



**Planning Commission Agenda  
October 1, 2008**

**Planning  
Commissioners**

7:00 P.M. Agenda Meeting

Del Robins  
Chairman

7:15 P.M. 1. Preliminary Activities

Sherman Huff  
Vice Chairman

- a. Pledge of Allegiance
- b. Approval of Minutes: September 3, 2008

David Lewis

2. Public Hearings

David Stroud

a. **Ordinance Amendment, Title 15**

Shane Marshall

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

Michael Christianson

b. **TJ Business Park**

Applicant: Evans Grading and Paving  
General Plan: Light Industrial  
Zoning: Industrial 1  
Location: 2000 North 200 East

3. Other Discussion

a. **Discussion on Planning Commission work program**

**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) 804-4530.

1 Draft Minutes  
2 Spanish Fork City Planning Commission Meeting  
3 September 3, 2008  
4  
5

6 **Commission Members Present:** Chairman Del Robins, Shane Marshall, Dave Lewis,  
7 David Stroud, Michael Christianson, Sherman Huff.  
8  
9

10 **Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Assistant Public Works  
11 Director; Shelley Hendrickson, Planning Secretary.  
12

13 **Citizens Present:** Ted Huntington, Lynn Leifson.  
14  
15

16 **CALL TO ORDER**

17  
18 Chairman Robins called the meeting to order at 7:00 p.m.  
19  
20

21 **PRELIMINARY ACTIVITIES**

22  
23 **Pledge**

24  
25 Chairman Robins led the pledge of allegiance.  
26

27 **Adoption of Minutes: August 6, 2008**

28  
29 Commissioner Huff **moved to approve** the minutes of August 6, 2008; with the noted  
30 corrections. Commissioner Marshall **seconded** and the motion **passed** all in favor.  
31  
32

33 **STAFF REPORT**

34  
35 **Huntington Leifson Annexation**

36 Applicant: Ted Huntington and Lynn Leifson  
37 General Plan: Residential 1.5 to 2.5 Units Per Acre  
38 Zoning: R-1-15 proposed  
39 Location: 7825 South River Bottoms Road

40 *\*Commissioner Christianson recused himself from the discussion on this item.*

41  
42 Mr. Anderson explained this item was continued from a previous meeting. The applicant  
43 asked for the proposal to be placed back on the Planning Commission's agenda and would  
44 like action to be taken. The annexation contains approximately 10 acres on the north side  
45 of River Bottoms Road. Staff discussed this proposal and feels that due to the absence of  
46 infrastructure and planning for the area the annexation is premature and recommends that it  
47 be denied.

48  
49 Ted Huntington  
50 Mr. Huntington explained that he did not have any intention to develop right now. The  
51 would just like to be annexed into the City. He feels that since they have gone through the  
52 process of paying the fees and surveys they would like to be annexed so they would not  
53 have to pay again at a later date.

54  
55 Lynn Leifson  
56 Mr. Leifson explained that City staff brought to their attention the required improvements  
57 and infrastructure and explained that they cannot afford to develop but would like to annex  
58 into the City on their terms and not be part of a bigger annexation.

59  
60 Commissioner Huff asked, assuming the proposal was granted, who would become  
61 responsible for street and snow removal on River Bottom's Road?

62  
63 Mr. Nielson said the annexation would not include River Bottoms Road. It would stay a  
64 County road and the maintenance would remain with the county.

65  
66 Commissioner Marshall explained that he felt there was a whole host of transportation and  
67 infrastructure regarding this annexation and asked what would happen if the property was  
68 annexed into the City.

69  
70 Mr. Anderson said there would not be a big cost or a net loss to the City but feels it's  
71 problematic to create a situation where River Bottoms Road fronts both County and City  
72 lands.

73  
74 Mr. Nielson explained that right-of-way would be needed along River Bottoms Road in order  
75 to allow any development to occur. The annexation currently goes to the fence line.

76  
77 Discussion was held regarding annexation fees, whether or not their surveying work would  
78 be valid for a number of years or need to be re-surveyed, different mechanisms to define  
79 the property owner's intent to develop or not develop with regard to agreements and zoning  
80 being assigned at annexation.

81  
82 Commissioner Robins feels that due to the 100 year flood plain, nothing should be built and  
83 can understand the applicants not wanting to be part of a bigger annexation.

84  
85 Commissioner Marshall expressed his concern, should the annexation be approved, with  
86 what the proposal would look like three or more years down the road and how it would flow  
87 with the area.

88  
89 Discussion was held regarding zoning, and what was allowed in rural residential versus the  
90 agricultural zone.

91  
92 Commissioner Huff said that he does not have a problem with the annexation as much as  
93 the zoning. He feels that the River Bottoms area should not be built upon.

94  
95 Commissioner Stroud asked about the impact on the Growth Boundary and if it will need to  
96 be changed.

97  
98 Mr. Anderson said that the Growth Boundary would have to be amended before  
99 development could occur.

100  
101 Discussion was held regarding what is allowed in the Exclusive Agricultural zone.

102  
103 Commissioner Robins **moved** to recommend to the City Council that the proposed  
104 Huntington Leifson Annexation be **approved** and assigned A-E zoning.

105  
106 Commissioner Marshall **seconded** and the motion **passed** all in favor by a roll call vote.

107  
108 Commissioner Marshall **moved** to **open** into public hearing. Commissioner Huff **seconded**  
109 and the motion **passed** all in favor at 7:25 p.m.

110  
111 *\*\*Commissioner Christianson took his seat at 7:26 p.m.*

112  
113

114 **PUBLIC HEARINGS**

115  
116 **Ordinance Amendment, Title 15**

117 Applicant: Spanish Fork City

118 General Plan: Not Applicable

119 Zoning: Not Applicable

120 Location: City Wide

121  
122 Mr. Anderson explained he had refined the changes.

123  
124 Discussion was held regarding landscaping in parking lots and what was trying to be  
125 accomplished with our standards, Orem City's landscape standards, and whether or not  
126 developers would meet the minimum requirements or do what the standard intends.

127  
128 Chairman Robins welcomed public comment. There was none.

129  
130 Commissioner Christianson **moved** to recommend to the City Council **approval** of the  
131 proposed changes to Title 15 with the addition of a minimum of two trees in the parking  
132 islands. Commissioner Stroud **seconded** and the motion **passed** all in favor by a roll call  
133 vote.

134  
135 **Construction and Development Standards**

136 Applicant: Spanish Fork City

137 General Plan: Not Applicable

138 Zoning: Not Applicable

139 Location: City Wide

140  
141 Mr. Anderson explained that the City Council did away with private streets and this  
142 proposed sub-local streets would enable a developer to have options. He explained the  
143 proposal in detail. He said there was a proposal that a zone change was approved on one  
144 year ago. That particular proposal showed a real need for this sub-local street proposal. It  
145 allows for the City's position of no more private streets to work.

146  
147 Discussion was held regarding the City Engineer and Fire Marshall's thoughts of the  
148 proposal, the width of the asphalt on the street directly behind the bleachers of the Spanish  
149 Fork High School, the width of 28 feet and vehicles parking on the sides of the road, and  
150 whether or not the width of 28 feet was wide enough.

151  
152 Chairman Robins expressed that he felt 28 feet was not wide enough and gave Somerset  
153 Village as an example.

154  
155 Commissioner Marshall said he liked option A because he feels it slows traffic down but  
156 feels that option B puts foot traffic too close to the street. He explained how he felt an L-  
157 shape road would work better.

158  
159 Mr. Anderson feels that this proposal will encourage developers to design developments  
160 more functionally.

161  
162 Chairman Robins welcomed public comment. There was none.

163  
164 Commissioner Marshall **moved** to recommend to the City Council that the proposed  
165 additions to the Construction and Development Standards be **approved**.

166  
167 Commissioner Christianson **seconded** and the motion **passed** by a roll call vote. Chairman  
168 Robins voted nay; he feels that 28 feet is too narrow and on street parking should not be  
169 allowed.

170  
171 Commissioner Christianson **moved** to **close** public hearing. Commissioner Marshall  
172 **seconded** the motion **passed** all in favor at 8:12 p.m.

173  
174  
175 **OTHER DISCUSSION**

176  
177 **Discussion on Planning Commission work program**

178  
179 Mr. Anderson handed out an ordinance regarding the moratorium on in-fill development.  
180 Discussion was held regarding the proposal, flag lots, and the flexibility this ordinance  
181 allows.

182  
183  
184 **ADJOURNMENT**

185  
186 Commissioner Huff **moved** to **adjourn**. Commissioner Stroud **seconded** and the motion  
187 **passed** all in favor at 8:21 p.m.

188  
189 **Adopted:**

190  
191 \_\_\_\_\_  
192 Shelley Hendrickson, Planning Secretary



# REPORT TO THE PLANNING COMMISSION

## TJ BUSINESS PARK PRELIMINARY PLAT AMENDMENT

**Agenda Date:** October 1, 2008

**Staff Contacts:** Dave Anderson, Planning Director

**Reviewed By:** Development Review Committee

**Request:** The applicant, Evans Grading and Paving, is requesting approval for an industrial subdivision.

**Zoning:** Industrial 1

**General Plan:** Light Industrial

**Project Size:** 19.70 acres

**Number of lots:** 9

**Location:** 2000 North 200 East

### Background Discussion

The proposed subdivision is located in the Industrial 1 zoning district and contains some 19.70 acres. One structure is currently located on the subject property. All of the lots in the proposed subdivision conform to the City's requirements for industrial subdivisions.

### Budgetary Impact:

There is no significant budgetary impact anticipated with the proposed Preliminary Plat.

### Development Review Committee

The Development Review Committee reviewed this plat in their September 17 meeting and recommended that it be approved. Draft Minutes from that meeting read as follows:

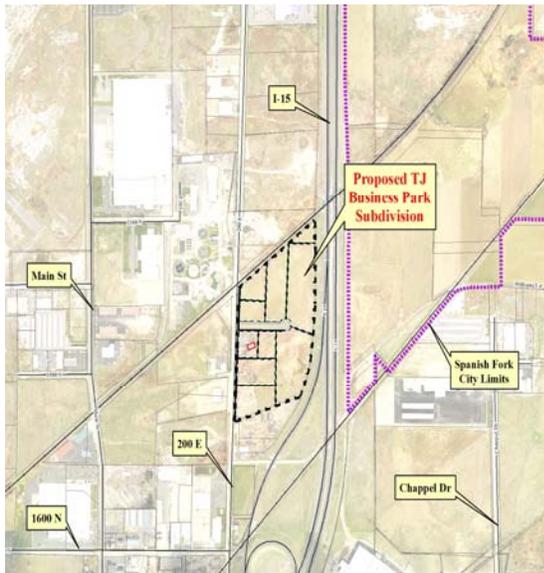
#### TJ Business Park

Applicant: Evans Grading and Paving  
 General Plan: Light Industrial  
 Zoning: Industrial 1  
 Location: 2000 North 200 East

Mr. Anderson explained the proposal.

Mr. Peterson explained that there was a power pole right in the middle of one of the lots and that it was not Spanish Fork City's pole. He said it belonged to Nebo Power and UAMPS and the applicant would need to obtain the required easements. Mr. Thompson said the required easement will need to be shown on the plat. Mr. Peterson said that there were some 600 amp sectionalizers that might need to be moved to be located within a planter strip. He also said the power would need to be piped under the railroad tracks on the east side. Mr. Thompson told the applicant that the railroad would require two separate permits for the sewer and the power.

Mr. Dudley asked what size of casing would be required. Mr. Thompson said at least a 14-inch casing. Mr. Dudley said that they had already gotten approval from the railroad for the sewer.



Mr. Nielson explained that they did need to cross the tracks with the sewer but that the applicant was addressing that.

Mr. Oyler asked if there was access on the north end. Mr. Nielson said it was a retention basin that the applicant would be responsible to take care of.

Mr. Thompson explained to the applicant that they would need to do curb and gutter, a 14-foot planter and then the 10-foot asphalt trail along 200 East.

Mr. Anderson expressed that he felt the need to ensure that the City has adequate property for the trail.

Mr. Johnston asked what the distance from the tracks was, if access would be allowed to 200 East, and if there were any height restrictions.

Discussion was held regarding the lot that is next to the tracks and line of sight for a train. The applicant explained that the sewer main will come across there and will eliminate anything being built right there. The applicant explained that each lot will provide for their own retention.

Mr. Nielson **moved to approve** the Preliminary Plat for TJ Business Park located at 2000 North 200 East with the following findings and subject to the conditions:

### **Findings**

1. Subdivision meets zoning requirements.
2. That the proposed subdivision will meet the City's requirements if the proposed conditions are met.

### **Conditions**

1. That the cross section along 200 East be modified to show the trail system.
2. That the applicant work with the Power Department on the power crossing on the 200 East and the north end of the project for the railroad.
3. That the applicant work with Nebo on the power line and ensure that any issues are taken care of.
4. That all buildings be constructed in compliance with the airport height restrictions.

Mr. Peterson seconded and the motion passed all in favor.

### **Recommendation:**

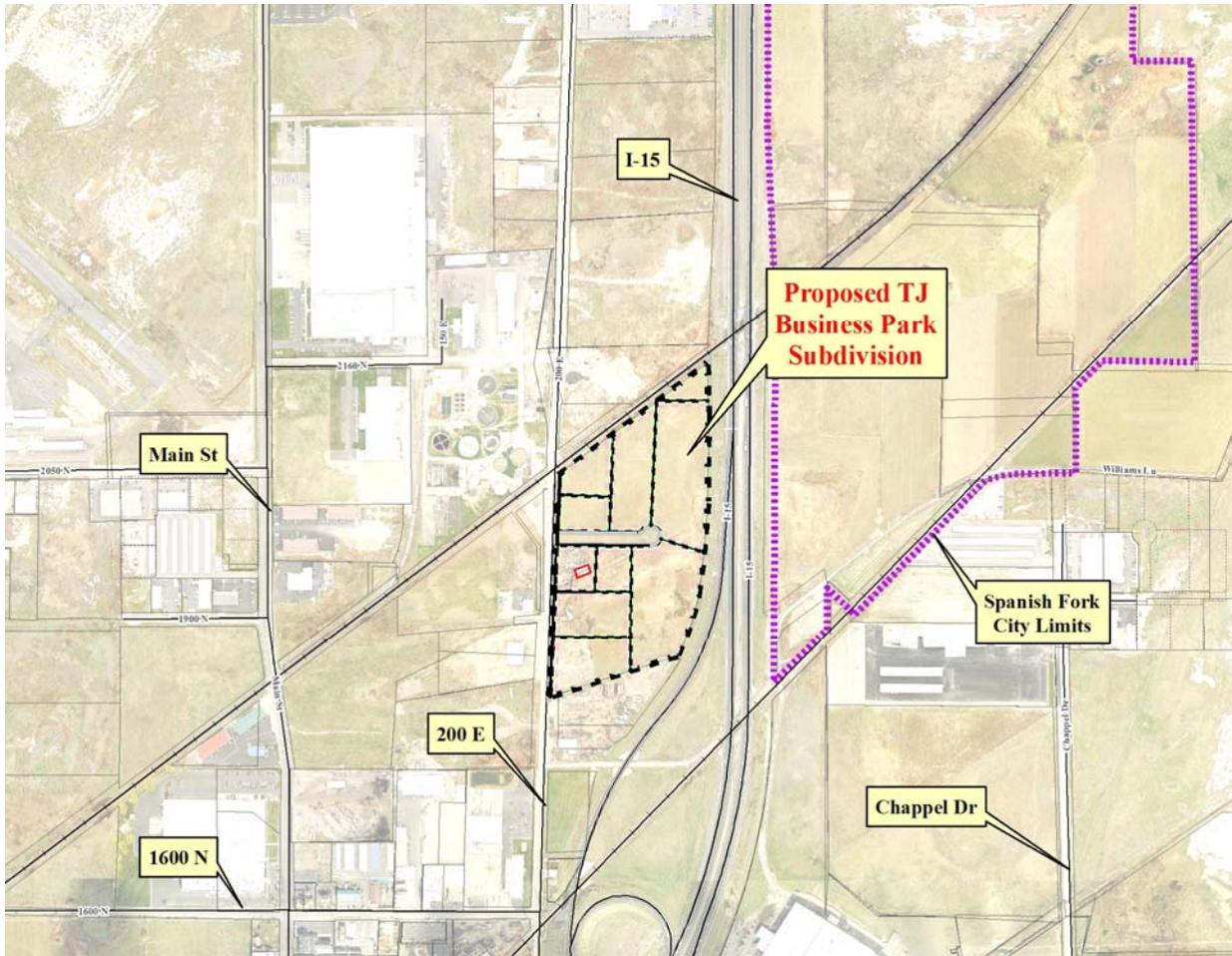
Staff recommends that the TJ Business Park be approved based on the following findings and subject to the following conditions:

### **Findings**

1. That the proposed subdivision meets zoning requirements.

### **Conditions**

1. That all improvements be constructed in accordance with City standards.
2. That the applicant address any concerns raised by the Power Department prior to submitting for Final Plat approval.





# REPORT TO THE PLANNING COMMISSION

## TITLE 15 AMENDMENTS

**Agenda Date:** October 1, 2008

**Staff Contacts:** Dave Anderson, Planning Director

**Reviewed By:** Development Review Committee

**Request:** The proposal involves creating an additional zoning district or "overlay" that would provide additional options for the development of certain properties in the City.

**Zoning:** R-1-6 and R-3

**General Plan:** not applicable

**Project Size:** not applicable

**Number of lots:** not applicable

**Location:** City Wide

### Background Discussion

The concept of the In-fill Overlay Zone originated with two separate discussions. One of the discussions pertained to concerns about flaglots and multi-family dwellings being constructed in the City's historic neighborhoods. The other discussion pertained to a desire to propose developments that Spanish Fork City's ordinance currently does not allow.

One result of some of these discussions was the adoption of a moratorium on certain types of development in certain areas of the City.

Ultimately, staff's proposal to address these issues is the In-fill Overlay Zone. As proposed, properties that are currently zoned R-1-6 or R-3 and are at least 20,000 square feet would qualify for the proposed In-fill Overlay Zone.

In essence, the In-fill Overlay Zone has been prepared with the intent of accomplishing two things. First, the proposed zone would allow considerable flexibility in terms of what a developer could propose to do with a particular development. Second, the proposed zone would give the City considerable discretion in determining whether a proposed development does or does not meet the criteria set forth in the ordinance.

It is anticipated that the proposed zone will be adopted sometime in the next month or two and that its adoption will coincide with the removal of the existing moratorium.

### Development Review Committee

The Development Review Committee reviewed this proposal on September 24, 2008 and recommended that it be approved.

### Budgetary Impact

It is anticipated that there will be little or no budgetary impact with the proposed zone.

## **Alternatives**

The Council has considerable discretion relative to proposed ordinance amendments. In this case, they may approve, deny or approve the proposed amendments with modifications.

## **Staff Recommendation**

Staff recommends that the proposed In-fill Overlay Zone be approved by the City Council.

**ORDINANCE NO. 08-**

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
RODNEY DART <i>Councilmember</i>		
RICHARD M. DAVIS <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
JENS P. NIELSON <i>Councilmember</i>		

I MOVE this ordinance be adopted: Councilman \_\_\_\_\_  
 I SECOND the foregoing motion: Councilman \_\_\_\_\_

ORDINANCE 08-

WHEREAS, Spanish Fork City has enacted a zoning ordinance setting forth a number of zones and the permitted uses within each zone; and

WHEREAS, The City has recently imposed a moratorium on multi-family construction in the R-1-6 and R-3 zones while the City studied appropriate multi-family uses in those zones; and

WHEREAS, City staff has researched and studied the issue, as requested by the Council, and has made the recommendation to adopt an in-fill ordinance which will establish standards for multi-family housing in the R-1-6 and R-3 zones which will protect single family residence property values, provide opportunities for the development of single family dwellings, provide opportunities for the development of affordable housing and promote the development of owner-occupied dwellings; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on Wednesday, the 1<sup>st</sup> day of October, 2008, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the \_\_\_\_ day of \_\_\_\_\_, 2008, whereat additional public comment was received; and

WHEREAS, the Council finds that the proposed in-fill zone is consistent with the language and intent of the City's General Plan; and

WHEREAS, the Council finds that the proposed in-fill zone would allow residential units that promote the general welfare and common good of the community;

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

**I.**

Spanish Fork City Municipal Code §15.3.16.035 is hereby created as follows:

**15.3.16.035. In-Fill Overlay Zone (I-F).**

This district is intended to provide flexibility in development standards for small residential parcels that are difficult to develop under standard residential requirements, allowing them to be developed with modified standards, while maintaining high quality construction and maintaining the general character of the underlying zone. This zone may only be applied to parcels of 20,000 square feet or larger and may only be applied as an overlay zone in the R-1-6 and R-3 zones. Prior to approving the I-F Zone, the City Council shall determine that the proposed development promotes the historic character of the neighborhood, conforms to the physical characteristics of the adjoining properties and provides new opportunities for home ownership.

**A. Permitted Uses:**

- Single family dwellings.
- Twin homes.
- Duplexes.
- Triplexes.
- Fourplexes.

(see §15.3.08.060):

**B. Accessory Buildings and Uses (see §15.3.24.090).**

**C. Development Standards.**

Development standards for projects in the I-F Zone shall be generated on a project-by-project basis. It is expected that the development standards will provide for project designs that will promote conformity to existing neighborhood characteristics while allowing for innovation and creativity. Development standards shall also include design elements that will provide appropriate screening and buffers between the project and the surrounding properties. In each case, standards created for elements including but not limited to setbacks, lot size, building design, fencing and landscaping shall be presented to the Planning Commission for recommendation and the City Council for approval.

Notwithstanding the potential flexibility in development standards for the I-F Zone, the following standards must be maintained:

1. The maximum height of any primary building or structure shall be limited to 30 feet. The maximum height of any accessory building or structure shall be limited to 15 feet.
2. Setbacks shall be as follows for all primary buildings:
  - A. Front Yard, 10 feet from public street or shared driveway to living space.
  - B. Corner side yard, 15 feet to living space.
  - C. Interior Side Yard, 5 feet.
  - D. Rear yard, 10 feet.
3. Density shall not exceed that which is identified on the Land Use Map of the Comprehensive General Plan.
4. Minimum lot sizes shall be as follows:
  - A. Single family residences, 4,000 square feet;
  - B. Duplexes, 8,000 square feet;
  - C. Triplexes, 14,000 square feet;
  - D. Other multi-family units, 18,000 square feet per four units.
5. Minimum street frontage is for a development is 80 feet.
6. Maximum impervious surface in the I-F zone shall be 60% of the project area.
7. Minimum parking shall include one attached garage per dwelling unit and 1.5 additional spaces per unit within the development.
8. Minimum finished living space shall be provided as follows:

- A. Single family residence, 1,000 square feet;
  - B. Duplex, 900 square feet, each side;
  - C. Triplex, 900 square feet, each unit;
  - D. Other multi-family units, 900 square feet, each unit.
9. Curb, gutter, and sidewalk shall be provided in accordance with the City's Development Standards.

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

**E. Landscaping, Buffering, Walls (see §15.4.16.130).**

Detailed landscape plans shall be submitted with each application for I-F Zone approval.

Landscape Plans shall identify the following:

- A. Planting Plan, including all ground cover.
- B. Plant schedule.
- C. Irrigation Plan.
- D. Details for any proposed structures or features.
- E. Walls.

**F. Signs. (see §5.36.010 et seq.)**

**G. Parking (see §15.4.16.120).**

**II.**

This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,  
UTAH, this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
JOE L THOMAS, Mayor

ATTEST:

\_\_\_\_\_  
KIM ROBINSON, City Recorder