

Adopted Minutes
Spanish Fork City Council Meeting
April 29, 1999

The meeting was called to order at 6:30 pm by Mayor Dale R. Barney for a preliminary review of the agenda. At 7:00 pm the pledge of allegiance was led by Planning Commission member David E. Lewis.

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

Planning Commission Members Present: Roy L. Johns and David E. Lewis.

Staff Members Present: David A. Oyler, City Manager; Richard J. Heap, Engineer/Public Works Director; Gregory A. Comstock, City Planner; Kent R. Clark, Recorder/Finance Director; Nate Crow, GIS Specialist; Heather Frost, Public Safety Department Secretary.

Citizens Present: John D. Smiley, Mel Morrow, Walt Heyman, Jon Miller, Brad Simons, Kip Gilleland and Matt Barber.

Review General Plan & Zoning Ordinance

City Manager Oyler distributed a memorandum to the council from City Attorney S. Junior Baker. Mr. Oyler summarized the memo, reiterating Mr. Baker's emphasis on the importance of following the city's general plan. The memo cited an instance where citizens in Springville filed suit against their city for not following the general plan. The court ruled for the citizens. Mr. Oyler brought up Provo's current situation where citizens are threatening suit for a proposed commercial development which some feel is not in line with their general plan.

Mr. Oyler reviewed the history and purpose of Spanish Fork City's existing general plan. He pointed out recent developments where the general plan was followed and others where it was not followed as closely.

Mr. Oyler led a review of section four of the general plan, Land Use Elements. He read as the council and citizens followed, General Land Use Goals and Policies, Growth Management Policies, pointing out on the map the specific growth management boundary. He then read Environmental Policies and Residential Policies, noting it may be well to address the earthquake zone in this section of the general plan.

Mr. Oyler reviewed the Residential Policies and Goals in the Land Use Element section of the general plan. Commissioner Johns questioned the enforcement of property maintenance. Mr. Oyler answered property maintenance is maintained through the city's weed abatement program, and through homeowner's association's CC & R's.

As Mr. Oyler continued his review of the Residential Policies and Goals, he directed special attention to goal two and policy (c) of that section as follows: "2. To provide a range of housing types and price levels in all areas of the city." "(c) Allow residential development projects that provide superior design features and amenities to be developed at the high end of the density ranges as shown on the General Plan Map."

Mr. Oyler turned the time to City Planner Comstock for a review of the Spanish Fork City Municipal Code, Title 17, Section G, Master Planned Developments.

Following the review of Spanish Fork City's existing code, Mr. Comstock outlined Payson City's newly adopted zoning ordinance dealing with amenities in exchange for density. He explained each amenity provided by a developer is attached to a percentage and once a developer adds a certain total percentage of amenities, that developer is guaranteed a density increase. Mayor Barney stated that type of a system would be more consistent than the current policy of Spanish Fork City. Discussion took place regarding whether the council would consider an amendment to the zoning ordinance which would specifically set a percentage of amenities in exchange for a percentage of density. The council touched on pros and cons for this type of a zoning ordinance requirement. They directed the staff to research the concept further and present their findings for additional consideration.

Discussion then turned to mixing housing types. The existing general plan calls for a 75% single family home to 25% attached housing ratio for new developments. The council will continue to look at this portion of the general plan.

Mr. Oyler discussed recent developments the Development Review Committee and Planning Commission have reviewed that will soon be on the council's agenda. He recommended the council review these proposed developments and make decisions on them when they are faced with them. He suggested the council consider setting a date where new developments will no longer go through until final decisions are made in regards to the Residential Policy section of the general plan.

As the developer from the proposed Abbie Court Preliminary Plat was present at the meeting, the council and developer discussed amenities that would be included in the development in order to receive the high density requested. The developer said although he doesn't propose any attached housing units in his development, he plans to offer a mix of housing types by offering a wide range of house plans and prices. The council and developer agreed upon the following: 1) No more than 30% of one single style of home will be built within the development, limiting the exact same house to 10%; 2) The outside elevation of ~~30%~~ 20% of the homes will be all stucco or all brick or a stucco/brick combination without any vinyl siding on the home at all; 3) The streetscape along 2300 East will be low maintenance, colored stamped concrete with trees; 4) The fencing along 2300 East will be masonry; 5) The proposed small park will be reduced in size and will include playground equipment, wood chips rather than grass, picnic tables; and 6) The retention basin will be designed so it will be usable for recreational purposes, baseball, basketball, etc. The developer told the council he will make these changes and present them at the May 4 meeting of the city council.

Mr. Oyler advised the council the staff will gather and present additional information regarding the mixed housing concept and also proposals for amenities for density exchanges within residential developments at future meetings.

Recreation Issue

Mayor Barney initiated a discussion in regards to the new recreation rates for people living outside

of Spanish Fork City limits. The council agreed no change should be made to the rates.

Adjournment

Councilmember Shaw made a **motion** to adjourn the meeting of the city council at 10:25 pm. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote.