

**Adopted Minutes  
Spanish Fork City Planning Commission Meeting  
November 3, 1999**

The meeting was called to order at 6:30 p.m. by Chair J. Wayne Nelson for a preliminary review of the agenda. At 7:00 p.m. regular business commenced.

Commission Members Present: Chair J. Wayne Nelson, and Commissioners Kevin Baadsgaard, Roy L. Johns, David E. Lewis and Thora L. Shaw.

Staff Members Present: Emil Pierson, City Planner; Richard J. Heap, Engineer/Public Works Director; Nate Crow, GIS Specialist, and Gina Peterson, Deputy Recorder. Mayor Dale R. Barney was also present.

Citizens Present: Tresa Ahlin, Chamber of Commerce President; Shayne Ahlin; and Wayne Harwood.

**Public Hearing - Amendments to the Zoning Ordinance, Sign Ordinance, Fencing Requirements, Flag Lots, Parking Use and Accessory Buildings**

Mr. Lewis made a **motion** to open the public hearing at 7:03 p.m. Mr. Johns **seconded**, and the motion **passed** with a unanimous vote.

The City Council, at their August 10, 1999 meeting, requested the Planning Commission review the current sign ordinance. Through work sessions held over the past couple of months, staff has taken suggestions made by the general public and Planning Commission and drafted a proposed amendment. Mr. Pierson reviewed the proposed changes in the sign ordinance as well as minor amendments to fencing requirements, flag lots, parking use and accessory buildings.

Chair Nelson opened the meeting for public comment. None was received.

Discussion took place regarding the maximum allowable size for monument signs. Mr. Lewis felt the proposed height of six feet is too large. Mr. Pierson reported other cities along the Wasatch front have the same height regulation.

Mr. Baadsgaard made a **motion** to recommend the City Council's approval of the amendments to the zoning ordinance as they are consistent with the policies of the General Plan. Mr. Johns **seconded**, and the motion **carried** with **majority** vote. Councilmember Shaw was opposed due to proposed amendments to the flag lot ordinance.

**Public Hearing - Bryan Jex Zone Change**

This item has been withdrawn from the agenda by the petitioner.

Mr. Johns made a **motion** to exit the public hearing at 8:10 p.m. Mr. Baadsgaard

**seconded**, and the motion **passed** with a unanimous vote.

### **Subdivision Waiver - Wayne & Helen Harwood**

Mr. Wayne Harwood is requesting a subdivision waiver to develop two single family lots in the R-R, Rural Residential zoning district at 926 West Arrowhead Trail. During Development Review Committee meetings discussion took place regarding power and water issues. Legally, a subdivision waiver may not be granted unless utilities are available to the property. It was felt by City Attorney Junior Baker money could be put in escrow for all utilities to the property to satisfy this requirement. Mr. Pierson reviewed conditions of approval recommended by the Development Review Committee.

Mr. Harwood addressed the Commission stating he is only trying to sell his property. He expressed concern with having to escrow money for power and water as he feels it could be required during the building permit process. Mr. Harwood claimed State code indicates a division for agricultural purposes isn't considered a "subdivision". Mr. Heap stated if the property is being divided strictly for agricultural purposes, there may be a stipulation on the deed that the property may only be used agriculturally. This issue would have to be addressed with Attorney Baker to determine the legality of it. Mr. Heap stated the protection provided by the escrow account is for the future buyer of the property.

Mr. Pierson feels property division within City boundaries that is agricultural or otherwise is still required to go through the subdivision process.

Mr. Harwood stated the escrow condition was acceptable as long as the account was not required until the time of sale. Mr. Heap noted that is when escrow accounts are usually set up.

A **motion** was made by Ms. Shaw to approve the Wayne & Helen Harwood Subdivision waiver subject to the following conditions:

1. Setbacks will be as follows: Front - 50 feet; Rear - 50 feet; and Side - 25 feet;
2. The development will meet all plans and profiles approved by the Engineering and Utility Department;
3. Money for power and water to and through the property be put in escrow.

Mr. Lewis **seconded** the motion, and it **passed** with a unanimous vote.

### **Adjournment**

Mr. Baadsgaard made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission at 8:24 p.m. Mr. Lewis **seconded**, and the motion **passed** with a unanimous vote.