

Adopted Minutes
Spanish Fork City Development Review Committee
August 28, 2019

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kelly Peterson, Electric Superintendent; Tom Cooper, Electric Utility Planner; Junior Baker, City Attorney; Jason Sant, Assistant City Attorney; Michael Clark, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; Dale Robinson, Parks and Recreation Director; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Jessica Burdick, Building Inspection Division Secretary.

Citizens Present: Andy Spencer, Brant Tuttle.

Chris Thompson called the meeting to order at 10:06 a.m.

FINAL PLAT

Canyon Creek Phase 8C

There were no issues to discuss.

Dave Anderson **moved** to approve the Canyon Creek Phase 8C Final Plat.

Kelly Peterson **seconded**, and the motion **passed** all in favor.

ZONE CHANGE

Arrowhead Trail

Dave Anderson stated that the Arrowhead Trail Zone Change was already approved, it was a mistake for it to be on the agenda today.

IFA

Dave Anderson said he met with Dirk Winn, the manager of IFA, and learned about their business and discussed with him the Zone Change. They still have an operation that would be non-conforming in the C-2 zone, but they will probably be scaling that operation back. Dirk said he's comfortable with the Zone Change, but he will talk with others at IFA. Dave noted we're trying to eliminate some obnoxious things that are allowed in the I-2 zone.

Dave Anderson **moved** to recommend approval of the IFA Zone Change to C-2.

Junior Baker **seconded**, and the motion **passed** all in favor.

Leland Mill

Junior Baker **moved** to continue the Leland Mill Zone Change.

Seth Perrins **seconded**. There was discussion on the motion.

Seth Perrins feels this Zone Change is equally important for discussion. The functionality of the Leland Mill is important to our history, and it is great as it continues to function. There are operations going on around Leland Mills that are important as the historical significance of the Leland Mills. The landscaping business is secondary to the Leland Mill. Seth added that he doesn't feel the City should have the same concern for the landscaping business as it does for the Leland Mill. He feels we need to consider text amendments for the Mill to be in another zone, but the other uses from the last 10 years don't have that importance.

Dave Anderson said they could make their landscaping business legal, but those issues aren't the reason we're talking about this Zone Change.

Seth Perrins agreed, we want to get rid of the Industrial zone.

Dave Anderson thinks there will be a lot of dialogue on this one. Junior Baker will meet with the Isaacs regarding their concerns and how the text amendments might look like. So, we're not ready today.

The motion **passed** all in favor.

TITLE 15 AMENDMENTS

Dave Anderson went over the suggested Title 15 Amendments using the document on screen.

1. Definition of Basements and Buildings was revised
2. We removed the Billboard definition from Title 15.

Junior Baker asked why the Billboard definition was removed, he also had some questions as to the language of the basement and buildings definitions.

Dave Anderson explained to Junior the Billboard definition was removed from Title 15 because that definition is now listed in Title 5. Dave stated he'd talk with John Little about the language for basements and buildings.

3. The word "dwellings" will be replaced with the word "homes" throughout Title 15.

There was discussion regarding removing "on the same lot" Twin Homes are defined as being on "separate lots". Dave Anderson said he will keep the "on the same lot" wording.

4. The Front, corner lot line language will be changed to make it more clear where the front of the home is.

5. The line "used in connection with a business located on the same site" will be removed from the Outdoor Storage Area language.

Junior Baker had an issue with this and gave the example of, what if he and his wife owned a parcel together, or if two corporations jointly owned one parcel. Junior suggested the language not focus on ownership, just one tax ID number.

7. The definition of "Structures" will be changed.
8. On the "Notices" section of Title 15, the City's webpage language will be removed.
9. The General Plan Amendment application process will be cleaned up and updated.

Junior Baker said he feels 24 months is too long a time to have these applications expire.

Dave Anderson agreed, but added that we don't need a restrictive end date, so 24 months works here.

Mike Clark said it's too long because everyone forgets about it. Mike suggests applicants be forced to resubmit after 12 months.

Junior Baker also feels 12 months would be better. Mike agrees.

Dave Anderson said amending the General Plan is a long process. There was further discussion.

Seth Perrins agrees that 24 months is too long.

10. Language will be added to the Annexation Applications, and the expiration date for these applications will be 36 months.

Dave Anderson agreed.

11. Zone Text or Map Amendment applications will now expire after 24 months.

Junior Baker suggests the expiration be after 12 months, and if needed they can get an extension.

12. The Conditional Use Permit applications will now expire after 24 months.

Junior Baker said CUP's shouldn't expire because we need to act on these, that burden is on us. There was discussion.

Junior Baker stated that if we are waiting on the applicant, and it is because of the failure of the applicant to act, the CUP can expire after 12 months. But, if it's something waiting on the City, we need to document that.

Dave Anderson would like the applicant to have some sort of burden on them. Dave agreed to have the expiration date on CUP's be 12 months.

13. There was discussion regarding rear setbacks. Junior Baker feels the residential zones, R-3 to R-1-15, should have 20-foot rear setbacks. There was further discussion.

Dave Anderson suggested the City wait for someone to approach the City before any rear setbacks are changed. Chris Thompson agreed.

14. Table 2 - Commercial and Industrial Standards. We will be eliminating the Minimum District Sizes column on that table.

15. Code references d-i will be added to the C-1, I-1, I-2 and I-3 Zoning Regulations. They were missing for some reason.

16. We will be adding "Caretakers Residence" as permitted uses in I-1, I-2 and I-3.

17. Subdivision Design - we're clarifying what we will count in the density calculations. Unbuildable land due to easements or other restrictions can't be counted.

Chris Thompson asked what if the unbuildable area is improved?

Seth Perrins feels this amendment could become a problem for us around the power corridor trail. There was further discussion.

Dale Robinson feels the whole corridor should be delineated and shown in the trails master plan.

Dave Anderson suggested adding language somewhere requiring access to the power corridor so we can put in the trail all the way through.

Jered Johnson said our trails are included in the master plan for MAG funding.

18. We are removing the language "Where a property's side yard abuts another property's rear yard, no setback is required for structures that are open on at least two (2) sides so long as the structure is attached to the principal structure and is constructed of materials that are aesthetically consistent with the principle structure" from the Accessory Structure code.

19. Under "Structures Larger than 200 Square Feet", we're removing the "with a maximum of one (1) foot overhanging eave." language.

20. We will now require neighborhood meetings be held by applicants before the application is placed on DRC agenda.

21. We're removing the language/need to submit paper copies of any plans since everything is electronic.

22. There are minor changes to the filing of Final Plats and Minor Subdivisions and Minor Plats, we cleaned the application procedure and updated it to get it caught up with current practice.

23. Minor subdivision plat applications will expire after 12 months.

24. There are some amendments to landscaping in that shade trees are now required around developments.

Junior Baker left the meeting.

25. Language was added to the multi-family and commercial developments that no less than 30% of the required landscaping shall be irrigated turf grass.

26. There was also an amendment to the General Fencing Code. #8 was moved to #1.

Dale Robinson had a comment and Dave Anderson said he'd talk with John Little about it.

Dave Anderson **moved** to recommend the Planning Commission accept the proposed Title 15 Amendments, with the changes discussed today.

Jason Sant **seconded**, and the motion **passed** all in favor.

GENERAL PLAN AMENDMENT AND ZONE CHANGE

The Bridges at Rivers Edge

Dave Anderson explained that the applicants have proposed to change the General Plan and Zoning south of the river. We don't have anything showing a Zone Change is justified at this time, and we don't have the infrastructure there right now.

Jered Johnson noted that the property is also in the 100-year floodplain.

Dave Anderson agreed.

Seth Perrins stated it's also outside of our growth boundary, he is not ready to amend the General Plan.

Brant Tuttle arrived at 11:06 am.

Brant Tuttle said he realizes the property is outside the growth boundary and explained that's the purpose of amending the General Plan.

Dave Anderson asked Brant Tuttle what the applicants' want to do. For 18 months the City has gone through a process with consultants who now say development within the floodplain won't work. The applicant asked to have this pushed forward even though we have direction that development is not justifiable. So, what are the applicants wanting?

Brant Tuttle said the applicants have been talking with the County.

Dave Anderson explained that the City will probably make the whole portion, up to Main Street, agriculture so he just wants to know what the applicants are expecting.

Brant Tuttle clarified, as far as the City is concerned, it will remain agriculture?

Dave Anderson discussed different scenarios for development in the River Bottoms. He stated we need to create a legitimate way to keep development from happening within the 100-year floodplain.

Seth Perrins stated that there was almost flooding this year. Flooding is a very real potential threat in the area of discussion. A 100-year flood is a real concern.

Kelly Peterson noted that there have been improvements to make the river flow better, but flooding will happen again, like it did in 1984.

Dave Anderson said he could give Mr. Tuttle a copy of the River Bottoms Vision document. Also, the community doesn't want development in the flood plain.

Brant Tuttle said he understands. The only option would be doing a map revision and build dikes or berms to the Corps of Engineers standards.

Dave Anderson said that would have to be done in the County and that's not the intent.

Jered Johnson added that would be hard to do, and very expensive. The berms and dikes would have to span for miles.

Seth Perrins said the City would have to be on board with dikes and berms because the dike would be the City's. And the dike we already have is a scary thing.

Brant Tuttle asked if rising floors up two feet might make a difference.

Dave Anderson said our direction is that people don't want to see any development in the River Bottoms. The floodplain will be our focus for that. We don't want the property owners to be stuck, but they have flood plain. It's hoped that there will be enough cooperation among property owners in the River Bottoms that we can put a proposal together and realize some economic benefit, while not developing the area. That's what we're going to do.

Seth Perrins agrees.

Seth Perrins **moved** to recommend that the Bridges at Rivers Edge General Plan Amendment and Zone Change be denied.

Jason Sant **seconded**, and the motion **passed** all in favor.

Seth Perrins moved to adjourn the meeting at 11:19 a.m.

Adopted: September 18, 2019

Jessica Burdick
Building Inspection Division Secretary