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## **AMERICAN FORK CITY AMENDED PLANNING COMMISSION AGENDA**

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**Regular Session  
March 20<sup>th</sup>, 2024  
Wednesday 6:00 PM**

**American Fork City Hall  
31 North Church Street  
American Fork City, UT 84003**

**<https://www.americanfork.gov/AgendaCenter>**

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### **Planning Commission Members**

<b>Christine Anderson, Chair</b>	<b>Rod Martin</b>
<b>Chris Christiansen, Vice Chair</b>	<b>David Bird</b>
<b>Jenny Peay</b>	<b>Harold Dudley</b>
<b>Bruce Frandsen</b>	

Notice is hereby given that the American Fork City Planning Commission will meet in regular session on March 20<sup>th</sup>, 2024, at the American Fork City Hall, 31 North Church Street commencing at 6:00 PM. The agenda shall be as follows:

**1. Regular Session**

- a. Pledge of Allegiance
- b. Roll Call

**2. Common Consent Agenda** (Common Consent is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda).

- a. Approval of the March 6<sup>th</sup>, 2024, Planning Commission minutes

**3. Public Hearings** (Public Hearings is that class of Commission action that requires further discussion on General Plan changes, Zone changes, and Code Text Amendments that alter the land use characteristics of American Fork City. Public Hearing items will have the chance for the public to speak upon)

- a. Public hearing, review, and recommendation on a proposed Zone Change, known as Horan Home, located at 620 South 800 West, American Fork City, UT 84003. On approximately 3.57 acres, the property proposes to change from the PR 3.0 zone to the RA-1 zone.
- b. Public hearing, review, and recommendation on an ordinance amending Section 15.14.014 regarding the adoption of the international fire code.
- c. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Detailed Drawings, of the American Fork City Municipal Code. Creating Section 15.01.1531, the Code Text Amendment plans to provide new cross sections for roadways throughout the City.
- d. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as “R” Definitions, of the American Fork City Municipal Code. Amending Section 17.12.218, the Code Text Amendment plans to provide a new definition for retail and service commercial structures.

**4. Action Items** (Action Items is that class of Commission action that requires further discussion on Site Plans that alter the land use characteristics of American Fork City. The Planning Commission will have authority to approve Site Plans, depending on the zoning district said Site Plans are in. Site plans will be recommended by the Planning Commission to the City Council for final action)

- a. Review and recommendation on an ordinance amending Section 17.7.601(B), relating to allowed uses in planned commercial developments.

- b. Review and action on an application for an Accessory Structure, known as Reiber Accessory Structure, that is 1000 square feet or greater, located at approximately 265 East 400 North, American Fork City. The Accessory Structure will be on approximately 1.55 acres and will be in the R2-7500 Residential Zone.
- c. Review and recommendation on proposed Zoning for the Skidmore Annexation, located at approximately 6411 N 5750 W, American Fork City, UT 84003. On approximately 7.65 acres, the property will be annexed into American Fork City and be given the Planned Industrial (PI-1) zoning designation.

**5. Other Business**

- a. Upcoming Projects

**6. Adjournment**

Dated this 7th day of March 2024

Patrick O'Brien

Development Services Director

*\*The order of agenda items may change at the discretion of the Planning Commission Chair*

UNAPPROVED MINUTES

03.06.2024

**AMERICAN FORK CITY**  
**PLANNING COMMISSION REGULAR SESSION**  
**March 6<sup>th</sup>, 2024**

The American Fork City Planning Commission met in a regular session on March 6th, 2024 at the American Fork City Hall, 31 North Church Street, commencing at 6:00 p.m.

Commissioners Present: Christine Anderson, Chris Christiansen, Rodney Martin, Bruce Frandsen, David Bird, Harold Dudley

Commissioners Absent: Jenny Peay

Staff Present:

Cody Opperman	Planner
Travis Van Ekelenburg	Senior Planner
JJ Hsu	City Engineer
Angie McKee	Administrative Assistant I

Others Present: Dustin Kuttler, Taylor Leavitt

**REGULAR SESSION**

**Chairwoman Anderson led the “Pledge of Allegiance”**

**COMMON CONSENT AGENDA**

**1. Minutes of the February 21st, 2024, Planning Commission Regular Session.**

**Bruce Frandsen motioned to approve the Common Consent agenda.**

**David Bird seconded the motion.**

**Voting was as follows:**

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<b>Rodney Martin</b>	<b>AYE</b>
<b>Christine Anderson</b>	<b>AYE</b>
<b>Bruce Frandsen</b>	<b>AYE</b>
<b>David Bird</b>	<b>AYE</b>

**The motion passed**

## **PUBLIC HEARINGS**

- a. Public hearing, review, and recommendation on an ordinance amending Section 17.7.601(B), relating to allowed uses in planned commercial developments.**

Cody Opperman reviewed the background information for Public Hearing Item letter a: Staff has initiated a Code Text Amendment to amend Section 17.7.601 (B) of the American Fork City Municipal Code. The proposed amendment looks to remove language associated with retail and service commercial warehouse structures and car washes.

Chairwoman Anderson: This makes sense to me because the intent of GC-2 zone is to be kind of that bridge between the more intense uses and residential. So, I think this change would be a good change. Any questions for planning?

Bruce Frandsen: Can you bring up a map and show me where the GC-2 area is?

Cody Opperman: Yeah, Travis will bring that Zone Map up for you.

Rodney Martin: It's about 200 west by Doug Smith, North of South Main.

Cody Opperman: So yeah, GC-2 zones. They're actually kind of scattered throughout the city. But more along the lines of kind of a lot of PC or planning community residential development, a little bit medium density, and even low density as well. So just really providing more of that core component for retail and service.

Chairwoman Anderson: Comments or questions?

## **Public Hearing Opened**

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No Comments

### **Public Hearing Closed**

Chairwomen Anderson: We are ready for any further questions or discussion or a motion.

**David Bird moved to recommend approval for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments and providing an effective date for the ordinance.**

Chairwomen Anderson: Motion from David, do we have a second?

Bruce Frandsen: Maybe I can ask you a question. Has there been a concern with what we currently have? I mean, what kind of drove this? Is this a staff driven action? What is it that really brought this to the forefront where we needed to remove two permitted uses?

Cody Opperman: Yeah, that's a good question. So really, for car washes in the GC-2 zone. It could really kind of eliminate some prime aspects for other retail components of commercial development like maybe grocery elements near residential communities such as, for instance, on our planned community zone. And then for the warehousing component as well, it is going to be more kind of switched to a storage component. We're really looking to maybe provide a 60/40 split, where 60% is more retail and service commercial, than 40% as a warehousing component. That really comes along the line of just making sure we provide more of that retail aspect for the city.

Chairwomen Anderson: A good planning principle is to bring services closer to residents. And, you know, a typical like Western plan, often includes this kind of sprawl, where we have all of our city stuff in the center and then the homes are far away. Sometimes you have to drive further than I think is good to get groceries. I think a better planning strategy is to bring retail and goods closer to the residents, shortening, driving times and traffic. If not, everyone has to come into the center of town for their regular needs, like groceries and retail. So, you know, for me this change makes sense because car washes and warehouses see more of an industrial use or less of a residential use and those areas in the GC-2 that are right next to residential, I think, give us a good chance to make those services especially groceries and you know mandatory services, that residents will have to make trips for, closer to their residence. That's why I agree with this.

Rodney Martin: Can we pull up the zoning map again? I was looking at it on my computer, and my computer died. There's this big section of GC-2 zone right on the 500 East interchange. I sort of get the warehousing aspect, that you wouldn't want that right next to the interchange. But

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why wouldn't you want a carwash where people are exiting the freeway with their cars? and the same kind of fanatic, but why not? I don't know why that's a GC-2 zone just based on what's out there already.

Cody Opperman: There's a lot of aspects to kind of consider with our GC-2 zone, and even for our GC-1 zone as well. But for carwashes, if we do remove them within the GC-2 zone, we can still provide that type of use located in a different area, or in a different zone as well, throughout the city too. So, it's not like a completely gone aspect of the city. It's just kind of more focusing on planned commercial development projects rather than being able to service automobiles.

Rodney Martin: Well, servicing automobiles and washing automobiles is not the same thing.

Chairwoman Anderson: I think Rod has a good point that maybe this area of GC-2, maybe it's mislabeled. You know what I mean? Is this area really matching what the GC-2 zone is intended to be? I know that we're in the middle of rewriting a lot of things. Maybe that's something that you're already looking at.

Cody Opperman: Going off what you're saying with the GC-1 zone, or maybe where it shouldn't exactly be. Again, there's a lot of aspects within our code that need to change. That's why we're doing the whole code rewriting. So, in my opinion, it would be best to have the GC-1 uses closer to the PI-1 zone than the GC-2. A lot of those permitted uses within that area like welding shops tire capping establishments, more kind of industrial uses. But again, this is your determination if you want to keep the car washes within the GC-2 zone. So, if you think it's good to keep them there, that'd be up to you. But this was staff initiated and we as staff think that the carwashes can be eliminated out of that zone.

David Bird: I am looking at that, and I don't really see car washes as an industrial thing. I am looking at the one up on the boulevard, on 1100 East, and there's like a Taco Time next to it, and a Walmart across the street from it. I don't know that car washes and industrial go in the same sentence. I can understand the warehousing stuff to have that designation. Do you have any carwash applicants pending on this decision?

Travis Van Ekelenburg: Not on this decision, but we do have applications in.

Rodney Martin: Okay, and in this GC-2 zone there was a carwash in that spot, and it didn't succeed. That's neither here nor there now, but since that area is more built out now, people are going to want something there. I would make a motion to eliminate the car washes, put the verbiage in there to take the car washes off the amendment, and to leave the warehouse and storage on.

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Bruce Frandsen: Christine, so you're thinking maybe we'll push to encourage more grocery type things into some different areas. I mean, I can think of just three grocery stores that have shut down there in R2-7500s over the years, maybe four. There's one where the post office is, there's one kiddy-corner from the stick shoe, There's another one in the S curve on Main Street. They were in the middle of residential, and they're gone. I have a tendency to prefer more options for the people that have the property. If the carwash won't succeed, like the other one didn't and went out of business, my daughter lost her job. And there you go. I think economics take care of a lot of these things.

Chairwomen Anderson: This is a good example of why there's, you know, different voices here because all of these opinions are super important. I have a question, because we have a motion, but not a second.

Bruce Frandsen: We can amend the motion.

Chairwomen Anderson: We don't have a second yet, right?

Rodney Martin: Yeah, we can amend it.

Cody Opperman: Technically since there wasn't a second motion than it technically dies.

Chairwomen Anderson: So, the motion has died. I just wanted to make sure I knew where we were.

David Bird: I just don't see car washes not being compatible with grocery stores. It doesn't make sense that it is one or the other. A car wash could be the business next door.

**Rodney Martin moved to recommend approval for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments with the exception that the car wash verbiage be removed, and providing an effective date for the ordinance.**

Bruce Frandsen: So, in this motion carwashes are no longer permitted?

Rodney Martin: No, carwashes will be permitted.

Bruce Frandsen: Carwashes will be permitted, but warehouses would not be permitted.

Rodney Martin: Yeah.

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Chairwomen Anderson: Do we have a second?

**David Bird seconded the motion.**

**Voting was as follows:**

<b>Rodney Martin</b>	<b>AYE</b>
<b>Christine Anderson</b>	<b>NAY</b>
<b>Bruce Frandsen</b>	<b>AYE</b>
<b>David Bird</b>	<b>AYE</b>

**The motion did not pass**

Chairwomen Anderson: I think this would be a good one to hear more voices, so we are undecided on this one at this point. We can visit it again when we have other voices here. So, thank you everyone for your Insite, I really think your voice is valuable.

**Bruce Frandsen moved to table the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments, and instruct staff to present it at a later date.**

**Rodney Martin seconded the motion.**

**Voting was as follows:**

<b>Rodney Martin</b>	<b>AYE</b>
<b>Christine Anderson</b>	<b>AYE</b>
<b>Bruce Frandsen</b>	<b>AYE</b>
<b>David Bird</b>	<b>AYE</b>

**The motion was tabled**

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**b. Public hearing, review, and recommendation on an ordinance amending Section 17.5.121, related to design standards within the landscaping section of the Municipal Code.**

Cody Opperman reviewed the background information for Public Hearing Item letter b: Staff has initiated a Code Text Amendment to amend Section 17.5.121 Landscaping of the American Fork City Municipal Code. The proposed amendment looks to remove some of the design standards found within the landscaping code. It would provide more options for flexibility on designs relating to the landscaping and provide the Development Services Director with more input on the proposal to see if they are meeting the intentions of the Municipal Code.

Cody Opperman: A lot of the design standards would include residential perimeter fencing, parking lot perimeters, dumpster enclosure standards and of the sorts. This would kind of eliminate or remove those kind of design standards but provide a little bit more flexibility for the applicant, and also the zoning and clearance officer to make a decision if this is meeting the intent of the zone or not. It gives a little bit more flexibility for everybody to provide different options than what is just adopted for.

Chairwoman Anderson: Can you talk about enclosures for the dumpster? It offers more flexibility as well, right?

Cody Opperman: Yes. It's not going to be strictly just the adopted standards. So, if the zone clearance officer thinks they are meeting the intent of having the dumpster enclosure, if they're meeting other additional code relating to that, then they should be provided the flexibility.

**Chris Christiansen entered the meeting**

Rodney Martin: So, is this regarding the thing we had before us several months ago where industrial buildings have been built with dumpster enclosures that look fine, but don't conform, but somehow, they were approved. So, now we are going to be able to allow those?

Cody Opperman: That is what brought this forth. Now, whatever is adopted, they're more than welcome to be provided that flexibility once they are adopted. That's kind of what started the whole component is just being able to provide that flexibility for planned industrial.

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### **Harold Dudley Entered the meeting**

Rodney Martin: The lack of flexibility was not great.

Chairwomen Anderson: Recognize Chris and Harold have joined our meeting.

Rodney Martin: Do you want to go back to a:?

Chairwomen Anderson: Are we allowed to?

Cody Opperman: I don't think so. Because we've already put a motion on it.

Chairwomen Anderson: Any other questions at this point? For the landscaping?

Bruce Frandsen: No, I don't have a question. I just want to comment. Again, I like the idea of having some flexibility. It allows for property owners to do things, and it doesn't just give them free rein to do anything. There are still controls. There are so many variables out there. Every development and building is different. I appreciate the staff taking a look at that and making some provisions for some calls to be made by either staff or Council and the Commission.

Chairwomen Anderson: Yeah, I agree. I remember a parcel that we had several months ago that was very difficult to approve just because of the odd shape they were trying to fit everything into. So, I think more flexibility, but still keeping the intent of the code is a good step.

### **Public Hearing Opened**

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No Comments

### **Public Hearing Closed**

Chairwomen Anderson: We're ready for any further questions or comments or a motion.

**David Bird moved to recommend approval for the proposed Code Text Amendment, amending Section 17.5.121, titled Landscaping, relating to design standards and providing an effective date for the ordinance.**

**Bruce Frandsen seconded the motion.**

**Voting was as follows:**

<b>Chris Christiansen</b>	<b>AYE</b>
<b>Rodney Martin</b>	<b>AYE</b>
<b>Christine Anderson</b>	<b>AYE</b>
<b>Bruce Frandsen</b>	<b>AYE</b>
<b>David Bird</b>	<b>AYE</b>
<b>Harold Dudley</b>	<b>AYE</b>

**The motion passed**

At this point in the meeting, staff realized that because the current vote on item a: was 3 to 1, the motion needed to be tabled for another meeting with more voting members present. Although 2 other commission members had arrived at this point, staff advised that the motion and vote needed to be based off the original commission members that were here during the whole

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discussion and voting. The 3<sup>rd</sup> motion from item a: was done at this time. (See motion and voting results above, under public hearing item a:)

- c. **Public hearing, review, and recommendation on a proposed Land Use Map Amendment, known as Buckwalter Industrial, located at approximately 7058 N 5750 W, American Fork City, UT 84003. On approximately 25.33 acres, the property proposes to change from the Residential Low-Density designation to the Design Industrial land use designation.**

Travis Van Ekelenburg reviewed the background information for Public Hearing Item letter c: The applicants have applied for a proposed Land Use Map Amendment. The project looks to provide the Design Industrial Land Use for the two properties with Parcel IDs: 13:066:0032 and 13:066:0021. Currently, these two properties are in Utah County Territory and are looking to be annexed. The applicants are looking to provide office/warehouse establishments there and with the current land use map these properties indicate residential low density. Without doing a Land Use Map Amendment to Design Industrial prior to the annexation the properties would be annexed under the current land use, which would be residential.

### **Project Conditions of Approval**

1. 100 East is classified as a major collector which requires 84' right-of-way. The developer must dedicate about 22' of right-of-way (about 22' East of property line) to the City.

Travis Van Ekelenburg: In the staff report, we didn't do a recommendation. The administration came down and talked about it, and since our adopted parks plan has a 30-acre park over in this area, the city's recommendation is to keep the land use as residential for that property. for encroachment of pi one industrial zone. We have had discussion before that we didn't want industrial zoning intensified past 1100 South. That's our recommendation as staff as we go to planning commission.

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Chairwomen Anderson: Thank you. Any questions or comments? Can you point out where 1100 is?

Travis Van Ekelenburg: Are you guys familiar with this area? Am I in the area you guys want to see?

Chairwomen Anderson: You said the previous discussion was that north of 1100 South be residential?

Travis Van Ekelenburg: Yeah. Patrick has talked about that before. The city's position, considering the large park that is going in down there, that this area be for residential developments.

Chairwomen Anderson: Can you zoom out just a bit? And can you show the area where the park will be? I know you mentioned the area north and east of this existing church building is not part of the city yet. What does that look like?

Travis Van Ekelenburg: As far as planning?

Chairwomen Anderson: Well, what could it be, what is it slated for?

Bruce Frandson: I believe that the "U" shape around the church, belongs to the church.

Rodney Martin: So, that right angled triangle that is west and south of the railroad tracks, that's all PI-1?

Travis Van Ekelenburg: Yes. I can pull up the zone map as well.

Rodney Martin: So, PI-1 goes right up to the church?

Taylor Levitt: I represent the church property if you have any questions.

Chairwomen Anderson: Okay, Great. I think we will want to hear from the applicant, and then we will open for public hearing. Do you have any further discussion before we get going?

Travis Van Ekelenburg: I will leave these up in case we have any questions.

Chairwomen Anderson: Okay, Great.

Dustin Kuttler: My name is Dustin Kuttler. I am the applicant for the Buckwalter Industrial property. So, we've been working with Mr. Buckwalter, I have known him for a good while. My business partner used to rodeo with him on the ground that the city recently purchased, the property just north of there on the other side of the tracks. That was his roping arena for years. Last year when the city bought that, he purchased a farm down in Richfield. Mr. Buckwalter just

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likes to farm and rodeo. He kind of told me it would be like four or five years he thought, before he sold the property. After being down there for a year, he called me this fall and said, never mind, I'm sick of traffic. I'm not coming back. So, it was literally over Christmas break. He was back up here and we kind of sat down and hashed this out. So, it's mostly just years of knowing the gentleman, he reached out to us because we happened to build some industrial buildings in Lindon and Pleasant Grove and kind of the areas that he knew what we did. Being friends with them, he can reach out. We had met with the city on our Development Review Committee, and it was kind of expressed to us where it was, they had never mentioned 1100 south or north. We kind of looked at it. If you go back to the zoning map, you'll see that the property that we're touching, is actually owned by the church. So that's the annexation map, that if you look at the overlay, you'll see everything to the right of us is kind of overlaid already to be annexed in as that light industrial, which is what we do. We did learn in the process that the city park is the area just to the left that big rectangle is the future city park. I don't believe the city's actually closed on it yet, but from what I understand you guys have it under contract or at some stage of it. So, to the north is planned industrial to the east is tracks to the east is planned industrial. To the south is a unique piece with a chapel on it and that R1-1200 and then planned industrial around it. So, from the park's perspective, our thought was there's an 84-foot road it's a four-lane road out front. It is pitched between industrial and railroad tracks. It kind of makes sense to be industrial in our minds. We're not residential developers. So, we wouldn't approach it as that anyways, it also provides convenient connection to the future vineyard connector as well as the freeway from that location. Understanding that it is kind of surrounded by current industrial uses and further industrial uses. That's half the reason Mr. Buckwalter knows that Amazon's right there. They throw out a lot of traffic. So, kind of at any standpoint, I actually kind of thought between the industrial east of first East and the park would kind of give you that buffer for residential which I think on the overlay map is the plan. Kind of everything west of there. On that old overlay map from 2005 I believe. That is the last time this was addressed. You'll also see that basically all the high density out by the train station was once low density. So, there's been considerable changes in the amount of density that's already moved in out there. So that's kind of what we're looking at. So, I was unaware until just before the meeting, Travis let me know that the city had decided not to recommend it. So that was news to meet as of about 20 minutes ago also.

Harold Dudley: Can you pull back up the land use map?

Travis Van Ekelenburg: Do you want the actual land use map, or just the one from the presentation?

Harold Dudley: Just the one from the presentation is fine...Okay, thank you, I just couldn't remember.

Chairwoman Anderson: Okay, thank you. Any questions for the applicant? Okay, appreciate it.

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### **Public Hearing Opened**

Taylor Levitt: I've worked for Property Reserve which is one of the companies that the church owns. So, we do own most of the property east of the Buckwalter property as well as everything around the meeting house there. The only thing we don't own is that very furthest right corner portion of the triangle south of the tracks and north of 1100 right there.

Harold Dudley: The green portion?

Taylor Levitt: Half of the green portion. So, we would like to see your residential right around the meeting house, but I think it totally makes sense to have industrial closer to the railroad tracks. Those are really noisy tracks and it's not right next to the station or the trains will be slowing down to where they'll be traveling at faster speeds. Maybe accelerating and decelerating for the American Fork station. So, I think there will be a lot of noise there. It'd be nice to have an industrial buffer between the tracks and then any residential vibe. Thanks.

### **Public Hearing Closed**

Chairwomen Anderson: Could you just show this slide again of where the park is in relation to this whole section? I have a question. Maybe you could clarify. This section that is not annexed in yet, this white section. If that were to annex in, I think I've heard tonight that it would annex in residential, and I've also heard that it would annex in P-1. Would you clarify that?

Travis Van Ekelenburg: So, as you can see, this is current from our land use map. As you can see, it's designed industrial. So, upon annexation, it would fall into the industrial zoning.

Chairwomen Anderson: Okay, thank you. Thank you. Further questions, comments, discussion, opinions?

**Rodney Martin moved to recommend approval for the proposed Land Use Map Amendment, located at 7058 North 5750 West, American Fork City, UT 84003, from the Residential Low-Density designation to the Design Industrial designation, subject to any conditions found in the staff report.**

**Harold Dudley seconded the motion.**

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**Voting was as follows:**

<b>Chris Christiansen</b>	<b>NAY</b>
<b>Jenny Peay</b>	<b>AYE</b>
<b>Rodney Martin</b>	<b>AYE</b>
<b>Christine Anderson</b>	<b>NAY</b>
<b>Bruce Frandsen</b>	<b>AYE</b>
<b>David Bird</b>	<b>AYE</b>
<b>Harold Dudley</b>	<b>AYE</b>

(During the roll call voting, Bruce Frandsen's original vote was to Abstain.)

Chairwomen Anderson: Because you're close by?

Bruce Frandsen: Yeah, I know all of the people.

Chairwomen Anderson: I don't think you need to abstain if you know the people, it's just if you are having troubles with like financial affairs.

Harold Dudley: Yeah, not just if you know them, but it's up to you.

Chairwomen Anderson: If you stand to gain or lose financially from this then you should Abstain, but you're welcome to vote. We'll come back. Well, what do we do?

Harold Dudley: Finish your roll call.

Chairwomen Anderson: Can we do that? I can skip somebody?

Harold Dudley: Yeah.

Rodney Martin: Yeah. Well, you can do it in any order you want.

(The roll call vote continued, and Bruce changed his vote to Aye)

**The motion passed**

## **ACTION ITEMS**

Chairwomen Anderson noted that the following Action items were pulled from the agenda.

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- a. Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 6, located at approximately 148 East 1600 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 5.95 acres and will be in the Planned Industrial (PI-1) Zone.**
- b. Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 7, located at approximately 68 East 1600 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 6.2 acres and will be in the Planned Industrial (PI-1) Zone.**
- c. Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 8, located at approximately 100 East 1553 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 9.10 acres and will be in the Planned Industrial (PI-1) Zone.**

**Other Business**

Chairwoman Anderson let the commission know she will not be able to attend the next meeting.

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Harold Dudley apologized for being late, and also being a no show at the last meeting. He explained why he was not able to attend the last 2 meetings and requested phone numbers of staff to text last-minute conflicts that may cause the commissioners to not be able to attend the meeting.

Because the April 3<sup>rd</sup> meeting is in the middle of spring break, the commission decided to cancel that meeting.

Chairwoman Anderson talked about the possibility of doing the bi-yearly Planning Commissioners dinner in April.

### **Adjournment**

**David Bird motioned to adjourn the meeting.**

**Chris Christiansen seconded the motion.**

Meeting adjourned at 6:44 PM

Angie McKee

Administrative Assistant I

The order of agenda items may change to accommodate the needs of the commissioners, public and staff.

### Agenda Topic

Public hearing, review, and recommendation on a proposed Zone Change, known as Horan Home, located at 620 South 800 West, American Fork City, UT 84003. On approximately 3.57 acres, the property proposes to change from the PR 3.0 zone to the RA-1 zone.

BACKGROUND INFORMATION		
Location:	620 S 800 W	
Project Type:	Zone Change	
Applicants:	Dallin Horan; DCH Inheritors Trust	
Existing Land Use:	Residential Very Low Density	
Proposed Land Use:	N/A	
Surrounding Land Use:	North	Transit Oriented Development
	South	Residential Very-Low Density
	East	Residential Very-Low Density; Residential Low Density
	West	Residential Very Low Density
Existing Zoning:	PR-3.0	
Proposed Zoning:	RA-1	
Surrounding Zoning:	North	TOD
	South	PR-3.0
	East	Unincorporated Territory
	West	PR 3.0

### Background

The applicant has applied for a proposed Zone Change. The project looks to change the current Planned Unit Development (PR-3.0) Zone to a Residential Agricultural (RA-1) Zone. The RA-1 zone provides different uses on the property that would encourage the keeping of livestock for single family homes. The minimum requirements for an RA-1 zone would be to have a one (1) acre lot with 150' of lot width and 100' of lot depth. The current lot meets all those criteria and can be eligible for an RA-1 zoning designation. This parcel has gone under a density transfer for

the lot to establish more density in another subdivision. Because of the density transfer, this 3.57 acre lot has less density associated with it than the original PR-3.0 zone could allow.

### **Chapter 17.11 Amendments**

This development code, and the zoning map adopted as a part thereof, may be amended from time to time by the city council, but all proposed amendments must first be submitted to the planning commission for its recommendation. The procedure to be followed in amending the code and map shall be as set forth below.

#### **Sec 17.11.101 Written Petition Required - City Initiated Amendments Permitted**

Any person seeking an amendment of the development code or zoning map shall submit to the planning commission a written petition designating the change desired and the reasons therefor, and shall pay a nonrefundable filing fee in an amount established by resolution of the city council.

Amendments to the code and map may also be initiated by action of the planning commission or upon request of the city council.

#### **Sec 17.11.102 Planning Commission To Make Recommendations**

Upon receipt of the petition the planning commission shall consider the request and, subject to completion of a public hearing on the matter before the planning commission with public notice given in accordance with the provisions of Section 17.11.103, shall submit its recommendations with respect thereto to the city council.

#### **Sec 17.11.103 Planning Commission To Conduct Public Hearing Before Recommending Amendments - Notice Of Hearing To Be Provided**

1. No ordinance approving an amendment to the official zone map or text of the development code, or approving a large scale development project may be enacted by the city council unless and until a public hearing relating to the proposed ordinance shall have been conducted by the planning commission.
2. Notice of the date, time and place of the first public hearing regarding a proposed amendment to the official zone map, text of the development code or ordinance of approval

of a large scale development project shall be given at least 10 calendar days before the public hearing as follows:

1. Published on the Utah Public Notice Website;
2. Posted in at least three public locations within the city, or on the city's official website; and
3. Mailed to each affected entity.

#### **Sec 17.11.104 Amendments To Be Adopted By Council - Notice Required**

1. The city council, at a public meeting called for the purpose, shall consider each proposed amendment to the official zone map, text of the development code, or ordinance of approval for a large scale development recommended to it by the planning commission and may act to adopt or reject the amendment or ordinance of approval as recommended by the planning commission or adopt the amendment after making any revision the city council considers appropriate.
2. Notice of the public meeting at which the city council will consider a proposed amendment or ordinance of approval shall be given at least twenty-four hours before the meeting, which notice shall, as a minimum, be posted in at least three public places within the city; or on the city's official website.

#### **Sec 17.11.105 Amendments To Be Adopted By Ordinance - Public Notice Of Adoption**

All amendments to the code and map shall be adopted, published and recorded in accordance with the applicable provisions of UCA 10-3-701 et seq.

#### **17.11.200 Intent With Respect To Amendments**

All amendments to this code and zone map shall be made in accordance with the general plan of land use. It is hereby declared to be public policy that this code shall not be amended unless it can be shown that changed or changing conditions make the proposed amendment reasonably necessary to the promotion of the purposes of this code.

#### **Project Conditions of Approval**

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1. N/A

### **Findings of Fact**

1. The Zone Change **MEETS** the requirements of Section 17.11.

### **Project Map**



### **Standards Conditions of Approval**

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, streetlight, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).



**Planning Commission Staff Report**  
**Meeting Date: March 20<sup>th</sup>, 2024**

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**Staff Recommendation**

The Zone Change **MEETS** the requirements of Section 17.11. Staff recommends APPROVING the application.

**Potential Motions – Commercial Site Plan**

**Approval**

Madame Chair, I move to recommend approval for the proposed Zone Change, located at 620 South 800 West, American Fork City, UT 84003, from the PR-3.0 Zone to the RA-1 zone, subject to any conditions found in the staff report.

**Denial**

Madame Chair, I move to recommend denial for the proposed Zone Change, located at 620 South 800 West, American Fork City, UT 84003, from the PR-3.0 Zone to the RA-1 zone.

**Table**

Madame Chair, I move to table action for the proposed Zone Change, located at 620 South 800 West, American Fork City, UT 84003, from the PR-3.0 Zone to the RA-1 zone, and instruct staff/developer to.....

## Next Step:

Approved

Proceed to Planning Commission  
03/20/24

## HORAN HOME ZONE CHANGE CHECKLIST

Property Size - 3.61 Acres

Changes making proposed amendment necessary.

This is a unique piece of property. I have been told that the previous owner entered into an agreement with American Fork City that removed the “density” from my parcel so that I am now limited on the number of units that can be built, I think this makes the current PR 3.0 zoning unsuitable for this parcel. It is my intention to build 1 single family home on the parcel. It would be more fitting for this to be zoned RA-1 based on what can be done with the property.

The intent of the RA-1 Zone is *“The RA-1 residential-agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises.”* This parcel is on the fringe of city limits and is in a perfect location for this zone and would allow me to keep horses on the property as well as have a family garden.

The proposed change conforms with the land use plan.

Current Zone: PR 3.0

Proposed Zone RA-1



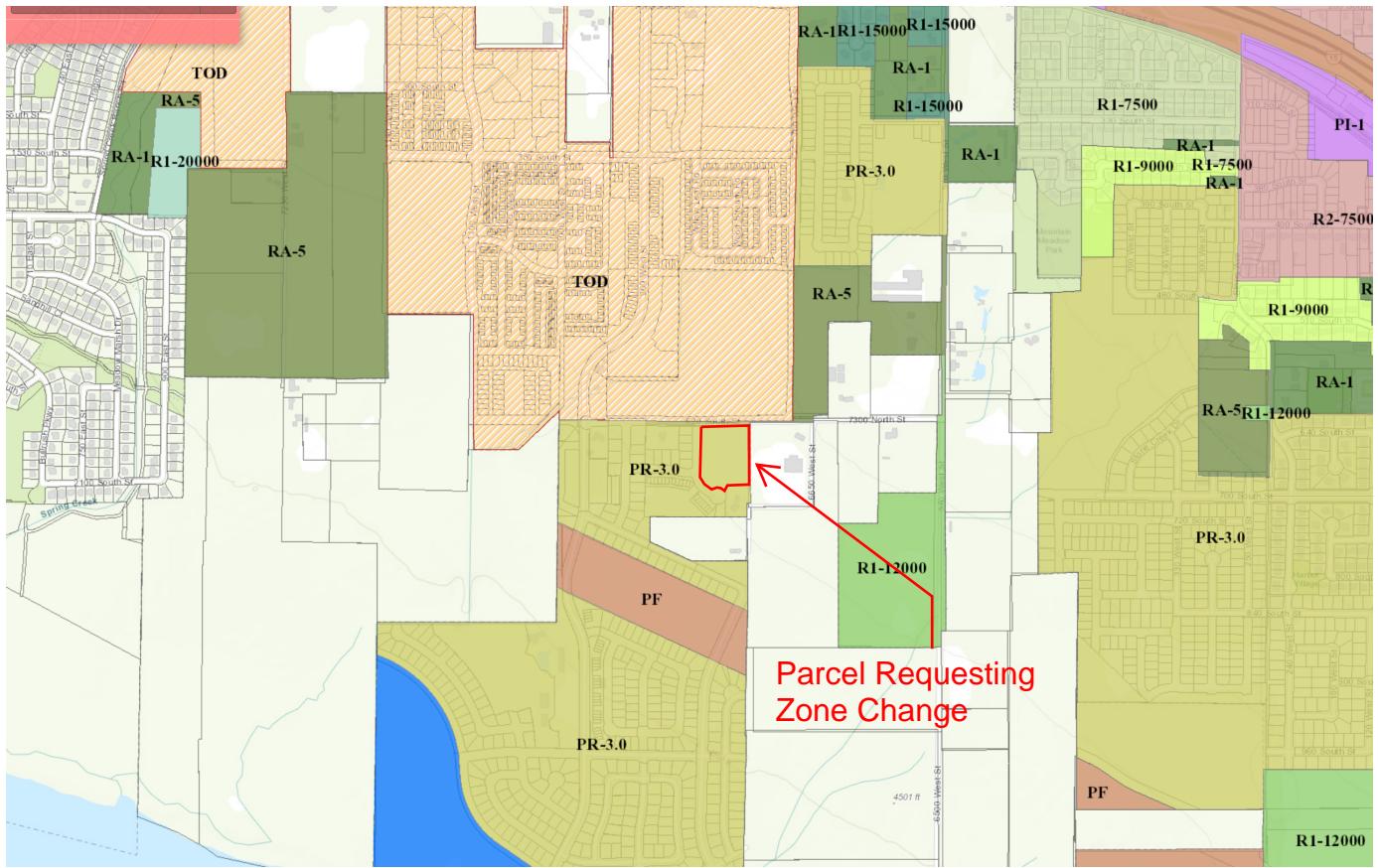
American Fork City  
Development Review Committee

Planning and Zoning  
Reviewed  
tvanekelenburg 03/05/2024

Engineering Division  
Reviewed  
rburkhill 03/07/2024

## Next Step:

Approved  
Proceed to Planning Commission  
03/20/24



### **Agenda Topic**

Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Detailed Drawings, of the American Fork City Municipal Code. Creating Section 15.01.1531, the Code Text Amendment plans to provide new cross sections for roadways throughout the City.

### **Applicant**

American Fork City Staff

### **Background**

Staff has applied for a Code Text Amendment to create Section 15.01.1531 of the American Fork City Municipal Code. The proposed amendment looks to provide standards for road cross sections in the TOD area of the City. Each standard will provide the dimensions for travel lanes, concrete shared use paths, medians/turn lanes, sidewalks, etc. Each standard is specific to the TOD area, its character districts, and what's been adopted on the Transportation Master Plan.

### **Potential Motions – Code Text Amendment**

#### **Approval**

Madame Chair, I move to recommend approval for the proposed Code Text Amendment, creating Section 15.01.1531, titled Detail Drawings, relating to cross sections in the TOD area and providing an effective date for the ordinance.

#### **Denial**

Madame Chair, I move to recommend denial for the proposed Code Text Amendment, amending Section 15.01.1531, titled Detail Drawings, relating to cross sections in the TOD area.

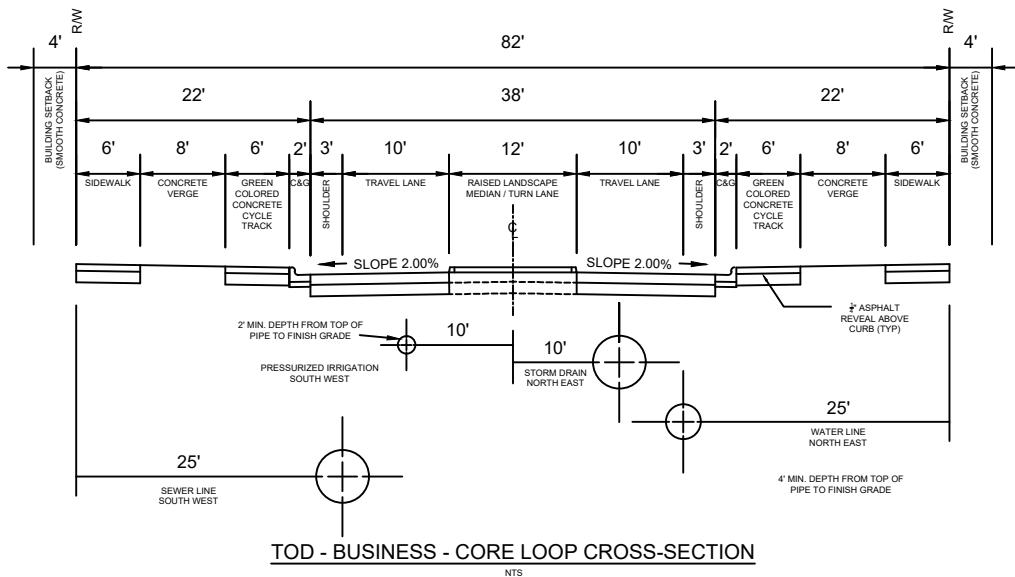
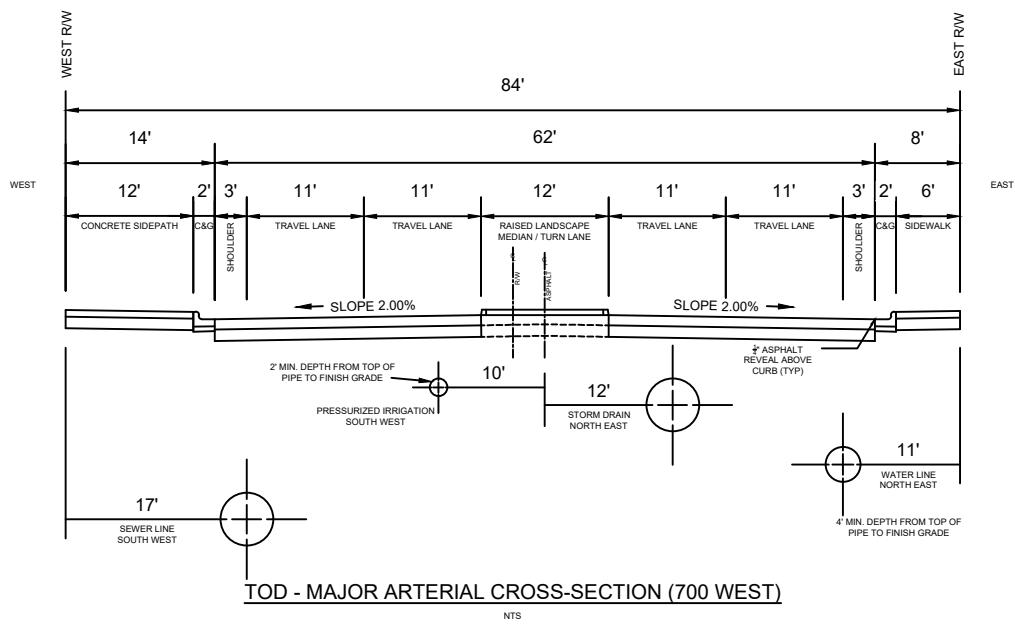
### **Table**



**Planning Commission Staff Report**  
**Meeting Date: March 20, 2024**

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Madame Chair, I move to table action for the proposed Code Text Amendment, amending Section 15.01.1531, titled Detail Drawings, relating to cross sections in the TOD area and instruct staff/developer to.....



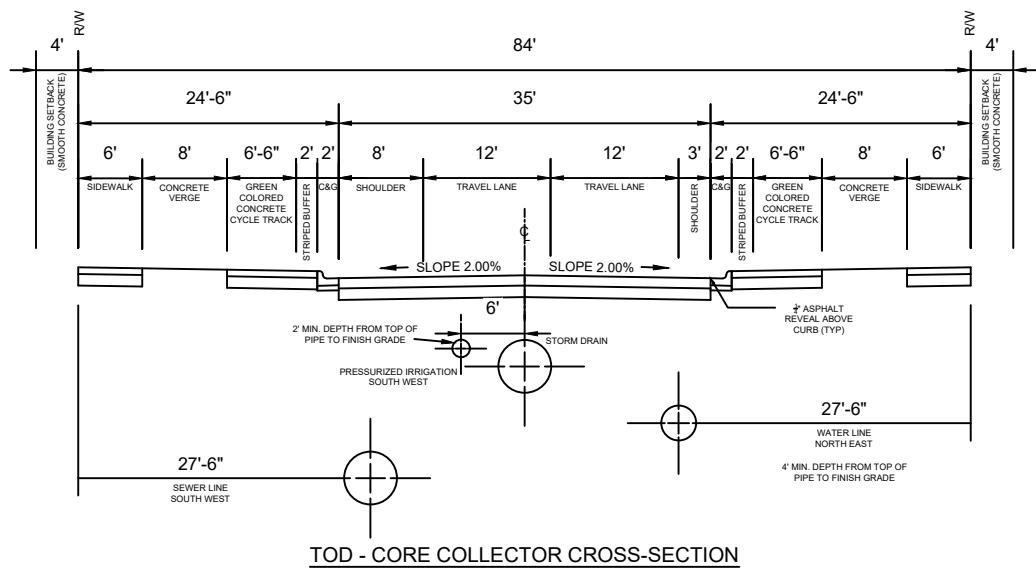
DRAWN: KJC  
 REVISED: DNF  
 DATE: FEB 2024  
 SCALE: VARIES



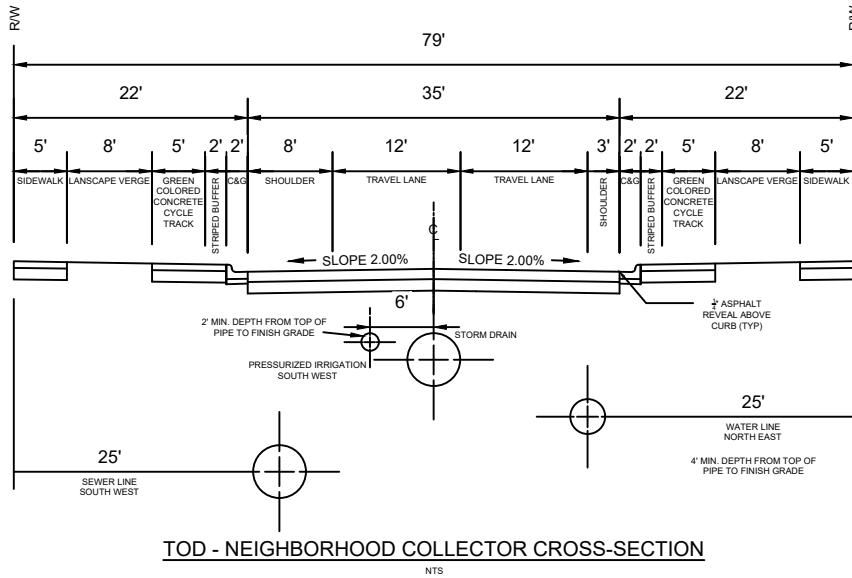
AMERICAN FORK CITY  
 PUBLIC WORKS  
 275 EAST 200 NORTH  
 (801) 763-9030

STANDARD DETAIL FOR  
 TRANSIT ORIENTED  
 DEVELOPMENT  
 CROSS-SECTIONS

DRAWING NO.  
 FIG-1



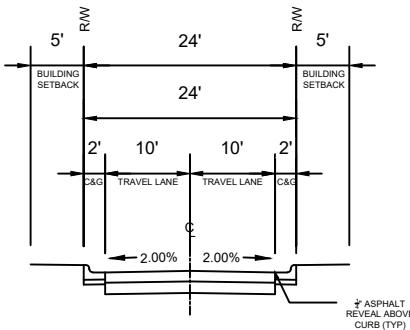
## TOD - CORE COLLECTOR CROSS-SECTION



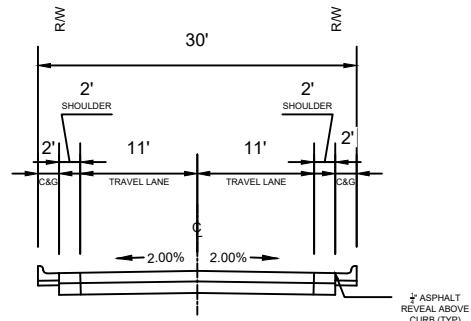
## TOD - NEIGHBORHOOD COLLECTOR CROSS-SECTION

## NOTES:

1. ALTERNATE SHOULDER STRIPING INTERMITTENTLY TO CHANGE WHICH SIDE OF THE ROAD WILL HAVE SHOULDER PARKING AS APPROVED BY ENGINEERING DIVISION



### TOD - REAR LANE (RESIDENTIAL) CROSS-SECTION



## TOD - REAR ALLEY (NON-RESIDENTIAL) CROSS-SECTION

DRAWN:	KJC		AMERICAN FORK CITY	STANDARD DETAIL FOR	DRAWING NO.
REVISED:	DNF		PUBLIC WORKS	TRANSIT ORIENTED	
DATE:	FEB 2024		275 EAST 200 NORTH	DEVELOPMENT	
SCALE:	VARIABLES		(801) 763-9030	CROSS-SECTIONS	FIG-2



**Planning Commission Staff Report**  
**Meeting Date: March 20<sup>th</sup>, 2024**

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**Agenda Topic**

Public hearing, review, and recommendation on a proposed Code Text Amendment, known as “R” Definitions, of the American Fork City Municipal Code. Amending Section 17.12.218, the Code Text Amendment plans to provide a new definition for retail and service commercial structures.

**Applicant**

American Fork City Staff

**Background**

Staff has initiated a Code Text Amendment to amend Section 17.12.218, known as “R” Definitions, of the American Fork City Municipal Code. The proposed amendment looks to make a new definition for retail and service commercial structures. Rather than having most of the building reserved for warehousing, staff is proposing to have more than 80 percent reserved for retail and service commercial uses and 20 percent used for storage.

**Potential Motions – Code Text Amendment**

**Approval**

Madame Chair, I move to recommend approval for the proposed Code Text Amendment, amending Section 17.12.218, titled “R” Definitions, relating to a new definition for retail and service commercial structures and providing an effective date for the ordinance.

**Denial**

Madame Chair, I move to recommend denial for the proposed Code Text Amendment, amending Section 17.12.218, titled “R” Definitions, relating to a new definition for retail and service commercial structures.



**Planning Commission Staff Report**  
**Meeting Date: March 20<sup>th</sup>, 2024**

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**Table**

Madame Chair, I move to table action for the proposed Code Text Amendment, amending Section 17.12.218, titled “R” Definitions, relating to a new definition for retail and service commercial structures and instruct staff/developer to.....

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 17.12.218 OF THE AMERICAN FORK CITY, UTAH, MUNICIPAL CODE RELATING TO "R" DEFINITIONS.**

WHEREAS, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork;

WHEREAS, City Council desires to amend the language for "R" definitions of the American Fork City Municipal Code;

WHEREAS, the proposed amendment is in the best interest and general welfare of the residents of American Fork;

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

**PART I**

**TEXT OF ORDINANCE**

**SECTION 1.** Section 17.12.218 of the American Fork City Municipal Code is hereby amended to read as follows:

**Section 17.12.218 "R" Definitions**

B. Permitted and conditional uses. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this code:

- A. Recreation vehicle. A vehicle used or maintained primarily as a temporary dwelling for travel, vacation, or recreation purposes; having a width of not more than eight feet and a length of not more than forty feet, and which can be driven or pulled upon the highways without a special permit.
- B. Recreation or vacation vehicle court. An area or tract of land used to accommodate two or more vacation vehicles or camper units for a short period of time (less than thirty days).
- C. Required yard. The yard resulting from the application of the minimum setback requirements within the zone.
- D. Residential accessory structure. A building or other structure which is incidental to and which is constructed on the same zoning lot as the dwelling for the exclusive use of the residents of such dwelling, including, but not limited to, a detached garage or carport for not more than three automobiles, swimming pools, pergolas, tennis courts, and private green houses.
- E. Residential health care facility. A dwelling occupied on a twenty-four-hour a day basis by two or more unrelated elderly persons in a family-type arrangement under the supervision of a house family or manager and operated and maintained for the purpose of providing assistance with "activities of daily living" and social care to said elderly persons. To

qualify, the structure shall be approved as a limited capacity facility or assisted living — level I (small facility), as authorized pursuant to Section 26-21-2(5) Utah Code Annotated, 1953, as amended, and further defined by rules adopted by the Utah Department Health, or its successor agency.

- F. Residential facility for elderly persons. A dwelling occupied by elderly persons in a family type arrangement, that conforms to the minimum standards of Section 17.6.108.A. of this code. This definition shall not be construed to include a health care facility as defined under UCA 26-21-2.
- G. Rest home. A dwelling for the care and keeping of elderly or infirm people affected with infirmities or chronic illness. To qualify said dwelling unit must be approved to operate by the state division of social services or other state agency.
- H. ~~Retail and service commercialwarehouse. A building containing a combination of retail or service commercial and warehouse space wherein the warehouse portion: (1) occupies more than fifty percent of the of the total floor area of the building, or any unit within the building, and (2) is used for storage and/or display of materials used in the business or is otherwise used in the conduct of the business activity of the retail or service commercial portion.~~
- H. Retail and service commercial. A building containing a combination of retail or service commercial wherein the retail or service commercial portion: (1) occupies more than eighty percent of the total floor area of the building, or any unit within the building, and (2) is used for the display of materials used in the business or is otherwise used in the conduct of the business activity of the retail or service commercial portion.

## PART II

### PENALTY AND ADOPTION

**SECTION 1 – Conflicting Provisions.** Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

**SECTION 2 – Provisions Severable.** This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

**SECTION 3 – Penalty.** Hereafter these amendments shall be construed as part of the Development Code of American Fork City, Utah, to the same effect as if originally a part thereof, and all provisions of said Code shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

**SECTION 4 – Effective Date.** This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF AMERICAN  
FORK CITY, UTAH, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

---

Bradley J. Frost, Mayor

ATTEST:

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City Recorder



**Planning Commission Staff Report**  
**Meeting Date: March 20<sup>th</sup>, 2024**

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**Agenda Topic**

Review and recommendation on an ordinance amending Section 17.7.601(B), relating to allowed uses in planned commercial developments.

**Applicant**

American Fork City Staff

**Background**

Staff has initiated a Code Text Amendment to amend Section 17.7.601 (B) of the American Fork City Municipal Code. The proposed amendment looks to remove language associated with retail and service commercial warehouse structures and car washes.

**Potential Motions – Code Text Amendment**

**Approval**

Madame Chair, I move to recommend approval for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments and providing an effective date for the ordinance.

**Denial**

Madame Chair, I move to recommend denial for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments.

**Table**

Madame Chair, I move to table action for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments and instruct staff/developer to.....

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 17.7.601(B) OF THE AMERICAN FORK CITY, UTAH, MUNICIPAL CODE RELATING TO ALLOWED USES IN PLANNED COMMERCIAL DEVELOPMENTS.**

WHEREAS, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork;

WHEREAS, City Council desires to amend the requirements for allowed uses in planned commercial developments;

WHEREAS, the proposed amendment is in the best interest and general welfare of the residents of American Fork;

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

**PART I**

**TEXT OF ORDINANCE**

**SECTION 1.** Section 17.7.601(B) of the American Fork City Municipal Code is hereby amended to read as follows:

**Sec 17.7.601 Planned Commercial Development Projects**

- B. Allowed uses. Each planned commercial development project may include one or a combination of the following:
  - 1. General retail stores and shops providing goods and services for sale to the public in the customary manner. Also manufacturing and processing activities which are an integral part of and incidental to a permitted retail establishment. Provided, however, that the following activities shall be specifically excluded.
    - a) Sexually oriented businesses.
    - b) Body art establishments.
  - 2. Office buildings, but not including office/warehouse structures.
  - 3. Sales establishments for automobile, light truck, boat and recreation vehicle, with or without outside display lots, but not including the display or sale of construction and earth moving and processing equipment. Also, appurtenant structures utilized for servicing or repair of the products sold, when included as an integral part of the sales activity.
  - 4. Retail and service commercial warehouse structures, but not including office/warehouse structures.
  - 5. Hotels and motels.
  - 6. Eating establishments including food drive-ins.

7. Laundries and dry cleaning establishments - self-help and commercial.
8. Motor fuel dispensing stations (gas stations)- retail only.
9. Movie theaters, bowling alleys, recreation centers, health/fitness establishments, dance studios and buildings occupied by uses determined by the city council to be similar to uses specifically allowed in the zone and which will harmonize with the intent of the GC-2 general commercial zone.
10. Free-standing project identification signs, in accordance with the applicable provisions of Section 17.5.128.
11. Accessory signs in accordance with the applicable provisions of Section 17.5.128.
12. Ancillary commercial structures when so provided for on the site plan and/or when approved in accordance with the provisions of Section 17.6.105.
13. Pre-schools and day care nurseries, subject to approval of a site plan.
14. Low power radio service antenna facilities, subject to the provisions of Section 17.6.112 of this code.
15. Specialty schools, subject to the approval of a site plan in accordance with the provisions of Section 17.6.101.
16. Check cashing and similar businesses subject to the provisions of Section 17.6.114 of this code and Chapter 5.30 of the city code.

17. Automatic Car Wash.

18.17. Medical office or clinic.

## PART II

### PENALTY AND ADOPTION

**SECTION 1 – Conflicting Provisions.** Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

**SECTION 2 – Provisions Severable.** This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

**SECTION 3 – Penalty.** Hereafter these amendments shall be construed as part of the Development Code of American Fork City, Utah, to the same effect as if originally a part thereof, and all provisions of said Code shall be applicable thereto, including, but not limited to, the enforcement, violation and penalty provisions.

**SECTION 4 – Effective Date.** This Ordinance shall take effect upon its passage and publication as required by law.

**PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF AMERICAN  
FORK CITY, UTAH, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2024.**

---

Bradley J. Frost, Mayor

ATTEST:

---

City Recorder

### Agenda Topic

Review and action on an application for an Accessory Structure, known as Reiber Accessory Structure, that is 1000 square feet or greater, located at approximately 265 East 400 North, American Fork City. The Accessory Structure will be on approximately 1.55 acres and will be in the R2-7500 Residential Zone.

BACKGROUND INFORMATION		
Location:		265 E 400 N
Project Type:		Accessory Structure Site Plan
Applicants:		Steve Reiber
Existing Land Use:		Residential Medium Density
Proposed Land Use:		N/A
Surrounding Land Use:	North	Residential Medium Density
	South	Residential Medium Density
	East	Residential Medium Density
	West	Residential Medium Density
Existing Zoning:		R2-7500
Proposed Zoning:		N/A
Surrounding Zoning:	North	R2-7500
	South	R2-7500
	East	R2-7500
	West	R2-7500

### Background

The applicant has applied for a site plan to develop a Residential Accessory Structure. The Accessory Structure exceeds the 1000 square foot threshold, requiring the application to be brought to the Planning Commission for their determination. The project is looking to create an accessory structure on a vacant lot. Where no main building is on the lot, the accessory structure must be placed 75' from the front lot line and follow rear and side setbacks associated with accessory structures, which would be 5' from the property lines. The current proposal follows

those requirements. Additional requirements will need to be addressed after the Planning Commission's determination, such as engineering and fire comments, and the recording of an Adequate Assurance Form with Utah County.

#### **Section 17.5.105 – Area of Accessory Buildings**

Accessory buildings shall not be larger than an area two times the size of the footprint (foundation) of the primary structure; or cover more than twenty-five percent of the total rear yard area of a lot, whichever is less. All accessory buildings shall be of a character which is consistent and compatible with the bulk, height, style and construction materials of existing dwellings in the immediate vicinity. There shall be no signage on any portion of the accessory building and the area surrounding the accessory building shall be landscaped. An accessory building containing a building footprint of one thousand square feet or larger shall require approval of the planning commission, subject to the following findings: (1) the accessory building will be incidental to the primary use of the parcel, (2) the applicant has provided adequate assurance that neither the accessory building nor any portion thereof will be used or converted for use as living or sleeping quarters (see Section 17.5.106) or for the conduct of a business (except when located in a commercial zone permitting such activity), and (3) the bulk, height, style and construction material of the accessory structure is compatible with dwellings in the immediate vicinity and will not result in an undue negative impact upon adjacent properties.

#### **Section 17.6.106 – Accessory Building Prohibited as Living Quarters**

Living and sleeping quarters shall not be permitted in any accessory building.

#### **Project Conditions of Approval**

1. Address Engineering comments on the plan set by the Project Engineer doing the review
2. Address Fire comments on the plan set by the Fire Marshall doing the review
3. Adequate Assurance Form needs to be recorded with Utah County

#### **Findings of Fact**

1. The Residential Accessory Structure **MEETS** the requirements of Section 17.5.105.
2. The Residential Accessory Structure **MEETS** the requirements of Section 17.5.106

### Project Map



### Standards Conditions of Approval

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

- Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.

2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, streetlight, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

### **Staff Recommendation**

The Residential Accessory Structure **MEETS** the requirements of Section 17.5.105 and Section 17.5.106. Staff recommends APPROVING the application WITH CONDITIONS.

### **Potential Motions – Residential Accessory Structure**

#### **Approval**

Madame Chair, I move to approve the proposed Residential Accessory Structure that is in excess of 1000 square feet, located at approximately 265 East 400 North, American Fork City, UT 84003, in the R2-7500 zone, subject to any conditions found in the staff report.



**Planning Commission Staff Report**  
**Meeting Date: March 20<sup>th</sup>, 2024**

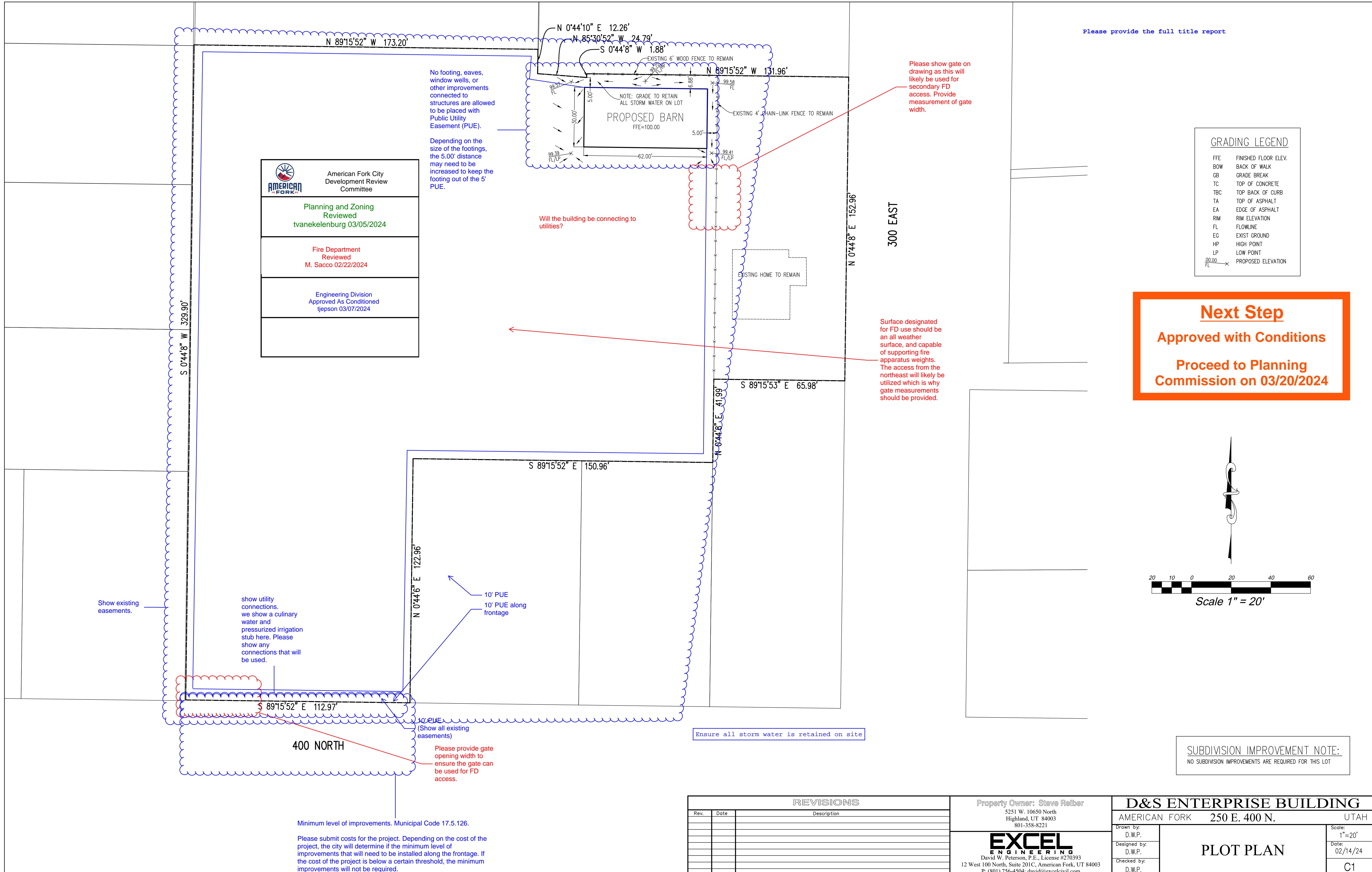
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**Denial**

Madame Chair, I move to deny the proposed Residential Accessory Structure that is in excess of 1000 square feet, located at approximately 265 East 400 North, American Fork City, UT 84003, in the R2-7500 zone.

**Table**

Madame Chair, I move to table action for the proposed Residential Accessory Structure that is in excess of 1000 square feet, located at approximately 265 East 400 North, American Fork City, UT 84003, in the R2-7500 zone and instruct staff/developer to.....



# ROPER BUILDINGS

## STEVE REIBER BLDG.

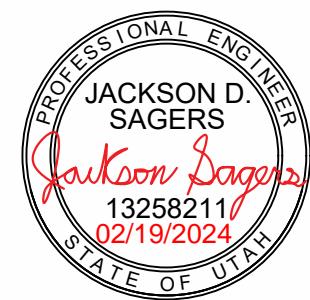


### DRAWING INDEX

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A9	Engineering Notes

DATE:  
2/19/2024

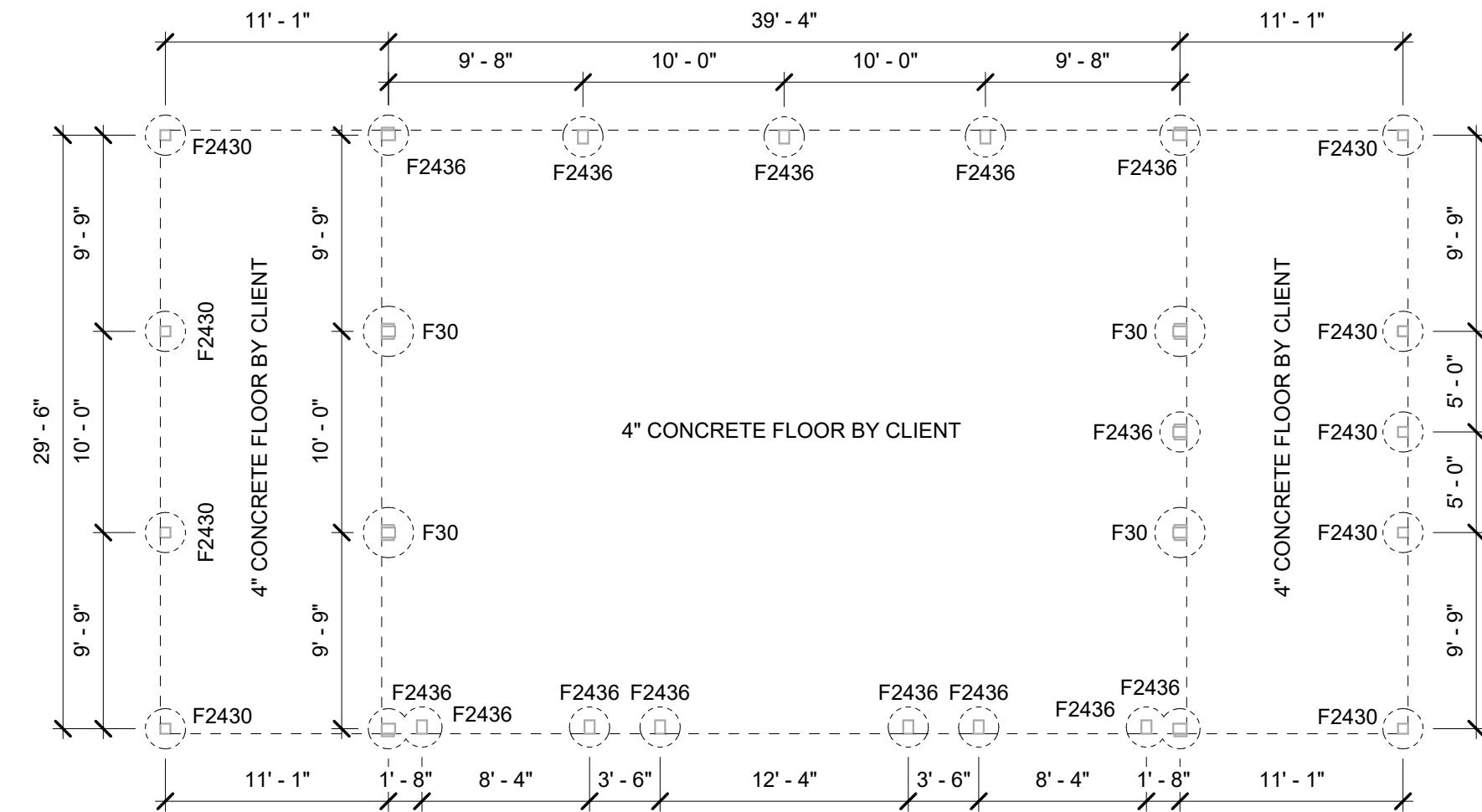
BUILDING INFORMATION		
<b>BUILDING INFORMATION:</b> DIMENSIONS: 40' x 30' = 1,200 Sq. Ft. LEAN DIMENSIONS: (2) 11' x 30' = 660 Sq. Ft. TOTAL SQUARE FOOTAGE: 1,860 Sq. Ft.	<b>SITE INFORMATION:</b> ADDRESS: 265 E. 400 N. American Fork, UT 84003	<b>USAGE:</b> Residential Accessory



WEST

FOUNDATION PLAN  
1/8" = 1'-0"

NORTH



SOUTH  
(FRONT OF BUILDING)

## STEVE REIBER BLDG.

265 E. 400 N.  
American Fork, UT 84003

ROPER BUILDINGS /  
DMLP RESOURCES

(801) 689-3630

Date: 2/19/2024
Scale: 1/8" = 1'-0"
Drawn by: JDJ
Job: REIBER
Sheet Size: B 17" x 11"
Foundation Plan
<b>A1</b>



PIERS			
Count	Type	Diameter	Depth
10	F2430	24"	30"
14	F2436	24"	36"
4	F30	30"	36"

DOORS				
Mark	Count	Type	Width	Height
1	1	INSULATED O.H.D.	12' - 0"	10' - 0"
2	2	INSULATED O.H.D.	8' - 0"	8' - 0"
3	1	M.D.	3' - 0"	6' - 8"

WINDOWS					
Mark	Count	Type	Width	Height	Sill Height
A	3	PICTURE ABOVE	6' - 0"	2' - 0"	12' - 6"
B	1	SLIDER	4' - 0"	4' - 0"	3' - 4"

NORTH

INSULATION		
ROOF	WALLS	ROLLS
R19	R19	-

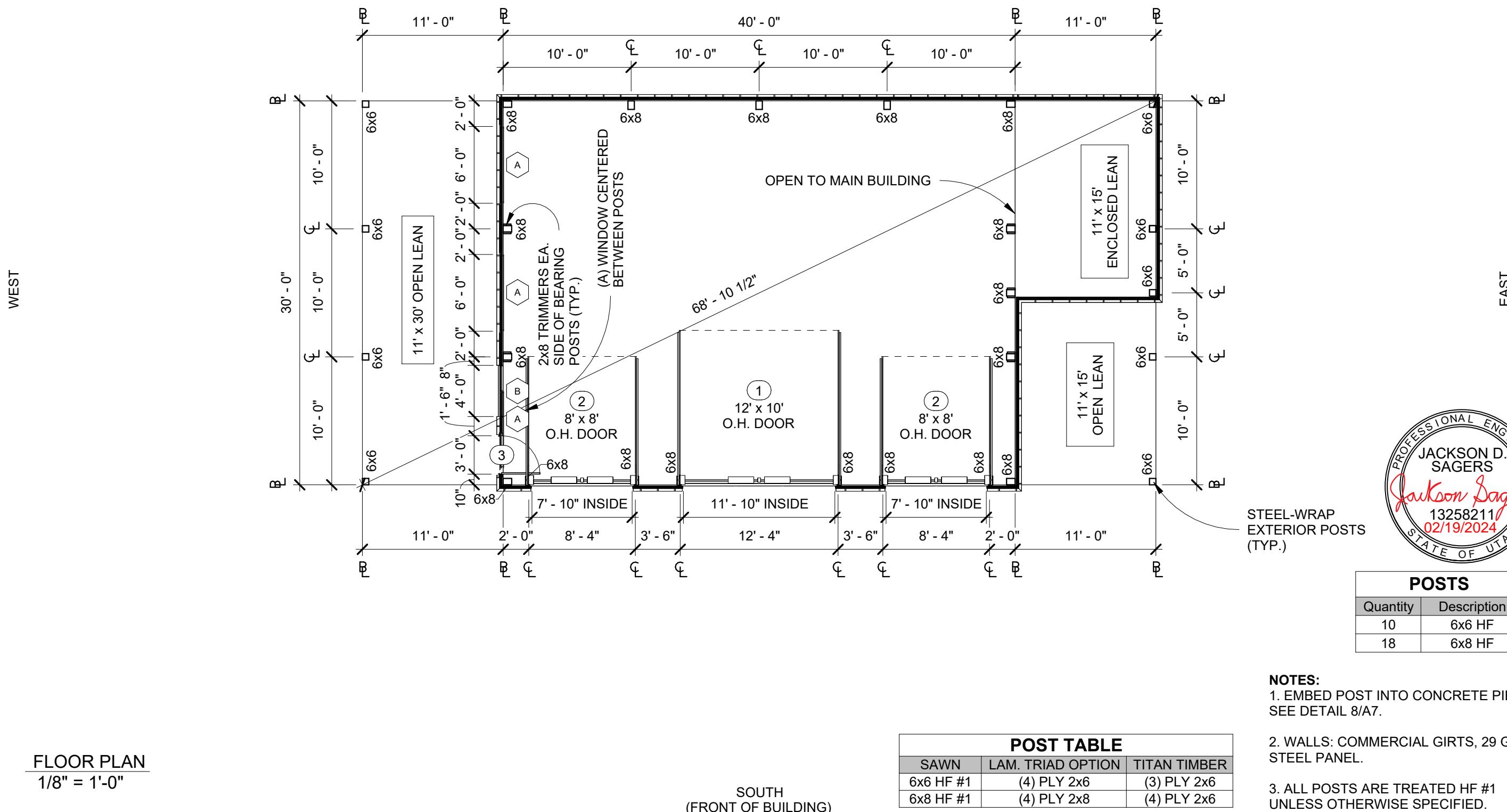
MC FELT DRIP STOP ON  
ROOFS OF MAIN BUILDING  
AND ENCLOSED LEAN-TO.

STEVE REIBER BLDG.

265 E. 400 N.  
American Fork, UT 84003

# ROPER BUILDINGS / DMI RESOURCES

(801) 689-3630



## FLOOR PLAN

1/8" ≡ 1'-0"

SOUTH  
(FRONT OF BUILDING)

<b>POST TABLE</b>		
SAWN	LAM. TRIAD OPTION	TITAN TIMBER
6x6 HF #1	(4) PLY 2x6	(3) PLY 2x6
6x8 HF #1	(4) PLY 2x8	(4) PLY 2x6

## NOTES:

**NOTE:**  
1. EMBED POST INTO CONCRETE PIER.  
SEE DETAIL 8/A7

## 2. WALLS: COMMERCIAL GIRTS, 29 GA. STEEL PANEL

### 3. ALL POSTS ARE TREATED HF #1 UNLESS OTHERWISE SPECIFIED

POSTS	
Quantity	Description
10	6x6 HF
18	6x8 HF

Date: 2/19/2024

Scale: 1/8" = 1' 0"

Page 1 of 1

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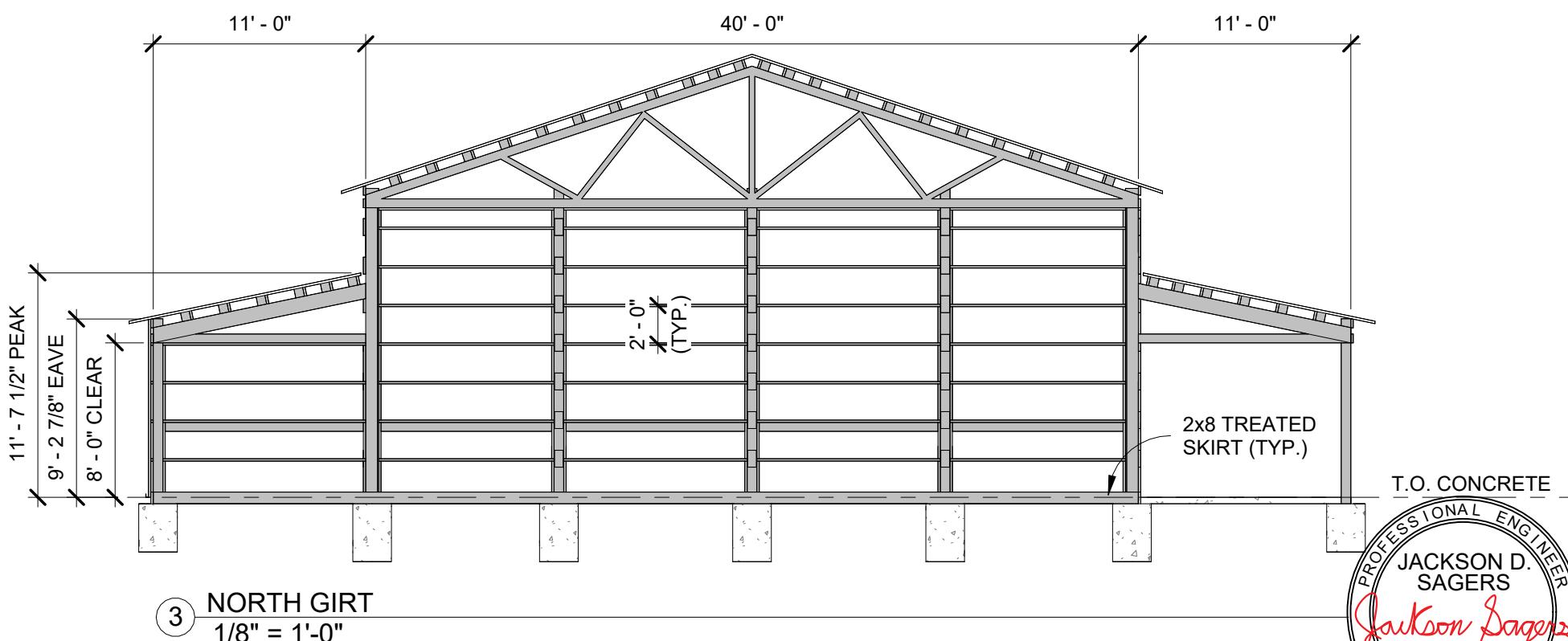
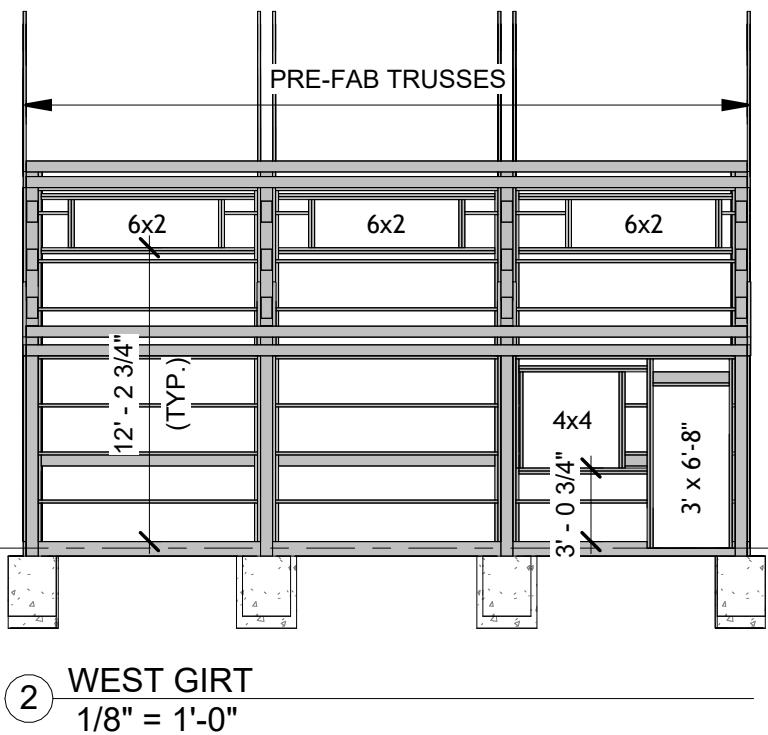
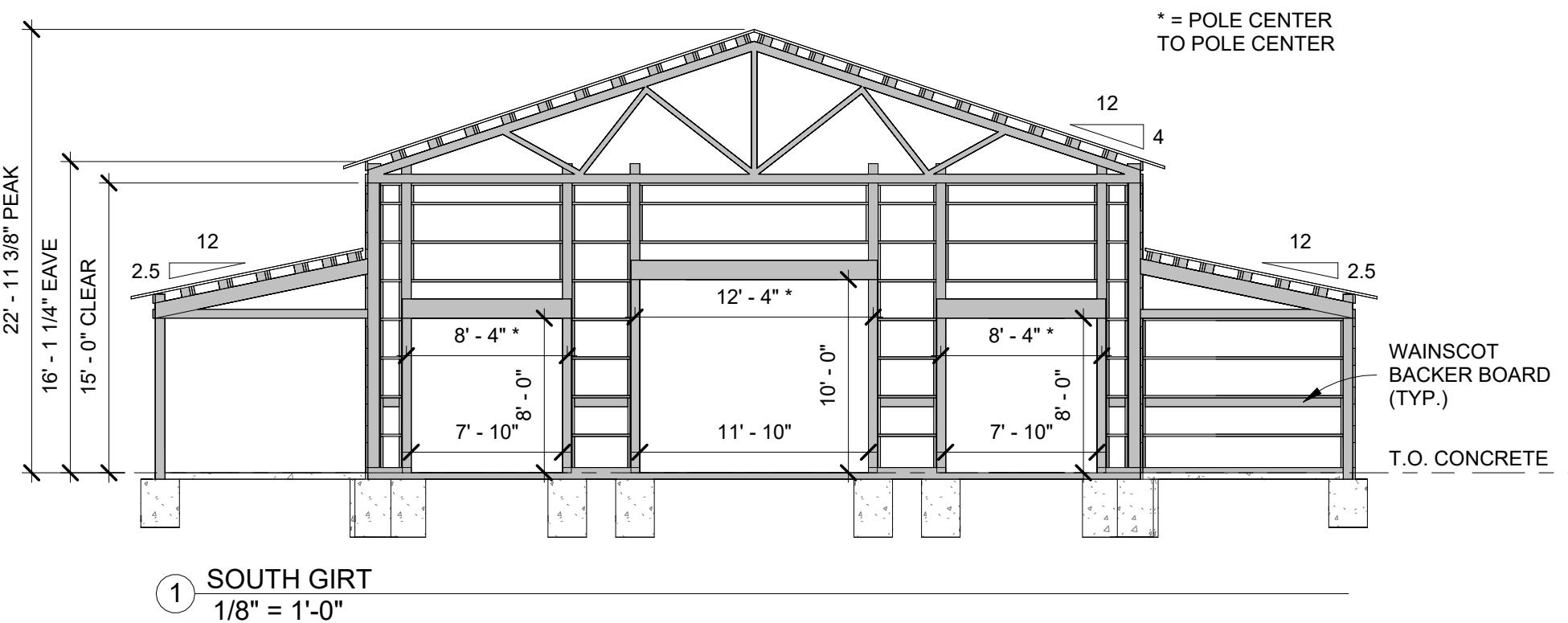
Sheet Size: B

11. *What is the meaning of the following sentence?*

A2

**STEVE REIBER BLDG.**

265 E. 400 N.  
American Fork, UT 84003



PROFESSIONAL ENGINEER  
JACKSON D.  
SAGERS  
13258211  
02/19/2024  
STATE OF UTAH

Date: 2/19/2024  
Scale: 1/8" = 1'-0"  
Drawn by: JDJ  
Job: REIBER  
Sheet Size: B  
17" x 11"

Framing Plans

A3

NORTH

WEST

## SOUTH

## ROOF PLAN

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**ROOF FRAMING NOTES:**  
4:12 MAIN ROOF PITCH  
2.5:12 LEAN ROOF PITCHES

PURLINS: 2x6 DF #2 @ 24" O.C. OVERLAPPED  
10" MIN. STARTING 5" MAX. FROM RIDGE LINE.

# STEVE REIBER BLDG.

265 E. 400 N.  
American Fork, UT 84003

# ROPER BUILDINGS / DMLP RESOURCES

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265 E. 400 N.  
American Fork, UT 84003

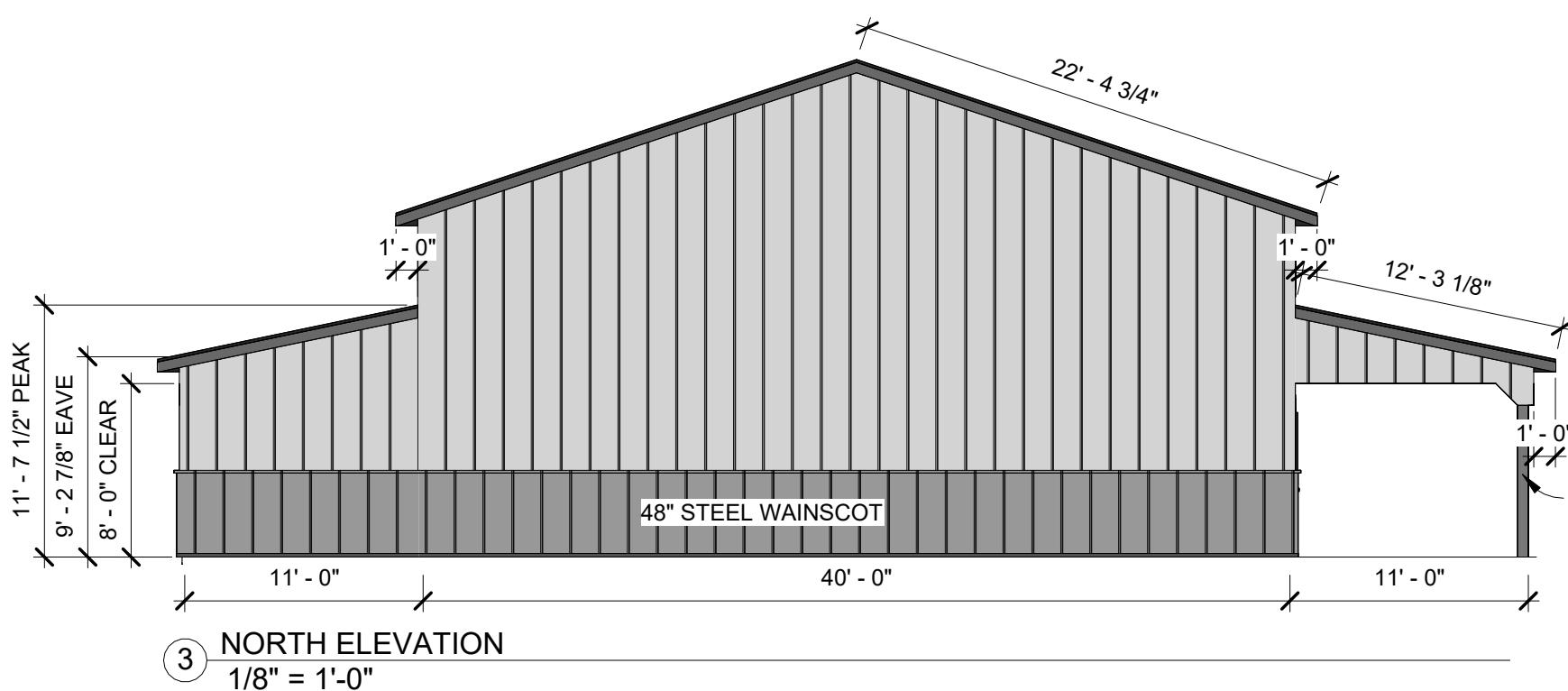
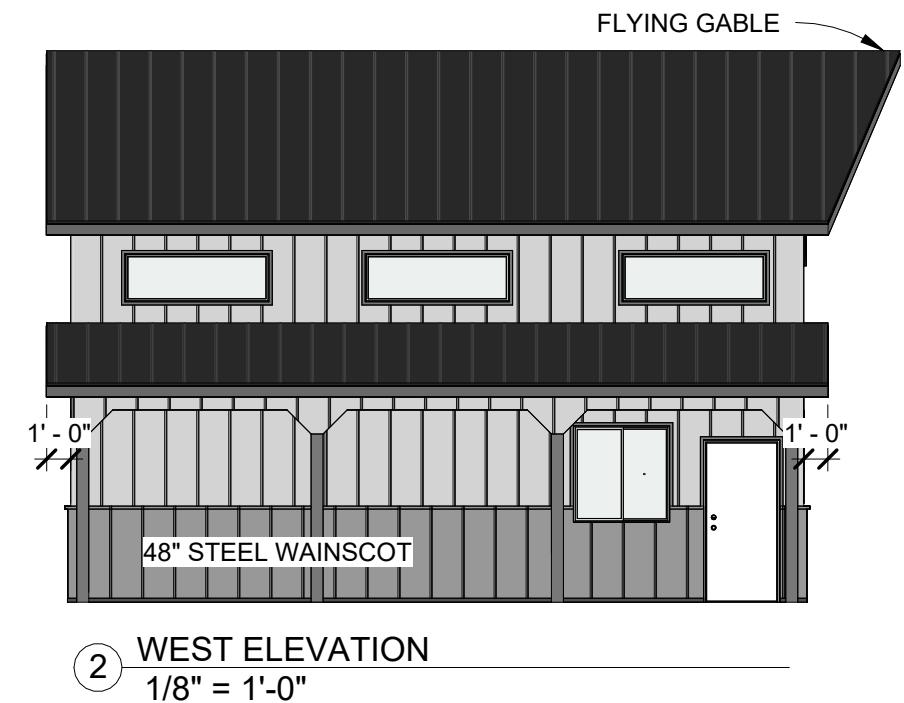
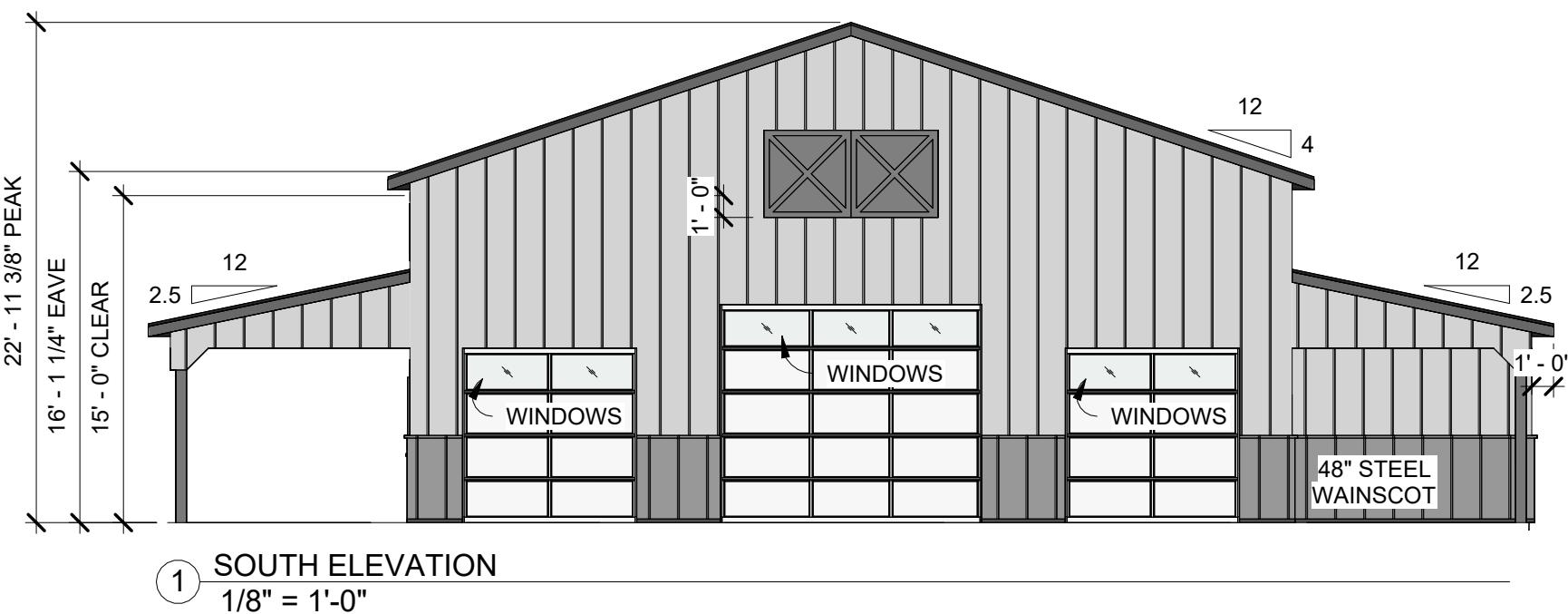
A circular professional engineer seal. The outer ring contains the text "PROFESSIONAL ENGINEER" at the top and "STATE OF UTAH" at the bottom. The center of the seal contains the name "JACKSON D. SAGERS" in a serif font, with a handwritten signature "Jackson Sagers" written over it. Below the name is the license number "13258211" and the date "02/19/2024".

ate: 2/19/2024  
cale: 1/8" = 1'-0"  
rawn by: JDJ  
ob: REIBER  
heet Size: B  
7" x 11"  
ooft Plan

A4

**STEVE REIBER BLDG.**

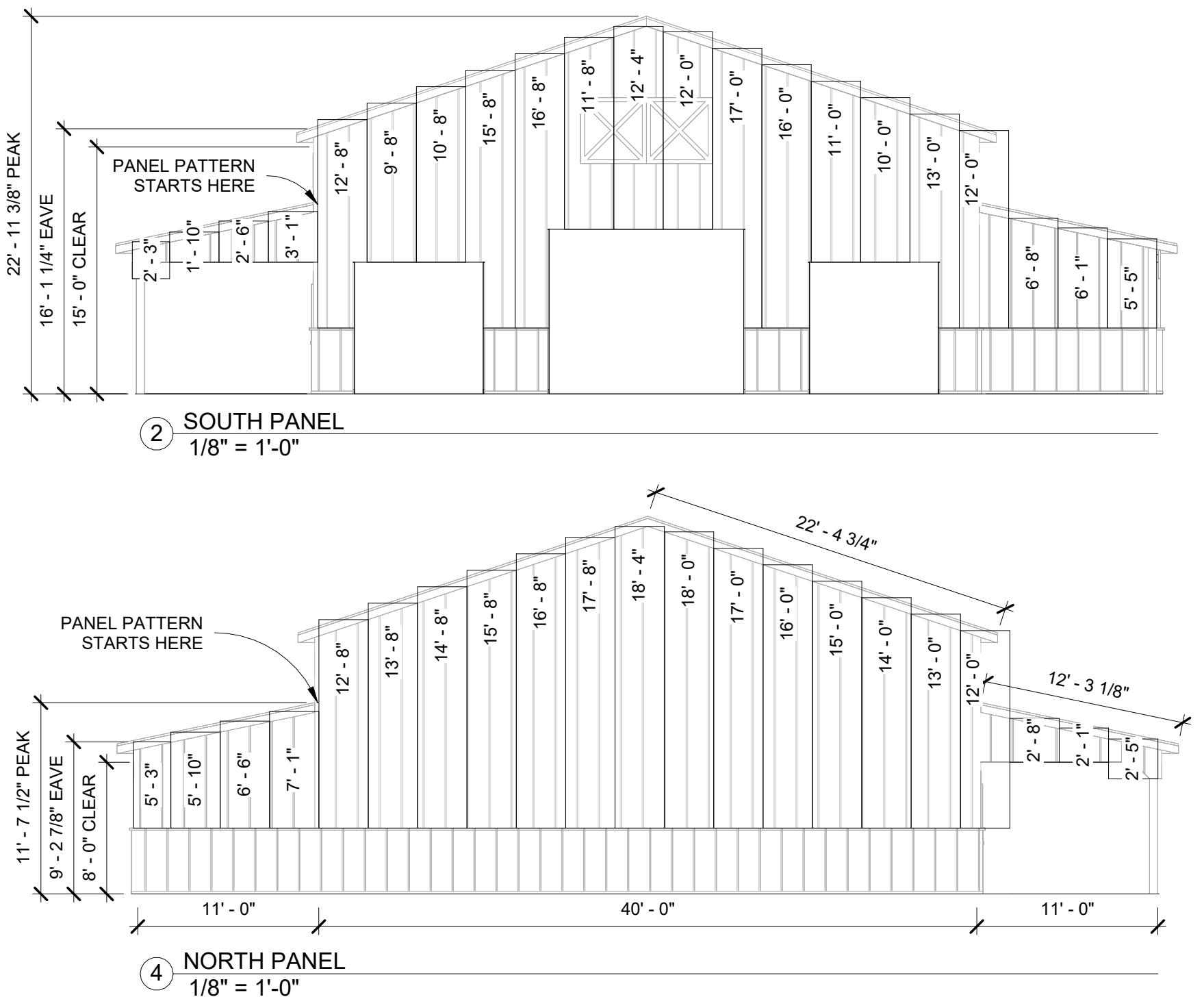
265 E. 400 N.  
American Fork, UT 84003



Date: 2/19/2024  
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Drawn by: JDJ  
Job: REIBER  
Sheet Size: B  
17" x 11"

Elevations

**A5**



Panel Schedule	
Quantity	Panel Height
1	1' - 10"
1	2' - 1"
1	2' - 3"
1	2' - 5"
2	2' - 6"
1	2' - 8"
1	2' - 10"
2	3' - 1"
1	3' - 6"
5	3' - 8"

PANEL SCHEDULE	
Quantity	Panel Height
5	4' - 7"
1	5' - 3"
1	5' - 5"
1	5' - 10"
1	6' - 1"
1	6' - 6"
1	6' - 8"
1	7' - 1"
1	9' - 8"
1	10' - 0"

ANEL SCHEDULE	
Quantity	Panel Height
1	10' - 8"
1	11' - 0"
15	11' - 4"
1	11' - 8"
3	12' - 0"
1	12' - 4"
2	12' - 8"
2	13' - 0"
1	13' - 8"
1	14' - 0"

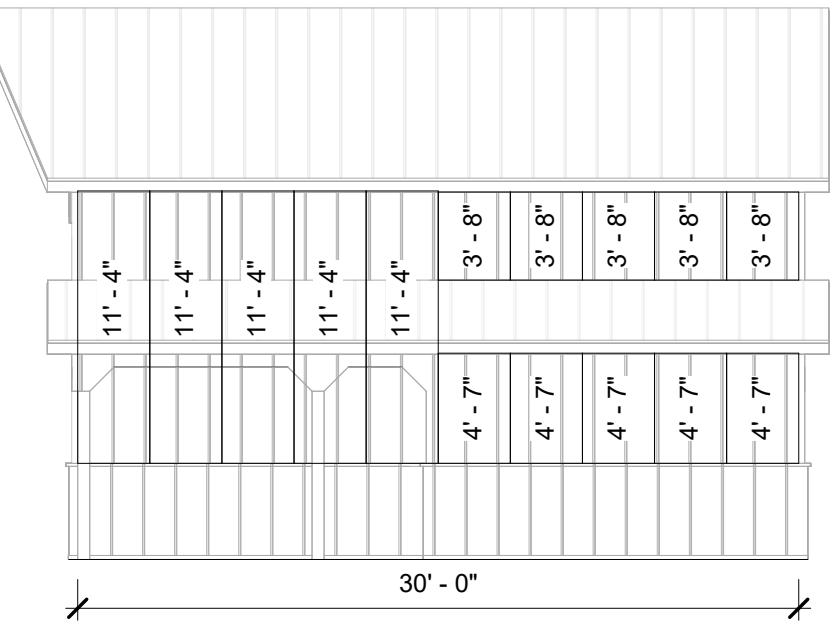
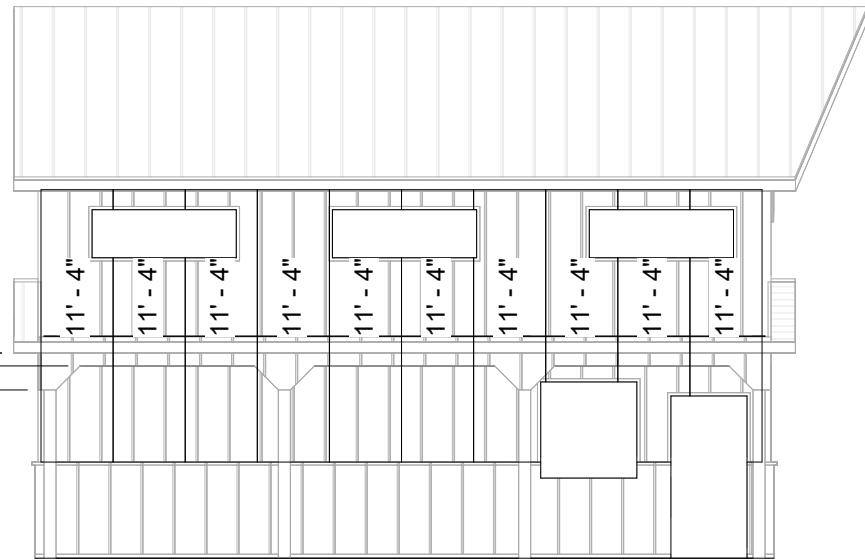
NEL SCHEDULE	
Quantity	Panel Height
1	14' - 8"
1	15' - 0"
2	15' - 8"
2	16' - 0"
2	16' - 8"
2	17' - 0"
1	17' - 8"
1	18' - 0"
1	18' - 4"

STEVE REIBER BLDG.

265 E. 400 N.  
American Fork, UT 84003

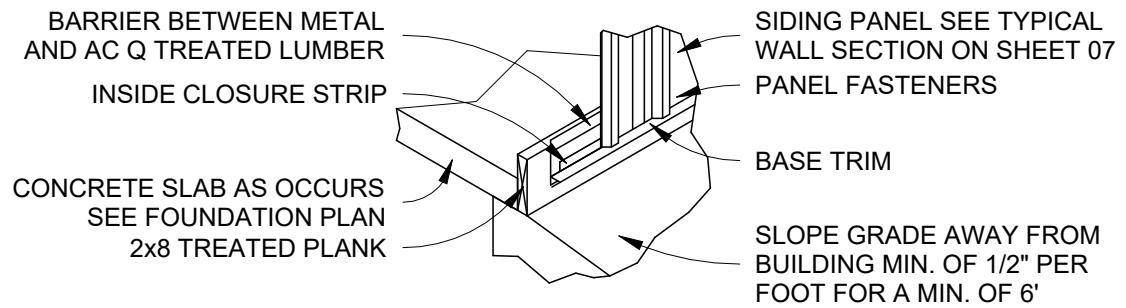
## DMLP RESOURCES

(801) 686-3830

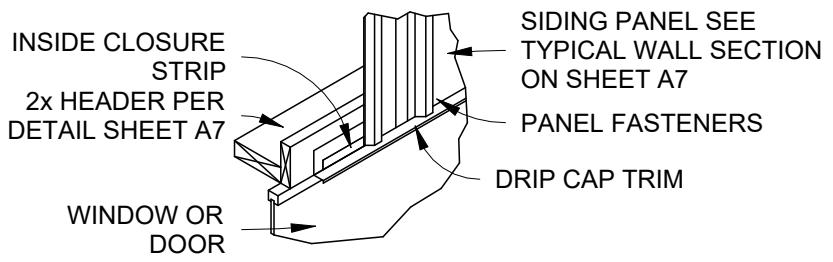


A6

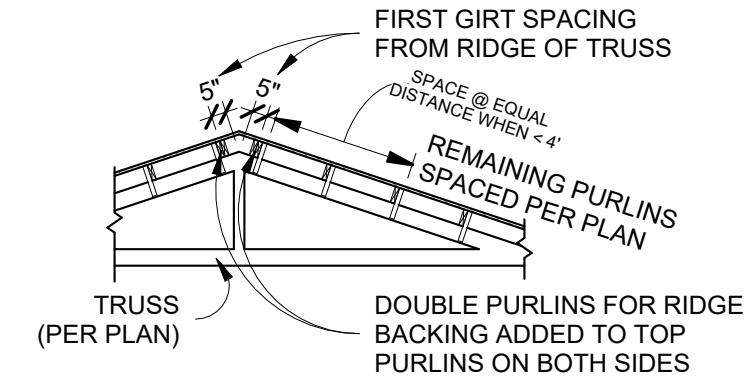
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Drawn by: JDJ  
Job: REIBER  
Sheet Size: B  
17" x 11"  
Panel Layouts



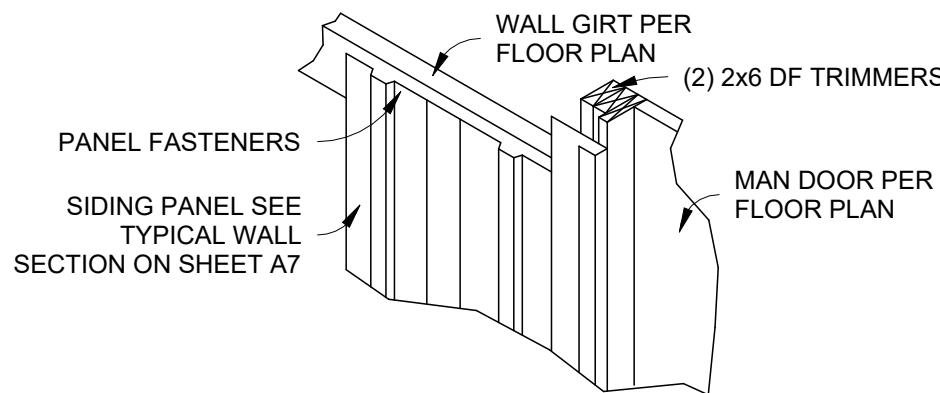
1 BASE GUARD FLASHING  
N.T.S.



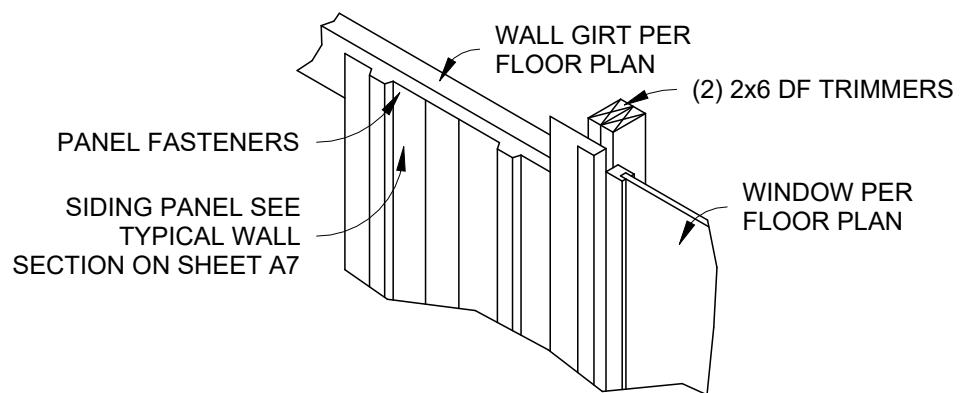
2 WINDOW/DOOR HEADER FLASHING  
N.T.S.



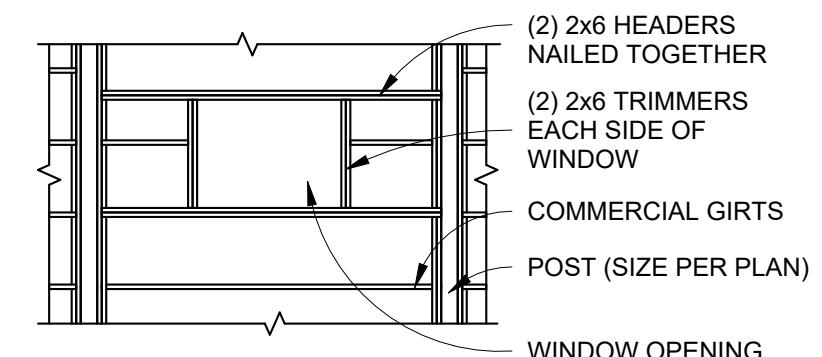
3 T.O. ROOF DETAIL  
N.T.S.



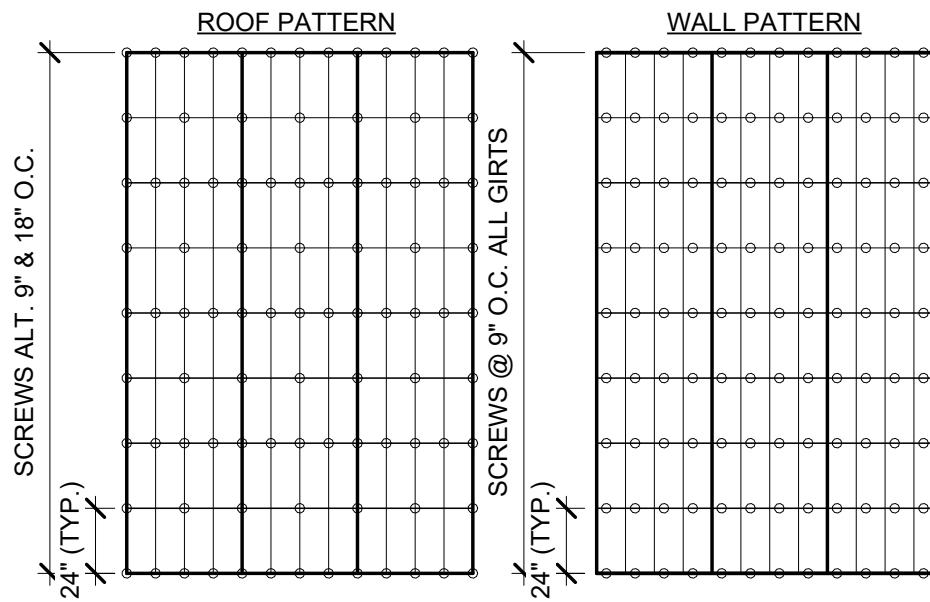
4 MAN DOOR JAMB FLASHING  
N.T.S.



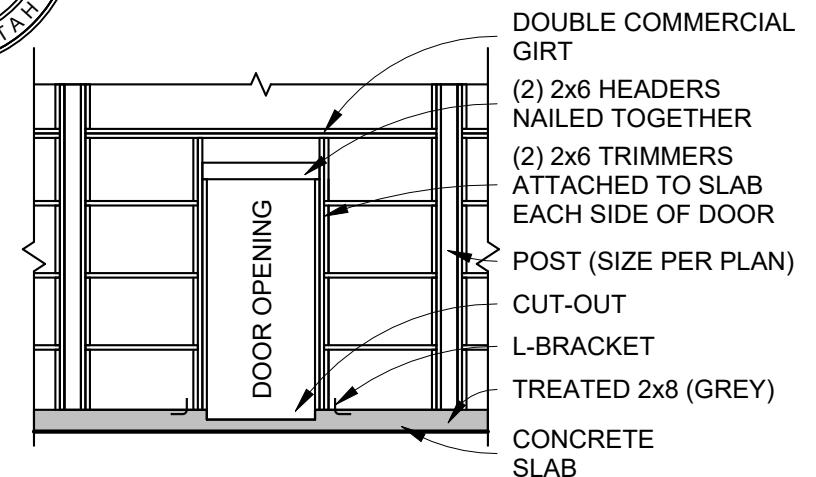
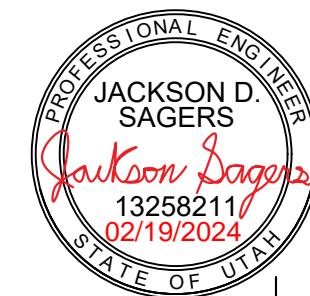
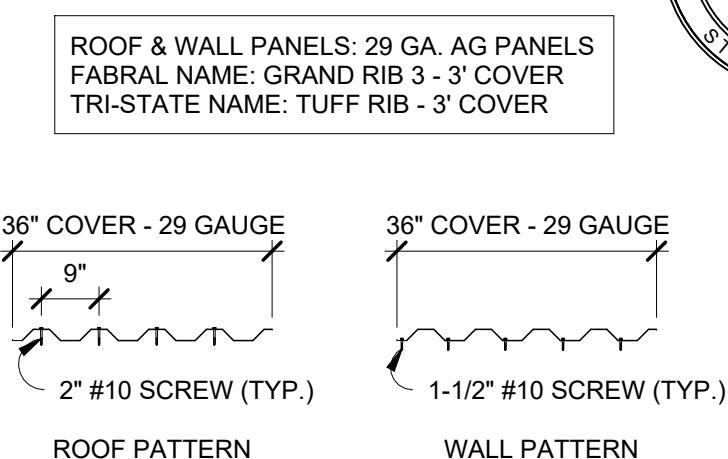
5 WINDOW JAMB FLASHING  
N.T.S.



6 WINDOW OPENING (COMMERCIAL GIRTS)  
N.T.S.



7 ROPER BUILDINGS SCREW PATTERNS  
N.T.S.



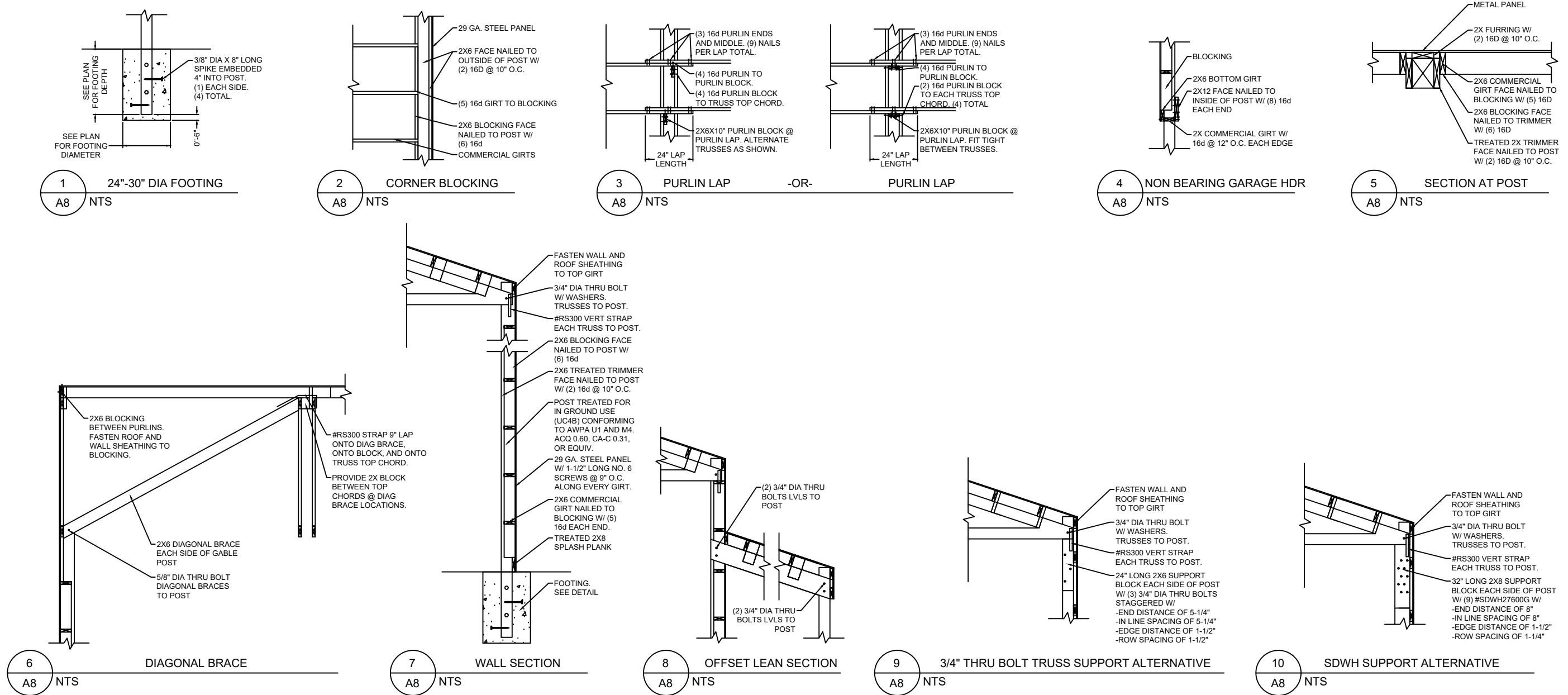
8 MD OPENING  
N.T.S.

# ROPER BUILDINGS / DMLP RESOURCES

(801) 689-3630

## STEVE REIBER BLDG.

265 E. 400 N.  
American Fork, UT 84003



Date: 2/19/2024  
Scale:  
Drawn by: JDJ  
Job: REIBER  
Sheet Size: B  
17" x 11"

Details 2



A8

# ROPER BUILDINGS / DMLP RESOURCES

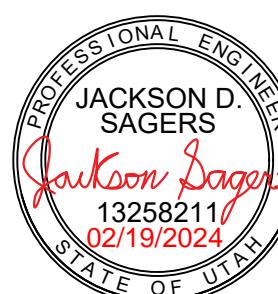
203 E. 400 N.  
American Fork, UT 84003

STEVE REIBER BLDG.

## DMLP RESOURCES

(801) 689-3630

DESIGN CRITERIA:		CONCRETE FOOTINGS, FOUNDATIONS, AND SLABS		CONCRETE SPECIFICATIONS				GENERAL CONSTRUCTION NOTES:		REBAR CONCRETE COVERAGE DISTANCES		
RISK CATEGORY		NOTES:		STRUCTURAL ELEMENT	MIN. COMPRESSIVE STRENGTH (fc)	AIR CONTENT	W/C RATIO	EXPOSURE CONDITION		BAR SIZE OR MEMBER		REBAR CLR DISTANCE (MIN.)
DESIGN RISK CATEGORY:	I	1. CONCRETE SHALL MEET REQUIREMENTS OUTLINED IN THE BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE (ACI318-19)	STRUCTURE	FOUNDATION WALLS AND FOOTINGS, NOT EXPOSED TO WEATHER	3000 PSI	5%-7% <sup>(1)</sup>	.55	CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH	ANY	3"		
SNOW LOAD IMPORTANCE FACTOR (I <sub>s</sub> ):	0.8	2. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM ALL FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 6 IN WITHIN THE FIRST 10 FT DISTANCE FROM THE BUILDING.	SLABS (EXCLUDING GARAGE SLABS)	3000 PSI	5%-7% <sup>(1)</sup>	.55	EXPOSED TO WEATHER	#5 AND SMALLER	1-1/2"			
SEISMIC IMPORTANCE FACTOR (I <sub>e</sub> ):	1.0	3. IMPERVIOUS SURFACES (I.E. CONCRETE, ASPHALT) SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING	WALLS, EXPOSED TO WEATHER	3000 PSI	5%-7%	.45		#6 AND LARGER	2"			
S <sub>1</sub> :	0.54	4. CONTRACTOR SHALL DAMP PROOF ALL CONCRETE WALLS THAT RETAIN EARTH OR HAVE ENCLOSED USABLE SPACES BY PLACING A BITUMINOUS COATING ON BELOW GRADE EXTERIOR SECTIONS OF FOUNDATION WALL OR WITH ANOTHER APPROVED DAMP PROOFING METHOD AS OUTLINED IN R406 OF THE IRC.	SLABS EXPOSED TO WEATHER (INCLUDING GARAGE AND SUSP SLABS)	3500 PSI	5%-7%	.45	NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND	#14 AND # 18; SLABS, JOISTS, AND WALLS	1-1/2"			
S <sub>M1</sub> :	1.11	5. FOUNDATION DRAINAGE SYSTEM IS NOT REQUIRED IF BACKFILLED WITH WELL-DRAINING BACKFILL OR SAND-GRAVEL MIXTURE SOILS OF GROUP 1 SOILS OF THE UNIFIED SOILS CLASSIFICATION SYSTEM AS SHOWN IN TABLE R405.1 OF THE IRC.	NOTES TO TABLE ABOVE:		#11 AND SMALLER; SLABS, JOISTS, AND WALLS			3/4"				
S <sub>M2</sub> :	1.56	6. ALL CONCRETE WALLS THAT RETAIN EARTH AND ANY FOUNDATION WALLS THAT ENCLOSE USABLE AREAS WITH GROUP II-GROUP IV SOILS OF THE UNIFIED SOILS CLASSIFICATIONS SYSTEM AS SHOWN IN TABLE R405.1 OF THE IRC SHALL HAVE A FOUNDATION DRAIN INSTALLED CONSISTING OF A PERFORATED DRAIN PIPE NOT LESS THAN 1' BEYOND THE OUTSIDE EDGE OF THE FOOTINGS AND 6" ABOVE THE TOP OF FOOTING WITH A GRAVEL DRAIN WRAPPED IN AN APPROVED FILTER FABRIC.	1. AIR ENTRAINMENT ONLY REQUIRED IN CONCRETE NOT EXPOSED TO WEATHER IF EXPOSED TO FREEZE/THAW DURING CONSTRUCTION.		#11 AND SMALLER; BEAMS, COLUMNS, AND TENSION TIES		1-1/2"					
T <sub>1</sub> :	8	7. ANY FOUNDATION WALLS THAT ENCLOSE USABLE SPACE WITH A HIGH WATER TABLE OR OTHER SEVERE GROUND WATER CONDITIONS SHALL BE WATERPROOFED AS REQUIRED IN SECTION R406.2 OF THEIRC.	2. fc IS CONCRETE COMPRESSIVE STRENGTH AT 28-DAYS		NOTES TO TABLE ABOVE:			NOTES TO TABLE ABOVE:				
R <sub>1</sub> :	6.5 (SHEAR WALLS) OR 1.5 (CANTILEVER SYSTEM)	8. WPE ASSUMES STABLE SOIL CONDITIONS. CONTACT ENGINEER IF SOIL CONDITIONS DIFFER FROM THOSE ASSUMED. SEE DESIGN CRITERIA FOR ASSUMED VALUES. THESE VALUES SHALL BE REPLACED BY DATA INCLUDED IN A SITE SPECIFIC GEOTECHNICAL REPORT IF AVAILABLE.	3. PORTLAND CEMENT TYPE I/II		1. SEE TABLE 20.5.1.3.1 ACI 318-19			1. PRE-MANUFACTURED TRUSSES SHALL FOLLOW LAYOUT SHOWN ON PLANS. ANY CHANGES IN TRUSS LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.				
SITE CLASS:	D (ASSUMED)	9. CRUSHED ROCK OR GRAVEL FILL WITH RELATIVELY LOW AMOUNTS OF FINES MAY BE USED TO BRING BOTTOM OF FOOTINGS OR SLABS UP TO GRADE WITH A MAXIMUM GRAVEL FILL DEPTH OF 2'. GRAVEL OR CRUSHED ROCK FILLS SHALL BE COMPACTED USING A VIBRATORY PLATE COMPACTOR.	4. W/C RATIO BASED ON ALL CEMENTITIOUS AND SUPPLEMENTARY CEMENTITIOUS MATERIAL IN CONCRETE MIXTURE.		2. ALL SLAB ON GRADE REINFORCEMENT SHALL BE CENTERED IN SLAB UNLESS NOTED OTHERWISE			2. CONTRACTOR AND MANUFACTURER SHALL VERIFY CEILING HEIGHTS, TRAYS, VAULTS, AND STEPS PRIOR TO CONSTRUCTION.				
SDC:	D	10. ANY FILL SOILS OR GRAVEL FILL DEEPER THAN 2' THAT SUPPORT FOOTINGS AND FOUNDATIONS SHALL BE DESIGNED BY A LICENSED GEOTECHNICAL ENGINEER. FILL SOILS SHALL BE INSTALLED, AND TESTED IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICE.	5. CONCRETE SHALL NOT INCLUDE CALCIUM CHLORIDE ADMIXTURE		3. MULTI PLY TRUSSES OR JOISTS SHALL BE FASTENED PER MANUFACTURER'S SPECIFICATIONS.			3. TRUSSES AND JOISTS SHALL BE BRACED PER MANUFACTURER.				
WIND LOADS		11. WHERE QUANTIFIABLE DATA OR OBSERVATIONS INDICATE EXPANSIVE, COMPRESSIBLE, SHIFTING, OR OTHER QUESTIONABLE SOIL CHARACTERISTICS OR GEOTECHNICAL HAZARDS ARE LIKELY TO BE PRESENT, THE BUILDING OFFICIAL SHALL DETERMINE WHETHER TO REQUIRE A SITE SPECIFIC GEOTECHNICAL STUDY TO DETERMINE SOIL CHARACTERISTICS OF THE SITE.	6. REINFORCING STEEL SHALL NOT BE WELDED UNLESS SPECIFIED ON THE PLANS. REINFORCING STEEL THAT IS WELDED SHALL BE ASTM A806 GRADE 60.		4. NO ALTERATIONS OF TRUSSES OR JOISTS ARE ALLOWED WITHOUT APPROVAL FROM MANUFACTURER.			4. TRUSSES AND JOISTS SHALL BE BRACED PER MANUFACTURER.				
V (3 SEC GUST):	105 MPH	12. FROST DEPTH OF FOOTINGS AND MINIMUM FREEBOARD OF FOUNDATION WALLS SHALL BE MET AS SPECIFIED BY JURISDICTION. NO FOOTINGS IN UNCONDITIONED SPACE SHALL BE CONSTRUCTED SHALLOWER THAN THE MINIMUM FROST DEPTH.	7. REINFORCING IN FOUNDATION WALLS AND AROUND OPENINGS SHALL MEET REQUIREMENTS OF THE FOUNDATION SCHEDULE SHOWN ON S1.0 AND THE UTAH AMENDMENT TO THE CODE 15A-3-108.		5. NO ALTERATIONS OF TRUSSES OR JOISTS ARE ALLOWED WITHOUT APPROVAL FROM MANUFACTURER.			5. NO ALTERATIONS OF TRUSSES OR JOISTS ARE ALLOWED WITHOUT APPROVAL FROM MANUFACTURER.				
EXPOSURE CATEGORY:	C	13. CONCRETE SHALL BE MECHANICALLY VIBRATED WHEN PLACED TO AVOID HONEYCOMBING ALONG FORMS AND TO HELP CONCRETE FREELY FLOW AROUND REINFORCEMENT.	8. ON CENTER (O.C.) SPACING SHOWN ON PLANS SHALL BE MAXIMUM SPACING ALLOWABLE.		NOTES TO TABLE ABOVE:			NOTES TO TABLE ABOVE:				
ELEVATION:	4661 FT	14. CONCRETE SHALL NOT BE DROPPED MORE THAN 5' MAXIMUM DURING PLACEMENT.	9. BARS SHALL BE LAPPED A MINIMUM OF 40 BAR DIAMETERS (d <sub>b</sub> ) TO MEET DEVELOPMENT LENGTH. DEVELOPMENT LENGTH ASSUMES UNEPOXED REBAR AND NORMAL WEIGHT CONCRETE. CONTACT ENGINEER FOR OTHER CONDITIONS IF NEEDED.		1. GIRTS SHALL BE DF-L @ 24" O.C.			1. SEE TABLE 20.5.1.3.1 ACI 318-19				
SNOW LOADS		15. CONCRETE FOR FOUNDATION WALLS SHALL CURE A MINIMUM OF 7 DAYS AND HAVE INTERIOR SLAB INSTALLED PRIOR TO ANY BACKFILL. FOUNDATION WALLS 6' IN HEIGHT AND ABOVE DESIGNED FOR TOP SUPPORT. CONTRACTOR SHALL INSTALL FLOOR OR ROOF DIAPHRAGM PRIOR TO BACKFILL AND SHALL NOT COMPACT ANY BACKFILL PLACED AROUND THESE WALLS.	10. ALL FOUNDATIONS SHALL HAVE 6" MIN. EXPOSED ABOVE GRADE.		2. NAILS SHALL BE CARBON STEEL SMOOTH SHANK COMMON OR GALVANIZED BOX. GALVANIZED NAILS SHALL BE HOT-DIPPED OR MECHANICALLY DEPOSITED.			2. ALL SLAB ON GRADE REINFORCEMENT SHALL BE CENTERED IN SLAB UNLESS NOTED OTHERWISE				
P <sub>g</sub> :	43 PSF	16. ALL FOUNDATIONS SHALL HAVE 6" MIN. EXPOSED ABOVE GRADE.	11. ALL SLABS ON GRADE SHALL HAVE CONTROL JOINTS IN SLAB AT 15' O.C. MAXIMUM SPACING.		3. NAILS SHALL BE DRIVEN WITH THE HEAD OF THE NAIL FLUSH WITH THE SURFACE OF THE SHEATHING.			3. STAPLES SHALL HAVE A MINIMUM CROWN WIDTH OF 7/16" AND SHALL BE INSTALLED WITH THEIR CROWNS PARALLEL TO THE LONG DIMENSION OF THE FRAMING MEMBERS.				
W <sub>s</sub> :	0 PSF	17. CONTRACTOR SHALL ROUGHEN COLD JOINT BETWEEN FOOTING AND WALL TO 1 <sup>st</sup> AMPLITUDE.	12. ALL SLABS ON GRADE SHALL HAVE CONTROL JOINTS IN SLAB AT 15' O.C. MAXIMUM SPACING.		4. NAILS/STAPLES SHALL BE DRIVEN WITH THE HEAD/CROWN OF THE NAIL/STAPLE FLUSH WITH THE SURFACE OF THE SHEATHING.			4. NAILS/STAPLES SHALL BE DRIVEN WITH THE HEAD/CROWN OF THE NAIL/STAPLE FLUSH WITH THE SURFACE OF THE SHEATHING.				
C <sub>e</sub> :	1.0	18. ALL SLABS ON GRADE SHALL HAVE CONTROL JOINTS IN SLAB AT 15' O.C. MAXIMUM SPACING.	13. ALL CONCRETE SLABS ON GRADE SHALL BE A MINIMUM OF 4" THICK ON 4" PLATE COMPACTED GRAVEL OR OTHER APPROVED FREE DRAINING MATERIAL.		5. DOUBLE SIDED SHEAR WALLS SHALL HAVE PANEL JOINTS OFFSET TO FALL ON DIFFERENT FRAMING MEMBERS. NAILS AT PANEL EDGES SHALL BE STAGGERED.			5. DOUBLE SIDED SHEAR WALLS SHALL HAVE PANEL JOINTS OFFSET TO FALL ON DIFFERENT FRAMING MEMBERS. NAILS AT PANEL EDGES SHALL BE STAGGERED.				
C <sub>r</sub> :	1.2	19. ALL CONCRETE SLABS ON GRADE SHALL BE A MINIMUM OF 4" THICK ON 4" PLATE COMPACTED GRAVEL OR OTHER APPROVED FREE DRAINING MATERIAL.	20. REINFORCING STEEL IN CONCRETE SHALL MEET THE REQUIREMENTS OF THE FOLLOWING SECTION ENTITLED "REINFORCING STEEL".		6. BLOCK ALL PANEL EDGES. FLAT BLOCKING/GIRTS IS ACCEPTABLE ON SINGLE SIDED SHEAR WALLS.			6. BLOCK ALL PANEL EDGES. FLAT BLOCKING/GIRTS IS ACCEPTABLE ON SINGLE SIDED SHEAR WALLS.				
P <sub>r</sub> :	0.94	21. ALL REINFORCEMENT IN CONCRETE SHALL BE PROPERTY TIED AND SECURED PRIOR TO POURING CONCRETE IN SUCH A WAY THAT REINFORCEMENT REMAINS IN DESIGNED LOCATION. VERTICAL REINFORCING STEEL FOR MASONRY CONSTRUCTION MAY BE FLOATED INTO PLACE.	22. ANY COMPONENTS THAT ARE CAST IN PLACE SHALL BE SECURELY PLACED IN THE FORMS (I.E. STRAPS, BOLTS, SLEEVES, ETC.)		7. ALL WALLS SHALL FOLLOW SW-6" U.N.O.			7. ALL WALLS SHALL FOLLOW SW-6" U.N.O.				
P <sub>r</sub> :	30 PSF	23. REINFORCEMENT IN FOUNDATION WALLS SHALL BE CENTERED IN WALL U.N.O. REINFORCEMENT FOR CONCRETE WALLS RETAINING EARTH SHALL BE PLACED WHERE DESIGNED ON PLANS.	24. ENGINEER ASSUMES 2,500 PSI COMPRESSIVE STRENGTH IN STRUCTURAL CONCRETE, THEREFORE CONCRETE FOR FOOTINGS, FOUNDATION WALLS, AND SLABS ON GRADE CAN BE EXEMPT FROM SPECIAL INSPECTIONS ACCORDING TO EXEMPTIONS LISTED IN SECTION 1705.3 IN THE IBC UNLESS NOTED OTHERWISE.		8. STRUCTURAL PANELS SHALL BE APA APPROVED, EXPOSURE 1, AND MEET THE REQUIREMENTS OF USDOC PS 2.			8. STRUCTURAL PANELS SHALL BE APA APPROVED, EXPOSURE 1, AND MEET THE REQUIREMENTS OF USDOC PS 2.				
P <sub>s</sub> :	30 PSF	25. FLOOR SHEATHING SHALL BE GLUED TO FRAMING MEMBERS PRIOR TO NAILING W/ AN ADHESIVE CONFORMING TO APA SPECIFICATIONS.	26. STRENGTH AXIS (LONG DIRECTION) OF PANELS SHALL BE ORIENTED PERPENDICULAR TO FRAMING MEMBERS AND PANEL END JOINTS SHALL BE STAGGERED.		9. NAILS SHALL BE LOCATED AT LEAST 3/8" FROM THE EDGES OF PANELS.			9. NAILS SHALL BE LOCATED AT LEAST 3/8" FROM THE PANEL EDGES.				
1-1/2" LONG 16 GAGE STAPLES W/ 7/16" CROWN MAY BE SUBSTITUTED FOR 8d NAILS AT HALF THE SPACING FOR 7/16" PANELS ONLY. CROWNS SHALL BE INSTALLED PARALLEL TO FRAMING MEMBERS.		27. NAILS SHALL NOT BE LESS THAN 4X8' EXCEPT AT BOUNDARIES AND CHANGES IN FRAMING WHERE MINIMUM PANEL DIMENSION SHALL BE 24" UNLESS ALL EDGES OF THE UNDERSIZED PANELS ARE SUPPORTED BY AND FASTENED TO FRAMING MEMBERS OR BLOCKING.	10. ENGINEERED WOOD RIM BOARDS SHALL CONFORM TO ANSI/APA PRR 410 OR SHALL BE EVALUATED IN ACCORDANCE W/ ASTM D7672.		11. WOOD CONSTRUCTION CONNECTORS SHALL BE INSTALLED PER THE MANUFACTURER'S SPECIFICATIONS.			10. PANELS SHALL NOT BE LESS THAN 4X8' EXCEPT AT BOUNDARIES AND CHANGES IN FRAMING. ALL EDGES OF ALL PANELS SHALL BE SUPPORTED BY AND FASTENED TO FRAMING MEMBERS OR BLOCKING.				



Date: 2/19/2024

cale:

drawn by: [ID:1]

## Job: RFIBER

Sheet Size: B  
7" x 11"

## Engineering Notes

A9

### Agenda Topic

Review and recommendation on proposed Zoning for the Skidmore Annexation, located at approximately 6411 N 5750 W, American Fork City, UT 84003. On approximately 7.65 acres, the property will be annexed into American Fork City and be given the Planned Industrial (PI-1) zoning designation.

BACKGROUND INFORMATION		
Location:	6411 N 5750 W	
Project Type:	Annexation Agreement	
Applicants:	Brent Skidmore; Ken Berg	
Existing Land Use:	Design Industrial	
Proposed Land Use:	N/A	
Surrounding Land Use:	North	Residential Very Low Density
	South	Residential Very Low Density; Design Industrial, Shoreline Protection
	East	Design Industrial
	West	Design Industrial
Existing Zoning:	Unincorporated Territory	
Proposed Zoning:	PI-1	
Surrounding Zoning:	North	Unincorporated Territory
	South	PI-1
	East	PI-1
	West	PI-1

### Background

The applicant has applied for annexation within American Fork City. The project area looks to have the PI-1 zoning designation assigned to the land, which would be for Planned Industrial Projects. The land use for the property went through a land use map amendment on August 22<sup>nd</sup>, 2023, and was approved by the City Council. The entirety of the 7.65-acre parcel will be brought into American Fork City for this annexation. Along with the annexation, there will be major

collector road dedication plats for 1500 South and 100 East and a local road alignment traversing the annexing property.

**Section 17.20.050 of the American Fork Municipal Code outlines the following procedures for Annexation Applications**

- A. The sponsor must schedule a pre-application meeting with the American Fork City Planning Staff for review of the annexation request and an opinion as to whether or not the area proposed for annexation will create an unincorporated island or peninsula. If it is in the opinion of staff that the proposed annexation does not create an unincorporated island or peninsula, the sponsor will be advised to proceed with their application as an annexation by petition. If the Planning Staff determines that, in their opinion, the proposed annexation creates an unincorporated island or peninsula, the sponsor will be so advised and informed of alternative procedures to request annexation by resolution, if applicable.
- B. A complete application for annexation shall be filed with the City Recorder
- C. The Planning Department will schedule the annexation request on the next available Technical Review agenda.
- D. City staff will review the application and prepare an annexation report for the Planning Commission and City Council. The report shall identify:
  1. Potential demand for City facilities and services;
  2. Consistency with the American Fork City General Plan, including the achievement of goals and policies of the American Fork City General Plan and identifying any revisions and amendments of the General Plan required by the annexation;
  3. The identification of the distance from existing city utility lines to the boundary of the annexing property;
  4. Zoning required or recommended;
  5. Distances to public schools, parks and shopping centers for traffic generated by the proposed land uses;
  6. Timetable for extending city provided utility lines and services to the area and how these services will be financed, if applicable
- E. The City Council may decide to either accept the annexation application for further review or deny the application. Denial of an application for annexation will have the effect of ending any further review of the proposed annexation. In order to have the land annexed into American Fork City, the applicant will need to resubmit the proposed annexation as a new application and satisfy each of the requirements of this Chapter including the payment of all review fees.

- F. If the annexation request is accepted for further review, proper notice shall be given in accordance with the annexation requirements contained in the Utah State Code.
- G. A public hearing (10-day notice) will be scheduled with the Planning Commission for review and recommendation of the proposed zoning designation for the annexation.
- H. Following the Planning Commission's review and recommendation on zoning and after all required notice has been met, a public hearing will be scheduled with the City Council for final approval of the annexation, including zoning designation.
- I. An annexation agreement must be signed and applicable requirements met, including any water dedication requirements, prior to annexation plat recording and ordinance publication.
- J. In order to provide accurate and current address information for EMS, fire, law enforcement, and utility services, any existing homes included in the annexation shall be assigned an American Fork City address. The new address will become effective at the time the annexation plat is recorded.

### **Staff Findings**

As required by Section 17.20.050(D), City Staff has met with the applicant, and having reviewed the proposed annexation, has the following findings to report:

- 1. Potential demand for City facilities and services:**
  - a. Total Area – 7.61 acres
  - b. Master Planned Culinary ERC – 13.26
  - c. Master Planned Pressurized Irrigation acres – 5.02 acres
  - d. Master Planned Sewer ERU – 13.26
  - e. 12 inch Sanitary Sewer is within 15 feet of half of the property.
  - f. 16 inch Culinary line within 10 to 15 feet of the property to the south and 12 inch line within 40 feet to the East of the property.
  - g. 10 inch Pressurized Irrigation within 20 feet (This System is connected to Culinary through a backflow preventor until the PI system extends further into that area)
- 2. Consistency with the American Fork City General Plan, including the achievement of goals and policies of the American Fork City General Plan and identifying any revisions and amendments of the General Plan required by the annexation:**
  - a. The American Fork Land Use Plan, as identified in the General Plan, highlights the use of this parcel as a Design Industrial designation. The Land Use designation informs the zoning that will be allocated to the property.

**3. The identification of the distance from existing city utility lines to the boundary of the annexing property:**

- a. Sewer: ~ 20 feet of northeastern property line
- b. Water: ~ 40 feet of eastern property line; ~30 feet of southern property line
- c. Pressurized Irrigation: ~55 feet of eastern property line; ~15 feet of southern property line
- d. New sewer main line will need to be installed on the southern property and southeastern property if construction chooses to discharge in those locations
- e. Abandonment of ditches on the western portion of the property will need to be done during site development and improvements. Possible piping will need to be introduced.

**4. Zoning required or recommended:**

- a. Staff recommends zoning as Planned Industrial (PI-1)

**5. Distances to public schools, parks and shopping centers for traffic generated by the proposed land uses:**

- a. Schools:
  - i. Polaris High School: ~ 1.8 Miles
  - ii. American Fork Junior High: ~ 3.9 Miles
  - iii. Greenwood Elementary: ~ 1.9 Miles
- b. Parks:
  - i. Boat Harbor: ~ 0.7 Miles
  - ii. Greenwood: ~ 1.7 Miles
  - iii. Eastern Park ~ 2.6 Miles
- c. Planned Shopping Centers (SC-1 Zones):
  - i. Eastern SC-1 Zone: ~ N/A Miles
  - ii. Western SC-1 Zone: ~ N/A Miles
  - iii. Northern SC-1 Zone: ~ 1.75 Miles

**6. Timetable for extending city provided utility lines and services to the area and how these services will be financed, if applicable:**

- a. Extension of city utilities will be driven by demand caused by growth/development. Minimum utility requirements will be paid by development with master planned upsizing paid through applicable impact fee funds.

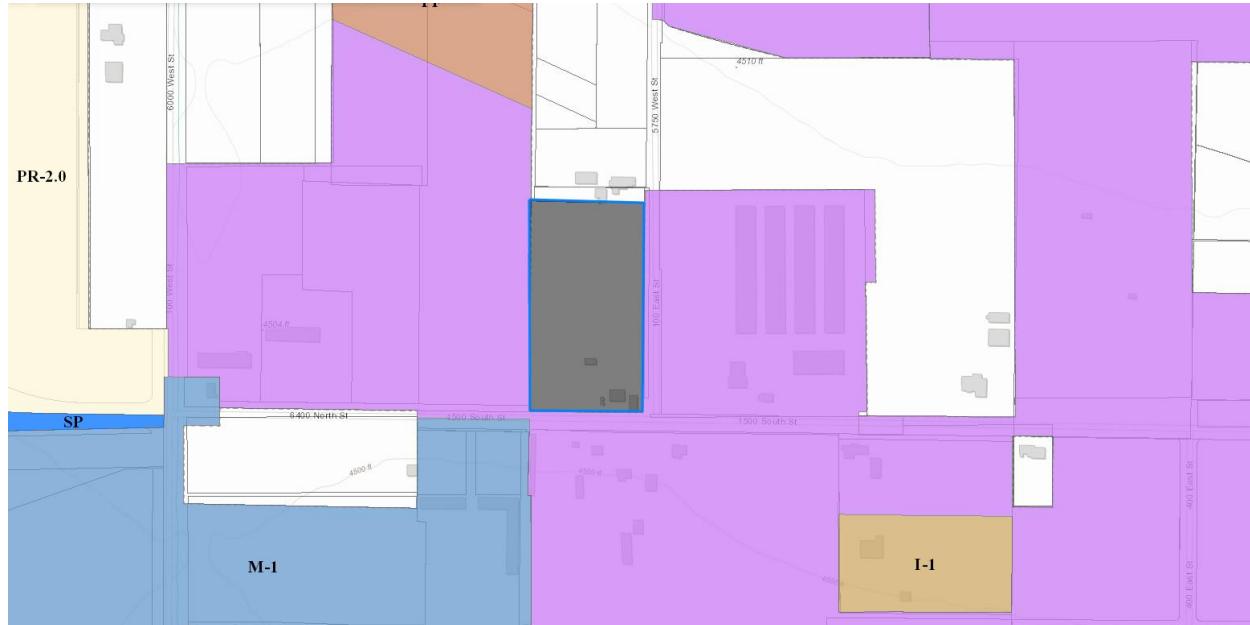
### **Project Conditions of Approval**

1. Annexation agreement for Deer Park South approval, subject to the condition of all relevant and required exhibits and attachments to be provided to City staff prior to moving forward to City Council.

### **Findings of Fact**

1. The Annexation Agreement **MEETS** the requirements of Section 17.20.050.

### **Project Map**



### **Standards Conditions of Approval**

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting,

or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, streetlight, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

### Staff Recommendation

The Annexation Agreement **MEETS** the requirements of Section 17.20.050. Staff recommends APPROVING the application WITH CONDITIONS.

### **Potential Motions**

#### **Approval**

Madame Chair, I move to recommend approval for the proposed Annexation Agreement, located at approximately 6411 North 5750 West, American Fork City, UT 84003, subject to any conditions found in the staff report.

#### **Denial**

Madame Chair, I move to recommend denial for the proposed Annexation Agreement, located at approximately 6411 North 5750 West, American Fork City, UT 84003.

#### **Table**

Madame Chair, I move to table action for the proposed Annexation Agreement, located at approximately 6411 North 5750 West, American Fork City, UT 84003, and instruct staff/developer to.....

## **ANNEXATION AGREEMENT (Skidmore Annexation)**

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between City of American Fork, Utah, a Utah Municipal Corporation (hereafter referred to as "City") and Brent Skidmore, (hereafter collectively referred to as "Applicant"), is based on the following:

### **RECITALS**

**WHEREAS**, Applicant is the owner of certain parcels of privately-owned real property constituting the entirety of the Skidmore Annexation Area, which annexation is located within the unincorporated territory of Utah County, contiguous to the corporate boundary of the City, and is within the City's proposed expansion area;

**WHEREAS**, the annexation will create an unincorporated island;

**WHEREAS**, Utah County approved a Resolution on May 23, 2023, agreeing to the annexation;

**WHEREAS**, a "Petition for Annexation" (Attachment 1), together with a plat (Attachment 2) have been prepared by the Applicant and show the real property proposed for annexation (hereafter referred to as "Annexation Area");

**WHEREAS**, in accordance with the provisions of UCA 10-2-402, the American Fork City Council has heretofore adopted Resolution No. 2023-05-24R, accepting the Petition for Annexation;

**WHEREAS**, notice of hearing regarding the proposed annexation has been published and the public hearing thereon held;

**WHEREAS**, the City Council has determined that annexation of the Annexation Area is in the best interest of the City and has indicated an intent to: (1) enact an ordinance of annexation relating thereto, subject to the prior execution of this Agreement, and (2) authorize the recording of the annexation plat at the office of the Utah County Recorder, subject to the terms and conditions of this Agreement.

### **TERMS AND CONDITIONS**

**NOW THEREFORE**, based on the above recitals and in consideration of the annexation of the Annexation Area to the City, the parties covenant and agree as follows:

**SECTION 1 - Applicability of Agreement:** The real property to which the terms of this Agreement apply shall be the parcels of private property within the Annexation Area, identified on (Attachment 3). Attachment 3 is hereby made part of this Agreement.

**SECTION 2 - Annexation a benefit to Applicant:** Applicant and City acknowledge

that the City is not required to approve the annexation and that the terms and conditions of annexation, as set forth herein, are reasonable and entered into freely and voluntarily. Further, Applicant hereby acknowledges and agrees that the benefit received from annexation of the property is equal to or greater than the requirements and conditions of annexation as set forth in this Agreement and the conditions of the development as set forth herein and under the terms of the City's Development Code and Impact Fee Ordinance does not constitute a taking as defined pursuant to the terms of UCA 10-9a-103(6), 1953, as amended.

**SECTION 3 - Authority of Applicant:** Applicant hereby affirms that it is the current owner of the total private land area within the Annexation Area and has complete authority to enter into this Agreement and bind the property hereto.

**SECTION 4 - Compatibility with Land Use Plan and Initial Zone Classification:** The Land Use Element of the General Plan shows the Annexation Area classified as Design Industrial. Therefore, the zone classification attached to the parcel shall be Planned Industrial, for areas designated as such under the Land Use Plan. A map illustrating the zone classification has been prepared by the City and is made part of this agreement (Attachment 4).

**SECTION 5 - Right-of-way to be Conveyed:** The City's Transportation Element of the General Plan (the "Transportation Master Plan") provides for the development of two major collectors, 1500 South and 100 East, which traverse the Annexation Area. Additionally, a local road alignment is shown on the Transportation Master Plan which traverses the Annexation Area. As a condition of annexation, Applicant hereby agrees to convey to the City the rights-of-way ("ROWs") necessary for the major collectors and local road alignment in the location shown on the dedication maps prepared by the Applicant and approved by the City (Attachments 5).

Applicant shall have no obligation to construct any improvements to the ROWs unless and until any improvement or development occurs within the Annexation Area, subject to the provisions as outlined in the American Fork City Development Code Section 17.5.126 (Minimum Level of Improvements Required). At the time of any improvement or development, it shall be the Applicant's responsibility to bring any existing roadways currently constructed within or adjacent to the Annexation Area into compliance with Section 15.01.1250 (General Description) and shall meet the structural pavement number requirements as set forth in said section.

**SECTION 6 - Conveyance of Water Right:** American Fork City Code 17.1.400, Conveyance of Water, requires conveyance of water shares/rights at the time of annexation unless the City determines that there is good and sufficient reason to delay the time of the conveyance. City and Applicant acknowledge and agree that the parties are unable to determine the quantity of shares/rights required for the Annexation Area at the present time and therefore, the City authorizes a delay in the time of conveyance of water shares/rights until the time of development. A Water Delay Agreement is hereby entered into by the parties and is incorporated into this Agreement as (Attachment 6).

**SECTION 7 - Open Ditches to be Piped:** Applicant acknowledges that it is its burden in full to pipe any and all gravity irrigation conveyances (ditches), to the standards of the City and to the standards of the applicable irrigation company or private ditch easement holders as part of any forthcoming development project.

**SECTION 8 - Property Taxes and Rollback Taxes to be Paid on any Right-of-Way Dedicated to City:** Applicant agrees to pay any outstanding property taxes on the Annexation Area including any and all rollback taxes if the subject area is classified as "Greenbelt" with the Utah County Tax Assessor, for any areas identified as ROW to be dedicated to City. Proof of payment of these taxes shall be required prior to recording of this Agreement.

**SECTION 9 - Impact Fees:** No impact fees are required to be paid at this time as a condition of annexation. However, nothing in this Agreement constitutes a waiver of any obligation that Applicant or any successor may have for the payment of impact fees required as a condition of development of the Annexation Area or any portion thereof. Applicant acknowledges that no development approval or building permit shall be issued until all applicable fees required by City ordinance have been paid at the amount then in effect.

**SECTION 10 - Default:** In the event either party seeks to enforce the terms hereof in a lawsuit or other proceeding, the prevailing party shall be entitled to an award of the costs incurred, including reasonable attorney fees.

**SECTION 11 - Notice:** Any notice to be given hereunder shall be given by certified mail, return receipt requested, addressed as follows:

- a. If to the City, to the City of American Fork, 51 East Main Street, American Fork Utah, 84003.
- b. If to Applicant, to 164 W 510 S, American Fork Utah, 84003

**SECTION 12 - Entire Agreement:** This Agreement constitutes the entire agreement between the parties and may be changed only in writing signed by all parties.

**SECTION 13 — Severability:** The provisions of this Agreement shall be deemed to be severable, and if any provision of this Agreement is determined to be invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect or limit the validity or enforceability of the remaining provisions hereof.

**SECTION 14 - Binding Effect:** This Agreement shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, representatives, officers, agents, employees, members, successors and assigns.

**IN WITNESS WHEREOF,** the parties signed this agreement on the date first mentioned above.

# AMERICAN FORK CITY

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Bradley J. Frost, Mayor

ATTEST:

C City Recorder

## Attachment 1



### Petition for Annexation

We, the undersigned owners of private real property, hereby petition the area shown on the attached accurate and recordable map prepared by a licensed surveyor to be annexed into American Fork City. Each of the undersigned affirms that (a) each has personally signed this petition, (b) each is an owner of real property that is located within the area, and (c) each desire to be annexed into American Fork City. The petitioners hereby request this petition be considered by the American Fork City Council and that a resolution be adopted as required by law accepting this petition for further consideration.

Name of Annexation: Skidmore

Approximate Location: 100 E. 1500 S. AF

Name: Brent L. Skidmore Address: 164 W. 510 S. AF

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Brent L. Skidmore Tax ID #: \_\_\_\_\_

Name: Marsha Skidmore Address: 164 W. 510 S. AF

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: Marsha Skidmore Tax ID #: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Tax ID #: \_\_\_\_\_

#### NOTICE:

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of American Fork City. If you choose to withdraw your signature, you must do so no later than 30 days after American Fork City receives notice that the petition has been certified.

(Attached additional sheets if needed)

\*\*Please note: a copy of this petition must be delivered to the Utah County Clerk the day this is submitted to the American Fork City Recorder\*\*

**CERTIFICATE OF AUTHORITY  
TRUST**

The undersigned hereby represents, warrants and certifies for the benefit of American Fork City and Utah County, and their respective elected officials (including, without limitation, the American Fork City Recorder and the Utah County Clerk), employees, agents and attorneys that the undersigned (a) is (and at all pertinent times has been) a trustee of the trust (the "Trust") described below; (b) is duly authorized to execute and deliver on behalf of the Trust the attached "Petition for Annexation" (the "Petition"); and (c) has duly executed and delivered the Petition on behalf of, and as a trustee of, the Trust.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2028.

Marsha Skidmore \_\_\_\_\_, Trustee  
(Trustee's Signature)

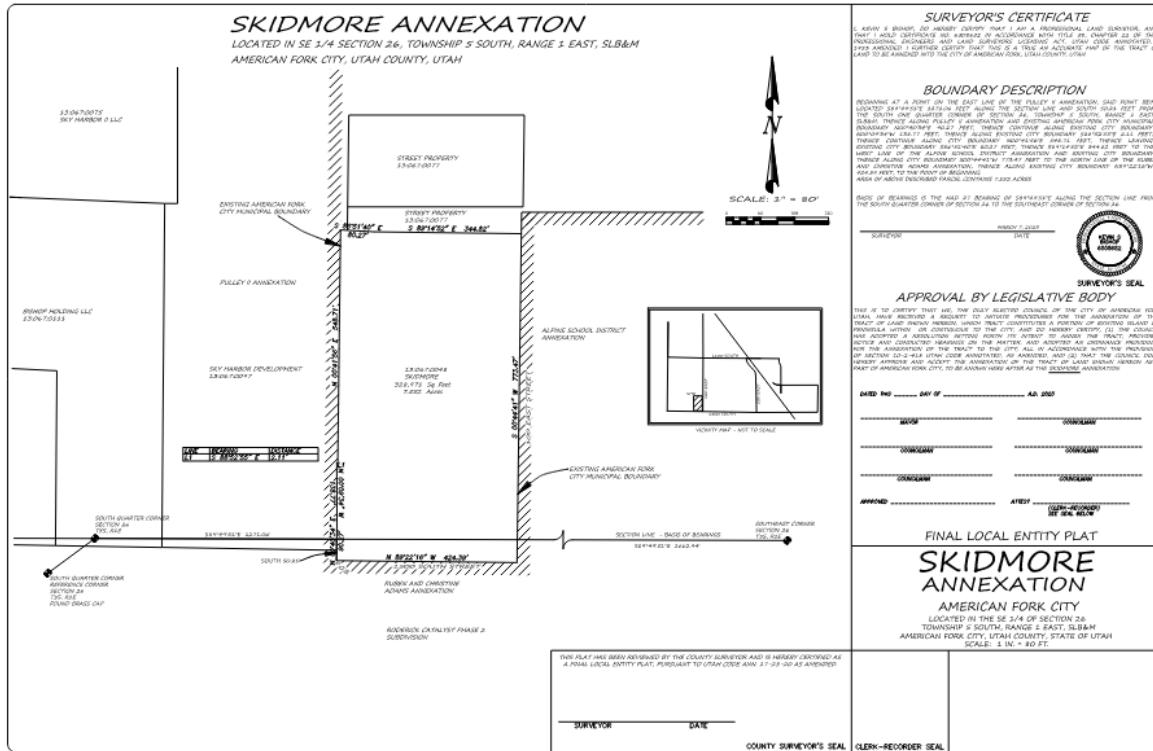
Marsha Skidmore \_\_\_\_\_  
(Print Trustee's Signature)

By The Brent L. Skidmore and  
Marsha Skidmore Revocable Trust  
(Print Name of Trust)

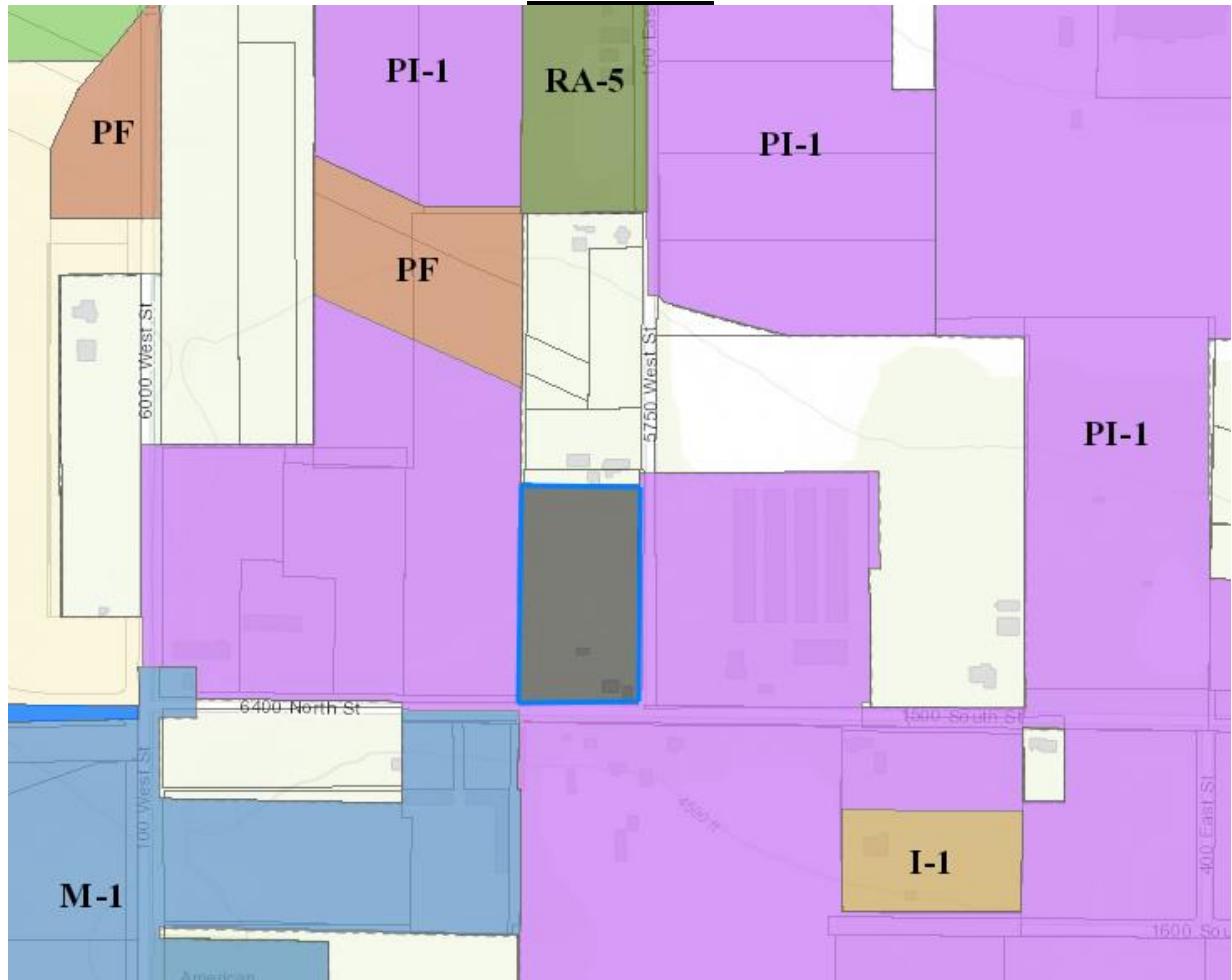
**NOTICE:**

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of American Fork City. If you choose to withdraw your signature, you must do so no later than 30 days after American Fork City receives notice that the petition has been certified.

## **Attachment 2 and Attachment 3**

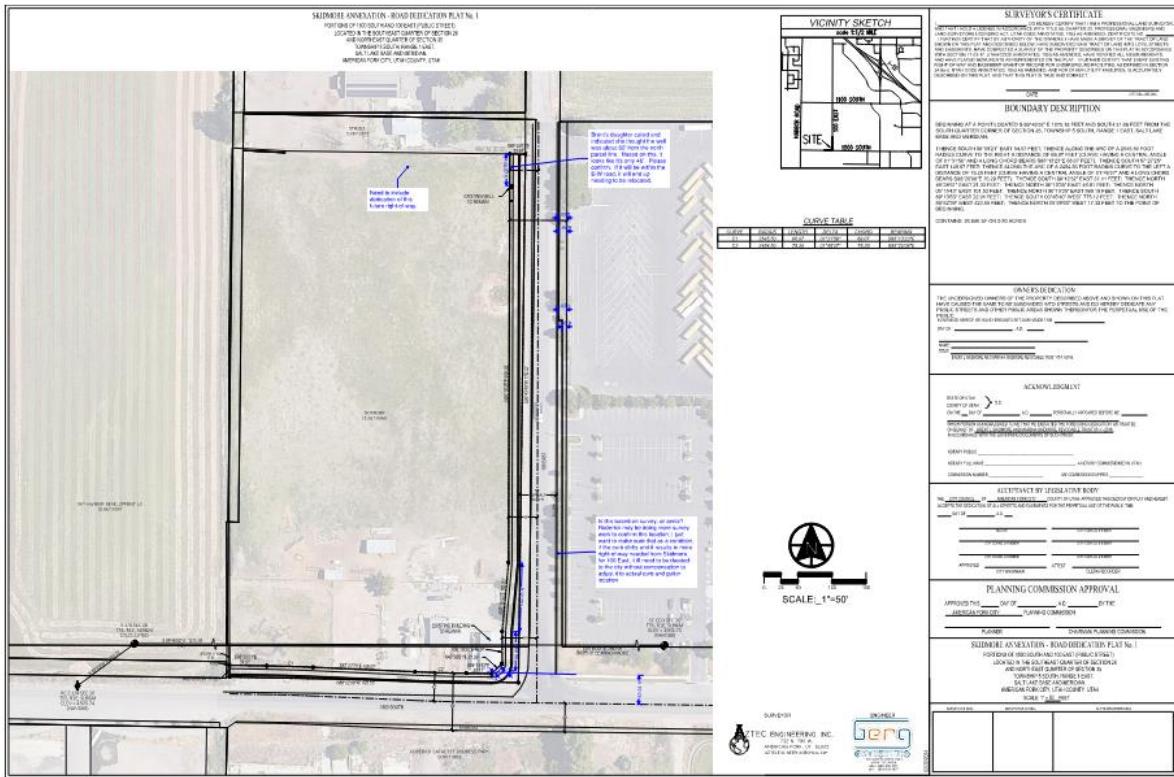


**Attachment 4**



Note: Area shown in grey is the proposed area of the property considered for annexation. This property is to be designated as Design Industrial on the Land Use Map, and as PI-1 on the Zoning Map.

**Attachment 5**



## **Attachment 6**

**WATER DELAY AGREEMENT FOR ANNEXATION**

This Water Delay Agreement for Annexation ("Agreement") is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ ("Effective Date"), by and between BRENT & MARSHA SKIDMORE ("Owner"), and AMERICAN FORK CITY, a municipal corporation and political subdivision of the State of Utah ("City").

**RECITALS**

WHEREAS Owner is the owner of Parcel Nos. 13:067:0048 ("Property"), which are located outside of the City's current municipal boundaries; and

WHEREAS Owner has filed with the City a request to have the Property annexed into the City ("Annexation Request"); and

WHEREAS Section 17.1.400(C) of the City Code requires the conveyance of title to water rights concurrently with final action by the City Council on an annexation, except under pursuant to certain findings, terms, and conditions; and

WHEREAS City and Owner desire to enter into this Agreement as part of the findings, terms, and conditions required under Section 17.1.400(C) of the City Code.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants hereafter set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and City, incorporating the recitals set forth above, agree as follows:

**AGREEMENT**

1. **Determination of City Council.** The City Council, with the recommendation of the City Planning Commission, has determined that there is good and sufficient reason to delay the time of conveyance of water rights and/or water shares beyond the time of the City Council's final action on the Annexation Request. This determination was made in the City Council meeting held on \_\_\_\_\_, 20\_\_\_\_. The basis and reasoning for the City Council's determination are included within the recording, minutes, and other documentation from said City Council meeting.

2. **Water Rights/Shares.** The specific water rights and/or water shares that may be conveyed to the City, and that pursuant to the terms and conditions of this Agreement are hereby committed to the City, which commitment is irrevocable by Owner and may be released by the City only as provided in this Agreement ("Committed Water"), are identified in Exhibit A of this Agreement.

3. **Conveyance of Committed Water.** Prior to the City's approval of any development on the Property that will require the delivery of water, the City will determine the amount of water rights/shares required for dedication and conveyance to the City in order to meet the water requirements of the development. Owner will convey clear title to the required amount of the Committed Water to the City. If the amount of water necessary for the development is less than the

total amount of the Committed Water, the City will release the commitment (provided in paragraph 2 above) as to the unnecessary portion of the Committed Water. If the amount of water necessary for the development is more than the total amount of the Committed Water, Owner shall convey additional acceptable water rights/shares to the City to meet the dedication requirements. If the Committed Water consists of any water rights, the conveyance shall be by Warranty Deed and an accompanying Water Rights Deed Addendum. If the Committed Water consists of any water shares, the conveyance shall be by assignment, endorsement, and delivery of the appropriate share certificates. Owner acknowledges that under the Article XI, Section 6 of the Utah Constitution, City is prohibited from returning to Owner any portion of the Committed Water once it has been conveyed to the City.

4. **Change Application.** If any of the Committed Water consists of water rights, an express prerequisite for conveyance shall be the filing and approval of an Application for Permanent Change of Water ("Change Application") with the Utah Division of Water Rights ("Division") to convert the water rights to municipal use to be diverted from the City's wells. Prior to the filing of the Change Application, the water rights shall be reviewed by the City's water attorneys to ensure that the water rights are suitable for dedication. The City's water attorneys shall also prepare and prosecute the Change Application, with the full assistance and support of Owner. The water rights will be deemed acceptable for conveyance to the City under this paragraph upon the issuance of an Order approving the Change Application that is acceptable to the City and upon expiration of all applicable deadlines for requests for reconsideration and/or appeal of the Order. Owner shall be responsible for all costs associated with the Change Application, including but not limited to the City's attorney fees, application filing fees, and document fees.

5. **Title to Committed Water.** Owner shall convey unencumbered title to the Committed Water to the City. If the Committed Water consists of water rights, the City will obtain a water rights title insurance policy for the water rights. Owner shall be responsible for all costs associated with the water rights title insurance, including but not limited to the policy premium and recording fees. Owner shall be responsible for satisfying the requirements and conditions of the Title Commitment in order for the title company to issue a title insurance policy that is acceptable to the City. A water rights title insurance policy that is agreeable to the City is an express condition to the acceptability of the water rights for dedication and conveyance to the City. If the Committed Water consists of water shares, the City will obtain written confirmation of share ownership and current payment of all assessments from the respective water company/companies. Owner shall be responsible for all costs associated with obtaining the written confirmation. From the date of this Agreement until the Committed Water is conveyed to the City, Owner shall not sell or otherwise dispose of the Committed Water, nor shall Owner allow any liens or encumbrances upon the Committed Water that would prevent Owner from conveying unencumbered title to the Committed Water to the City.

6. **Cessation of Owner's Use.** Upon conveyance of the Committed Water to the City, Owner shall immediately cease any and all use of the Committed Water.

7. **Successors and Assigns.** Pursuant to the terms of this Agreement, Owner shall have the right to assign its rights, duties, and obligations. The parties acknowledge that the rights, duties, and obligations of Owner will also apply to any successor or assign of Owner, and that the use of the term "Owner" in this contract includes Owner's successors or assigns.

8. Ownership of Water Facilities. Nothing in this Agreement shall alter the ownership of any wells or other water facilities of Owner or City.

9. Entire Agreement. This Agreement represents the entire agreement between the parties and supersedes all prior agreements and understandings concerning the commitment and conveyance of water rights for the Property. This Agreement shall not be amended, modified, or terminated except by written instrument signed by all parties.

10. Construction and Enforcement. This Agreement shall be construed in accordance with and governed by the laws of the State of Utah. This Agreement may be specifically enforced.

11. Third Party Beneficiaries. This Agreement is not intended to and shall not create any rights in any person or entity not a party to this Agreement.

12. Attorney Fees. In any action arising out of this Agreement, the prevailing party shall be entitled to costs and reasonable attorney fees.

13. Further Assurances. After the execution of this Agreement, the parties agree to execute and deliver such documents, and to take or cause to be taken all such other actions, as either party may reasonably deem necessary or appropriate in order to carry out the intents and purposes of this Agreement.

14. Severability. If any term, covenant, or condition of this Agreement shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and the remainder of the Agreement shall remain in full force and effect.

15. Authority of Parties. The persons signing this Agreement represent and warrant that they have full authority to do so and that their corporation or entity has undertaken and obtained whatever formalities and approvals are necessary to enter into this Agreement.

16. Counterparts. This Agreement may be executed in multiple counterparts, all of which taken together shall comprise one agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

## AMERICAN FORK CITY

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Bradley J. Frost, Mayor Attest: Terilyn Lurker, City Recorder

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me Bradley J. Frost and Terilyn Lurker, known to me to be the Mayor and City Recorder, respectively, of American Fork City, who acknowledged to me that they executed the within Water Delay Agreement pursuant to the approval and authorization of the City Council at a regular meeting at which a quorum was in attendance.

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**NOTARY PUBLIC**

[OWNER]

BRENT L SKIDMORE AND MARSHA SKIDMORE REVOCABLE TRUST 07-11-2018

STATE OF UTAH )  
COUNTY OF )  
ss )

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared before me and duly acknowledged that he/she executed this Water Delay Agreement for the purposes stated therein.

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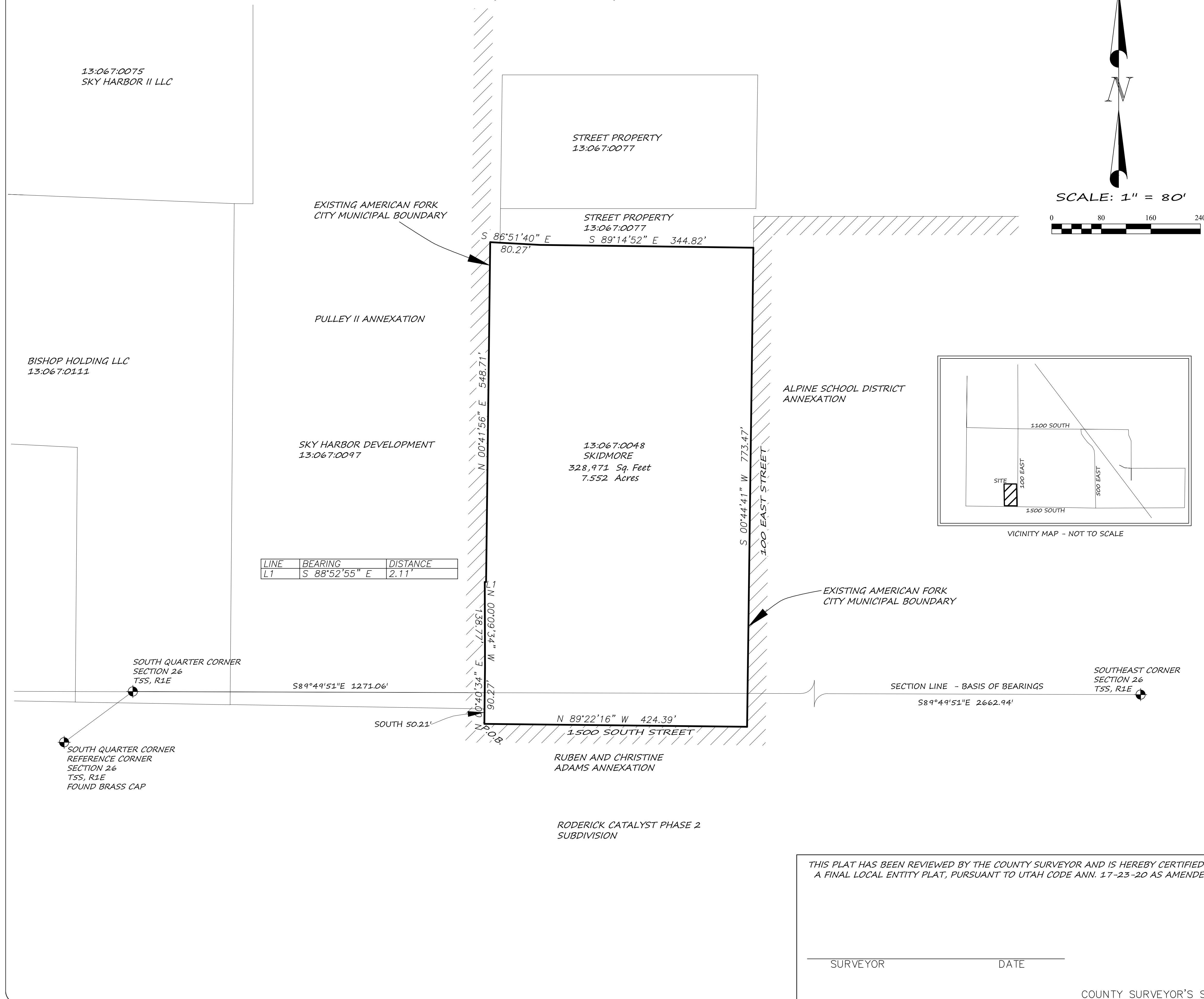
**NOTARY PUBLIC**

**EXHIBIT A**  
**Description of Water Rights and/or Water Shares Committed to the City**

WR 55-12682 Underground water well 1.506 ac-ft  
WR 55-340 Underground water well 26.16 ac-ft

# SKIDMORE ANNEXATION

LOCATED IN SE 1/4 SECTION 26, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M  
AMERICAN FORK CITY, UTAH COUNTY, UTAH



## SURVEYOR'S CERTIFICATE

I, KEVIN S BISHOP, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6508652 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AMENDED. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED INTO THE CITY OF AMERICAN FORK, UTAH COUNTY, UTAH.

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EAST LINE OF THE PULLEY II ANNEXATION, SAID POINT BEING LOCATED S 89°49'51" E 1271.06 FEET ALONG THE SECTION LINE AND SOUTH 50.21 FEET FROM THE SOUTH ONE QUARTER CORNER OF SECTION 26, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M, THENCE ALONG PULLEY II ANNEXATION AND EXISTING AMERICAN FORK CITY MUNICIPAL BOUNDARY N 00°40'34"E 90.27 FEET, THENCE CONTINUE ALONG EXISTING CITY BOUNDARY N 00°09'34"W 138.77 FEET, THENCE ALONG EXISTING CITY BOUNDARY S 88°52'55"E 2.11 FEET, THENCE CONTINUE ALONG CITY BOUNDARY N 00°41'56"E 548.71 FEET, THENCE LEAVING EXISTING CITY BOUNDARY S 86°51'40"E 80.27 FEET, THENCE S 89°14'52"E 344.82 FEET TO THE WEST LINE OF THE ALPINE SCHOOL DISTRICT ANNEXATION AND EXISTING CITY BOUNDARY, THENCE ALONG CITY BOUNDARY S 00°44'41"W 773.47 FEET TO THE NORTH LINE OF THE RUBEN AND CHRISTINE ADAMS ANNEXATION, THENCE ALONG EXISTING CITY BOUNDARY N 89°22'16"W 424.39 FEET, TO THE POINT OF BEGINNING.  
AREA OF ABOVE DESCRIBED PARCEL CONTAINS 7.552 ACRES

BASIS OF BEARINGS IS THE NAD 27 BEARING OF S 89°49'51" E ALONG THE SECTION LINE FROM THE SOUTH QUARTER CORNER OF SECTION 26 TO THE SOUTHEAST CORNER OF SECTION 26.

MARCH 7, 2023

SURVEYOR

DATE



SURVEYOR'S SEAL

## APPROVAL BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE DULY ELECTED COUNCIL OF THE CITY OF AMERICAN FORK, UTAH, HAVE RECEIVED A REQUEST TO INITIATE PROCEDURES FOR THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON, WHICH TRACT CONSTITUTES A PORTION OF EXISTING ISLAND OR PENINSULA WITHIN OR ADJACENT TO THE CITY, AND DO HEREBY CERTIFY, (1) THE COUNCIL HAS ADOPTED A RESOLUTION SETTING FORTH ITS INTENT TO ANNEX THE TRACT, PROVIDED NOTICE AND CONDUCTED HEARINGS ON THE MATTER, AND ADOPTED AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE TRACT TO THE CITY, ALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10-2-438 UTAH CODE ANNOTATED, AS AMENDED, AND (2) THAT THE COUNCIL DOES HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON AS A PART OF AMERICAN FORK CITY, TO BE KNOWN HEREAFTER AS THE SKIDMORE ANNEXATION.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN

APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_  
(CLERK-RECORDER)  
SEE SEAL BELOW

## FINAL LOCAL ENTITY PLAT

# SKIDMORE ANNEXATION

## AMERICAN FORK CITY

LOCATED IN THE SE 1/4 OF SECTION 26  
TOWNSHIP 5 SOUTH, RANGE 1 EAST, SLB&M  
AMERICAN FORK CITY, UTAH COUNTY, STATE OF UTAH  
SCALE: 1 IN. = 80 FT.

