

**Adopted Minutes  
Spanish Fork Planning Commission Meeting  
November 4, 1998**

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

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

Staff Members Present: Gregory A. Comstock, City Planner; Richard J. Heap, Engineer/Public Works Director; and Gina Peterson, Deputy Recorder.

Citizens Present: Frank Christianson, Pat Christianson, Vic Deauvono, Joseph Brandon Thomas, Lynn Thomas, Michael Findeis, Richard Nance, John D. McMullin, David E. Lewis, Louise S. Abbott, C. Leon Abbott, Myrna Jachim, Janet Good and Chip Farnsworth.

**Minutes**

Mr. Nelson made a **motion** to approve the minutes of the September 2, 1998, and October 6, 1998 meeting of the Spanish Fork Planning Commission as presented. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.

**Public Hearing - Hunters Crossing Zone Change (R-R to R-1-8) & Preliminary Plat**

Mr. Nelson made a **motion** to open the public hearings at 7:05 pm. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

Mr. Nelson **moved** to table the Hunters Crossing Zone Change and Preliminary Plat. Mr. Baadsgaard **seconded**, and the motion **passed** with a unanimous vote.

**Public Hearing - Chip Farnsworth II Zone Change (R-R to C-2)**

Mr. Chip Farnsworth has submitted a request to amend the General Plan from residential to commercial, and to rezone approximately 2.16 acres at approximately 8200 South Main Street from R-R, Rural Residential, to C-2, General Commercial. The applicant is proposing to develop mini-storage units on the property, however, the C-2 district would also allow a wide variety of other commercial uses.

Mr. Comstock reviewed issues discussed by the Development Review Committee including concerns regarding the lack of public water and sewer in the area. The property is also outside of the 5 year Growth Management Boundary and is shown on the General Plan for very low density use. For these reasons, the Development Review Committee recommended denial of the request.

Mr. Chip Farnsworth was not present for this portion of the meeting. Chair Christensen opened the meeting for public comment.

C. Leon and Louise Abbott noted their opposition to the zone change. Mr. Abbott stated the irrigation ditch would have to be piped. He also indicated the area has a lot of traffic and to add anything would not be beneficial.

Ms. Myrna Jackson feels the road would be too busy if the zone change is approved.

Ms. Janet Good reiterated comments of opposition due to the traffic situation. She also stated there is no feasible way a vehicle could slow down enough on the busy street to pull into a business.

Mr. Leon Abbott asked if the property was even in the City limits. He indicated it was not included in his 1991 annexation.

Mr. Nelson feels approval of the zone change may set a precedence because many people have requested storage unit projects in residential areas which have been denied.

Mr. Nelson **moved** to deny the Chip Farnsworth II Zone Change for reasons stated by the Development Review Committee, including lack of public water and sewer. Ms. Shaw **seconded**, and the motion **passed** with a unanimous vote.

Mr. Comstock noted the zone change request will be heard at the December 1, 1998 City Council meeting.

#### **Public Hearing - Nextel Zoning Text Amendment** **Public Hearing - U.S. West Wireless Zoning Text Amendment**

Mr. Comstock stated a request for a zoning ordinance amendment has been submitted by U.S. West Wireless and Nextel. The two requests are fairly similar. They both request that telecommunication towers and related facilities be allowed in residential districts. The ordinance drafted by City staff would allow such facilities on existing ballfield stanchions as well as a conditional use permit in the C-2 and R-R districts. Mr. Comstock explained this would allow the telecommunications industry a wide variety of possible locations for their facilities, provided they can hide them on existing buildings or structures. The Development Review Committee recommended approval of the ordinance as proposed.

A general discussion took place regarding the proposed amendment. Chair Christensen opened the meeting for public comment.

Mr. Deauvono asked if a conditional use permit would be required for all towers. Mr. Comstock answered that a facility placed on a light structure at the ball fields would be permitted outright. Mr. Comstock stated the tower could either be stealth or regular since it was felt that ball lights are pretty obtrusive anyway. Mr. Deauvono asked what kind of revenue the City would generate from leasing fees. Mr. Dale Larsen from U.S. West Wireless indicated customary fees have ranged from \$50 to \$200 monthly, depending on

the area.

Mr. Baadsgaard made a **motion** to recommend the City Council's adoption of the amendments noted in the wireless communications ordinance as presented. Mr. Nelson **seconded**, and the motion **passed** with a unanimous vote.

Mr. Comstock stated the ordinance amendment will be on the December 1, 1998 City Council agenda.

### **Public Hearing - Conditional Use Permit for Work Release Facility at the Utah County Jail**

Utah County proposes to add a work release facility in conjunction with the existing jail facility at 3075 North Main Street. The jail was constructed under the old P-F (Public Facilities) zoning district. That district no longer exists, and the property is now zoned I-1, which allows county and city jails as a conditional use permit. The Development Review Committee recommended approval of the Conditional Use Permit for the Jail and Work Release Facility with no conditions attached.

Mr. John McMullin from the Engineers Office of Utah County stated the work release program is currently housed in the jail and would now be moved to this proposed building across the street from the jail.

Mr. Nelson asked if approval of this permit would change the security of the citizens of Spanish Fork. Mr. Comstock answered the Staff did not feel it would change anything as the use already exists within the Jail now.

The meeting was opened for public comment.

Mr. Frank Christianson, adjacent property owner stated the road on the west side of the property will eventually have to be fixed. He noted he and his wife are in favor of the Jail expansion.

Ms. Shaw made a **motion** to allow a work release facility in conjunction with the existing County Jail facility as a conditional use permit in the I-1 zoning district. Mr. Moffat **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - Zoning Ordinance Amendment to allow Residential Treatment Centers as a Conditional Use Permit in the I-1 Zoning District**

### **Public Hearing - Conditional Use Permit to allow a Residential Treatment Center adjacent to the Existing County Jail Facility in the I-1 Zoning District**

Utah County currently has a program for alcohol and other substance abuse called Foothill Treatment Center. This facility is located in Provo, but the County would like to relocate it to their complex around the jail facility at 3075 North Main. This use is not currently listed in the City's zoning ordinance, and staff recommends that it be added to the ordinance as a

“Residential Treatment Center” with a specific definition attached. The use would be permitted under a conditional use permit status.

The Development Review Committee reviewed the request in October. Mr. Comstock stated staff usually does not want to encourage these types of facilities in industrial areas, but this facility is more institutional in nature, and seem compatible with other operations in the immediate vicinity. This facility will be used as a short term (typically 30 day), 24-hour supervised residential treatment program for Utah County residents who are abusing alcohol and other drugs. Services include social detoxification; substance abuse education/coping/life skill classes; individual, group, and family therapy; case management; and relapse prevention planning.

Mr. Nelson asked if residents of the treatment center are under the jurisdiction of the Court. Mr. Michael Findeis, Director of Human Services for the County, stated they are not bound to take anyone. The facility assesses the risk of the person. Some people who come in do it voluntarily, and some are court ordered, but it is the facility’s discretion of who they take.

Chair Christensen asked why Provo City did not want the facility anymore. Mr. Findeis stated the mandate came from the County Commission, but a lot of residential development has taken place around the existing site in Provo, and the neighbors do not like to facility being in their neighborhood.

Mr. Johns asked if the 25 beds in the facility was sufficient with the growth of the County. Mr. Findeis stated there is a need for more beds, but the County realizes expansion would include an increase in staff. Mr. McMullin stated the proposed permanent building when complete will house 36 total beds. The temporary facility will house 25 beds.

Ms. Shaw asked if residents were under lock and key or if they could come and go at will. Mr. Findeis stated residents can come and go, but depending upon the circumstances and condition, law enforcement may be called. They do some intervention to make sure the resident as well as the community is safe.

Mr. Moffat asked if outpatient services were provided. Mr. Findeis stated not at this time.

Chair Christensen stated the Commission denied a request for a treatment center near the airport in the industrial zone. He asked what kind of liability existed if this was approved since the other was denied. Mr. Comstock does not see any liability because the other use was for troubled teens and if approved would have put a residential use that would interact with the community, far away from the community. Another reason this location works is because the facility is run by the County and consolidated together with the County’s other uses including the Jail. Ms. Shaw stated another advantage of having the facility near the Jail is you avoid the “not in my backyard” attitude from residents.

Mr. Nelson made a **motion** to approve the zoning ordinance amendment to allow the

Residential Treatment Center as a conditional use permit in the I-1 zoning district. Ms. Shaw **seconded**, and the motion passed with a unanimous vote.

Mr. Nelson made a **motion** to grant the Conditional Use Permit for a residential treatment center adjacent to the existing County Jail facility with a limit of 36 beds. Any expansion would have to come back before the City. Approval is also subject to the City Council's adoption of the ordinance amendment regarding Residential Treatment Centers in the I-1 zone. Mr. Baadsgaard **seconded**, and the motion **passed** with a unanimous vote.

Mr. Baadsgaard **moved** to exit the public hearings at 8:08 pm. Mr. Nelson **seconded**, and the motion **passed** with a unanimous vote.

### **Spanish Trails - Revised Preliminary Plat**

Spanish Trails is requesting the Spanish Trails Preliminary Plat for property located south 100 South between approximately 350 West and 500 West be modified to increase the single family lots and decrease the condominium lots. The total lot count for the modified preliminary will increase by two making 205 total lots. Mr. Comstock indicated the development agreement with Spanish Trails allowed a maximum of 205 units.

Mr. Deauvono stated they are very pleased with the way the project is turning out. He stated other cities have looked to this project as a benchmark project to conserve open space.

Mr. Moffat stated many of the home values in the development have been higher than the actual sales price of the home. He commended Mr. Deauvono for his development but questioned if a house product was available that would fit on the corner lots without a variance. Mr. Deauvono answered he did have products that would fit the corner lots while still complying with setbacks.

Mr. Nelson made a **motion** to approve the Spanish Trails Revised Preliminary Plat subject to the following conditions:

1. The terms and conditions of the December 18, 1996 Development Agreement continue to be followed.
2. A revised plat be submitted showing an accurate unit count.
3. A notation be added to the plat indicating that a fence will be installed adjacent to the Mill Race Canal.

The motion was **seconded** by Mr. Moffat and it **passed** with a unanimous vote.

### **Adjournment**

Mr. Baadsgaard made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission at 8:25 pm. Mr. Moffat **seconded**, and the motion **passed** unanimously.