

Adopted Minutes
Spanish Fork City Development Review Committee Meeting
July 28, 2010

Staff Present: Dave Anderson, Community Development Director; Dave Munson, Planning Intern; Jered Johnson, City Surveyor; Trapper Burdick, Assistant City Engineer; Junior Baker, City Attorney; Shawn Beecher, GIS Specialist; Dale Robinson, Parks and Recreation Director; Josh Kosmicki, GIS Intern; Chris Thompson, Assistant Public Works Director; Richard Heap, City Engineer; Bart Morrill, Parks and Recreation Supervisor; Kelly Peterson, Power Superintendent; Dave Oyler, City Manager; Chris Swenson, Chief Building Official; Joe Jarvis, Fire Chief; Seth Perrins, Assistant City Manager.

Citizens Present: None.

CALL TO ORDER

Mr. Heap called the meeting to order at 10:01 a.m.

PRELIMINARY ACTIVITIES

Adoption of Minutes: June 30, July 7, July 14 and July 21

Mr. Baker **moved** to **approve** the minutes of June 30, 2010, with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

Mr. Baker **moved** to **approve** the minutes of July 7, 2010, with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

Mr. Baker **moved** to **approve** the minutes of July 14, 2010, with the noted corrections. Mr. Thompson **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** to **approve** the minutes of July 21, 2010, with the noted corrections. Mr. Peterson **seconded** and the motion **passed** all in favor.

ORDINANCE AMENDMENTS

Accessory Buildings

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide
Location: City-wide

Mr. Anderson explained how the discussion of using Accessory Buildings for Home Occupations had gone in the past and that it was currently not allowed. The topic has come up because a citizen wanted to teach swim lessons in her pool and that such wasn't currently allowed. Mr. Anderson said that Mr. Baker had drafted some language relative to using Accessory Buildings as Home Occupations, but that some discussion was needed, particularly regarding swimming pools. Mr. Anderson handed out a letter that he had received from the Health Department relative to a pool that has been enclosed in a building. He explained his understanding of ventilation problems related to such enclosures. He mentioned that fire departments were often responsible for checking the ventilation on enclosed pools.

Mr. Jarvis explained that he had installed a proper ventilation unit on a pool and that it cost \$34,000, and that he could see why some people would not follow the regulation. He asked if he would need to check on this particular individual. Mr. Anderson said that they would need to discuss that. Mr. Jarvis mentioned that he would check with the Health Department and other cities to see how they address these situations.

Mr. Oyler asked if the Health Department monitored these sorts of things. Mr. Swenson said that they didn't regulate private swimming pools. Mr. Anderson said that they feel that they should regulate swimming lessons at private pools, and explained the legislative background. Mr. Oyler asked when we would need to check ventilation. Mr. Swenson said that conditions are different in summer and winter and Mr. Jarvis suggested that we check biannually. Mr. Anderson asked if there was a standard for levels of carbon dioxide and oxygen in a building. Mr. Jarvis said that he was not aware of one.

Mr. Oyler and Mr. Baker discussed liability issues. Mr. Swenson explained that there are heating guidelines in the International Building Code for residences, but not for accessory units. Mr. Oyler asked about parking, and Mr. Baker explained that the Home Occupation ordinance does not allow more than two patrons at the home at a time. Mr. Oyler asked if things like welding and auto mechanics would be allowed in Accessory Buildings, and Mr. Baker said that they would not. Discussion was held regarding enforcement.

Mr. Anderson said that we should ask other cities what they would do in a similar situation. Mr. Jarvis asked if he could talk to the Health Department official and see what they had to say.

Mr. Anderson **moved** to recommend to the City Council **approval** of the approved changes to Title 5. Mr. Baker **seconded** and the motion **passed** all in favor.

Wind Power Ordinance

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the discussion between himself and Mr. Baker regarding wind towers. Mr. Baker said that he had a few items of discussion. He said that Alpine's ordinance set the height limit at 55 feet to the top of the blade, but that the individuals who had presented at the City Council had said that they could make it work at 45 feet, which is what is in Mr. Baker's ordinance. Mr. Anderson drew on the board indicating how a tower could theoretically be built on 9,000 square-foot lots. Mr. Baker said that roof mounted units were currently not allowed but that this could be addressed when someone makes an application. Mr. Oyler asked why they weren't being considered. Aesthetics, safety and HOA regulations were discussed.

Mr. Oyler asked if, after someone had built a wind tower, a neighbor could later build a garage within the setback of the tower. Mr. Baker suggested striking garages from the ordinance. Mr. Thompson said to set towers back from neighboring building footprints so that it wouldn't restrict neighboring development. Mr. Perrins said to make the setback 30 feet from property lines. Net metering was discussed. Mr. Perrins suggested that towers should be a solid color. Additional discussion ensued relative to the visual impact wind turbines would have and the potential danger that may be associated with turbines.

Mr. Anderson **moved** to recommend to the City Council **approval** of the proposed changes to Title 15, with the following conditions:

Conditions

1. That §15.3.24.090(B.7) be changed read "solid, earth tone colors".
2. That §15.3.24.090(B.1) be changed to include language regarding the plans being stamped by a structural engineer licensed in the State of Utah.
3. That §15.3.24.090(B.2) be changed to read "and 25 feet from all property lines."

The motion **died** due to lack of a second.

Mr. Baker **moved** to send it to the Planning Commission **without a recommendation** due to the issues related to aesthetics and safety. Mr. Anderson **seconded** and the motion **passed** all in favor.

OTHER DISCUSSION

Mr. Anderson explained that Maple Mountain and Spanish Highlands North would be discussion items on the Planning Commission agenda. He asked to make sure that the Spanish Highlands Ward would be ready for action in the DRC meeting this week.

ADJOURNMENT

Mr. Baker **moved** to **adjourn**. Mr. Thompson **seconded** and the motion **passed** all in favor at 11:34 a.m.

Adopted: August 4, 2010

Dave Munson, Planning Intern