

**Adopted Minutes  
Spanish Fork City Council Meeting  
February 2, 1999**

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda. At 7:03 pm the pledge of allegiance was led by local boy scout Wally Randolph.

Elected Officials Present: Mayor Dale R. Barney, and Councilmembers Sherman E. Huff, Everett Kelepolo, Thora L. Shaw, Lillian J. Shepherd, and Clyde A. Swenson.

Staff Members Present: David A. Oyler, City Manager; Gregory A. Comstock, City Planner; Kent R. Clark, Finance Director/Recorder; Richard J. Nielson, Assistant Public Works Director; S. Junior Baker, City Attorney; Nathan Crow, Engineering Intern; and Gina Peterson, Deputy Recorder.

Citizens Present: Roxanna Johnson, *Spanish Fork Press*; Eric L. Anderson, Scott Erickson, Craig Hutchings, Wally Randolph, Lara Blackett, Kariah Jones, Doug Christensen, Mike Christensen, Weston Youd, Lawrence J. Weatherspoon, Zac Johnson, Kenneth Gull, Nate Thornton, Jerry Shaw, Mark Dallin, Carl F. Empey, *Zions Bank Public Finance*; Roy Johns, and Glenn A. James.

**Minutes**

Councilmember Shaw made a **motion** to approve the minutes of January 19, 1999 Spanish Fork City Council meeting with noted amendments. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

**Citizen Recognition**

Mayor Barney recognized Mr. Doug Christensen for his five years of service on the Planning Commission. The Mayor and Council also recognized Mr. Jerry Shaw for his service of five years on the Board of Adjustment.

**Resolution 99-02: A Resolution Approving the Form of the Lease/Purchase Agreement with Zions First National Bank, Salt Lake City, Utah and Authorizing the Execution and Delivery Thereof**

Mr. Carl Empey from Zions Bank was in attendance. Mr. Empey outlined Resolution 99-02 which will allow the City to borrow \$500,000 for financing of the Library renovation. He indicated there is no cost associated with originating the loan. The loan has a variable interest rate at 70% of prime, with the current rate at 5.425%. The City will make an annual payment with a maximum repayment of ten years. Finance Director Kent Clark indicated the City intends to repay the loan in four years.

After a brief discussion, Councilmember Swenson made a **motion** to adopt Resolution 99-02: Approving the Form of the Lease/Purchase Agreement with Zions First National Bank, Salt Lake

City, Utah and Authorizing the Execution and Delivery Thereof. Councilmember Kelepolo **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Ordinance Z02-99: Mark Dallin Zone Change (R-R to R-1-12) and Preliminary Plat**

Councilmember Shaw made a **motion** to open public hearings at 7:15 pm. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

A request has been received to rezone approximately 9.35 acres at 1750 South 1400 East from R-R, Rural Residential, to R-1-12, Low Urban Residential. Preliminary Plat approval will create 16 lots from approximately 9.35 acres for a density of 1.7 units per acre.

The Development Review Committee reviewed this request on December 23, 1998. It was noted the General Plan for this area is residential 1-2.5 units per acre. Mr. Dallin has indicated the quality of the homes will be similar to those in the Wapiti Estates subdivision to the west and south. Mr. Comstock indicated the Dallin subdivision will appear to be an extension of the Wapiti subdivision. The Development Review Committee discussed whether the zoning should be R-1-9 (originally requested) or R-1-12, and recommended R-1-12 would be more appropriate because of the low density general plan designation. Some of the lots are smaller than 12,000 square feet, but the overall average size is considerably larger than that.

At the Planning Commission meeting on January 6, 1999, the Commission believed the westerly row of lots should be increased in depth to provide larger backyards, and somewhat greater separation to the larger cul-de-sac lots in Wapiti Estates. Mr. Comstock reviewed the conditions of approval recommended by the Development Review Committee and Planning Commission.

Mayor Barney opened the meeting for public comment. None was received.

Councilmember Huff made a **motion** to approve the Mark Dallin Zone Change from R-R to R-1-12 by Ordinance Z02-99, and the Preliminary Plat subject to the following conditions:

1. The zoning shall be R-1-12.
2. The maximum number of lots for the 9.35 acres shall be 16.
3. No lots east of Lots 1-6 may receive final plat approval until 1630 South and 1750 South are extended to 1400 East, and 1400 East is improved to Canyon Road with a minimum pavement width of 24 feet with 6 foot gravel shoulders.
4. Storm drainage calculations shall be submitted to Engineering.
5. Move 1300 East 16 feet to the east to increase the depth of the westerly 6 lots.
6. Provide CC&R's which are equal to or of higher quality than Wapiti Estates.

Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Ordinance 02-99: An Ordinance Amending the Chapter on Signs in the Comprehensive Zoning Ordinance**

The sign section of the City's zoning ordinance contains regulations regarding the size and location of wall signs for businesses. These regulations restrict the maximum size of wall signs to 48

square feet in Commercial Office and Business Park Districts and up to 200 square feet in other Commercial and Industrial districts depending upon the size of the building. This regulation tends to allow smaller buildings to have a somewhat larger amount of wall signage than large buildings can have. Mr. Comstock feels a more equitable regulation would seem to be based upon building size, but without a maximum size limitation. The Commercial and Industrial Districts currently have such a regulation, but have the 200 square foot maximum for wall signage pertaining to any one business. Mr. Comstock stated the staff recommends amending the ordinance to say the maximum sign area for each business is one (1) square foot for each linear foot of building elevation on which the sign is displayed. The Planning Commission recommended approval of this amendment.

Mayor Barney opened the meeting for public input.

Mr. Eric Anderson asked if the sign ordinance would restrict maximum height. Mr. Comstock stated no, but businesses would have to use judgement because an increased height would decrease the width of the sign.

Mr. Andy Molhman asked how this ordinance compared to other cities. Mr. Comstock indicated the current ordinance is more restrictive than other communities. He stated this new ordinance will be more similar.

Councilmember Shepherd asked what issues initiated the amendment. Mr. Comstock stated the City was looking at the potential for bigger businesses as well as larger businesses already in the City that are out of compliance with the current ordinance. It was the staff's feeling if the ordinance was not changed the City would eventually be faced with variances from companies wanting to locate in the City. Mr. Comstock clarified this amendment would only change the ordinance in relation to the size of allowable signs.

Councilmember Kelepolo made a **motion** to accept Ordinance 02-99: An Ordinance Amending the Chapter on Signs in the Comprehensive Zoning Ordinance. Councilmember Shepherd **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Ordinance 03-99: An Ordinance Amending the General Plan to Add a Moderate Income Housing Element**

In 1996 the Utah State Legislature passed House Bill 295 which required that every community develop a Moderate Income Housing Element as part of their General Plan. This Moderate Income Housing Element was to be completed by December 31, 1998. Mr. Comstock reviewed the proposed draft ordinance prepared with the help of Mountainland Association of Governments. The computer model prepared by MAG indicates Spanish Fork currently has a surplus of Moderate Income Housing as defined by the law and that no special programs or actions are needed by the City to ensure continued compliance with the intent of the law.

Mayor Barney opened the meeting for public comment. None was received.

A general discussion took place.

Mayor Barney asked if any money was provided with the mandate from the State to help cities meet the affordable housing goal. Mr. Comstock indicated the State provided money to MAG to produce computer models which developed results of cities compliance.

Mr. Oyler asked if there was an incentive or penalty associated with the requirement. Mr. Comstock stated there is no penalty now, but he has heard rumors one may be incurred later. He mentioned one of the benefits of the study was to make communities aware they need to provide their fair share of moderate income housing.

Councilmember Shaw made a **motion** to adopt Ordinance 03-99: An Ordinance Amending the General Plan to Add a Moderate Income Housing Element. Councilmember Huff **seconded**, and the motion **passed** with a unanimous vote.

Councilmember Kelepolo made a **motion** to exit the public hearing at 7:56 pm. Councilmember Swenson **seconded**, and the motion **passed** with a unanimous vote.

### **Adjournment**

A **motion** was made by Councilmember Swenson to adjourn the meeting of the Spanish Fork City Council at 7:57 pm. The motion was **seconded** by Councilmember Kelepolo, and it **passed** with a unanimous vote.