

## ORDINANCE No. 10-12

### ROLL CALL

VOTING	YES	NO
<b>G. WAYNE ANDERSEN</b> <i>Mayor (votes only in case of tie)</i>		
<b>ROD DART</b> <i>Council member</i>	X	
<b>RICHARD M. DAVIS</b> <i>Council member</i>	X	
<b>STEVE LEIFSON</b> <i>Council member</i>	X	
<b>BRANDON B. GORDON</b> <i>Council member</i>	X	
<b>KEIR A. SCUBES</b> <i>Council member</i>	X	

I MOVE this ordinance be adopted: Council member Dart

I SECOND the foregoing motion: Council member Leifson

## ORDINANCE No. 10-12

### AN ORDINANCE MAKING MISCELLANEOUS CHANGES TO TITLE 15

WHEREAS, Spanish Fork City has adopted a comprehensive zoning ordinance which includes several residential zones; and

WHEREAS, the comprehensive zoning ordinance also provides for master planned developments, which allows multi-family housing in single family zones, but which isn't clearly spelled out in the current zoning ordinance; and

WHEREAS, the City has recently amended its ordinances to allow chickens in certain residential zones; and

WHEREAS, the chicken ordinance spells out the requirements and is found in Title 6, which deals with animals; and

WHEREAS, Title 15 has kept a reference to chickens in residential zones, which reference has led to some confusion; and

WHEREAS, a recent reorganization of the engineering department has caused persons with different titles to attend DRC; and

WHEREAS, the City needs a method to remove planning commission members who do not attend

the Planning Commission meetings to fulfill their assignments; and

WHEREAS, a conflict exists between Title 5 and Title 15 concerning billboards along Highway 6, which conflict needs to be corrected; and

WHEREAS, making changes in Title 15, the comprehensive zoning ordinance, to clarify the issues identified in the preceding paragraphs is in the best interest of the City; and

WHEREAS, a public hearing was held before the Spanish Fork Planning Commission on Wednesday, the 15<sup>th</sup> day of August, 2012 where public comment was received; and

WHEREAS, following the public hearing, the Planning Commission recommended adoption of the changes as reflected in this ordinance; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 21<sup>st</sup> day of August, 2012, where additional public comment was received; and

WHEREAS, it is in the best interests of the City and of its residents to make the miscellaneous changes identified in this preamble;

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

I.

Spanish Fork Municipal Code §15.3.08.010(B) and (C) is hereby amended as follows:

**15.3.08.010 Administrative Bodies and Officers**

**B. Development Review Committee:**

Purpose: [no change]

Organization:

The DRC shall consist of the city public works director, engineering division manager, electric superintendent, city manager, city community development director, city attorney, public safety director, and building official. An alternate member may be designated by each member, who has the authority to attend and vote in the absence of the member. Other entities may be invited to participate as non-voting members, such as utility companies, irrigation companies, the US Postal Service, or others.

The city public works director shall be the chair of the DRC and shall retain the right to cast a vote while acting as chair.

A quorum of the Committee necessary before any business can be transacted shall consist of five (5) voting members. A majority vote of a quorum shall be necessary to approve any item or recommend approval of any item to the Commission or Council.

Policies and Procedures: [no change]

Powers and Duties: [no change]



### C. Planning Commission:

Purpose: [no change]

Organization:

The Commission shall consist of six (6) members, to be appointed by the Mayor with the consent of the City Council from among qualified residents of Spanish Fork. Members shall be selected without respect to political affiliations, and shall serve without compensation except for reasonable expenses. Each member shall be appointed for a term of three years or until his/her successor is appointed, and may serve only two full successive terms. A commission member may be removed by the Mayor if the member fails to attend at least fifty percent (50%) of the Planning Commission meetings.

Policies and Procedures: [no change]

Powers and Duties: [no change]

## II.

Spanish Fork Municipal Code §15.3.16.020, Residential Districts, is hereby amended as follows:

### 15.3.216.020 Residential Districts

R-1-80, R-1-60, R-1-30: [no change]

R-1-20, R-1-15, R-1-12: These districts provide low density single family lots within Spanish Fork City. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

R-1-9, R-1-8: These districts are to provide moderate density that is characterized by a variety of single family housing types and lot sizes. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

R-1-6: This district provides a residential environment that is medium high density. In the event a master planned development is constructed within any of these zones, townhomes, condominiums, duplexes, and twin homes are allowed, consistent with the requirements of the master planned development section of Title 15, found in §15.3.24.030.

A. ~ I. [no change]

## III.

Spanish Fork Municipal Code §15.3.24.020(1)(b) is hereby amended as follows:

### 15.3.24.020 Billboards

1. Billboards are permitted:

b. Along Highway 6 from the junction with Highway 89 southeasterly for 0.84 miles. These billboards must be at least 750 feet from any other billboard on the same side of the highway and must be located in an industrial zone.

## IV.

Spanish Fork Municipal Code §15.3.24.090(G) is hereby amended as follows:

### 15.3.24.090 Supplementary Regulations

#### G. Animals

Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:

1. The portion of the property on which the animals, except for household pets, are kept must be at least one-half ( $\frac{1}{2}$ ) acre in size. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half acre parcel, two horses may be kept, or four sheep, or one horse and two sheep, but two horses and four sheep are not allowed.

2. All requirements set forth in Title 6, Animals, must be met. The keeping of chickens and potbellied pigs in any zone other than the A-E, R-R, I-1, or I-2 is governed by Title 6.

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

<i>Animal</i>	Maximum# Per $\frac{1}{2}$ Acre
Cattle	2
Horses	2
Sheep, Goats, Llamas, Ostriches	4
Rabbits	10
Pigeons	12
Ducks, Geese	8
Game Birds*	8
*with appropriate permits	

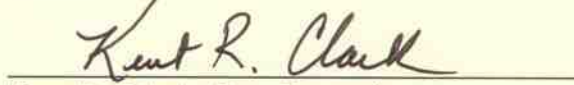
#### V.

This ordinance shall be effective 20 days after passage and publication.

DATED this 21<sup>st</sup> day of August, 2012

  
G. WAYNE ANDERSEN, Mayor

Attest:

  
Kent R. Clark, City Recorder

