

Adopted Minutes
Spanish Fork City Development Review Committee
40 South Main Street
Spanish Fork, UT 84660
January 26, 2022

Staff Members Present: Chris Thompson, Public Works Director; Seth Perrins, City Manager; Dave Anderson, Community Development Director; Brandon Snyder, City Planner; Kimberly Brenneman, Community Development Secretary; Vaughn Pickell, City Attorney; Walter Bird, Assistant City Attorney; Michael Clark, Assistant City Engineer; Jered Johnson, Engineering Division Manager; Shelley Hendrickson, Engineering Division Secretary; Jake Theurer, Power and Light Superintendent; Dale Robinson, Parks and Recreation Director; John Little, Chief Building Official; John Waters, Water Division Manager; Josh Robinson, Engineering Designer; Travis Warren, City Surveyor; Tom Cooper, P&L Senior Utility Planner; Paul Taylor, Assistant Water Division Manager; Bryan Perry, IS/SFCN Director.

Citizens Present: AJ DelPivo, Marty Warren, Judy Cundy, Simon Kirchman, Monte Bingham, Sam Ireland.

Chris Thompson called the meeting to order at 10:00 a.m.

MINUTES

January 5, 2022

January 19, 2022

Dave Anderson **moved** to approve the minutes of January 5, 2022 and January 19, 2022.

John Little **seconded** and there was discussion on the motion.

PRELIMINARY PLAT

J-6

Brandon Snyder stated that the Preliminary Plat is pretty straight forward with 3 lots. He asked if there needs to be any notes on the plat as this development is at the north end of the Spanish Fork Airport runway.

Michael Clark stated he does not have any concerns.

Chris Thompson expressed concern about the north property not being within the proposed development.

Dave Anderson asked if any notes have been made in Citizenserve regarding the storm drain crossing SR 77. He stated this is an area of town that does not have many utilities nearby.

It was stated that as a motion of recommendation the DRC needs to be deliberate and clear that there will be a lot of offsite work needed to supply utilities for development.

Seth Perrins asked if any of the utilities will need to be looped at time of installation.

Chris Thompson stated that there will probably need to be a loop on the waterline.

Michael Clark stated that it depends on what the end user needs are and the scale of the business.

Chris Thompson stated that maybe the motion could have a condition that utility looping will be based on modeling for the particular uses.

Jake Theurer does not have any comments other than power is dependent upon the end user.

Dave Anderson **moved** to recommend approval of the proposed J-6 Preliminary Plat to the Planning Commission based on the following finding and conditions:

Finding:

1. That the application conforms to the City's General Plan Designation, Zoning Map and to the subdivision requirements for the I-1 zone.

Condition:

1. That the applicant with either a Final Plat or Site Plan application address all offsite utility requirements which currently include building an offsite water line west of the airport to connect to existing City utility services south of the airport.
2. That the applicant completes offsite power improvements that will need to be sized based on the ultimate use of the site.
3. That the applicant completes offsite road improvements.
4. That the applicant completes sewer improvements.
5. That the applicant devises a plan to address stormwater requirements.
6. That the applicant addresses all other related utility requirements for the project.
7. That the applicant adds any language to the plat for the airport easements and restrictions.
8. That the applicant addresses any red-lines.

Jered Johnson **seconded** and the motion **passed** all in favor.

ZONE CHANGE AND PRELIMINARY PLAT

Modera

Dave Anderson **moved** to continue the proposed Modera Zone Change and Preliminary Plat.

Jered Johnson **seconded** and the motion **passed** all in favor.

TITLE 15 AMENDMENTS

Septic Tank Regulations

Chris Thompson stated this is a change to Title 13 and Title 15. He detailed the changes as stated in the memo.

- Septic tanks or any other private wastewater disposal systems shall not be allowed within water source protection zones.
- The septic system shall be at least 25 feet from the property line on all sides.
- A parcel may be approved with a septic system sanitary sewer if it is no smaller than one (1) acre if created before January 1, 2000 or five (5) acres if created after January 1, 2000.
- Lot size was found to be discussed in two different ordinances. It was removed from Title 13.
- A lien is required instead of a connection because we felt a connection was unenforceable.
- If accessible sanitary sewer is within 1,000 feet of the parcel, a septic system will not be approved.

With regard to bullet point three, Chris Thompson stated that most cities allow septic tanks on one-acre parcels or larger. The idea is to grandfather in older lots within the community.

Chris Thompson addressed bullet point 5 stating that if an existing property that is on a septic tank has development occur around them where there then becomes available sewer within 300 feet of the property line; the code stated that the property would be required to connect to the sewer system. This is a big ask to knock on a property owner's door and tell them they now need to spend \$25,000; and logistically this is not enforceable.

Vaughn Pickell stated that he likes the general idea but wondering if it needs to be more clear stating something to say if sewer is within 300 feet it shall be connected, until which time a lien is required.

Chris Thompson asked if the language indicated that liens should be applied to existing homes with septic systems.

Vaughn Pickell stated that it would be for new structures. He proposed that the language be clear with that.

With regard to bullet point 6, Travis Warren stated that he feels it could be excessive if it is for a subdivision that is 1 or 2 lots opposed to a larger subdivision.

Jered Johnson stated that a sewer line in a road is about \$100 per foot.

Chris Thompson stated that he does agree that can be excessive. He suggested that the 1,000 feet be changed to 300 feet for item 15.4.16.060(6)

Chris Thompson stated with regard to the base rate, this is something that Provo does. The example of this is there are sewer lines in the original grid block of Spanish Fork City, but at that time not all properties connected to the sewer. The idea is they should be paying for maintenance of the line that runs in front of their home.

Jake Theurer stated that he does not think that charging the base rate makes sense as they are not connected to the system, unlike power where they are connected to power, but may not use it.

Vaughn Pickell stated that it would sync up with what the ordinance states that connection needs to be made within 300 feet.

There was discussion of if there is state law that requires a connection to a sewer line along with the cost difference between improved and unimproved lots.

John Water feels this could impact some elderly residents that may not be connected to the utilities.

Chris Thompson stated that it is part of the terms of the loan for the sewer treatment plant that connection to the sewer be made and septic tanks be abandoned when possible.

Vaughn Pickell **moved** to recommend approval of the proposed Septic Tank Regulation Amendments to Title 15 to the City Council as proposed with the following:

- Clarifying language in 15.4.16.060(A)(2) regarding liens and connections with regarding mandatory sewer connection with a clearer statement in section 2 that a connection is required.

- That the distance requirement that would trigger connection or lien be evaluated.

Jered Johnson **seconded** and the motion **passed** all in favor.

Proposed Amendments to Various Zoning Requirements

Dave Anderson stated that there are 5 or 6 main changes. There are proposed changes that align the R-4 and R-5 zone with requirements in the Master Planned Development language. There was the addition of requiring street trees to be planted by developers who do a Master Planned Development. The language is to sync up with direction from the Planning Commission.

Going back in history many years ago developers used to be able to get base density with Master Planned Development. Effectively, for about a decade now, the base density is the max allowed density. There was removal of the word “base” from the development table to clarify the number is actually the maximum density. There was a definition created for unbuildable land, which is different from sensitive land.

These items have come up when completing development reviews or with conversations with developers in very pointed conversations. There is nothing proposed that changes the standard but to be clear and user friendly. This is a significant and overdue clean up.

Seth Perrins stated he likes the changes within the R-5 zone definition.

There were a couple corrections suggested.

Vaughn Pickell **moved** to recommend approval of the Amendments to Various Zoning Requirements to the City Council with staff striking the In Fill Overlay language from the R-4 and R-5 section and changing “unbuildable lands” to singular.

John Little **seconded** and the motion **passed** all in favor.

CONSTRUCTION STANDARDS **Construction Standards 22-01**

Jered Johnson discussed that in a conversation with the Parks Department they are requesting that 4.39.45.050 be continued for further internal discussions.

Paul Taylor showed a conservative price breakdown of the vault versus the two separate boxes. The cost of the materials is a little different, but the cost of the installation is the same. Jered Johnson gave the example of excavators digging a trench for utilities to two boxes or one man hole is the same.

Michael Clark stated when working with Arive Homes, Dean Ingram supported the proposed change as he is making this change all the time.

Seth Perrins asked why this is an issue if we have regulations that they cannot be in a driveway or sidewalk.

It was explained that there is no reason for a resident to access the meters, also the lot widths are narrow. It saves future homeowners approximately \$7,000 should they need to change the location for driveways.

Paul Taylor added that when a subdivision receives final approval and enters into warranty, the City assures that all these covers are in pristine condition, but after the home builders come in those lids need to be replaced.

John Waters added that if the setter needs to be repaired, the property owner's landscaping does not need to be disturbed.

Jered Johnson **moved** to recommend approval of the proposed Construction Standards 22-01 to the City Council as proposed subject to removing the sleeve standard.

John Little **seconded** and the motion **passed** all in favor.

CONCEPT REVIEW

Monte Bingham

Simon Kirchman stated in discussions with Dave Anderson and Brandon Snyder that there was townhome fatigue. As such they are proposing a higher density single-family detached home product that would be for rent. A General Plan change will be required.

Chris Thompson stated he does not see the City Council approving a Zone Change for higher density residential in the area.

Dave Anderson stated that he is not aware of a project that has been done in the state like this. He is aware of a few other developers proposing this type of development.

Simon Kirchman stated to clarify the properties are detached single-family homes that are for rent only, and not for purchase.

The proposal is for 25'x50' building pads. This is similar in form to what Canyon Breeze looks like, but unlike Canyon Breeze the detached homes will not be for sale.

The density is about 8 ½ units to the acre. Some of the reasons he is hoping this could be approved is that 400 North is a busier street. This can be expected to be a very beautiful community. There will be no HOA and this would be managed by a management group. The lot lines in the proposal are a little misleading as it will be one plat and will not be subdivided.

Seth Perrins asked Vaughn Pickell if there is some kind of mechanism that would restrict this development from ever being subdivided in the future. He thinks the area does have townhome fatigue. The General Plan for this area has been stretched to maximum and there is density fatigue where the Legacy Farms area is R- 1-12 but acts more as R-1-9. The next part is the rental product is scary for the City Council. There is a management group that has purchased a row of single-family homes in a subdivision and one particular council member is having an issue with those properties already. Seth Perrins really feels the product type and density are some major hurdles to overcome with the City Council.

Dave Anderson stated that this area is not a bad area to have a little higher density, however staff supported a proposal to the south east of this property and that blew up. The newness of this concept is hard to support when he cannot take the City Council or Planning Commission to go and see the product in person. Dave Anderson stated this is cutting edge but does not feel the City has a desire to be cutting edge on this type of product.

Chris Thompson stated if the lot lines are removed, are they private roads or driveways? The fact that all gas tax in Spanish Fork goes to maintaining the road, but that a renter in this area would still be paying a fee to the maintenance group for any road improvements needed or plowing roads and such.

There was feedback of the road width and setbacks of the homes of the right of way. Dave Anderson stated there should be greater rear setbacks on the lots that back 400 North and the adjacent single-family homes. Also, Dave Anderson noted to change the design to not have so many long straight streets.

Chris Thompson cautioned the applicant to weigh investing in updating the design and reconfiguring the development based on the feedback with the idea that what he is proposing could not be favorable to the City Council.

Dave Anderson suggested having the applicant discuss the proposal with the Planning Commission on 2/2/2022.

SFCN Building

There was discussion of keeping the meandering trail along Center Street. Travis Warren stated that the skin and color of the building elevations shown have not been finalized.

Jered Johnson stated that the widening of 630 West will be done in conjunction with the Nebo School District and that the school district will be putting in a signal at the intersection of Center Street and 630 West.

A concern with the islands along 630 West, would force the City to improve the intersection on 100 South. Meridian is working on the road design of 630 West.

The fenced storage area must be surrounded by a masonry wall as it is outdoor storage.

Dave Anderson is concerned about the look of the storage area once the Center Street Interchange is constructed.

Brian Perry stated that he is putting minimal improvements to that area of the site with the outdoor storage so that it is not a weed patch and the idea that it can be repurposed in the future.

There was additional discussion of the site with the current location of the dumpster and the location of where the dumpster is proposed. There was discussion of electrical vehicle charging stations.

Discussion ensued with regard to the project being a GMP and entering into a professional service agreement.

Seth Perrins moved to adjourn the meeting at 11:51 a.m.

Adopted: **February 9, 2022**

Kimberly Brenneman
Department Secretary