

**Adopted Minutes
Spanish Fork Planning Commission Meeting
June 5, 2002**

The meeting was called to order at 7:00 p.m. by Chair David E. Lewis.

Commission members present: Chair David E. Lewis, and Commissioners Roy L. Johns; Paul Healey and Ted Scott. Commissioners Thora L. Shaw and Thad S. Jensen were absent.

Staff Members Present: Emil Pierson, City Planner; Richard J. Heap, City Engineer/Public Works Director; Carl Miller, GIS Intern and Marlo Smith, Engineering Secretary.

Citizens Present: Todd Whittaker; Ann Whittaker; Mike Moulton and Lori Moulton.

Agenda Review

The Planning Commission reviewed the staff reports for each item on the agenda.

Preliminary Activities - Pledge of Allegiance

The Pledge of Allegiance was led by Chair David E. Lewis.

Public Hearing - Shepherd Zoning Text Amendment

Commissioner Healey made a **motion** to open the public hearing at 7:03 p.m. Commissioner Scott **seconded**, and the motion **passed** with a unanimous vote.

Chair Lewis reviewed the rules and regulations for a public hearing.

Mr. Pierson discussed the request from Vernal Shepherd to amend the zoning ordinance to allow awnings in the side yard setback area. Pictures were shown to the Planning Commissioners. The development review committee denied the request at the May 29, 2002 meeting for the following reasons:

1. If two adjacent property owners had awnings there is a possibility they would touch if both awnings continued to the property line.
2. Safety issues - limit access to the rear of the home, utility lines.
3. Appearance.

Chair Lewis asked for any public input. There was none.

Discussion took place between the Planning Commissioners. Commissioner Healey expressed his feelings on changing the zone ordinance to allow awnings in the side yard setback area. Commissioner Scott agreed.

Commissioner Healey made a **motion** to deny the Shepherd Zoning Text Amendment for the

following reasons:

1. Changing the ordinance for the whole city for one applicant doesn't seem reasonable.
2. Variances should be reviewed on an individual basis.
3. At least a 5' side yard setback should be required.

Commissioner Scott **seconded**, and the motion **passed** unanimously.

Commissioner Johns made a **motion** to close the public hearing. Commissioner Healey **seconded**, and the motion **passed** unanimously

Staff Reports - Whispering Willows

Mr. Pierson reviewed the request from Hearthstone Development to allow grass in the 8 ½ foot park strip along Highway 51 instead of the required stamped concrete and tree grates. The applicants went before the City Council on May 21, 2002 to discuss this issue. The Council requested that the Planning Commission review this item and make a recommendation. Most park strips in the City are 6 feet wide with no power poles and trees every thirty feet. This park strip is 8 ½ feet because of a UDOT requirement and the telephone poles will be removed within the next couple of years. The trees have already been planted at 30 foot spaces and the developer went ahead and laid sod.

Discussion took place regarding the May 21, 2002 council meeting, Mr. Bushman of the Buildings and Grounds requested tall fescue grass be planted instead of Kentucky Bluegrass.

Mr. Whittaker with Hearthstone Development addressed the Planning Commissioners stating that the grass was installed because it was cheaper than stamped concrete and thought to save the City money on the lots that were purchased for the manufactured homes.

Mr. Pierson stated that the lots are purchased and the decision on the stamped concrete or grass wouldn't reflect on the purchase price.

Discussion took place on the fact that the sod was laid before approval from City and the inspectors were aware of this and did not stop installation. Mr. Heap stated that a request had been submitted by Hearthstone and that is the reason they were not stopped.

Chair Lewis stated that he likes the look of the grass but doesn't like that it was done before approval from the City.

Commissioner Johns made a motion to approve as is and to allow a homeowners association to take care of it.

Discussion took place and the motion died to lack of second.

Commissioner Johns **made** a motion to approve the Hearthstone request to allow grass in the park strip along Highway 51 subject to the following condition(s):

1. Leave the park strip with the Kentucky bluegrass sod.
2. Maintenance will be done by the homeowners association.
3. Default of maintenance will result in stamped concrete being installed at the expense of the homeowners association.

Commissioner Scott **seconded**, and the motion **passed** unanimously.

Subdivision Waiver - Moulton Sub-Waiver

Mr. Pierson reviewed the request from Michael and Lori Moulton for approval of a subdivision waiver to develop a single family lot in the R-2 zoning district. The property is 20,691 square feet in size. Both lots will meet the requirements of the R-2 zone in size and width. The development review committee approved with conditions to re-route electrical and require a 1" water meter instead of the proposed 3/4" water meter.

Discussion took place regarding the skate park.

Commissioner Healey made a **motion** to approve the Moulton Subdivision Waiver at 400 South 700 East subject to the following condition(s):

1. Move electric utilities as directed by the Electric Department, and,
2. Install a 1 inch water service line and meter.

Commissioner Johns **seconded**, and the motion **passed** unanimously.

Subdivision Waiver - Jeff Finch Subdivision Waiver

This item has been removed from agenda

Staff Report - Zoning Ordinance Amendments

Mr. Pierson discussed changes to the zoning ordinance from last month's discussions and staff suggestions. Assisted living centers, foster homes, residential treatment centers and rehabilitation/treatment facility centers were discussed.

Commissioner Healey would like to see annual inspections being done on all treatment centers. Mr. Pierson will discuss the issue with Junior Baker, City Attorney.

Mr. Pierson discussed minimum house sizes for individual zones. Discussion on zoning took place.

Other discussions took place regarding flag lots, awnings and irregular lots.

Adjournment

Commissioner Johns made a **motion** to adjourn the June 5, 2002 meeting of the Spanish Fork Planning Commission with happy hearts and a sound mind. Commissioner Healey **seconded** and the motion **passed** with a unanimous vote. The meeting was adjourned at 9:00 p.m.