



**Wednesday, December 4, 2024
Development Review Committee**

DEVELOPMENT REVIEW COMMITTEE AGENDA

PUBLIC NOTICE is hereby given that the Development Review Committee of Spanish Fork, Utah, will hold a regular meeting at the City Council Chambers at Library Hall, 80 South Main Street, Second Floor, Spanish Fork, Utah, commencing at 10:00 a.m. This meeting is not available to attend virtually.

1. Approval of Minutes

A. November 13, 2024

B. November 20, 2024

2. Final Plat

A. NIELSEN PROPERTY INDUSTRIAL SUBDIVISION. This proposal involves the approval of a Final Plat for an industrial subdivision to be located at 1150 West 3800 North.

3. Title 15 Amendments

A. TITLE 15 AMENDMENTS. This proposal involves various updated being made to Municipal Code Title 15 Land Use.

4. Discussion

A. POTENTIAL VACATION OF 3400 EAST.

5. Adjourn

Draft Minutes

Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
November 13, 2024

Staff Members Present: **Cory Pierce**, Public Works Director; **Seth Perrins**, City Manager; **Dave Anderson**, Community Development Director; **Brandon Snyder**, Senior Planner; **David Mann**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Ian Bunker**, Associate Planner; **Vaughn Pickell**, City Attorney; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Byron Haslam**, Senior Engineer; **Marcie Clark**, Engineering Department Secretary; **Jered Johnson**, Engineering Division Manager; **Kevin Taylor**, Senior Power Utility Planner; **Jason Turner**, Fire Marshall, **Dillon Muirbrook**, Traffic Engineer.

Citizens Present: Brad Morgan, Ginalen Soto, AJ DelPivo, McKenzie Packard, Don McIntier, Matt Braccia.

Cory Pierce called the meeting to order at 10:00 a.m.

MINUTES

November 6, 2024

Dave Anderson **moved** to approve the minutes of November 6, 2024.

Kevin Taylor **seconded** and the motion **passed** all in favor.

ZONE CHANGE

ROOTS COFFEE ZONE CHANGE

Ian Bunker provided a brief overview of the proposal and stated the applicant is seeking to change the zoning designation from to C-2 General Commercial and utilize the Development Enhancement Overlay, which would eliminate the need for

the applicant to have a conditional use permit for a drive thru business within the zone.

Dave Anderson spoke briefly about what he likes about the site improvement plan that was provided by the applicants. He spoke about the concerns with the relocation of the power pole and the landscaping and parking improvements that will be needed for the site. He feels positively about the utilization of the Development Enhancement Overlay.

Cory Pierce does not see any large concerns with the design. It was stated that the electrical service will not be changing with this design.

Dave Anderson does not feel that the request for the C-2 is far off of what is laid out within the City's current General Plan for the area.

There was brief discussion regarding the current zoning uses of the C-O versus the requested C-2 and the allowable uses. Dave Anderson stated there are further details needed such as for the landscaping plan. It was stated that everything that is designed and proposed in the site improvement plan must be completed prior to a certificate of occupancy or business license being issued. It was stated this will go to the Planning Commission and City Council in December.

Dave Anderson **moved** to recommend the approval of the proposed Roots Coffee Zone Change to City Council based on the following findings:

Findings:

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require.
2. That with modifications the proposal can meet the intent of the Development Enhancement Overlay Zone.
3. That the proposed Site Improvement Plan includes improvements that are necessary for use of the site as a restaurant with a drive-thru.
4. That with the improvements identified on the proposed Site Improvement Plan the proposed business can function without adversely impacting adjacent streets or neighboring intersections.

Kevin Taylor **seconded** and the motion **passed** all in favor.

FINAL PLAT

THE LANDING

Brandon Snyder stated that the Site Plan was recently approved by the DRC. This proposal is to approve a condominium plat of the proposed twenty-two office warehouse units.

Brad Morgan spoke briefly about the project and stated that it has certain uses proposed to be restricted by way of the declarations and covenants.

Vaughn Pickell **moved** to approve the proposed The Landing Final Plat based on the following finding and subject to the following conditions:

Finding:

1. That the proposal is consistent with the City's Zoning Map and General Plan Land Use Designation.

Conditions:

1. That the applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines.

John Little **seconded** and the motion **passed** all in favor.

DISCUSSION

SPANISH FORK PARKWAY SIGNAL 30-60%

Dillon Muirbrook approached the podium and spoke about the alignment of Spanish Fork Parkway and Canyon Creek Parkway. He stated this is very straightforward and stated that the lane geometry will remain the same and stated the City will have this intersection signalized by mid-summer of 2025. He stated they are building the signal and will not touch the roadway.

It was decided that additional corrections will need to be made and brought back for approval at 90%.

Dave Anderson moved to adjourn the meeting at 10:33 a.m.

Adopted:

Kasey Woodard
Community Development
Division Secretary

Draft Minutes

Spanish Fork City Development Review Committee

80 South Main Street

Spanish Fork, Utah

November 20, 2024

Staff Members Present: **Seth Perrins**, City Manager; **Dave Anderson**, Community Development Director; **Brandon Snyder**, Senior Planner; **David Mann**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Ian Bunker**, Associate Planner; **Vaughn Pickell**, City Attorney; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Byron Haslam**, Senior Engineer; **Marcie Clark**, Engineering Department Secretary; **Zach Hendrickson**, Outside Plant Manager; **Kevin Taylor**, Senior Power Utility Planner; **Jake Theurer**, Power and Light Superintendent; **Bart Morrill**, Parks Maintenance Supervisor; **Jason Turner**, Fire Marshall.

Citizens Present: John Sumsion, Linda Fewkes, Brandon Denison, Chris Wall, Mitchell Smedley, Carl Johnson, Illegible, Garrett Seely, AJ DelPivo, Jeremy Evans, Cory Anderson, Joseph Earnest, Cole Ballard

Dave Anderson called the meeting to order at 10:00 a.m.

MINUTES

November 13, 2024

Dave Anderson **moved** to Continue the minutes of November 13, 2024.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

ZONE CHANGE & PRELIMINARY PLAT

BLUNCK ZONE CHANGE

Brandon Snyder stated this property was recently annexed into the City zoned Rural Residential as the property owners wished to have the property remain residential. But, now the property has come under new ownership and the new owners are wishing to have this property rezoned to I-1 light industrial to accommodate the future development of

industrial office buildings. He feels this is very straightforward as it complies with the General Plan and will be consistent with all the industrial development occurring on the surrounding parcels. He stated there is concern with the frontage parcel that was created that will need to be resolved before any pre-construction meeting or building permit can be issued for future development of the site.

Dave Anderson echoed Brandon Snyder's statement regarding the resolution of the frontage parcel that was created by way of dedication to the City or UDOT. He feels this is very straight forward and feels that should have been done with the annexation but understands that the zoning was at the request of the previous ownership. He feels that this fits with the future planning of the area and is more of a cleanup of the zoning.

Vaughn Pickell **moved** to recommend the approval of the proposed Blunck Zone Change to City Council based on the following finding and subject to the following conditions:

Finding:

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require
2. That the proposal is consistent with the City's General Plan Land Use Designation of Industrial.
3. That the proposal helps to continue the development of the northern part of the community with Light Industrial uses. (Spanish Fork City General Plan Land Use Policy C.1.1)
4. That the proposal contributes to maintaining an adequate supply of industrial land in appropriate areas. (Spanish Fork City General Plan Land Use Policy C.1.2).

John Little **seconded** and the motion **passed** all in favor.

MELLOR ZONE CHANGE

Brandon Snyder stated there are two separate proposals that will run together but have separate motions. He then briefly provided an overview of the proposal stating the current zoning of the property is Rural Residential but the applicant is planning to subdivide the property and he stated they are requesting R-1-12 zoning with the Master Planned Development Overlay to accommodate the layout design that features a mix of lot sizes that do not meet the 12,000 square foot lot size requirement. He stated that the majority of the lots do meet the lot size requirement, but also states that there are a few lots that do not meet the 100-foot frontage requirement. He stated that the applicants are requesting a 5-foot reduced side setback with the interior lots, he stated this would make the setback

5 feet on one side, and 10 feet on the other side. He stated this has been common practice the City has allowed in other developments. He then spoke briefly about the City's requirement for street trees and stated the applicant has provided landscaping plans but posed a question to the DRC on whether the City would like the applicant to remove the note on the plat for the owner to follow the ground cover and sprinkler irrigation plans. He feels this would not be enforceable by the City and stated the applicant has not provided any HOA or CC&R documents that would force this requirement on the future lot owners. He did note that there is a note on the plat that specifies that street trees will be required and the timeline that they would need to be installed.

Bart Morrill has concerns with the proposed landscaping along 400 North and stated this is different from the existing landscaping for the area. He asked if the Committee wished to have this match the existing landscaping and Dave Anderson stated that the Committee looks to the Parks and Recreation Department for this opinion.

There was a brief discussion on the landscaping options and the materials that will be used for the area. It was decided to continue the discussion on the landscaping.

Dave Anderson suggested City staff work with PKJ Design Group on the landscaping design.

John Little asked the applicant if the 5 and 10-foot alternating setbacks will be shown on the plat so that it can be identified which setback will be 5 and 10 feet and it was stated that it will be shown on the plat.

Seth Perrins asked if this will create setback concerns and he recalls a previous development where the window wells were up against the side property lines.

John Sumsion approached the podium to ask a few questions regarding the trail on 400 North and his ability to connect to the sewer line.

There was further discussion regarding the sewer connection and if the line will be able to connect the residents' properties.

Dave Anderson stated that the layout is what is really being looked at for approval today.

Seth Perrins asked if Mrs. Fewkes had any questions or concerns she would like to discuss.

Mrs. Fewkes stated their main concern was the elevation with the water run off but she stated that she spoke with Byron early that morning and does not have any questions.

Jake Theurer **moved** to recommend the approval of the proposed Mellor Zone Change to City Council based on the following finding and subject to the following conditions:

Finding:

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require.
2. That the proposal is consistent with the City's General Plan Land Use Designation of Low Density Residential.
3. That this proposal is designed with local streets that are discontinuous, but well connected, creating a pattern to discourage through traffic (Spanish Fork City General Plan Land Use Policy A.3.2).

Byron Haslam **seconded** and the motion **passed** all in favor.

MELLOR SUBDIVISION

There was no additional discussion.

Jake Theurer **moved** to recommend the approval of the proposed Mellor Subdivision Preliminary Plat to City Council based on the following finding and subject to the following conditions:

Finding:

1. That the proposal is consistent with the City's General Plan Land Use Designation of Low Density Residential.

Conditions:

1. That the applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the City Council approves a Zone Change from A-E to R-1-12 with the Master Planned Development Overlay.
3. That the applicant addresses any red-lines.

Seth Perrins **seconded** and the motion **passed** all in favor.

Seth Perrins asked if the applicant has obtained excavation permits for the dirt that has been moved on the site and Byron Haslam stated that yes, the proper permitting has been obtained by the applicants.

There was a brief discussion on setbacks and it was decided to amend the previous motion to change the setback minimum from 5 feet to 6 feet.

Dave Anderson stated that he does not feel inclined to go back to the 5-foot setback on any future subdivision within the R-1-12 or R-1-15 zones.

Jake Theurer amended his previous motion to include the condition that the applicant remove the setback minimum from 5 feet to 6 feet.

Seth Perrins seconded the amended motion and the motion passed all in favor.

Dave Anderson informed the applicant that the next steps will be the Planning Commission and City Council in December.

CANYON COURT URBAN

Brandon Snyder stated that this proposal has been looked at extensively in 2023 but it was continued at that point. He stated the design is short on details and he stated that this will need to be worked on. He stated there was discussion of a new mixed-use zone that features a mix of commercial spaces as well as residential that he stated the applicant is requesting the R-4 designation to accommodate the requested density. He feels that there needs to be more clarity and detail for the design layout before this can move forward. He feels that this proposal would bring much needed improvements and utilities to the area. He stated there will be two separate motions with this item as there is a Zone Change and a Preliminary Plat that are requesting approval.

Dave Anderson stated that the design being presented today is slightly different than what has previously been looked at with City staff. He stated that the R-4 zoning required a minimum of 12 acres, and stated that this parcel may not work with that zoning requirement, but he stated that the R-3 zoning would still get the applicant the density they are looking for. He stated this will need to be discussed further as there are other adjustments that will need to be made. He spoke briefly about the upcoming Title 15 Amendments the Committee will be looking at during the meeting as there are proposed changes being made to the R-4 zone. He questioned though if amending the R-4 zone is the right call, and if the R-3 zoning would work just as well for the project.

Cory Anderson approached the podium to speak briefly about the proposal and provide an update. He stated there have been a few changes that include the number of residential buildings and the layout. He feels that the placement of the stacked units for the

residential is ideal as he does not feel that it would be an ideal location for commercial spaces. He wants to continue working with the City on the layout.

Dave Anderson stated that the City needs to see a design layout for the residential area to ensure that it does not become segregated and that it integrates with the surrounding environment. He does want to get too far ahead of things, but stated that the Planning Commission is in two weeks from today, and he does not feel that they will want to move forward with the Zone Change until more detail is provided to make them feel more comfortable.

Cory Anderson understands and agrees with this conclusion.

Seth Perrins voiced his opinion that he is a fan of the proposal and design and does not necessarily see the need for residential, and feels that this space would work fine for commercial space. He just wants the applicant to show more detail. He does not know if the R-4 zoning will be the best fit as there are elements of that zone that the applicant would not be able to meet. He is more in favor of the space being used for C-2 Commercial use as he does not know if a public road is the best option in that area.

Dave Anderson suggested putting the discussion on hold as there are things in the Title 15 Amendments that need to be discussed before anything can be decided with this item and the Preliminary Plat application.

Byron Haslam stated the biggest concerns Engineering has is getting the UDOT access permit and getting the roundabout fully designed.

Jake Theurer advised the applicant to be cognizant of the power lines during the planning of their design.

Dave Anderson suggested the discussion be put on hold and stated the Committee will circle back.

Seth Perrins **moved** to Continue the proposed Canyon Court Urban Zone Change to City Council.

Jake Theurer **seconded** and the motion **passed** all in favor.

CANYON COURT URBAN

There was no further discussion as both discussions were held with the Zone Change application and the Title 15 Amendment discussion.

Seth Perrins **moved** to Continue the proposed Canyon Court Urban Preliminary Plat to City Council.

Jake Theurer **seconded** and the motion **passed** all in favor.

TITLE 15 AMENDMENTS

TITLE 15 OLD DOMINION

Brandon Snyder stated this site is currently under construction. He stated the applicant is Old Dominion Freight Line and they are proposing two changes to the City's fencing standards in the hopes to resolve a fencing issue. He stated that the current standard does not allow front fencing to exceed 4 feet in height. He stated that all other site fencing is restricted to six feet unless otherwise approved by the City Council. He stated the applicant is proposing an exception to industrial or non-residential uses for a higher fencing height restriction. He stated that this site is nearing completion and that instruction was given to the applicant to obtain a fence permit that would include this language regarding fence height, but he stated the applicant never applied for the Fence Permit. He stated this information came to the City's attention by way of a complaint of the fence height. He stated that the City has discussed options for the site to come into compliance, including the option to relocate the fence, but he stated this option was not desired by the applicants. He stated the City also suggested making modifications to the fencing, which was also not desired by the applicant. He stated the third option was proposed an amendment to the City code. He then provided pictures of the site and the non-compliant fencing that was installed. He then showed the plans that were submitted by the applicant to the City in 2023 that illustrated the proposed fencing plan, which does not match what was built on the site.

Jeremy Evans approached the podium to speak briefly about the proposed fencing amendment. He stated that he is the one that installed the fence and stated that it was not done out of malice, he thought that the plans were approved. He spoke briefly about the need for the barbed wire fencing for security purposes as there are multiple locations that have had break-ins to vehicles and personal and company property damaged. He stated that the long-haul truckers often leave their personal vehicles in the lots for long periods of time, so this fencing provides extra added security. He takes responsibility for the fencing as he was under the impression that the fencing was approved.

Dave Anderson thanked the applicant for sharing this information. He informed the applicant that the City does not have a way to look at this proposal as being site specific. He stated that any amendment to the City code would implement a City wide change, allowing any property within the zone to utilize this change. He stated that he is able to think of several sites that the City would not necessarily want to see a 6 to 8-foot tall fence only a few feet from a property line. He stated this presents an uphill battle for the proposal. He stated that staff have received direction from the City Council regarding this part of the community and allowing fencing taller than 6 feet. He stated another element of the concern is that fencing exceeding 6 feet would potentially be required to be constructed of materials other than chain link fencing, which is what has been installed. He mentioned wrought iron fencing as an alternative.

Cal Johnson approached the podium to speak briefly and stated that they understand that this would be a City wide change and not just specific to their industrial site. He speaks briefly about reduced setbacks in the industrial zones as long as the site has a clear view triangle.

Dave Anderson thanked Cal for sharing this proposal and feels that this sums up the proposal very well. He stated that the DRC is a recommending body for Text Amendments and that the final approving body for this would be the City Council. He stated that this item is tentatively scheduled for the Planning Commission and City Council in December.

Seth Perrins asked how far the existing fencing is from the property line and it was stated that it was built at ten feet from the property line, which does not meet the current front setback requirements of the I-1 zone as the fencing would need to be 25 feet off the property line. He then asked the applicant how they can have an approved set of plans, then decide to build off of not approved plans?

Jeremey Evans stated that there were plans that were approved and there were modifications made to the plans and he receives what they call ASI-1s and ASI-2s and he received the ASI-1 back that featured the current fencing and landscaping that was never approved by the DRC, and still has yet to be approved. He stated that he does not typically receive the drawings until the design has been approved and stamped. He stated that this design is so common in all their locations in other states that he did not bat an eye with the design change not being approved as the owner added this after the fact. He stated there was also confusion on where their property line begins.

Seth Perrins understands the concerns the property owner has with the security of the lot, and he appreciates that. He wants to look out for the property of their employees while they are on the road.

Dave Anderson stated that the Planning Department has made a recommendation to deny the proposal. He stated that he is inclined to stick with this decision for a handful of different reasons. He feels that the standards today as written are very good and altering them would not be in the best interest of the community. He understands that this is likely a disappointment to the applicant.

Further images were shared of the site and it was discussed that the location has two lines of fencing on the property that makes it look very imposing and more like a prison, which is not a favored look with the City.

Seth Perrins remarked that this facility looks like it has higher security than the Utah County Jail.

Jeremy Evans stated that they have eventually over the years had to move up to the 8-foot fences with barbed wiring as people were still climbing over the fences to break into the parked vehicles in the lot. He stated that several locations have even implemented electric wiring on the fencing as a crime deterrent.

There was discussion regarding the work that was done with Utah County on the facility design to ensure that it did not have this imposing look. It was stated that staff worked together with the County to ensure that setbacks and fencing requirements were met. It was stated that chain link fencing was initially requested but ultimately not approved which resulted in a less imposing look.

Seth Perrins **moved** to recommend to Deny the proposed Title 15 Amendments to City Council as discussed.

Based on the following reasons:

1. The impact it has on the entire I-1 Light Industrial Zone.
2. The imposing look and feel that it would create across the I-1 Light Industrial Zone.

Jake Theuer **seconded** and the motion **passed** all in favor.

TITLE 15 AMENDMENTS

Dave Anderson wanted to first discuss the R-4 zoning part of the proposed amendments. He apologized to the Concept applicants that have been patiently waiting. He stated this discussion will be in relation to the previously discussed Canyon Court item as it regards the proposed changes to the R-4 zoning designation. He stated that these amendments are still a work in progress. He spoke briefly about the 12-acre requirement for the R-4 zoning and the frontage requirements and the City Council being able to grant exceptions to the frontage requirements. He stated there may need to be some minor modifications made to the requirements of amenities.

David Mann suggested addressing or clarifying if this will include residential with commercial for the project area. He thinks that the City should spell out how the City wants density calculated, whether it is based on the zone or the project area.

Dave Anderson agrees with this suggestion and feels it is important to provide this clarity. He feels inclined to continue this discussion to a later date. He acknowledged that there is a holiday in the next week, and that two weeks to the Planning Commission meeting is not a lot of time. But he feels further review of the language proposal and concept plan are needed before anything can move forward. He stated that the Committee can revisit this discussion at the next DRC meeting on December 4, before the Planning Commission meeting that will take place that same night.

Seth Perrins questions why the Planning Department would want to combine this project and change the R-4 zoning designation. He does not know if he is in overall favor of combining residential and commercial use into one development. He questioned the R-5 zoning and wondered if the R-4 is even the right zoning designation. He apologized for beating the dead horse. He is just trying to protect the R-4 zoning.

Dave Anderson stated that the size of the project and the street frontage are why the Planning Department is looking at the R-4 zoning. He stated that he is very sensitive to the timing needs of Cory Anderson. He asked how comfortable he would be with pushing this item to the January Planning Commission and City Council meetings so that before any noticing is completed, there can be further discussion on this item and ensure that it is polished and ready to move forward.

Cory Anderson is fine with that direction.

Dave Anderson **moved** to recommend to Continue the proposed Title 15 Amendments to City Council as discussed.

Jake Theurer **seconded** and the motion **passed** all in favor.

CONCEPT REVIEW

CHRIS WALL CONCEPT

Joshua Nielsen disclosed that he has held a previous relationship with the applicant prior to his position with the City of Spanish Fork. He stated that he had discussions with this applicant regarding a concept plan for the Halvorsen property, but nothing formal was discussed as it was still in the conceptual phasing.

Dave Anderson feels that this concept plan largely speaks for itself. He invited the applicants to speak about the concept.

Chris Wall approached the podium and stated that the Halvorsen property is roughly 77 acres that was annexed into the city, he stated there is a small area on the south side that is a couple acres that was never annexed into the city. He stated that Blue Ox owns 11 acres that is located just behind the ponds, but stated that the development of the property repeatedly was pushed back. He stated the Halvorsens approached him to see what could be done with the property. He stated he met with City staff members to come up with a concept plan.

Dave Anderson spoke about the zoning of the property and stated there has been discussion regarding the development of townhomes for the property. He stated that the City is still in the process of updating the General Plan and he stated that this plan contemplates developing along Main Street, and stated that he is not sure how there can be a connection made between the two areas. He feels there will be challenges with the steepness of the road as well as some of the utilities for the area. He reiterated that the City is in the process of updating the General Plan and he expressed concern that there has not been any appetite to allow for any development in this area.

Chris Wall understands this and stated they have designed this concept using what would match the current density the best.

Dave Anderson spoke briefly about townhome fatigue, and stated that this sentiment has been echoed by residents regarding the rate of growth of multifamily developments that are popping up everywhere. He understands this general feeling as this has been the most prevalent type of development over the past several years. He recommended to the applicant, looking at a different product that may deliver a similar density and that it may

be better received than townhomes. He stated the current General Plan for the area allows up to 8 units to the acre, where the concept design features 6 units to the acre.

Seth Perrins wished that he had different feedback for the applicant and Chris Wall stated that he is there seeking to find a solution for the property owners as they approached him to hopefully develop the property after the loss of the father and the property is not worth much for agricultural use. He asked the staff what can be done with the property as the property owners will be reaching out to him after the meeting for feedback.

Dave Anderson suggested that this concept be heard by the Planning Commission as well and they may be able to provide additional insight that the DRC was unable to provide. He feels that the General Plan will be adopted in early 2025. He suggested focusing the planning on the 12 acres of the top portion of the property, and working this out with the Halvorsen family.

Seth Perrins feels that the biggest concern with developing this property is the view, and the desire the community has had with developing this area by the River Bottoms. He echoes Dave's suggestion on focusing on developing the top portion of the property.

There was discussion regarding the issues with the sewer and other utilities for the area.

Chris Wall asked the Committee what the City would say if the property owners decided they wanted to de-annex the property from the City, as they have expressed to him as being their next steps if they are unable to develop the property as they are wishing to.

Dave Anderson was unable to provide an answer and stated that he has not personally had a conversation similar to this.

Seth Perrins spoke about the concept of the possibility the property owners have to sell their property for development rights for credits that would allow them to develop in other areas. He stated that this concept has not been denied by the Council and if passed it would help preserve the land, but protect the property owners right to develop something.

Michell Smedley approached the podium and stated that he was recently hired to represent the owners of Blue Ox and he stated that they are property owners of the 11 acres behind the ponds. He stated that he was aware of a previous concept plan that was submitted to the City. He stated they purchased the property from Alan Bird, and stated they are still in the process of paying for it. He stated the reason this property was initially purchased was that there was an agreement with the City that they would sell the portion of the property where the pond is located to the City in exchange for the right to be able to

develop the remaining portion of the property. He stated there is an active lawsuit, but that he was not part of this. He questioned if there is any hope for anything to be developed with the 11-acre parcel.

Dave Anderson stated that the property is being farmed, and that is all that is happening to his knowledge as it is agricultural land and that is all it can be used for.

Seth Perrins stated there was a previous Zone Change proposal that was denied by the City Council. He stated that there has not been any conversation since this denial that would give him any reason to think that anything has changed. He stated that there have not been any real discussions regarding this area with the General Plan update. He stated that at this moment there is not a lot of interest in seeing development in this area.

There was discussion regarding the boundary line and it was stated that the boundary line has not changed for the last 25 years. The ability of the City to serve the area for sewer was also discussed.

Mitchell Smedley asked if then since the property is zoned R-R then the property owners would be allowed by right of the zoning designation to build up to 2 single-family residences, even if there is no desire to see anything be developed in the area and it was stated that yes this would be the case as the R-R does allow one single-family residence per every 5 acres.

Seth Perrins is not happy with the feedback the City is providing to the applicants as he feels that the City's sights seem to be misaligned with the property owners. He feels hopeful that the TDR credits can be used so that both parties can feel satisfied. He stated that as staff they are open to other concepts and suggestions on how to develop this area. He stated that he is unsure if the Council will feel that same, but he stated they are open to hearing different ideas as he would love to hear about it and involve the property owners.

Dave Anderson stated that there will likely be a public hearing in January for the General Plan and he absolutely feels this is the best time to be a part of the discussion and present ideas during that meeting. He suggested that the applicants stay in touch with the Planning Department and they can let the applicants know when this public meeting will take place so that they voice their opinions on the future of this area to the City Council. He feels it would be great if the property owner could be part of the discussion as they would have the ability to be heard by the Council and resuscitate the TDR concept

CABINET FACTORY CONCEPT

This conversation was discontinued.

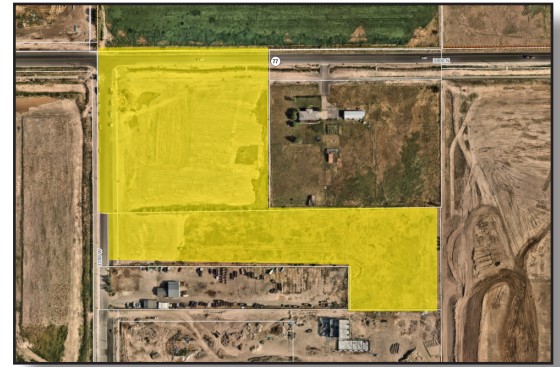
Seth Perrins moved to adjourn the meeting at 12:05 p.m.

Adopted:

Kasey Woodard
Community Development Division
Secretary



Nielsen Industrial Subdivision
Final Plat
1150 W 3800 N
16.98 acres
Light Industrial (I-1) Zone
Industrial General Plan Designation



PROPOSAL

The Applicant has requested Final Plat approval in order to create a one lot subdivision in the Light Industrial (I-1) Zone. The plat shows a consolidation of two existing parcels into one lot and dedicated ROW along 1150 W and 3800 N. There is potential to add a shared cross-access easement to allow for a connection to the east of the subject property. The Planning Commission approved the Preliminary Plat on November 6, 2024.

RECOMMENDATION

That the proposed Final Plat be approved based on the following finding and subject to the following conditions:

Finding

1. That the proposal is consistent with the City's General Plan Land Use Map Designation.

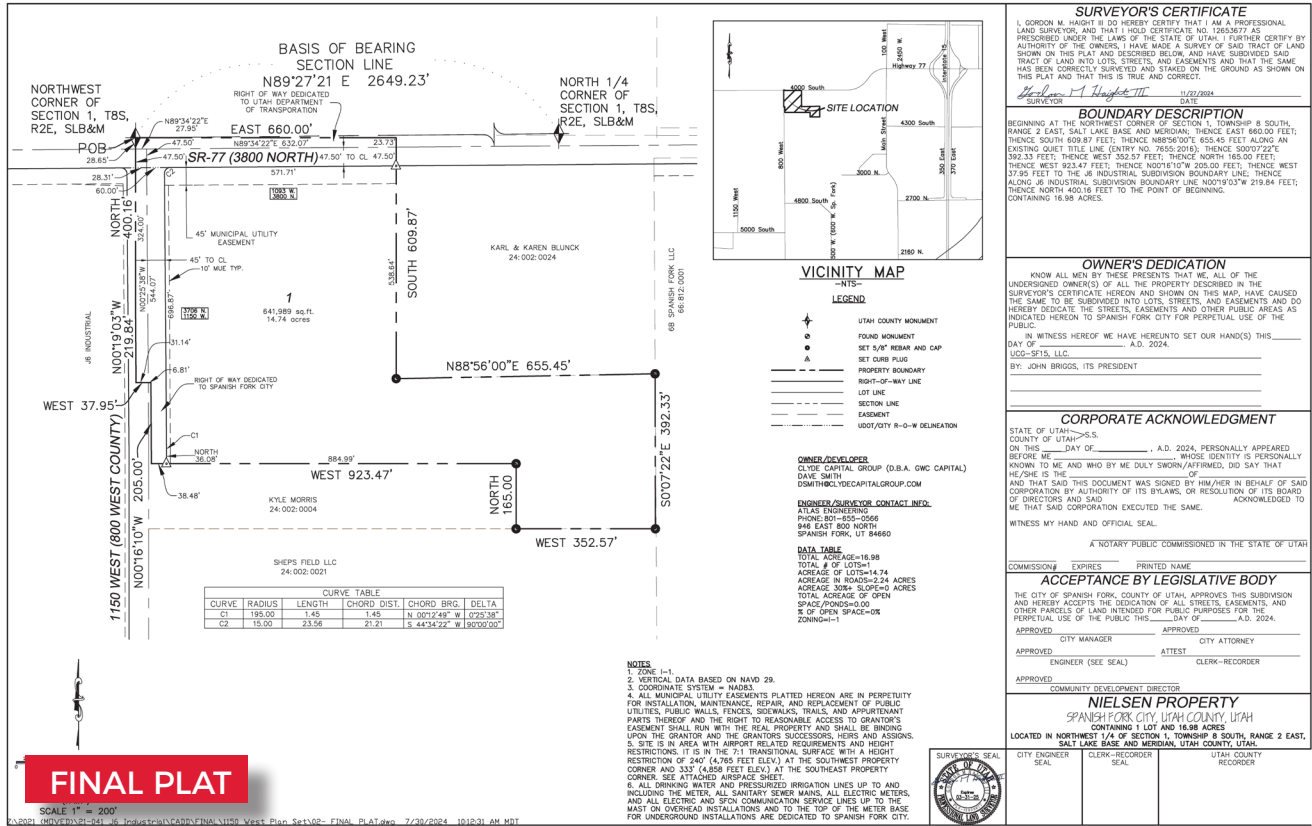
Conditions

1. That the Applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the Applicant addresses any unresolved redlines prior to recording the plat.

EXHIBITS

1. Proposed Final Plat

EXHIBIT 1





TO: file

FROM: Dave Anderson, AICP

DATE: December 4, 2024

RE: Proposed Title 15 Amendments

These changes are still a work in progress. Currently, the proposal includes the following:

1. Proposed changes to definitions to:
 - a. Change how building setbacks are measured.
 - b. Add language to clarify what decorative walls are and are not.
2. Add the word “decorative” at certain places in reference to required walls.
3. Language added to the Master Planned Development Section to clarify that Preliminary Plat applications are presented with overlay proposals to the City Council for approval.
4. Additions to the R-4 Zone to:
 - a. Allow on-street parking to count towards a portion of the parking requirement (Whispering Pines and others).
 - b. Allow for exceptions to the public street frontage requirement (Rush and Creekside).
5. Additions to the parking requirements to allow on-street parking to count towards a portion of the parking requirement for projects in the R-3 and R-4 zone (Whispering Pines and others).
6. Changes to the regulations for noncomplying structures and nonconforming uses.
7. Changes to the minimum project size requirements for developments using the Complete Neighborhoods Overlay.

15.1.04.020 Definitions

.....

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

"Building Setback": The shortest horizontal distance between the property line and the outside surface of the foundation, wall, or main frame of the building. Roof eaves may extend into the required setback a maximum of one (1) foot.

.....

"Wall": Barrier structure constructed of concrete, either precast or poured in place, or of individual concrete units that are adjoined with mortar. For purposes of this ordinance, fencing built with a polystyrene foam or other non-concrete/masonry core does not meet the definition of a Wall. Decorative walls are walls constructed with split face blocks, colored blocks, soldier courses, textured coatings, wall and column caps, or other features provided to adorn the Wall. Cinder block walls constructed without decorative caps or other features listed above are not decorative walls.

15.4.16.150 Fencing And Clear Vision Area

A. 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 **non-industrial 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. **In the Industrial 1, Industrial 2 and Industrial 3 zones, fences, fence pillars and walls may eight (8) feet tall.**

15.4.16.130 Landscaping, Buffering Walls, And Fences

- A. Purpose: It is in the public interest to enhance, conserve, and stabilize property values by encouraging pleasant and attractive landscapes and surroundings, providing proper separations between uses, conserving public water resources, and promoting water efficient landscapes. The purpose of this chapter is to protect and enhance the environmental, economic, recreational, and aesthetic resources in Spanish Fork by promoting attractive properties by establishing standards and practices for the design, installation, and maintenance of water efficient landscapes throughout the City.
- B. Landscape Requirements for Single-family and Twin Home Residential Uses.
 - 1. Application. The landscape requirements that follow shall apply to all new single-family and twin home residential landscapes. The following describes the general landscape design requirements for single-family and twin home residential uses.
 - a. All single-family and twin home 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. 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. Landscaped areas shall be maintained in a neat, clean, and orderly condition. This includes the removal of litter, proper pruning, lawn mowing, weeding, dead-heading of perennial plants, fertilizing, replacement of dead plants, and regular watering of all landscaped areas.
 - c. Required landscaping in the park strips, front yards and side yards that are visible from the street shall be comprised of live plant material with an automated irrigation system. Zero-scape may only be used in back yards that are not visible from the street. Water-conserving designs are encouraged (see §15.4.16.130(C) Water-Conserving Landscape Design Recommendations for Single-family and Twin Home Residential Uses).
 - d. Artificial turf is a lawn substitute composed of individual artificial blades of grass that attempt to emulate natural turf in look and color. The use of artificial turf in park strips, front yards and side yards that are visible from the street is not permitted.
 - e. No more than 70% of a lot shall be surfaced with impervious materials. No more than 60% of the front and side-street setback areas can be improved with impervious surfaces.
 - f. Where park strips are sufficiently wide, street trees are required in accordance with the provisions found in 12.08.
 - g. Lawn shall not be less than eight (8) feet wide at its narrowest point.
 - h. Lawn shall not exceed 35% of the front and side-yard landscape area. The landscape area does not include footprints of buildings or structures, sidewalks, typical driveways, and other non-irrigated areas intentionally left undeveloped.

- i. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- C. Water-Conserving Landscape Design Recommendations for Single-family and Twin Home Residential Uses.
 - 1. Water-conserving Landscape Design is encouraged. The Localscapes® Program, the Salt Lake City Plant List and Hydrozone Schedule 2013 prepared by Salt Lake City Public Utilities, and the Utah State University Center for Water-efficient Landscaping, shall be primary references for the design and installation of water-conserving plants and landscapes in Spanish Fork City (see Spanish Fork Water-Conserving Landscape Online Resource List at www.spanishfork.org). These and other resources included in the list offer user-friendly design ideas, recommendations, programs, examples, and inspiration for the implementation of water-conserving landscapes for single-family and twin home uses, as well as those for developer/contractor installed projects.
 - 2. The landscaped areas of the front yard, side and rear yards should follow Localscapes® five-step process as follows and as detailed in the Spanish Fork City Water-wise Landscape Design Elements & Principles Guidebook (2022) and the Localscapes® Program (see Spanish Fork Water-Conserving Landscape Online Resource List at www.spanishfork.org).
 - a. Create a central open space in the front and rear yards consisting of lawn, hardscape, groundcover, gravel, or compacted mulch.
 - b. Create smaller gathering areas constructed of hardscape shall be placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
 - c. Fill remaining areas with planting beds composed of water-conserving plants and water-efficient irrigation systems.
 - d. Locate activity zones outside of the central open shape that are surfaced with materials other than lawn.
 - e. Provide paths and walkways to link the different areas of the yard together. These should be constructed of hardscape, mulch, other groundcover, or non-lawn materials.
- D. Landscape Requirements for Multi-family, Professional Office, Commercial and Industrial Uses.
 - 1. The following standards shall be required for all new developer and contractor installed landscapes for the following project types:
 - a. Multi-family residential uses;
 - b. Professional Office and Non-residential or Non-commercial uses;
 - c. Commercial uses; and
 - d. Industrial uses.
 - 2. The standards do not apply to single-family, twin home and similar residential uses (see Section C. General Landscape Requirements for Single-family and Twin Home Residential Uses).
 - 3. The standards are not intended to conflict with other landscape requirements as defined by Utah law, including stormwater retention requirements and low-impact

development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

4. At maturity, all applicable landscapes are required to have enough plant material (perennials, decorative grasses, shrubs, groundcovers and similar) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
5. General design requirements, the following describes the general landscape design requirements for each type of use.
 - a. Multi-family Residential Uses.
 1. 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.
 2. Minimum one (1) tree provided for every 1,000 square feet of required landscaping area.
 3. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one (1) tree for single loaded, and two (2) trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.
 4. Minimum 15-foot-wide planting area adjacent to all public streets, which shall include trees with a maximum spacing of 30 feet, which shall count toward meeting the minimum required trees for the site. The planting areas may be partially or completely within the street right-of-way area. The specific trees used shall be selected from the City's approved Street and 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. Street and Shade trees must be planted within 30 feet of the public street curb, and wherever possible, 50% of the required Street and Shade Trees must be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
 5. A minimum 10-foot-wide planting buffer and a six (6) foot **decorative** wall are required where any multi-family use abuts another property. These trees shall count toward meeting the minimum required trees for the site. An exception to the six (6) foot **decorative** wall requirement may be granted if the Development Review Committee finds that the multi-family use and adjacent uses are designed to create an integrated campus-like environment. In such cases, the planter area shall include shade trees are spaced a maximum of 30 feet apart.

6. In cases where it is determined that the tree species in the approved Street and Shade Tree List (see Appendix X) would adversely impact utility lines and public infrastructure, the use of substitute tree species may be approved by the Community Development Director.
 7. In cases where it is determined that the tree species in the approved Street and Shade Tree List (see Appendix X) would adversely impact utility lines and public infrastructure, the use of substitute tree species may be approved by the Community Development Director.
 8. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- b. Professional Office and Non-residential or Non-commercial Uses.
1. Minimum of 20% on-site landscaping as a percentage of total site area.
 2. Minimum one (1) tree provided for every 1,000 square feet of required landscaping area.
 3. Parking lots shall include landscape islands within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required landscape islands shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Street and Shade Trees, as identified on the City's approved Street and Shade Tree List, with a maximum spacing of 30 feet (see Section 12.08 Street Trees and Park Strip Design for details).
 4. Minimum 15-foot-wide planting 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 Street and Shade Tree List. In locations included in the Shade Tree Master Plan, the selected trees shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within 30 feet of the public street curb wherever possible, with 50% of the required Street and Shade Trees required to be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
 5. A minimum 10-foot-wide planting buffer is required where the site abuts a residential use or district. The planting buffer shall include trees with a maximum spacing of 30 feet. A six (6) foot **decorative** 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 **decorative** wall. In situations where adjacent sites are designed to function as an

integrated campus, the Development Review Committee may consider alternatives to the six (6) foot **decorative** wall.

6. In cases where it is determined that utilizing tree species found in the approved Street and Shade Tree List would adversely impact utility lines, the use of substitute tree species may be approved by the Community Development Director.
7. No more than 20% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
8. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.

c. Commercial Uses.

1. Minimum of 15% on-site landscaping as a percentage of total site area.
2. Minimum one (1) tree provided for every 1,000 square feet of required landscaping area.
3. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one (1) tree for single loaded, and two (2) trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.
4. Minimum of 15-foot-wide planter area adjacent to all public streets, which shall include one (1) Street Tree for each 30 feet of frontage along all public streets. The specific trees used shall be selected from the City's approved Street and Shade Tree List. For sites included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within 30 feet of the public street curb, and wherever possible 50% of the required Street and Shade Trees must be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
5. A minimum 10-foot-wide planting buffer where the site abuts a residential use or district. The planting buffer shall include trees with a maximum spacing of 30 feet, which shall count toward meeting the minimum required trees for the site. A six (6) foot high **decorative** 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 **decorative** wall. Also, in situations where adjacent sites are designed to function as an integrated campus, the Development Review Committee may consider alternatives to the six (6) foot high **decorative** wall.

6. In cases where it is determined that utilizing tree species found in the approved Street and Shade Tree List would adversely impact utility lines, the use of substitute tree species may be approved by the Community Development Director.
7. In order to ensure construction 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 landscape cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping deposit will be required for the estimated cost of installing the required landscape. Once the landscaping is complete and approved, the landscaping deposit will be refunded to whomever paid it.
8. No more than 20% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
9. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.

d. Industrial Uses.

1. Minimum of 10% on-site landscaping as a percentage of total site area.
2. Minimum one tree provided for every 1,000 square feet of required landscaping area.
3. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one (1) tree for single loaded, and two (2) trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.

4. A minimum 15-foot-wide planting area shall be located 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 Street and Shade Tree List. On streets included in the Street and Shade Tree Master Plan, the selected trees shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within 30 feet of the public street curb and wherever possible, and 50% of the required Street and Shade Trees must be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
5. A minimum of 10-foot-wide planting area and six (6) foot high **decorative** wall are required where a site abuts a residential use or district. The planter area shall include trees with a maximum spacing of 30 feet. These trees shall count toward meeting the minimum number of required trees for the site based on the amount of required landscaping.

15.3.20.090 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 (1) unit for every 3,260 square feet of project area shall be permitted for developments in the R-3 Zone. No more than one (1) 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 and a half (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 **decorative** 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.

15.3.20.080 Master Planned Development Overlay District

This district is an alternative to developing property by strict adherence to standard zoning and development requirements, which may only be approved as a Zoning Map Amendment as provided in this section. The Master Planned Development (MDP) Overlay District is not a replacement for a standard subdivision but serves as an option. It is intended to provide an option in order to create residential neighborhoods that will increase in value over time by doing the following:

- allowing for efficient designs that provide needed public infrastructure,
- allowing 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,
- allowing developments to include a total number of units up to the maximum density found in the underlying zone as identified in Table 1 - Residential Development Standards of Title 15,
- establishing residential neighborhoods with a distinct character and sense of unity, and allowing for the development of neighborhoods with multi-family homes and a mixture of housing types.

A. Application

1. Applications to establish a Master Planned Development Overlay District shall be processed in the same manner as that for other zoning map amendments. The application shall be accompanied by a complete Preliminary Plat or Site Plan application which includes the following information:
 - a. a complete description of the intended nature and character of the development,
 - b. a description of all proposed private or public open space areas, including improvements, ownership, and maintenance provisions,
 - c. a proposed project phasing,
 - d. plans representing proposed landscaping, fences, walls, entry treatments, signage and lighting,
 - e. preliminary conditions, covenants, and restrictions (CC&R's),
 - f. any variations from the non-Master Planned Development standards,
 - g. any proposed amended development standards, including such things as variations in setbacks, heights, and lot sizes,
 - h. 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, and
 - i. 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 or Site Plan. If the sequence of construction of various portions of the development is to occur in stages, then the amenities shall be developed, or committed thereto, in proportion to the number of homes intended to be developed during any given stage of construction.

B. Performance Standards

1. Permitted Use

- a. All uses listed in R-1, R-3, R-4, and R-5 Districts, subject to the same restrictions or limitations of the use.

- b. Multi-family homes.

2. Subdivision Design

- a. Project size. The minimum size of a development is five (5) gross contiguous acres in R-1-8, R-1-9, R-1-12, R-1-15, R-1-20, R-1-30, and R-1-40 Zones. The minimum size of a development in the R-1-6, R-3, and R-5 zones is two (2) gross contiguous acres. The minimum size of a development in the R-4 zone is twelve (12) gross contiguous residential acres. School, church, and other non-residential sites are to be excluded from the acreage calculation.
- b. Density calculations and lot size. Density shall be limited to the base density per acre as defined in Table 1 - Residential Development Standards. Church sites, school sites, other non-residential uses, sensitive lands, and land that is unbuildable by encumbrance or otherwise may not be counted in the density calculations. The average lot size for any development must meet or exceed the minimum lot size required for a standard subdivision in that zone. For projects that include land with multiple zoning districts, the total allowed density will be the sum of the allowed density for each of the distinctly zoned areas. This density may be dispersed throughout the project provided that average lot sizes in the project are commensurate with the distinctly zoned areas. Where projects include features that serve as amenities for the development, plazas, entrance features, private park, the land area of those features may be included in the lot area for purposes of calculating average lot size. Where projects include uniquely large lots, the area of the uniquely large lots that is included for purposes of calculating project density and average lot size shall be limited to twice the minimum lot size of the Zoning District.
- c. Street design. Local streets shall not exceed 600 feet in length without an intersecting street.
- d. Infrastructure. Inasmuch as isolated, disconnected developments and their public infrastructure systems are an undesirable, inefficient, and in some cases a dangerous condition, developments shall provide infrastructure necessary to serve the MPD and to connect it to surrounding developments, undeveloped property, and anticipated future growth. The MPD must enhance infrastructure connectivity between the MPD and its surroundings by providing road and utility stubs where appropriate. Infrastructure that is intended for public use shall be dedicated to the City. Design, arrangement, and layout of developments may be adjusted by the City to achieve the goals of this section.

3. Architecture

- a. 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 Finished Floor Area R-1 and R-3 Zones (see 15.3.16.032 and 15.3.16.033 for R-4 and R-5 Zone requirements)
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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)

- b. Distinct designs. Development shall include a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive single-family 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.
- c. Parking. Developments in the R-4, R-3, R-1-6, R-1-8, R-1-9, R-1-12, R-1-15, R-1-20, R-1-30, and R-1-40 zones shall provide at least two and a half (2.5) parking spaces per home in the development. Developments in the R-5 zone shall provide at least two and one-quarter (2.25) parking spaces per home in the development. A two (2) car garage for each single-family residence is required. 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 one-half (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, guest parking shall be located within 200 feet of each home.

- d. Roofs. Single-family 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.
- e. Exterior materials. Homes 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.

4. Landscaping

- a. Developments shall meet all applicable landscaping requirements including those found in 15.4.16.130. Applications for Master Planned Developments shall also include a Street Tree Plan that identifies where trees shall be installed in the park-strips of public rights-of-way throughout the development. Trees included in the Plan shall be spaced 30 feet apart, shall not be placed in restricted areas found in 15.4.16.150 and shall be selected from the Spanish Fork City Shade Tree List. Street trees in Master Planned Developments shall be installed prior to a Certificate of Occupancy being granted for the adjacent lot unless provisions are made for the developer to provide financial assurance to the City that the trees will be installed at a later time.

C. Findings: the following findings must be made by the Council before approving any Master Planned Development Overlay District **and accompanying Preliminary Plat:**

- 1. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the application of the provisions of the underlying zone.
- 2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood.
- 3. That 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.
- 4. That the development will improve infrastructure connectivity.

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. Only individual lots for single-family homes will be approved as standard subdivisions. For a project to include twin homes, duplexes, and multi-family dwellings, a project must be approved as a Master Planned Development §15.3.20.080.

A. Permitted Uses:

1. Single-family homes.
2. Recreation and other support facilities connected to housing developments.
3. Municipal facilities required for local service.
4. Churches.

B. Uses Subject to Conditions:

1. Home Occupations (as described in §5.40.010 et seq.).
2. Master Planned Developments (as described in §15.3.20.080 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 §15.3.24.070 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.

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

C. Development Standards.

1. Density shall not exceed 20 units per acre. For purposes of calculating allowed density, sensitive lands, church sites, school sites, and sites for other nonresidential 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 and one-half (2.5) spaces for each unit in the development. Enclosed garages shall be provided for 60% of the units and one-half (0.5) spaces for each unit shall be made available for guest parking. **On street parking on public streets may count for up to 20% of the overall parking requirement. The specific number of spaces that can be provided on-street will be determined at the time of Site Plan or Preliminary Plat approval.** Parking on adjacent sites (a site with a shared boundary) may be used to provide up to 30% of the required parking for an R-4 development provided that the following provisions are met:

- a. That a perpetual parking easement is granted on the adjacent site for the shared parking.
- b. That clearly identified, well-lit, and otherwise safe pedestrian connections are provided between the two (2) adjacent sites.
- 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.
 - g. Useable space on balconies for stacked flats may count towards the minimum living space requirement.
- 7. Curb, gutter, and sidewalk shall be provided in accordance with the City's Development Standards.

D. 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 right-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 right-of-ways and common areas.
 - c. Multi-family projects shall include a variety of heights with a maximum height of 50 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.
 - d. 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.
 - e. 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.

- f. Side-by-side multi-family homes, that are attached horizontally, shall not exceed six (6) attached units per building.
 - g. 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. No more than 25 % of the structure may be clad in stucco or similar material.
 - 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. **The City Council may grant exceptions to this rule for:**
 - 1. **Multi-family structures that have eight (8) or fewer units and comprise less than twenty (20) percent of the homes in the development.**
 - 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 meet all applicable landscaping requirements including those found in 15.4.16.130 and 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 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) indoor, centrally located, fully functional social area, no less than 1,000 square feet in size, or a minimum of one (1) outdoor 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)(a)(i) and (ii).
 - A. A minimum of one (1) indoor, 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.

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 C-D Downtown Commercial 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 eighteen (18) feet deep (See parking design standards in the Construction and Development Standards for details on aisle widths, maneuvering areas, and fire lanes).
 - 3. Required parking shall be provided in highly visible, well-lit areas with clearly identified pedestrian paths to building entrances. Parking may not be provided in secluded areas in the backs of buildings that are remote from building entrances.
 - 4. Required parking may not be used for the storage or display of materials.
 - 5. Required parking may not be occupied with storage containers, tractor trailers or other items that inhibit the use of the space for customer parking.
 - 6. Tandem parking (front to rear) is permitted except as required parking for ADUs.
 - 7. 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.
 - 8. Required parking shall be provided on-site or on contiguous lots. **Exceptions to this requirement may be granted for projects in the R-3 and R-4 Zones where up to 20% of a development's required parking may be provided on on-street.**
 - 9. Backing and maneuvering areas shall be provided on-site for all uses other than single-family, twin homes, and duplexes.
 - 10. For the purpose of identifying required parking, square feet shall mean the gross floor area of the building.
 - 11. No part of any vehicle may overhang onto a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
 - 12. All parked vehicles must comply with the City's clear vision area requirements

§15.3.16.150.

13. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than 10,000 pounds' gross vehicle weight rating (GVWR).

14. 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
Arcades	1:100 square feet
Auditorium, Stadium, Event Center, Private Clubs, Health Clubs, Theaters	1:100 square feet or 1:5 seats, whichever is greater
Auto Repair	1:100 square feet
Automobile Service Station	1:200 square feet
Banks, Financial Institutions	1:250 square feet
Barber Shop or Beauty Shop	1:100 square feet
Batting Cages	1:cage
Bowling Alley	4:lane
Churches	1:5 seats or 90 linear inches per pew
Child Care Center	1:employee, plus 1:10 children
General/Professional Office	1:300 square feet
Golf Course	6:hole
Golf Course (Miniature)	2:hole
Home Furnishings, Major Appliances	1:5000 square feet
Hospitals	1:bed
Indoor Playground	1:250 square feet
Indoor Playground in I-1 zone	1:300 square feet
Instructional Studio	1:400 square feet

Lube and Tire Centers	1:300 square feet
Manufacturing/Assembly/Wholesale/Warehouse	1:employee on the highest shift
Mixed Uses or Unlisted Uses	To be determined by the Community Development Director
Motels/Hotels	1:room
Motels/Hotels - Restaurants/Banquet/Meeting Room Space	1:200 square feet
Medical/Dental Office	1:200 square feet
Residential single-family	A garage with space for at least one (1) vehicle and additional space so that a minimum of two (2) parking spaces per home are provided.
Residential multi-family	A garage with space for at least one (1) vehicle and additional space so that a minimum of two (2) parking spaces per homes are provided. In addition, one (1) guest parking space is required for every three (3) homes.
Restaurant - freestanding	1:100 square feet
Restaurant - associated with another use (Motel/Hotel, School, Recreation Facility or similar)	1:200 square feet
Retail/Shopping Center (including up to 10% restaurant, health club, beauty shops, additional percentages calculated at rate for each use)	1:250 square feet
Retirement/Senior Housing/Nursing Home	1:employee on highest shift plus 0.4:unit
School, Elementary	2:classroom
School, Middle or Junior High	3:classroom

School, High School	7:classroom
School, College	10:classroom
School, Vocational/Technical	1:2 students
Storage Building/Space	0.5 per 1,000 square feet of storage space
Trampoline Park	1:300 square feet
Water Park, Theme Parks	To be determined by the Community Development Director

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.

- A. Abandonment may be presumed to have occurred if:
 - 1. 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.
 - 2. The use has been discontinued for a minimum of one (1) year.
 - 3. The primary structure associated with the nonconforming use remains vacant for a period of one (1) year.
- B. A legal nonconforming use may continue subject to the following limitations:
 - 1. A ~~noncomplying structure 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 **without the approval of the DRC.**
 - 2. A building that does not conform 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 ~~noncomplying structure 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.
- C. Expansion, ~~or enlargement~~ **or reconstruction:** Limited expansion, ~~or enlargement~~ **or reconstruction:** 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~~ **Development Review Committee.** The ~~Commission~~

Development Review Committee will ~~hold a public hearing and~~ review the expansion, ~~or~~ enlargement ~~or reconstruction 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~~ Development Review Committee may place certain conditions, ~~similar to those described in §15.3.08.050,~~ on the operation, ~~or~~ expansion ~~or reconstruction~~ to help mitigate potential impacts and to increase compatibility of the use with surrounding development and the City as a whole.

- D. Nonconforming signs shall be removed or brought into conformance with this ordinance when:
1. When a sign is damaged, destroyed or deteriorated and 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.~~

15.3.20.100 Complete Neighborhood Overlay District

- A. This district provides an incentive for developers to create developments that include a mix of residential types, which may only be approved as a Zoning Map Amendment as provided in this section. The Complete Neighborhood (CN) Overlay District is not a replacement for a standard subdivision but serves as an option for properties in the R-1 Residential Districts. It is intended to create residential neighborhoods that will increase in value over time by doing the following:
1. allowing for efficient designs that include a combination of single-family, twin home and three-unit multi-family residential structures in the same development,
 2. providing density in qualifying developments that exceeds the base density of the underlying zone as identified in Table 1 - Residential Development Standards of Title 15,
 3. allowing 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,
 4. establishing residential neighborhoods with a distinct character and sense of unity, while maintaining the scale and ambiance of a neighborhood composed of single-family homes.
- B. Application
1. Applications to establish a Complete Neighborhood Overlay District shall be processed in the same manner as that for other zoning map amendments. The application shall be accompanied by a complete Preliminary Plat application which includes the following information:
 - a. A complete description of the intended nature and character of the development,
 - b. A description of all proposed private or public open space areas, including improvements, ownership, and maintenance provisions,
 - c. A proposed project phasing,
 - d. Plans representing proposed landscaping, fences, walls, entry treatments, signage and lighting,
 - e. Preliminary conditions, covenants, and restrictions (CC&R's),
 - f. Any variations from the standard zoning requirements,
 - g. Any proposed amended development standards, including such things as variations in setbacks, heights, and lot sizes,
 - h. 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,
 - i. Building elevations and footprints for residential structures in the development,
 - j. A plan that identifies which structures will be constructed on which lots, and
 - k. A phasing plan that specifies the timing of public improvements and residential construction which 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 amenities shall be developed, or committed thereto, in

proportion to the number of homes intended to be developed during any given stage of construction.

C. Performance Standards

1. Permitted Use

- a. All uses listed in R-1 Districts, subject to the same restrictions or limitations of the use.
- b. Twin homes.
- c. Multi-family homes.

2.

- a. Project size. The minimum size of a development is five (5) gross contiguous acres **for the R-1-12, R-1-15, R-1-20, R-1-30, R-1-40, R-1-60 and R-1-80 zones. The minimum size of a development is two (2) gross contiguous acres for the R-1-6 and R-1-9 zones.** School, church and other non-residential sites are to be excluded from the acreage calculation.
- b. Density calculations and lot size. The density included in a development is limited to the base density per acre as defined in Table 1 - Residential Development Standards plus .5 units per acre. Church sites, school sites, other non-residential uses, sensitive lands and land that is unbuildable by encumbrance or otherwise may not be counted in the density calculations. For projects that include land with multiple zoning districts, the total allowed density will be the sum of the allowed density for each of the distinctly zoned areas. This density may be dispersed throughout the project provided that average lot sizes in the project are commensurate with the distinctly zoned areas. Where projects include features that serve as amenities for the development, plazas, entrance features, private park, the land area of those features may be included in the lot area for purposes of calculating average lot size. Where projects include uniquely large lots, the area of the uniquely large lots that is included for purposes of calculating project density and average lot size shall be limited to twice the minimum lot size of the Zoning District. See the Minimum Finished Floor Area Subdivision Design table below.
- c. Housing type. The composition of housing types shall include a number of twin home and/or multi-family structures that is no less than the number of units that exceed the base number of units allowed in the underlying zone. No fewer than sixty percent of the residential structures in the development shall be single-family homes.
- d. Street design. Local streets shall not exceed 600 feet in length without an intersecting street.
- e. Infrastructure. Inasmuch as isolated, disconnected developments and their public infrastructure systems are an undesirable, inefficient, and in some cases a dangerous condition, developments shall provide infrastructure necessary to serve the development and to connect it to surrounding developments, undeveloped property, and anticipated future growth. The development must enhance infrastructure connectivity between the development and its

surroundings by providing road and utility stubs where appropriate. Infrastructure that is intended for public use shall be dedicated to the City. Design, arrangement, and layout of developments may be adjusted by the City to achieve the goals of this section.

3. Architecture

- a. 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.
- b. Distinct designs. Development shall include a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive residential structures 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.
- c. Distinct designs. Development shall include a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive residential structures 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. . Parking. Developments shall provide at least two and a half (2.5) parking spaces per home in the development. A two-car garage for each single-family residence is required. Two and three-unit structures must have at least a one-car attached or detached garage. One-car garages shall be at least 12 by 20 feet in size, two-car garages shall be at least 20 by 20 feet in size. Doors for no more than one garage may be visible per residential structure, per street. Driveways located between garage doors and street facing property lines shall be at least 20 feet deep.
- d. Exterior materials. Homes 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.

4. Landscaping

- a. Developments shall meet all applicable landscaping requirements including those found in 15.4.16.130. Applications for Complete Neighborhoods shall also include a Street Tree Plan that identifies where trees shall be installed in the park-strips of public rights-of-way throughout the development. Trees included in the Plan shall be spaced 30 feet apart, shall not be placed in restricted areas found in 15.4.16.150 and shall be selected from the Spanish Fork City Shade Tree List. Street trees in Complete Neighborhoods shall be installed prior to a Certificate of Occupancy being granted for the adjacent lot 6 7 unless provisions are made for the developer to provide financial assurance to the City that the trees will be installed at a later time.
- D. Findings: the following findings must be made by the Council before approving any Complete Neighborhood Overlay District:
1. That the proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the application of the provisions of the underlying zone,
 2. That the proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood,
 3. That 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,
 4. That the development will improve infrastructure connectivity,
 5. That the development will include two and/or three-unit residential structures,
 6. That the design of the residential structures in the development will create interesting streetscapes and blend with single-family neighborhoods through the thoughtful inclusion of design elements and by maintaining single-family home scale.

Minimum Finished Floor 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)