

**Adopted Minutes
Spanish Fork Planning Commission
July 5, 2006**

Agenda review 6:30 p.m.

Commission Members Present: Chairman Paul Bradford, Commissioners Sherman Huff, Sharon Miya, Michael Christianson, Del Robins, David Lewis

Staff Present: Richard Nielson, Assistant Public Works Director; Dave Anderson, City Planner; Christine Johnson, Assistant City Attorney; Kimberly Robinson, Deputy Recorder; Shelley Hendrickson, Planning Secretary;

Citizens Present: Elaine J. Hughes, JP Hughes, Blaine Quarnstrom, Russ Stubbs, Jason Stubbs, Darlene A. Bradley.

CALL TO ORDER:

Chairman Bradford called the meeting to order at 7:03 p.m.

PLEDGE:

Commissioner Robins led the pledge of allegiance.

MINUTES:

Chairman Bradford introduced Commissioner Michael Christianson.

Commissioner Robins made a **motion** to approve the minutes of June 7, 2006. Commissioner Huff **seconded** and the motion **passed** all in favor.

Chairman Bradford recommended that they move to start with staff reports.

Commissioner Robins made a **motion** to move to staff reports. Commissioner Christianson **seconded** and the motion **passed** all in favor.

STAFF REPORTS:

PRELIMINARY PLATS:

Preliminary Plat Stubbs Subdivision

Mr. Anderson explained the proposal and that it meets the city requirements. Staff recommends it be approved. Suggesting four conditions.

Commissioner Christianson asked about curb and gutter on the lot and what about a building permit until road is complete.

Mr. Nielson said that it would not be a buildable lot until the turn around is no longer needed because the road goes through.

Commissioner Christianson asked if the annexation amenities such as the park and trail are part of the proportionate share.

Mr. Anderson stated the annexation properties are being drafted. There will not be ways to share the amenities and the Developer has designed lots for right of way.

Commissioner Christianson expressed his concern that there are several property owners and asked if one would bear the burden of the cost of all the amenities. He does not feel that is fair.

Mr. Anderson and Mr. Nielson stated they did not know.

Mr. Stubbs explained the Main road is a collector road. They have jogged the road to line up with the street to the South.

Commissioner Miya expressed that she does not have any concerns.

Mr. Stubbs stated that the Lots would be good size lots.

Commissioner Miya made a **motion** to approve the Stubbs Subdivision Preliminary Plat located at 1425 East 400 North, subject to the following conditions:

1. That the Mapleton Bench Annexation be recorded before a Final Platt application is submitted.
2. That the development standards be met with the development of the property.
3. That the same utility conditions imposed on Spanish Highlands be met with this development.
4. That the required electronic files be provided to GIS Specialist Shawn Beecher.

Commissioner Robins **seconded** and the motion **passed** all in favor.

PUBLIC HEARINGS:

Commissioner Robins made a **motion** to open the Public Hearings at 7:20 p.m.
Commissioner Huff **seconded** and the motion **passed** all in favor.

Amendment to the General Plan Map (between 400 North and 500 North Main)

Mr. Anderson explained the background and reasoning for the proposed changes. His understanding is the commission wanted it changed due to the front setback

requirements. The other issue between commercial downtown and commercial office zoning is the off street parking.

Staff is concerned with the parking.

Commissioner Miya asked what the commercial downtown parking requirements were.

Mr. Anderson explained the parking requirements.

Mr. Anderson requested to impose a condition of approval on the zone change. The recommendation is a concern to the Development Review Committee and Junior Baker suggested that the Planning Commission give some thought to how expansive they want the downtown area to be and the type of development they want to see beyond what is zoned commercial downtown. If the Planning Commissions intent is to have more commercial downtown than he feels what would make the most sense would be to write in the ordinance that they do not need to meet city off street parking. Any future developments would need to meet the off street parking. For the commercial office zone the easiest way would be to change the set back requirements.

Chairman Bradford clarified the parking.

Mr. Anderson stated the proper noticing has been done for the properties and he did receive one letter from a property owner by the name of Brett Sorenson (copy on file).

Commissioner Miya clarified the Commissions goal was to be able to accommodate parking behind the buildings.

Commissioner Robins said he felt the usage for this block was more consistent with parking behind the buildings.

Commissioner Miya asked what the procedure was for changing the setbacks and if all they are proposing to change are the front setback requirements.

Mr. Anderson agreed that it was a minor change and stated the impact of the change would be greater or lesser depending on how it is written. The change can be initiated and set to be on the Planning Commission agenda in August.

Commissioner Christianson asked if this was only applicable to the existing properties.

Mr. Anderson explained that for a change of use the applicant would have to meet the current standards. The use can continue unless the owner wanted to change it.

Discussion was made regarding the difference in the parking requirements.

JP Hughes said that they would be tearing down the existing building. He feels what has been recommended is the best thing to happen to the property and it benefits the adjacent property as well. He is grateful for the process and the work that has been done.

Discussion was made regarding the right of way to the adjacent property.

Discussion was made regarding the ingress and egress of the property.

Commissioner Huff asked if there was anything in the downtown or commercial zone that requires parking in relation to the size of the building; and if so, what is the advantage or disadvantage for it to be zoned either way. He then asked if the zone can be approved and still provide off street parking.

Mr. Anderson stated it would be easier to change the setbacks requirements.

Commissioner Huff is concerned with the off street parking.

Mr. Anderson stated that depending on which zone that they choose either parking is the issue or the setback is the issue.

Commissioner Christianson asked if they change the setback will they still have control of parking.

Mr. Anderson replied yes.

Commissioner Robins asked what they see the future of downtown becoming. He asked for public comment on how they see the future of this street.

Commissioner Christianson asked if they would require the building to be demolished for a new business in order to meet the requirements.

Commissioner Miya said she liked the idea of just changing the setback requirements. She likes the small town feel with the big trees out front.

Commissioner Robins asked if they expect more commercial business in the long term. He feels the need for more commercial business for tax base purposes.

Commissioner Huff said if they are seeing small strip malls in the future, the downtown commercial can stay as it is.

Commissioner Robins said he feels that downtown is not the best zoning.

Commissioner Miya stated she would like to maintain the old feel of the downtown area.

Commissioner Christianson said he doesn't think the setback change will affect future commercial development.

Mr. Anderson stated there is more than one way to maintain the downtown feel and he feels commercial development will come whether it is zoned or not. He thinks the developments that come will be commercial or multi family developments. The market will drive what does or does not come before the commission for review.

Commissioner Christianson is in favor of preserving the green aspect of the downtown.

Commissioner Bradford feels they will need to look at developments on an individual basis.

Commissioner Robins feels requests in the future will be for commercial offices.

Commissioner Miya asked what the major difference between the commercial office and residential zones were.

Mr. Anderson explained the differences.

Commissioner Miya said she loves the big trees and feels it gives Spanish Fork City character. She would hate to see it lost and feels commercial office is an appropriate use for that area.

Ms. Johnson commented that the amendment to the General plan was only for that block.

Discussion was made regarding noticing requirements for the setback requirement changes.

Mr. Anderson explained the difference between Commercial office and Residential office zones. He said the biggest difference is the parking requirements.

Commissioner Robins said he felt the commission need only address the General Plan Amendment.

Commissioner Miya feels the most prudent course at this time is to change the zoning to commercial office, decrease the minimum setback, and not to change the general plan.

Commissioner Huff agreed with Commissioner Miya and said he would hate for them not to consider the full plan and discussion should be related to the general plan map as proposed. He would like downtown commercial office zone. He feels the setback requirement issues should be addressed through some code changes.

Commissioner Robins asked if they needed to vote on this.

Commissioner Christianson asked if staff could offer the commission some options.

Commissioner Robins made a **motion** to deny the amendment to the General Plan map between 400 North and 500 North Main subject to the following finding:

1. Off Street Parking will not be sufficient for the proposed usage.

Commissioner Miya **seconded** and the motion **passed** all in favor by a role call vote.

Commissioner Miya made a **motion** that staff prepares a proposal to change the minimum setback in a Commercial office zone to zero. Commissioner Huff **seconded** and the motion **passed** all in favor by a role call vote. Commissioner Robin's voted nay. He feels the role of the planning commission is to discuss long term usage for properties before they initiate code changes to the usage of one property. Commissioner Christianson voted nay. He feels the need to have setbacks that provide a buffer on landscape.

Commissioner Robins made a **motion** to ask staff to set up a work session to deal with the usage of this section of town. Commissioner Huff **seconded** and the **motioned** passed all in favor.

Mr. Anderson will set that up and provide detailed maps of downtown area.

Commissioner Lewis excused himself early at 7:31 p.m.

Amendments to Title 15 of the Municipal Code

Mr. Anderson asked the commission reduce the minimum lot size for town homes to 78 or 76 feet.

Chairman Bradford expressed his concern about street parking.

Discussion was made regarding adequate parking.

Commissioner Miya feels the issue has been dealt with and the chart reflects the changes.

Commissioner Huff asked if an applicant could file a waiver to have it changed.

Mr. Anderson stated it would be a bad practice for us to set up situations where people can petition because where do you draw the line.

Chairman Bradford stated keep it at 80 feet.

Commissioner Robins stated that by making the change it would be for the benefit of only one person.

Commissioner Christianson said he would like fire hydrant code be within 250 of any part of the principle building.

Commissioner Bradford asked for an explanation on the flag amendment

Mr. Nielson gave an explanation.

Commissioner Huff made a **motion** to approve Table 1 – Residential Development Standards on the following findings and conditions:

1. With the verbiage that Commissioner Christianson added to item number 11.

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 ¹	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. ^{2,1}	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- ~~40,000~~ 9,700 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 **on one side, 10 feet on the other** 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. (Commissioner Christianson would like the preceding line to read: fire hydrant is installed within 250 of any part of the principal building)
12-9,700 s.f. for twin home or duplex lots

Commissioner Robins **seconded** and the motion **passed** all in favor.

No public comment.

Commissioner Huff made a **motion** to close the public hearing. Commissioner Miya **seconded** and the motion **passed** all in favor at 8:42 p.m.

Discussion was made on weed abatement and ways to promote landscaping.

Commissioner Christianson said he felt a new construction homeowner could post a bond for landscaping.

Ms. Johnson explained the process for nuisance enforcement.

Commissioner Robins does not feel weed abatement and landscape problems are issues for the planning commission. He feels they should go to the council. He feels it should be enforced through the certificate of occupancy.

Commissioner Huff said he would be in favor of Officer Byers addressing the Planning Commission and explaining the challenges he faces with the enforcement of weed abatement and landscape.

Mr. Anderson said he feels the city could make improvements on commercial landscaping requirements. He feels it is to the city's detriment that we do not require higher standards. He would like to see the city upgrade the lighting standards in commercial and industrial zones. He feels minimum lot size requirements for master plan developments need to be reviewed and perhaps the Planning Commission and City Council could have a joint meeting.

Commissioner Robins said he would like to see progress.

Commissioner Bradford would support a joint meeting with the council.

Ms. Johnson stated that she has an electronic copy (cd) of the land requirement meeting and if anyone is interested in viewing it they can get it from her.

Commissioner Miya expressed how helpful the training was and feels more training such as this would be very beneficial.

ADJOURN:

Commissioner Bradford **moved** to adjourn the meeting at 9:02 p.m. Commissioner Huff **seconded** and the motion **passed** by a role call vote all in favor.

APPROVED: August 2, 2006

Kimberly Robinson, Deputy Recorder