

**Adopted Minutes
Spanish Fork City Planning Commission Meeting
March 16, 2011**

Commission Members Present: Rick Evans, Tyler Cope, Shane Marshall, Michael Christianson, Dave Stroud.

Staff Present: Dave Anderson, Community Development Director; Shelley Hendrickson, Planning Secretary; Jason Sant, Assistant City Attorney; Trapper Burdick, Assistant City Engineer.

Citizens Present: Citizens were present. No one signed in.

Mr. Anderson called the meeting to order at 5:38 p.m.

Discussion was held regarding outdoor display/outdoor seating within the public right-of-way and the amendments to the Land Use Element of the General Plan.

Chairman Christianson welcomed everyone to the meeting at 6:05 p.m.

PRELIMINARY ACTIVITIES

Pledge

Scout Dallin Smith led the Pledge of Allegiance.

MINUTES

February 2, 2011

Commissioner Evans **moved** to **approve** the minutes of February 2, 2011. Commissioner Marshall **seconded** and the motion **passed** all in favor.

PUBLIC HEARING – ORDINANCE AMENDMENTS

Haven Home for Girls

Applicant: Myrna Dalton

General Plan: City Wide

Zoning: City Wide

Location: City Wide

Chairman Christianson said that the applicant requested their proposal be continued.

Outdoor Display, Outdoor Seating

Applicant: Spanish Fork City

General Plan: City Wide

Zoning: City Wide

Location: City Wide

Mr. Anderson explained the first amendment, Outdoor Display, which involves allowing businesses to display merchandise outside. With this change, businesses between 100 North to 400 North would be allowed to display merchandise outside between the hours of 7 a.m. to 9 p.m. At present, the current zone does not allow for the outdoor display of merchandise. He then explained the second amendment, Outdoor Seating, which involves creating the opportunity for outdoor seating to be placed in public rights-of-way throughout the City. Currently, the City does not allow anything to be placed or stored within any public-right-of-way. The real intent of the change is to permit the City, or a business, to have a table and some chairs out in front of their business. Mr. Anderson expressed his concern regarding who would own the tables and chairs, who would maintain them and what specific types of furniture would be permitted but explained that City staff would create an ordinance with regard to his concerns.

Mr. Anderson explained that the Chamber of Commerce had submitted a letter requesting an ordinance change that would allow businesses to hold sidewalk sales. Businesses in the downtown district were requesting to hold a sidewalk sale once-a-month during the Spring, Summer and Fall months. Mr. Anderson explained to the Commission that if they were in support of the change that they would need to recommend to the City Council that they amend the City Ordinance.

Commissioner Evans asked if a permit would need to be obtained every time that a sidewalk sale was held because he felt it was not necessary.

Mr. Anderson explained that the sidewalk sale would be designated to one weekend a month and businesses could choose to participate or not participate. He clarified that the direction was not for the businesses to be holding sidewalk sales on separate weekends but all on the same weekend.

The Chamber of Commerce President, Mike Mendenhall, explained that the impetus for the change was so that businesses could correlate sidewalk sales with other community events.

Discussion was held regarding the events that draw people into our town and capitalizing on the events with regard to business.

Discussion was held regarding separation between the travel lanes on Main Street and where outdoor seating is placed.

Discussion was held regarding the impact whether negative or positive relative to having a permanent weekend every month for the downtown businesses to have a sidewalk sale and whether or not to limit the sales to the Spring, Summer and Fall months or to just allow it year round.

Discussion was held regarding the liability in having outdoor display or seating within the public right of way and whether or not the City would need to obtain permits from the Utah Department of Transportation since Main Street is not a City street.

Chairman Christensen invited public comment. There was none.

Commissioner Evans asked the Chamber of Commerce President what his preference would be regarding sidewalk sales.

Mr. Mendenhall said he was open to whatever the Commission would grant but that he did not want to see the sales get watered down by allowing them to be all of the time. He said that the businesses requested to be allowed to hold sidewalk sales once a month.

Commissioner Cope expressed that he was fine with the amendments and **moved** to recommend that the City Council **approve** a three part text amendment. First, permit the outdoor display of merchandise in the Commercial Downtown Zone. Second, permit outdoor seating within public-rights-of-way and third, permit sidewalk sales to be held every weekend beginning Friday and ending Sunday. Commissioner Evans **seconded** and the motion **passed** all in favor by a roll call vote. Discussion was held regarding displaying merchandise on privately owned property. The sidewalk sale would be for displaying merchandise within the public right-of-way, for commerce.

PUBLIC HEARING – GENERAL PLAN REVISION

2011 General Plan Update

Applicant: Spanish Fork City'

General Plan: City Wide

Zoning: City Wide

Location: City Wide

Mr. Anderson explained that a General Plan was a State mandated document that represents the long range vision for the development of a City. He said that they were not talking about zoning or changing the zoning ordinance but were talking

about a document that was more of a broad concept plan. He further explained that the proposed document was quite a bit different than previous General Plan. The proposed General Plan Map does not follow property lines expressly and has a limited palette of designations. He said that City staff was ready to recommend that the document be approved.

Discussion was held regarding the section of the City behind the Wendy's Fast Food Restaurant (about 2.5 acres), James Biesenger's property and changing it from mixed use to straight commercial, Woodland Hills Drive and Main street being commercial on both sides of Main Street, whether or not more than one agricultural designation was needed, adding more commercial designations on South Main Street around Volunteer Drive, mid block designations instead of transitions, more Mixed Use and Commercial along Center Street and I-15 and the Floodway designation.

Chairman Christensen invited public comment. There was none.

Commissioner Marshall **moved** to **approve** the Land Use Element of the General Plan with the discussed changes. Commissioner Stroud **seconded** and the motion **passed** all in favor by a roll call vote.

DISCUSSION

There was none.

ADJOURNMENT

The meeting **adjourned** at 7:35 p.m.

Adopted: May 4, 2011

Shelley Hendrickson, Planning Secretary