



PLANNING COMMISSION AGENDA

Wednesday, May 3, 2006

	6:30 P.M.	AGENDA REVIEW
PLANNING COMMISSIONERS	7:00 P.M.	1. PRELIMINARY ACTIVITIES
PAUL BRADFORD CHAIRMAN		A. Pledge of Allegiance B. Minutes: July 6, 2005, April 5, 2006
DEL ROBINS ASST. CHAIRMAN		2. PUBLIC HEARING
DAVE LEWIS		A. Ordinance Changes
TED SCOTT		B. Ensign Bickford Zone Change Approximately 1800 South Highway 6 Zone: I-3 to I-1
SHERMAN HUFF		
SHARON MIYA		3. STAFF REPORTS
		A. Mapleton Bench Annexation Approximately 2000 East 400 north Applicant(s): Nathan Simpson
		B. Amherst Meadows Preliminary Plat 1300 South 2300 East Zone: R-1-8 Applicant(s): Stone Associates Real Estate, Inc.
		C. Olivia Cove Subdivision Waiver 1190 East Canyon Road Zone: R-1-6 Applicant(s): Mark B. Dallin
		4. OTHER BUSINESS
		5. ADJOURN

The public is invited to participate in all Planning Commission Meetings. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 798-5000.

ORDINANCE NO. __-06

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this ordinance be adopted: _____

I SECOND the foregoing motion: _____

ORDINANCE __-06

AN ORDINANCE UPDATING THE SPANISH FORK MUNICIPAL CODE

WHEREAS, Spanish Fork City has adopted a municipal code; and

WHEREAS, the municipal code needs to be updated from time to time to remain current with changing laws and circumstances; and

WHEREAS, Spanish Fork City has created an I-3 zone allowing for heavy manufacturing to accommodate an existing business, which has since closed and changed the intended uses of the property, thus eliminating the need for a heavy manufacturing zone; and

WHEREAS, Spanish Fork zoning ordinances presently do not allow for wind turbines in the I-2, medium industrial zone, which allows for surface mining, which is compatible with wind turbines, and should be encouraged; and

WHEREAS, other minor changes throughout the municipal code need to be made to add clarity, correct errors, and remain in compliance with legal requirements; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 3rd day of May, 2006, where public comment was received; and

WHEREAS, a public hearing was held before the City Council on Tuesday, the 6th day of June, 2006, where additional public comment was received;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork Municipal Code §5.04.060 is hereby amended as follows:

5.04.060. Penalty for Late Payment.

If any license fee is not paid within thirty (30) days of the due date, a penalty of ~~ten percent (10%)~~ **twenty percent (20%)** of the amount of such license fee shall be added to the original amount thereof **for each month the fee remains unpaid, unless otherwise set forth herein.** No license shall issue until all penalties legally assessed have been paid in full. **If the license has not been renewed within 60 days of the due date, the business shall be considered to be doing business without a license in violation of this chapter and subject to the criminal penalties set forth in this chapter.**

II.

Spanish Fork Municipal Code §5.28.060, Location and Zoning Restrictions, is hereby amended as follows to cross reference to the correct zoning code sections:

5.28.060. Location and Zoning Restrictions.

It is unlawful for any sexually oriented business to do business at any location within the City not zoned for such business. Sexually oriented businesses licensed under this chapter shall only be allowed in areas zoned for their use pursuant to §§**15.3.16.120(B)(2)** and **15.3.24.080** of the Spanish Fork Municipal Code.

III.

Spanish Fork Municipal Code §5.36.030(5) and (10) is hereby amended as follows to cross reference to the correct code section:

5.36.030. Prohibited Signs.

5. Signs emitting sound, except for approved drive-up menu boards as provided for in **§5.36.040(3)(e).**

10. Temporary signs which advertise a business, commodity, service, entertainment, product, or attraction, except as permitted in **§5.36.050(3)**

IV.

Spanish Fork Municipal Code §15.3.16.140, I-3 Heavy Industrial is hereby repealed, eliminating the I-3 Heavy Industrial Zone.

V.

Table 1 of Spanish Fork Municipal Code §15.3.16 et seq. is hereby amended as follows:

TABLE 1 - Residential Development Standards									
District	Minimum Lot Area	Minimum Width ²	Minimum Depth	Minimum Setback ¹				Max. Building Height	
				Front ¹¹	Rear	Side	Corner	Principal Bldg ¹⁰	Accessory Bldg ¹
A-E	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	80,000 s.f.	180'	200'	40'	80'	20'	30'	30'	20'
R-1-60	60,000 s.f.	160'	200'	40'	60'	20'	30'	30'	20'
R-1-40	40,000 s.f.	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	20,000 s.f.	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	15,000 s.f.	100'	125'	30'	30'	15'	25'	25'	15'
R-1-12	12,000 s.f.	100'	100'	25'	25'	10'	15-25' ⁸	30'	15'
R-1-9	9,000 s.f.	85'	90'	20-25' ⁶	25'	10'	15-25' ⁸	30'	15'
R-1-8	8,000 s.f. ⁴	75' ⁹	90'	20-25' ⁶	25'	10'	15-25' ⁸	30'	15'
R-1-6	6,000 s.f. ^{2,12}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-3	6,000 s.f. ^{5,2}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'
R-O	6,000 s.f. ^{2,3}	50'	90'	20-25' ⁶	25'	5-10' ⁷	15-25' ⁸	30'	15'

1- refer to 15.3.24.090(A) for accessory buildings
 2- refer to 15.3.24.090(F) for flag lots.
 3- 10,000 s.f. for duplex lots in the R-O zone.
 4- 10,000 s.f. for twinhome or duplex lots.
 5- ~~10,000~~ 9700 s.f. for twinhome or duplex lots; 14,000 s.f. for 3-plex lots; 18,000 s.f. for 4-plex lots.
 6- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
 7- 5 feet for single family dwellings; 10 feet for twinhomes, duplexes, accessory apartments, or non-residential uses; 15 feet for 3-plexes and 4-plexes
 8- 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry of a garage.
 9-80 feet for twin homes or duplexes, 40 feet per unit.
 10-flagpoles are limited to the height of principal buildings in residential zones.
 11-maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.
 12-9700 s.f. for twin home or duplex lots

VI.

Spanish Fork Municipal Code §15.3.24.040(3), Manufactured Homes, is hereby amended as follows:

15.3.24.040. Manufactured Homes.

3. At least sixty percent (60%) of the roof of the dwelling must be pitched at a 4/12 pitch at the time of installation.

VII.

Spanish Fork Municipal Code §15.3.24.090(I)(B)(14), Wind Turbines, is hereby amended as follows:

15.3.24.090.

I. Wind Turbines (WT)

B. Requirements:

14. Zoning Districts: Large wind energy systems are permitted only in the I-1 and ~~I-3~~ I-2 zoning districts which are east of ~~3400 East~~ the intersection of State Road 6 and U.S. Highway 89.

VIII.

Spanish Fork Municipal Code §15.4.16.120(11), Off-Street Parking, is hereby amended as follows:

15.4.16.120. Off-Street Parking.

11. Landscaping and screening of parking lots shall be in accordance with the requirements of §15.4.16.130, Landscaping, Buffering, Walls, and Fences.

IX.

Spanish Fork Municipal Code §15.3.24.090(A), Supplementary Regulations; Accessory Buildings, is hereby amended as follows:

15.3.24.090. Supplementary Regulations.

A. Accessory Buildings, Structures, or Satellite Earth Stations:

3. The maximum height for detached buildings, structures, or satellite earth stations shall be fifteen (15) feet to the peak of the roof measured from the finish grade (measured 5-feet from the proposed structure.).

a. Properties over ½ acre in size can increase the maximum height to twenty-four (24) feet by having the rear and side setbacks the same as the building height.

b. Accessory buildings or structures located within the standard setback for a principal building within a zone may be allowed to meet the height restrictions allowed in that zone.

8. Where the adjoining zoning and/or use is non-residential in nature, the setback for accessory buildings, structures, or satellite earth stations is reduced to twelve feet from the side

or rear yard.

9. Where property abuts against a state road or federal highway, accessory buildings or structures need have no set back from the road or highway right of way, if the wall for the building or structure qualifies as a sound wall. The standard side yard setback applies unless the adjoining property owner grants written consent for a lesser set back.

X.

This ordinance shall be effective immediately upon passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this _____ day of June, 2006.

JOE L THOMAS, Mayor

ATTEST:

KENT R. CLARK, City Recorder

**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**

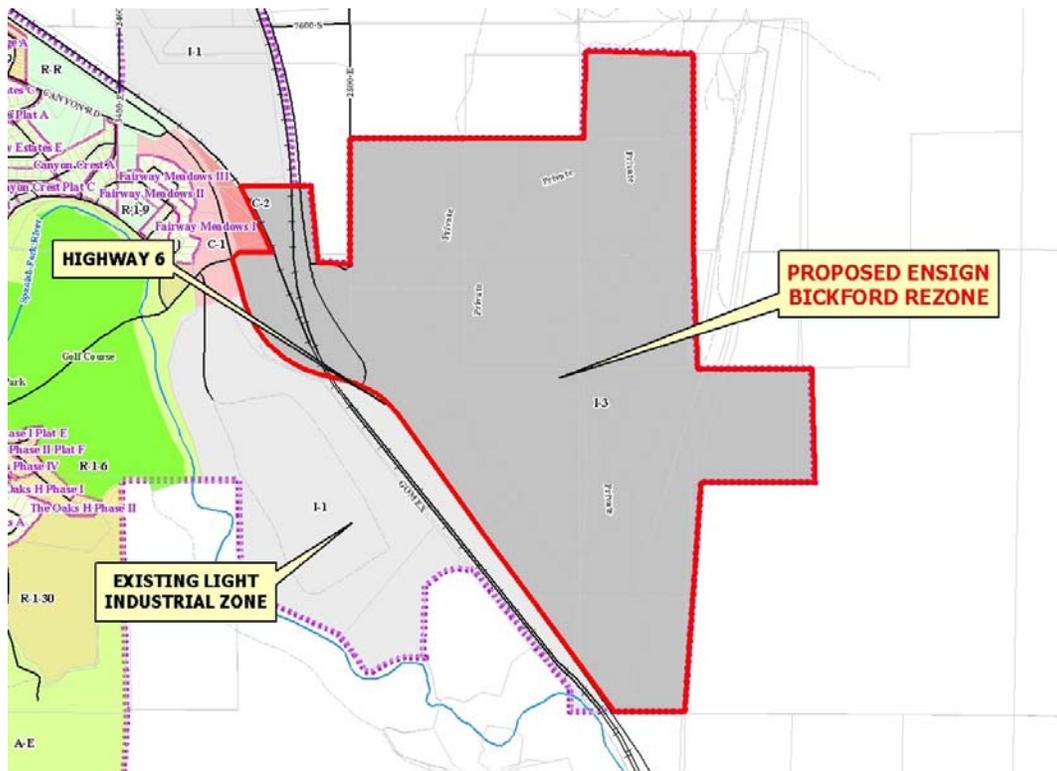


To:	Planning Commission	Zoning:	I-3 to I-1
From:	Dave Anderson, Planning Director	Property Size:	575.95 acres
Date:	May 3, 2006	# Lots:	N/A
Subject:	Ensign Bickford Rezone		
Location:	Approximately 1800 South Highway 6		

Public Hearing: Everyone within 300 feet of the property was noticed of the public hearing as well as being posted on the property 10 days prior to the meeting.

Background

The proposed zone change is presented in order to keep the subject property in conformity with the City's ordinances. One of the currently proposed changes to the City's Land Use Ordinance would have the effect of eliminating the I-3 Zone. With that in mind, changing the current zoning on the Ensign Bickford property from I-3 to I-1 will maintain consistency with what staff anticipates will be the amended ordinance. The Ensign Bickford property is the only property in the City with the I-3 zoning designation.



Analysis

As the I-1 zone is a more restrictive zone than the I-3 zone, staff is confident that the proposed rezone will not result in the subject property being used for more intense or obnoxious uses than what the historic use has been. Given that the General Plan designation for the subject property is Heavy Industrial, staff suggests that the Planning Commission consider recommending that staff be directed to initiate a General Plan Amendment so as to maintain consistency between the General Plan and the Zoning Map.

Development Review Committee

The Development Review Committee reviewed the proposed code revisions in their April 12, 2006 meeting. The need to change the zoning of the subject property was discussed in connection with the proposed revisions.

Minutes from April 12, 2006

Municipal Code Update

Mr. Baker explained the proposed code revision changes.

It was proposed to eliminate the I-3 zone. Mr. Baker suggested zoning the Ensign Bickford property to an I-1 zone instead.

Mr. Heap stated he felt the I-3 zone will need to be dropped completely as a zoning option.

Discussion was made regarding an amendment to the zoning table, adding footnotes 9, 10, and 11, changing the required frontages, the height of the flag poles, and the distance of the fire hydrant placement.

Mr. Heap added he would like to see that the driveway/fire hydrants meet the fire code standards.

Mr. Baker made a **motion** to give a positive recommendation to the Planning Commission to adopt the proposed Code updates with the changes as presented.

1. Rezone the I-3 property to an I-1 light industrial zone.
2. Direct Mr. Beecher to post the property.
3. Direct Ms. Smith to make sure published notice is given.
4. Any other changes given in a timely manner will be considered.

Mr. Foster **seconded** and the motion **passed** all in favor.

RECOMMENDATION

Approve

Move to give the City Council a positive recommendation on the Ensign Bickford Rezone of 575.95 acres at approximately 1800 South Highway 6 from I-3 to I-1 based on the following findings:

Deny

Move to give the City Council a negative recommendation for the proposed Ensign Bickford Rezone of 575.95 acres at approximately 1800 South Highway 6 from I-3 to I-1 based on the following findings:

Continue

Move to continue the Ensign Bickford Rezone of 575.95 acres at approximately 1800 South Highway 6 from I-3 to I-1 based on the following findings:

attachments: none

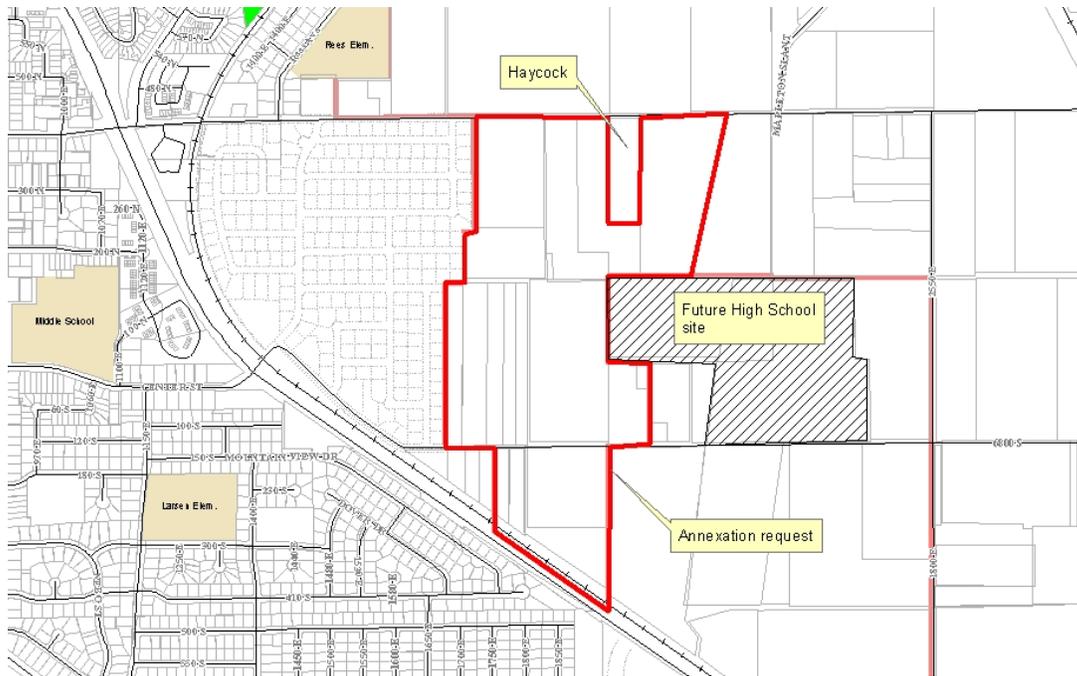
**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To: Planning Commission	Property Size: 126.78 acres
From: Dave Anderson, Planning Director	General Plan: Residential 2.5-3.5 u/a
Date: February 7, 2006	Zoning: County - 5 acres, Proposed - R-1-12
Subject: Mapleton Bench Annexation	
Location: Approximately 2000 East 400 North	

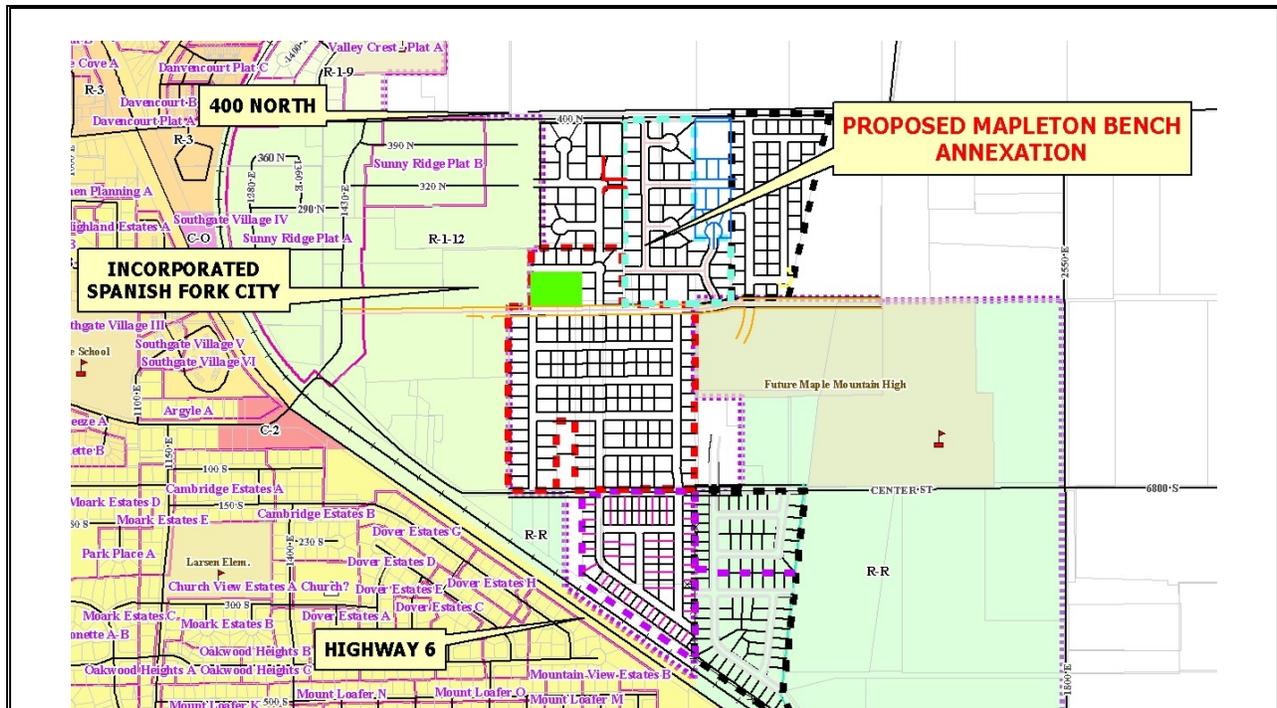
Background

The applicants, Wood Springs, LLC and Ivory Homes, are requesting to annex 126.78 acres into Spanish Fork City from Utah County.



Analysis

The City Boundary is to the west, east and south of the properties. The properties are within Spanish Fork City's policy declaration boundary and inside of the current growth boundary. The General Plan currently shows the parcels as Residential 2.5 to 3.5. Staff is unaware of any protests that have been filed on the proposed annexation during the formal protest period. The proposal to have the subject property zoned R-1-12 is consistent with the General Plan. Staff has also received conceptual layouts for the parcels in the proposed area which have been assembled in the image presented below.



Development Review Committee

Mapleton Bench Annexation

Discussion was made regarding the trails and distance from the railroad.

One of the conditions Mr. Baker wants is that the trail be built and that 130 North be constructed within the next two years.

Discussion was made regarding the master plan development and where the utilities will enter from.

Mr. Baker stated he does not see any problems with the development because it is within the growth boundary and meets the requirements of the City.

Mr. Baker made a **motion** to give positive recommendation to the Planning Commission for the Mapleton Bench Annexation located at approximately 2000 East 400 North, subject to the following and conditions:

CONDITIONS:

1. That the development meets the construction and development standards.
2. That the master planned trails be constructed with the development.
3. That 130 North be constructed within two years.
4. Zone the property R-1-12.

Mr. Perrins **seconded** and the motion **passed** all in favor.

Planning Commission Options

- A. Recommend that the City Council approve the proposed Mapleton Bench Annexation with R-1-12 zoning subject to the following conditions:
 - 1.) That the development meets the City's construction and development standards.
 - 2.) That the master planned trails be constructed with the development of the properties.
 - 3.) That 130 North be constructed within two years.

- B. Recommend that the City Council approve the proposed Mapleton Bench Annexation with alternate zoning subject to the following conditions:
 - 1.) That the development meets the City's construction and development standards.
 - 2.) That the master planned trails be constructed with the development of the properties.
 - 3.) That 130 North be constructed within two years.

- C. Recommend that the City Council deny the proposed Mapleton Bench Annexation based on the following findings:

attachments: proposed Annexation Plat

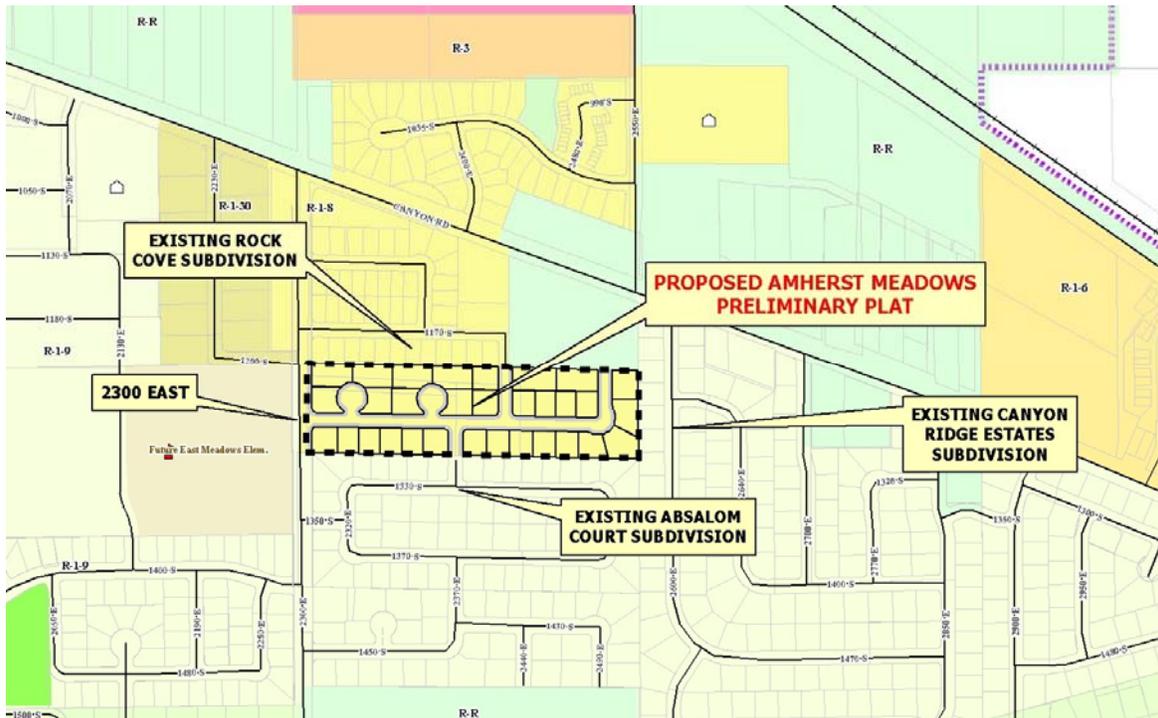
**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To:	Planning Commission	Zoning:	R-1-8
From:	Dave Anderson, Planning Director	Property Size:	10.22 acres
Date:	May 3, 2006	# Lots/Units:	31
Subject:	Amherst Meadows	Units/Acre	3.03
Location:	2300 East 1300 South		

Background

The applicant, Kimberly Dewey, is requesting Preliminary Plat approval subsequent to the approval of the Stone Rezone which was approved by the City Council on April 18, 2006. The subject property is currently zoned R-1-8.



Analysis

The applicant is proposing a Preliminary Plat that represents a total of 31 lots. Of the 31 proposed lots, all but 8 meet the minimum lot size requirement for the R-1-9 Zone. All of the proposed lots meet the lot size and configuration requirements for the R-1-8 Zone, in accordance with the actual zoning of the property. The subject property is almost entirely surrounded by subdivisions. The Rock Cove subdivision is north of the subject property while the Canyon Ridge Estates and Absalom Court subdivisions are located to the east and south. The lot sizes represented on the proposed Preliminary Plat meet or exceed that of the lots they would abut in the surrounding subdivisions.

Lot Sizes

The single family lots range from 8,000 to 14,269 square feet with many of the lots exceeding 9,000 square feet.

Homes:

That staff is aware, no specific proposal has been made as to the architecture of the homes that would be constructed in the Amherst Meadows development.

Access:

It is anticipated that the primary access to the development will be 2300 East. Other points of access for the development would include 2370 East into both the Absalom Court and Rock Cove subdivisions. An additional access is planned to connect this development with the Carol Smits property which is north and east of the subject property. As the development of the Smits property is not eminent, a temporary turnaround would be required at the proposed terminus of 2510 East.

Density

The General Plan designates this property as Residential 2.5-3.5 u/a. The developer is proposing this subdivision at 3.03 u/a.

Amenities:

As the developer is proposing a standard subdivision, no amenities package has been proposed.

General Plan – Findings of Facts

1. That the Amherst Meadows Preliminary Plat follows and supports the General Plan by meeting the following Goals and Policies:

General Land Use Goals and Policies

Goal One: To maintain the high quality physical and social environment in Spanish Fork.

Policies:

- Require new development to respect the character of the surrounding area.
- Require that all implementing ordinances (i.e., zoning and subdivision regulations) be consistent with the General Plan.
- Allow development to occur only in areas where adequate streets, public facilities, and services exist or where the developer will provide them.

Residential Policies

Goal One: To provide high quality, stable residential neighborhoods.

Policies:

- Design local streets in residential areas with discontinuous patterns to discourage through traffic.

Goal Two: To provide a range of housing types and price levels in all areas of the City.

Policies:

- Allow a variety of lot sizes and housing types in all "Urban Residential" areas.

Transportation Goals and Policies

Goal One: Provide a safe, convenient, and efficient system for transporting both people and goods.

Policies:

- Develop intersections to obtain Level of Service C or better during peak-hour traffic periods. Reduce the intensity of proposed projects or require traffic improvements to maintain or achieve Level of Service C or better.
- Require new developments to have or to develop appropriate access for the intensity of the development.

- Obtain needed street rights-of-way through property dedication when subdivisions, conditional use permits, rezonings, or design review plans are approved.
- Design sidewalks along new streets to be set back from the traveled roadway, thereby providing a safer walking area.
- Design local residential streets with discontinuous patterns to discourage through traffic.
- Discourage partial width streets (half streets) for new, local streets.

Goal Two: Provide pleasant, safe, and functional non-motorized transportation routes.

Policies:

- Prepare a more extensive bikeway and trails plan that identifies which parts of the system should be paths, routes, or lanes, and what types of non-motorized transportation should occur in each area. Develop detailed design guidelines for each component of the system.

Zoning – Findings of Facts

1. That the proposed Preliminary Plat meets the requirements for standard subdivisions in the R-1-8 District as found in 15.0.16.020 of Spanish Fork City Ordinance.

Development Review Committee

The Development Review Committee reviewed this request in their April 26, 2006 meeting.

Draft Minutes from April 26, 2006

Amherst Meadows

Mr. Anderson stated that redlines will need to be corrected and need to be submitted tomorrow in order to be on the Planning Commission Agenda in May. Ms. Dewey stated that the changes would be submitted by the next day.

Mr. Bagley stated he will need the different phase plans in order to design the power system for the project.

Mr. Beecher stated he will need the DWG drawing files.

Discussion was made regarding the neighborhood meeting that was held to discuss the Amherst Meadows development. Ms. Dewey gave an overview of what subjects were discussed at the meeting. Issues were made concerning the irrigation ditch that runs along the north side of the property. It was stated the developer hopes to have an agreement before the Planning Commission meeting. Mr. Baker stated they will have to present something in writing showing the agreement made, the ditch will have to be shown as piped on the plat until an agreement in writing is submitted.

Mr. Perrins asked for clarification on the property lines shown outside the proposal. Mr. Stone stated that the property was recorded correctly. Mr. Baker stated that a title report will have to be submitted and that would clear up the issue.

Discussion was made requiring a temporary turnaround created at the end of the roads that do not go through.

Mr. Baker made a **motion** to recommend positive approval for the Amherst Meadows Subdivision located at 1300 South 2300 East, subject to the following conditions:

CONDITIONS:

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the East side as piped.
3. Get redlines and phasing to the electric department so they can design the system.
4. Provide a temporary turnaround on the lots at the end of the road to the Finley property.
5. Construct a masonry wall on 1700 east.

Mr. Perrins **seconded** and the motion **passed** all in favor.

RECOMMENDATION

Approve

Make the motion to give the Amherst Meadows Preliminary Plat located at 2300 East 1300 South a positive recommendation to the City Council subject to the following condition(s):

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the East side as piped.
3. Get redlines and phasing to the electric department so they can design the system.
4. Provide a temporary turnaround on the lots at the end of the road to the Finley property.
5. Construct a masonry wall on 1700 east.

Deny

Make the motion to give the Amherst Meadows Preliminary Plat located at 2300 East 1300 South a negative recommendation to the City Council for the following reason(s):

Continue

Make the motion to continue the Amherst Meadows Preliminary Plat located at 2300 East 1300 South for the following reason(s):

attachments: proposed Preliminary Plat

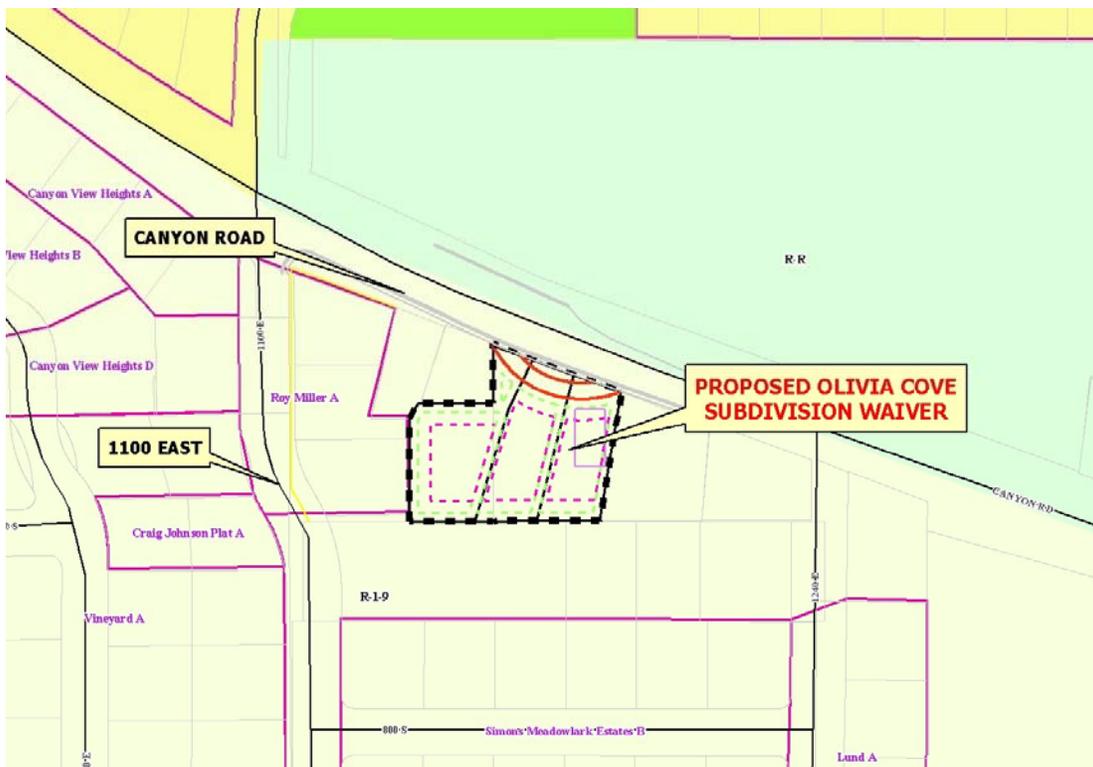
**SPANISH FORK CITY
PLANNING COMMISSION
STAFF REPORT**



To:	Planning Commission	Zoning:	R-1-6
From:	Dave Anderson, Planning Director	Property Size:	.93 acres
Date:	May 3, 2006	Number of Lots:	3
Subject:	Olivia Cove Subdivision Waiver		
Location:	1190 East Canyon Road		

Background

The applicant, Mark Dallin, is requesting Subdivision Waiver approval in order to develop three single family lots in the R-1-6 District. The zoning was changed from R-1-9 on March 7 of this year. At present, there is one structure, a shed, on the property which is proposed to be removed as part of the development. By way of clarification, the image presented below has not yet been adjusted to reflect the recently approved rezone.



Analysis

The .93-acre property can be subdivided into three building lots in accordance with the provisions of the R-1-6 zoning district. While the lots will be configured differently than those that surround the proposed development, they are of a comparable size to the lots in the surrounding neighborhood. Also, the

proposed development is consistent with the Residential 2.5-3.5 u/a General Plan designation.

Development Review Committee

The Development Review Committee reviewed this request in their April 26, 2006 meeting. Tentative minutes from that meeting read as follows:

Olivia Cove Subdivision

Mr. Baker stated this subdivision had gone to the City Council. Mr. Dallin signed the agreement. Ten foot side yards will need to be made, and show crossings, and no multi-family dwellings.

Mr. Baker made a **motion** to recommend approval of the Olivia Cove Subdivision located at 1190 East Canyon Road, subject to the following findings and conditions:

FINDINGS:

1. That the City Council approved the zone change and a copy of agreement will go to go the Planning Commission.

CONDITIONS:

1. That access onto canyon road will be at a straighter angle with a better visual for traffic.
2. That they work with the Electric Department to move or relocate the secondary junction box on the property.
3. Obtain UDOT approval.

Mr. Perrins **seconded** and the motion **passed** all in favor.

Mr. Bagley stated he would like Mr. Dallin to work with the Electric Department regarding the placement of the junction box.

Recommendations

Approval

I move that we approve the Olivia Cove Subdivision Waiver at 1190 East Canyon Road subject to the following conditions of approval:

1. That access onto canyon road will be at a straighter angle with a better visual for traffic.
2. That they work with the Electric Department to move or relocate the secondary junction box on the property.
3. Obtain UDOT approval.

Continue

I move that we continue the Olivia Cove Subdivision Waiver at 1190 East Canyon Road based on the following findings:

Deny

I move that we deny the Olivia Cove Subdivision Waiver at 1190 East Canyon Road based on the following findings:

attachments: proposed Plat