

**Adopted Minutes
Spanish Fork City Development Review Committee
March 28, 2012**

Staff Members Present: Chris Thompson, Public Works Director; Dave Anderson, Community and Economic Development Director; Jason Sant, Assistant City Attorney; Shelley Hendrickson, Planning Secretary; Chris Swenson, Chief Building Inspector; Kelly Peterson, Power Superintendent; Trapper Burdick, Assistant City Engineer; Jered Johnson, Surveyor; Shawn Beecher, GIS Administrator; Bart Morrill, Parks & Recreation Supervisor.

Citizens Present: None present.

Mr. Anderson called the meeting to order at 10:03 a.m.

MINUTES

Mr. Peterson **moved** to **approve** the minutes of November 16, 2011 with the noted corrections. Mr. Anderson **seconded** and the motion **passed** all in favor.

Mr. Anderson **moved** to **approve** the minutes of March 14, 2012 with the noted corrections. Mr. Burdick **seconded** and the motion **passed** all in favor.

ORDINANCE AMENDMENT

Haven Home for Girls

Applicant: Myrna Dalton

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the proposed Text Amendment would essentially allow for an existing building to be used as a Residential Treatment Facility for girls. The City has been working for two years with the applicant. The City has expressed concerns with the suitability of the existing structure to house the use that the applicant would like to operate. The applicant has worked with the City's Power and Building Departments and there is enough of an understanding, relative to work that needs to be completed on the building, that the applicant will need to complete work on the building before it can be used as both an educational and residential facility. The Amendment is important in this case because we have language in the code that regulates residential treatment facilities so they cannot be larger than buildings of the average size for the particular area that they are located in. Given that the proposed structure is an old elementary school, it is substantially larger than any of the surrounding homes in the area. Without this proposed Text Amendment the school cannot be used. The applicant cannot meet the criteria for a Residential Treatment Facility given the size of the school structure. As proposed, the Text Amendment would not diminish any of the existing criteria that the City has for

residential treatment facilities but would add an exception to the size criteria so that in certain cases buildings could be used. Mr. Anderson said that he had two changes to the proposed verbage; one on the first page and one on point four item d.

Discussion was held regarding landscape and what is considered greenscape.

Mr. Peterson asked if the proposed Text Amendment was specific to this proposal. Mr. Anderson said the proposed change would open the door City-wide but that the way it is written that there were only one or two other buildings in town today that could meet this criteria.

Mr. Peterson asked what the over all feeling of the residents was. Mr. Anderson explained that the residents would not learn about the proposal, just by way of the City's process, until the applicant applies for the Conditional Use Permit.

Mr. Peterson and Mr. Burdick both expressed that they felt the neighbors should be notified before the Text Amendment goes before the City Council.

Discussion was held regarding whether or not the ordinance requires the applicant to hold a neighborhood meeting; the ordinance does not require it.

Discussion was held regarding whether or not to have the Text Amendment and the Conditional Use presented to the Planning Commission and the City Council at the same time.

Mr. Anderson said that he felt it was a good idea for the applicant to hold a neighborhood meeting.

Mr. Burdick **moved** to **approve** the ordinance amending conditions for Residential Treatments Centers in existing vacant buildings subject to the following condition:

Condition

1. That the applicant holds a neighborhood meeting before the Planning Commission meeting.

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

Animal Rights

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the existing code as it relates to animal rights and the language that is proposed to be removed. He further explained that the City did not have very many zoning provisions in the City that rely on what one neighbor can do on one side of the property line to define what another neighbor can do on the other side of the property line. With a buffer requirement like we have today, where it says that somebody must

keep their horses a certain distance from a neighboring dwelling, where the dwelling is determines where the neighbor can have a horse. The more that staff discussed this they determined that because there are other protections built into the ordinance for people that may live next to a property that is large enough to have animal rights that striking the buffer is, in their opinion, okay.

Mr. Anderson **moved** to recommend that the Planning Commission **adopts** the proposed Text Amendment eliminating the buffer requirement as found under the animal section 15.3.24.090 (G) and that the Planning Commission include the language listed as item number 4; if they feel it is necessary. Mr. Anderson **seconded** and the motion **passed** all in favor.

OTHER BUSINESS

There was none.

ADJOURNMENT

Mr. Peterson **moved** to **adjourn**. Mr. Anderson **seconded** and the motion **passed** all in favor at 10:25 a.m.

Adopted: April 11, 2012

Shelley Hendrickson, Planning Secretary