



**Planning Commission Agenda
March 12, 2008**

**Planning
Commissioners**

6:30 P.M. Agenda Review (Training) in Room 112

7:00 P.M. 1. Preliminary Activities
a. Pledge of Allegiance
b. Approval of Minutes: February 6, 2008

Del Robins
Chairman

Sherman Huff
Vice Chairman

David Lewis

Shane Marshall

Michael Christianson

David Stroud

2. Public Hearings

a. **Mark Dallin Zoning Text Amendment**

Applicant: Mark Dallin
General Plan: Not Applicable
Zoning: Not Applicable
Location: City Wide

b. **Master Plan Development Text Amendment**

Applicant: Spanish Fork City
General Plan: Not Applicable
Zoning: Not Applicable
Location: City Wide

3. Other Discussion

a. **Discussion on Proposed General Plan Map Revisions**

Planning Commissioners, if you are unable to attend a meeting please let us know ASAP. Thanks.

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.

1 Draft Minutes
2 Spanish Fork City Planning Commission Meeting
3 February 6, 2008
4

5 Agenda review 6:30 p.m.

6
7 **Commission Members Present:** Commissioner's Sherman Huff, Del Robins, Mike Christianson,
8 Shane Marshall, Dave Lewis

9
10 **Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Public Works Assistant
11 Director; Christine Johnson, Assistant City Attorney; Kimberly Robinson, City Recorder.

12
13 **Citizens Present:** Mike Cutler, Mike Clayson, Steven Clayson, Tyler Rogers
14

15
16 **CALL TO ORDER**

17
18 Commissioner Christianson called the meeting to order at 7:03 p.m.
19

20
21 **PRELIMINARY ACTIVITIES**

22
23 **Pledge**

24
25 Commissioner Huff led the pledge of allegiance.
26

27 **Adoption of Minutes: January 9, 2008**

28
29 Commissioner Lewis made a **Motion** to approve the minutes of January 9, 2008; with the noted
30 corrections. Commissioner Marshall **Seconded** and the motion **Passed** all in favor.
31

32
33 **PUBLIC HEARINGS**

34
35 Commissioner Lewis made a **Motion** to open the Public Hearings. Commissioner Huff **Seconded**
36 and the motion **Passed** all in favor at 7:05 p.m.
37

38 **Amended Preliminary Plat – North Springs Business Park Amended**

39 Applicant: Scenic Development

40 General Plan: Light Industrial

41 Zoning: Industrial 1

42 Location: 3450 North Main
43

44 Mr. Anderson explained the proposal.
45

46 Mr. Anderson explained that the applicant would like to change the street configuration to include
47 fewer lots. It meets all City standards. The street in the development is still proposed to be private,
48 as originally approved. The DRC reviewed this request and recommended that this proposed
49 preliminary plat be approved, subject to the conditions in the staff report.

50
51 Commissioner Huff had a question on 280 West and what the extension of the road to the south
52 will be.

53
54 Mr. Nielson stated that as the property to the south develops it will provide a second access to this
55 project, but would remain a private road.

56
57 Commissioner Christianson asked if the Fire Department is fine with the change.

58
59 Mr. Nielson stated the Fire Department likes this proposal better than the first one.

60
61 Commissioner Marshall made a **Motion** to recommend that the Preliminary Plat Amendment
62 be approved subject to the following conditions:

63 **Condition**

- 64 1. That the applicant meet all conditions of the original approval.
65 2. That all improvements be installed according to City standards.

66
67 Commissioner Huff **Seconded** and the motion **Passed** by a roll call vote, all in favor.

68
69 **Conditional Use - Pacific Horizon Credit Union**

70 Applicant: Mike Cutler Construction

71 General Plan: Residential Office/Residential 5.5 to 8 units per acre

72 Zoning: Residential Office

73 Location: 389 East 300 South

74
75 Mr. Anderson explained the proposal. The main purpose of a conditional use approval is to provide
76 the Planning Commission an opportunity to set any conditions on the property that can help relieve
77 any effects on the adjacent property owners, etc. Mr. Anderson said that the DRC recommends
78 this be approved with some lighting requirements, such as no lights constructed with the change of
79 use that will affect the adjacent dwellings, construction of the canopy, which can either help or be
80 intrusive aesthetically, etc. The use as proposed meets all of the City's requirements for parking.
81 The only concern was UDOT's approval for the accesses onto 300 South. The master footprint of
82 the building is not going to change, and the seven parking spaces exceed the City's parking
83 requirements. Landscaping will be done on the north and west boundary lines where they abut
84 residential uses as required.

85
86 Commissioner Christianson asked if the Planning Commission can give any conditions on
87 approval, and if the DRC has any questions regarding the sidewalk, curb, and gutter.

88
89 Mr. Anderson stated that the DRC discussed the sidewalk. It is to be addressed at the site plan
90 approval, but it can also be addressed here.

91

92 Commissioner Christianson thought the sidewalk was broken up and needed replacing.

93

94 Commissioner Huff stated he is a sitting member of the board of directors for the credit union. He
95 will participate in the discussion, but will not vote.

96

97 This item was opened for public comment. There was no public comment given at this time.

98

99 Commissioner Marshall had concerns with drive-thru's in general. He is fine with the building, but
100 to mitigate the noise issue, he would like to see the north wall raised to 8 feet.

101

102 Commissioner Robins agreed. The neighbor was present last time they talked about it and he did
103 not say anything about wanting the wall raised.

104

105 Commissioner Marshall suggested making it mandatory, but the option is available for the adjacent
106 property owner. He also recommended a condition that the wall will be increased to 8 feet pending
107 approval of the adjacent property owner.

108

109 Mr. Anderson stated that if the Planning Commission would like to raise the wall it would have to be
110 taken to the City Council. It would make the wall higher than the allowable walls as the code is
111 currently written.

112

113 Commissioner Christianson feels the curb, gutter, and sidewalk needs to be replaced on both sides
114 and brought to city standards.

115

116 Mr. Nielson recommended the engineering department have some discretion on what needs to be
117 changed and what doesn't. Some of it will already be addressed with the new driveways and
118 construction.

119

120 Commissioner Huff said that is fine letting the engineering staff make some determination.

121

122 Commissioner Robins said the curb gutter and sidewalk should be brought up to city standards as
123 per approval of the city engineering department.

124

125 Commissioner Marshall made a **Motion** recommending approval of the proposed Conditional Use
126 based on the following finding and subject to the following conditions:

127 **Finding**

128 1. That the City's requirements for Conditional Uses have all been satisfied.

129 **Conditions**

130 1. That the applicant address any redlines before receiving a building permit.

131 2. That the applicant receive written permission from UDOT to relocate the access onto 300
132 South.

133 3. That the applicant provide the Planning Department a lighting plan for review and approval.

134 4. That the masonry wall along the north side of property increase to 8 feet with the approval of
135 the adjacent property owner. That staff contact the owner prior to the project going to City

136 Council and the height be left to the discretion of the property owner; otherwise, it reverts back
137 to 6 feet.

138 5. That the curb, gutter and sidewalk be brought up to city standards as per approval of the city
139 engineering department.

140
141 Commissioner Christianson **Seconded** and the motion **Passed** all in favor by a roll call vote.
142 Commissioner Huff abstained.

143
144 **Proposed Changes to Title 15**

145 Applicant: Spanish Fork City

146
147 Mr. Anderson explained the proposal.

148
149 This would bring the requirements for development submittals up to the standard, requiring
150 wetlands studies, Geo-tech studies, etc. The City Engineer can waive the requirement but by
151 having it in the ordinance it gives the city some discretion. There were also some minor changes
152 on the number of copies submitted. They want to bring the code in line with the everyday practice.

153
154 Commissioner Christianson asked about the geologic hazards, earthquake faults, etc.

155
156 Mr. Anderson stated that it would be better in a separate ordinance. It will also be determined in the
157 legislature this year that cities require it and within the year it will probably be added.

158
159 Commissioner Christianson asked about the property where the Trojan plant was and said there
160 are also hazards associated with that area such as debris flow, etc.

161
162 Mr. Nielson stated the property owner has hired a Geo-tech firm to do that study and report to the
163 city what they find.

164
165 Mr. Anderson feels that the time will come within a year to create that ordinance. The city will be
166 more involved and will ensure that the property owner enter into a development agreement.

167
168 Commissioner Marshall asked regarding #8, the table for total acreage, and asked that it be split
169 out by phases and that a licensed engineer in the state of Utah sign off on the traffic impact study.
170 The same thing applies for the Geo-tech report and wetland delineation study.

171
172 Mr. Nielson stated that a licensed geologist can sign off on the Geo-tech study as well.

173
174 Commissioner Christianson said he would like the Geo-tech report prepared by a licensed
175 engineer.

176
177 Commissioner Marshall asked what a traffic impact study looked like.

178
179 Mr. Nielson is in the process of preparing an RFP for a transportation master plan. When complete,
180 the city will have a process in place to have traffic impact studies performed.

181
182 Commissioner Christianson said traffic studies have a lot of discretion. They want to make sure
183 they are the same across the board.

184
185 Mr. Nielson stated that is why they are going to keep the same engineer under contract; to have
186 the continuity.

187
188 This item was opened for public comment. There was no public comment given at this time.

189
190 Commissioner Marshall made a **Motion** to approve the changes to Title 15, adding total acreage
191 by phase and by adding the language "professional engineers licensed in the State of Utah" on the
192 same page. Commissioner Robins **Seconded** and the motion **Passed** by a roll call vote; all in
193 favor.

194 **Growth Boundary Amendment**

195 Applicant: Spanish Fork City

196
197
198 Mr. Anderson explained the proposal. This topic has been discussed for almost two years now
199 because this is one of the areas the Planning Commission and City Council feel is an area for
200 additional residential development in this part of the city. This would lay the groundwork that, as
201 properties are annexed, the City can have requirements for those properties. The DRC
202 recommended approval.

203
204 Commissioner Lewis asked if there is a reason the area to the north wants to be in the county.

205
206 Mr. Anderson stated that they have talked about squaring up the area to the north and amending
207 the annexation policy area. He would have to talk to Springville about that.

208
209 Commissioner Lewis felt that the boundary needs to be kept along the railroad track to make it a
210 clearer boundary.

211
212 Commissioner Marshall asked regarding the traffic study.

213
214 Mr. Nielson stated there was a traffic study prepared for the northeast bench annexation that
215 addressed a portion of it. The rest will be done with the transportation master plan.

216
217 This item was opened for public comment and there was none given at this time.

218
219 Commissioner Robbins asked if this is one of the largest amendments to the growth boundary
220 Spanish Fork has done.

221
222 Mr. Anderson stated that he suspects it is, but it is one of the first he has done since he has been
223 here. He noted, as they looked at amending the growth boundary, that this is one of the three
224 areas the city looked at amending the growth boundary to. The other is by the fairgrounds, and the
225 last is the Benjamin interchange.

226
227 Commissioner Robins is uneasy as to how big a piece this is and the effect that it will have.

228

229 Commissioner Marshall was concerned about if the plans for the main roads in that area are
230 improved the way they need to be. We need to make sure the utilities are available and that
231 development does not deviate from the general plan.

232
233 Commissioner Christianson said they are fine with the regular utilities. The road has two existing
234 and two planned accesses into the area. He asked if the road coming from Center Street is up for
235 expansion and is funded.

236
237 Mr. Nielson stated that the funds have been partially funded by the developers and the City.

238
239 Commissioner Christianson asked regarding the additional bridge, and how it will be funded.

240
241 Mr. Nielson stated that they are looking to fund it through MAG. There is a possibility to get some
242 developers funds that will be reimbursed as well.

243
244 Commissioner Christianson is concerned about allowing projects to develop without putting the
245 needed roads in.

246
247 Mr. Anderson reminded them that tonight they are amending the growth boundary. All the issues
248 will be addressed with the annexation agreements, which help the City to ensure that all needed
249 things are taken care of.

250
251 Commissioner Christianson clarified that staff feels confident that the annexation agreements will
252 take care of the needed growth.

253
254 Mr. Anderson stated that the bridge will not get built without the new development. They will not
255 fund it because there won't be a strong need for it.

256
257 Mr. Nielson stated that MAG will not fund it without a need for it first. They will not fund it on a
258 planning basis.

259
260 Commissioner Lewis said he understands and agrees, but sees tonight as opening the door and
261 then seeing where they go from here.

262
263 Mr. Anderson stated that there are a lot of people who use that bridge and it cannot be funded by
264 Spanish Fork City alone, therefore the City is seeking funding from MAG.

265
266 Commissioner Christianson said he is concerned that the City will have to pay for the bridge.

267
268 Mr. Anderson stated that the city will not pay for the bridge, but that it will help show a need to get
269 the funding through MAG.

270
271 Commissioner Marshall made a **Motion** to recommend approval of the proposed growth boundary
272 amendment subject to the following findings:

273 **Findings**

- 274 1. This is an area that the Planning Commission and the City Council have directed staff to
275 accommodate growth in.
276 2. That the report by the engineering department utilities can be provided with upgrades that can
277 be expected within a reasonable time.
278 3. That a comprehensive traffic study is conducted within this section of the City and that all
279 necessary transportation facilities are outlined in subsequent annexation agreements.
280 4. That the zoning in the area be strictly enforced so as to limit the strain of development on City-
281 provided services.

282
283 Commissioner Huff asked if the findings can be applied that come from the Planning Commission
284 and DRC to support the recommendation.

285
286 Mr. Anderson stated that it would be appropriate, but not necessary.

287
288 Commissioner Huff added the findings the DRC recommended to the motion.

289
290 Commissioner Huff **Seconded** and the motion **Passed** by a roll call vote. Commissioner Robins
291 voted NAY, because he feels it is too much residential and too much building for the city at this
292 time. He is uncomfortable with it at this time.

293
294 Commissioner Lewis made a **Motion** to close the public hearing. Commissioner Christianson
295 **Seconded** and the motion **Passed**, all in favor, at 8:00 p.m.

296
297
298 **OTHER DISCUSSION**

299
300 **Discussion on Proposed General Plan Map Revisions**

301
302 The Commission chose to adjourn to the conference room to review those designations.

303
304
305 **ADJOURN**

306
307 Commissioner Lewis made a **Motion** to adjourn to the conference room. Commissioner Marshall
308 **Seconded** and the motion **Passed**, all in favor.

309
310 The meeting **adjourned** at 8:02 p.m.

311
312
313 **WORK SESSION**

314
315 Mr. Anderson stated his concerns with the General Plan and the land use issues.

316
317 Discussion was held regarding possibilities for the river bottoms area such as TDR's, clustering,
318 pods and other development ideas. Discussion was also made regarding sewer capacity,
319 annexation issues and working with the property owners.

320

321 Mr. Anderson gave an example of open space in Colorado.

322

323 Commissioner Lewis feels they need more clarity amongst themselves of what they would like to
324 see happen in that area.

325

326 Commissioner Robins asked that each of the Planning Commission members write an e-mail to
327 Dave Anderson explaining what their vision is for that area to help them move forward.

328

329 Discussion was made regarding the power lines and the intersection where Expressway Lane will
330 come through.

331

332 Mr. Anderson suggested a work session where the Commission drive around our community and
333 look at Provo and Orem's business park areas as well.

334

335 The first Wednesday in March, Mr. Anderson will be at training. He proposed to move the Planning
336 Commission meeting to the second Wednesday of the month, March 12, 2008.

337

338 The Commission agreed.

339

340 **Adopted:**

341

342

Kimberly Robinson, City Recorder



REPORT TO THE PLANNING COMMISSION

MARK DALLIN TITLE 15 AMENDMENT

Agenda Date: March 12, 2008

Staff Contacts: Dave Anderson, Planning Director

Reviewed By: Development Review Committee

Request: The proposal involves amending Title 15 of the Municipal Code. Mr. Mark Dallin has proposed to change the Code so as to allow duplexes on lots that are less than 80 feet wide. As staff reviewed the request, the structure of regulations pertaining to non-single family residential uses in the R-1-8, R-1-6 and R-3 zones was also proposed. The proposed minimum lot width for duplexes would be 60 feet.

Zoning: not applicable

General Plan: not applicable

Project Size: not applicable

Number of lots: not applicable

Location: City wide

Background Discussion

Accompanying this report are several pages of proposed changes to the text of Title 15. The impetus of the proposed changes is a proposal made by Mark Dallin to reduce the minimum lot width required for duplexes from 80 to 60 feet.

In reviewing Mr. Dallin's request, staff found several aspects of the existing ordinance that are unclear and potentially confusing. In an effort to accommodate Mr. Dallin's request and clarify the language in the ordinance, staff has prepared the language for the proposed changes.

In staff's view, the most significant aspect of the proposed changes is the structural revisions. Several standards that are currently listed as footnotes in the Residential Development Standards chart would be moved to the body of zoning standards found in preceding pages. This change allows for the grouping of specific standards that pertain to non-single family residential uses in the R-1-8, R-1-6 and R-3 zoning districts. The intent of this change is to clarify what the requirements are while consolidating pertinent information in the ordinance.

Another proposed change is to make the minimum lot size for twinhomes uniform throughout all zoning districts in the City. At present, in most districts the minimum is 9,700 square feet and 10,000 square feet in another. Staff is proposing that the 9,700 square foot standard become the minimum for all applicable zoning districts. This change is not related to Mr. Dallin's request. However, staff believes this change would reduce the potential for confusion or error while not significantly altering the actual regulation itself.

Lastly, the proposed language would change the lot width requirement for duplexes from 80 feet to 60 feet.

At present, the lot width requirement for duplexes and twinhomes is identical. In staff's view, twinhomes and duplexes are distinct and different uses. While twinhomes are almost always constructed in a side by side configuration, many of the existing duplexes in the City are of an up-down nature with one dwelling unit atop another.

As such, duplexes simply don't require the same lot width to maintain required setbacks.

Another consideration is existing uses. Staff suspects that the vast majority of the duplexes in the City were constructed on lots that are less than 80 feet wide. As such, there is some benefit in making existing uses conforming where the City is not actively attempting to curtail duplexes as a land use.

With all of that said, the Development Review Committee recommended that the proposed changes be approved. As part of their recommendation, two minor changes were suggested. Those changes have been made in the copies of the text that accompanies this report.

Development Review Committee

The Development Review Committee reviewed this proposal on February 20, 2008 and recommended that it be approved. Minutes from that meeting read as follows:

Mark Dallin Zoning Text Amendment

Applicant: Mark Dallin
General Plan: N/A
Zoning: N/A
Location: City Wide

Mr. Anderson explained the situation with Mr. Dallin. He referred to the handouts. He said that we need to take some of the information out of the footnotes in the zoning ordinance and put them in the main text. He mentioned that some renumbering of the footnotes would be necessary.

Mr. Baker pointed out some areas that need to be more specifically defined.

In an example, Mr. Anderson moved the footnote information on townhomes and duplexes into the main text of the ordinance. He proposed changing the minimum lot width for a duplex from a minimum of 80 feet to 60 feet.

Mr. Thompson mentioned a concern of having two garages and narrow doors in a close proximity and how that layout is less attractive.

Mr. Jorgensen suggested different building layouts that might be more attractive.

Mr. Thompson says the important thing to ask is what you want to encourage the builders to build as far as frontage. He said that narrow frontage would encourage builders to build the whole house behind the garage.

Mr. Anderson suggested reducing the minimum to 60 feet. He also proposed changing the minimum lot sizes, which currently have two minimums depending on zone. He proposed 9,700 square feet for all zones.

Mr. Thompson proposed changing the title of the table to Single Family Residential Development Standards, because the proposed changes would leave it mostly as information for single family homes.

Mr. Anderson said that he would like to leave it the same because much of it would still apply to multi-family projects and the exception info would be in the text. It was proposed that a footnote about multi-family exceptions be added to the table. The user-friendliness of the table was discussed. Mr. Anderson made the point that these width changes would only be for duplexes and not townhomes.

Mr. Banks asked if we're not going to have private streets then who will maintain this space.

Mr. Anderson mentioned that Mr. Dallin's plan was to have the access be a driveway and not a street.

Mr. Banks expressed concerns about the depth of the driveway and the ability of a fire truck to get back there. Mr. Banks asked whether the depth requirement was being changed along with the width, Mr. Anderson replying in the negative. The requirements for garages were discussed, as well as the differences under the current code for duplexes and townhomes.

Mr. Baum mentioned what could happen in the future if the text amendment was not made regarding infill developments and the possibility of duplexes on every corner.

Mr. Anderson asked if we require people to pay for fire hydrants along with building permits.

Mr. Shorts said that according to the fire code, you need to be within 400 feet of a hydrant. The current closest one to the back building would be roughly 420 feet. The measurements relative to the frontage versus the building itself and the

requirements of the municipal code and the fire code were discussed.

Mr. Banks said that in the past they have required people to build hydrants.

Mr. Bagley said that this development would put a strain on the current power grid in that part of town.

Mr. Anderson said this could result in a lot more smaller dwellings and Mr. Dallin mentioned the impact of one large building versus many small buildings.

Mr. Jorgensen said that the City is growing and it is not a question of if this will become an issue but when.

Mr. Baker pointed out the need to renumber the footnotes. He made a motion to recommend to the Planning Commission the text amendment including a footnote 7 with the word "garage" in front of the word "door" and another footnote distinguishing single family and multi-family dwellings, seconded by Mr. Thompson, all in favor.

Budgetary Impact

In staff's opinion, it is unlikely that there will be any budgetary impact with the proposed changes.

Alternatives

The Commission has considerable discretion relative to proposed ordinance amendments. In this case you may recommend that the proposed amendments be approved, denied or approved with modifications.

Staff Recommendation

Staff recommends that the proposed Title 15 Amendment be approved.

PART 3 ZONING.

Chapter 16 Zoning District Regulations.

- 15.3.16.010. Agricultural and Rural Residential Districts.**
- 15.3.16.020. Residential Districts.**
- 15.3.16.030. R-3 Residential District.**
- 15.3.16.040. R-O Residential Office.**
- 15.3.16.050. C-O Commercial Office.**
- 15.3.16.060. C-D Downtown Commercial**
- 15.3.16.070. C-1 Neighborhood Commercial.**
- 15.3.16.080. C-2 General Commercial.**
- 15.3.16.090. S-C Shopping Center.**
- 15.3.16.100. C-UV Urban Village Commercial**
- 15.3.16.110. B-P Business Park.**
- 15.3.16.120. I-1 Light Industrial.**
- 15.3.16.130. I-2 Medium Industrial.**
- 15.3.16.150. Recreation Facilities (R-F)**
- 15.3.16.160. Public Facilities (P-F)**

15.3.16.010. Agricultural and Rural Residential Districts.

- A-E Exclusive Agriculture.**
- R-R Rural Residential.**

A-E: The purpose of this district is to promote agricultural production on lands with high quality soil types. The lands will usually not be suited for other urban uses because of location within a floodplain, or distance to other urban services.

R-R: This district is similar in character with the A-E District, but parcel sizes are generally somewhat smaller and the soil types may be lower quality. Many of these areas within the Growth Management boundary will likely be rezoned and developed with higher density uses as utilities are extended and adequate streets are developed and/or widened. Other lands outside the Growth Management boundary may eventually be converted to urban uses when a need is shown to expand that boundary.

A. Permitted Uses:

1. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.
2. Commercial horse riding, training, and boarding stables. (A-E District only)
3. Living quarters for agricultural employees employed on the premises. (A-E District only)
4. Wholesale plant nurseries. (A-E District only)

5. One (1) single residence dwelling per lot.
6. Foster home.
7. Seasonal fruit, vegetable, and hay retail sales structures of less than 500 square feet when located on the premises where the products are raised.
8. Public parks and recreational facilities.
9. Golf courses and related facilities.
10. Public schools (R-R District only, and when located on a collector or arterial street)
11. Veterinary offices including outdoor boarding of animals if animals are kept at least 200 feet from any neighboring house.
12. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).
13. Churches (R-R District only, and when located on a collector or arterial street).
14. Municipal facilities required for local service.

B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):

1. Home Child Care Center
2. Home Occupations
3. Instructional Studio
4. Manufactured Home
5. Residential facility for persons with a disability.
6. Residential facility for elderly persons.

C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Development Standards (see Table 1).

F. Site Plan/Design Review (see §15.4.08.010 et seq.):

Design review is be required for uses subject to conditional use permit.

G. Landscaping, Buffering, Walls (see §15.4.16.130):

Landscaping, buffering, and/or walls may be required for uses subject to a conditional use permit.

- H. **Signs (see §5.36.010 et seq.).**
- I. **Parking (see §15.4.16.120).**

15.3.16.020. Residential Districts.

R-1-80, R-1-60, R-1-40, R-1-30: These districts provide a rural residential environment with Spanish Fork that are characterized by large single family lots conducive to animal rights.

R-1-20, R-1-15, R-1-12: These districts provide low-density single family lots within Spanish Fork City

R-1-9, R-1-8: These districts are to provide moderate density that is characterized by a variety of single family housing types and lot sizes.

R-1-6: This district provides a residential environment that is medium high density with a variety housing choices include single family homes, twin homes, townhomes and duplexes.

A. Permitted Uses:

1. One (1) single residence dwelling per lot.
2. **Twin homes in the R-1-8 and R-1-6 districts only. The minimum lot size is 9,700 square feet, the minimum lot width is 80 feet, 40 feet per unit, and the side setback is 10 feet.**
3. **Duplexes in the R-1-6 district only. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.**
4. Foster home.
5. Public parks and recreational facilities.
6. Golf courses and related facilities.
7. Municipal facilities required for local service.
8. Churches (when located on a collector or arterial street).
9. Public schools (when located on a collector or arterial street).
10. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).

B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):

1. Home Child Care Centers.
2. Home Occupations.
3. Instructional Studio.
4. Manufactured Homes.
5. Master Planned Developments.
6. Subdivision Model Home

Complexes.

7. Temporary office or construction trailers.
8. Residential facility for persons with a disability.
9. Residential facility for elderly persons.

C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
2. Accessory, mother-in-law, or basement apartments (R-1-6 district only) must meet the conditions of 15.3.24.090.
3. Private schools (when located on a collector or arterial street).
4. Residential treatment center must meet conditions of §15.3.24.010.
5. Assisted living facility must meet minimum conditions of §15.3.24.010.

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Development Standards (see Table 1).

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs (see §5.36.010 et seq.).

I. Parking (see §15.4.16.120).

15.3.16.030. R-3 Residential District.

This district is intended to promote high density residential uses. There will be a mix of dwelling types, with a larger proportion of twin homes, duplexes, and multi-family dwellings than single residence dwellings.

A. Permitted Uses:

1. Single residence dwellings.
2. **Twin homes. The minimum lot size is 9,700 square feet, the minimum lot width is 80 feet, 40 feet per unit, and the side setback is 10 feet.**
3. **Duplexes. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.**
4. **Three-plexes. The minimum lot size is 14,000 square feet, the minimum lot width is 80 feet and the side setback is 15 feet.**
5. **Four-plexes. The minimum lot size**

is 18,000 square feet, the minimum lot width is 80 feet and the side setback is 15 feet.

- 6. Foster homes.
 - 7. Public parks and recreational facilities.
 - 8. Municipal facilities required for local service.
 - 9. Churches (when located on a collector or arterial street).
 - 10. Public schools (when located on a collector or arterial street).
 - 11. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).
- B. Uses Subject to Conditions (as described in §15.3.24.010 et seq.):**
- 1. Home Child Care Centers.
 - 2. Home Occupations.
 - 3. Instructional Studio.
 - 4. Manufactured Homes.
 - 5. Master Planned Developments.
 - 6. Subdivision model home complexes.
 - 7. Temporary office or construction trailers.
 - 8. Residential facility for persons with a disability.
 - 9. Residential facility for elderly persons.
- C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**
- 1. Residential treatment center must meet minimum conditions of §15.3.24.090.
 - 2. Wireless communication facilities on existing structures, with the intent to make them “stealth” facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
 - 3. Assisted living facility must meet minimum conditions of §15.3.24.090.
- D. Accessory Buildings and Uses (see §15.3.24.090).**
- E. Development Standards (see Table 1).**
- F. Site Plan/Design Review (see §15.4.08.010 et seq.).**
- G. Landscaping, Buffering, Walls (see §15.4.16.130).**
- H. Signs (see §5.36.010 et seq.).**
- I. Parking (see §15.4.16.120).**

15.3.16.040. R-O Residential Office.

This district is intended to allow low intensity professional office uses on a scale consistent with residential areas. Strict architectural and site plan review will be required to ensure compatibility with adjoining residential areas. This district serves as a transition between more intense commercial areas and residential land uses, or is located along busier streets where limited office use is being introduced. Residential and office use of the same structure is allowed. Some limited commercial use may also be allowed in selective locations.

A. Permitted Uses:

- 1. Single residence dwellings.
- 2. Duplexes. The minimum lot size is 9,700 square feet, the minimum lot width is 60 feet and the side setback is 10 feet.
- 3. Bed and Breakfast Inns.
- 4. Offices.
- 5. Home Occupations.
- 6. Foster homes.
- 7. Public parks and recreational facilities.
- 8. Municipal facilities required for local service.
- 9. Churches (when located on a collector or arterial street).
- 10. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).
- 11. Child care centers

The following uses will only be allowed on properties between 100 West and 100 East:

- 1. Art galleries and studios.
- 2. Financial institutions with no drive-thru service.
- 3. Personal service businesses.
- 4. Restaurants (no drive-thru or drive-in service).
- 5. Specialty retail uses including, but not limited to, gift shops, bookstores, florists, antiques, crafts, collectibles, food and beverages, apparel, and other similar items.

B. Uses subject to Conditions (as described in §15.3.24.010 et seq.):

- 1. Home child care centers.
- 2. Instructional Studio.
- 3. Manufactured Homes.
- 4. Residential facility for persons with a disability.
- 5. Residential facility for elderly persons.

C. Accessory Buildings and Uses (see §15.3.24.090).

- D. Development Standards (see Table 1).**
- E. Site Plan/Design Review (see §15.4.08.010 et seq.):**

Architectural and building materials review will be critical in this district to ensure that new or remodeled structures maintain an appearance which is highly compatible with adjoining residential areas.

- F. Landscaping, Buffering, Walls (see §15.4.16.130).**

- G. Signs (see §5.36.010 et seq.).**

- H. Parking (see §15.4.16.120):**

No parking will be allowed in front of the principal structure for non-residential uses.

- I. Uses subject to Conditional Use Permit (see §15.3.08.060):**

1. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
2. Nursing or retirement homes
3. Supervisory Care Facility
4. Assisted Living Facility
5. Shelter Care Facility
6. Nursing or Retirement Home
7. Residential Treatment Center
8. Financial Institutions not located between 100 West and 100 East.

TABLE 1 - Residential Development Standards										
District	Base Density	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	n/a	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	n/a	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
R-1-80	.4 units per acre	80,000 s.f.	180'	200'	40'	80'	20'	30'	30'	20'
R-1-60	.54 units per acre	60,000 s.f.	160'	200'	40'	60'	20'	30'	30'	20'
R-1-40	.81 units per acre	40,000 s.f.	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	1.07 units per acre	30,000 s.f.	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	1.61 units per acre	20,000 s.f.	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	2.15 units per acre	15,000 s.f.	100'	125'	30'	30'	15'	25'	25'	15'
R-1-12	2.69 units per acre	12,000 s.f.	100'	100'	25'	25'	10'	15-25 ⁸	30'	15'
R-1-9	3.58 units per acre	9,000 s.f.	85'	90'	20-25 ⁶	25'	10'	15-25 ⁸	30'	15'
R-1-8	4.03 units per acre	8,000 s.f. ⁴	75' ⁴	90'	20-25 ⁶	25'	10'	15-25 ⁸	30'	15'
R-1-6	5.37 units per acre	6,000 s.f. ^{2, 4, 12}	50'	90'	20-25 ⁶	25'	5-10 ⁷	15-25 ⁸	30'	15'
R-3	5.37 units per acre	6,000 s.f. ^{5, 2}	50'	90'	20-25 ⁶	25'	5-10 ⁷	15-25 ⁸	30'	15'
R-O	n/a	6,000 s.f. ^{2, 9}	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- ~~40,000 s.f. for duplex lots in the R-O zone.~~
 4- ~~40,000 s.f. for twinhome or duplex lots.~~
 5- ~~9,700 s.f. for twinhome or duplex lots; 14,000 s.f. for 3-plex lots; 16,000 s.f. for 4-plex lots.~~
 6- 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the garage door of a side entry garage.
 7- 5 feet on one side, 10 feet on the other for single family dwellings; 10 feet for non-residential uses.
 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- ~~60 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- ~~9,700 s.f. for twinhome or duplex lots.~~



REPORT TO THE PLANNING COMMISSION

MASTER PLANNED DEVELOPMENT TITLE 15 AMENDMENT

Agenda Date: March 12, 2008

Staff Contacts: Dave Anderson, Planning Director

Reviewed By: Development Review Committee

Request: The proposal involves amending Title 15 of the Municipal Code. Specifically, the change would reduce the minimum acreage requirement for Master Planned Developments in the R-3 and R-1-6 zones from 5 acres.

Zoning: not applicable

General Plan: not applicable

Project Size: not applicable

Number of lots: not applicable

Location: City wide

Background Discussion

Staff has been discussing the concept of reducing the minimum acreage requirement for Master Planned Developments in certain zones for the past several months. At present, 5 acres are required for Master Planned Developments in the R-1-6 and R-3 zones.

The proposal that is before the Commission would reduce that lot size requirement to 2 acres. The proposed language reads as follows:

4. The minimum size of a Master Planned Development is twenty (20) contiguous acres, except in the R-1-6 and R-3 zones, where **two (2) acres** are required. School and church sites are to be excluded from the acreage calculation.

In staff's view, this is one of the more subjective standards in our ordinance. This may make it more difficult to formulate an ideal number to use as the minimum.

Most of the area in the City that would be impacted by the proposed change is found in the original plats. In recent years, a noticeable amount of new construction has occurred in the original plats, much of which has occurred by way of flaglots or the replacement of single-family dwellings with twinhomes. The City currently has no mechanism to require any architectural features or upgrades when this construction occurs.

The intent of the proposed change is to allow more projects in this area to qualify as Master Planned Developments. It is therefore hoped that the overall quality of development in the original plats will improve.

One concern that has been discussed in DRC meetings is density. As this has been discussed it's been found that in most cases, but not all, the proposed change will not allow developers to construct more units than what can be built by doing traditional developments in these zones.

The main incentive the Master Planned Development option would therefore provide a developer is flexibility from the traditional zoning

standards. Again, it is hoped that making this option available would encourage developers to follow the master Planned Development path and ultimately construct projects that are superior to what is currently being constructed.

Development Review Committee

The Development Review Committee reviewed this proposal on February 20, 2008 and recommended that it be approved. Minutes from that meeting read as follows:

Master Plan Development Text Amendment

Applicant: Spanish Fork City

General Plan: N/A

Zoning: N/A

Location: City Wide

Mr. Anderson said it should be up to the Planning Commission to decide whether to change the minimum area requirement for master planned developments.

Mr. Thompson asked if Mr. Anderson was saying to send this to the Planning Commission without a recommendation. Mr. Anderson answered that he would not prefer that, but if they couldn't come to a conclusion in this meeting then that is what they should do.

Baker said that 20,000 square feet is too small but would be willing to bring it down to 2 acres from 5. He mentioned how you usually get a higher end product in return for bonus density. Mr. Baker asked how many units you can put on 20,000 square feet. Mr. Anderson answered 5-8 units per acre.

Mr. Anderson mentioned that the biggest advantage of Master Planned Developments, regardless of size, is architecture.

Mr. Baker said the only incentive we offer for Master Planned Developments is density.

Mr. Anderson mentioned that the flexibility offered is also an incentive.

Mr. Swenson said all this would do is allow people to do more with their land.

Mr. Anderson proposed going to the Planning Commission with a two or even one acre minimum and Mr. Thompson agreed.

Mr. Baker made a motion to recommend to the Planning Commission to amend the ordinance to allow master planned development in the R-1-6 and R-3 zones on a minimum of two acres, seconded by Mr. Thompson. Mr. Anderson opposed saying that one acre would be more appropriate, with Mr. Baker suggesting to take the 20,000 square feet to the Commission and to see what they say. Mr. Baum, Mr. Short and Mr. Swenson agreed.

Budgetary Impact

In staff's opinion, it is unlikely that there will be any budgetary impact with the proposed changes.

Alternatives

The Commission has considerable discretion relative to proposed ordinance amendments. In this case you may recommend that the proposed amendments be approved, denied or approved with modifications.

Staff Recommendation

Staff recommends that the proposed Title 15 Amendment be approved.