may recommend approval, approval with conditions, or denial of the application to the Council.
3. City Council: The Council shall hold a public hearing on the application. Prior to the hearing, notice shall be provided as set forth in §15.1.04.040. After the public hearing, the Council may approve, approve with conditions, or deny the application.

(Ord. No. 14-16, Amended 09/20/2016)

SECTION 7: **AMENDMENT** “15.3.08.060 Conditional Use Permits” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.08.060 Conditional Use Permits

- A. **Purpose:** Certain uses have characteristics that may have a greater impact on the adjoining properties, surrounding neighborhood, or community as a whole than do other permitted uses in the specific zoning district. These uses require a more comprehensive review to determine whether the proposed use at a specific location is appropriate, or whether the use can be made compatible by placing certain conditions on its operation that mitigate or eliminate potential detrimental impacts. The Commission is the Land Use Authority for Conditional Use Permits and is empowered to approve, to approve with conditions, or to deny the Conditional Use Permit application, subject to the findings and hearing requirements of this section. A Conditional Use application expires if it is not approved by the City within 24 months from the time its application is submitted and accepted.
- B. **Application:** Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials.
- C. **Findings:** The DRC shall consider, and the Commission must make the following findings prior to granting a Conditional Use Permit:
 1. The proposed use is consistent with the policies of the City’s General Plan and the purpose of the zoning district in which the site is located.
 2. The proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, when consideration is given to the character and size of the use and hours of operation.
 3. The proposed site is adequate in size and shape to accommodate the intended use, and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met.

4. The proposed site has adequate access to public streets to carry the type and quantity of traffic which may be generated by the use, and that on-site circulation is adequate to permit driveways, parking, pedestrian ways, and loading requirements in a manner which is safe and efficient.
5. Adequate conditions or stipulations have been incorporated into the approval of the Conditional Use Permit to ensure that any anticipated detrimental effects are minimized.

D. Review and Public Hearing Procedures:

1. Development Review Committee: Completed applications will be reviewed by the DRC and evaluated in accordance with the criteria described in the above "Findings". The DRC shall forward a recommendation to the Planning Commission for approval, approval with conditions, or denial based upon consideration and evaluation of the "Findings".
2. Planning Commission: The Commission shall hold at least one (1) public hearing on the application. Prior to the hearing, notice shall be provided as described in §15.1.04.040. The Commission shall consider the recommendation of the DRC, together with information provided by the applicant, and any statements made at the public hearing both for and against the application. The Commission shall approve, approve with conditions, or deny the application.

Conditions may be imposed on the use which is deemed necessary to mitigate potential impacts and insure compatibility of the use with surrounding development and the City as a whole. These conditions may include, but are not limited to:

- a. Requirements for setbacks, open spaces, buffers, fences or walls, and landscaping; the purpose of which is to mitigate conflicts from visual, noise, lighting, and similar impacts associated with the use.
- b. Dedication and/or improvements of street or other public rights-of-way, control location of access points, and on-site circulation, to mitigate traffic impacts from increased volumes or nature of traffic activity associated with the use.
- c. Limitations on hours of operation, methods of operation, building height and size, on-site lighting and on signage.

E. Revocation: Failure to comply with the conditions or stipulations of a Conditional Use Permit is a violation of this ordinance and will be enforced as such. Revocation procedures may be initiated and processed by the Planning Commission as follows:

1. The City shall notify, by certified mail, the holder of the Conditional Use Permit of the intention to conduct a hearing to consider the revocation of the Conditional Use Permit. Notice shall be postmarked at least 15 days prior to the date of the scheduled hearing. At the hearing the Planning Commission shall consider evidence from all interested parties, and after consideration of all available information, may revoke the Conditional Use Permit if it is determined that conditions or stipulations of the approved Permit have not been met.

F. Transfer of Conditional Use Permit: A Conditional Use Permit granted in accordance with this section shall run with the land and continue to be valid regardless of ownership of the site or structure, as long as it operates within the conditions or stipulations of the Conditional Use Permit approval.

(Ord. No. 04-14, Amended 04/01/2014)

SECTION 8: AMENDMENT "15.3.16.032 R-4 Residential District" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.032 R-4 Residential District

This district is intended to allow high density residential uses. There will be a mix of home types in this zone and it is anticipated that the majority of the homes in this zone will be in multi-unit structures arranged in both townhome and stacked flat configurations.

A. Permitted Uses:

1. Single-family homes.
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.

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 Home Complexes (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 12 acres.
3. Minimum street frontage for a development is 80 feet.
4. Maximum impervious surface in the R-4 zone shall be 70% of the project area.
5. Minimum parking shall include two point five (2.5) spaces for each unit in the development. Enclosed garages shall be provided for 80% of the units and zero point two five (0.25) spaces for each unit shall be made available for guest parking.
6. Minimum finished living space shall be provided as follows:
 - a. Single-family residence, 1,000 square feet.
 - b. Twin home, 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 home 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 a variety of heights with a maximum height of 45 feet.
 - (1) Long, continuous rooflines and ridgelines greater than 50 feet shall not be permitted.
 - (2) Where projects abut property that is zoned R-1 or R-3, the maximum height shall be 35 feet within 100 feet of the property boundary line.
- c. The front facade of multi-family structures shall exhibit visual relief through an array of architectural features such as roof dormers, hips, gables, balconies, porches, wall projections, and fenestration.
- d. 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.
- e. Side-by-side multi-family homes, that are attached horizontally, shall not exceed six (6) attached units per building.
- f. 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 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 right-of-way.
- b. Where the R-4 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:
 - (1) Front yard, 20 feet from public right-of-way or shared driveway to living space.
 - (2) Corner side yard, 15 feet to living space.
 - (3) Interior side yard, 10 feet, provided 15 feet exists between buildings.
 - (4) Rear yard, 15 feet.
 - (5) Accessory buildings, 5 feet to property lines and other structures.
 - (6) Garage doors, 20 feet from public right-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 12 spaces or less.
4. Open Space: no less than 30% 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 centrally located.
 - e. 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 50 homes shall provide an amenities package appropriate for the project size and location. Projects of 50 units or greater shall provide amenities as follows:
 - (1) Multi-family projects shall include at least one amenity per 50 units from the following list:
 - (A) Community garden.
 - (B) Courtyard with benches.
 - (C) Other active or passive recreational areas that meet the intent of this guideline.
 - (D) Picnic tables and BBQ area with shade structures.
 - (E) Sports courts (i.e., tennis, basketball, volleyball).
 - (F) Swimming pool (indoor or outdoor).
 - (G) Tot lot with play structure.
 - (2) Projects of 51 to 100 homes shall include the following amenities in addition to those required in subsection 15.3.16.032(F)(5)(a)(i).
 - (A) A minimum of one (1) inside, centrally located, fully functional social area, no less than 1,000 square feet in size, or a minimum of one (1) outside social function area, no less than 2,000 square feet in size.
 - (3) Projects of 101 or more homes shall include the following amenities in addition to those required in subsection 15.3.16.032(F)(5)(a)(i) and (ii).
 - (A) A minimum of one (1) inside, centrally located, fully functional social area, no less than 1,000 square feet in size.

- (B) A minimum of one (1) outside social function area, no less than 2,000 square feet in size.
- 6. Access: street connectivity should be enhanced with an R-4 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. Local streets shall not exceed 600 feet in length without an intersecting street.
 - d. 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.
 - e. 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.

(Ord, No. 05-16, Enacted 04/05/2016)

SECTION 9: AMENDMENT “15.3.16.033 R-5 Residential District” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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 homes 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 homes.
- 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. Twin home, 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 home 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 rights of-way and common areas.
 - (1) Where possible, units shall have direct access to the public right-of-way.
 - (2) 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 40 feet.
 - d. Long, continuous rooflines and ridgelines greater than 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 homes, 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 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:
 - (1) Front yard, 10 feet from public right-of-way or shared driveway to living space.
 - (2) Corner side yard, 15 feet to living space.
 - (3) Interior side yard, 10 feet, provided 15 feet exists between buildings.
 - (4) Rear yard, 15 feet.
 - (5) Accessory buildings, five (5) feet to property lines and other structures.
 - (6) 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 12 spaces or less.
4. Open Space: no less than 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 50 homes shall provide an amenities package appropriate for the project size and location.
 - (1) Multi-family projects shall include at least one amenity per 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.
 - (2) Projects of 51 to 100 homes shall include the following amenities in addition to those required in subsection (5)(a)(1) of this section.
 - (A) A minimum of one inside, centrally located, fully functional social area, no less than 1,000 square feet in size, or a minimum of one outside social function area, no less than 2,000 square feet in size.
 - (3) Projects of 101 or more homes shall include the following amenities in addition to those required in subsection (5)(a)(1) and (2) of this section.
 - (A) A minimum of one inside, centrally located, fully functional social area, no less than 1,000 square feet in size.
 - (B) A minimum of one outside social function area, no less than 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.

(Ord, No. 25-17, Enacted 10/17/2017)

SECTION 10: **AMENDMENT** “15.3.16.035 Infill Overlay Zone (I-F)” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

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 homes.
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) homes per building (R-3 zone only)

B. Accessory Buildings and Uses (see §15.3.24.090).

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. Variation 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 home 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.
- D. Site Plan/Design Review (see §15.4.08.010 et seq.).
- E. Landscaping, Buffering, Walls (see §15.4.16.130). 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 where the City Council finds that a different type of fence or wall is sufficient.
- F. Detailed landscape plans shall be submitted with each application for I-F Zone approval. Landscape plans shall be generally consistent with surrounding properties. Projects shall be landscaped in a manner that is consistent with the approved plans. Landscape Plans shall identify the following:
1. Details for any proposed structures or features.
 2. Irrigation plan.
 3. Parking (see §15.4.16.120).
 4. Plant schedule.
 5. Planting plan, including all ground cover.
 6. Signs (see §5.36.010 et seq.).
 7. Walls.

(Ord. No. 04-09, Amended 07/08/2009) (Ord. No. 02-15, Amended 02/03/2015) (Ord. No. 04-16, Amended 02/16/2016) (Ord. No. 05-16, Amended 04/05/2016) (Ord. No. 21-18, Amended 12/11/2018) (Ord. No. 03-19, Amended 01/22/2019)

SECTION 11: **AMENDMENT** "15.3.16.040 R-O Residential Office" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.040 R-O Residential Office

This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and Site Plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and residential land uses, or is located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

- A. Permitted Uses:
1. Bed and Breakfast Inns.
 2. Child Care Centers.
 3. Churches.
 4. Duplexes. The minimum lot size is 9,700 square feet; the minimum lot width is 60 feet and the side setback 10 feet.
 5. Funeral Homes.

6. Home Occupations.
7. Instructional Studio.
8. Municipal Facilities required for local service.
9. Museums.
10. Offices.
11. Single Residence Dwellings.

The following uses will only be allowed on properties between 100 West and 100 East:

1. Art Galleries and Studios.
 2. Financial Institutions with no drive-thru service.
 3. Personal Service businesses.
 4. Restaurants (no drive-thru or drive-in service).
 5. Specialty retail uses including, but not limited to, Gift Shops, Bookstores, Florists, Antiques, Crafts, Collectibles, Food and Beverages, Apparel, and other similar items.
- B. Uses subject to Conditions (as described in §15.3.24.010 et seq.):
1. Manufactured Homes (as described in §15.3.24.040 et seq.).
 2. Residential facility for elderly persons (as described in §15.3.24.010(B) et seq.).
 3. Residential facility for persons with a disability (as described in §15.3.24.010(A) et seq.).
- C. Accessory Buildings and Uses (see §15.3.24.090).
- D. Development Standards (see Table 1).
- E. Site Plan/Design Review (see §15.4.08.010 et seq.)
- F. Landscaping, Buffering, Walls (see §15.4.16.130).
- G. Signs (see §5.36.010 et seq.).
- H. Parking (see §15.4.16.120): No parking will be allowed in front of the principal structure for non-residential uses.
- I. Uses subject to Conditional Use Permit (see §15.3.08.060):
1. Assisted Living Facilities.
 2. Financial Institutions not located between 100 West and 100 East.
 3. Museums.
 4. Nursing or Retirement Homes.
 5. Residential Treatment Centers.
 6. Shelter Care Facilities.
 7. Supervisory Care Facilities.
 8. 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.

(Ord. No. 12-09, Amended 08/04/2009)

Table 1 - Residential Development Standards										
District	Base 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	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'	20'
R-1-15	2.15 units (base)	15,000 sf	100'	125'	20-25' ²	25'	10'	15-25' ⁴	35'	20'
R-1-12	2.69 units (base)	12,000 sf	100'	100'	20-25' ²	25'	10'	15-25' ⁴	35'	20'
R-1-9	3.58 units (base)	9,000 sf	85'	90'	15-25' ²	25'	10'	15-25' ⁴	35'	20'
R-1-8	4.03 units (base)	8,000 sf	75'	90'	15-25' ²	25'	10'	15-25' ⁴	35'	20'

R-1-6	5.37 units (base) ⁹	6,000 sf	50'	90'	15-25' ²	25'	5-10' ³	15-25' ⁴	35'	20'
R-3	12 units (maximum) ⁹	6,000 sf	50'	90'	15-25' ²	25'	5-10' ³	15-25' ⁴	35'	20'
R-4	18 units (maximum)	6,000 sf	50'	90'	15-25' ²	25'	5'-10' ³	15-25' ⁴	45'	20'
R-5	18 units (maximum)	6,000 sf	50'	90'	10-20' ⁸	15'	15'	15'	40'	20'
R-O	N/A	6,000 sf	50'	90'	15-25' ²	25'	5-10' ³	15-25' ⁴	35'	20'

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. Flag poles 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.

(Ord. No. 15-13, Amended 09/03/2013)

(Ord. No. 13-14, Amended 08/19/2014)(Ord. No. 05-16, Amended 04/05/2016)(Ord. No. 11-17, Amended 04/18/2017)(Ord. No. 25-17, Amended 10/17/2017)(Ord. No. 20-18, Amended 11/20/2018)(Ord. No. 21-18, Amended 12/11/2018)(Ord. No. 03-19, Amended 01/22/2019)(Ord. No. 12-19, Amended 06/18/2019)

Table 2 - Commercial and Industrial Development Standards							
District		Minimum Setback ¹				Max Building Height	
		Front	Rear	Side	Corner	Principal Building	Accessory Building ¹
C-O	' ⁴ -25'	0-25'	0-10'	10' ⁵ -15'	30'	20'	
C-UV	'	0-25'	0-20'	15'	35'-48' ¹	20'	
C-D	' (10' max)	0-25'	0'	0' (10' max)	48'	20'	
C-1		25'	0-25'	0-20'	15'	30'	20'
C-2	' ⁴ -25'	0-25'	0-20'	10' ⁵ -15'	35-48' ²	20-25' ²	
S-C	'	0-25'	0-20'	15'	35-60' ²	20'	
B-P	'	0-25'	0-25'	15'	120'	20'	
I-1	'	0-25'	0-25'	15'	None	None	
I-2		50'	50'	50'	50'	None	None

1. Where range is indicated, side or rear setbacks are when the adjacent parcel is a residential use or district.
2. Lower heights shown are for buildings and structures within 50 feet of a residential district or use.
 Note: There is no minimum lot size, width, or lot frontage requirements. However, any new building or development must have permanent access on a paved road or driveway. Other improvements, such as curb and gutter, sidewalk, and additional pavement width or thickness may be required depending upon the nature of the business. (Ord. No. 07-04. Amended Industrial Zones Height Restrictions, 05/04/2004)
3. The setback for self-storage buildings in the I-2 Industrial Zone may be reduced by the Planning Commission as noted in §15.3.16.130(E)(1).
4. 15 feet, provided there is 30 feet from the building to the back of curb, otherwise 25 feet.
5. 10 feet, provided there is 20 feet from the building to the back of curb, otherwise 15 feet.

(Ord. No. 10-09, Amended 06/17/2009) (Ord. No. 15-15, Amended 09/15/2015) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 03-17, Amended 02/07/2017) (Ord. No. 26-17, Amended 11/07/2017) (Ord. No. 03-18, Amended 02/20/2018)

SECTION 12: AMENDMENT “15.3.16.070 C-1 Neighborhood Commercial” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.070 C-1 Neighborhood Commercial

This district is intended to provide small scale retail, personal and business services, and office uses to serve the immediate residential area. Individual businesses may not exceed 7,500 square feet to discourage uses which draw from outside of the immediate neighborhood.

- A. Permitted Uses: The following uses are permitted if operated from a permanent, enclosed building with no outside storage or display of merchandise. The hours of operation are limited to 6:00 A.M. to 11:00 P.M.
 - 1. Child Care Centers.
 - 2. Convenience Store.
 - 3. Financial Institutions.
 - 4. Instructional Studio.
 - 5. Municipal Facilities required for local service.
 - 6. Office Supply, Copying, Printing businesses.
 - 7. Offices.
 - 8. Personal Service businesses.
 - 9. Restaurants.
 - 10. Retail Uses.
- B. Uses Subject to Conditions:
 - 1. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).
- C. Uses Subject to Conditional Use Permit (see §15.3.08.060):
 - 1. Car wash (self or full service).
 - 2. 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 (see Table 2).
- F. Site Plan/Design Review (see §15.4.08.010 et seq.).
- G. Landscaping, Buffering, Walls (see §15.4.16.130).
- H. Signs (see §5.36.010 et seq.).
- I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009)

SECTION 13: **AMENDMENT** “15.3.16.080 C-2 General Commercial” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.080 C-2 General Commercial

This district is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center.

A. Permitted Uses: The following uses are permitted if operated from a permanent, enclosed building with no outside storage of merchandise:

1. Art Galleries and Studios.
2. Car Wash (full service).
3. Child Care Centers.
4. Convenience Stores.
5. Entertainment Uses.
6. Event Center.
7. Hotels and Motels.
8. Instructional Studios.
9. Lube Centers.
10. Medical and Dental Laboratories.
11. Municipal Facilities required for local service.
12. Office Supply, Copying, Printing businesses.
13. Offices.
14. Outdoor display area.
15. Personal Service businesses.
16. Private Clubs.
17. Public Utility Facilities required for local service.
18. Repair Services for small appliances, bicycles, jewelry, and similar items.
19. Restaurants.
20. Retail uses.
21. Tire Centers.

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such:

1. New and Used Automobile, Motorcycle, Boat, Truck, Recreational Vehicle Sales and Rental Facilities, and Repair Services associated with such facilities.

B. Uses Subject to Conditions:

1. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).

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

1. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
2. 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 (see Table 2).

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs (see §5.36.010 et seq.).

I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 02-10, Amended 02/16/2010) (Ord. No. 21-18, Amended 12/11/2018)

(Ord. No. 14-19, Amended 07/09/2019)

SECTION 14:**AMENDMENT** “15.3.16.090 S-C Shopping Center” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.090 S-C Shopping Center

This district is intended to provide retail uses, service-oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically be five (5) acres in size and provide neighborhood or community level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

A. Permitted Uses: The following uses are permitted if operated from a permanent, enclosed building with no outside storage of merchandise:

1. Art Galleries and Studios.
2. Car Wash (full service).
3. Child Care Centers.
4. Convenience Store.
5. Entertainment Uses.
6. Instructional Studios.
7. Lube Center.
8. Municipal Facilities required for local service.
9. Office Supply, Copying, and Printing businesses.
10. Personal Service businesses.
11. Restaurants.
12. Retail Uses.
13. Tire Center.

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such business:

B. Uses Subject to Conditions:

1. Seasonal sales and special events (as described in §15.3.24.050 et seq.).
2. Offices. Buildings or portions of buildings occupied by office uses cannot exceed 3,000 square feet. No more than five (5) percent of any development’s gross building square footage can be dedicated to office uses.
3. Outdoor display area. Areas are only allowed for the storage of materials and merchandise in conjunction with a permitted use that has a permanent facility in the center. Areas should be sufficiently screened and/or organized so as to maintain an attractive and inviting atmosphere in the center. Areas shall not impede pedestrian or vehicular traffic to, from, or within a center.

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

1. Hotels and Motels.
2. New Automobile, Motorcycle, Boat, Truck, Recreational Vehicle Sales and Rental Facilities, and Repair Services associated with such facilities.
3. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
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 they are attached; or new stealth facilities which are camouflaged into its surroundings.

- D. Accessory Buildings and Uses (see §15.3.24.090).
- E. Development Standards (see Table 2).
- F. Accessory Buildings and Uses (see §15.3.24.090).
- G. Development Standards (see Table 2).
- H. Site Plan/Design Review (see §15.4.08.010 et seq.).
- I. Landscaping, Buffering, Walls (see §15.4.16.130).
- J. Signs (see §5.36.010 et seq.).
- K. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009)
 (Ord. No. 15-15, Amended 09/15/2015)

SECTION 15: AMENDMENT “15.3.16.120 I-1 Light Industrial” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.120 I-1 Light Industrial

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water, or noise pollution will not be allowed. Residential uses are not allowed.

A. Permitted Uses:

1. Agriculture, including the Production of Food and Fiber Crops, Tree Farms, Grazing, and Animal Husbandry of Livestock.
2. Automotive Repair.
3. Automotive Service, Paint and Body Work, other consumer goods repair.
4. Caretaker's Residence
5. Car Wash (self or full service).
6. Contractor Warehouse and Storage Yards.
7. Financial Institutions.
8. Funeral Homes.
9. Indoor Manufacturing, Assembly and Storage of finished products.
10. Instructional Studios.
11. Lube Centers.
12. Lumber and Building Material Yards.
13. Municipal Facilities required for local service.
14. New and Used Automobile, Motorcycle, Boat, Truck, Recreational Vehicle Sales and Rental Facilities, and Repair Services associated with such facilities.
15. Office Supply, Copying, Printing businesses.
16. Offices.
17. Outdoor display areas.
18. Research, Development, and Testing services.
19. Restaurants.
20. Retail businesses.
21. Telecommunication Towers not taller than 60 feet.

22. Tire Care Centers.
 23. Trade or Business schools.
 24. Trucking and Warehousing.
 25. Veterinary Offices for large animals and/or outside boarding of animals.
 26. Wholesale Trade Businesses except explosives or automobile wrecking or salvage yards.
- B. Uses Subject to Conditions:
1. Outdoor storage areas (see §15.3.24.090(I)).
 2. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).
 3. Sexually Oriented businesses as defined in Chapter 5.28 of the Spanish Fork Municipal Code.
- C. Uses Subject to Conditional Use Permit (see §15.3.08.060):
1. Commercial Kennels, Animal Shelters, and Veterinary Hospitals with outdoor boarding or exercise facilities.
 2. Drive-in Theaters.
 3. Jails, for County and/or City.
 4. Outdoor Commercial Recreation Facilities.
 5. Publicly owned and operated compost facilities.
 6. Publicly owned and operated recycling centers.
 7. Rehabilitation Treatment Facilities.
 8. Residential Treatment Centers (not owner occupied).
 9. Shelter Care Facilities.
 10. Telecommunication Towers taller than 60 feet.
- D. Accessory Buildings and Uses (see §15.3.24.090).
- E. Development Standards (see Table 2).
- F. Site Plan/Design Review (see §15.4.08.010 et seq.).
- G. Landscaping, Buffering, Walls (see §15.4.16.130).
- H. Signs (see §5.36.010 et seq.).
- I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 02-10, Amended 02/16/2010)

SECTION 16: AMENDMENT “15.3.16.130 I-2 Medium Industrial” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.130 I-2 Medium Industrial

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

- A. Permitted Uses:
1. Automotive Repair.
 2. Caretaker's Residence
 3. Car Wash (self or full service).

4. Contractor Warehouse and Storage Yards.
 5. Financial Institutions.
 6. Impound Yard.
 7. Lube Centers.
 8. Lumber and Building Material Yards.
 9. Manufacturing and Assembly of finished products except animal fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
 10. Municipal Facilities required for local service.
 11. Office Supply, Copying, Printing businesses.
 12. Offices.
 13. Outdoor display areas.
 14. Research, Development, and Testing services.
 15. Restaurants.
 16. Retail businesses.
 17. Telecommunication Towers not taller 60 feet.
 18. Tire Care Centers.
 19. Trade or Business schools.
 20. Trucking and Warehousing.
 21. Wholesale Trade businesses except explosives or automobile wrecking or salvage yards.
- B. Uses Subject to Conditions:
1. Outdoor Storage Areas (see §15.3.24.090(I)).
 2. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).
- C. Uses Subject to Conditional Use Permit (see §15.3.08.060):
1. Commercial Kennels, Animal Shelters, and Veterinary Hospitals with outdoor boarding or exercise facilities.
 2. Drive-in Theaters.
 3. Manufacture of Concrete Products.
 4. Self-storage Warehouses and/or Recreational Vehicle Storage.
 5. Telecommunication Towers taller than 60 feet.
- D. Accessory Buildings and Uses (see §15.3.24.090):
- E. Development Standards (see Table 2):
1. The setback for self-storage buildings may be reduced to as little as 10 feet, at the discretion of the Planning Commission, based on the creation of an adequate buffer between the self-storage buildings and the adjacent property. The adequate buffer shall include landscaping, architectural upgrades, and any other measures deemed necessary by the Commission.
- F. Site Plan/Design Review (see §15.4.08.010 et seq.).
- G. Landscaping, Buffering, Walls (see §15.4.16.130).
- H. Signs (see §5.36.010 et seq.).
- I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 02-10, Amended 02/16/2010)

SECTION 17: **AMENDMENT** “15.3.16.140 I-3 Heavy Industrial” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.140 I-3 Heavy Industrial

This district is intended to provide for employment related uses including heavy manufacturing, assembling, warehousing, and wholesale activities. Residential uses are not allowed.

A. Permitted Uses:

1. Caretaker's Residence
2. Contractor Warehouse and Storage Yards.
3. Impound Yard.
4. Lumber and Building Material Yards.
5. Manufacture of Concrete Products.
6. Manufacturing and Assembly of finished products.
7. Municipal Facilities required for local service.
8. Offices Incidental to an industrial use.
9. Outdoor Storage area.
10. Research, Development, and Testing services.
11. Trucking and Warehousing.
12. Wholesale Trade businesses except explosives or automobile wrecking or salvage yards.

B. Uses Subject to Conditions:

1. Large Wind Energy Systems (see SFMC §15.3.24.090(H)).
2. Rock Crushers with Surface Mining Overlay approval (see SFMC §15.4.20.040).
3. A cannabis processing facility (see SFMC
- 4.

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

1. Self-storage Warehouses and/or Recreational Vehicle Storage.
2. Telecommunication Towers taller than 60 feet.
3. Transfer Facilities.

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Development Standards (see Table 2).

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs (see §5.36.010 et seq.).

I. Parking (see §15.4.16.120)

(Ord. No. 07-06, Repealed 07/18/2006) (Ord. No. 02-10, Enacted 02/16/2010)

SECTION 18: AMENDMENT “15.3.16.160 Public Facilities (P-F)” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.160 Public Facilities (P-F)

This district is intended to provide for structures and uses that are owned, leased, or operated by a governmental entity for the purpose of providing governmental services to the community. Allowed uses will be necessary for the efficient function of the local community or may be desired services which contribute to the community's cultural or educational enrichment. Other allowed uses will be ancillary to a larger use that provides a direct governmental service to the community.

A. Permitted Uses:

1. Automotive Repair.
2. Campgrounds.
3. Caretaker's Residence
4. Car Wash (self or full service).
5. Cemeteries.
6. Child Care Centers.
7. Court Buildings and Related Facilities.
8. Golf Courses and Related Facilities.
9. Government Maintenance Shops and Related Facilities.
10. Government Owned Nurseries and Tree Farms.
11. Government Storage Buildings.
12. Government Storage Yards.
13. Gun Clubs and Firing Ranges.
14. Libraries.
15. Lube Centers.
16. Municipal Facilities required for local service.
17. Museums.
18. Offices.
19. Parking structures.
20. Public Art Galleries.
21. Public Parks and Recreational Facilities.
22. Public Safety Facilities.
23. Publicly Owned Stadiums and Arenas.
24. Publicly Owned Zoos.
25. Temporary Office and Construction Trailers.
26. Theaters.
27. Transit Centers and Related Facilities.
28. Wireless Communication Facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities so long as the structure height does not exceed 20 feet above the existing structure and is a monopole.

B. Uses Subject to Conditions:

1. Outdoor Storage Areas (see §15.3.24.090(I)).

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.

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Development Standards.

1. The maximum height of any building or structure shall be limited to 65 feet.
2. Setbacks shall be as follows for all main buildings:
 - a. Front Yard, 20 feet.
 - b. Corner side yard, 20 feet.
 - c. Interior Side Yard, 10 feet.
 - d. Rear yard, 20 feet.

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs.

1. Signage shall be permitted in accordance with §5.36.010. Substitute or additional signage shall be permitted if it is deemed essential to providing a government service.

I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 02-10, Amended 02/16/2010) (Ord. No. 13-14, Amended 08/19/2014) (Ord. No. 21-18, Amended 12/11/2018)

SECTION 19: AMENDMENT “15.3.24.030 Master Planned Development (PUD)” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.24.030 Master Planned Development (PUD)

A. Purpose: The purpose of the Master Planned Development concept is to:

1. Allow for designs that provide for more efficient utilization of public infrastructure than what is achieved in a standard subdivision.
2. Allow for deviations from typical zoning standards in order to permit uniquely configured or situated properties to be developed in a functional manner that enhances the City.
3. Allow developments to include a total number of units that matches the base density found in the underlying zone as identified in Table 1 - Residential Development Standards of Title 15.
4. Establish residential neighborhoods with a distinct character and convey a sense of unity.

B. Permitted Uses:

1. All uses listed in R 1 and R-3 Districts, subject to the same restrictions or limitations of the use.
2. Multi-family homes with more than four (4) attached units.

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, for other non-residential uses and land that is unbuildable because of easements or other restrictions may not be counted in the density calculations.
4. Street Design - Local streets shall not exceed 600 feet in length without an intersecting street.

D. Architecture:

1. Minimum House Sizes; finished area (square feet). For the purposes of calculating required finished area, square footage in basements shall not qualify. For split level homes, finished area on floors that are at least 50% below the finished grade of the lot shall not count towards the required finished area.

Minimum House Sizes - Finished Area		
Minimum Lot Size and Multi-family	One Story	Multi-Level
80,000 sq. ft.	1,600 sq. ft.	2,400 sq. ft.
60,000 sq. ft.	1,600 sq. ft.	2,400 sq. ft.
40,000 sq. ft.	1,600 sq. ft.	2,400 sq. ft.
30,000 sq. ft.	1,500 sq. ft.	2,200 sq. ft.
20,000 sq. ft.	1,500 sq. ft.	2,200 sq. ft.
15,000 sq. ft.	1,500 sq. ft.	2,200 sq. ft.
12,000 sq. ft.	1,400 sq. ft.	2,000 sq. ft.
9,000 sq. ft.	1,300 sq. ft.	1,600 sq. ft.
8,000 sq. ft.	1,200 sq. ft.	1,500 sq. ft.
6,000 sq. ft.	1,100 sq. ft.	1,400 sq. ft.
Multi-family	1,000 sq. ft. (one level)	1,200 sq. ft. (multi-level)

2. Distinct Designs - Master Planned Developments shall provide a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive homes constructed along the same street are not allowed. In order to ensure that the neighborhood is non-repetitive, the same street facing elevation shall not be built on adjacent lots on the same street or on lots directly or diagonally across the street from one another. Different elevations shall be characterized by elements such as, but not limited to, distinct footprints, rooflines, cladding materials or architectural features which contribute to home designs that are easily distinguishable from other home designs along the same street. The City Council may waive this requirement for developments which include multi-family housing that present specific architectural designs for the multi-family portion of the development at the time of project approval.
3. Parking - Master Planned Developments shall provide at least a two (2) car garage for each single-family residence. Townhomes and multi-family units must have one (1) attached or detached garage (minimum 12 feet x 20 feet) per unit. Developments shall include no less than zero-point five (0.5) guest parking spaces per home. Developments that include, with each home, a two (2) car garage and driveway space for two (2) vehicles shall not be required to provide additional guest parking. When required, at least one (1) space for guest parking shall be located within 200 feet of each home
4. Roofing - Homes in the development shall have at least a 6/12 pitched roof on the main portion of the roof unless it is determined by the Community Development Department that a lesser pitch roof is essential to maintain the integrity of a particular architectural style and that the style is a substantial improvement to what would be built in a standard subdivision.

5. Exterior Materials - Homes in Master Planned Developments shall be clad in masonry, or masonry-based materials or a chemically-treated, wood-based, nail-on, lap siding that has at least a 50-year warranty. The City Council may grant a waiver of this requirement based upon superior architectural design plans which involve other materials.
- E. (Ord. No. 01-17, Repealed 01/03/2017)
- F. Application. Applications to establish a Master Planned Development shall be processed as a subdivision if any new lots are to be created. If no new lots are proposed, such as for an apartment project, an application will be processed according to the Site Plan procedures. All applications must include the following information in addition to normal filing requirements for a subdivision or Site Plan project:
1. Complete description of the intended nature and character of the development.
 2. Description of all proposed private or public open space areas, including improvements, ownership, and maintenance provisions.
 3. Proposed project phasing.
 4. Plans representing proposed landscaping, fences, walls, entry treatments, signage and lighting.
 5. Preliminary conditions, covenants, and restrictions (CC&R's).
 6. Any variations from the non-Master Planned Development standards.
 7. Any proposed amended development standards, including such things as variations in setbacks, heights, and lot sizes.
 8. Proposed street cross sections, and proposed ownership and maintenance provisions, if the streets are proposed to be private.
 9. A data table which includes total acreage, acreage of sensitive lands, total number of homes and units by type, dwelling units per acre, acreage of open space, percent of acreage in open space.
- G. Phases. All residential subdivisions shall include a phasing plan that specifies the timing of public improvements and residential construction. This plan must be submitted at the submission of the Preliminary Plat. If the sequence of construction of various portions of the development is to occur in stages then the bonus density amenities shall be developed, or committed thereto, in proportion to the number of homes intended to be developed during any given stage of construction.
- H. Findings. Prior to granting approval of a Master Planned Development, the applicable reviewing body shall make findings identifying why the applicant's proposal justifies approval. Those findings should include the following:
1. The proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the strict application of the provisions of the underlying zone.
 2. The proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood.
 3. Any variation allowed from the development standards of the underlying district will not create increased hazards to the health, safety, or general welfare of the residents of the development of adjacent areas.

(Ord. No. 07-06, Amended 07/18/2006) (Ord. No. 08-09, Enacted 05/19/2009) (Ord. No. 11-13, Amended 07/16/2013) (Ord. No. 15-13, Repealed; Re-enacted 09/03/2013) (Ord. No. 04-14, Amended 04/01/2013) (Ord. No. 15-15, Amended 09/15/2015) (Ord. No. 01-17, Repealed 01/03/2017) (Ord. No. 03-19, Amended 01/22/2019)

SECTION 20: **AMENDMENT** “15.3.24.090 Supplementary Regulations” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.24.090 Supplementary Regulations

Accessory Buildings, Structures, or Satellite Earth Stations. Swimming Pools Yard/Garage Sales Irregular Lots Accessory (basement, mother-in-law) Apartments Awnings, Carports or Covered Decks Animals Wind Turbines (WT) Outdoor Storage Areas Public Rights-of-Way

A. Accessory Structures:

1. All accessory structures must meet the following requirements:
 - a. All accessory structures are required to obtain a building permit. 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.
 - b. All detached accessory structures must be located behind the front wall plane of the principal structure.
 - c. 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 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 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.
2. Structures that are 200 square feet and less in area and are less than five (5) feet from the

property line must meet the following additional requirements:

- a. Structures with a wall height of eight (8) feet or less and a maximum peak height of 12 feet may be constructed with no side or rear setback from property lines. In no case may any portion of a structure extend beyond the property line.
3. Structures larger than 200 square feet in area must meet the following additional requirements:
 - a. Meet all adopted Building Code regulations as set forth in §14.04.010.
 - b. Must maintain a minimum setback of five (5) feet to the side or rear property line.
 - c. Be anchored to concrete footings as outlined in the adopted Building Code as set forth in §14.04.010.
 - d. Accessory structures over 200 square feet in size that are located between the front and back planes of the house must be architecturally compatible with the principal structure.

B. Swimming Pools:

1. Swimming Pools and Jacuzzis shall comply with the following setbacks:
 - a. Minimum setback to a front property line is thirty (30) feet; however, they shall also be located behind the front wall plane of the principal structure.
 - b. Minimum setbacks to interior side or rear property lines are five (5) feet.
 - c. Minimum setback to a corner property line is ten (10) feet.
2. Enclosures or coverings shall comply with accessory structure regulations.
3. Swimming Pools shall not be located in municipal or public utility easements. Setback requirements from property lines must still be met.
4. Swimming Pools shall comply with applicable Building Code safety regulations.

C. Yard/Garage Sales:

1. Yard sales are permitted for no more than three (3) events of 48 hours or less within a 12-month period at the same residence or street address. No signage related to such events shall be placed in the public right-of-way (e.g. no placement of signs on telephone and light poles).

D. Irregular Lots:

1. All dwelling structures and other main buildings located on an irregular lot shall be set back an average of 25 feet from the rear property line provided that no portion of the building is closer than 15 feet to the property line.

E. Accessory Apartments:

1. This sub-section is established to provide regulations for Accessory Apartments within single-family dwellings.
2. Requirements for Approval. A building permit may only be issued for Accessory Apartments provided that the following requirements are met:
 - a. The property must be located in the R-3, R-1-6, R-1-8, R-1-9, R-1-12 or R-1-15 zones.
 - b. The owner of the property must reside on the property. Exceptions shall be permitted if the property owner applies to have the occupancy requirement suspended, if the owner has resided on the property for at least one (1) year and if any of the following situations exist:
 - (1) The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this suspension).
 - (2) The owner is placed in a hospital, nursing home, assisted living facility or other similar facility.

- c. Only one apartment shall be created on a parcel. The Accessory Apartment may only be located within a single-family dwelling.
- d. Accessory Apartments are only permitted in dwellings on lots 8,000 square feet or larger.
- e. In the R-3 and R-1-6 zones, the property must have a total of four (4) parking spaces which meet the criteria provided in section 15.4.16.120. In the R-1-8, R-1-9, R-1-12 or R-1-15 zones properties must have a total of four (4) parking spaces which meet the criteria provided in section 15.4.16.120 unless those spaces are provided in tandem. If spaces are provided in a tandem arrangement in the R-1-8, R-1-9, R-1-12 or R-1-15 zones, then an additional parking space that meets the criteria provided in section 15.4.16.120 must be provided for a total of five (5) spaces.
- f. The Accessory Apartment must be registered with the City Community Development Department. Any fees required for registration shall be defined in the City's Annual Budget.
- g. The Accessory Apartment shall meet all applicable building and fire codes.

F. Awnings, Carports or Covered Decks:

- 1. Awnings or structures that are open on three (3) sides on the rear portion of a home may extend within 15 feet of the rear property line.
- 2. Awnings or other structures that are open on three (3) sides must be setback at least five (5) feet from the side property line.
- 3. A building permit must be obtained for all awnings.

G. Animals:

- 1. Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:
 - a. The portion of the property on which the animals, except for household pets, are kept must be at least one-half (1/2) acre in size. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half-acre (1/2) parcel, two (2) horses may be kept, or four (4) sheep, or one (1) horse and two (2) sheep, but two (2) horses and four (4) sheep are not allowed.
 - b. All requirements set forth in Title 6, Animals, must be met. The keeping of chickens and potbellied pigs in any zone other than the A-E, R-R, I-1, or I-2 is governed by Title 6.

- c. No animal shall be kept in a residential zone for purpose of commercial production.

Animal	Maximum # Per 1/2 Acre
Cattle	2
Horses	2
Sheep, Goats, Llamas, Ostriches	4
Rabbits	10
Pigeons	12
Ducks, Geese	8
Game Birds *	8
*with appropriate permits	

H. Wind Turbines (WT):

1. It is the purpose of this section to promote the safe, effective, and efficient use of large wind energy systems installed to provide electricity to utilities and to promote the adoption of renewable energy resources to reduce dependence on fossil fuel power generation.

a. Requirements:

- (1) Minimum parcel size: A large wind energy system consisting of one (1) tower must be located on a parcel that is a minimum of five (5) acres in size. An additional acre of property is required for each additional tower.
- (2) Onsite structures may be located up to the foundation of the tower.
- (3) Setback from a residential zone or use: The tower base must be setback a minimum of 500 feet from residential zoning districts.
- (4) Distance from rights-of-way and property lines: None; but all tower bases must be located on leased or owned property. The blade sweep cannot encroach upon adjoining properties or rights-of-way without easements providing for their encroachment. The easement must be a recorded document.
- (5) Height: Tower height is not to exceed 270 feet. Provided that, in all cases, the system shall comply with all applicable Federal Aviation Administration (FAA) requirements.
- (6) Height of Blade (tip at low point of blade sweep from ground): No closer than 50 feet.
- (7) Braking Device: All WT devices shall have braking systems when winds reach speeds in excess of 65 miles per hour.
- (8) Sign: One project identification warning sign is permitted containing a telephone number for emergency calls, no larger than 16 square feet in size.
- (9) Color/Finish: white or other non-reflective color.
- (10) Interference with Broadcast Signals: The system shall not create electromagnetic interference and shall be filtered and/or shielded to prevent interference with broadcast signals.

- (11) Compliance with International Building Code (IBC): Building Permit applications for large wind energy systems shall be accompanied by standard drawings of the WT structure, including the tower, base, and footings. An engineering analysis of the tower and WT showing compliance with the Building Code and certified by a professional engineer licensed in the state of Utah shall also be submitted.
- (12) Compliance with FAA Regulations: Large wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- (13) Utility Notification: A letter shall be provided from any interconnecting utility companies confirming approval for any interconnection.
- (14) Zoning Districts: Large wind energy systems are permitted only in the I-3 Heavy Industrial zoning district.
- (15) Wind Study: A wind or feasibility study must be conducted and recommend a specific location for the WT. The study must also recommend an optimal height for the WT and if the location is feasible for a WT.
- (16) The tower shall not be climbable from the exterior.

I. Outdoor Storage Areas. The following conditions must be met:

1. The storage area must be paved with asphalt or concrete or be covered with gravel. In situations where gravel is utilized, no less than four inches of inch untreated base course shall be installed. Additional improvements may be required by the City Engineer in accordance with the findings of a site-specific geotechnical report. Where a paving material other than asphalt or concrete is utilized, a drive apron shall be installed at all points of vehicular access. The drive apron shall be 26 feet wide and no less than 60 feet long.
2. The outdoor storage area must be screened from surrounding properties with a six (6) foot tall Wall except where the adjoining property is a railroad right-of-way, Interstate 15 or SR-6. adjacent to industrial zones. Where the outdoor storage area abuts a public street, a 10-foot-wide landscaped planter shall be installed between the Wall and the sidewalk or right-of-way. Landscaping shall be installed and maintained in accordance to the requirements found in §15.4.16.130.
3. Lighting shall be provided in outdoor storage areas. A photometric lighting plan shall be submitted with the Site Plan application. The lighting plan shall demonstrate the capacity of the proposed lighting to uniformly illuminate the storage area without creating undue spillover onto surrounding properties.
4. Material kept in an outdoor storage area cannot be stacked or piled to a height that exceeds 12 feet.

J. Public Rights-of-Way:

1. It is not permitted to store or display merchandise or any other material, excepting those signs permitted in §5.36.050(9), within any public right-of-way. In certain locations designated by Spanish Fork City, outdoor seating may be permitted in accordance with restrictions provided in the City's Development Standards.

(Ord. No. 08-05, Enacted 06/07/2005) (Ord. No. 02-10, Amended 02/16/2010) (Ord. No. 23-10, Amended 11/16/2010) (Ord. No. 06-11, Enacted 04/19/2011) (Ord. No. 05-12, Amended 04/17/2012) (Ord. No. 10-12, Amended 08/21/2012) (Ord. No. 11-13, Amended 07/16/2013) (Ord. No. 04-14, Amended 04/01/2014) (Ord. No. 02-15, Amended 02/03/2015) (Ord. No. 11-15, Amended 06/16/2015) (Ord. No. 15-15, Amended 09/15/2015) (Ord. No. 17-15, Amended 12/15/2015) (Ord. No. 04-17, Amended 02/07/2017) (Ord. No. 04-17, Amended 02/07/2017) (Ord. No. 06-19, Amended 04/16/2019) (Ord. No. 12-19, Amended 06/18/2019)

SECTION 21: **AMENDMENT** “15.4.04.080 Approval Or Disapproval - Procedure” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.080 Approval Or Disapproval - Procedure

- A. Each plat submitted to the City shall be referred to the DRC for review to insure conformity to the present ordinances and standards and for adequacy and availability of public facilities. Prior to an application being placed on a DRC agenda, the applicant must hold a neighborhood meeting. Property owners within 500 feet of the project shall be invited to attend the meeting. The meeting must be held at a location in Spanish Fork. The notice, names of those invited, those who attended, conceptual drawings, presentations, and minutes from the meeting must be submitted to the Community Development Department prior to the DRC meeting.
- B. Approval of a preliminary subdivision plat shall not be granted until such time as the applicant has provided information, to the satisfaction of the City Engineer, to establish that adequate public facilities exist in the areas affected by the development to accommodate the development.
- C. The public facilities to which the preceding paragraph applies shall include the following:
 - 1. The City culinary water system, including quantity, quality, treatment, storage capacity, transmission capacity, and distribution capacity.
 - 2. The City sanitary sewer system, including treatment, overall capacity, outfall lines, laterals, and collector lines.
 - 3. The City electric power system, including generation, transformation, transmission, and distribution.
 - 4. The storm water system, including drainage and flood control facilities.
 - 5. Streets and roads, including arterial and collector roads, sidewalks, curb and gutter, and related transportation facilities.
 - 6. City pressurized irrigation system, including transmission and distribution capacity.
- D. The adequacy of public facilities shall be determined in accordance with the Spanish Fork City development standards, the various master plans and the comprehensive general plan of the City, and at the discretion of the City Engineer. In the event that the City Engineer determines that adequate public facilities are not available and will not be available by the time of final plat approval, so as to assure that adequate public services are available at the time of occupancy, the following alternatives may be elected, at the discretion of the City Council:
 - 1. Allowing the developer to voluntarily construct those public facilities which are necessary to service the proposed development and provide adequate facilities as determined by the City Engineer and by entering into an appropriate form of connector's or development agreement, which may include, as deemed appropriate by the City Engineer, provisions for recoupment of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or the benefit conferred upon the proposed development, and the method and conditions upon which recoupment is to be obtained. Any connector's agreement authorized by this paragraph must be requested within 120 days of the completion and acceptance by City of the improvements. The City Public Works Director may extend the deadline for up to an additional term upon good cause show. A request for a connector's agreement shall be made on forms provided by the City. An application fee in an amount to cover the City's expenses in preparing the connector's agreement shall be included. The amount of the fee shall be established by the City Council in the annual budget or by resolution.

2. Requiring the timing, sequencing, and phasing of the proposed development consistent with the availability of adequate public facilities.
 3. Deferring Final Plat approval and the issuance of building permits until all necessary public facilities are adequate and available.
 4. Denying plat approval and allowing the applicant to reapply when adequate public facilities are available.
- E. The applicant shall follow the procedures set forth in Utah Code Ann. §73-1-15.5, as it may be amended from time to time, in contacting any applicable irrigation company whose facilities will be affected by the development. The applicant is to follow the requirements of said section in piping, improving, or relocating any irrigation facilities. Construction plans, in compliance with said section, shall be submitted with the application. The applicant is to provide a certificate of compliance that satisfies the City Engineer that it is compliant with the law.
- F. If the plat is not in conformity with the Design and Development Standards of this Title, the DRC shall refer it back to the subdivider or developer with a list of items necessary to bring the plat into compliance. If the plat is in conformity, it will be submitted to the Planning Commission with suggestions and comments noted thereon. The Commission may continue the matter to further study the issues presented. The Commission may approve, deny or approve with conditions the proposed Preliminary Plat. If any conditions are attached, the Preliminary Plat shall be corrected to reflect such changes and an accurate Preliminary Plat shall be submitted to the City. Changes made in the Preliminary Plat by the DRC, Commission, or Council must be made before proceeding to the next step.

Receipt of this accurate copy shall be authorization for the developer to proceed with the preparation of plans and specifications for the minimum improvements hereinafter required by this Title and with the preparation of the Final Plat. Original Preliminary Plats are subject to the standards, policies, and regulations that are in effect at the time of approval for each of the Final Plats.

(Ord. No. 11-13, Amended 07/13/2013) (Ord. No. 15-14, Amended 10/07/2014) (Ord. No. 03-18, Amended 02/20/2018) (Ord. No. 20-18, Amended 11/20/2018) (Ord. No. 03-18, Amended 02/20/2018)

SECTION 22: AMENDMENT “15.4.04.090 Duration Of Preliminary Approval” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.090 Duration Of Preliminary Approval

A Preliminary Plat application expires if it is not approved by the City within 24 months from the time its application is submitted and accepted.

Approval of the Preliminary Plat by the City shall be valid for a period of 24 months after approval. A Preliminary Plat remains active if a Final Plat is recorded at least every 24 months. If a Final Plat has not been recorded within the 24-month period, the Preliminary Plat must again be submitted to the City for re-approval.

Preliminary approval of a large tract shall not be voided if the Final Plat of the first section thereof recorded within 24 months and no more than 24 months have expired between the recording of each consecutive Final Plat. (Ord. No. 03-18, Amended 02/20/2018)

SECTION 23: **AMENDMENT** “15.4.04.100 Filing Of Final Plats - When” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.100 Filing Of Final Plats - When

Within two (2) years after approval of the Preliminary Plat the applicant must make application for Final Plat approval, receive Final Plat approval and have a plat recorded. Application is made by following instructions on the electronic form provided by the Community Development Department and submit all required materials with the following:

- A. A Computer Aided Design (CAD) file in a dwg or dxf format and a Portable Document Format (PDF) file of the plat. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.
- B. All fees for the Final Plat application are due upon filing the application.

The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a Portable Document Format (PDF) file of the plat must be submitted to the Community Development Department.

Each Final Plat shall be accompanied by a filing fee established by the City Council in its annual budget, together with any impact, inspection, testing, connection, or other fees which are due before recording.

A Final Plat application expires if it is not approved by the City within 12 months from the time its application is submitted and accepted.

(Ord. No. 04-14, Amended 04/01/2014) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 03-18, Amended 02/20/2018)

SECTION 24: **AMENDMENT** “15.4.04.180 Filing Of Minor Subdivision Plat” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.180 Filing Of Minor Subdivision Plat

Minor Subdivision Plats may be approved for subdivisions of five (5) or fewer lots where those lots conform to applicable zoning standards and where all required infrastructure is adjacent to the subject property. Application for Minor Subdivision Plat approval can be made by following instructions provided by the Community Development Department. The following materials are required for a complete application:

A Computer Aided Design (CAD) file and a PDF file of the plat . The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

The application fee as defined in the City's Annual Budget.

The City will review the submission and notify the applicant of any changes that must be made. Once these changes are made, PDF file of the plat must be submitted to the Community Development Department. Once approved by the DRC, the applicant must insure that a copy of the signed and approved construction plans is on site at all times during construction. Each Minor Subdivision Plat shall be accompanied by a filing fee established by the City Council in its annual budget, together with any impact, inspection, testing, connection or other fees which are due before recording.

SECTION 25: **AMENDMENT** “15.4.04.200 Review And Approval Procedure Of Minor Final Plats” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.200 Review And Approval Procedure Of Minor Final Plats

Minor Subdivision Plat and construction drawings shall be submitted to the City for review to insure conformity to the present ordinances and standards and for the adequacy and availability of public facilities. If the Minor Subdivision Plat or construction drawings are not in conformity, the City shall refer it back to the subdivider or developer with a list of items necessary to bring the Minor Subdivision Plat or construction drawings into compliance. If the Minor Subdivision Plat and construction drawings are in conformity, the plat or complete drawings will be submitted to the DRC with suggestions and comments noted thereon. The DRC shall act as the Land Use Authority for Minor Subdivision Plat approval. If approved, the City Manager, Community Development Director and City Engineer shall sign the Minor Subdivision Plat. If any conditions are attached, the Minor Subdivision Plat or construction drawings shall be amended to reflect such changes and an accurate Minor Subdivision Plat shall be submitted to the City, prior to signing. A Minor Subdivision Plat application expires if it is not approved by the City within 12 months from the time its application is submitted and accepted.

SECTION 26: **AMENDMENT** “15.4.04.210 Recordation Of Minor Final Plats” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.210 Recordation Of Minor Final Plats

Following acceptance by the DRC, the Minor Subdivision Plat bearing all official approvals shall be deposited in the office of the County Recorder for recording by the City. Only the City may record Minor Subdivision Plats. The Minor Subdivision Plat must be recorded with Utah County within 120 days of approval by the DRC. Approval expires and the plat must be resubmitted if the Minor Subdivision Plat is not recorded within 120 days. All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recordation of the Minor Subdivision Plat.

SECTION 27: **AMENDMENT** “15.4.04.230 Amendments To Minor Final Plats” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.04.230 Amendments To Minor Final Plats

The City Engineer may approve minor amendments to approved Minor Subdivision Plat before the Minor Subdivision Plat is recorded, if he/she finds that the proposed amendments do not jeopardize the interest of the City or adjoining property owners. The types of minor amendments contemplated by this section may include, but not be limited to, legal description mistakes, minor boundary changes and items that should have been included on the original Minor Subdivision Plat. Major amendments to unrecorded approved Minor Subdivision Plat shall go back through the approval process. A Minor Subdivision Plat Amendment application expires if it is not approved by the City within 12 months from the time the application is submitted and accepted.

SECTION 28: **AMENDMENT** “15.4.08.030 Application And Review Process” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.08.030 Application And Review Process

- A. A Site Plan shall go through the following process. Pre-application conference with the Community Development Director and City Engineer, staff review, and then to the DRC.
 - 1. Pre-application conference for Site Plan Review. Persons intending to undertake development need to arrange with the City Planner for a pre-application meeting. The purpose of this meeting is to acquaint the applicant with the requirements of the code; to provide for an exchange of information regarding to applicable elements of the General Plan and development requirements, to arrange such technical and design assistance as will aid the applicant, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development.
 - 2. Staff Review.
 - a. Application for Site Plan Approval is made by following instructions provided by the Community Development Department. The following materials are required for a complete application: A computer aided design (CAD) file of the plans on a CD, or by an e-mail in a dwg or dxf format. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner. anything is submitted by e-mail, the Community Development Department must be contacted for the proper e-mail address and for confirmation the e-mail was received.
- B. Each Site Plan shall be accompanied by a filing fee in the amount established by the City Council in the annual budget.
- C. Information required for Staff Review including the following:
 - 1. Proposed name of Site Plan at lower right hand corner.

2. Name and address of developer on the lower right hand corner.
3. Name and address of engineer/architect/surveyor at the lower right hand corner.
4. Date of preparation.
5. Statement that "All drinking water and pressurized irrigation lines up to and including the meter, all sanitary sewer mains, all electrical meters, and all electric and SFCN communication service lines up to the mast on overhead installations and to the top of the meter base for underground installations are dedicated to Spanish Fork City".
6. Licensed Land Surveyor/Engineer Stamp and Signature.
7. Title block with name and location.
8. Vicinity map and north arrow.
9. Standard engineered scale B 1" = 100' or less.
10. Description of boundary of development.
11. Section tie/bearing of section line based on NAD27 or NAD83 State Plane Coordinates. Horizontal datum shall be clearly marked on all plat drawings.
12. Adjacent property owners names and buildings within 200 feet of proposed development.
13. Existing and proposed fences.
14. Existing and proposed streets with names and widths within 200 feet of site.
15. Existing and proposed water courses, culverts, and irrigation ditches.
16. Flood zones or wetlands as per NWI wetland map.
17. Existing and proposed power lines (labeled), gas lines, water mains, fire hydrants and valves with pipe size.
18. Existing and proposed sewer mains and manholes with pipe sizes.
19. Existing and proposed storm drains.
20. Existing and proposed public utility easements.
21. Minimum of two (2) foot contours of existing elevations, with note that all vertical data is based on NAVD29 or NAVD88. Vertical datum shall be written on the plan.
22. Typical street cross section.
23. Building setbacks dimensioned on the Site Plan.
24. Parking stalls (9'x18') and calculations identifying the required number of handicapped and non-handicapped parking spaces in the development.
25. Photometric lighting plan.
26. Dumpster location, height and materials used.
27. Location and screening plan for mechanical equipment.
28. Note on Site Plan if building is to be sprinkled.
29. Finish floor elevation.
30. Type of building and occupancy per International Building Code.
31. Project phasing (if applicable).
32. Table with the following:
 - a. Total acreage of area proposed for development.
 - b. Total area and percent of site in landscaping (open space).
 - c. Total building area and dimensions - separate areas for different uses (office, warehouse, shop, etc.).
 - d. Total developed and undeveloped area.
 - e. Total number of parking spaces required and proposed (including ADA parking stalls).
 - f. Total impervious area.
33. Landscaped plan prepared by a licensed landscape architect:
 - a. Planting schedule showing plant material and sizes.
 - b. Planting plan.
 - c. Irrigation plan.

34. Off-street parking plan showing circulation and number and size of spaces.
 35. Vehicular and pedestrian circulation ingress, egress, and internal movement.
 36. Location and function of any loading and servicing facilities.
 37. Scale drawings of exterior building elevations and an indication of building materials to be used. Architectural drawings shall be drawn to a scale of no smaller than 1/8" = 1-foot.
 38. Elevations and/or architectural renderings of building facades facing public right-of-way. Said elevations or renderings must be sufficiently complete to show building heights and roof lines, the location and height of any walls, signs, light standards, openings in the facade, and the general architectural character of the building.
 39. All existing and proposed signs for the development.
 40. Grading plan with detailed elevations showing the drainage of the property. Sites shall be designed to eliminate drainage of water to adjacent properties. Site Grading Plan shall address soil types of material on the project site to ensure it is suitable for growth of landscaping and adequate percolation rates which are applicable to the design.
 41. Construction plans which conform to the standards found in section 39.20 Improvement and Design Requirements of the Spanish Fork City Construction Standards.
 42. Soils report addressing the following issues for the site: hill stabilization, road design, foundation design, groundwater impacts, and general soil stability. Report must be stamped and signed by a civil engineer licensed in the state of Utah. The report shall include a minimum groundwater height factor for a peak month in wet year for the lowest buildable floor elevation. The lowest buildable floor elevation shall be a minimum of three (3) feet above the highest groundwater level in a wet year. Foundation drains shall be required as outlined in §15.4.16.070.
 43. Public Utility Easement documents and/or deeds for all utilities or public facilities required by the City.
 44. Detailed storm water plan for the site according to the Storm Water Drainage Design Manual. This plan shall include all calculations showing that it meets the requirements of the Construction Standards and the Drainage Design Manual. Plans and calculations required by of Chapter 39.20 of the Construction Standards must be stamped and signed by a civil engineer licensed in the state of Utah.
 45. Approvals from any agency or company having affected properties or utilities.
 46. Other data or plans or reports deemed necessary by the Planning, Public Works, or Fire and Police Departments. In the event that a traffic study, environmental study or other technical study is required, the applicant may be required to pay additional review fees. The additional review fees will be utilized to prepare studies deemed necessary by the City Engineering Department or to perform a peer review of work submitted on behalf of the applicant.
- D. The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a PDF file of the plat must be submitted to the Community Development Department.

(Ord. No.14-12, Amended 10/18/2012) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 16-17; Amended 06/20/2017)

SECTION 29: AMENDMENT “15.4.12.040 Method Of Assessing” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.12.040 Method Of Assessing

The Council may establish and assess impact fees by an impact fee enactment and by complying with the notice and hearing provisions of State law. For those impact fees due with a building permit, the fee in place on the date the permit was applied for will apply. For those impact fees due at plat recordation, the fees in place on the date of recording of the plat will apply.

(Ord. No. 14-16, Amended 09/20/2016)

SECTION 30: AMENDMENT “15.4.16.030 Improvement Installations” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.16.030 Improvement Installations

- A. No improvements may be installed until the Final Plat is recorded. Thereafter, all improvements shall be installed in accordance with the Design and Development Standards unless waived by the City Engineer for unique conditions. A waiver is intended to be extremely difficult to obtain and is to be based on rare and unusual circumstances. Any waiver, variation, or substitution from the standards must be authorized in writing by the City Engineer or his/her designee. The expense of all such improvements and installations, including but not limited to expenses for all of the foregoing items and for area-wide topographical drainage, engineering, ecological or other work or study, shall be borne by the owner or subdivider or developer subject to such terms and conditions as may be required by the City Council by way of ordinance, resolution, contract, or otherwise. The failure of any owner or subdivider to comply with the terms of this provision or his/her failure to complete the installation of all of the foregoing installations, fixtures or improvements or such others as may be required by the City Council from time to time, shall result in the forfeiture pro tanto of the bond or other security posted. Any developer or subdivider forfeiting a bond may jeopardize his/her/its ability to do future projects in the City, following a hearing before the City Council. Any subdivision not in full compliance with this section shall not be connected to or receive any of its municipal services, including but not limited to water, sewer, irrigation, electricity, or refuse removal services.
- B. The developer or subdivider shall be responsible for the protection of any existing improvements on public or private property at the start of work or placed there during the progress of the work. Existing improvements shall include but are not limited to permanent surfacing, curbs, ditches, driveways, culverts, fences, walls and landscaping. Any surface improvements damaged as a result of construction shall be restored or replaced to an equal or better condition than before. This shall be accomplished in a timely manner.
- C. The developer or subdivider shall be responsible for maintaining existing road surfaces suitable for travel by the public. The developer or subdivider shall be responsible for all dust and mud control and all claims and damages resulting from failure to maintain the construction area.

- D. New residential developments shall not be designed to allow direct access from individual lots or homes to arterial streets or major collector streets. Masonry walls shall be provided along the sides of residential developments, which have reverse or side frontage to arterial streets, major collector streets, or interstates as outlined in the Construction Standards. The Council may waive the requirement in those instances where the height of the interstate, arterial street, or major collector street is significantly higher than the top of the wall. The Council may also waive the requirement for a masonry wall if a park or open space area is adjacent to such streets. The Council may waive all fencing requirements or impose non-sight obscuring fencing, at their sole discretion.

(Ord. 14-05, Amended 11/15/2005) (Ord. 04-17, Amended 02/07/2017) (Ord. No. 29-17, Amended 12/12/2017)

SECTION 31: AMENDMENT “15.4.16.120 Off Street Parking” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.16.120 Off Street Parking

- A. Purpose: To provide adequate, but not excessive, parking to meet the needs of residents, employees, and business patrons, in a manner this is functional, safe, and aesthetically pleasing.
- B. General Requirements:
1. Off-street parking is not required for permitted uses in the Downtown Commercial (C-D) district, except for residential uses, which must meet the requirements that are otherwise prescribed in subparagraph C.
 2. Each parking space shall be at least nine (9) feet wide and 18 feet deep (See parking design standards in the Construction and Development Standards for details on aisle widths, maneuvering areas, and fire lanes).
 3. Tandem parking (front to rear) is permitted.
 4. All parking spaces and driveway areas serving such parking spaces shall be surfaced with concrete, asphalt, or paving blocks except that portions of driveway areas located farther than 200 feet from a public road and which service a single residence home in the R-R or A-E zoning districts may be constructed and surfaced to an all-weather standard as approved by the City Engineer. Such surfacing may include gravel, slag, or similar materials.
 5. Required parking shall be provided on-site or on contiguous lots.
 6. Backing and maneuvering areas shall be provided on-site for all uses other than single-family, twin homes, and duplexes.
 7. For the purpose of identifying required parking, square feet shall mean the gross floor area of the building.
 8. No part of any vehicle may overhang onto a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
 9. All parked vehicles must comply with the City’s clear vision area requirements.
 10. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle with a one-ton chassis, having a capacity of not more than 10,000 pounds’ gross vehicle weight rating (GVWR).
 11. Landscaping and screening of parking lots shall be in accordance with the requirements of §15.4.16.130, Landscaping, Buffering, Walls, and Fences.

C. Parking Requirements by Use:

USE	MINIMUM # OF SPACES
Auditorium, Stadium, Event Center, Private Clubs, Health Clubs, Theaters	1:100 sq. feet or 1:5 seats
Auto Repair	1:100 sq. feet
Automobile Service Station	1:200 sq. feet
Banks, Financial Institutions	1:250 sq. feet
Barber Shop or Beauty Shop	1:100 sq. feet
Churches	1:5 seats or 90 linear inches per pew
Child Care Center	1:employee, plus 1:10 children
Home Furnishings, Major Appliances	1:500 sq. feet
Hospitals	1:bed
Lube and Tire Centers	1:300 sq. feet
Manufacturing/Assembly/ Wholesale/Warehouse	1:employee on the highest shift
Mixed Uses or Unlisted Uses	To be determined by Community Development Director
Motels/Hotels Restaurants Banquet/Meeting Rooms	1:room 1:200 sq. feet 1:200 sq. feet
Office: General/Professional Medical/Dental	1:300 sq. feet 1:200 sq. feet
Instructional Studio	1:400 square feet
Indoor Recreation Facility: Amusement Center/Arcades Bowling Alley	1:100 sq. feet 4:lane
Outdoor Recreation Facility: Golf Course Miniature Golf Course Batting Cages Water Park, Theme Parks	6:hole 2:hole 1:cage To be determined by Planning Director
Residential Single-family	A garage with space for at least one vehicle and additional space so that a minimum of two parking spaces per unit are provided.
Residential Multi-family	A garage with space for at least one vehicle and additional space so that a minimum of two parking spaces per unit are provided. In addition, one guest parking space is required for every three homes

Restaurant – freestanding Restaurant – associated with another use (Motel/Hotel, School, Recreation Facility or similar)	1:100 sq. feet 1:200 sq. feet
Retail/Shopping Center (including up to 10% restaurant, health club, beauty shops; additional percentages calculated at rate for each use)	1:250 sq. feet
Retirement/Senior Housing/Nursing Home	1:employee on highest shift plus 0.4:unit
Schools: Elementary Middle or Junior High High School College Vocational/Technical	2:classroom 3:classroom 7:classroom 10:classroom 1:2 students
Storage Building/Space	0.5 per 1,000 sq. feet of storage space

(Ord. No. 04-14, Amended 04/01/2014) (Ord. No. 11-15, Amended 06/16/2015) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 16-17; Amended 06/20/2017)
(Ord. No. 12-19, Amended 06/18/2019)(Ord. No. 14-19, Amended 07/09/2019)

SECTION 32: AMENDMENT “15.4.16.130 Landscaping, Buffering Walls, And Fences” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.4.16.130 Landscaping, Buffering Walls, And Fences

- A. Purpose: The purpose of these requirements is to enhance, conserve, and stabilize property values by encouraging pleasant and attractive surroundings and to provide proper separations between uses. Landscaping should also contribute to the reduction of heat and glare through the proper placement of plants and trees.
- B. Residential Uses:
 - 1. Multi-family Uses:
 - a. Minimum of 25% on-site landscaping as a percentage of total site area, except in the R-5 Zone where 20% on-site landscaping is required.
 - b. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Shade Trees, as identified on the City’s approved list of Shade Trees, with a maximum spacing of 30 feet.

- c. Minimum of 15-foot-wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of 30 feet. The planter area may be partially or completely within the street right-of-way area. The specific trees used shall be selected from the City's approved Shade Tree list. On streets included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Shade trees must be planted within 30 feet of the public street curb; wherever possible, 50% of the required Shade Trees must be planted in the park strip.
 - d. Minimum of 10-foot-wide planter area and six (6) foot high decorative block wall, where any multi-family use abuts another property. The planter area shall include Shade Trees with a maximum spacing of 30 feet.
 - e. The total number of required trees and shrubs for every 1,000 square feet of required landscaping shall equal two (2) trees and 10 shrubs.
 - f. In cases where it is determined that utilizing tree species found in the approved Shade Tree List would adversely impact utility lines, the use of substitute tree species can be approved by the Community Development Director.
 - g. No less than 30% of the required landscaping shall be irrigated turf grass.
2. Single-Family and Twin Home Uses:
- a. All single-family residential lots shall have the front yard, side-street yards for corner lots and park strips landscaped within one (1) year of receiving a certificate of occupancy. Interior side and back yards must be landscaped within two (2) years of receiving a certificate of occupancy.
 - b. Required landscaping shall be comprised of live turf grass with a sprinkler (irrigation) system, xeriscape improvements, other manicured vegetative groundcover or a combination of them all.
 - c. All portions of a lot that are not improved with impervious materials must be landscaped within the above described timelines. Weeds do not qualify as required landscaping.
 - d. No more than 70% of a lot shall be surfaces with impervious materials. No more than 60% of the front and side-street setback areas can be improved with impervious surfaces.
 - e. In order to ensure landscaping requirements are met, Spanish Fork City shall require applicants to provide a deposit with the construction of new homes. The deposit amount shall be determined in the City budget and will be returned to the property owner when the required front and side-street yard landscaping has been installed. In the event that the required landscaping has not been installed within four (4) years after the certificate of occupancy has been issued, the deposit will be forfeited to the City.

C. Professional Office and Non-residential or Non-commercial Uses:

- 1. Minimum of 20% on-site landscaping as a percentage of total site area.
- 2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Shade Trees, as identified on the City's approved list of Shade Trees, with a maximum spacing of 30 feet.

3. Minimum of 15-foot-wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of 30 feet. The planter area may be partially or completely within the street right-of-way area. The specific trees used shall be selected from the City's approved Shade Tree list. On streets included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Shade Trees must be planted within 30 feet of the public street curb; wherever possible, 50% of the required Shade Trees must be planted in the park strip.
4. Minimum of 10-foot-wide planter area where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of 30 feet. A six (6) foot Wall shall be constructed where the site abuts a residential district. Where the use of the adjacent property is residential but zoned Commercial Office, Commercial 1, Commercial 2, Commercial Downtown, Urban Village Commercial, Business Park or Shopping Center, a solid Fence (not chain link with slats or similar) may be constructed in place of the wall.
5. The total number of required trees and shrubs for every 1,000 square feet of required landscaping shall equal two (2) trees and 10 shrubs.
6. In cases where it is determined that utilizing tree species found in the approved Shade Tree List would adversely impact utility lines, the use of substitute tree species can be approved by the Community Development Director.
7. In order to ensure landscaping requirements are met and City utilities are not damaged, Spanish Fork City shall require applicants to provide a deposit with the construction of each non-residential project valued at \$50,000 or more. The deposit amount shall be determined in the City budget and will be refunded to whomever paid the application fees containing that line item. If the required landscaping cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping bond will be required for the estimated cost of installing the required landscaping. Once the landscaping is complete and approved, the landscaping bond will be refunded to whomever paid it.
8. No less than 30% of the required landscaping shall be irrigated turf grass.
- 9.

D. Commercial Uses:

1. Minimum of 15% on-site landscaping as a percentage of total site area.
2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Shade Trees, as identified on the City's approved list of Shade Trees, with a maximum spacing of 30 feet.
3. Minimum of 15-foot-wide planter area adjacent to all public streets, which shall include one Shade Tree for each 30 feet of frontage along all public streets. The specific trees used shall be selected from the City's approved Shade Tree list. On streets included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Shade Trees must be planted within 30 feet of the public street curb; wherever possible, 50% of the required Shade Trees must be planted in the park strip.
4. Minimum of 10-foot-wide planter area where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of 30 feet. A six (6) foot high Wall shall be constructed where the site abuts a residential district. Where the use of the adjacent property is residential but zoned Commercial Office, Commercial 1, Commercial 2, Commercial Downtown, Urban Village Commercial, Business Park or Shopping Center, a solid Fence (not chain link with slats or similar) may be constructed in place of the Wall.
5. The total number of required trees and shrubs for every 1,000 square feet of required landscaping shall equal three (3) trees and 20 shrubs.

6. In cases where it is determined that utilizing tree species found in the approved Shade Tree List would adversely impact utility lines, the use of substitute tree species can be approved by the Community Development Director.
7. In order to ensure landscaping requirements are met and City utilities are not damaged, Spanish Fork City shall require applicants to provide a deposit with the construction of each non-residential project valued at \$50,000 or more. The deposit amount shall be determined in the City budget and will be refunded to whomever paid the application fees containing that line item. If the required landscaping cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping bond will be required for the estimated cost of installing the required landscaping. Once the landscaping is complete and approved, the landscaping bond will be refunded to whomever paid it.
8. No less than 30% of the required landscaping shall be irrigated turf grass.
- 9.

E. Industrial Uses:

1. Minimum of 10% on-site landscaping as a percentage of total site area.
2. Parking lots shall include planter areas within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required planter areas shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Shade Trees, as identified on the City's approved list of Shade Trees, with a maximum spacing of 30 feet. The planter area may be partially or completely within the street right-of-way area.
3. Minimum of 15-foot-wide planter area adjacent to all public streets, which shall include trees with a maximum spacing of 30 feet. The specific trees used shall be selected from the City's approved Shade Tree list. On streets included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Shade Trees must be planted within 30 feet of the public street curb; wherever possible, 50% of the required Shade Trees must be planted in the park strip.
4. Minimum of 10-foot-wide planter area and six (6) foot high Wall where the site abuts a residential use or district. The planter area shall include trees with a maximum spacing of 30 feet.
5. All other landscaped areas shall include at least one (1) Shade Tree and 10 shrubs for each 1,000 square feet of landscaped areas. Natural vegetation may be included if materials are appropriate for the setting and location. The total number of required trees and shrubs for each 1,000 square feet of required landscaping shall equal one (1) Shade Tree and 1) shrubs; and
6. In cases where it is determined that utilizing tree species found in the approved Shade Tree List would adversely impact utility lines, the use of substitute tree species can be approved by the Community Development Director.
7. In order to ensure landscaping requirements are met and City utilities are not damaged, Spanish Fork City shall require applicants to provide a deposit with the construction of each non-residential project valued at \$50,000 or more. The deposit amount shall be determined in the City budget and will be refunded to whomever paid the application fees containing that line item. If the required landscaping cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping bond will be required for the estimated cost of installing the required landscaping. Once the landscaping is complete and approved, the landscaping bond will be refunded to whomever paid it.
8. No less than 30% of the required landscaping shall be irrigated turf grass.

Spanish Fork City Shade Tree List	
Common Name	Botanical Name
Hedge Maple	<i>Acer campestre</i>
Hedge Maple	<i>Acer campestre</i> 'Metro Gold'
Hedge Maple	<i>Acer campestre</i> 'Queen Elizabeth'
State Street Maple	<i>Acer miyabei</i> 'State Street'
Norway Maple	<i>Acer platanoides</i> 'Crimson King'
Norway Maple	<i>Acer platanoides</i> 'Crimson Sentry'
Norway Maple	<i>Acer platanoides</i> 'Emerald Queen'
Horsechestnut	<i>Aesculus hippocastanum</i>
Ohio Buckeye	<i>Aesculeus glabra</i>
Hornbeam	<i>Carpinus betulus</i> 'Emerald Avenue'
Hornbeam	<i>Carpinus betulus</i> 'Fastigiata'
Hornbeam	<i>Carpinus betulus</i> 'Frans Fontaine'
Catalpa	<i>Catalpa speciosa</i>
Common Hackberry	<i>Celtis occidentalis</i>
Eastern Redbud	<i>Cercis canadensis</i>
Yellow Wood	<i>Cladrastis kentukea</i> (lutea)
Washington Hawthorn	<i>Crataegus phaenopyrum</i>
European Beach	<i>Fagus sylvatica</i>
Tricolor Beech	<i>Fagus sylvatica</i> 'Tricolor'
Ginko or Maidenhair Tree	<i>Ginko biloba</i>
Skyline Honeylocust	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Skyline'
Imperial Honeylocust	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Imperial'
Shademaster Honeylocust	<i>Gleditsia triacanthos</i> var. <i>inermis</i> 'Shademaster'
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Sycamore	<i>Platanus occidentalis</i>
London Planetree	<i>Platanus x acerfolia</i> 'Bloodgood'
Chokecherry	<i>Prunus virginiana</i> 'Canada Red'

Chanticleer Pear	Pyrus calleryana 'Chanticleer' 'Select', 'Cleveland Select'
Swamp White Oak	Quercus bicolor
Bur Oak	Quercus macrocarpa
Oak, Chinkapin	Quercus muehlenbergii
English Oak	Quercus robur 'Fastigiata'
Bald Cypress	Taxodium distichum
American Linden	Tilia americana
Linden	Tilia americana 'Redmond'
Little Leaf Linden Corinthian	Tilia cordata 'Corinthian'
Little Leaf Linden	Tilia cordata 'Greenspire'
Silver Linden	Tilia tomentosa
Silver Linden	Tilia tomentosa 'Sterling Silver'
Crimean Linden	Tilia x euchlora
Frontier Elm	Ulmus 'Frontier'
Lacebark or Chinese Elm	Ulmus parvifolia
Prospector Elm	Ulmus wilsoniana 'Prospector'
Accolade Elm	Ulmus x 'Accolade'
Triumph Elm	Ulmus x 'Triumph'
Green Vase Zelkova	Zelkova serrata 'Green Vase'
Musashino Zelkova	Zelkova serrata 'Musashino'
Village Green Zelkova	Zelkova serrata 'Village Green'

F. Standards and Maintenance:

1. All deciduous trees shall have a minimum of two (2) inch caliper trunk. All evergreen trees shall be a minimum of five (5) feet in height. Newly planted trees shall be tagged for species identification. The tags must remain on the trees until the site has been inspected and the improvements approved by the City.
2. All shrubs shall be a minimum of one (1) gallon size.
3. Planting areas shall be separated from parking areas and driveways by a six (6) inch concrete curb.
4. Landscaped areas shall be maintained with an automatic sprinkler system.
5. Landscaped areas shall be maintained in a neat, clean, and orderly condition. This in meant to include proper pruning, lawn mowing, weeding, removing of litter, fertilizing, replacing of dead plants, and regular watering of all landscaped areas.

6. The Community Development Director may waive, at their discretion, the size requirements for required landscaping provided that the developer provides financial assurance that the landscaping will survive or be replaced after the first two growing seasons. Trees and bushes shall be replaced after the first two (2) growing seasons if they die or fail to reach the minimum required size by October 15 of the second year after the landscaping was installed and inspected by the City.

G. General Fencing Requirements:

1. A Building Permit is required for all fences that are taller than three (3) feet. No fee is charged for Fence Permits unless the Permit is required by the Building Code.
2. The maximum height of a fence is six (6) feet in all zoning districts; fence pillars are not to exceed six and one-half (6 1/2) feet in height. The Council may waive the height requirement at its sole discretion.
3. The maximum height of a solid fence within the front yard setback area is three (3) feet. Substantially open fences such as chain link, or wrought iron may be four (4) feet high.
 - a. A residential lot with over two hundred (200) feet of frontage and that is a minimum of twenty thousand (20,000) square feet in areas, may obtain permission from the Community Development Director to locate a solid six (6) foot tall fence within a front yard. The fence must maintain a minimum setback of ten (10) feet from the front property line.
 - (1) A fence located within the front yard setback shall not be located in front of the residence, but must be to the sides of the residence. Clear vision requirements shall still apply.
 - (2) No more than fifty (50) percent of the lot frontage shall have said fencing within the front yard setback.
 - (3) The area between said fencing and the property line shall be landscaped within one (1) year of installing said fencing.
4. Barbed wire fencing is allowed in A-E, R-R, I-1 and I-2 districts.
5. Razor wire and other similar type fencing are allowed in C-2, I-1 and I-2 districts when located above a height of six (6) feet, subject to DRC approval. Additional screening of any such fence with plant materials may be required.
6. Fences must be built with a minimum setback of three (3) feet around the following utilities: fire hydrants, water meters (culinary and irrigation), telephone pedestals, power boxes and cable boxes.
7. A clear vision area is required at each driveway as set forth in §15.4.16.150.
8. Corner lots must maintain the clear vision area as set forth in §15.4.16.150.

(Ord. No. 23-10, Amended 11/16/2010) (Ord. No. 10-14, Amended 05/20/2014) (Ord. No. 15-15, Amended 09/15/2015) (Ord. No. 05-16, Amended 04/05/2016) (Ord. No. 14-16, Amended 09/20/2016) (Ord. No. 04-17, Amended 02/07/2017) (Ord. No. 01-17, Amended 01/03/2017) (Ord. No. 25-17, Amended 10/17/2017) (Ord. No. 03-18, Amended 02/20/2018) (Ord. No. 06-19, Amended 04/16/2019) (Ord. No. 12-19, Amended 06/18/2019)

SECTION 33: **EFFECTIVE DATE** This Ordinance shall be in full force and effective twenty days after passage and publication.

PASSED AND ADOPTED BY THE SPANISH FORK CITY COUNCIL OCTOBER 07, 2019.

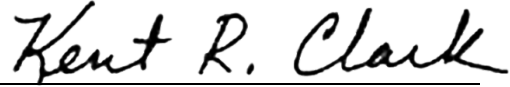
	AYE	NAY	ABSENT	ABSTAIN
Council member Chad Argyle	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Stacy Beck	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Brandon Gordon	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Mike Mendenhall	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Keir Scoubes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



STEVE LEIFSON, MAYOR, Spanish Fork
City



KENT R. CLARK, CITY RECORDER
Spanish Fork City

