



**Planning Commission Agenda
November 5, 2008**

**Planning
Commissioners**

6:30 P.M. Agenda Meeting

Del Robins
Chairman

7:00 P.M. 1. Preliminary Activities

Sherman Huff
Vice Chairman

- a. Pledge of Allegiance
- b. Approval of Minutes: October 1, 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. **Canyon Ridge Estates Plat H**

Applicant: Gardner and Associates
General Plan: Residential 2.5 to 3.5 Units Per Acre
Zoning: R-1-9
Location: 2650 East Canyon

c. **Transportation Element of The General Plan**

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

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 October 1, 2008
4
5

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

10 **Staff Present:** Dave Anderson, Planning Director; Richard Nielson, Assistant Public
11 Works Director; Shelley Hendrickson, Planning Secretary; Dave Munson, Planning
12 Intern; Christine Johnson, Assistant City Attorney.
13

14 **Citizens Present:** Tom Sakievich, Gary A. Carter, Lindsay Wolsey, Paul Washburn,
15 Roger Dudley, Rick Salisbury, Steve Maddox, Tyler Cope, Khayyam Jones, Lew
16 Bankhead.
17
18

19 **CALL TO ORDER**
20

21 Chairman Robins called the meeting to order at 7:07 p.m.
22
23

24 **PRELIMINARY ACTIVITIES**
25

26 **Pledge**
27

28 Commissioner Stroud led the pledge of allegiance.
29

30 **Adoption of Minutes: September 3, 2008**
31

32 Commissioner Stroud **moved** to **approve** the minutes of September 3, 2008.
33 Commissioner Christianson **seconded** and the motion **passed** all in favor.
34

35 Commissioner Christianson **moved** to **open** into public hearing. Chairman Robins
36 **seconded** and the motion **passed** at 7:09 p.m.
37

38 Chairman Robins **moved** to **hear** the TJ Business Park before the Ordinance
39 Amendment, Title 15. Commissioner **seconded** and the motion passed all in favor.
40

41 **PUBLIC HEARINGS**

42

43 **TJ Business Park**

44 Applicant: Spanish Fork City

45 General Plan: Light Industrial

46 Zoning: Industrial 1

47 Location: 2000 North 200 East

48

49 Mr. Anderson explained that the applicant had addressed all of the issues discussed
50 in the Development Review Committee Meeting and that the Development Review
51 Committee gave approval subject to two conditions.

52

53 Chairman Robins excused Commissioners Marshall, Lewis, and Huff. He then
54 invited public comment on the TJ Business Park proposal. There was none.

55

56 Commissioner Christianson asked about a small lot on the plat.

57

58 Paul Washburn addressed the commission and explained that the piece would be
59 included with the adjacent parcel.

60

61 Discussion was held regarding the utilities and the railroad, airport height restrictions,
62 and delineation of wetlands if there were any.

63

64 Commissioner Christianson expressed his concern with wetlands and asked if there
65 had been a delineation performed.

66

67 Mr. Washburn said they had hired a consultant and that there were not any wetland
68 issues.

69

70 Discussion was held regarding conditions for a motion.

71

72 Commissioner Stroud **moved** to recommend **approval** of the TJ Business Park
73 based on the following findings and subject to the following conditions:

74

75 **Findings**

76

77 1. That the proposed subdivision meets zoning requirements.

78

79 **Conditions**

80

- 81 1. That all improvements be constructed in accordance with City Standards.
82 2. That the applicant address any concerns raised by the Power Department
83 prior to submitting for Final Plat approval.
84 3. Provide a wetland delineation or other documentation identifying wetlands or
85 the absence of wetlands.

86

87 Commissioner Christianson **seconded** and the motion **passed** all in favor.

88

89

90 **Ordinance Amendment, Title 15**

91 Applicant: Spanish Fork City

92 General Plan: Not Applicable

93 Zoning: Not Applicable

94 Location: City Wide

95

96 Mr. Anderson gave background on the in-fill moratorium and said that it would
97 encourage owner occupancy in the neighborhoods to which this ordinance would
98 apply. He explained that the proposed ordinance would be an I-F zone (standing for
99 In-Fill) and it would allow for more creativity and flexibility than what the current
100 ordinance allows. The flip side is that the ordinance would also give the City Council
101 a lot more discretion by way of approving a project. He explained the verbiage in the
102 proposed ordinance.

103

104 Commissioner Stroud said that he felt it would be valuable to have the other
105 commissioners present before action is taken on the proposal. He said that he has
106 questions regarding parking and how many cars per unit.

107

108 Chairman Robins invited public comment.

109

110 Tyler Cope

111 Mr. Cope said that he feels that there does need to be consideration for detached
112 garages. He praised the City for taking the steps to look at in-fill development. He
113 said he feels that the need for affordable single-family housing is very high. He said
114 he felt that the advantages to the community as a whole are within the core of the
115 City impact fees that will help support the upgrading of the aging infrastructure in the
116 old neighborhoods.

117

118 Commissioner Christianson said that he feels that it needs to be clear that this is a
119 zone change approved by the City Council and suggested some verbiage changes,

120 and that he feels that there is a drainage problem with flag lots and suggested
121 verbiage changes.
122
123 Chairman Robins would like to add adjacent property owner's privacy verbiage, and
124 asked for feedback on detached garages.
125
126 Mr. Anderson said that he feels that an attached garage has almost become an
127 expectation for an American homeowner and incorporating language that would
128 allow flexibility perhaps could be changed. He feels the ultimate goal is to
129 encourage home ownership.
130
131 Chairman Robins asked if it was possible to put language to the code to say these
132 uses are only allowed with an in-fill zone. He said that he feels that duplexes could
133 be allowed with all other multi-family housing requiring the in-fill layer zone and
134 asked the other commissioners how they felt.
135
136 Commissioner Christianson felt it depended upon frontage.
137
138 Commissioner Stroud asked, in reading through the ordinance, if there was any
139 verbiage for driveway width and adjacent structures. Discussion was held regarding
140 the verbiage for driveway width, minimum off-set for depth, fencing requirements,
141 and whether or not to allow fencing on in-fill lots.
142
143 Chairman Robins said that he feels that some of the things that impose on the
144 character of the area are flag lots and multi-family where there has not been any
145 before and asked if Mr. Anderson feels this ordinance will protect from this in the
146 future.
147
148 Commissioner Christianson asked if there could be something with regard to a
149 maximum size before they go into a master planned development.
150
151 Discussion was held regarding the relationship of units to native grade.
152
153 Commissioner Stroud **moved** to **continue** the In-Fill Overlay Zone and the public
154 hearing. Commissioner Christianson **seconded** and the motion **passed** all in favor.
155
156 Commissioner Christianson **moved** to **close** public hearing. Commissioner Stroud
157 **seconded** the motion **passed** all in favor at 8:00 p.m.
158
159

160 OTHER DISCUSSION

161

162 **Discussion on Planning Commission work program**

163

164 Mr. Anderson said that he spoke with Mr. Steve Maddox about informally discussing
165 a project with the Planning Commission. Mr. Maddox has been working on a project
166 Between State Road 51 and the railroad tracks for a number of years and is
167 proposing to take a different approach and asked the commission to give him
168 feedback to see if he is on the right track.

169

170 Mr. Maddox addressed the Commission and gave background on the previous
171 proposals and what he is proposing now. Density is down to 103 units as well as the
172 two existing units. Discussion was held regarding the project. Chairman Robins
173 said that he likes the new proposal but would like to see more open space, the
174 railroad tracks and the road going under them, the high pressure gas line and who
175 would be responsible for Expressway Lane.

176

177 Mr. Anderson said that he feels that this parcel is unique because of the railroad
178 tracks and the highway and the area already has high density housing. The general
179 plan recognizes that it calls for 5.5-8 units per acre. He said he felt this was a very
180 appropriate use for the property and a reasonable compromise. Discussion was
181 held regarding a trail head and 3-plex mansion houses or big houses.

182

183

184 ADJOURNMENT

185

186 Commissioner Christianson **moved to adjourn**. Commissioner Stroud **seconded**
187 and the motion **passed** all in favor at 8:32 p.m.

188

189 **Adopted:**

190

191

192

Shelley Hendrickson, Planning Secretary



REPORT TO THE PLANNING COMMISSION

TITLE 15 AMENDMENTS

Agenda Date: November 5, 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

This item was continued from the Planning Commission's October 1, 2008 meeting. Since that meeting, several revisions have been made to the proposed ordinance. For the most part, the included revisions are intended to provide specificity relative to the requirements for project approval.

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.

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 goals. 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.

One fundamental question relative to the proposal has to do with whether the City should or should not continue to allow the development of multi-family structures in the R-1-6 and R-3 zones without getting an In-fill Overlay zone approval.

The City could continue to allow the development of duplexes, twinhomes, 3-plexes and 4-plexes by right. In that case, developers would have the choice of whether to develop a project by simply meeting the basic zoning requirements or to go through the In-fill Overlay zone approval process. The only advantage that would be afforded to developers via the In-fill Overlay zone is the

potential of enjoying flexibility when designing a project.

In staff's view, it would be a mistake to make the In-fill Overlay zone an option rather than the only opportunity to develop multi-family structures. In short, staff is simply concerned that the In-fill Overlay zone will be under-utilized if it's only an option. Staff is therefore recommending that duplexes, twinhomes, 3-plexes and 4-plexes be removed from the list of permitted uses in the R-1-6 zoning district.

Staff views the R-3 zone somewhat differently. The R-3 zone is intended to accommodate multi-family development and it is appropriately recognized on the City's zoning map. As such, staff believes there may be some value in leaving the R-3 zone as is, making the In-fill Overlay zone an additional option for that district.

In both the case of the R-1-6 and R-3 zones, staff would like to discuss the pros and cons of making changes with the Planning Commission.

Staff will discuss the prospect of making additional changes to the R-1-6 and R-3 zones with the Planning Commission on November 5, 2008.

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 1st 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. As appropriate, project designs should incorporate amenities for the use of the project's residents. 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. Building design shall incorporate architectural elements that reinforce architectural styles found in other structures in the neighborhood and/or along the street. Architectural considerations shall offer reasonable protection relative to the privacy of adjoining properties. Architectural elements utilized to promote the purpose of the zone may include the following:
 - A. Roof pitch.
 - B. Building materials.
 - C. Door and window placement and orientation.
 - D. Building colors.
 - E. Building ornamentation.
 - F. Building articulation.
 - G. Garage placement.
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 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. Projects shall be landscaped in a manner that is generally consistent with surrounding properties. 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



REPORT TO THE PLANNING COMMISSION CANYON RIDGE ESTATES PLAT H PRELIMINARY PLAT AMENDMENT

Agenda Date: November 5, 2008

Staff Contacts: Dave Anderson, Planning Director

Reviewed By: Development Review Committee

Request: The applicant, Gardner and Associates, is requesting Preliminary Plat approval for a three-lot subdivision in the R-1-9 zoning district.

Zoning: R-1-9

General Plan: Residential 2.5 to 3.5 Units Per Acre

Project Size: Approximately 1 acre

Number of lots: 3

Location: 2650 East Canyon Road

Background Discussion

The proposed Plat contains three lots that are all approximately 14,500 square feet in size. The proposed lots all conform to the City's requirements for subdivisions in the R-1-9 zone.

Development Review Committee

The Development Review Committee reviewed this request in their October 8 meeting and recommended that it be approved. Minutes from that meeting read as follows:

Canyon Ridge Estates Plat H

Applicant: Gardner and Associates
 General Plan: Residential 2.5 to 3.5 Units Per Acre
 Zoning: R-1-9
 Location: 2650 East Canyon Road

Discussion was held regarding the applicant receiving approval from UDOT for ingress and egress and having utilities stubbed into the lots.

Mr. Peterson explained that the two new lots did not have any power and where the power would need to come from. He said that the overhead line should be removed and replaced with underground power.

Mr. Nielson **moved** to **approve** the Canyon Ridge Estates Subdivision Waiver Plat H located at 2650 East Canyon subject to the following conditions:

Conditions

1. That power be connected between the development and 2600 East.
2. That the developer have all of the City utilities stubbed in and the power service on the existing home changed to underground.
3. That the developer receive written approval from the Utah Department of Transportation for the driveways.
4. That the developer submit a mylar for recording with all of the appropriate easements and right-of-ways.

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



Budgetary Impact

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

Recommendation

Staff recommends that the Planning Commission recommend that the Preliminary Plat be approved subject to the following conditions:

Conditions

1. That power be connected between the development and 2600 East.
2. That the developer have all of the City utilities stubbed in and the power service on the existing home changed to underground.
3. That the developer receive written approval from the Utah Department of Transportation for the driveways.
4. That the developer submit a mylar for recording with all of the appropriate easements and right-of-ways.



