

**Adopted Minutes
Spanish Fork Planning Commission Meeting
October 2, 2002**

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

Commission members present: Chairman David E. Lewis; Commissioners Roy L. Johns; Thora L. Shaw; Paul Healey and Ted Scott.

Commission members absent: Thad S. Jensen

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

Citizens Present: Phyllis Spencer, Paul Spencer, Ron Davis, Loraine Davis, Mary Ann Childs, Glenn Way, Bryan Thompson and Christy Shepherd.

Agenda Review at 6:30 pm

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 Lewis.

Minutes

Commissioner Shaw made a **motion** to approve the minutes of the September 4, 2002 meeting of the Spanish Fork Planning Commission as presented. Commissioner Johns **seconded**, and the motion **passed** with a unanimous vote.

Commissioner Shaw made a **motion** to approve the minutes of the September 4, 2002 meeting of the Awning Committee as presented. Commissioner Johns **seconded**, and the motion **passed** with a unanimous vote.

Shepherd Zoning Text Amendment

The applicants, Vernal and Christy Shepherd are requesting to amend the zoning ordinance to allow awnings in the side yard to the side property line. This request went before the Planning Commission on June 5, 2002, and at that time the Planning Commission recommended denial (the applicant was not present at the meeting). The City Council held a public hearing on July 2, 2002 and discussed this request in detail. They tabled the item and requested that the Planning Commission re-discuss this request with the applicant present and looking at the whole city and not just the applicant's awning. The Planning Commission discussed the item at their August 7, 2002 meeting and tabled the item to create a committee to discuss this request and make a

recommendation. The committee met on September 4, 2002 and discussed this request for awnings to go into the side yards. The members of the Awnings Committee were Thora Shaw, Chairman, Thad Jensen, Ted Scott, David Lewis and residents Bonnie Bowen and Christy Shepherd.

The Awnings Committee's recommendation to the Planning Commission:

1. A building permit is required,
2. The building official determines whether the awning is a sound structure and fire proof.
3. A three foot setback will be required for awnings in the sideyard,
4. A five foot setback will be required for a more permanent structure (Ex. Garage or carport - sides enclosed),
5. The City Council will decide how to enforce the existing ordinance,
6. The City Council will determine a cut off date and when to enforce the new ordinance and,
7. An advertisement on the awning ordinance will be done on quarterly basis especially in the summer months in the monthly newsletter that is delivered with the utility bill.

Mr. Pierson asked the Commissioners to remember to look at the ordinance for the whole city and not just for the applicant's.

Discussion took place regarding the exact request from the City Council and the recommendation from the awnings committee.

Discussion took place regarding the Mt. Loafer (Jex) Subdivision and the old blocks of town, the areas that appear to be mostly affected by the illegal awnings.

Chair Lewis approached the white board to write down the specific points that needed to be clarified as follows:

1. Setback requirements.
 - a. Specify certain areas of town.
2. Material that can be used.
3. Process (ex. building permit)
4. Enforcement of existing awnings.
5. To send notices to residents or not.

Discussion took place on the request by the applicants on setbacks. Mr. Pierson stated that the Shepherds are requesting 0-foot setback. The awnings committee recommended a 3-foot setback.

Commissioner Healey discussed the possible problem of snow falling off the awning onto the neighbors property.

Commissioner Healey made a **motion** to recommend the following to the City Council:

1. Awnings or Structures that are open on three sides on the rear portion of a home may extend within 15' of the rear property line.
2. Awnings on the side of a home must meet all required side setbacks for that zoning district. Except awnings located in the original blocks A & B or located in the Mt. Loafer area (500 to 700 S and 1150-1700 E)
 - a. Lots that have a 66' frontage or less can have a 1' setback to the edge of the awning.
 - b. Lots that have a 67' frontage or larger can have a 3' setback to the edge of the awning.
3. A building permit must be obtained for all awnings.
4. Structures must have a rain gutter to prevent drainage on the adjacent property.
5. Only one such side yard structure per lot.
6. The awning/structure must be constructed of non-flammable material (aluminum, etc.)
7. Maximum width of the awning is 12'.
8. Enforcement stays as the existing policy.

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

Other Business - Annexation Policy Plan

Mr. Pierson discussed a new requirement from the State that required a Annexation Policy Plan. Mr. Pierson has drafted a copy for review over the next month and to plan on discussing this plan in November. Mr. Pierson discussed the different areas of the annexation policy plan.

Mr. Pierson asked the planning commissioners to review the draft and bring any comments or changes to him prior to the meeting in November.

Adjournment

Commissioner Johns made a **motion** to adjourn the October 2, 2002 Spanish Fork Planning Commission meeting. Commissioner Scott **seconded** and the motion **passed** with a unanimous vote. The meeting was adjourned at 9:45 p.m.