

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
November 5, 2008**

Commission Members Present: Vice Chairman Sherman Huff, Shane Marshall, Dave Lewis, David Stroud, Michael Christianson.

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

Citizens Present: Gary A. Carter, Kelly Ash, Ron Mortimer, Lindsay B. Wolsey, David Gardner, Kyle Pritchett, Kody Martin, Warren Peterson, Kevin Olsen, Jordan Snow, Eric Schultz, Heidi Cook, Jenna Tuckett, Sharon Perry, Marie Olsen, Dale Goodman, Greg Henry, Garrett Griffin, Tyler Snow, Tyler Christensen.

CALL TO ORDER

Vice Chairman Huff called the meeting to order at 7:00 p.m. He excused Chairman Robins.

PRELIMINARY ACTIVITIES

Pledge

Commissioner Marshall led the pledge of allegiance.

Adoption of Minutes: October 1, 2008

Commissioner Christianson **moved** to **approve** the minutes of October 1, 2008; with the noted corrections. Commissioner Stroud **seconded** and the motion **passed** all in favor.

Commissioner Christianson **moved** to **open** into public hearing. Commissioner Marshall **seconded** and the motion **passed** at 7:02 p.m.

PUBLIC HEARINGS

Ordinance Amendment, Title 15

Applicant: Spanish Fork City

General Plan: Not Applicable

Zoning: Not Applicable

Location: City Wide

Mr. Anderson explained that nearly a year ago the City recognized a need to address the type of development that was occurring in the City's original plats. He said that the majority was re-development where people were constructing a flag lot, tearing down a dwelling or dwellings and converting a dwelling to a duplex. He said he felt that there were two issues that instigated discussion for the proposal: dissatisfaction with certain types of development that were occurring (flag lots were raising eyebrows causing complaints) and recognition of the idea that there are types of development that are appropriate that our existing ordinance did not allow. Mr. Anderson read a brief excerpt from the proposed ordinance and explained that this particular proposal is a zoning mechanism that will allow a development plan to be crafted to pertain to a particular piece of property and would allow the City to review it, weigh it with the few standards laid out in this proposal and to determine whether it meets the intent of this proposal and should be approved. He told the Commissioners that there were two different approaches relative to adopting this ordinance: to recommend that the language be approved without any other changes to the current City ordinance or to recommend that other verbiage be removed from Title 15.

Discussion was held regarding the incentives for a developer to strongly consider the In-fill Overlay zone option, whether or not it would increase density (it would not), and removing verbiage from Title 15 so that developers will have to use the In-fill Overlay zone.

Chairman Huff said he felt that the overlay zone would allow the residents in the area to attend a public hearing and have a chance to be heard. Mr. Anderson concurred and said he felt that it was a necessary part of the process for the citizens to be heard but that this proposal was not going to be a silver bullet but a step onto a path of progression and would not be entirely easy to administer.

Commissioner Huff invited public comment.

Tyler Cope

Mr. Cope praised the City for considering the amendments to Title 15 and said he felt that it was very advantageous and a unique program but said he was a strong advocate that this policy should enhance what is already in place and the commission should not rule out the possibility to leave Title 15 as is and have the overlay zone as an option.

Gary Carter

Mr. Carter asked if he would have the option of the current ordinance or the overlay zone.

Mr. Anderson explained that the City Council and the Planning Commission would need to decide if they were going to make the overlay zone an option or the only option.

Mr. Carter asked if he would have to construct attached garages for all of the units for a 4-plex. Mr. Anderson and Commissioner Marshall concurred that, under the overlay zone ordinance, he would have to have attached garages.

Kevin Olsen

Mr. Olsen expressed he felt the new zone was great and had new possibilities. He explained what he had been doing with a piece of property he currently owns and feels that putting a nice looking duplex on it would be best. He would like to see the current ordinance stay and have the overlay proposal as an option.

Commissioner Lewis expressed he liked the idea of the overlay zone being the only option. He said he felt that properties need to be addressed but that additional costs do not need to be added to developers.

Commissioner Marshall expressed he felt that not having the overlay zone as an option will require work but was a good thing.

Discussion was held regarding frontage, square footage and garage requirements.

Commissioner Stroud expressed he felt that garages were important and asked how the garage setback would be determined. Mr. Anderson said it was 20 feet.

Mr. Anderson explained to the Commission that there was not a big rush for an approval on this proposal and that staff could take additional time to look over the proposal.

Commissioner Huff expressed that he did not have a problem delaying this proposal.

Mr. Carter asked if the proposal would eliminate condominium type structures. Mr. Anderson said that 12-plexes were not allowed in the R-3 or R-1-6 zones unless the request was for a Master Planned Development where you are required to have five (5) or more acres. He said that a 4-plex could be constructed as a condo.

Mr. Cope expressed he felt the moratorium should be lifted if the proposal was tabled again.

Commissioner Marshall expressed that he would not be in favor of lifting the moratorium without taking action on the overlay zone. He asked Mr. Anderson if a recommendation were made to remove changes to Title 15 if it would require another public hearing. Mr. Anderson said it would not. Commissioner Christianson expressed he felt changes could just be made and take action in this meeting.

Commissioner Stroud gave examples of setbacks in Orem City.

Discussion was held regarding the removal of verbiage from Title 15.

Mr. Carter asked if there was any opportunity to have detached garages or to not have them at all. Mr. Marshall said he would recommend that there needs to be garages, whether they were attached or detached.

Warren Peterson

Mr. Peterson expressed that he felt that, due to the proposal being tabled in the commission's last meeting, that they should take action at this meeting.

Discussion was held regarding whether or not to make garages detached or attached.

Mr. Cope explained that he owned a 1900's structure that was beautiful and felt that if he had to attach a garage to it that it would ruin the look of the structure.

Mr. Anderson explained the verbiage changes.

Commissioner Christianson **moved** to recommend to the City Council that the proposed In-fill Overlay zone be **approved** as corrected and annotated.

Commissioner Lewis **seconded** and the motion **passed** by a roll call vote.

Commissioner Marshall voted nay.

Commissioner Marshall **moved** to recommend that the City Council **approve** the removal of multi-family as permitted uses in the R-3 and R-1-6 zones. Commissioner Stroud **seconded** and the motion **passed** all in favor.

Warren Peterson asked for clarification on the motions.

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

Mr. Anderson explained that there were some requirements yet to be fulfilled that the Power Department had as well as a UDOT approval; but with the conditions listed on the staff report, staff recommended that the proposal be approved.

Chairman Huff invited public comment.

Discussion was held regarding the subdivision of the property.

Dave Gardner

Mr. Gardner said that he did not have any problem making the corrections the City required of him.

Commissioner Stroud made a **motion to approve** the Canyon Ridge Estates Preliminary Plat located at 2650 East Canyon Road 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.

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

Transportation Element of the General Plan

Applicant: Spanish Fork City

General Plan: Not Applicable

Zoning: Not Applicable

Location: City Wide

Mr. Anderson introduced Horrocks Engineering.

Ron Mortimer and Kelly Ash

Mr. Ash explained the proposal (problem areas, existing conditions, 2030 conditions, 2030 proposed improvements, potential US-6/400 north interchange, TMP Northeast, transportation facilities in the River Bottoms area, TMP Southwest, potential railroad realignment, cross sections and transit plans.

Discussion was held regarding short-term, mid-term/long-term, 7-lane facilities, trails along the river, the model that Horrocks used to determine the plan, annexation and the building of the road facilities, impact fees, and capital facilities plan.

Chairman Huff invited public comment.

Warren Peterson

Mr. Peterson told the commission that when there is an accident on Interstate 15 the freeway shuts down and the traffic detours down Main Street in Spanish Fork. He said that he felt there needed to be some alternate route for traffic.

Mr. Nielson explained that a study was being conducted addressing a corridor that would be an alternate route (further west).

Sharon Perry

Ms. Perry expressed her concern with traffic on 800 East. She said she felt the traffic is terrible and wanted to know what was planned. Discussion was held regarding 800 East and the transportation plan. Mr. Ash explained that the 800 East cross section was a two-lane facility and that the new collector showed a three lane facility but did not anticipate widening 800 East.

Hiedi Cook

Ms. Cook expressed she did not see how putting lights on 800 East will discourage traffic and specific to where she lives feels that a lot of children cross the street to get to school and is a safety issue.

Commissioner Stroud **moved** to **close** public hearing. Commissioner Marshall **seconded** and the motion **passed** all in favor at 9:12 p.m.

Commissioner Marshall asked if there had been any meetings for citizens to be heard regarding the Master Transportation Plan.

Mr. Anderson explained that the commissions meeting and the next city council meeting would be the public hearings on this proposal but that emails and letters were always welcome.

Commissioner Marshall explained he felt that this proposal was a big deal and that the citizens had not been given enough time to look at the proposal. Mr. Nielson explained that Horrocks Engineering used a transportation document that the City already had in place on the books for years.

Commissioner Marshall **moved** to **recommend** that a public open house be facilitated before action is taken on the proposal. Commissioner Lewis **seconded** and the motion **passed** by a roll call vote. Commissioner Christianson expressed he felt that if people were going to comment on the proposal that they also recommend a solution.

OTHER DISCUSSION

Discussion on Planning Commission work program

Mr. Anderson handed out a copy of a 'Going Green' presentation that was presented to the Planning Commission and the City Council and asked the Commission to read through the information.

ADJOURNMENT

Commissioner Huff **moved** to **adjourn**. Commissioner Lewis **seconded** and the motion **passed** all in favor at 9:24 p.m.

Adopted: December 3, 2008

Shelley Hendrickson, Planning Secretary