

**Adopted Minutes**  
**Spanish Fork City Planning Commission Meeting**  
**July 16, 1996**

The meeting was called to order at 7:00 pm by Chair Doug Barber.

Commission Members Present: Chair Doug Barber, and Commission Members J. Wayne Nelson, Clyde A. Swenson, David Ludlow, Brian Phillips, and Doug Christensen.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Matthew D. Barber, Thora L. Shaw, and Sherman E. Huff.

Staff Members Present: Greg Comstock, City Planner; David A. Oyler, City Manager; Kent R. Clark, Recorder/Finance Director; Richard J. Heap, Engineer/Public Works Director; S. Junior Baker, City Attorney; Richard J. Nielson, Assistant Public Works Director; Mary-Clare Maslyn, Assistant City Manager; and Heather Frost, Deputy Recorder.

Citizens Present: Alice Olsen, Russell H. Olsen, Dale R. Barney, Janet Jenson, Verl Davies, Jay Peterson, Blaine Evans, Jon O. Hunter, Sherman V. Bearnson, Shayne Hammer, Jeanie Hammer, Gordon F. Ludlow, Clair Christensen, Raul Christensen, R. Craig Larsen, Rita Hales, Mary Ann Ludlow, Harold Hurst, Jon Carl Hardy, Susan Bastian, Dick Bastian, Douglas Nielson, John C. Towers, Londo Fawcett, Allen L. Davis, Marilyn Davis, Harold Ostler, Jim Pendray, Jenny Baadsgaard, Keven Baadsgaard, Frank Haymore, Clint K. Muhlestein, Richard Muhlestein, Stephen D. Fish, Cali Fish, Mary Isaac, David A. Cloward, Frank H. Jones, Frank E. Johnson, Florence Hansen, Karen Payne, Rod Fife, Marlene N. Llewellyn, Morris J. Llewellyn, Glenn A. James, Susan Barber, Rochelle Barber, Cid Hayden, Tonya T. Williams, Howard N. Creer, Joyce H. Creer, Carol A. Swenson, Ray A. Swenson, Mark A. McKell, Robert A. Hutchings, Carl B. Clegg, Mark Howard, Andrew Rose, Linda Thomas, Leon Thomas, Ronald Davis, Kevin Creer, Cliff Hales, Ken Swenson, Jim Duncan, Steve Leifson, Gary J. Stone, Beth K. Gee, James K. Gee, Anne Brierley, Joseph Brierley, Amy Brinkerhoff, Angela Euler Silva, Shirlene Ottesen, Merlene Hamilton, Blair R. Hamilton, Trisha Allen, Daven Engle, Joe D. Harris Mary Harris, Bernice Bradford, Keith Bradford, Weston K. Jones, Douglas L. Cheever, Susan L. Cheever, Terri Jex, Lewis Jex, Beulah Jex, Dennis Bernards, Marvin Butler, Marge Butler, Brent R. Sumsion, Leann Moody, Spanish Fork Press; and Rodger Hardy, Deseret News.

**Introductions and Purpose**

Chair Doug Barber introduced himself and the planning commission members to those in attendance. He reviewed the process the planning commission has been through along with the city staff in updating the general plan and zoning ordinance. Chair Barber outlined the agenda for the evening's meeting. He said City Attorney Junior Baker will review legal issues after which City Planner Greg Comstock will give an overview of the proposed general plan and zoning ordinance. Chair Barber explained the time would then

be turned to those present for comment. He asked those wishing to comment to state their name and address before speaking and to limit their comment to three minutes. Chair Barber then turned the time to Attorney Baker.

### **Discussion of Legal Issues**

Attorney Baker reviewed Utah State law as it pertains to the creation of a general plan and zoning ordinance. He then reviewed the legal notification process required by State law. Attorney Baker then turned the time to Mr. Comstock.

### **Project Overview**

City Planner Greg Comstock explained Spanish Fork City hired him to develop a general plan, zoning ordinance, and capital facilities plan with the planning commission. He informed the public the last adopted general plan of Spanish Fork City was in 1982. Mr. Comstock said since July of 1995, he, the staff, the planning commission, and the city council had been working on an updated version of the general plan. He said a community survey was done to get public input, and many meetings have been held to get input from the public in updating the general plan.

Mr. Comstock then reviewed new items in the general plan and zoning ordinance, such as land use categories, zoning provision which encourages mixing densities, a growth management boundary -- both ultimate and for the next five years. Mr. Comstock said the planning commission and staff plan to update the general plan annually.

Mr. Comstock explained the capital facilities plan is also part of the general plan. He noted the impact fee section will be added as soon as the impact fee study is completed.

Mr. Comstock then outlined some of the proposed amendments to the general plan. He pointed out the existing zoning map and the proposed zoning map. He also referred to other maps showing water lines, sewer lines, and storm drainage retention basins.

Mr. Comstock then turned the time to Chair Barber. Chair Barber called for a motion to open the public hearing.

### **Public Hearing - New Spanish Fork General Plan, Zoning Ordinance, Zoning Map, and Capital Facilities Plan**

Mr. Nelson made a **motion** to open the public hearing at 7:45 pm. The **second** was made by Mr. Swenson, and the motion **passed** with a unanimous vote.

Mr. David A. Cloward expressed concerns with the proposed zoning surrounding the new elementary school located on 1700 East. He recommended higher densities than proposed in that area. He explained lower priced homes should be built around the elementary schools to provide for younger families with elementary age children. He then expressed concern with the proposed sewer system in the same area. He recommended the commission study the flows and boundaries of the sewer system along the east bench. Mr. Cloward noted the city should select storm drainage retention areas carefully,

taking costs into consideration.

Mr. Richard Muhlestein stated Mill Road is in need of attention. He said he also has concerns with the proposed zone change in the Leland residential area.

Mr. Steve Fish expressed concern with the proposed zone change from RA1 to RA5 in the Leland area. Mr. Fish said he understands the proposed change is due to the use of septic tanks. He informed the commission he has contacted Utah County and they allow septic tanks on one acre lots. He stated his feeling sewer is not the issue. Mr. Fish told the commission this zone change would decrease the value of many properties in Leland. He suggested lowering taxes for property owners whose zone is changed, if the proposal takes affect. Mr. Fish expressed his support for the commission's proposal regarding the industrial areas in Leland.

Mr. Comstock reiterated the fact that the existing city ordinance does not allow a septic tank on a one-acre parcel.

Ms. Mary Isaac agreed with Mr. Fish's statements regarding the proposed zone change in the Leland residential areas. She feels the zone change will devalue property and stated she is opposed to the zone change.

Mr. Raul Christensen, 100 South 665 West, expressed concern with the high density developments in the city. He asked the commission to consider the opinions of homeowners in keeping some densities low to continue the rural atmosphere of Spanish Fork City.

Mr. Frank Haymore conceded with the opinions expressed opposing the Leland zone change.

Mr. Rod Fife, asked the commission to consider the people of Leland and their investments in their properties when making a decision on the Leland zone change. He also recommended the commission study carefully new access to the highway. Mr. Fife reiterated the need for parks in the city. He also communicated the need for sidewalks on Canyon Road. He urged the commission to consider a trails system within the city.

Mr. Shayne Hammer, 355 East 700 North, said his problem is with the proposed ordinance on accessory buildings. He would like to build a detached garage, but under the proposed guidelines for accessory buildings, he is unable to build the size of building he would like to. He asked the commission to reconsider the proposed standards for accessory buildings.

Mr. Clint Muhlestein supported the opposition to the proposed zone change in Leland.

Mr. Dale Barney asked for the results of the community survey. Mr. Barber reported the results are available at the city offices.

Ms. Amy Brinkerhoff, 2700 East 1300 South, approached the commission with her concern with development in the city. She said in her neighborhood there are 450 children under the age of 12 years old. She asked the commission to consider these children and safety issues when commercial development is proposed near US Highway 6 and 300 South. She requested commercial uses not be allowed in her area. Ms. Brinkerhoff also expressed the need for parks.

Mr. Ken Swenson said his concern is with the fact that the new zoning does not allow heavy industry anywhere within the city limits. He indicated heavy industrial uses are needed, but it is becoming more difficult to find a conforming location for these industries.

Commissioners Swenson and Nelson expressed agreement with Mr. Ken Swenson's concern. They requested this topic be discussed at a future meeting of the planning commission.

Ms. Florence Hansen stated her feeling more neighborhood parks are needed in Spanish Fork City. She indicated they should be large enough to be used as a park, with playground equipment. She expressed her feeling the proposed storm retention basins/neighborhood parks should be designed to be useful as a park, not just a catch basin.

Mr. Howard Creer, 91 East 200 North, expressed his opposition to the proposed zone change in the Leland area and also the proposed zone change along 100 East and 100 West. He stated these proposals will down zone his property, which he feels is unfair and illegal. He also indicated the parking for Main Street businesses is insufficient.

Mr. Doug Cheever asked the commission to consider zoning areas in the city appropriately for a condominium development to provide low income housing for young people and elderly individuals who cannot afford to purchase or maintain their own home.

Mr. Blair Hamilton stated his opposition to the proposed zone change in the Leland area.

Mr. Keven Baadsgaard, Leland, stated he is agreeable to the commission's proposal for the Leland industries. He indicated when Leland was annexed into the city, the residents were told they would be in a one-acre zone, he expressed his feeling the city should allow building to take place on a one-acre lot in Leland.

Mr. Cid Haden, explained he runs an animal clinic on his property east of Kmart. He pointed out a veterinary hospital is allowed in the R-R zoning district, however an animal clinic is not. Mr. Haden asked the commission to consider adding animal clinics as a permitted use.

Mr. Jim Pendray asked the commission to consider decreasing the minimum lot requirements in the R-2 zoning district. He would like to develop a manufactured housing

development in an R-2 zoning district, and he feels the minimum lot requirements are too large.

Mr. Morris Llewellyn expressed his feeling commercial uses should be spread throughout the city and not built only in the city's center.

Mr. Kevin Creer, Leland, agreed with the opinions expressed regarding the proposed Leland zone change. Mr. Comstock then reviewed once again the fact that the existing city ordinance does not allow new one acre lots to be created with a septic tank. Discussion took place regarding the existing city ordinance on septic tanks.

Ms. Florence Hansen expressed her appreciation to the planning commission and the staff for their efforts to update the general plan. She stated these people are working to better the community. She asked those present to applaud the commission.

Chair Barber asked for additional input. None was received. He, along with the planning commission thanked those present for their input. He indicated the information received at the public hearing will be considered at the work session of the planning commission scheduled for July 30, 1996.

### **Adjournment**

Mr. Swenson made a **motion** to close the public hearing and adjourn the meeting at 9:00 pm. The **second** was made by Mr. Nelson, and the motion **passed** with a unanimous vote.