



AMERICAN FORK CITY PLANNING COMMISSION AGENDA

**Regular Session
January 22, 2025
Wednesday 6:00 PM**

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

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

Planning Commission Members

Christine Anderson, Chair	Rod Martin
Chris Christiansen, Vice Chair	David Bird
Geoff Dupaix	Harold Dudley
Bruce Frandsen	Claire Oldham

Notice is hereby given that the American Fork City Planning Commission will meet in regular session on January 22, 2025, 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 January 8, 2025, Planning Commission minutes

3. Action Items (Action Items is that class of Commission action that requires further discussion on Site Plans and proposed zoning designation for annexing areas. The Planning Commission will have authority to approve Site Plans for final action and provide recommendations for the zone of annexing property.)

- a. Review and Action on a Request for Consideration of Lawn Thumbs in the CC-1 Zone. Per 17.4.401(B) (17), this item pertains to the evaluation of a request to permit this business to operate within the Central Commercial (CC-1) Zone. Lawn Thumbs is located at 120 North Grant Avenue, American Fork City, on a parcel approximately 0.22 acres in size.
- b. Review and recommendation on a proposed zone for an annexation, known as Jes and Claire Scott Annexation, located at approximately 305 E 7200 N, American Fork City. On approximately 1.52 acres, the property will be annexed into American Fork City and be given the General Commercial (GC-2) zoning designation.

4. Other Business

- a. Upcoming Projects

5. Adjournment

Dated this 9th day of January 2025

Patrick O'Brien

Development Services Director

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

UNAPPROVED MINUTES

01.08.2025

**AMERICAN FORK CITY
PLANNING COMMISSION REGULAR SESSION**

January 8th, 2025

The American Fork City Planning Commission met in a regular session on January 8th, 2025, at the American Fork City Hall, 31 North Church Street, commencing at 6:00 p.m.

Commissioners Present: Bruce Frandsen, Geoff Dupaix, Chris Christiansen, Harold Dudley, David Bird, Christine Anderson,

Commissioners Absent: Rodney Martin

Staff Present:

Travis Van Ekelburg	Senior Planner
Ben Hunter	City Engineer
Angie McKee	Administrative Assistant

Others Present:

REGULAR SESSION

Christine Anderson led the “Pledge of Allegiance”

Roll Call

COMMON CONSENT AGENDA

Minutes of the December 4th, 2024, Planning Commission Regular Session.

Geoff Dupaix motioned to approve the Common Consent agenda

Bruce Frandsen seconded the motion.

Voting was as follows:

UNAPPROVED MINUTES

01.08.2025

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

PUBLIC HEARINGS

- a. Public hearing, review, and recommendation on a proposed Land Use Map Amendment for property located at 380 W 200 S, American Fork. On approximately 2.3 acres, the applicant is requesting a change from the Transit Oriented Development land use designation to the Residential Medium Density land use designation.**

This Item was pulled from the agenda

- b. Public hearing, review, and recommendation on a proposed Zone Change for property located at 518 W 200 S, American Fork. On approximately 7.2 acres, the property proposes to change from the Planned Industrial (PI-1) zone to the TOD and R1-7500 zone.**

Travis Van Ekelenburg reviewed the background information for public hearing item letter f: City Staff has initiated a proposed Zoning Map Amendment (Zone Change). The request is looking to change the PI-1 zoning designation to the TOD (Transit Oriented Development) zoning designation on the following three properties:

- 13:042:0062
- 13:042:0063
- 13:042:0028

UNAPPROVED MINUTES

01.08.2025

Although these properties are identified as PI-1 zone currently, they are required to follow the TOD Transit Core Mixed-Use Core requirements as identified in Section 17.4.608 of the City's Municipal Code. Identified within Section 17.4.608 there is a subsection indicating that "to the extent the provisions of this Chapter conflict with the provisions of any other portion of the city ordinance, the provisions of this Chapter shall take precedence, except as to Local Health and Safety Codes and Local, State, and National Buildings." This is the reason as to why, even though zoned as PI-1, the property owners will be required to follow the TOD regulations because the TOD overlay for the property can be found within Section 17.4.608 of the City code. The main purpose of this application is to clean up the properties and put them to the correct zoning designation to prevent further confusion from the requirements of the City's code and future development opportunities. This zone change also promotes the City's vision by following the Transit Oriented Development Overlay and promoting transit-oriented development around the Front-runner Station.

Public Hearing Opened

No Comments

Public Hearing Closed

David Bird asked staff if this zone change is due to any knowledge of a future project. Travis Van Ekelburg reiterated that this is staff initiated in order to clean up the map and make sure these properties are in the correct zone, and not due to any proposed project. Bruce Frandsen told the planning commission that when he was a kid, these parcels were the city landfill. Mr. Frandsen noted that because this was the city dump at one time, it is especially important that all environmental aspects are done correctly before developing these parcels. Geoff Dupaix added that this area of the front runner is going to be double tracks, so there needs to be sufficient room to accommodate that expansion. Travis Van Ekelburg informed him that there have been meetings about acquiring the land and installing the appropriate pipelines that would be required. Mr. Dupaix noted his concerns with access to these oddly shaped properties. Ben Hunter informed him that one of the parcels has been listed for sale, and he has been to a couple of meetings where the potential buyers were informed that the city will be requiring some right-of-way, and the front runner will be double tracking, so there are some challenges with developing these properties. Geoff Dupaix spoke of the property that was pulled from this agenda, and his concern of the sight distance of that property as it is right there by the bridge. Ben Hunter added that for these two parcels specifically, the city anticipates that when a development comes through there will be a joint access between them tying into the intersection of 570 West, and that would be where they would have access onto 200 South.

UNAPPROVED MINUTES

01.08.2025

David Bird moved to recommend approval for the proposed Zone Change, located at approximately 518 W 200 S, American Fork City, UT 84003, for the properties outlined in the staff report from the PI-1 zoning designation to the TOD zoning designation.

Chris Christiansen seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

- c. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Sewer Mains and Sewage Disposal, of the American Fork City Municipal Code. Amending Section 17.8.402, the Code Text Amendment plans to clarify the requirements for utilities to be installed by a developer in a subdivision.**

Ben Hunter reviewed the background information for public hearing item letter a: Staff has initiated for a Code Text Amendment to amend Section 17.8.402 of the American Fork City Municipal Code. The proposed amendment looks to clarify requirements regarding the extents and boundaries wherein main line utilities are required to be installed by a development. Geoff Dupaix voiced his concern that when developers get asked to extend these types of services past their own developments, they push back. Ben Hunter clarified that it would still be within their development and added that if there is a partial right of way right now, and there are not utilities in it, and they need to run culinary water to their development. It would require them to install mainland utilities across their entire frontage, adjacent to that right of way but within the development, so as future development happens next to them, they would have those main line utilities to connect to. Mr. Dupaix spoke of the importance of having these locations easily identified so the next development knows exactly where to go, he also feels that should include the depth. Ben Hunter informed the commissioners that the “depth” piece is something they are starting to incorporate more, and there may be some further code revisions to solidify some of that. Bruce Frandsen asked if there were any circumstances where this would not be a

UNAPPROVED MINUTES

01.08.2025

requirement. Mr. Frandsen used the example of someone having 20 acres but only wanting to put one house on it and he wondered if there would be an exception for situations like this, maybe in RA-5 zones for example. Ben Hunter agreed that Mr. Frandsen has a good point, and the language before the commissioners does not necessarily clarify that, what does development mean? Mr. Hunter continued to inform the commissioners that if you have a 20 acre parcel and you subdivide a part of it, then, generally speaking, you would be subject to extend the utilities to the extent of the subdivision, so long as you are not creating derelict parcels with the remaining land. Mr. Hunter added that another option, as stipulated in code, is a pioneering agreement, so if you have one parcel that gets developed, the next one does not, and then the next one does, obviously they have a longer stretch to install utilities before they get to their development. That piece of land that could be developed, that has not been developed, could recoup a portion of prorated costs for those utilities with a pioneering agreement. Bruce Frandsen thanked Ben for the information but still feels like maybe the RA-5 zones should be exempt. Mr. Frandsen added that he is thinking of a couple of neighbors, on 60 acre parcels, that would like to build one house, and that is over three quarters of a mile of frontage to get down to their house, and that may be a reason they stay in the county and to not annex into the city. Chris Christiansen asked for confirmation that as he is understanding this, if you have a 20 acre lot, that is one lot, so if you are going to run the utilities for that one lot, it is going to be in the driveway, so for that reason this would not apply to a situation where you have a 20 acre lot, it is not a subdivision. Ben Hunter agreed that it would basically apply if you had the 20-acre lot, then whatever the right of way portion across the frontage of that lot would then be required to have utilities installed for that one lot. Mr. Hunter also noted that the code does have lot size standards that are different depending on the zoning. Geoff Dupaix commented that when there are code changes that come through, the goal is that we have at least tried to do our best to identify any unintended consequences of those changes. Ben Hunter agreed that these are all valid points, and this verbiage is harder to apply to those outliers that are not your typical developments. Christine Anderson wanted to make sure she understood that if someone owns a piece of land, and they have one lot, this would mean they are required to run the utilities along the entire right of way of their property. Ben Hunter clarified that is true only if it is a subdivision, if it is not a subdivision, this is not applicable. Travis Van Ekelenburg added that you would not typically create a one lot subdivision.

Public Hearing Opened

No Comments

Public Hearing Closed

Chris Christiansen moved to recommend approval for the proposed Code Text Amendment, amending Section 17.8.402, titled Sewer Mains and Sewage Disposal, relating

UNAPPROVED MINUTES

01.08.2025

to the main line utility installation required by a development and providing an effective date for the ordinance.

Geoff Dupaix seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

- d. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Water Mains, of the American Fork City Municipal Code. Amending Section 17.8.403, the Code Text Amendment plans to clarify the requirements for utilities to be installed by a developer in a subdivision.**

Ben Hunter reviewed the background information for public hearing item letter b: Staff has initiated for a Code Text Amendment to amend Section 17.8.403 of the American Fork City Municipal Code. The proposed amendment looks to clarify requirements regarding the extents and boundaries wherein main line utilities are required to be installed by a development. Mr. Hunter explained that this is the same concept as the last item, just a different utility.

Public Hearing Opened

No Comments

Public Hearing Closed

UNAPPROVED MINUTES

01.08.2025

Geoff Dupaix moved to recommend approval for the proposed Code Text Amendment, amending Section 17.8.403, titled Water Mains, relating to the main line utility installation required by a development and providing an effective date for the ordinance.

David Bird seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

- e. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Underground Utilities, of the American Fork City Municipal Code. Amending Section 17.8.409, the Code Text Amendment plans to clarify the requirements for utilities to be installed by a developer in a subdivision.**

Ben Hunter reviewed the background information for public hearing item letter c: Staff has initiated for a Code Text Amendment to amend Section 17.8.409 of the American Fork City Municipal Code. The proposed amendment looks to clarify requirements regarding the extents and boundaries wherein main line utilities are required to be installed by a development and establishes a threshold when electric transmission lines may remain above-ground. Mr. Hunter explained that this code text amendment is a little bit different, as this is pertaining to overhead utilities that are typically third-party utility providers, Rocky Mountain Power, Comcast, Century Link, Fiber, etc. This is to clarify that if an electric transmission line is equal to or greater than 12,470 volts, it would not be required to bury. The reasoning is when you get to that larger voltage line, additional safety parameters, equipment, separations, and things of that nature would be required of Rocky Mountain Power, that is part one. Part two is that a couple of years ago, the city adopted requirements in development infrastructure that communication or fiber would be required to be installed. This just provides some further clarification, where this has underground utilities, and that is also an underground utility, we are making sure that they are

UNAPPROVED MINUTES

01.08.2025

looking at that section and making sure that they comply with that in their development. Because a lot of developers were not necessarily looking at the other section, they come here for underground utilities, there is a reference.

Bruce Frandsen brought up a couple of developments that have yet to bury the required utilities, and Ben Hunter assured him that those requirements are on the punch list of items the developers must complete before any bonds are released.

Public Hearing Opened

No Comments

Public Hearing Closed

Harold Dudley moved to recommend approval for the proposed Code Text Amendment, amending Section 17.8.409, titled Underground Utilities, relating to the main line utility installation required by a development, establishes a threshold when electric transmission lines may remain above-ground and providing an effective date for the ordinance.

Chris Christiansen seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

- f. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as CC-1 Central Commercial Zone, of the American Fork City Municipal Code. Amending Section 17.4.401, the Code Text Amendment plans to incorporate ground floor retail and office space with multi-family residential buildings fronting any right-of-way.**

UNAPPROVED MINUTES

01.08.2025

Travis Van Ekelenburg reviewed the background information for public hearing item letter d: Staff has initiated a Code Text Amendment to amend Section 17.4.401 of the American Fork City Municipal Code. The proposed amendment looks to require ground floor commercial and retail in any development that fronts a public right-of-way. This is to promote further economic development in our downtown core and to encourage mixed use. Christine Anderson asked to clarify that his change basically makes it so that residential is prohibited, not only along Main Street, but also along the side streets in the CC-1 zone. Travis Van Ekelenburg agreed that is correct as long as there is a right of way there. Bruce Frandsen asked to see a zone map so he could see how much of the city this would affect. Christine Anderson read that ‘multi-family residential dwellings are permitted if they are not on the ground floor, and residential uses shall be prohibited along any buildings abutting a right of way.’ Bruce Frandsen asked if the apartment complex that just went in next to the Presbyterian Church was required to have commercial on the ground floor. Travis Van Ekelenburg informed them that this was not a requirement when that project came through, but that it is an area where it would be required with this amendment. Bruce Frandsen noted that he cannot see how we could have required that project to have retail when you cannot even park a car in that alley way. Christine Anderson noted that it would have needed to be designed differently, but she thinks it would have been nice to have retail there. Chairwomen Anderson added that she believes that as a rule, this area should not have residential on the main floor in order to encourage a commercial base, but she loves the idea of having residential on the upper floor. Geoff Dupaix mentioned that he would like the verbiage to say, “Public Right of Way,” because that means it is operated by a public entity. Travis Van Ekelenburg told Mr. Dupaix that he is able to make that recommendation to the council.

Public Hearing Opened

No Comments

Public Hearing Closed

Geoff Dupaix moved to recommend approval for the proposed Code Text Amendment, amending Section 17.4.401, which plans to incorporate ground floor retail and office space with multi-family residential buildings fronting any right-of-way, and providing an effective date for the ordinance. With the verbiage change to say “public right-of-way”

Chris Christiansen seconded the motion.

UNAPPROVED MINUTES

01.08.2025

Voting was as follows:

Chris Christiansen	AYE
Christine Anderson	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE
Bruce Frandsen	AYE

The motion passed

Other Business

Travis Van Ekelburg informed the Planning Commission that there is a new city attorney, and Chairwomen Anderson asked to discuss a date for the winter planning commission dinner in the near future. Chairwomen Anderson also reminded the commissioners that they will be voting on chair and vice chair at the next meeting.

Adjournment

Bruce Frandsen motioned to adjourn the meeting.

Chris Christiansen seconded the motion.

Meeting adjourned at 6:52PM

Angie McKee

Administrative Assistant

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

Agenda Topic

Review and action on a Request for Consideration of Lawn Thumbs in the CC-1 Zone. Per 17.4.401 (B)(17), this item pertains to the evaluation of a request to permit this business to operate within the Central Commercial (CC-1) Zone. Lawn Thumbs is located at 120 N Grant Avenue, American Fork City, on a parcel approximately 0.48 acres in size.

BACKGROUND INFORMATION		
Location:		120 N Grant Ave.
Project Type:		Request for Consideration
Applicants:		Freddy Zahn
Existing Land Use:		General Commercial
Proposed Land Use:		N/A
Surrounding Land Use:	North	Residential High Density
	South	General Commercial
	East	General Commercial
	West	General Commercial; Residential High Density
Existing Zoning:		CC-1
Proposed Zoning:		N/A
Surrounding Zoning:	North	R4-7500
	South	CC-1
	East	CC-1
	West	R4-7500; CC-1

Background

The applicant has applied for a Request for Consideration for their use of a landscaping maintenance business within the Central Commercial (CC-1) Zone to be granted approval under Sec 17.4.401(B)(17). The applicant's business use is not identified within the permitted uses of the zone. The Planning Commission has the authority to grant approval of their specific use under 17.4.401(B)(17) that indicates “other uses similar to the foregoing which are determined by the planning commission to be similar to and in harmony with the intent of the zone, but not including self-service storage facilities (mini-warehouse).”

Lawn Thumbs Mowing Company have been operating at this location for four (4) years without a business license for their operations. They first submitted their business license application for review on November 7th, 2024, and was denied by the Zoning Department on November 18th, 2024, due to their landscaping maintenance use not being permitted within the zone. Without the correct approvals for their use, the business has been operating without the correct authorizations, and against the requirements of the zoning ordinance for permitted uses. All businesses in operation in the City are required to conform to the requirements of the zone that they operate within. After discussion about the denial, the Zoning Department indicated that the way forward to see if their use can be permitted in CC-1 zone would be to request their use to be considered from the Planning Commission in accordance with the City's Municipal Code.

The intent of the CC-1 Zone can be found within Section 17.4.401 of American Fork City's Municipal Code.

*“The intent in establishing the CC-1 central commercial zone is to provide a place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of American Fork City and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the “heart of the city” allowing residential units to be located therein while maintaining street level commercial uses. **The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, a wide variety of specialty shops, restaurants, and higher density residential uses.** Conversely, uses which tend to create business dead spots, cause undue scattering of business and generally tend to thwart the use of the land for its primary purposes shall be excluded from the zone.”*

It is Planning Commissions responsibility to determine if they feel that this use meets the intent of the code highlighted above. Planning Commission has the responsibility to adhere to the existing uses specified in the code, and to determine if the proposed use is similar to these and the intent of the zoning ordinance, and not if the use is similar to other grandfathered uses in the area.

If the Planning Commission approves the landscaping maintenance use, it will grant the owner the ability to operate their business from the site after receiving the correct site plan approvals. Lawn Thumbs Mowing Company will need to submit and begin the Commercial Site Plan Application process within 120 days of approval to have their change of use be accepted. Additionally, a business license will not be granted until the Commercial Site Plan has been approved, and all site improvements (if needed) have been completed.

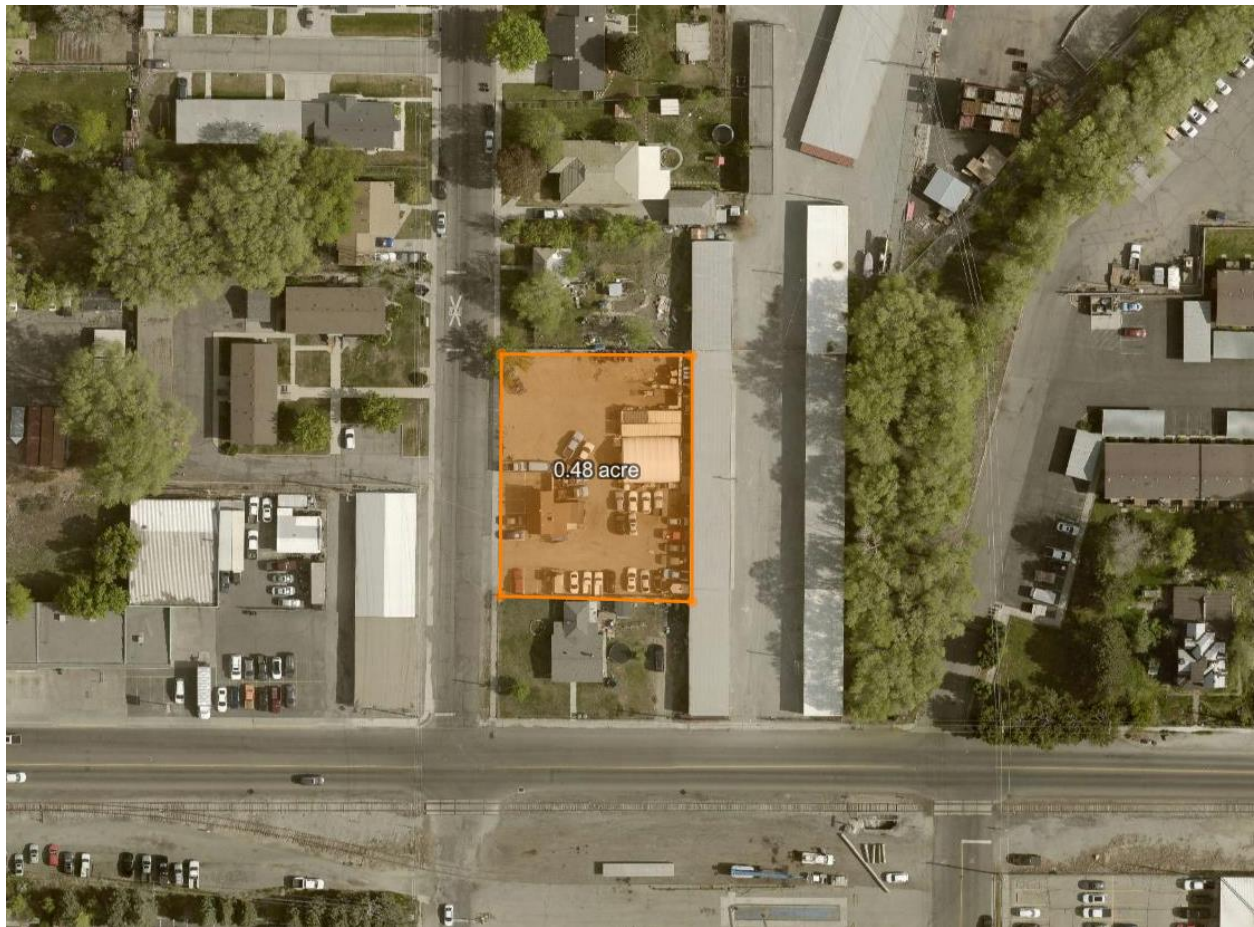
Project Conditions of Approval

1. If the Planning Commission approves the landscaping maintenance use, a Commercial Site Application will need to be submitted within 120 days of Planning Commission approval.
2. If the Planning Commission approves the landscaping maintenance use, the Commercial Site Plan and all site improvements (if needed) will need to be approved and constructed prior to a business license approval.

Findings of Fact

1. The landscaping maintenance use is requested for approval under Section 17.4.401 (B)(17):
 - a. Other uses similar to the foregoing which are determined by the planning commission to be similar to and in harmony with the intent of the zone, but not including self service storage facilities (mini-warehouse).

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 Findings and Recommendation:

Staff have reviewed the application and proposed use in line with the intent and requirements of the zone.

The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, a wide variety of specialty shops, restaurants, and higher density residential uses.

Based on the specific language of the code that outlines the characteristics of businesses in the zone, staff has determined that the use and characteristics of the proposed use do not align with the uses and characteristics specified in the Municipal Code and recommends **DENIAL** of the request.

Potential Motions – Request for Use Approval

Approval

I move to approve the proposed landscaping maintenance use, located at 120 N Grant Ave, American Fork City, in the Central Commercial (CC-1) Zone, subject to all conditions found in the staff report.

Denial

I move to deny the proposed landscaping maintenance use, located at 120 N Grant Ave, American Fork City, in the Central Commercial (CC-1) Zone.

Table

I move to table action for the proposed landscaping maintenance use, located at 120 N Grant Ave, American Fork City, in the Central Commercial (CC-1) Zone and instruct staff/developer to.....

From: freddy lawnthumbs.com <freddy@lawnthumbs.com>
Sent: Monday, December 9, 2024 9:13 AM
To: Cody Opperman; Brad Frost; Staci Carroll; Ryan Hunter; Clark Taylor; Tim Holley; Ernie John; Bradley Weber
Subject: Request for Consideration: Similar Use Business License for Lawn Thumbs

To the Mayor, Council Members & Zone Manager:

My name is Freddy Zahn, owner of Lawn Thumbs, a landscape maintenance and installation company. Lawn Thumbs has proudly been an American Fork based business since 2021, and we love contributing to the business community of the city. For the past 4 years, Lawn Thumbs rented the commercial property where the business is located: 120 N Grant Avenue, American Fork Utah. I recently purchased the Property, and planned to continue operating Lawn Thumbs at the Property for many years into the future.

After purchasing the Property, I called the FireMarshall to see about getting an inspection, so I could eventually get a fuel station permit and have fuel delivered. The Fire Marshall told me that I needed an American Fork business license before he could schedule my inspection. I was honestly unaware that a business license was needed. I then called American Fork City to apply for a business license and transfer the utilities over to my name. A few days later, I learned that my application was denied because the commercial zone of the Property is CC-1; and I was told that "Landscape Maintenance" does not fall into that zone description.

I had a meeting with Cody Opperman the Zone Manager of American Fork and he explained that I would need to convince the planning commission why I believe my company should be granted a license under the "Other Uses Similar" provision of the zoning code. At that moment I felt hope; however, that hope was quickly diminished when Mr. Opperman explained that even if the planning commission approved my request, he and his office will still recommend denial. That is a heartbreaking statement as I am trying to provide for my family and live my dream of passionately building my company in American Fork and giving my employees the opportunity to make a great living so that they may also pursue their passions.

I am writing to formally request approval for my business, Lawn Thumbs, to operate within the CC-1 zone. Lawn Thumbs is a landscape maintenance and installation company that provides essential property care services to residential and commercial clients. After reviewing the zoning regulations, I firmly believe that my business aligns with the intent of the CC-1 zone and meets the criteria for permitted or similar uses under the code. Lawn Thumbs offers professional landscaping maintenance services, including lawn care, irrigation system upkeep, and property beautification. Lawn Thumbs provides services directly to clients by dispatch/delivery method and performing services at their property, similar to barber shops, shoe repair stores, and other personal service businesses allowed in the zone. Just as these establishments address specific client needs, Lawn Thumbs

enhances the aesthetic and functional value of properties, contributing to the overall community. While much of our work is performed off-site at client properties, we use our location within the CC-1 zone primarily for:

1. Coordinating service operations.
2. Parking registered work vehicles that are in working order and not stagnate.
3. Storing equipment in designated accessory structures. Any equipment or supply storage on-site falls within the accessory uses permitted in the CC-1 zone. Our storage structures are incidental and secondary to our primary service-based operation.
4. Managing administrative tasks.

Lawn Thumbs' operations are low-impact and designed to maintain the harmony and vibrancy of the commercial district. The CC-1 zoning code allows uses not explicitly listed, provided they are in harmony with the zone's intent. Landscaping maintenance shares similarities with automotive service establishments in providing upkeep and maintenance services vital to the community.

Lawn Thumbs is a service-based business that aligns with the principles of the CC-1 zone. I respectfully request the planning commission to consider approving my application for a business license under the "other uses similar" provision of the zoning code. I am confident that Lawn Thumbs will positively contribute to the community and uphold the standards of the commercial district.

Please note: The American Fork Public Works Property on 274 200 N, where dispatch vehicles and materials are stored, is located on the same block as my property. While I understand that the Public Works property is zoned as Public Facilities, I believe our operations share key similarities in function and impact. Both involve service-oriented dispatch activities and material management, contributing to the upkeep and improvement of the community. Given the proximity and comparable nature of our operations, I respectfully request consideration for a similar use license under the CC-1 zone.

Thank you for your time and consideration. I am happy to provide additional information or address any questions to support this request.

-Freddy Zahn

Owner of Lawn Thumbs

801-362-7878

freddy@lawnthumbs.com

----More information below.

Across the street or around the same block are:

A Railroad and a factory



Storage Units (Directly in front of our shop and behind us).



Point S Tire Repair Shop (which we frequent)



...and land being used as overflow parking for Point S



Rocky Mountain Power parking lot and supply storage



American Fork Public Works Facility (on the same block as our property).



I'm sure you can understand how being neighbors to these companies would lead us to assume our business was zoned correctly. Rocky Mountain Power and The American Fork Public Works lots seem especially similar to the use and function of the Lawn Thumbs ideal property use and work flow. It is parking, maintenance, and accessory equipment storage for essential services (which landscape maintenance is considered). Lawn Thumbs however, has all vehicles enclosed behind a fence with slats, so that it doesn't look messy.

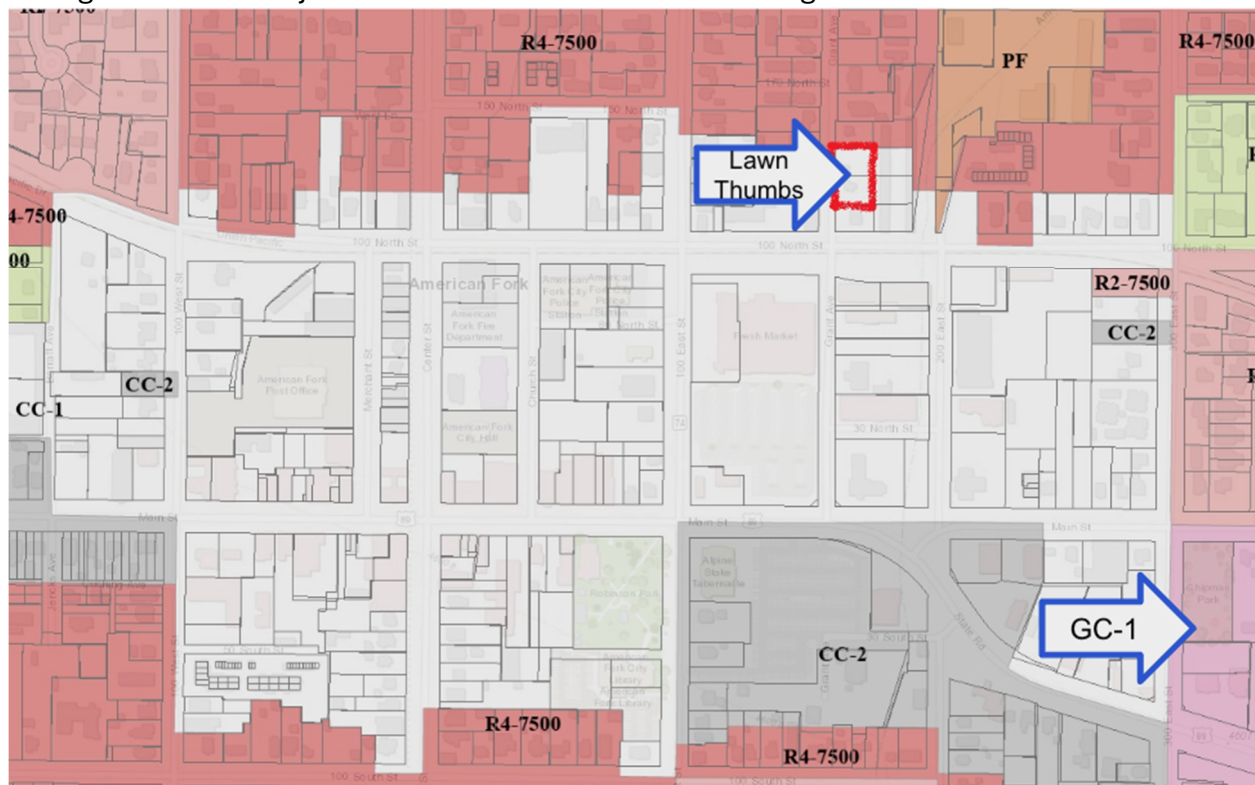


The location is not ideal for retail sales partially due to the proximity to the residential zone. Lawn Thumbs provides a segway from residential to commercial, because the residents on the street don't have to worry about heavy traffic coming from our business. Our crews arrive early in the morning and are gone all day. Neither is there noise, chemical, or other pollution coming from our business that would be a cause of concern to the residents. In fact, our neighboring residents are friendly with us and we occasionally service several of their properties.

Lawn Thumbs can tolerate the noise pollution coming from multiple neighboring businesses. Train horns, practice fire drills, etc. do not disturb the workflow for our

business. However, I could see how a retail business could find these regular and necessary nuances disturbing to their customers.

While the businesses along 100 N (Pacific Drive) are eclectic, I feel the GC-1 zone designation would be an appropriate fit for most of them, if you wanted to broaden the change to more than just 120 N Grant Avenue. The existing GC-1 zone is not far from us.



About Lawn Thumbs

Lawn Thumbs was founded in 2010 by Freddy Zahn in Orem UT. It originally operated out of his home in Orem, then moved to a two car garage size shop in Provo. By 2020, Lawn Thumbs outgrew its small Provo shop and took over the lease from another landscape maintenance company at 120 N Grant Avenue in February 2021. American Fork has been perfect for our business, sitting central to our service area, and this location is particularly convenient, being in such close proximity to a gas station and Point S vehicle repair shop.

Lawn Thumbs is one of the largest locally owned Landscape Maintenance companies in Utah County, serving between 500 and 600 different customers for recurring services every week. Taking one-off services into account increases the yearly client total to 1000-1200 different customers. Many of those clients are in American Fork. Yearly revenue is about

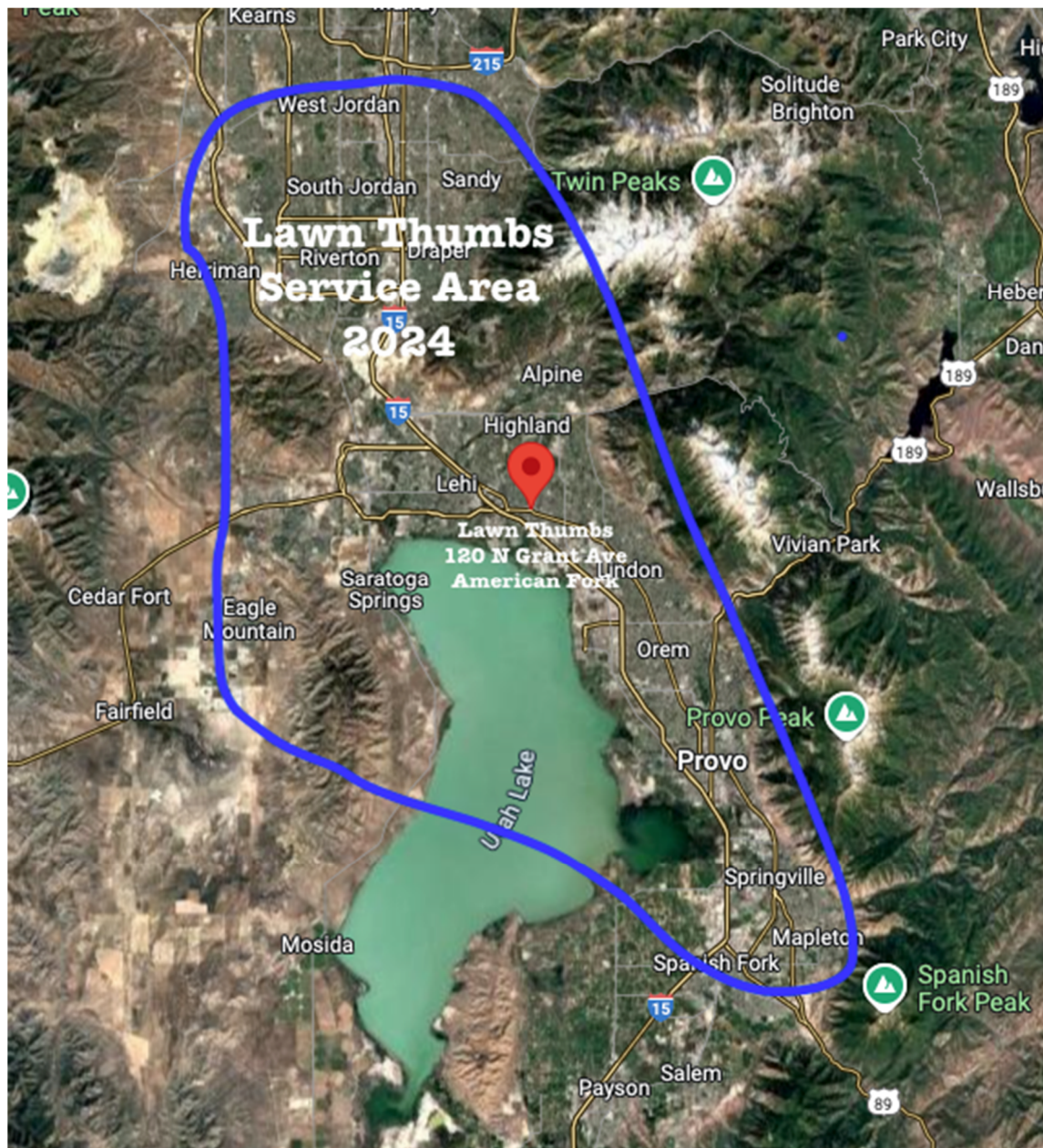
\$2,000,000, and growing. We employ around 20 employees. Our Company offers health insurance and paid industry education to any worker seeking further skills. We have paid for 2 employees to go through the ISA Arborist program to become certified Arborist. We pay for continued education for any worker that needs to upkeep their industry licenses.

Lawn Thumbs is known for quality work, excellent customer service, and unbeatable response times. It is also valued for its wide range of services that make neighborhoods more beautiful and safe.

Lawn Thumbs' Services:

- Weekly Mowing
- Spring Wakeup Package (Aeration/ dethatching)
- Recurring Garden Maintenance
- Monthly Lawn Fertilizing & Weed Control
- Weekly Garden Weed Patrol
- Weeding
- Shrub Pruning
- Yard Cleanup
- Landscape Design/Consultations
- Xeriscaping (Localscapes)
- Planting
- Mulch Installation
- Tree Trimming
- Tree Removal
- Stump Grinding
- Commercial Snow Plowing
- Residential Snow Clearing
- Holiday Light Installatio

Lawn Thumbs Service Area:



- Mapleton
- Springville
- Provo
- Orem
- Vineyard
- Lindon
- Pleasant Grove
- Cedar Hills
- Alpine
- Highland

- American Fork
- Lehi
- Saratoga Springs
- Eagle Mountain
- Draper
- Sandy
- Midvale
- Cottonwood Heights
- Bluffdale
- Riverton
- South Jordan
- West Jordan
- Herriman

Please consider Granting us a CC-1 Business License

We feel that we fit into the CC-1 zoning ideals. consider the following attributes of Lawn Thumbs that comply with the CC-1 zoning regulations:

1. Personal Service Establishment Similarity:
 - a. Lawn Thumbs provides direct services to customers, much like a barber shop or shoe repair service, but in the domain of outdoor spaces.
 - b. Lawn Thumbs enhances property aesthetics and functionality, directly contributing to the community's visual appeal.
2. Service with Limited Impact:
 - a. Lawn Thumbs operates with minimal disruption to the neighboring homes and businesses. We don't operate heavy machinery or industrial-scale operations.
 - b. Our operations focus on planning, coordination, and dispatching crews to off site locations rather than on-site labor-intensive activities.
3. Accessory Use for Equipment Storage:
 - a. We store landscape equipment (contained), and vehicles as permitted according to the accessory use provision. The storage is secondary to and supports our primary use as a service-oriented business.
4. Alignment with "Other Similar Uses"
 - a. Landscaping maintenance can be likened to the intent behind automotive service establishments- both provide necessary maintenance and upkeep for community properties.
 - b. "Personal or professional services" are permitted in CC-1. We provide personal and professional services.

Some specific “Permitted Uses” that resonate with Lawn Thumbs’ work flow can be found in Section 17.4.401 B.

#4 “Office buildings.” Our office has regular business hours and customers come to discuss their services and make payments.

#7 “...parking lots, and minor automotive repair establishments.” The code does not specify that these must be paid parking lots or automotive repair for outside customers. Lawn Thumbs yard is a parking lot for employees during the day and for trucks overnight. Our vehicles are far from stagnant. Our Operations Manager is always performing minor automotive repairs on site.

Agenda Topic

Review and recommendation on a proposed zone for an annexation, known as Jes and Claire Scott Annexation, located at approximately 305 E 620 S, American Fork City. On approximately 1.52 acres, the property will be annexed into American Fork City and be given the General Commercial (GC-2) zoning designation.

BACKGROUND INFORMATION		
Location:		305 E 620 S
Project Type:		Annexation Agreement
Applicants:		Jes and Claire Scott
Existing Land Use:		Design Commercial
Proposed Land Use:		N/A
Surrounding Land Use:	North	Design Commercial
	South	Design Commercial
	East	Design Commercial
	West	Design Commercial; Major Transportation Facilities
Existing Zoning:		Unincorporated Territory
Proposed Zoning:		GC-2
Surrounding Zoning:	North	R1-9000; GC-2
	South	GC-2
	East	GC-2
	West	GC-2; PF

Background

The applicant has applied for annexation within American Fork City. The project area looks to have the GC-2 zoning designation assigned to the land, which would be for Planned Commercial Development Projects.

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. Based on Master Plans, it is anticipated that these parcels will produce 5.69 culinary ERC's, 5.69 sanitary sewer ERU's and 0.18 acres of irrigated acreage.

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 Parcel ID: 13:052:0054 as the Design Industrial land use designation and Parcel ID: 13:052:0045 as the Design Commercial land use 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. The annexing property has access to culinary water, sanitary sewer and pressurized irrigation which are located within 330 East and 620 South.

4. Zoning required or recommended:

- a. Parcel ID: 13:052:0054 will be put in the GC-2 zoning designation and Parcel ID: 13:052:0045 will be put in the GC-2 zoning designation.

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

- a. Schools:
 - i. American Fork High School: ~ 2.0 Miles
 - ii. American Fork Junior High: ~ 3.0 Miles
 - iii. Greenwood Elementary: ~ 0.9 Miles
- b. Parks:
 - i. Boat Harbor: ~ 2.8 Miles
 - ii. Mountain Meadows: ~ 1.9 Miles
 - iii. Greenwood: ~ 0.3 Miles
 - iv. Rotary: ~ 0.6 Miles
- c. Planned Shopping Centers (SC-1 Zones):
 - i. Eastern SC-1 Zone: ~ 0.61 Miles
 - ii. Western SC-1 Zone: ~ 1.34 Miles

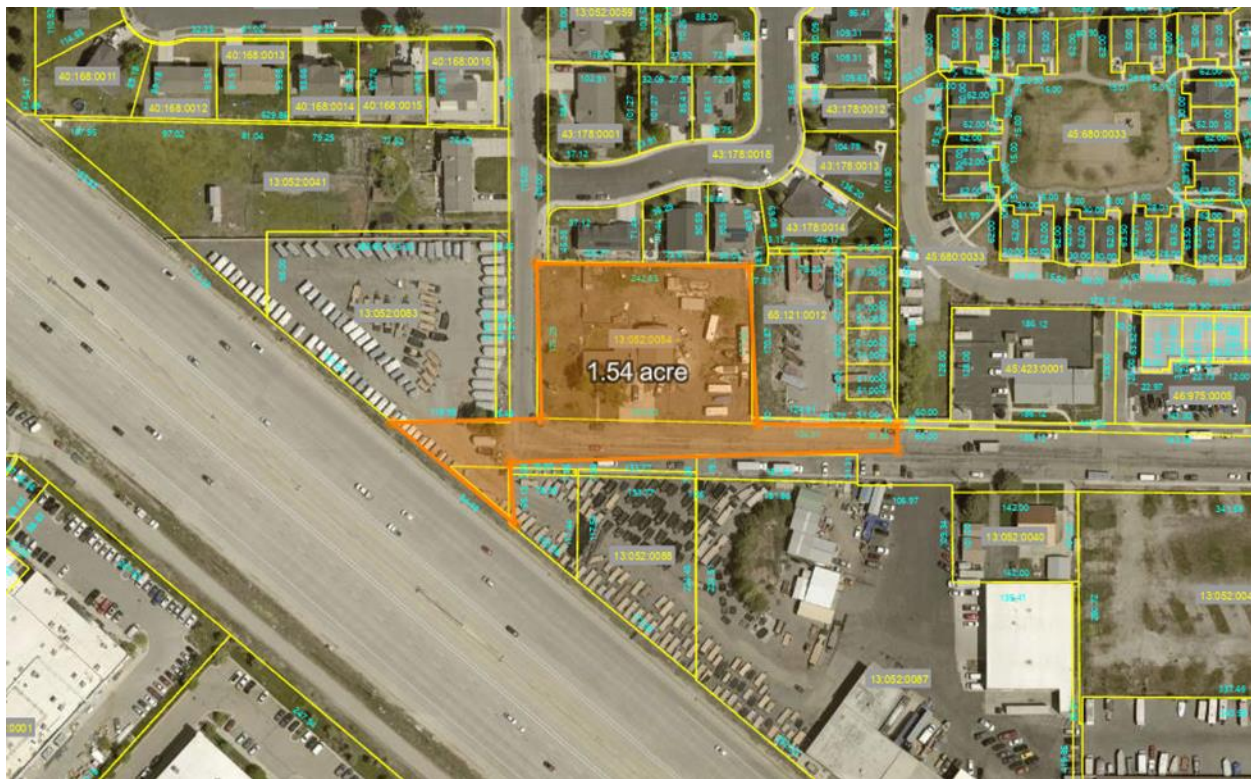
6. Timetable for extending city provided utility lines and services to the area and how these services will be financed, if applicable:

- a. All utilities mains are installed within 330 East and 620 South.

Findings of Fact

- a. The Annexation Agreement MEETS the requirements of Section 17.20.

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. Staff recommends APPROVING the proposed zone as GC-2.

Potential Motions

Approval

I move to recommend approval for the proposed zoning for the Annexation Agreement as GC-2, for the subject property located approximately at 305 E 620 S, American Fork City, subject to any conditions found in the staff report.

Denial

I move to recommend denial for the proposed zoning for the Annexation Agreement, located approximately at 305 E 620 S, American Fork City.

Table

I move to table action for the proposed for the zoning for the Annexation Agreement, located approximately at 305 E 620 S, American Fork City, and instruct staff/developer to...

**ANNEXATION AGREEMENT
(Jes and Claire Scott Annexation)**

This Annexation Agreement ("Agreement"), made and entered into this ____ day of _____, 20____, by and between City of American Fork, Utah, a Utah Municipal Corporation (hereafter referred to as "City") and Jes and Claire Scott, an owner (hereafter referred to as "Applicant"), is based on the following:

RECITALS

WHEREAS, Applicant is the owner of the majority of certain parcels of privately-owned real property constituting of the 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, a "Petition for Annexation" (Attachment 1 to this Agreement), together with a plat (Attachment 2 to this Agreement) 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. 2024-05-14R, 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 and Annexation Contingency: 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 2. Attachment 2 is hereby made part of this Agreement. This Agreement will be effective if, and only if, (a) the City approves an ordinance annexing the Annexation Area into the City; and (b) all procedural requirements associated with an annexation under the law of the State of Utah have been complied with, including the issuance of a certificate of annexation by the Lieutenant Governor.

SECTION 2 - Annexation a benefit to Applicant: Applicant and City acknowledge that the City has discretion to approve or deny 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 constitutional taking as that term is 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 City's General Plan classifies the proposed uses for the Annexation Area classified as Design Commercial. Therefore, the zone classification attached to the parcel shall be GC-2 (Planned Commercial). A map illustrating the zone classification for the Annexation Area has been prepared by the City and is made part of this agreement (Attachment 3 to this Agreement).

SECTION 5 - Right-of-way to be Conveyed: The City's General Plan provides for the development of a local road ("Local Road") which will be located on 620 South and 330 East. Applicant has previously dedicated and conveyed to the City said right-of-way by way of the Jes and Claire Scott Agreement executed on June 11, 2024. Any additional right-of-way necessary for the Local Road in the location shown on the street dedication map prepared by the Applicant and approved the City (Attachment 4 to this Agreement) shall be dedicated and conveyed as a condition of annexation. Applicant shall have no obligation to construct any right-of-way improvements for the Local Road unless and until any improvement or development occurs within the Annexation Area. Development of the Local Road will be subject to the provisions as outlined in the American Fork City Development Code in effect at the time of development. Applicant shall be responsible for the cost of all minimum level of improvements at the time of improvement or development.

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. Any subsequent conveyance of water shares/rights shall be no more than what is required for the development of the Annexation Area as provided for under applicable City standards. A Water Delay Agreement is entered into by the parties concurrently with this Agreement and the terms of such Water Delay Agreement are incorporated into this Agreement as Attachment 5.

SECTION 7 - Open Ditches to be Piped: Applicant acknowledges that it is Applicant's 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 within the Annexation Area.

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 which are to be dedicated to City in connection with this Agreement. 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 any generally applicable 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 Jes and Claire Scott, 350 East 620 South, American Fork, Utah 84003.

SECTION 12 - Entire Agreement: This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof 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 have signed this agreement on the date first mentioned above.

AMERICAN FORK CITY

ATTEST: City Recorder

Bradley J. Frost, Mayor

ATTACHMENT #1



American Fork City
Recorder's Office
51 E. Main Street
American Fork, UT 84003
801-763-3000

CERTIFICATION OF PETITION FOR ANNEXATION

May 21, 2024

VIA EMAIL to:

Contact Sponsor – Jes and Claire Scott

American Fork City Mayor and Council Members

Utah County Commissioners

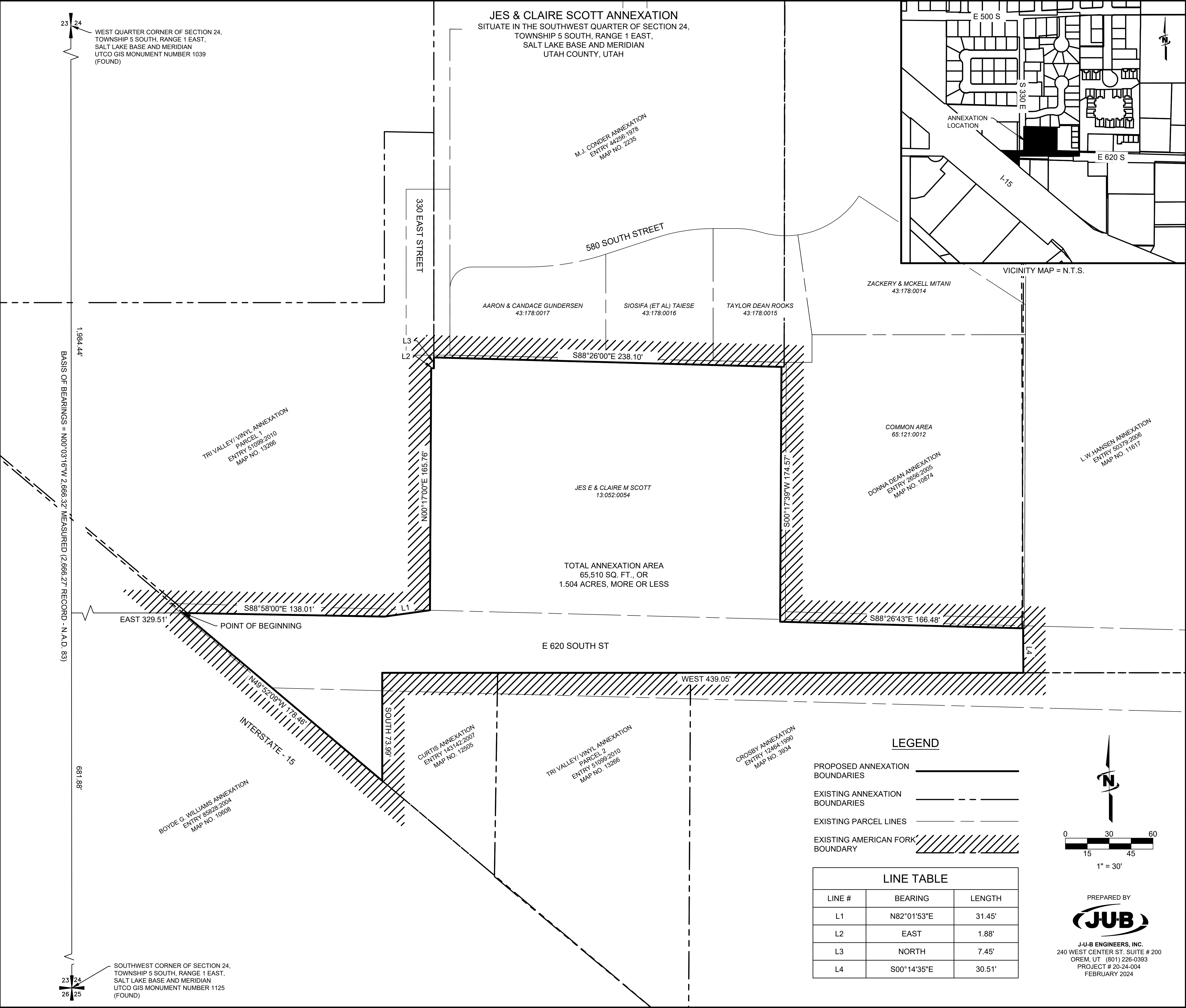
I, Terilyn Lurker, the City Recorder for American Fork City, Utah County, Utah, do certify that I have reviewed the Petition for Annexation for the Jes and Claire Scott Annexation that was filed with my office on April 29, 2024. On May 14, 2024, the American Fork City Council adopted Resolution No. 2024-05-14R accepting the Petition for Annexation. I find that the petition meets the requirements of Utah Code Subsection 10-2-403(3) and (4) and do hereby certify the Petition for Annexation in accordance with Utah Code Section 10-2-405(2).

Dated this 21st day of May, 2024.

Terilyn Lurker, City Recorder



ATTACHMENT #2



SURVEYOR'S CERTIFICATE

I, TANNER N. BECK, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 1321183 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO AMERICAN FORK CITY, UTAH COUNTY, UTAH.

DRAFT

TANNER BECK, P.L.S. _____ DATE _____

ANNEXATION BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF PARCEL 1 OF THE TRI VALLEY VINYL ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 51099-2010, MAP NO. 13266, WHICH POINT IS NORTH 00°03'16" WEST ALONG THE SECTION LINE 681.88 FEET, AND EAST 329.51 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE THE FOLLOWING (5) COURSES WHICH ARE ALONG SAID TRI VALLEY VINYL ANNEXATION: (1) SOUTH 88°58'00" EAST 138.01 FEET (135.04 FEET BY RECORD ANNEXATION); (2) NORTH 82°01'53" EAST 31.45 FEET; (3) NORTH 00°17'00" EAST 165.76 FEET; (4) EAST 1.88 FEET; (5) NORTH 7.45 FEET TO A POINT ON THE SOUTH LINE OF THE M.J. CONDER ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 44256-1978, MAP NO. 2235; THENCE SOUTH 88°26'00" EAST 238.10 FEET ALONG THE SOUTHERLY LINE OF SAID M.J. CONDER ANNEXATION TO A POINT ON THE WESTERLY LINE OF THE DONNA DEAN ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 2656-2005, MAP NO. 10874; THENCE THE FOLLOWING (2) COURSES WHICH ARE ALONG SAID DONNA DEAN ANNEXATION: (1) SOUTH 00°17'39" WEST 174.57 FEET (174.52 FEET BY RECORD ANNEXATION); (2) SOUTH 88°26'43" EAST 166.48 FEET (165.75 FEET BY RECORD ANNEXATION) TO A POINT ON THE WESTERLY LINE OF THE L.W. HANSEN ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 50379-2006, MAP NO. 11617; THENCE ALONG SAID L.W. HANSEN ANNEXATION SOUTH 00°14'35" EAST 30.51 FEET TO A POINT ON THE NORTHERLY LINE OF THE CROSBY ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 12464-1990, MAP NO. 3934; THENCE WEST 439.05 FEET ALONG SAID CROSBY ANNEXATION, ALSO BEING ALONG THE NORTH LINE OF PARCEL 2 OF SAID TRI VALLEY VINYL ANNEXATION AND THE NORTH LINE OF THE CURTIS ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 143142-2007, MAP NO. 12505, TO A POINT ON THE NORTHWEST CORNER OF SAID CURTIS ANNEXATION; THENCE SOUTH 73.99 FEET (73.98 FEET BY RECORD ANNEXATION) ALONG SAID CURTIS ANNEXATION TO A POINT ON THE NORTHEASTERLY LINE OF THE BOYDE G. WILLIAMS ANNEXATION AS SHOWN AND DESCRIBED ON THE OFFICIAL PLAT THEREOF ON FILE AT THE OFFICE OF THE UTAH COUNTY RECORDER AS ENTRY 85828-2004, MAP NO. 10608; THENCE NORTH 49°52'09" WEST 178.46 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED ANNEXATION BOUNDARY CONTAINS 65,510 SQUARE FEET OR 1.504 ACRES, MORE OR LESS.

BASIS OF BEARINGS = NORTH 00°03'16" WEST ALONG THE SECTION LINE BETWEEN THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE WEST QUARTER CORNER OF SAID SECTION.

APPROVAL OF LEGISLATIVE BODY

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 AN EXISTING ISLAND OR PENINSULA WITHIN OR CONTIGUOUS TO THE CITY, AND DO HEREBY CERTIFY: (1) THE COUNCIL HAS ADOPTED 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 10-2-418 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 PART OF AMERICAN FORK CITY, TO BE KNOWN HERE AFTER AS THE JES & CLAIRE SCOTT ANNEXATION.

DATED THIS _____ DAY OF _____, A.D. 2024

MAYOR _____	CITY COUNCIL MEMBER _____
CITY COUNCIL MEMBER _____	CITY COUNCIL MEMBER _____
CITY COUNCIL MEMBER _____	CITY COUNCIL MEMBER _____

ATTEST: _____
CLERK - CITY RECORDER

APPROVAL BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. 17-23-20 AS AMENDED.

COUNTY SURVEYOR

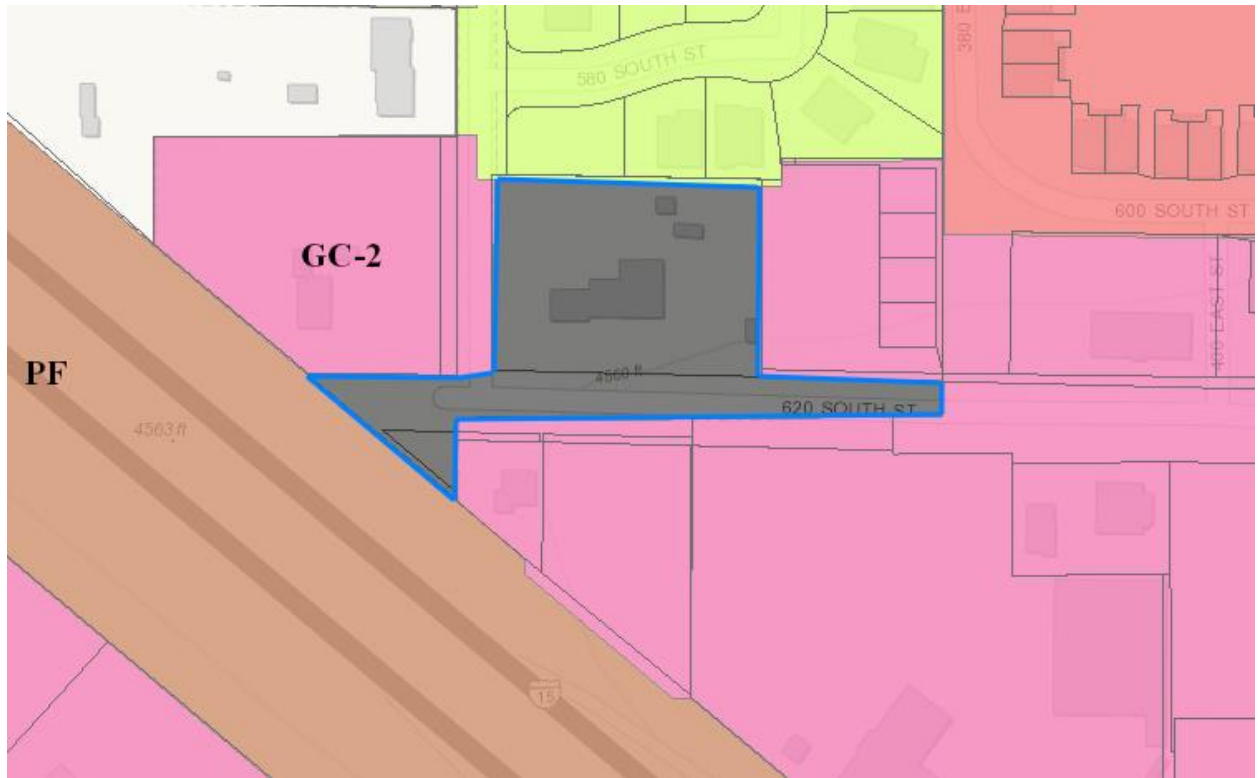
FINAL LOCAL ENTITY PLAT

JES & CLAIRE SCOTT ANNEXATION

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

AMERICAN FORK CITY, UTAH COUNTY, UTAH		SCALE 1" = 30'	SHEET 1 OF 1
SURVEYOR'S SEAL	CITY RECORDER SEAL	COUNTY RECORDER	

ATTACHMENT #3



ATTACHMENT #4

23 24
WEST QUARTER CORNER OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
UTCO GIS MONUMENT NUMBER 1039
(FOUND)

1,806.63'

859.64'

23 24
26 25
SOUTHWEST CORNER OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
UTCO GIS MONUMENT NUMBER 1125
(FOUND)

BASIS OF BEARINGS = S00°03'16"E 2,666.32' MEASURED (2,666.27' RECORD - N.A.D. 83)

330 EAST / 620 SOUTH ROAD DEDICATION

SITUATE IN THE SW1/4SW1/4 OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
UTAH COUNTY, UTAH

CORION CLARK
& JENNIFER JEAN DAY
13.052.0041

GLENDON C &
RAE ANN WILSON,
13.052.0083

CITY OF
AMERICAN
FORK
13.052.0082

AARON & CANDACE
GUNDERSEN
43.178.0017
LOT 17,
JOSHUA COURT PLAT "B"

SIOSIFA (ET AL) TAIESE
43.178.0016
LOT 16,
JOSHUA COURT PLAT "B"

TAYLOR DEAN ROOKS
43.178.0015
LOT 115,
JOSHUA COURT PLAT "B"

ZACKERY & MCKELL
MITANI
43.178.0014
LOT 14,
JOSHUA COURT PLAT "B"

JES E & CLAIRE M SCOTT
13.052.0054

CB=S44°13'55"E
CL=20.92'
L=23.15'
D=88°26'43"
R=15.00'

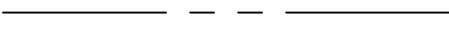
COMMON AREA
65.12.0012
THE COMMERCE CENTER PLANNED
UNIT DEVELOPMENT

620 SOUTH STREET
(SEE STREET DEDICATION PLAT MAP NO. 3658-42 INDEX NO. U46-20)

LEGEND

DEDICATION AREA 

EXISTING RIGHT OF WAY LINES 

EXISTING PARCEL LINES 

PREPARED BY

J-J-B ENGINEERS, INC.
240 WEST CENTER ST. SUITE # 200
OREM, UT (801) 226-0393
PROJECT # 20-24-004
FEBRUARY 2024

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE __ DAY OF __, A.D. __, PERSONALLY APPEARED BEFORE ME

WHICH PERSON ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING DEDICATION IN HIS RESPECTIVE CAPACITIES ON BEHALF OF __, IN ACCORDANCE WITH THE GOVERNING DOCUMENTS OF SUCH COMPANY.

NOTARY PUBLIC _____
NOTARY FULL NAME _____, A NOTARY COMMISSIONED IN UTAH.
COMMISSION NUMBER _____ MY COMISSION EXPIRES _____

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE __ DAY OF __, A.D. __, PERSONALLY APPEARED BEFORE ME

WHICH PERSON ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING DEDICATION IN HIS RESPECTIVE CAPACITIES ON BEHALF OF __, IN ACCORDANCE WITH THE GOVERNING DOCUMENTS OF SUCH COMPANY.

NOTARY PUBLIC _____
NOTARY FULL NAME _____, A NOTARY COMMISSIONED IN UTAH.
COMMISSION NUMBER _____ MY COMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

I, TANNER N. BECK, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 13214183 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE ROAD DEDICATION AREA SHOWN AND DESCRIBED ON THIS PLAT. I CERTIFY THAT SAID SURVEY WAS COMPLETED IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY THAT I HAVE VERIFIED ALL MEASUREMENTS SHOWN ON THIS PLAT. NO MONUMENTS WERE PLACED TO MARK THE DEDICATION AREA ON THE GROUND. I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

DRAFT

TANNER BECK, P.L.S.

DATE

BOUNDARY DESCRIPTION

A PARCEL OF LAND FOR PUBLIC RIGHT OF WAY AND ROADWAY PURPOSES, BEING PART OF AN ENTIRE TRACT OF LAND DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED ON OCTOBER 24, 1994 AS ENTRY NUMBER 81930, BOOK 3554, ON PAGE 380, WHICH ENTIRE TRACT OF LAND IS SUBJECT TO THE PROVISIONS OF THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED ON OCTOBER 27, 2004 AS ENTRY 122070.2004 AT THE OFFICE OF THE UTAH COUNTY RECORDER, BEING SITUATE IN THE SW1/4SW1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT, WHICH CORNER IS NORTH 00°03'16" WEST 859.64 FEET AND EAST 502.21 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SAID SECTION 24; AND RUNNING THENCE SOUTH 88°46'57" EAST 10.17 FEET (NORTH 88°46'00" WEST BY SAID BOUNDARY LINE AGREEMENT) ALONG THE NORTH SIDE OF SAID ENTIRE TRACT TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 330 EAST STREET AS DEPICTED ON JOSHUA COURT PLAT "B" RECORDED AS ENTRY 62243.2007 AND MAP NO. 12230 AT THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE RUNNING ALONG THE SOUTHERLY EXTENSION OF SAID EASTERLY RIGHT OF WAY LINE SOUTH 00°00'34" EAST 154.99 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 23.15 FEET ALONG THE ARC OF A 15.00-FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 88°26'43", THE CHORD OF WHICH BEARS SOUTH 44°13'55" EAST 20.92 FEET; THENCE SOUTH 88°27'17" EAST 215.16 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT, WHICH POINT IS ALSO ON THE NORTHERLY RIGHT OF WAY LINE OF 620 SOUTH STREET AS DEPICTED ON THE COMMERCE CENTER PLANNED UNIT DEVELOPMENT PLAT "A" RECORDED AS ENTRY 37332.2005 AND MAP NO. 11033 AT THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE SOUTH 00°11'37" WEST 6.98 FEET (SOUTH 00°12'11" BY SAID BOUNDARY LINE AGREEMENT) ALONG THE EASTERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THAT CERTAIN STREET DEDICATION PLAT TITLED "56" ROAD ROW 7300 NORTH STREET FROM: INTERSTATE-15 TO: 5300 WEST STREET" RECORDED AS MAP NO. 3658-42, TRACING NUMBER U46-20 AT THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE NORTH 88°26'43" WEST 240.81 FEET, MORE OR LESS, ALONG SAID NORTHERLY RIGHT OF WAY LINE TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 00°17'00" EAST 176.45 FEET, MORE OR LESS, ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 3,518 SQUARE FEET OR 0.081 ACRE, MORE OR LESS.

BASIS OF BEARINGS = NORTH 00°03'16" WEST ALONG THE SECTION LINE BETWEEN THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE WEST QUARTER CORNER OF SAID SECTION.

OWNER'S DEDICATION

THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED ON THIS PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO STREETS AND DO HEREBY DEDICATE ANY PUBLIC STREETS AND OTHER PUBLIC AREAS SHOWN THEREON FOR THE PERPETUAL USE OF THE PUBLIC.

DATED THIS _____ DAY OF _____, A.D. 2024

NAME: _____ TITLE: _____
NAME: _____ TITLE: _____

APPROVAL OF LEGISLATIVE BODY

THE CITY COUNCIL OF AMERICAN FORK CITY, COUNTY OF UTAH, APPROVES THIS DEDICATION PLAT AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC.

DATED THIS _____ DAY OF _____, A.D. 2024

MAYOR _____ CITY COUNCIL MEMBER _____

CITY COUNCIL MEMBER _____ CITY COUNCIL MEMBER _____

CITY COUNCIL MEMBER _____ CITY COUNCIL MEMBER _____

APPROVED: _____ ATTEST: _____
CITY ENGINEER CLERK - CITY RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. _____ BY THE AMERICAN FORK CITY PLANNING COMMISSION

PLANNER _____ CHAIRMAN, PLANNING COMMISSION _____

330 EAST / 620 SOUTH ROAD DEDICATION

SITUATE IN THE SW1/4SW1/4 OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

AMERICAN FORK CITY, UTAH COUNTY, UTAH SCALE 1" = 30'
SURVEYOR'S SEAL NOTARY PUBLIC SEAL CLERK-RECORDER SEAL

SHEET 1 OF 1

ATTACHMENT #5

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 _____ (“**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. _____ (“**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. **Conveyance of Water Rights/Shares.** 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 (“**Water Conveyance**”). Owner will convey clear title to the required amount of the Water Conveyance to the City to meet the dedication requirements. If the Water Conveyance consists of any water rights, the Water Conveyance shall be by Warranty Deed and an accompanying Water Rights Deed Addendum. If the Water Conveyance 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 Water Conveyance once it has been conveyed to the City.

4. Change Application. If any of the Water Conveyance 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 Water Conveyance. Owner shall convey unencumbered title to the required Water Conveyance to the City. If the Water Conveyance 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.

6. Cessation of Owner’s Use. Upon conveyance of the required Water Conveyance to the City, Owner shall immediately cease any and all use of the Water Conveyance.

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

STATE OF UTAH)

:ss

COUNTY OF _____)

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.

NOTARY PUBLIC