

**Adopted Minutes
Spanish Fork City Planning Commission
40 South Main Street
Spanish Fork, Utah
September 7, 2022**

Commission Members Present: Chairman Jesse Cardon, Commissioners John Mendenhall, Shauna Warnick, Joseph Earnest, Michelle Carroll.

Staff Members Present: Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Michael Clark, Staff Engineering; Ana Burgi, Assistant City Attorney; Jackson Dille, Planning Intern.

Citizens Present: Chris Child, Cody Brazell.

WORK SESSION

Chairman Cardon called the meeting to order at 6:07 PM.

PRELIMINARY ACTIVITIES

Pledge of Allegiance

Commissioner Mendenhall led the pledge.

MINUTES

August 3, 2022

Commissioner Warnick moved to approve the minutes from August 3, 2022.

Commissioner Carroll seconded and the motion passed all in favor.

PRELIMINARY PLAT

Parkway Plaza

Dave Anderson gave a brief background on the site's location and history. The approval tonight is necessary for the applicant to get the plat recorded. It has been hard to find good space for professional buildings in Spanish Fork, so they are excited to have this proposal. There have not been a lot of new office space projects in Spanish Fork. Retail, industrial, and residential uses have all grown much faster than office use. One design proposal is similar to an office space in north Springville that has been well received.

The applicant, Chris Child, rose to speak about their plans for the site. COVID slowed down their plans for the site, they are excited to start progressing. They already have buyers for some buildings. There seems to be more demand for a contemporary design. The completion of a road nearby will increase visibility and demand for the project.

Commissioner Earnest moved to recommend approval of the Parkway Plaza Preliminary Plat based on the following findings and subject to the following condition.

Findings:

1. That convenience stores, professional offices, and preschools are all permitted uses in the Commercial-2 Zone.
2. That the proposed plans are consistent with the City's Construction Standards.

Condition:

1. That the applicant addresses any redlines provided by Staff.

Commissioner Carroll seconded and the motion passed all in favor.

PROJECT SIGNAGE PLAN

Canyon Creek Project Signage Plan Amended

Dave Anderson gave a background of how the Project Signage Plan allows for more signs than would typically be allowed. The Project Signage Plan for this area has been amended twice. The current plan allows for the construction of a 40-foot sign along Commerce Way. Approval of the proposed plan would allow for the construction of a 45-foot sign along commerce way. Dave Anderson said the difference would be negligible.

Chairman Cardon asked for a street view. He is concerned about how the proposed sign would interact with the existing Wiggy Wash sign.

Discussion ensued regarding the location of the sign.

Commissioner Mendenhall said he is concerned that this sign would interfere with Wiggy Wash.

Commissioner Earnest said if Wiggy Wash approves this plan that would change the Commission's considerations.

Commissioner Mendenhall mentioned that this intersection is a very busy area. Those going onto the freeway will have a better vantage point of the sign than most other motorists.

Michael Clark asked why the sign is proposed for that specific location.

Cody Brazell said the location of utilities on the site makes the proposed location the best site.

Discussion ensued regarding proximity of the proposed sign to the Wiggy Wash sign.

Commissioner Mendenhall said businesses along Highway 6 already have a lot of visibility. Most of the sign space will be used by interior stores.

Commissioner Earnest said he thinks he is in favor of the plan.

Chairman Cardon asked if the Commission will just be making a recommendation on this item tonight.

Dave Anderson said yes, they will.

Chairman Cardon said he doesn't need to see the proposal again if Wiggy Wash is involved in the process.

Commissioner Earnest asked what would happen if Wiggy Wash was not ok with it.

Chairman Cardon said he would want another solution.

Commissioner Mendenhall asked what the conditions of approval should be.

Commissioner Carroll moved to recommend approval of the Canyon Creek Project Signage Plan Amended Project Signage Plan subject to the following condition.

Condition:

1. That Woodbury Corporation come to the City Council with information regarding Wiggy Wash's support of the proposed signage plan.

Commissioner Mendenhall seconded and the motion passed all in favor.

TITLE 15 AMENDMENTS (PUBLIC HEARING)

Travel Trailers and Dwellings

Dave Anderson said he doesn't view this as changing the rules. He views this as a clarification that fifth wheels cannot be classified as a dwelling. What's proposed tonight will make it easier for code enforcers to help residents come into compliance. Defining recreational vehicles and ADU's will help to clarify the purpose of the existing law. Recreational vehicles cannot be used as dwellings. It is a small change but it is required to hold a public hearing on the issue.

Commissioner Mendenhall said the main concern is long-term habitation, not someone staying in an RV as they renovate their home.

Brandon Snyder said both are a concern, but the long-term habitation is the biggest concern.

Dave Anderson said this language has some latitude, it applies more to a dwelling unit situation rather than a temporary situation. Code enforcement will have some room for interpretation of events and longitude of situation.

Commissioner Mendenhall clarified this is like having a flat tire versus having a broken car in your driveway for 8 years.

Commissioner Earnest said the municipal code does not clarify duration, so an officer could give a ticket after one night. But if the code were to clarify one night is allowed, the door would be opened to overnight rentals.

Dave Anderson said this issue was already raised in a previous meeting. They want to keep code concise. Staff has decided that letting the code enforcers exercise reasonable judgment is the best course. Dave Anderson said the changes proposed are not intended to make enforcement more aggressive.

Commissioner Earnest gave the example of cousins staying in an RV in the driveway overnight. He does not want situations like those enforced.

Ana Burgi, the Assistant City Attorney, clarified there is further definition on the issue in the code.

Discussion ensued regarding what can be defined as a residence and a dwelling unit. The Commission is more comfortable with the word "use" being replaced by the word "reside" so as to clarify the situations the code is intended to prevent.

Ana Burgi agreed that the proposed word change would be appropriate and helpful.

Chairman Jesse Cardon opened public hearing 6:51 PM.

There was no comment.

Chairman Jesse Cardon closed public hearing at 6:51 PM.

Commissioner Earnest moved to recommend approval of the Travel Trailers and Dwellings Title 15 Amendment subject to the following condition.

Condition:

1. That the proposed use of the word "use" in the text be replaced with the word "reside".

Commissioner Mendenhall seconded and the motion passed all in favor.

Reimbursable Projects

Michael Clark is excited to be here and give this information. He said that the original language in this text was up to interpretation. This proposed change gives a set defined size for what is reimbursable.

Chairman Jesse Cardon opened public hearing at 6:54 PM.

There was no comment

Chairman Jesse Cardon closed public hearing 6:54 PM.

Commissioner Warnick moved to recommend approval of the Reimbursable Projects Title 15 Amendment.

Commissioner Carroll seconded and the motion passed all in favor.

GENERAL PLAN (PUBLIC HEARING)

Moderate Income Housing Element

Dave Anderson spoke about how for the past 20 years the state has required cities to provide a moderate-income housing plan. The City has had a moderate-income housing plan in place for a while. The new deadline is October 1, 2022. The public hearing held today will allow the City to have a public hearing for final approval with the City Council before the deadline. This is a rough draft and will see some tweaks.

Commissioner Earnest asked what the moderate-income housing plan is and how it differs from the general plan.

Dave Anderson defined moderate income housing per the state code, which is housing that is affordable for those making 80% of the Area Median Income (AMI).

Commissioner Carroll said the state legislature is considering tougher enforcement if housing affordability is not enforced.

Commissioner Mendenhall spoke to his concerns about state enforcement overriding local control.

Commissioner Carroll commended Spanish Fork for choosing seven strategies and not just doing the bare minimum of three.

Commissioner Mendenhall spoke to the need for local regulation and building codes.

Dave Anderson spoke to the issue of rising fees and housing costs. Communities are under pressure to provide more housing. There are communities that have been good actors and communities that have been bad actors, and this needs to be a group effort. The selected strategies reflect Spanish Fork's efforts to provide moderate income housing. Dave Anderson then detailed the different strategies listed in the proposed moderate income housing report and the reasoning behind these strategies.

Commissioner Earnest said he wants to make sure moderate-income housing includes large bedrooms for the families and good designs. He wants to make sure ADU's are large enough to provide for families.

Commissioner Warnick mentioned that those provisions are already in the code.

Discussion ensued regarding more strategies and the reasoning behind them.

Commissioner Carroll mentioned that the state asks for higher density land usage around interchanges because the state wants to see a return on their investment in the area.

Commissioner Earnest asked why low-density land use around an interchange is a bad investment for the state.

Dave Anderson said that an interchange can accommodate much more intense uses that can generate much more economic growth.

Commissioner Earnest mentioned Arrowhead and Main as an area where higher density has been allowed near a transportation corridor.

Discussion ensued regarding TDR's.

Dave Anderson outlined the last remaining strategies on the plan.

Commissioner Earnest said he would love to see moderate income housing plans from other cities.

Dave Anderson said there is a wide variety of plans and efforts taken on them. Staff will provide examples.

Chairman Jesse Cardon opened public hearing at 7:38 PM.

There was no comment.

Chairman Jesse Cardon closed public hearing at 7:38 PM.

Chairman Jesse Cardon expressed appreciation of past City Councils for the action they have taken to provide moderate income housing. He thanked staff for their work on the report.

Commissioner Warnick said she wants staying power for the moderate-income housing provided.

Commissioner Earnest said the City could allow smaller townhomes as long as they still allow adequate living space.

Commissioner Warnick mentioned her experience in other cities that high density residences can have staying power.

Chairman Jesse Cardon mentioned the need for requirements that will provide staying power.

Discussion ensued regarding changing needs and struggles to the affordable housing crisis.

Commissioner Earnest asked Commissioner Carroll her thoughts.

Commissioner Carroll said she's impressed with Spanish Fork City's track record and is excited for the station area plan.

Discussion ensued regarding affordable housing.

Commissioner Warnick moved to recommend to approve the Moderate-Income Housing Element of the General Plan.

Commissioner Mendenhall seconded and the motion passed all in favor.

Chairman Jesse Cardon adjourned the meeting at 7:50 PM.

Adopted: October 5, 2022

Jackson Dille
Planning Intern