



SPECIAL JOINT CITY COUNCIL MEETING

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a joint meeting with Mapleton City Council in the Council Chambers in the City Office Building, 125 W. Community Center Way, Mapleton, Utah, commencing at **3:00 p.m. on June 19, 2007.**

AGENDA ITEMS:

1. CALL TO ORDER:

2. NEW BUSINESS:

- a. Joint Work Session with Mapleton City Concerning Annexation Boundaries

3. OTHER BUSINESS:

- a. Executive Session If Needed – To be Announced in the Motion

ADJOURN:

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.



CITY COUNCIL MEETING

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on June 19, 2007.**

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY:

- b. Pledge

2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

3. COUNCIL COMMENTS:

4. PUBLIC HEARINGS: 6:30 p.m.

- c. [Faye and Allen Hall Zone Change](#)
- d. [Ordinance Amendment Proposed Changes to Title 15](#)
- e. City Budget Revision of FY 07

5. CONSENT ITEMS:

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- f. Senior Center Contract with Mountainland Department of Aging

6. ADJOURN TO RDA MEETING

7. NEW BUSINESS:

- g. Banking Services Bid
- h. Development Agreement Tenedor LLC (Materials will be available at Council Meeting)
- i. Boards and Committee Appointments

8. OTHER BUSINESS:

- j. Executive Session If Needed – To be Announced in the Motion

ADJOURN:

***REMINDER:** There will be No City Council Meeting held Tuesday July 3, 2007.

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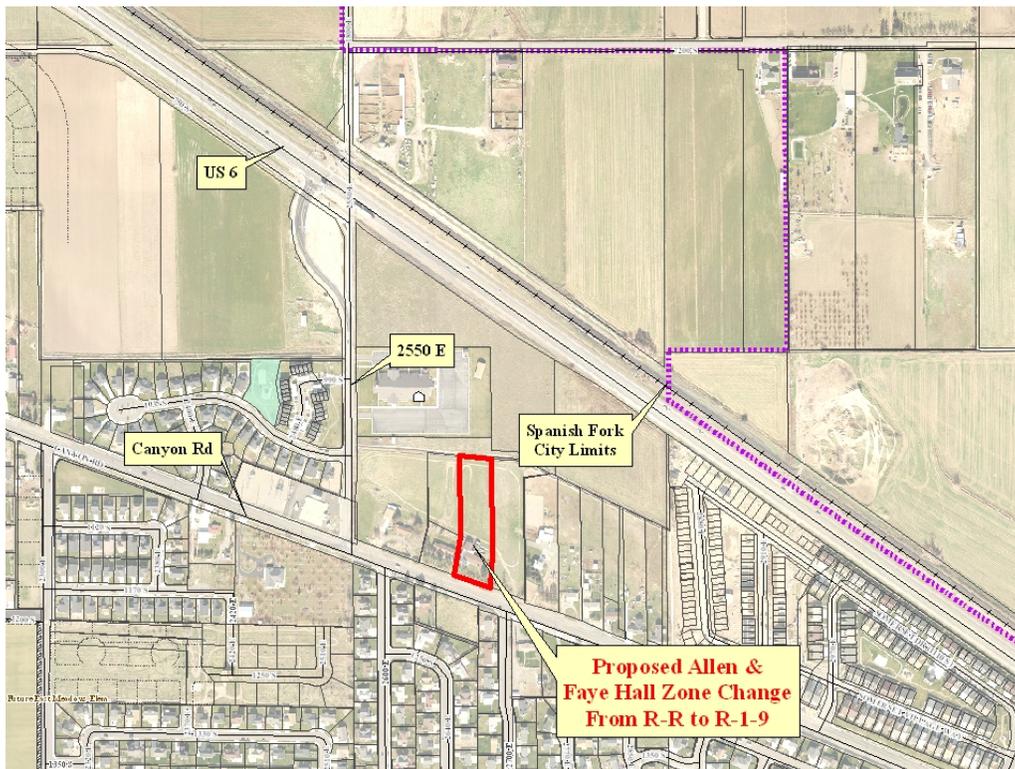
SPANISH FORK CITY
Staff Report to City Council



Agenda Date: June 19, 2007
Staff Contacts: Dave Anderson, Planning Director
Reviewed By: the Development Review Committee
Subject: Allen and Faye Hall Zone Change Request

Background Discussion:

The applicants, Allen and Faye Hall, are requesting a Zone Change for a 1.7-acre parcel located near the northeast corner of the intersection of 2695 East and Canyon Road. The current zoning of the property is Rural Residential; the applicant has requested that the zoning be changed to R-1-9. The General Plan designates the parcels as Residential 2.5 to 3.5 units per acre.



The R-1-9 zoning district allows for residential development that is consistent with the General Plan's density range. As such, staff and the Development Review Committee feel comfortable recommending that the proposed Zone Change request be approved.

Budgetary Impact:

The long term cost to serve residential development generally exceeds anticipated revenue.

Development Review Committee:

The Development Review Committee reviewed this request in their May 23, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Allen and Faye Hall

Applicant: Allen and Faye Hall

General Plan: 2.5-3.5 units per acre residential

Zoning: Rural Residential existing, R-1-9 requested

Location: 2695 East Canyon Road

Mr. Anderson explained the proposal and gave background.

Mr. Peterson asked about the access onto Canyon Road. He said that there are overhead power lines that will need to be maintained.

Mr. Thompson made a **motion to approve** the Zone Change for Allen and Faye Hall located at 2695 East Canyon Road changing the zoning from Rural Residential to R-1-9 based on the following finding:

Finding

1. That the proposed Zone Change is consistent with the General Plan.

Mr. Banks **seconded** and the motion **passed** all in favor.

Planning Commission:

The Planning Commission reviewed this request in their June 6, 2007 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

Allen and Faye Hall Amendment to the Zoning Map

Applicant: Allen and Faye Hall

Zoning: Rural Residential existing, R-1-9 proposed

Location: 2695 East Canyon Road

Mr. Anderson explained the proposal.

Commissioner Christianson asked for clarification on Master Planned Developments.

Mr. Anderson said that this property would likely not qualify for as a Master Planned Development because 20 contiguous acres would need to be obtained.

Discussion was held regarding the adjacent parcels and Master Planned Developments as well as roads within the separate development proposals.

Commissioner Bradford invited public comment.

Allen Hall

Mr. Hall addressed the Commission. He explained that he does not want to be landlocked by the adjacent parcel proposals and that is the reason for the zone change.

Commissioner Robins made a **motion** recommending **approval** of the proposed Allen and Faye Hall Zone Change request, changing the zoning at approximately 2695 East Canyon Road from Rural Residential to R-1-9 based on the following finding:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.

Commissioner Christianson **seconded** and the motion **passed** by all in favor.

Alternatives:

The City maintains considerable discretion with respect to approving or denying Zone Change requests. Given the General Plan designation, Residential 2.5 to 3.5 units per acre, the R-1-9 zoning designation is consistent with the General Plan.

Recommendation:

Staff recommends that the City Council approve of the proposed Allen and Faye Hall Zone Change request, changing the zoning at approximately 2695 East Canyon Road from Rural Residential to R-1-9, based on the following finding:

Finding:

1. That the proposed Zone Change is consistent with the General Plan designation.

SPANISH FORK

MEMORANDUM

TO: Spanish Fork City Council
FROM: Dave Anderson, Planning Director
DATE: June 19, 2007
RE: Proposed Changes to Title 15

Flag Lots

The City recently received an application from Darin Farnworth to amend Title 15. The specific change requested by Mr. Farnworth involves changing the text on page 15-39 to allow flag lots to be located anywhere in the City. At present, the ordinance only allows flag lots in the older parts of the City, areas described as the original Plats A and B. One other zoning limitation that is placed on flags lot is that they are only allowed in the R-O, R-3 and R-1-6 districts.

As the Development Review Committee reviewed Mr. Farnworth's Request, it was recommended that a second change to the ordinance be made as well. The additional change would allow flag lots in the R-1-8 and R-1-9 districts as well as the zones that currently permit flag lots. The prohibition of flag lots in the other districts would remain the same.

These proposed changes would be applied City wide. By way of information, the specific parcel that Mr. Farnworth would like to develop is located at 715 South 1100 East.



Planning Commission

It's important to note that the Planning Commission recommended that the proposed changes be denied for reasons that are provided in the excerpt of their minutes from the June 6 meeting. The excerpt of the draft minutes reads as follows:

Ordinance Amendment – Title 15

Applicant: Darin Farnworth

Location: Citywide

Mr. Anderson explained the proposal.

Commissioner Christianson asked what the City's interpretation of an 'in ill lot' is.

Mr. Anderson explained the language.

Commissioner Robins asked for any history on how the Jensen and Frandsen parcels were allowed to be flag lots.

Commissioner Christianson and Mr. Nielson gave the history.

Discussion was held regarding flag lots.

Darin Farnworth

Mr. Farnworth addressed the Commission. The main reason is to clean up the property. Rodents and stray cats have moved in along with a lot of weeds. He feels that there are other properties outside of the original plats that have been allowed to become flag lots and would like the same consideration.

Mr. Robins is not convinced that changing the ordinance to allow flag lots throughout the entire City is the right thing to do. He is okay with this proposal at this location but not elsewhere.

Discussion was held regarding discussion held in the Development Review Committee, and how many properties this change to the ordinance possibly could affect.

Commissioner Bradford invited public comment.

Linda Bartholomew

Ms. Bartholomew addressed the Commission. She is against this proposal. She explained that her house fronts Canyon Road. She feels the back yards are nice. She feels like putting a house in the middle of the block will mess it up. She would like green space. She feels that maybe a park or a basketball court would be better than a house.

Commissioner Robins feels that he is not convinced that flag lots are a good usage of land. He feels that they create safety hazards.

Commissioner Bradford has seen flag lots in other parts of town. He does not know how big of a problem they are. He feels that a little open space is good.

Commissioner Robins feels that flag lots can cause privacy concerns for neighbors.

Commissioner Christianson feels that flag lots are okay sometimes. He is concerned about changing the ordinance for the entire City over one parcel.

Commissioner Robins made a **motion** recommending the **denial** of the proposed Ordinance Amendment changes to Title 15. For the following reasons:

1. That flag lots can be detrimental to the safety of pedestrian access.
2. That they create privacy issues for surrounding property owners.

Commissioner Christianson **seconded** and the motion **passed** all in favor.

Proposed Changes

The proposed changes to Title 15 read as follows:

Page 15-39

The following is an excerpt from page 15-39 of Title 15 that outlines the change proposed by Mr. Farnworth:

F. Flag Lots

~~a. Flag lots are allowed in the Original Plats A&B.~~

a. Flag lots are allowed as infill lots in the R-O, R-3, R-1-6, R-1-8, and R-1-9 zones but not as building lots in new subdivisions.

b. Minimum lot area of a flag lot is 8,000 square feet **except in the R-1-9 zone where the minimum size is 9,000 square feet.**

c. The panhandle section shall not be included when calculating the minimum lot area.

d. The panhandle section must have a minimum paved driveway width including curb and gutter of 20 feet, with 6-inch concrete curbing or other approved method of handling drainage.

e. No more than two single family dwelling units can share a driveway access.

Page 15-20

The following is the table that indicates, among other things, which zones flag lots are allowed in. The proposed change involves adding footnote 2 to both the R-1-8 and R-1-9 zones. The addition of this footnote would clarify that flag lots are allowed in the R-1-8 and R-1-9 zones.

TABLE 1 - Residential Development Standards						
District	Base	Minimum	Minimum ²	Minimum	Minimum Setback ¹	Max. Building Height

					Front ¹¹	Rear	Side	Corner	Principal Bldg ¹	Accessory Bldg ¹
A-E	n/a	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	n/a	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units per acre	80,000 s.f.	180'	200'	40'	80'	20'	30'	30'	20'
R-1-60	.54 units per acre	60,000 s.f.	160'	200'	40'	60'	20'	30'	30'	20'
R-1-40	.81 units per acre	40,000 s.f.	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	1.07 units per acre	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	1.61 units per acre	20,000 s.f.	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	2.15 units per acre	15,000 s.f.	100'	125'	30'	30'	15'	25'	25'	15'
R-1-12	2.69 units per acre	12,000 s.f.	100'	100'	25'	25'	10'	15-25' ⁸	30'	15'
R-1-9	3.58 units per acre	9,000 s.f. ²	85'	90'	20-25' ⁶	25'	10'	15-25' ⁸	30'	15'
R-1-8	4.03 units per acre	8,000 s.f. ^{2,4}	75' ²	90'	20-25' ⁶	25'	10'	15-25' ⁸	30'	15'
R-1-6	5.37 units per acre	6,000 s.f. ^{2,5}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-3	5.37 units per acre	6,000 s.f. ^{2,5}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-O	n/a	6,000 s.f. ^{2,3}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'

1- refer to 15.3.24.090(A) for accessory buildings

2- refer to 15.3.24.090(F) for flag lots.

3- 10,000 s.f. for duplex lots in the R-O zone.

4- 10,000 s.f. for twinhome or duplex lots.

5- 9,700 s.f. for twinhome or duplex lots; 14,000 s.f. for 3-plex lots; 18,000 s.f. for 4-plex lots.

6- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.

7- 5 feet for single family dwellings; 10 feet for twinhomes, duplexes, accessory apartments, or non-residential uses; 15 feet for 3-plexes and 4-plexes

8- 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.

9-80 feet for twin homes or duplexes, 40 feet per unit.

10-flagpoles are limited to the height of principal buildings in residential zones.

11-maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.

12-9700 s.f. for twin home or duplex lots

Development Review Committee

The Development Review Committee recommended that the above described changes be made to Title 15. As is the case with most ordinance amendments, the City has complete discretion in approving or denying proposals. In this case, should the Planning Commission feel comfortable with the concept of allowing flag lots outside the original areas of the City but not feel comfortable with the proposed changes, other options exists that staff can describe in your meeting.

Draft minutes from the Development Review Committee's May 30 meeting read as follows:

Farnworth Text Amendment (continued from May 23, 2007)

Mr. Anderson gave background and explained the proposal.

Discussion was held regarding square footage.

Mr. Heap said the first issue to talk about is whether or not to allow flag lots other than in the original City blocks.

Mr. Nielson said the discussion in the last DRC meeting was that Randy Jensen and Tracy Frandsen, the lots that are further to the south are outside of the original blocks and are flag lots.

Discussion was held regarding the Jensen and Frandsen lots.

Mr. Peterson said that there would need to be some power upgrades.

Discussion was held regarding what sections of the power lines would need to be upgraded.

Mr. Heap suggested adding restrictive language that would allow flag lots in other residential zones but not open them up completely.

Mr. Anderson said one option is to make it a conditional use. He then said that Christine Johnson the Assistant City Attorney expressed in the last DRC meeting that she has dealt with flag lots in Salem City as conditional use permits and that they are a nightmare, very subjective and political.

Mr. Farnworth said that the owner of the property is aging and cannot care for the property. It is too much for him to handle. The property is currently a weed patch and attracts mice and stray cats. The owner would like to sell it to clean it up.

Discussion was held regarding properties in town that have potential to be flag lots in town.

Mr. Baker said that he will create the verbiage that will discourage developer's to create flag lots on their plats.

Mr. Nielson said that the way Payson handles their flag lots is through and in-lay overfill zone. So it is a Zone Change to allow for it to happen.

Mr. Baker said that a Zone Change would still require a public hearing and we would want to discourage that.

Mr. Anderson made a **motion** to the Planning Commission recommending **approval** of the proposed amendment to Title 15 amending the chart and the text on 15-39 subject to Mr. Baker drafting the final language. Mr. Nielson **seconded** and the motion **passed** all in favor.



REDEVELOPMENT AGENCY MEETING

PUBLIC NOTICE is hereby given that the Redevelopment Agency of Spanish Fork, Utah, will hold a public meeting in the City Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on June 19, 2007**

AGENDA ITEMS:

1. CALL TO ORDER:

2. PUBLIC HEARING:

- a. Budget Revision FY 07

3. MINUTES:

- a. [Minutes of Redevelopment Agency Meeting – June 5, 2007](#)

4. DISBURSMENTS:

5. NEW BUSINESS:

6. OTHER BUSINESS:

- a. Executive Session If Needed – To be Announced in the Motion

ADJOURN:

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1
2 **Tentative Minutes**
3 **Spanish Fork City Redevelopment Agency Meeting**
4 **June 5, 2007**

5 Board Members Present: Chairman Joe L Thomas, Board member's G. Wayne Andersen,
6 Matthew D. Barber, Seth V. Sorensen, Chris C. Wadsworth, Steven M. Leifson

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8 Staff Present: John Bowcut, Kent Clark, Dale Robinson, Richard Heap, Junior Baker,
9 Dave Anderson, Dave Oyler, Seth Perrins, Dee Rosenbaum, Pam Jackson, Kimberly
10 Robinson

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12 Citizens Present: Helen Fish, Elisabeth Stoddard, Mark Stoddard, Janet McManus,
13 Richard McManus, Jeff Foster, Pat Parkinson, Heather Campbell, Jennifer Leigh Mustoe,
14 Brent Jarvis, Don Thomas, Patti Witham, Karen Payne

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16 **ADJOURN TO RDA MEETING:**

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18 Mr. Barber made a **motion** to move to the RDA meeting. Mr. Sorensen **seconded** and the
19 motion **passed** all in favor at 9:05 p.m.

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21 **PUBLIC HEARING:**

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23 **Budget Hearing FY08**

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25 Councilman Barber made a **motion** to move to the public hearing. Councilman
26 Wadsworth **seconded** and the motion **passed** all in favor.

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28 Mr. Clark noted the Gateway EDA will now be closed.

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30 There was no public comment made at this time.

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32 Mr. Sorensen made a **motion** to close the public hearing. Mr. Wadsworth **seconded** and
33 the motion **passed** all in favor.

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35 Mr. Wadsworth made a **motion** to approve the RDA Budget FY08. Mr. Sorensen
36 **seconded** and motion **passed** all in favor.

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38 **CONSENT ITEMS:**

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40 **Minutes of Redevelopment Agency Meeting – September 19, 2006; February 20,**
41 **2007; May 1, 2007**

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43 Mr. Sorensen made a **motion** to approve the consent items. Mr. Andersen **seconded** and
44 the motion **passed** all in favor.

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46 **NEW BUSINESS:**

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Creation of Wasatch Wind Community Development Area (CDA)

Mr. Baker explained the resolution to create a new community development area from Wasatch Wind. He explained this would be the first step in creating the CDA area.

Mr. Barber asked if they can legally help contribute to the cost of setting this up.

Mr. Baker stated they can, Wasatch Wind has offered to pay the consulting fees even though we are doing them in-house.

Chairman Thomas explained the city will receive revenues and will eventually get tax dollars back from this project. We will also be a host of the first wind farm in Utah.

Mr. Leifson made a **motion** to approve resolution number 07-03 a resolution of the Spanish Fork city redevelopment agency designating the Wasatch Wind Development Project Area, Authorizing the preparation of a draft project areas plan and draft project area budget, and authorizing and directing all necessary action by the agency, staff, and counsel. Mr. Sorensen **seconded** and the motion **passed** all in favor.

ADJOURN:

Councilman Sorensen made a **motion** to adjourn to the RDA meeting. Councilman Wadsworth **seconded** and the motion **passed** all in favor at 9:15 p.m.

ADOPTED:

Kimberly Robinson, Deputy Recorder