

**Adopted Minutes
Spanish Fork City Planning Commission
April 1, 1998**

The meeting was called to order at 7:00 pm by Commissioner J. Wayne Nelson.

Commission Members Present: Commissioners Kevin Baadsgaard, Roy L. Johns, Chad Moffat, J. Wayne Nelson, and Thora L. Shaw. Vice-Chair Doug Christensen arrived at 8:23 pm.

Staff Members Present: David A. Oyler, City Manager; Gregory A. Comstock, City Planner; Richard J. Heap, Engineer/Public Works Director; and Gina Peterson, Deputy Recorder. Mayor Dale R. Barney was also present.

Citizens Present: Mark Dallin, Ronnie Simons, Aaron Reimschiessel, Steven Woolsey, Chase Roberts, Kyle Peay, Bryce Galloway, Garrett Elliott, Chance Wride, Nick Jensen, Lloyd Nilson, Josh Simons, Jared Elliott, David Stead, Karen Stead, Mark W. Nelson, Dave Reimschiessel, Scott Elliott, J. Blair Olsen, Garrick Fay, and Clay Fay.

Minutes

Ms. Shaw made a **motion** to approve the minutes of the March 4, 1998, Planning Commission meeting as presented. Mr. Johns **seconded** the motion, and it **passed** unanimously.

Public Hearing - Butler Zone Change (R-R to R-1-9)

Mr. Baadsgaard made a **motion** to open the public hearing at 7:02 pm. The motion was **seconded** by Ms. Shaw and it **passed** with a unanimous vote.

Mr. Comstock stated applicants of the zone change requested the item be postponed until May.

Mr. Baadsgaard **moved** to table the Butler Zone Change request until the May 6, 1998, Planning Commission meeting. Ms. Shaw **seconded**, and the motion **passed** unanimously.

Mr. Baadsgaard made a **motion** to exit the public hearing at 7:10 pm. Ms. Shaw **seconded** the motion, and it **passed** with a unanimous vote.

Mark Dallin Subdivision Waiver

Mr. Heap reviewed the Mark Dallin Subdivision Waiver for property located at 500 East and Center Street. The Development Review Committee has recommended approval of the waiver.

A **motion** was made by Mr. Johns to approve the Mark Dallin Subdivision Waiver subject to an arched gutter plate over the driveway irrigation gutter. The **second** was made by Mr.

Baadsgaard and the motion **passed** with a unanimous vote.

Discussion - Paving of Long Driveways

Current City ordinance requires all parking spaces and driveways for any use be paved. This requirement includes single residence dwellings on large parcels, and may involve paving a driveway several hundred feet long. Staff is suggesting the Commission consider relaxing this standard for driveways in excess of a certain length, but still require an all-weather road surface beyond that distance.

The Commission discussed this issue including excess costs related to paving. It was determined Mr. Comstock should proceed with a draft zoning text amendment for further study.

Mr. Baadsgaard **moved** to have City staff draft an ordinance amending paving of long driveways for presentation to the Planning Commission as soon as possible. Ms. Shaw **seconded**, and the motion **passed** unanimously.

Discussion - C-2 zoning along the east side of Main Street between Center and 100 North

Staff is recommending the block on the east side of Main Street between Center and 100 North be considered for rezoning from C-2 to C-D. Most of the buildings on Main Street are located at the front of property which is consistent with the C-D regulations. The Board of Adjustment recently approved a variance to allow a new building to be constructed north of MVP Sports with no setback from Main Street, further reinforcing the existing development pattern. Mr. Comstock feels it was probably an oversight that this block was not zoned C-D initially.

A **motion** was made by Ms. Shaw to have the Commission initiate a zone change along the east side of Main Street between Center and 100 North from C-2 to C-D. The motion was **seconded** by Mr. Baadsgaard and it **passed** unanimously.

Discussion - Flag Lots

The concept of flag lots was explained. Mr. Comstock stated there appears to be increasing concern by citizens, the Planning Commission, and City Council about how the flag lot concept is working. City staff isn't sure whether minor changes in the regulations may alleviate concerns, or whether the concept should be completely abandoned. Mr. Comstock requested the Planning Commission's direction regarding this issue.

Ms. Shaw stated a conflict of interest in that she has property which could be used as a flag lot.

Recent concerns brought to the Commission's attention were addressed including drainage being shifted to other lots, no emergency turnaround, infringement of neighbors privacy, and fire code issues. Many concerns regarding access have also been received. Mr. Moffat noted benefits of flag lots are added property value as well as utilization of vacant property.

Discussion took place about not allowing variances to flag lot regulations since the Commission considers them a variance in themselves. It was noted, by law an application for a variance cannot disallowed. It was suggested the ordinance be amended stating a flag lot that creates a non-conforming lot will not be allowed. This would discourage a variance application on a flag lot. Further discussion took place.

Mayor Barney stated he is opposed to flag lots and would rather see the vacant property used as play areas for children.

Mr. Moffat made a **motion** to leave the flag lot ordinance unchanged. Ms. Shaw **seconded** the motion and it **carried** with a 3:2 vote. Commissioners Johns, Moffat, and Shaw were in favor of the motion, and Commissioners Nelson and Baadsgaard voting opposed.

Other Business

Mr. Comstock asked the Commission if time constraints should be placed on future agendas. With the resolution of the SESD lawsuit it is likely many rezonings will be submitted requiring public hearings.

After discussion, consensus from the Commission was to keep the length of meetings within reason. Mr. Nelson suggested having additional monthly meetings if necessary.

***Note: Vice-Chair Doug Christensen arrived at 8:23 pm.*

Adjournment

A **motion** was made by Mr. Baadsgaard to adjourn the meeting of the Spanish Fork Planning Commission at 8:23 pm. Mr. Moffat **seconded**, and the motion **passed** with a unanimous vote.