

ORDINANCE No. 11-21

ROLL CALL

VOTING	YES	NO
STEVE LEIFSON <i>Mayor (votes only in case of tie)</i>		
CHAD ARGYLE <i>Councilmember</i>	X	
STACY BECK <i>Councilmember</i>	X	
BRANDON B. GORDON <i>Councilmember</i>	X	
MIKE MENDENHALL <i>Councilmember</i>	X	
KEIR A. SCUBES <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Councilmember Scoubes

I SECOND the foregoing motion: Councilmember Mendenhall

ORDINANCE No. 11-21

AN ORDINANCE AMENDING TITLE 15 LAND USE, OF THE SPANISH FORK MUNICIPAL CODE, RELATED TO VARIOUS TEXT AMENDMENTS.

WHEREAS Spanish Fork City has enacted a land use ordinance to regulate the development of land within the City, establish development standards, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS amendments to the land use ordinance need to be made from time

to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices;

WHEREAS the Planning Commission held a public hearing on May 5, 2021, wherein public comment was received; and

WHEREAS a public hearing was held before the Spanish Fork City Council on May 18, 2021, wherein public comment was received;

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

Section 1. Amendments of Spanish Fork Municipal Code. The Spanish Fork Municipal Code is hereby amended as set forth below. Only the sections contained below are hereby amended.

Attached as EXHIBIT A.

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

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH: May 18, 2021.



Attest:

Tara Silver 07 / 22 / 2021

Tara Silver, City Recorder

Steve Leifson 07 / 22 / 2021

Steve Leifson, Mayor

EXHIBIT A

The proposed changes are identified with the following additions (*underlined boldface italicized red*) and deletions (~~strikethrough~~) text:

15.3.24.090 Supplementary Regulations

Accessory Buildings, Structures, or Satellite Earth Stations.

Swimming Pools

Yard/Garage Sales

Irregular Lots

Accessory Dwelling Units (ADUs)

Awnings, Carports or Covered Decks

Animals

Wind Turbines (WT)

Outdoor Storage Areas

Public Rights-of-Way

Temporary Uses

A. Accessory Structures:

1. All accessory structures must meet the following requirements:

...

- I. Accessory Structures that house Accessory Dwelling Units shall be architecturally compatible with the Primary Structure on the lot and shall maintain setbacks of no less than five (5) feet from all property lines and other structures.

- m. External or detached ADUs shall not have more than 1,000 square feet of habitable living space.***

...

E. Accessory Dwelling Units (ADUs):

1. This sub-section is established to provide regulations for ADUs.
2. Requirements for Approval. A building permit may only be issued for ADUs 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, R-1-15, R-1-20, R-1-30, R-1-40, R-1-60, R-1-80 or R-R 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 ADU shall be created on a parcel. The ADU may only be located within a single-family dwelling or in an Accessory Structure. Accessory Structures that house ADUs shall be constructed as permanent structures.
 - d) ADUs are only permitted on lots 6,000 square feet or larger.
 - e) The property must have a total of three (3) parking spaces *for the primary single -family dwelling with an internal ADU and four (4) parking spaces for a primary single-family dwelling with an external or detached ADU*, which meet the criteria provided in section 15.4.16.120. *.i.e., two (2) parking spaces are required for the primary single-family dwelling and one (1) parking space for the internal ADU.* The parking space(s) for the ADU may not be provided in a tandem arrangement.
 - f) The ADU 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 ADU shall meet all applicable building and fire codes.

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Sent for signature to Steve Leifson (mayor@spanishfork.org) and Tara Silver (tsilver@spanishfork.org) from tsilver@spanishfork.org
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VIEWED

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SIGNED

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The document has been completed.