

ORDINANCE No. 11-13

ROLL CALL

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

I MOVE this ordinance be adopted: Council member Leifson

I SECOND the foregoing motion: Council member Davis

ORDINANCE No. 11-13

AN ORDINANCE MAKING AMENDMENTS TO TITLE 15 CONCERNING ROOF PITCH, HEIGHTS OF ACCESSORY BUILDINGS AND CLARIFYING THE INTENT OF NEIGHBORHOOD MEETINGS RELATED TO PRELIMINARY PLATS

WHEREAS, Spanish Fork City has adopted a municipal code which contains a land use section addressing zoning and development; and

WHEREAS, the City has observed a need to modify the requirements for roof pitches in master planned developments to meet the intent of the Council to obtain better quality construction; and

WHEREAS, the City has received a request to modify the height of accessory buildings to accommodate parking structures for recreational vehicles; and

WHEREAS, the City requires developers to meet with nearby property owners prior to submitting a preliminary plat, which was intended for residential subdivisions, but which does not make that distinction in the ordinance, and which should be clarified; and

WHEREAS, the Planning Commission held a public hearing on the ordinance changes on Wednesday, the 10th day of July, 2013, where public comment was received; and

WHEREAS, the City Council held a public hearing on the ordinance changes on Tuesday, the 16th day of July, 2013, where additional public comment was received and considered;

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

I.

Spanish Fork City Municipal Code §15.3.24.030(3)(c)(4) is hereby amended as follows:

15.3.24.030 Master Planned Developments

3. Master Planned Development Requirements and Bonus Density

C. Architecture

4. Roofing – Homes in the development shall have at least a 6/12 pitched roof on the main portion of the roof unless it is determined by the Community Development Department that a lesser pitched roof is essential to maintain the integrity of a particular architectural style and that they style is a substantial improvement to what would be built in a standard subdivision.

II.

Spanish Fork City Municipal Code §15.3.24.090(A) is hereby as follows:

15.3.24.090 Supplementary Regulations

A. Accessory Structures:

1. All accessory structures must meet the following requirements:

- a. All accessory structures are required to obtain a building permit. Permits for structures that are less than 200 square feet or are otherwise exempt from the adopted building code, as set forth in '14.04.010, are free of charge.
- b. All detached accessory structures must be located behind the front wall plane of the principal structure.
- c. Where property abuts against I-15 or U.S. Highway 6, accessory structures have no required set back from the I-15 or Highway 6 right-of-ways.
- d. The combined square footage of all detached accessory structures shall not fifteen percent (15%) of the total lot area if the structure is entirely within the setbacks for the principal structure or ten percent (10%) of the total lot area if the structure is located elsewhere on the lot.
- e. If any accessory structure must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation or modification, together with all costs of restoration.
- f. Accessory structures located on a corner lot shall meet the same front, rear, and side setbacks as required for accessory structures on an interior lot. Accessory structures located behind the front plane of the house and within twenty (20) feet a public right-of-way shall be architecturally compatible with the primary structure on the lot. The second clear vision area as addressed in §15.4.16.150 needs to be maintained at all times.
- g. The minimum front setback for detached accessory structures shall conform to the minimum front setback for the existing principal structure and shall be set at least five (5) feet, measured from eave to eave, from all structures on the property.

- h. Accessory structures that meet the setback requirement for the principal building may be allowed to meet the maximum height allowed in that zone.
- i. The maximum height for detached accessory structures shall be twenty (20) feet to the peak of the roof measured from the finish grade (measured 5-feet from the proposed structure). Any structures taller than fifteen (15) feet shall have a roof pitch of no less than 4/12.
- j. Properties over one-half acre in size can increase the maximum height to twenty-four (24) feet by having the rear and side setbacks the same as the building height.
- 2. Structures that are 200 square feet and less in area and are less than five (5) feet from the property line must meet the following additional requirements:
 - a. Structures with a wall height of eight (8) feet or less and a maximum peak height of twelve (12) feet may be constructed with no side or rear setback from property lines as long as the structure is constructed so all water runoff from the accessory structure does not flow onto adjoining properties. In no case may any portion of a structure extend beyond the property line.
- 3. Structures larger than 200 square feet in area must meet the following additional requirements:
 - a. Meet all adopted building code regulations as set forth in §14.04.010.
 - b. Must maintain a minimum setback of five (5) feet to the side or rear property line with a maximum one (1) foot overhanging eave.
 - c. Be anchored to concrete footings as outlined in the adopted building code as set forth in §14.04.010.
 - d. Accessory structures over 200 square feet in size that are located between the front and back planes of the house must be architecturally compatible with the principal structure.

III.

Spanish Fork City Municipal Code §15.4.04.080 is hereby amended as follows:

15.4.04.080 Approval or Disapproval – Procedure

Each plat submitted to the City shall be referred to the DRC, for review, to insure conformity to the present ordinances and standards, and for adequacy and availability of public facilities. The applicant must hold a meeting, for residential subdivisions, prior to a meeting with the DRC, inviting all property owners within 500 feet of the proposed project. The notice, names of those invited and those who attended, conceptual drawings, presentation, and minutes from the meeting must be submitted to the Community Development Department prior to the DRC meeting.

IV.

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

Dated this 16th day of July, 2012



[Signature]
G. WAYNE ANDERSEN, Mayor

Attest:

[Signature]
KENT R. CLARK, City Recorder