

**Minutes**  
**Spanish Fork Planning Commission Meeting**  
**April 4, 2001**

The meeting was called to order at 6:30 pm by City Planner Emil Pierson for a preliminary review of the agenda. At 7:05 pm, Chair Baadsgaard called the regular business meeting to order.

Commissioners Present: Chair Kevin Baadsgaard, and Commissioners Paul Healey, David E. Lewis, and Thora L. Shaw. Commissioners Thad Jensen, and Roy L. Johns were excused.

Staff Members Present: Emil Pierson, City Planner; Nate Crow, GIS Specialist; and Gina Peterson, Deputy Recorder.

Citizens Present: Windy McLean, *Simmons Outdoor Media*; Terry Christianson, Gordon Orr, Rocky Giles, Steve Wilson, Karen Payne, Janet M. Williams, Don Lyster, Luella Farnworth, Janell Dunn, and Kevin Dunn.

**Minutes**

Ms. Shaw made a **motion** to approve the minutes of the March 7, 2001 meeting of the Spanish Fork Planning Commission with noted corrections. Mr. Healey **seconded**, and the motion **passed** with a unanimous vote.

**Public Hearing - General Plan Amendment on Expressway Lane**

Mr. Lewis made a **motion** to open the public hearings at 7:08 pm. Mr. Healey **seconded**, and the motion **passed** with a unanimous vote.

City staff is requesting to amend the General Plan on 72.39 acres near Expressway Lane. The General Plan amendment would change the property north of Expressway Lane (Spanish Fork Ranch and Willowbrook subdivisions) from Residential 3.5 to 5 units per acre to Light Industrial; and the property south of Expressway Lane from Residential 5 to 12 units per acre to General Commercial.

Mr. Pierson explained there have been small amounts of methane gas found on the old landfill which is now known as the Spanish Fork Ranch subdivision. Due to the methane and other issues regarding incomplete site improvements, Staff feels the General Plan amendment will be helpful and necessary to ensure the property will not have future residential use. Mr. Pierson suggested future uses of the property could include storage units, or open space.

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

Commissioner Lewis asked if the current residents of Spanish Fork Ranch would be required to move, and if so, who would move them. Mr. Pierson indicated the residents will be moved, most likely by a combination of the original developer Ron Jones, the City, and perhaps another private developer that is not involved with the subdivision.

Commissioner Shaw stated when the manufactured home subdivision was originally approved, all the private engineering reports indicated manufactured homes would be one of the best uses for the property. Mr. Pierson acknowledged previous reports were done. He stated it is likely another engineering report will be done and a new dirt cap installed on the property.

Commissioner Lewis reviewed uses allowed with a conditional use permit in the I-1, Light Industrial zone, including sexually oriented businesses. At a citizen's request, Mr. Pierson gave clarification on what a sexually oriented business entailed.

Ms. Shaw made a **motion** to recommend the City Council's approval of the Expressway Lane General Plan amendment on 72.39 acres from Medium Urban Residential to Light Industrial; and High Urban Residential to Commercial/Light Industrial as presented. Mr. Healey **seconded**, and the motion **passed** with a unanimous vote.

### **Public Hearing - General Plan Text Amendment Regarding Annexations**

At the City Council retreat in February 2001, the Council discussed annexations and the requirements that are imposed with regard to annexation properties outside of the City's growth boundary. The Council requested staff take this issue to the Planning Commission for their review and recommendation.

Mr. Pierson indicated the City has recently received a number of annexation petitions. One of those petitions was from Blaine Thompson. Mr. Thompson wanted to annex into the City so he could build a home on his property. He was not interested in receiving City utilities even though the property was inside the City's growth boundary. The Council rejected Mr. Thompson's request based on the fact that he did not want City utilities.

Mr. Pierson reviewed the proposed text amendment to the annexation policies in the growth management policies of the General Plan. Clarification on utility connections relating to annexed properties is proposed as follows:

*“Properties being annexed into Spanish Fork City must connect to the City's electric service along with one of the other city services (garbage, water, sewer, etc.), either upon annexation or when development occurs, upon City discretion, and at the applicant(s)' expense.”*

Properties annexed that contain existing homes must connect to electricity and another City utility, and vacant land must connect to City utilities at the time of development.

Policy A of the annexation policies will also be amended to exempt commercial growth from developing only within the growth boundary. The text will read as follows:

*“Allow urban residential and industrial land uses only within the adopted Growth Management boundary.”*

Commissioner Lewis asked why industrial use wouldn't have the same consideration as commercial use. Mr. Pierson indicated the decision was based on sales tax revenue for the City. He also noted the City has a sufficient amount of industrial property on the north end of town. Location is a big factor for a commercial business. If a large retail store wanted to annex into the City and extend utilities to locate near the Benjamin exit, why would the City want to discourage the use?

Much discussion took place about potential industrial use outside of the growth boundary.

Commissioner Healey felt varying industrial uses could be specified. He noted there is a big difference between the industrial use of a Boeing Manufacturing Plant and Geneva Steel.

Commissioner Lewis questioned the need to require a power connection *and* another utility. Mr. Pierson stated the City exists to service it's residents. If utilities are not wanted or needed by a property owner, why annex into the City? Mr. Pierson clarified the City will select the second utility to be used by the property owner.

Chair Baadsgaard opened the meeting for public input.

Mr. Steve Wilson, 811 South 1240 East, asked questions regarding the growth management boundary. He feels the proposed wording will exclude the City's ability to change the boundary for a potential industrial use to locate in the City. Chair Baadsgaard stated the General Plan is a general policy. If an industrial use requested to locate outside the Growth Management Boundary, the possibilities would be looked at, although commercial use will be allowed without question.

Mr. Gordon Orr asked if mandating a connection to City power would affect Strawberry Electric Service District. Mr. Pierson indicated agreements are in place with SESD that acknowledge all property within the City's policy declaration can eventually use City power.

No further public input was received.

Mr. Healey made a **motion** to recommend the City Council's approval of the text amendment to the Annexation Policies of the General Plan as presented. Mr. Lewis **seconded**, and the motion **passed** with a unanimous vote.

## **Public Hearing - Billboard Text Amendment**

A request has been made by Simmons Outdoor Media to amend the billboard ordinance to allow billboards 500 feet apart in the I-1, Light Industrial zone. Mr. Pierson reviewed the current zoning requirements for billboards.

The proposed ordinance would allow an additional billboard on I-15 in the light industrial zone by the old sugar factory. These amendments would allow existing billboards on I-15 to be reconstructed and improved (black and monopole) to meet the new standards. Currently, billboards cannot be improved even though they could be there for years and be considered blight for the community.

Chair Baadsgaard opened the meeting for public input.

Windy McLean from Simmons Outdoor Media addressed the Commission. Simmons Media owns many billboards along the main corridors of the City. Ms. McLean indicated billboards bring customers into the City, and they have had many requests from businesses in the City for billboards they don't have. She is in favor of the proposed amendment.

Mr. Donny Marsh noted specific signs that are undesirable. Ms. McLean indicated Simmons Media would like to rebuild signs that are not desirable. Mr. Marsh asked if the City obtains tax revenue from billboards. Ms. McLean answered that real property tax is paid on the property where the sign is located, and revenue taxes are paid if the sign is sold.

No further public comment was received.

Commissioner Shaw made a **motion** to recommend the City Council's approval of the Billboard Text Amendment as presented. Commissioner Lewis **seconded**, and the motion **passed** with a unanimous vote.

Commissioner Shaw made a **motion** to close the public hearings at 8:13 pm. Mr. Healey **seconded**, and the motion **passed** with a unanimous vote.

## **Discussion - Review of the Zoning Ordinance with Regard to Outdoor Display and Signs**

The City Council has requested the Planning Commission review the ordinance which regulates the display of merchandise as well as the sign ordinance overall.

Mr. Pierson reviewed the City's current ordinance which allows the display of merchandise in two zones, C-2, General Commercial, and S-C, Shopping Center Commercial. Mr. Pierson stated there are both pros and cons to displaying merchandise. He reviewed ordinances from other cities including Sandy and Salt Lake. Mr. Pierson feels it is important to consider what happens when someone abuses the ordinance. Can a business go too far with display of merchandise? Spanish Fork Main Street should not look like a flea market.

The Commission reviewed pictures of outdoor merchandise throughout the City. Many of the examples reviewed are technically against the current ordinance.

Chair Baadsgaard asked for comments from the citizens and business representatives present.

Mr. Kevin Dunn from Big O tire store indicated he tries to keep his business presentable. He distributed pictures of Big O with and without tires stacked outside. His issue is not a matter of display, but rather storage. The tires need to be moved out of the way to service vehicles in the bays. Mr. Dunn stated he would like an enforceable, workable ordinance that will be a win-win for the retailer and the City.

Mr. Terry Christianson from Speedy Bicycles stated he is fortunate to have a corner lot where signs are seen. He feels the sign ordinance should be addressed, stating most businesses on Main Street are in middle of the block and the signs are flush with the building making businesses hard to find.

Ms. Janet Williams, 937 South 690 East, noted her family owns a partnership in Buckets and Barrels. She noted various means of signage advertising used by Buckets and Barrels, including a horse wagon in the parking lot. She would like their signs to be in conformance with the City ordinance.

Chair Baadsgaard suggested signage be more uniform.

Mr. Gordon Orr from Orr Electric and Gift stated the reason retailers use signs is to be noticed. Uniformity defeats the purpose of the sign. Mr. Orr feels, in retail business, display is everything. He feels certain limits are needed, but ordinances tend to go overboard.

Mr. Steve Wilson from State Farm Insurance agrees with Mr. Orr. Signage should have diversity and individuality. He indicated the Main Street trees have become a real detriment to his business because they block signage. He suggested a monitoring system for signage, possibly by a committee.

Mr. Donny Morris from Confetti Antiques stated instead of a signage committee, he'd rather have an ordinance that can be easily monitored. He feels signs and banners should be two different ordinances. Banners should be a temporary use.

Mr. Pierson noted he has met with most of the business owners present. He appreciates and agrees with their desires for individuality. He asked the feeling about lit or neon signs. Currently none of the signs on Main Street are lit. Mr. Orr indicated electrical signs are expensive and because the signs are flat and would be unnoticed.

Mr. Pierson indicated the number one signage problem in the City is banner signs. He suggested a changeable banner area on businesses. Mr. Orr feels a standard banner location will lose the effectiveness of the banner. Banners attract attention because are new and in varying locations.

Commissioner Healey stated it is obvious it will be difficult to find an ordinance that will please everyone, but he feels the City needs to make the business owners happy.

Mr. Steve Wilson stated parking issues on Main Street need to be addressed. Sometimes patrons drive around the block numerous times before finding a parking space. Commissioner Shaw suggested a parking time limit be enforced. Mr. Orr noted Main Street is owned by the State of Utah. The State will not allow chalking of the road, so time restrictions would be difficult to enforce.

Mr. Rocky Giles from American Car Care Center stated he loves to be on Spanish Fork Main Street. He stated display of outside merchandise is vital to his business. Similar to Big O, he has no warehouse to store his truck tires. His display is his inventory.

Ms. Karen Payne representing the Chamber of Commerce addressed the Commission. She indicated many businesses have expressed concern with Main Street trees. She expressed thanks that the trees were pruned differently this year. Ms. Payne suggested temporary A-frame signs be placed in the planters or brick paver areas during specials sales.

Commissioner Healey suggested a release of liability could be obtained from businesses in case they don't follow the sign ordinance.

Mr. Pierson indicated the sign ordinance discussion will be continued to another meeting. He encouraged the Planning Commission to study the sign ordinance in depth to find further recommendations.

### **Other Business**

Commissioner Healey relayed a message from Commissioner Jensen who was excused. Commissioner Jensen feels two Planning Commission meetings a month is excessive. Commissioner Shaw indicated some commission members have to maximize working hours in the summertime, and it may be difficult for them to attend.

Mr. Pierson gave a brief overview of the duties of the Planning Commission.

Mr. Pierson then reviewed the request of the City Council regarding the 2000 East Zone Change. The City Council has requested the Planning Commission create an Ad Hoc Committee to review the zone change in more detail. The Planning Commission asked for clarification regarding the goal of the Ad Hoc Committee.

The next meeting is scheduled for Wednesday, April 18, 2001.

### **Adjournment**

Mr. Lewis made a **motion** to adjourn the meeting of the Spanish Fork Planning Commission at 10:55 pm. Mr. Healey **seconded**, and the motion **passed** with a unanimous vote.