



## **Wednesday, January 22, 2025 Planning Commission**

### **Planning Commission Agenda**

**PUBLIC NOTICE** is hereby given that the Planning Commission of Spanish Fork, Utah, will hold a meeting in the City Council Chambers at Library Hall, on the second floor, 80 South Main Street, Spanish Fork, Utah, with a work session commencing at 5:00 p.m., and the Planning Commission Meeting commencing at 6:00 p.m. on January 22, 2025.

### **Planning Commissioners**

**Todd Mitchell**

**John Mendenhall**

**Shauna Warnick**

**Joseph Earnest**

**Michelle Carroll**

**Michael Clayton**

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### **1. 5:00pm WORK SESSION - No formal actions are taken in a work session.**

- A. Proposal to allow Outdoor Display in C-2 Commercial Zone.
- B. Discussion on 400 North/Spanish Fork Parkway General Plan designations.

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### **2. 6:00 Agenda Items**

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### **3. Minutes**

- A. December 4, 2024.

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### **4. Agriculture Protection Area Creation**

- A. LARSON AGRICULTURAL PROTECTION AREA. This proposal involves a request to add property into the City's Agricultural Protection Area located at 1273 South 2000 West.

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### **5. Conditional Use Permit (Public Hearing)**

- A. I-1 INDOOR BATTING CAGE FACILITY. This proposal involves Conditional Use approval for an indoor batting cage facility to be located at 1432 West 3470 North.

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### **6. Annexation**

- A. 920 WEST ANNEXATION. The proposal involves a request for annexation into the city of approximately 6.57 acres located at approximately 920 West 200 North.

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### **7. Adjourn**

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### **8. WORK SESSION - No formal actions are taken in a work session.**

A. DISCUSSION ON THE LAND USE ELEMENT OF THE GENERAL PLAN.

**Draft Minutes**  
**Spanish Fork City Planning Commission**  
**80 South Main Street**  
**Spanish Fork, Utah**  
**December 4, 2024**

**Commission Members Present:** Commissioners John Mendenhall, Shauna Warnick, Joseph Earnest, Michelle Carroll, Mike Clayson. **Absent:** Chairman Todd Mitchell

**Staff Members Present:** Dave Anderson, Community Development Director; David Mann, Senior Planner; Byron Haslam, Senior Engineer; Joshua Nielsen, Assistant City Attorney; Kasey Woodard, Community Development Secretary.

**Citizens Present:** Rachel Fox, McKenzie Packard, Gina Soto, Kim Packard, Mark Smith, Branden Kirk, Andrew Parkin, Kevin Schwoor, Brandon Denison, Derek Terry, Lonny Reed, Seth Collins, Justin Pulido, John Sumsion, Matt Thiboult, Liz Thiboult, Jeremy Evans, Christopher Sheen, Ross Baadsgaard, Janine Baadsgaard, Kristy Whetten, Jackie Larson, Kevin Lyman.

**WORK SESSION**

Commissioner Mendenhall called the meeting to order at 6:00 p.m.

**PRELIMINARY ACTIVITIES**

**Pledge of Allegiance**

Commissioner Warnick led the pledge.

**MINUTES**

**November 6, 2024**

Commissioner Clayson **moved** to approve the minutes from November 6, 2024.

Commissioner Warnick **seconded** and the motion **passed** all in favor.

### **ZONE CHANGE (Public Hearing)**

#### **BLUNK ZONE CHANGE**

David Mann approached the podium to speak about the proposal. He provided the location and stated that the property is currently zoned Rural Residential (R-R) and is surrounded by Industrially zoned properties. He stated the original property owners requested R-R zoning at the time of annexation, but since the property ownership has changed, the new property owners are requesting industrial zoning to meet the anticipated future use.

Commissioner Mendenhall opened the public hearing at 6:06 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 6:06 p.m.

Commissioner Warnick asked staff if they could explain the land dedication in more detail.

Dave Anderson stated the original property owners requested R-R zoning at the time of annexation, but since the property ownership has changed, the new property owners are requesting industrial zoning to meet the current surrounding zoning. He spoke briefly about the dedication of the road and stated that this area would be dedicated to Spanish Fork City.

Commissioner Carroll **moved** to recommend the approval of the Blunck Zone Change to the City Council based on the following findings and conditions.

#### **Findings:**

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require.
2. That the proposal is consistent with the City's General Plan Land Use Designation of Industrial.

3. That the proposal helps to continue the development of the northern part of the community with Light Industrial uses. (Spanish Fork City General Plan Land Use Policy C.1.1)
4. That the proposal contributes to maintaining an adequate supply of industrial land in appropriate areas. (Spanish Fork City General Plan Land Use Policy C.1.2).

Commissioner Clayson seconded and the motion passed all in favor.

### **ZONE CHANGE (Public Hearing)**

#### **ROOTS COFFEE ZONE CHANGE**

Dave Anderson approached the podium to speak briefly about the proposal. He stated the City is rather excited about this proposal to change the zoning of the property to accommodate a future coffee shop. He is recommending that the proposal be approved, he then provided further information to illustrate this proposal. He stated that this property would not be able to be adapted to meet the proposed use without the use of the Development Enhancement Overlay. He stated that the purpose of this Overlay is to assist with the development of properties that otherwise would not meet the development, parking or landscaping requirements of the zoning designation.

Commission Earnest asked if there is a residential home located next to this property and Dave Anderson stated that there is. Commissioner Earnest asked if they will have any type of buffering wall and Dave stated there will be a masonry wall on north property line and Commissioner Earnest stated that his concern is headlights shining into the residence coming around the bend of the drive thru.

There was discussion regarding the parking on the site and Dave Anderson stated that he has no significant parking concerns.

Commissioner Warnick and Carroll raised questions regarding the difference of the former use to the proposed use and what the parking requirement difference is between the zones.

Commissioner Earnest asked who owns the property and it was stated that it is the same property owner as the residence to the east property line. He then asked if this is on two separate parcels and it was stated that this is on two parcels. He went on to speak briefly about the possibility of an easement being needed.

Gina Soto approached the podium and spoke briefly about the proposal. She stated that Roots Coffee has a location in downtown Salt Lake where they took a rundown location and made improvements and made it into a successful coffee location. She stated they then expanded into a secondary location in Sugarhouse and did the same thing by updating a rundown building. She stated they wish to do the same with this location. She stated that the occupancy of the location will seat between 15-20 people comfortably within the retail space.

Commissioner Mendenhall opened the public hearing at 6:27 p.m.

Christopher Sheen, who is the property owner, stated that he is in favor of the proposal and feels that it will be a great addition to the community.

Commissioner Mendenhall closed the public hearing at 6:29 p.m.

Commission Warnick thanked the applicants for their thorough plans.

There was a brief discussion regarding parking as Dave Anderson provided answers to Commissioner Warnick and Commissioner Carroll's previous questions regarding the difference between uses and parking requirements.

Commissioner Warnick **moved** to recommend the approval of the Roots Coffee Zone Change to the City Council based on the following findings and conditions.

Findings:

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require.
2. That with modifications the proposal can meet the intent of the Development Enhancement Overlay Zone.
3. That the proposed Site Improvement Plan includes improvements that are necessary for use of the site as restaurant with a drive-thru.
4. That with the improvements identified on the proposed Site Improvement Plan the proposed business can function without adversely impacting adjacent streets or neighboring intersections.

Commissioner Earnest seconded and the motion passed all in favor.

## **PRELIMINARY PLAT**

### **SUNSET VILLAGE AMENDMENT**

Dave Anderson approached the podium and stated this proposal has been discussed with the Planning Commission previously but there has not been construction started for the development at this time. He stated there have been several different designs for this site that have been proposed to the city, with the most recently approved plan being a twin home product that was designed with more of a 55+ community feel. He stated that this design has since been revised to the latest proposal being shown tonight that is featuring a townhome community. He stated this development would be located near 900 North and next to I-15.

It was stated that since this proposal had been previously approved, that the Planning Commission would be the approving body for the Preliminary Plat even though it has a Master Planned Development.

Brandon Kirk approached the podium to speak about the parking, HOA and garbage management. It was stated that units will have their own garbage cans, units will not have basements, and they will be a for sale product.

Commissioner Earnest **moved** to approve the Sunset Village Amendment based on the following findings and conditions.

#### Findings:

1. That the proposal is consistent with the City's Zoning Map and General Plan Land Use Map Designation.

#### Conditions:

1. That the applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the applicant addresses any red-lines.

Commissioner Carroll seconded and the motion passed all in favor.

## **PRELIMINARY PLAT & ZONE CHANGES (Public Hearing)**

### **RUSH FUNPLEX ZONE CHANGE**

David Mann approached the podium and stated the next two items are for the same proposal. He described the Zone Change and stated that the property owner is planning to subdivide the property to accommodate a family fun center and potential residential development on the other parcel. He stated that this property is the location of the old Sugar Beet factory that will be torn down in order to be developed. He provided the designed layout and parking plan for the fun center. He stated that staff is recommending approval for the proposal.

Commissioner Warwick had questions regarding the flow of traffic and if it will impact the surrounding residential neighborhood. It was stated the proposed flow of traffic will utilize the road that runs along I-15. It was stated there is an 8-foot buffering wall that will buffer the residences from the additional traffic.

David Mann stated that the Planning Department has received two emails regarding this proposal from property owners, one was in support of the development and one was against the development.

Commissioner Mendenhall thanked the residents that reached out to express their opinions and concerns regarding this proposal. He then invited the applicant up to speak about the proposal.

Justin Pulido approached the podium and thanked the staff for working with them. He stated they have 4 locations and each location is completely enclosed, and he acknowledged the concerns regarding the traffic and light nuisance and stated they will work closely with staff to address these concerns.

Commissioner Warnick asked about the hours of operation as she feels this is very late operational hours and Justin stated that this is very preliminary and they are willing to work with staff. He stated that the location in Northern Utah has these hours and stated that there have been no complaints regarding the operation hours. She then asked about the restaurant drive thus and Justin stated this will depend on the tenants that occupy these units, and as they are still in the preliminary stages, they do not have any tenants lined up and he cannot provide that information at this stage.

Commissioner Mendenhall asked if the City has any regulation regarding light spillage and Dave Anderson stated that when the applicant applies for a development application, they are required to provide a photometric lighting plan that will address the light concerns and he stated that with these plans there tends to be zero light spillage onto the neighboring residences.

It was stated that this property has never used the current R-R zoning as the Sugar Beet Factory has been a different industrial use for the last few decades. It was stated that this land use change was put into place several years ago and has not changed since.

Commissioner Mendenhall opened the public hearing at 7:00 p.m.

Kevin Schwartz approached the podium and stated that he is a local resident and he expressed concerns about the increased traffic that this development would bring. He stated that this area is largely starter homes that have young children and he has safety concerns with this traffic.

Mark Smith approached the podium and stated he has had issues with the noise from developers and working at night, and he also was concerned about the light spillage with the late hours. He then expressed concern with the secondary access to the fun center, he is not happy about the increased traffic that will be happening right behind his home. He stated that this concern is shared with other property owners that are not present tonight.

Liz Thiboult approached the podium and was very upset about the increased traffic. She stated that there are a lot of young children and she stated that this is a very dark road and this presents a large safety concern with this road connection.

Kristy Whetten approached the podium and stated that she is against the rezoning of the agriculture area to commercial property. She spoke about the noise complaints she brought to the City with the pallet factory, and that the City was not able to do anything about it due to it being a business.

Matt Thiboult approached the podium and stated that his wife just voiced her concerns with the traffic and stated that he wanted to bring up the concerns with the demolition of the factory and the smoke stack and how that will impact the surrounding properties. He is concerned about the potential spread of asbestos and vermin that are living in the building and smoke stacks and how it will also impact the residences.

Jackie Larson approached the podium and stated that she is the Political Relations and Logistical Director of a company that is located just north of the development, and she is asking how much of the rail track will be removed as she is concerned this would interfere with the company's ability to move rail cars to their property. She also has confusion regarding the road connection as she does not feel that it coincides with UDOT's interchange concept. She also asked if there will be adequate parking for the facility with this proposed design.

Commissioner Mendenhall closed the public hearing at 7:10 p.m.

Commissioner Mendenhall acknowledged all the residents' concerns and he stated that the staff and Commissioners will do their best to address each of the concerns.

There was discussion regarding the traffic concerns and the positioning of the road.

There was discussion regarding the removal of demolished material and contaminants and it was stated that there are state and federal regulations that will be followed, but staff did not have that information available at this time. It was stated that this is a heavily regulated process. It was stated that the City wishes to be a great neighbor to these property owners.

Commissioner Warnick expressed her dislike for the additional restaurant design and expressed her desire that this was entirely self-contained within the fun center. She stated that she supports the design except for the restaurant. She feels that it may promote loitering in the area.

Commissioner Earnest is surprised that the residences are opposed to the design as the road is buffered and has a dedicated road that the traffic will not impact the residences at all.

Commissioner Mendenhall agrees with Commissioner Earnest and feels the design is a good way to direct traffic. He does not feel there are any safety concerns as this traffic will not flow through the neighborhood at all. He acknowledged the shared concerns about more traffic and more noise, but he does not feel this will present any noticeable difference.

Commissioner Earnest voiced his concern regarding the second story residences and light spillage and stated that the City will need to be thorough with the photometric lighting plans to ensure that there is no light spillage to these homes. He then suggested a traffic calming measure be placed at this road connection.

Justin Pulido approached the podium to speak one more time to the residents present that voiced concerns tonight. He thanked everyone and stated that their company is family owned and they want to be good neighbors. He stated they are wanting to improve the area with this design. He stated they are listening to these concerns and will take them into further consideration.

Commissioner Carroll **moved** to recommend the approval of the Rush Funplex Zone Change to the City Council based on the following findings and conditions.

**Findings:**

1. That the proposal is consistent with the City's Construction Standards.
2. That the accompanying Rush Funplex Preliminary Plat conforms to the City's provisions of the C-2 zone.
3. That Spanish Fork City is prepared to provide services that the proposed Zone Change and accompanying Rush Funplex plat would require.
4. Even though the proposed Zone Change is not consistent with the current General Plan Land Use designation, staff believes the updated General Plan will provide for commercial uses in this area.

Commissioner Earnest **seconded** and the motion **passed** all in favor.

**RUSH FUNPLEX SUBDIVISION**

Dave Anderson stated that David Mann presented the concerns with the Preliminary Plat.

Commissioner Mendenhall asked if there were any additional comments that needed to be discussed.

Commissioner Warnick stated that she will be voting against this as she is not in support of the restaurant portion of the design.

Commissioner Earnest asked if the traffic calming measures at the stub road should be addressed as a conditional of approval and Dave Anderson agreed and stated that the Planning Commission is the land use authority on Preliminary Plats and suggested continuing this item to address the concerns prior to approval.

Commissioner Mendenhall opened the public hearing at 7:35 p.m.

Jackie Larson approached the podium and stated that her family owns property in the area and stated that this will create a bottle neck of traffic for the area.

Liz Thibout approached the podium and thanked the Commissioners for their thoughts with this and again stated her opposition due to the traffic concerns and the connection through the neighborhood. She thanked Commissioner Earnest for his suggestion of the traffic calming measures.

John Sumsion approached the podium and stated that he has looked at the provided plans and he feels that the Rush Funplex itself would act as a buffer to separate the residential from the commercial zones.

Kevin Schwoor approached the podium and asked if the parking requirement will be adequate for the facility as he feels that if parking does not meet the needs of the business, that patrons might take to using the residential neighborhood for overflow parking needs.

Jackie Larson approached the podium and asked if the Commissioners would find it helpful if she explained why her business would need the railtrack to remain in place and it was stated that this is preliminary and not yet been determined and at this point there has been no formal plans submitted that would overlay this railway spur.

Commissioner Mendenhall closed the public hearing at 7:42 p.m.

Commissioner Earnest **moved** to approve the Rush Funplex Subdivision based on the following findings and conditions.

Findings:

1. That the proposal is consistent with the City's Construction Standards.

Conditions:

1. That the applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the City Council approves a Zone Change from R-R to C-2.
3. That the applicant addresses any red-lines.
4. That prior to the project being presented to the Planning Commission, that the plat be modified to include the planned right-of-way for the road that would run adjacent to the Spanish Fields project to the East, and that the applicant identify any needed right-of-way dedication for the state road with their Final Plat application.

5. The applicant provides the utility plans that the Engineering Department needs to review before the project can be presented to the Planning Commission
6. That a traffic calming measure such as a median or island be built at the stub road connection to the residences to the East.

Commissioner Carroll **seconded** and the motion passed 4 out of 5 in favor.

Commissioner Warnick opposed the motion.

### **MELLOR ZONE CHANGE**

Commissioner Earnest recused himself from the discussion.

Dave Anderson approached the podium to present the proposal and stated that the proposal has two parts and the first discussion will be regarding the Zone Change proposal and the second portion will be regarding the Preliminary Plat that will be utilizing the Master Planned Development Overlay. He stated that this is a large development that is requesting the R-1-12 zoning designation that will match the other low-density surrounding zoning designation.

Commissioner Mendenhall asked Dave Anderson to please define the zoning of the property so that those who do not understand zoning language

Brandon Denison approached the podium and stated that the zoning request is in line with the city's low density general plan designation.

Commissioner Warnick confirmed that the property would need to be raised to accommodate the shallow sewer lines in the area. It was stated that the sewer concerns will be addressed with the Final Plat approval.

Commissioner Mendenhall opened the public hearing at 7:55 p.m.

Ross Baadsgaard approached the podium and stated that he does not have any issues with the development but has concerns with the sewer and thanked the developer for stating they will be raising the property prior to development.

Janine Baadsgaard approached the podium and stated that there is an active irrigation ditch located between her property and the development and she wants to know what type of plans there are as this ditch is what keeps her property watered.

Commissioner Mendenhall asked if the residents actively water their properties out of this ditch and it was stated that yes multiple properties utilize this ditch to keep their properties alive.

John Sumsion thanked the staff for listening to his concerns with the road access and asked if the developer is open to bringing Pressurized Irrigation in place of the ditch and he asked what the size is of the sewer pipe line. He stated that he does not have any concerns with the development and is happy that the lot sizes are consistent and match the current General Plan for the area.

Commissioner Mendenhall closed the public hearing at 8:00 p.m.

Commissioner Warnick **moved** to recommend the approval of the Mellor Zone Change to the City Council based on the following findings and conditions.

Findings:

1. That Spanish Fork City is prepared to provide services that the proposed Zone Change would require.
2. That the proposal is consistent with the City's General Plan Land Use Designation of Low Density Residential.
3. That this proposal is designed with local streets that are discontinuous, but well connected, creating a pattern to discourage through traffic (Spanish Fork City General Plan Land Use Policy A.3.2).

Commissioner Clayson **seconded** and the motion **passed** all in favor.

## **MELLOR SUBDIVISION**

Commissioner Earnest stayed recused from the conversation.

David Mann stated this is requesting a Master Planned Development.

It was stated that the City Council is the approving body as this proposal is requesting a Master Planned Development Overlay.

Commissioner Mendenhall opened the public hearing at 8:10 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 8:10 p.m.

Commissioner Carroll **moved** to approve the Mellor Subdivision based on the following findings and conditions.

Findings:

1. That the proposal is consistent with the City's General Plan Land Use Designation of Low Density Residential.

Conditions:

1. That the applicant meets the City's Development & Construction standards, zoning requirements, and other applicable City ordinances.
2. That the City Council approves a Zone Change from A-E to R-1-12 with the Master Planned Development Overlay.
3. That the applicant addresses any red-lines.

Commissioner Warnick seconded and the motion **passed** all in favor.

**TITLE 15 (Public Hearing)**

**Title 15 Amendments Old Dominion**

David Mann approached the podium and presented the proposed amendments to the Code.

Commissioner Earnest asked for clarification on whether the applicant first violated the City Code and now are asking for it to be amended to allow their fencing violation. It was stated that yes, that is correct.

David Mann stated that this was reviewed by the DRC and it was recommended for denial.

Commissioner Earnest asked how this fencing has violated the fencing standards and it was stated that the fencing violated both the height restrictions and the setback requirements. He then asked if there was a tool the City may use in place of amending the Title 15 to accommodate one site. He is not in favor of amending the entire City Code for one site. He stated that he is open to hearing why the applicant

made the decisions they did, and how the City can work with them to come to find a workable solution.

Dave Anderson stated this fencing was constructed where it would not be allowed. He does not feel there is a tool that would remedy this matter. He stated that if the fencing was constructed where it was allowed, it would be a matter of amending the Site Plan to reflect the height restriction.

Commissioner Warnick expressed her frustration and disappointment with the applicants for obtaining an approval for one thing and then going through and building something that was not approved.

Commissioner Earnest interjected that it is unknown if this is truly what took place or if this was some sort of misunderstanding. He suggests caution with these types of accusations.

Commissioner Carroll is confused as she feels there should be inspections conducted during the building phase and she questions how this could have been missed.

Dave Anderson stated the City does conduct site inspections regularly during the construction phase, but states that there is not City staff out there daily to monitor what is being built and stated this was brought to the attention of the City by a third-party complaint as they did not feel this fencing did not meet the city's fencing requirements. He states that these things do happen and it is not uncommon for the City to amend an approval to accommodate a design change. He stated there have also been cases where something was constructed that did not meet the City development standards and was forced to fix it to be in compliance with the City Code. He stated that the City has strived to keep a standard look to their developments to avoid this type of harsh, institutional look.

Lonny Reed approached the podium and stated that Seth Collins and Jeremy Evans are both present to represent the proposal. He stated that this was not constructed with malintent, and stated that it was their understanding that this was approved. He stated that they have an approved, amended site plan that was stamped by the City that allowed the placement of the fence and the 8-foot fencing. He spoke briefly regarding the need for their site to be safe and secure not only for their drivers and their vehicles but for the product that is stored in the trucks.

Staff agreed that this will need to be looked into by the City staff members. The provided plans were located with the building permit, which is not reviewed by the approving body that it would be required to obtain approval from. It was decided that staff will take time to look further into this at a later date as what was approved and acted upon in the DRC was in compliance with the City's standards as opposed to the referenced site plan.

Lonny Reed took responsibility for this misunderstanding and stated that it must have been their error for not following through with their contractor on what was approved in the site plan.

Seth Collins approached the podium and apologized for the oversight on their part and stated they would like to work with the City to find a workable solution. He stated they are looking for a solution to provide safety and security for their employees and facility.

Commissioners Warnick and Earnest asked if this is something that could be approved as an exception with a fencing variance and it was stated that this does not qualify for an exception or variance as this text amendment does not meet the criteria for a variance.

Commissioner Mendenhall does not agree with changing the Code and feels this will ultimately be the decision of the City Council.

There was discussion on the power of the City Council to approve, or deny this approval and whether or not the staff felt that the Council would ultimately enforce any violations.

Commissioner Mendenhall opened the public hearing at 8:46 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 8:46 p.m.

Commissioner Mendenhall wanted to have additional discussion with staff on their feelings on moving forward.

Commissioner Clayson stated he is comfortable with tabling the conversation to give additional time to staff to work with the applicants.

Commissioner Warnick is also comfortable tabling the conversation or moving to deny the proposal.

Commissioner Warnick moved to recommend to Deny the Old Dominion Amendments to the City Council based on the findings and conditions in the staff report.

Commissioner Carroll seconded and the motion passed all in favor.

### **Title 15 Amendments I-1 Indoor Pickleball Courts**

Dave Anderson wanted to pick up on where the conversation ended in the previous Planning Commission meeting now that the applicants are present. He stated this is an amendment to add the proposed use as a permitted use in the I-1 Light Industrial zoning district provided that 3 parking spaces are provided per court. He stated this proposal has no changes from what was proposed last month. He stated he would not be comfortable with less than 3 spaces per court.

Rachel Fox approached the podium and she stated that she represents the Picklr. She stated that their locations are by appointment only, and they have conducted a parking study that allows them a 2.6 parking requirement per court. She stated they are planning a 12-court facility; they can provide this information to the City for review. She stated these locations have limited staff on site made up of about 2 employees on staff that work part time. She described the additional parking that would be available on the east and west sides of the building and stated that their parking would not encroach on the neighboring businesses. She stated the reservations allow patrons a 2-hour time to be at the facility that will be available through their mobile app.

There was discussion on what would be the highest parking requirement for this use and it was stated that it would be no more than 12 spaces but no less than 4 spaces per court. The Commissioners felt the most comfortable with 4 being the minimum number of spaces per court that would be required.

Commissioner Mendenhall opened the public hearing at 9:05 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 9:05 p.m.

Commissioner Earnest feels that 4 spaces are a very reasonable number of spaces to require per court and Commissioner Mendenhall agreed with this and stated that there is no way to tell who the next tenant would be and what parking needs would be so this requirement can stretch to the future uses as well as the current.

Commissioner Earnest moved to recommend to approve the I-1 Indoor Pickleball Courts Amendments to the City Council based on the following findings and conditions.

With the change that the parking requirement, be 4 parking stalls per court but no more than 12.

Commissioner Warnick seconded and the motion passed all in favor.

### **Title 15 Amendments**

Dave Anderson approached the podium to speak about the staff proposed amendments. He spoke briefly about the parking requirements within the high-density zoning, and the need to add defining language regarding what would constitute a decorative wall, into the landscape and buffering walls portion of Title 15. He then spoke about adding language in Title 15 regarding the Complete Neighborhood Overlay.

Commissioner Mendenhall opened the public hearing at 9:28 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 9:28 p.m.

Commissioner Earnest moved to recommend to approve the Title 15 Amendments to the City Council based on the following findings and conditions.

Commissioner Clayson seconded and the motion passed all in favor.

### **CONSTRUCTION STANDARDS REVISIONS 24.02**

Commissioner Mendenhall stated that he has read through all the proposed updates to the City's construction standards and asked if staff needed to have any discussion regarding what is being proposed and staff wanted to hear more of the updates from Byron Haslam.

Byron Haslam stated there are just a few minor changes being made to the city's construction standards. He stated these changes include definitions to fill material, LID's and trees that are located within 150 feet of the park strip of a roadway that intersects with railroad. He stated that the trees located within this distance are removed and so this language will keep trees from being planted within this area. He stated that per State Code, any development that is planned to be within 1,000 feet of a railroad is required to get with the state for a diagnostics testing. He stated the largest update regards the City providing further clarity on the requirement for a 77 foot right of way for all commercial & multi-family developments for the major roadway that goes through the development.

Commissioner Mendenhall opened the public hearing at 9:35 p.m.

There was no public comment.

Commissioner Mendenhall closed the public hearing at 9:35 p.m.

Commissioner Clayson **moved** to recommend the approval of the proposed Construction Standards Revision (24.02) to City Council as discussed.

Commissioner Carroll **seconded** and the motion passed all in favor.

Commissioner Warnick moved to adjourn the meeting at 9:37 p.m.

Adopted:

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Kasey Woodard  
Community Development  
Secretary



Larson Agriculture Protection Area  
Agriculture Protection Area  
1700 West 1400 South (city coordinates)  
41.7 acres  
R-1-30/R-R Zones  
Medium Density Residential General Plan  
Designation



## PROPOSAL

The Applicant has requested that an agriculture protection area be created for an area that covers approximately 41 acres in the southwest corner of the city. The approval process follows requirements contained in Chapter 41, Title 17, Utah Code Annotated, 1953 as amended and §15.3.28 of the Spanish Fork Municipal Code. Supporting documents and a detailed timeline are included in the City Council memo. The Utah County Agriculture Advisory Board reviewed the application in December and voted to recommend the proposed area be approved as shown. Staff recommends modifying the boundary to exclude corridors identified on City street and utility master plans. A public hearing before the City Council is planned to take place on February 3, 2025.

## RECOMMENDATION

That the proposed agriculture protection area be approved based on the following finding and subject to the following condition:

### Finding

1. That the proposal meets the minimum requirements for consideration of an agriculture protection area based on State and City code.

### Condition

1. That the legal description for the agriculture protection area not include corridors based on the City's street and utility master plans.

## EXHIBITS

1. Agriculture protection area legal description
2. Memo to City Council

## EXHIBIT 1

Bowdy Smith:

BEGINNING AT A POINT LOCATED N02°48'35"E 343.14 FT AND EAST 1411.20 FT FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; THENCE N89°10'54"E 1264.65 FT, THENCE S00°10'40"E 345.29 FT, THENCE N89°59'29"W 1265.93 FT, THENCE N00°03'35"E 327.04 FT TO THE POINT OF BEGINNING.

Larson Cattle South:

BEGINNING AT A POINT LOCATED S01°38'28"E 823.75 FT AND EAST 2780.63 FT FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; THENCE N00°10'40"W 55.15 FT, THENCE N89°51'55"E 1312.85 FT, SOUTH 156.94 FT, THENCE WEST 649.76 FT, NORTH 98.71 FT, THENCE WEST 662.92 FT TO THE POINT OF BEGINNING.

Larson Cattle North:

BEGINNING AT A POINT LOCATED S01°38'28"E 733.57 FT AND EAST 2782.93 FT FROM THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; THENCE N00°10'40"W 1179.00 FT, THENCE S89°50'18"E 668.12 FT, THENCE S00°24'17"E 791.04 FT, THENCE EAST 642.91 FT, THENCE SOUTH 383.00 FT, THENCE S89°51'55"W 1312.96 FT TO THE POINT OF BEGINNING.

## Proposed Larson Agriculture Protection Area



## EXHIBIT 2



DATE: February 3, 2025  
TO: Spanish Fork City Council  
FROM: Community Development Department  
RE: Larson Agriculture Protection Area

On November 7, 2024, Staff received a complete application for a proposed agriculture protection area located at approximately 1700 W (city)/1200 W (county) and 1400 S (city)/7600 S (county) that encompasses 5 parcels. The purpose of agriculture protection areas are stated in the City's municipal code as follows:

*"Spanish Fork City supports the establishment of agriculture protection areas within the limitations established by this Chapter to protect and sustain production agriculture. Furthermore, Spanish Fork City recognizes that the adoption of an agriculture protection area will not restrict a citizen's ability to file a complaint about an agriculture practice. Rather, Spanish Fork City hopes to protect agricultural land owners from civil lawsuits and criminal prosecution as long as the owner employs safe, sound, and reasonable agriculture practices." (§15.3.28.020)*

Notices were sent and posted as required by code, allowing a 15-day window for initial comments to be received prior to review by the Utah County Agriculture Advisory Board and the Spanish Fork Planning Commission. The advisory board held a public hearing and forwarded a recommendation to the City Council to approve the agriculture protection area as proposed. Staff has included the following exhibits for your reference:

1. Agriculture Protection Area application
2. Application timeline
3. Public comment received during first notice period
4. Summary of the Utah County Agriculture Advisory Board meeting
5. Analysis of the evaluation criteria for an agriculture protection area



**AGRICULTURE PROTECTION AREA APPLICATION**

I/We the undersigned owner(s) of real property within the incorporated area of Spanish Fork City do hereby request that the Spanish Fork City establish an "Agriculture Protection Area" as allowed in Section 17.41.301 Part 3 Utah Code Annotated 1953. Furthermore, we request that the protection area contain the below listed property(ies). We assert that this application contains the signatures of a majority of all owners of real property and the owners of a majority of the land area in agriculture production within the proposed agriculture protection area.

**Contact Agent Information:**

Name: Jackie Larson Phone #: (801) 995-2451  
Email: 7Barfarming@gmail.com

Total Number of acres included in proposal : 41.7

I, the undersigned, certify that all of the facts set forth in this application are true and correct to the best of my knowledge and that I am either the owner of the property or that I have been authorized in writing by the owner to file this application.

Name: Jackie Larson Signature: Jackie Larson Date: Nov. 4, 2024

Subscribed and affirmed before me this 4 day of November, 2024.

By

Megan Taylor  
Notary Public

Notary Seal



## AGRICULTURE PROTECTION AREA APPLICATION

### Supplemental Sheet

I/We the undersigned owner(s) of real property within the incorporated area of Spanish Fork City do hereby request that the Spanish Fork City establish an "Agriculture Protection Area" as allowed in Section 17.41.301 Part 3 Utah Code Annotated 1953. Furthermore, we request that the protection area contain the below listed property(ies). We assert that this application contains the signatures of a majority of all owners of real property and the owners of a majority of the land area in agriculture production within the proposed agriculture protection area.

#### **Contact Agent Information:**

Name: Jackie Larson Phone #: (801) 995-2461

#### **Parcel Information:**

Owner Name: Gary & Suzan Larson Phone #: (801) 319-7057  
Address: 1273 SU. 2000 NE. (MAILING 7553 S. 1400 W.)  
City, State: SPANISH FORK, UT Zip: 84660

Section: 26 Township: 8S Range: 2E

Parcel #: 35:743:0601 # of Acres: 9.319819  
Parcel #: \_\_\_\_\_ # of Acres: \_\_\_\_\_

Current use of parcel: Irrigated Afg/Pa

I, the undersigned, certify that I am the owner of the property listed above and I hereby authorize Jackie Larson to file this application on my behalf

Name of Applicant/Contact Person

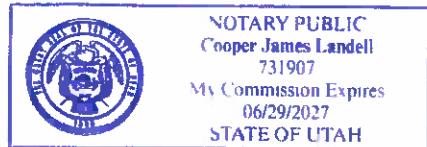
Print Name: Gary Larson Signature: Gary Larson Date: 10-16-24

Subscribed and affirmed before me this 16 day of October 2024.

By

Notary Public

Notary Seal



## AGRICULTURE PROTECTION AREA APPLICATION

### Supplemental Sheet

I/We the undersigned owner(s) of real property within the incorporated area of Spanish Fork City do hereby request that the Spanish Fork City establish an "Agriculture Protection Area" as allowed in Section 17.41.301 Part 3 Utah Code Annotated 1953. Furthermore, we request that the protection area contain the below listed property(ies). We assert that this application contains the signatures of a majority of all owners of real property and the owners of a majority of the land area in agriculture production within the proposed agriculture protection area.

#### **Contact Agent Information:**

Name: Jackie Larson Phone #: (801) 995-2451

#### **Parcel Information:**

Owner Name: Larson Cattle Co LLC Phone #: (801) 319-7057  
Address: 1273 So. 2000 W. (Mailing 7593 So. 1400 W.)  
City, State: Spanish Fork, UT Zip: 84660

Section: 26 Township: 85 Range: 2E

Parcel #: 26:032:0020 # of Acres: 28.983959  
Parcel #: \_\_\_\_\_ # of Acres: \_\_\_\_\_

Current use of parcel: 14 acres planted and Irrigated Pasture  
The rest is rough Pasture for grazing

I, the undersigned, certify that I am the owner of the property listed above and I hereby authorize Jackie Larson to file this application on my behalf

Name of Applicant/Contact Person

Print Name: GARY LARSON Signature: Gary Larson Date: 10-16-24

Subscribed and affirmed before me this 16 day of October, 2024.

By

G. Lee  
Notary Public

Notary Seal



## AGRICULTURE PROTECTION AREA APPLICATION

### Supplemental Sheet

I/We the undersigned owner(s) of real property within the incorporated area of Spanish Fork City do hereby request that the Spanish Fork City establish an "Agriculture Protection Area" as allowed in Section 17.41.301 Part 3 Utah Code Annotated 1953. Furthermore, we request that the protection area contain the below listed property(ies). We assert that this application contains the signatures of a majority of all owners of real property and the owners of a majority of the land area in agriculture production within the proposed agriculture protection area.

#### Contact Agent Information:

Name: Jackie Larson Phone #: (801) 995-2451

#### Parcel Information:

Owner Name: Bonny & Cindy Smith Phone #: (801) 718-8221

Address: 1267 S. 2600 W.

City, State: Spanish Fork, UT Zip: 84660

Section: 26 Township: 8S Range: 2E

Parcel #: 35-743-0002 # of Acres: 0.0676

Parcel #: \_\_\_\_\_ # of Acres: \_\_\_\_\_

Current use of parcel: \_\_\_\_\_

I, the undersigned, certify that I am the owner of the property listed above and I hereby authorize Jackie Larson to file this application on my behalf

Name of Applicant/Contact Person

Print Name: Bonny Smith Signature: Cindy Smith Date: 12-17-2024  
Cindy Smith - Cindy S. Smith Date: 12-17-24

Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

By

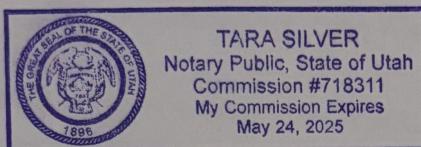
Notary Seal

\_\_\_\_\_  
Notary Public

## ACKNOWLEDGMENT

State of Utah  
County of Utah

On this 17 day of December, 2024, Bonny Smith personally appeared before me,  
X who is personally known to me,  
X whose identity I verified on the basis of Drivers License,  
   whose identity I verified on the oath/affirmation of   ,  
a credible witness,  
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



TARA SILVER  
Notary Public, State of Utah  
Commission #718311  
My Commission Expires  
May 24, 2025

Tara Silver  
Notary Public  
My Commission Expires: May 24, 2025

*Attribution Clause: This Certificate is prepared for, and exclusively belongs to, the accompanying document entitled*

Agricultural Protection Area Application which consists of 1 page(s) and is dated 12/17/2024.  
*If this Certificate is appropriated to any document other than the one described herein, it shall be deemed null and void.*

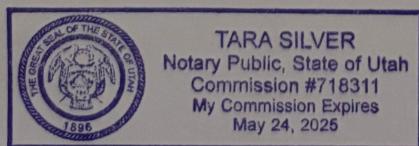
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#0421

## ACKNOWLEDGMENT

State of Utah  
County of Utah

On this 17 day of December, 2024, Cindy Smith personally appeared before me,  
   who is personally known to me,  
X whose identity I verified on the basis of Drivers Licence,  
   whose identity I verified on the oath/affirmation of   ,  
a credible witness,  
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



TARA SILVER  
Notary Public, State of Utah  
Commission #718311  
My Commission Expires  
May 24, 2025

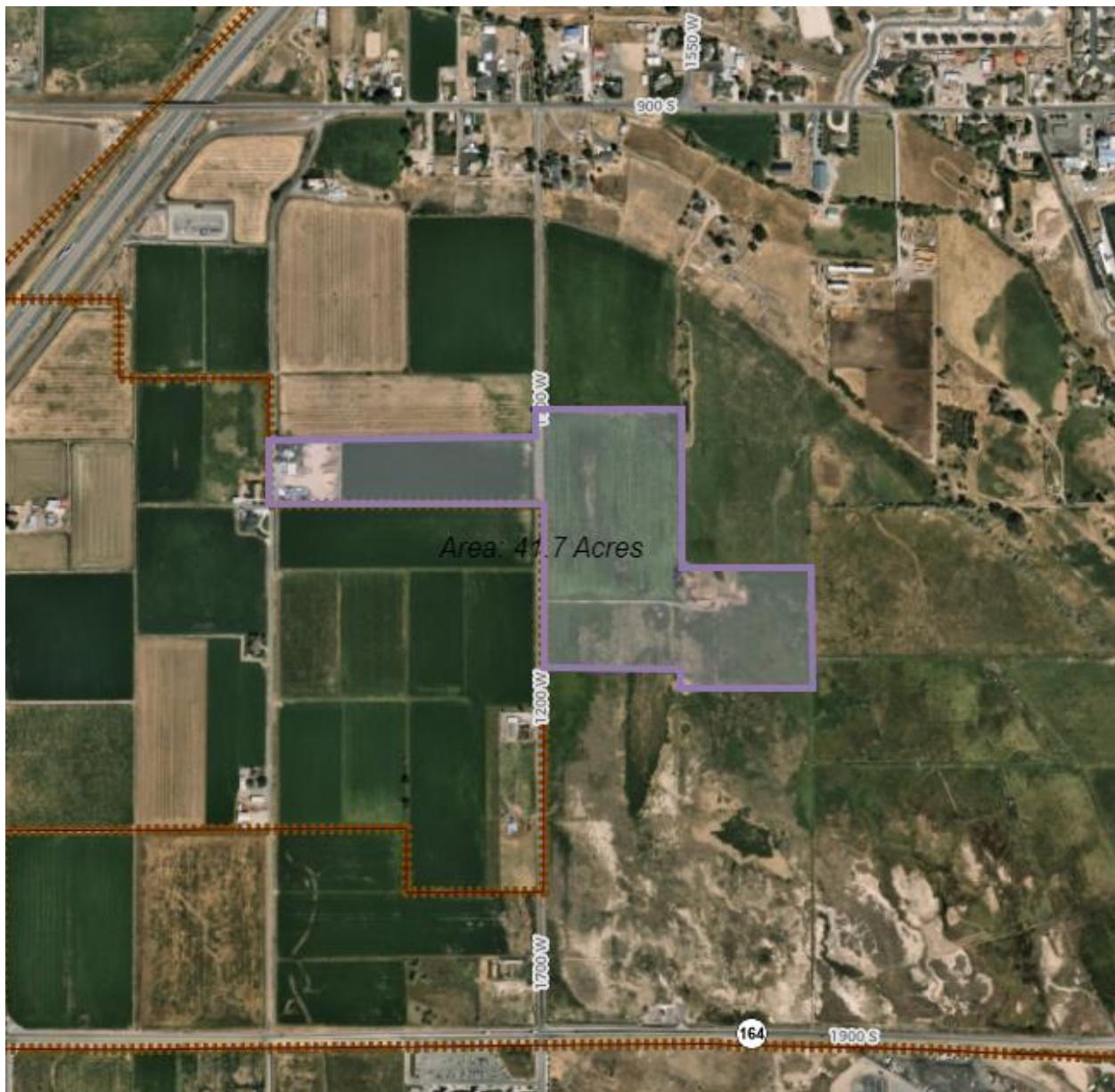
Tara Silver  
Notary Public  
My Commission Expires: May 24, 2025

*Attribution Clause: This Certificate is prepared for, and exclusively belongs to, the accompanying document entitled*

Agriculture Protection Area Application which consists of 1 page(s) and is dated 12/17/2024.  
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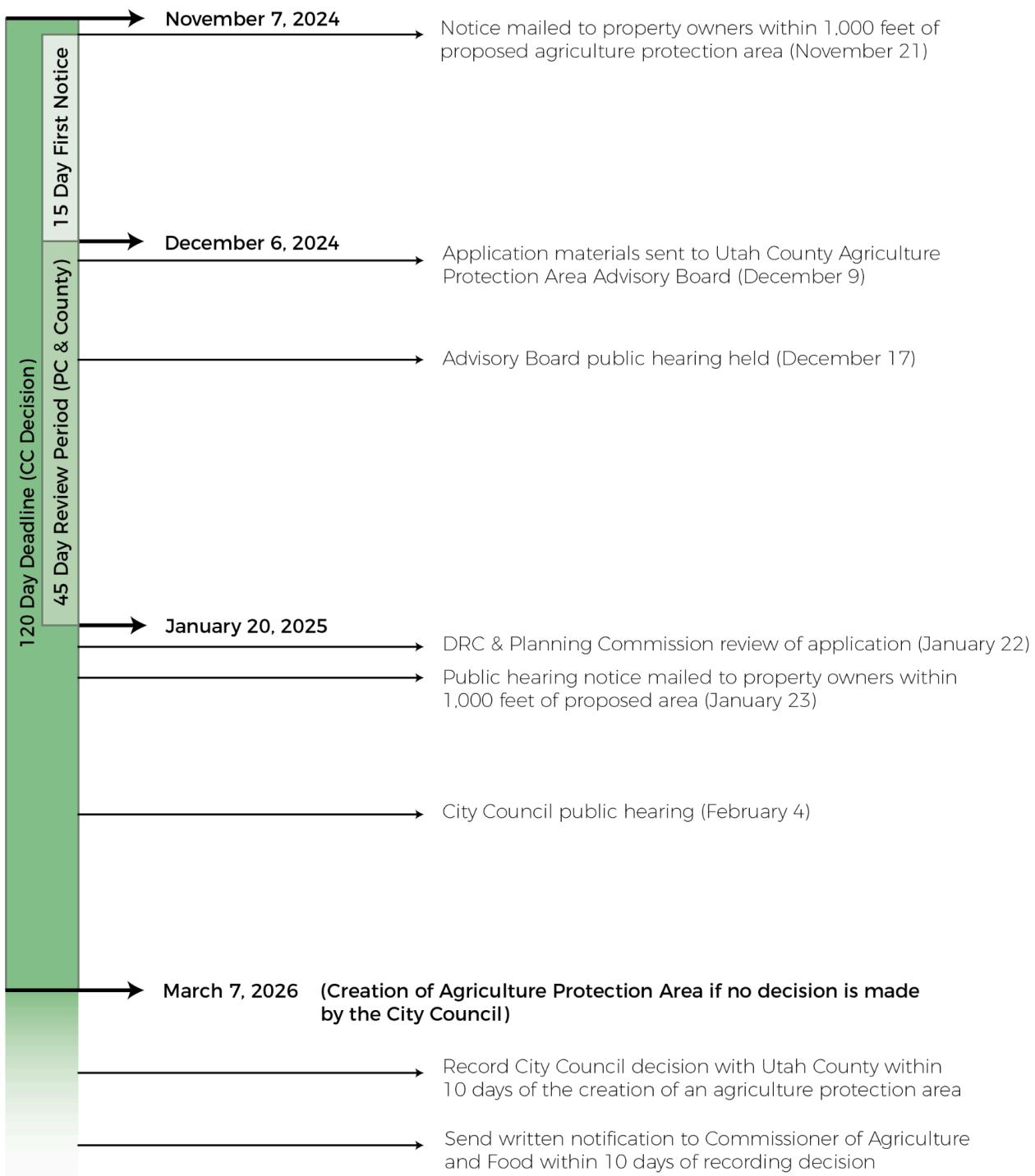
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#0421



## Exhibit 2

### Larson Agriculture Protection Area - Timeline



### **Exhibit 3**

Comment received 11/25/24 via voicemail (transcription):

*"Hi, David. This is Clint Harris. I am just calling about the notice we received for the larger agriculture protected prediction area. It shows that crossing the road, I am assuming that the road is not actually in the protection area because that would certainly affect what I am working on trying to get lots of stuff on the ground. Just below my house, so that would certainly affect things if the road is in the protected area. I assume that the road that is showing in the area is not and that it is not anything that we should be concerned about. My phone number is 385-208-0570."*

## **Exhibit 4**

### Utah County Agriculture Advisory Board Meeting

December 17, 2024

Summary of comments made during the public hearing:

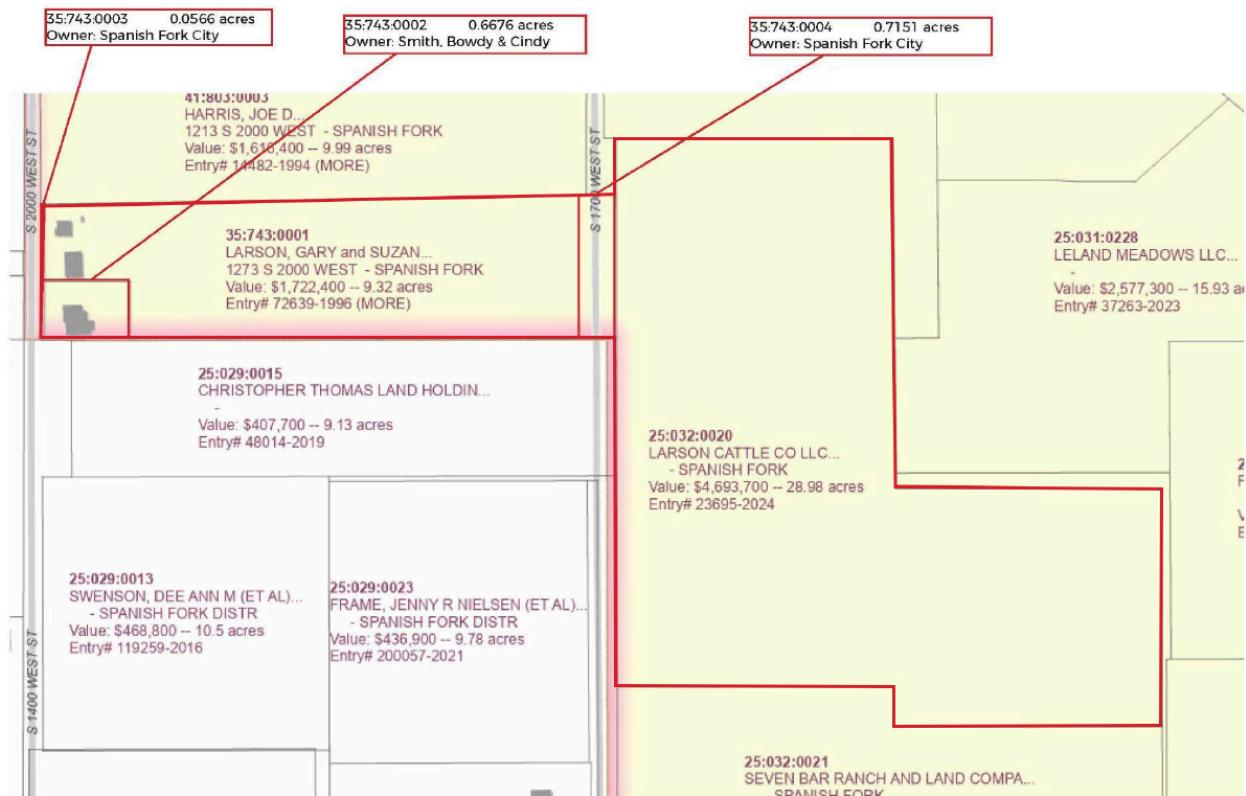
- Spanish Fork planner Ian Bunker presented the application to the board. He mentioned that a majority of property owners within the proposed agriculture protection area must be signed by a majority of all owners, so that documentation needs to be provided before a decision can be made by the City Council.
- Jackie Larson, the Applicant, told the board that she would obtain the needed signatures and submit documentation to Staff.
- The board discussed whether or not the road (1700 S/1200 S) that bisects the proposed area should be included due to issues that had come up in other agriculture protection areas. They concluded that not enough information was provided for them to recommend the existing road should not be included. Based on the application materials that were provided to them, the board voted to recommend approval of the proposed agriculture protection area.

## Exhibit 5

### Larson Agriculture Protection Area Analysis

For the purposes of this analysis, each parcel listed on the application will be given a number for reference purposes:

1. Parcel 35:743:0003; Owner: Spanish Fork City; 0.06 acres
2. Parcel 35:743:0002; Owner: Bowdy & Cindy Smith; 0.67 acres
3. Parcel 35:743:0001; Owner: Gary & Suzan Larson; 9.32 acres
4. Parcel 35:743:0004; Owner: Spanish Fork City; 0.72 acres
5. Parcel 25:032:0020; Owner: Larson Cattle Co, LLC; 28.98 acres



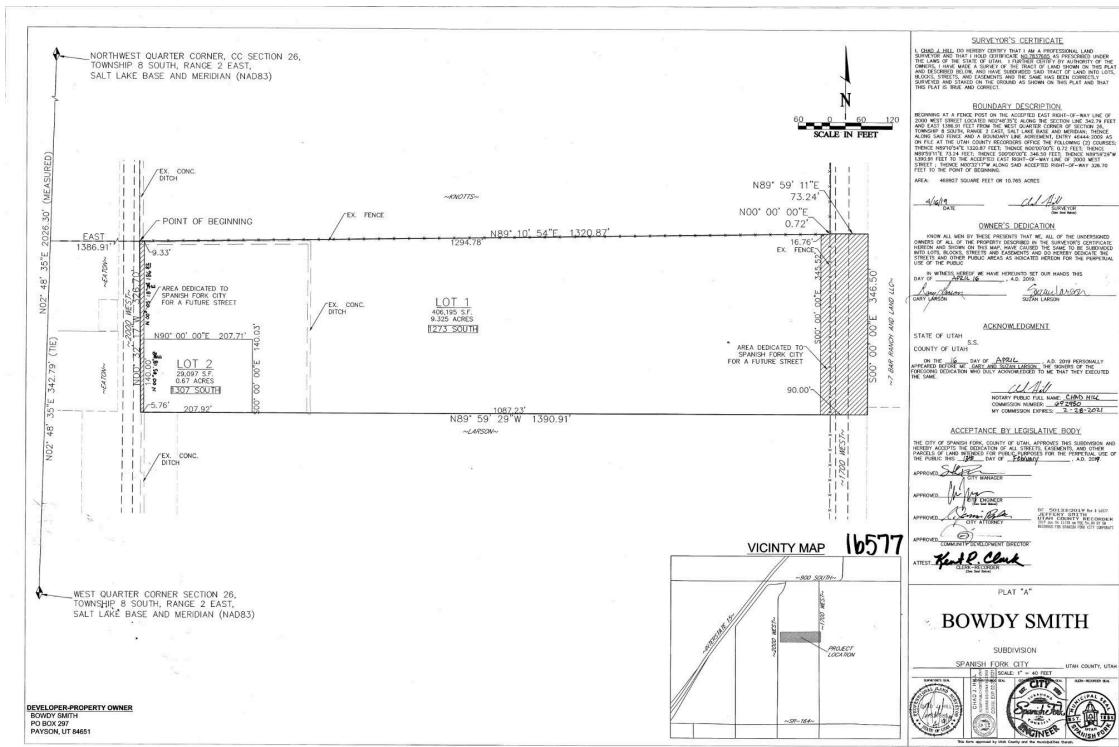
#### 15.3.28.080 Evaluation Criteria

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, the Advisory Board, Planning Commission, and City Council shall apply the following criteria:

- A. Whether or not the land is currently being used for agriculture production;

Parcels #1 and #4 were dedicated to the City with the recording of the Bowdy Smith subdivision in 2019. Parcels #2 and #3 were designated as lots 2 and 1,

respectively. The original parcel containing parcels #1-4 was rezoned in 2018 from Rural Residential (R-R) to Residential (R-1-30) in order to build the house that now exists on parcel #2. Parcels #3 and #5 have greenbelt property tax status, are currently being used for agriculture production, and make up the majority of the land being considered for agriculture protection.



*B. Whether or not the land is zoned for agriculture use;*

Parcel #5 is currently zoned R-R, which allows agriculture uses as a primary permitted use. The other 4 parcels are currently zoned R-1-30, which does not have agriculture listed as a permitted or conditional use. Prior to the rezone, the majority of the land that makes up parcel #3 was being used for agricultural production and that use continues to be conducted at present day. Staff has also determined that the production of crops would be allowed in a residential zone as an accessory use. The keeping of livestock is allowed on properties in the R-1-30 Zone, provided the portion of land where livestock is kept is at least 0.5 acres (see §15.3.24.090.G). Parcel #2 is not large enough to have 0.5 acres dedicated to keeping livestock. Animals kept in a residential zone are not allowed to be used for the purpose of commercial production.



C. Whether or not the land is viable for agricultural production;

The majority of the property being considered for the agriculture protection area has been used in agriculture production for many years. The exceptions are the areas with existing/future right of way and the two single family residential houses.

D. The extent and nature of existing or proposed farm improvements;

The Applicant has made no mention of any proposed improvements being associated with the petition for establishing an agriculture protection area. Access to irrigation water already exists on the property being used for agriculture production.

E. Anticipated trends in agricultural and technological conditions; and

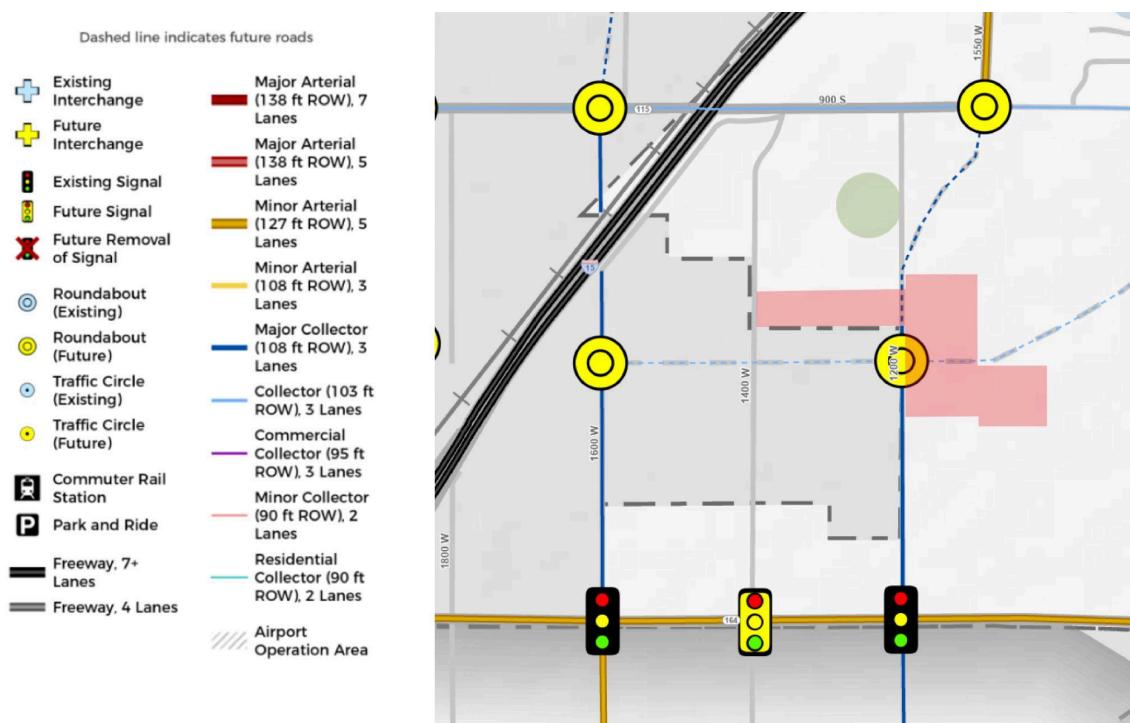
Staff has not identified any trending conditions that would apply to this proposal.

F. Whether the land contains land planned by the City or another political subdivision or state agency for a roadway, park, utility corridor, or commercial development as determined by the official maps of the City or other political subdivision or state agency. Such areas may be excluded from the agriculture protection area.

As stated previously, parcels #1 and #4 are owned by Spanish Fork City due to the ROW dedication from the Bowdy Smith subdivision. The Spanish Fork City Transportation Master Plan indicates future plans to connect 1550 W to

1700 W/1200 W by way of a major collector road. This road type would have 3 lanes and would require 108 feet of ROW. Parcel #4 is 90 feet wide, meaning additional ROW would need to be obtained in order to construct the planned road connection. There is also a proposed future collector road that would bisect parcel #5 and continue west. A roundabout is also planned where these two roads would intersect.

In addition to the future road, Staff anticipates that a future regional utility corridor would be necessary as land in this area develops over time. The location of an easement would likely be necessary approximately 400 feet south from the future east/west collector road.



*No single criterion is necessary or sufficient for the establishment of an agriculture protection area. Rather, the criteria in this section are for evaluation and consideration by the Advisory Board, Planning Commission, and the City Council.*



Indoor Batting Cages  
Conditional Use Permit  
1432 West 3470 North  
0.14 acres  
I-1 Zone  
Industrial General Plan Designation



## PROPOSAL

The Applicant submitted a Conditional Use Permit application for a proposed indoor batting cage facility. The property, Knoxx Plaza, is multi-tenant warehouse in the I-1 Industrial Zone.

The use would occupy 4,000 square feet of the 6,000 square foot space with artificial turf, dividers, and up to four batting cages. The proposed hours of operation would be between the hours of 4:00 pm and 10:00 pm, with 1-2-hour time blocks available for scheduling by individuals or teams. The Applicant anticipates no more than 15 participants, including coaches, to be present during each time block. The facility has more than three off street parking stalls available per cage, which exceeds the minimum requirement of one stall per cage. The DRC reviewed the proposal and forwarded a positive recommendation to the Planning Commission.

Some of the key issues to consider are: potential detrimental impacts and parking availability/accessibility.

## RECOMMENDATION

That the proposed Conditional Use be approved based on the following findings and subject to the following conditions:

### Findings

1. That the proposal conforms to the City's General Plan Designation and Zoning Map.
2. That adequate parking exists in the development to accommodate the proposed use.

### Conditions

1. That the Applicant meets the City's development and construction standards and other applicable City ordinances.
2. That the Applicant adheres to the statements made in the request letter.

## EXHIBITS

1. Request letter.





920 West Annexation  
920 West 200 North  
6.57 acres  
R-R Rural Residential  
Proposed Zone  
Medium Density General Plan  
Designation



## PROPOSAL

The applicant has requested that two parcels, totaling 6.57 acres, be annexed into Spanish Fork. The subject property is currently outside City boundaries but is located within the City's Annexation Policy Boundary and Growth Management Boundary. Upon annexation, it is recommended that these parcels be assigned the zoning designation of R-R Rural Residential. The City has not received any development plans for the property.

On November 5, 2024, the City Council accepted this annexation proposal for further study. The protest period for the annexation ended on January 4, 2025 and no protests were received.

A feasibility study for the proposed annexation has been completed by Spanish Fork City staff that reviewed such topics as land use, utilities, transportation, public safety, parks and recreation and financial impacts.

The Development Review Committee recommended the Annexation be approved with Rural Residential Zoning on January 15, 2025. The vote on the Development Review Committee's recommendation was nearly unanimous, with one member voting against recommending approval.

Some of the key issues to consider are: annexation configuration, general plan, land uses, zoning, utilities, power, access for future development and roads.

## RECOMMENDATION

That the proposed Annexation be approved based on the following findings and subject to the following condition:

### Findings

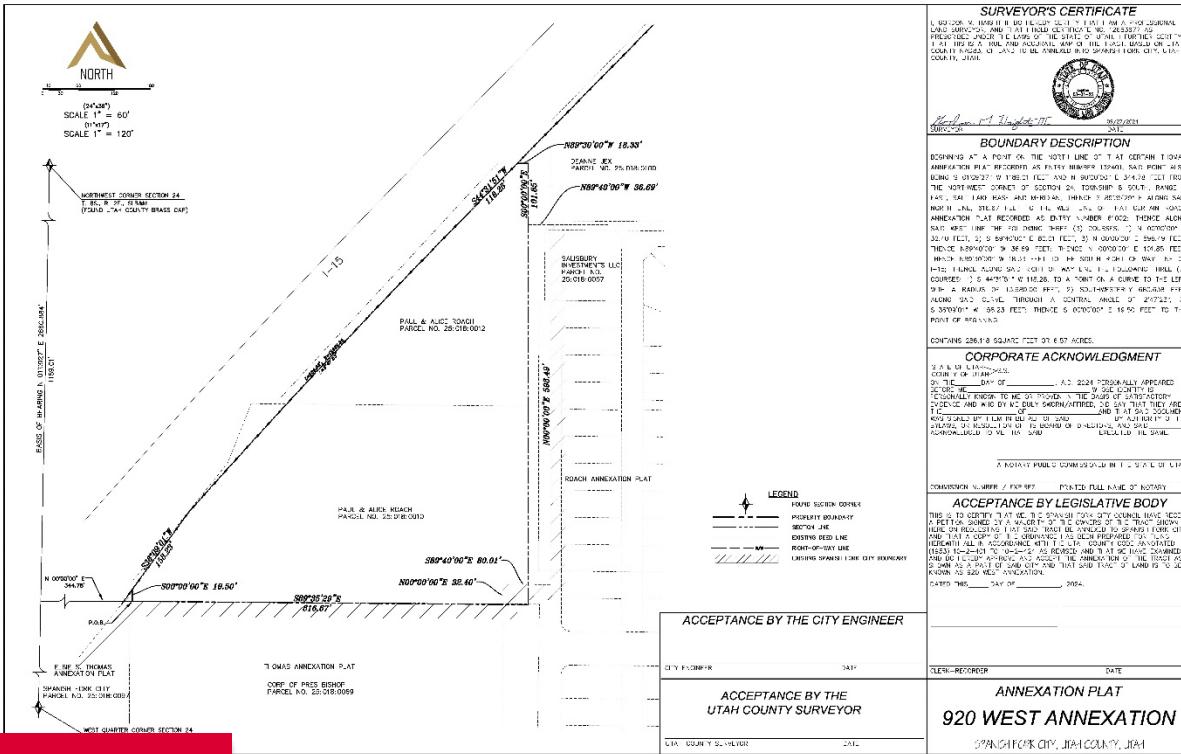
1. That the subject property is located within the City's Annexation Policy Boundary and Growth Management Boundary.
2. That the City's General Plan Land Use Designation for the annexation area is predominantly Medium Density Residential.

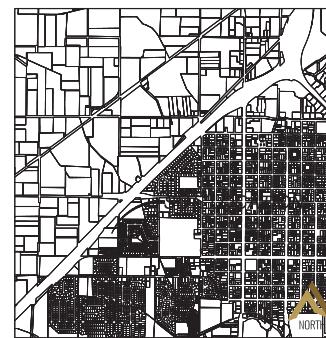
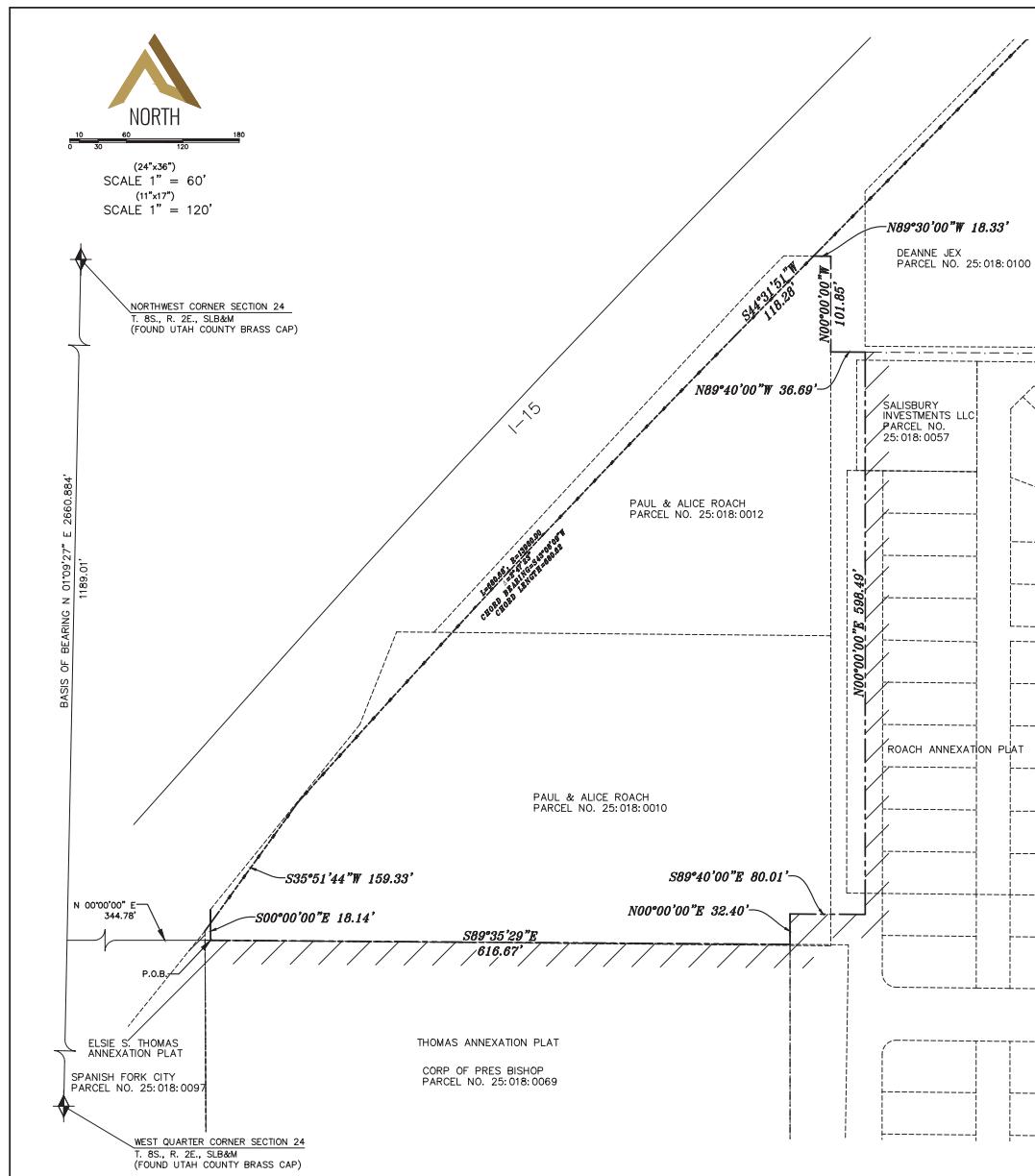
### Condition

1. That the R-R Rural Residential zone should be utilized at the time of annexation.

## EXHIBITS

1. Annexation Plat.
2. Feasibility Study.
3. Pictures.





**SURVEYOR'S CERTIFICATE**

I, GORDON M. HAIGHT III DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12653677 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT, BASED ON UTAH COUNTY NAD83, OF LAND TO BE ANNEXED INTO SPANISH FORK CITY, UTAH COUNTY, UTAH.

Gordon M Haight III  
SURVEYOR

10/28/2024  
DATE

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF THAT CERTAIN THOMAS ANNEXATION PLAT RECORDED AS ENTRY NUMBER 132401, SAID POINT ALSO BEING S 01°29'27" W 118.90 FEET AND N 90°00'00" E 344.78 FEET FROM THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 8 SOUTH, RANGE 2 EAST, SALT LAKE BASE, AND MERIDIAN; THENCE S 89°35'29" E ALONG SAID NORTH LINE, 616.67 FEET TO THE WEST LINE OF THAT CERTAIN ROACH ANNEXATION PLAT RECORDED AS ENTRY NUMBER 61002, THENCE ALONG SAID WEST LINE THE FOLLOWING THREE (3) COURSES: 1) N 00°00'00" E 32.40 FEET, 2) S 89°40'00" E 80.01 FEET, 3) N 00°00'00" E 598.49 FEET; THENCE N 89°40'00" W 36.69 FEET; THENCE N 00°00'00" E 101.88 FEET; THENCE N 89°30'00" W 18.33 FEET TO THE SOUTH RIGHT OF WAY LINE OF I-15; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: 1) S 44°31'51" W 118.28, TO A POINT ON A CURVE TO THE LEFT WITH A RADIUS OF 13,980.00 FEET, 2) SOUTHWESTERLY 680.68 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°27'23", 3) S 35°51'44" W 159.33 FEET; THENCE S 00°00'00" E 18.14 FEET TO THE POINT OF BEGINNING.

CONTAINS 286.118 SQUARE FEET OR 6.57 ACRES

#### **CORPORATE ACKNOWLEDGMENT**

---

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH

COMMISSION NUMBER / EXPIRES \_\_\_\_\_ PRINTED FULL NAME OF NOTARY \_\_\_\_\_

#### ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, THE SPANISH FOR CITY COUNCIL HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HERE ON REQUESTING THAT SAID TRACT BE ANNEXED TO SPANISH FOR CITY, UTAH, AND THAT THE OWNERS OF THE TRACT AGREED FOR THE HEREBY ANNEXED, IN ACCORDANCE WITH THE UTAH COUNTY CODE ANNOTATED (1953) 10-2-401 TO 10-2-424 AS REVISIED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY AND THAT SAID TRACT OF LAND IS TO BE KNOWN AS 920 WEST ANNEXATION.

ENGINEER/SURVEYOR CONTACT INFO  
ATLAS ENGINEERING LLC  
(801) 655-0566  
946 E. 800 N. SUITE A  
PROVO, UTAH 84601

LEGE

- FOUND SECTION CORNER
- PROPERTY BOUNDARY
- SECTION LINE
- EXISTING DEED LINE
- RIGHT-OF-WAY LINE

**ACCEPTANCE BY THE CITY ENGINEER**

— CITY ENGINEER

ACCEPTANCE BY THE  
UTAH COUNTY SURVEYOR

---

UTAH COUNTY SURVEYOR

---

ANNEXATION PLAT

## 920 WEST ANNEXATION

SPANISH FORK CITY UTAH COUNTY UTAH

# SPANISH FORK

PRIDE & PROGRESS

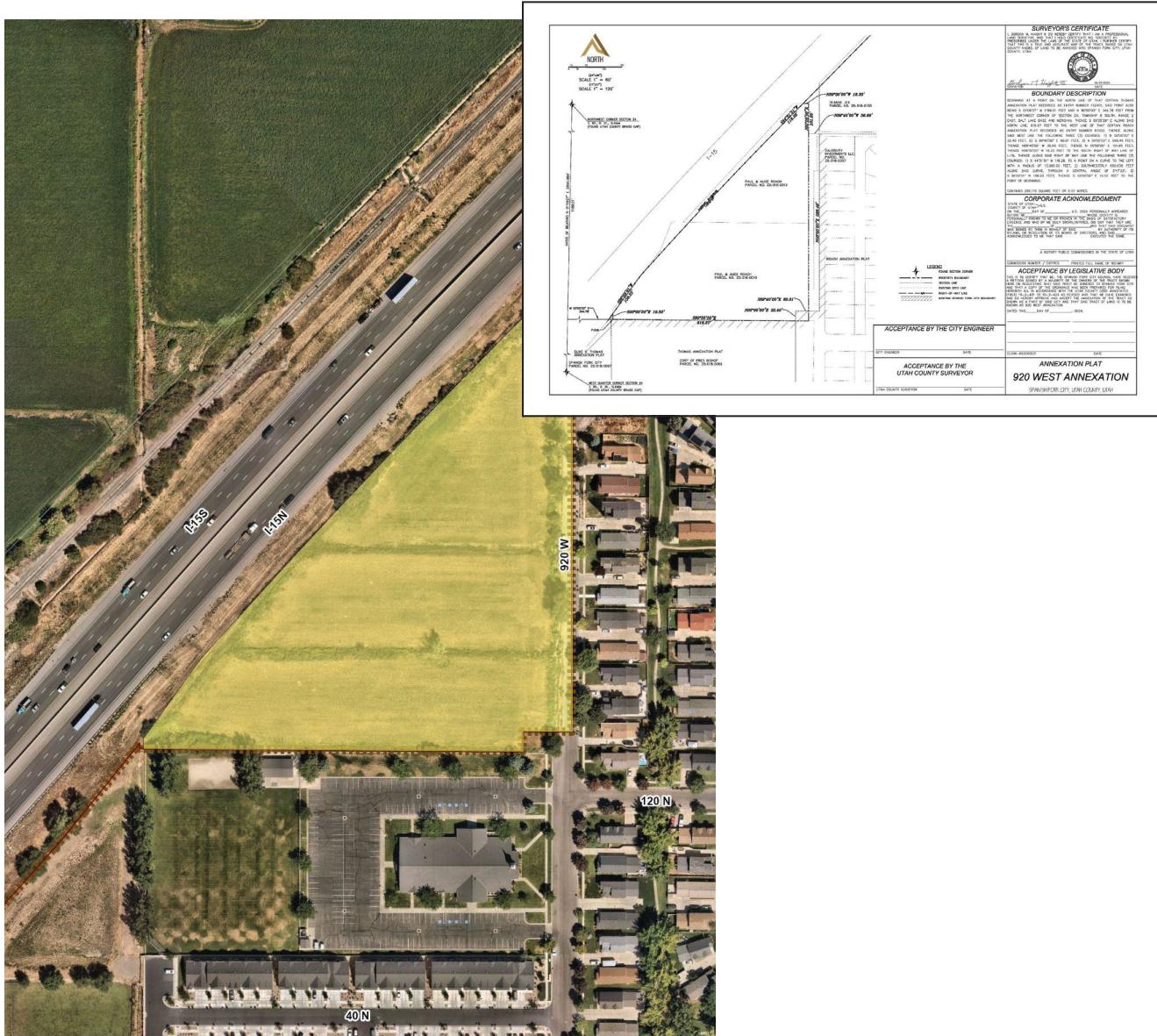
TO: City Council

FROM: Ian Bunker, Community Development Department

DATE: January 15, 2025

RE: Tate Murphy, 920 West Annexation Feasibility Study

The area being considered for annexation encompasses 6.57 acres, comprising two parcels and owned by two people. At present, these properties are vacant.



**Section 1 - Land Use**

1.1 Does the proposal fall within the Annexation Policy Boundary?

Yes, the proposed annexation lies within the boundaries of the City's Annexation Policy.

1.2 Does the proposal fall within the Growth Boundary?

Yes, the proposed annexation is located within the Growth Boundary.

1.3 Does the proposed annexation result in the creation, elimination, or presence of an unincorporated land peninsula or island?

No, the proposed annexation does not result in the creation of a peninsula or island. The parcels in question are currently unincorporated islands in Utah County, bordered by Spanish Fork on three sides and I-15 on the fourth. This annexation would enhance the contiguity of Spanish Fork's boundaries.

1.4 Should we consider a more geographically, topographically, or naturally logical boundary?

The proposed boundary is reasonable and aligns with geographic and topographic considerations.

1.5 Does the applicant request zoning other than Rural Residential or Exclusive Agricultural upon annexation?

No, the applicant is requesting Rural Residential zoning.

1.6 What justifies the requested zoning?

The property is adjacent to several parcels zoned R-3, R-1-6, and R-R. Additionally, the General Plan designates this area for medium-density residential and mixed-use development. While the current request is for Rural Residential zoning, future development proposals in the annexation area would necessitate zoning amendments.

1.7 Is there a current or five-year projection of economic base in the area, considering household size, income, or commercial and industrial development?

No, no projections for economic development or fiscal impact have been conducted in association with this annexation proposal. Given the size, configuration and anticipated land use in the annexation area, staff does not believe this proposal would have a notable impact on the City's finances.

1.8 Has the annexation application included a concept plan?

No, there have been no discussions or submissions of concept plans for the properties in the proposal.

1.9 Would an Annexation Agreement be appropriate for this annexation?

Given the proposed Rural Residential zoning, staff does not believe there is value in having an annexation agreement.

## **Section 2 - Utilities**

2.1 What utility services are currently available in the annexation area?

The annexation area is currently farmland with no existing utility services. However, sewer, culinary water, and pressurized irrigation are available along 920 West, and storm drain infrastructure exists near I-15.

2.2 Who currently provides utility services in the annexation area?

The annexation area, being farmland, is not currently serviced by utility providers.

2.3 What off-site infrastructure needs to be installed in the area before development occurs?

No off-site infrastructure needs have been identified by staff at this time.

2.4 Power

2.4.1 Are there any existing SESD meters or other power providers in the vicinity?

No, there are not any existing SESD meters in the vicinity.

2.4.2 Does the City currently possess an adequate inventory of the necessary equipment to supply power to the area?

Yes, Spanish Fork possesses an adequate inventory of equipment to supply power as there is existing single-phase power in the area.

2.4.3 What is the lead time, if any, required to provide power to the annexation area presently?

There is no lead time to provide power as single-phase power is available to be distributed to the annexed area.

2.4.4 What is the lead time, if any, required to provide power to the annexation area for further development purposes?

There is no lead time to provide power as single-phase power is available to be distributed to the new area.

2.4.5 What is the estimated cost for establishing the power infrastructure required to support additional development in the annexation area?

There is no estimated cost for establishing power as no development currently exists in the annexation area that requires power.

2.4.6 Are there any existing agreements in place for previously installed power infrastructure within the annexation area?

There are no known agreements to provide power to the area.

2.4.7 What is the anticipated distance of the offsite improvements required to bring services to the site?

Single-phase power is available for distribution located directly in the southeast corner of the proposed annexation.

## 2.5 Water

2.5.1 Have any groundbreaking agreements been established for existing water infrastructure within the annexation area?

No, there are no known agreements regarding water infrastructure within the annexation area.

2.5.2 What water infrastructure is presently necessary to cater to the needs of the annexation area?

Water requirements are not applicable to the annexation until it undergoes development.

2.5.3 How much lead time is necessary to provide the required water infrastructure to the annexation area at present?

Water requirements are not applicable to the annexation until it undergoes development

2.5.4 What is the estimated cost to provide the necessary water infrastructure for the present needs of the annexation area?

Water requirements are not applicable to the annexation until it undergoes development.

2.5.5 What water infrastructure is currently needed to accommodate additional development in the annexation area?

An 8-inch culinary waterline on 920 West can service the annexation area. Future development will require the installation of an 8-inch waterline within the annexation area.

2.5.6 How much lead time is necessary to provide the required water infrastructure for further development in the annexation area?

The water system is ready for expansion. The timeline depends on the developer's efforts to design, approve, and construct the necessary infrastructure.

2.5.7 What is the estimated cost to provide the water infrastructure needed for additional development in the annexation area?

The estimated cost will depend on the development's specific needs.

2.5.8 What is the expected distance of offsite improvements required to extend services to the site?

The existing 8-inch culinary waterline on 920 West is in proximity to the annexation area.

2.6 Sewer

2.6.1 Are there any existing agreements for sewer infrastructure in the annexation area?

No, there are no known agreements regarding sewer infrastructure.

2.6.2 What sewer infrastructure is necessary to serve the annexation area at present?

Sewer infrastructure will not be required until development occurs.

2.6.3 How much time is needed to provide the necessary sewer infrastructure for the annexation area?

Sewer infrastructure will not be required until development occurs.

2.6.4 What is the estimated cost of providing the necessary sewer infrastructure for the annexation area at present?

Sewer infrastructure costs are not applicable until development occurs.

2.6.5 What sewer infrastructure is necessary to accommodate additional development in the annexation area?

An 8-inch sewer line along 920 West can service the annexation area. However, the site will likely require filling to achieve the necessary sewer depths.

2.6.6 How much lead time is required to provide sewer infrastructure for additional development in the annexation area?

The timeline for sewer infrastructure will depend on the developer's efforts to design, approve, and construct the necessary improvements.

2.6.7 What is the estimated cost of providing the necessary sewer infrastructure for additional development in the annexation area?

Costs will vary based on the development's needs, with the majority likely stemming from site preparation and grading.

2.6.8 Are there any concerns regarding the depth and grading for adequate flow?

Yes, the site will likely need to be filled to achieve the required sewer depths. The existing sewer line on 920 West is only three feet deep.

2.6.9 What is the estimated distance of required offsite improvements to provide services to the site?

The existing 8-inch sewer line on 920 West is adjacent to the annexation area.

## 2.7 Storm Drain

2.7.1 Are there any irrigation channels in the vicinity that require modifications or enhancements to accommodate additional development?

The annexation area includes irrigation channels, and modifications such as piping or rerouting may be required depending on the nature of the development.

2.7.2 Does the area currently have a mainline infrastructure, either through property easements or along the streets? If yes, are there any existing agreements in place?

The annexation area contains a mainline storm drain located on the west and south edges of the area.

2.7.3 What storm drain infrastructure is presently necessary to serve the annexation area?

No additional storm drain infrastructure is currently required to serve the annexation area until development occurs.

2.7.4 How much time is needed to provide the required storm drain infrastructure for the annexation area?

No additional storm drain infrastructure is currently required to serve the annexation area until development occurs.

2.7.5 What is the estimated cost of providing the necessary storm drain infrastructure to serve the annexation area at present?

No additional storm drain infrastructure is currently required to serve the annexation area until development occurs.

2.7.6 What storm drain infrastructure is presently necessary to serve future development in the annexation area?

Future development will require on-site detention and an outlet connection to the existing nearby storm drain.

2.7.7 How much time is needed to provide the required storm drain infrastructure for future development in the annexation area?

The timing, design, approval process, and construction for providing the drainages, ditches, and pipes will be the responsibility of the developer.

2.7.8 What is the estimated cost of providing the necessary storm drain infrastructure to serve future development in the annexation area?

The estimated cost for the infrastructure is approximately \$40,000

2.7.9 Where would any discharged water flow to?

The discharged water will flow into the existing storm drain system along I-15, located just west of the annexation area.

2.7.10 What is the expected distance of offsite improvements needed to connect services to the site?

The distance required to connect services to the annexation site is approximately 100 feet.

## 2.8 Natural Gas

2.8.1 What natural gas infrastructure is needed today to serve additional development in the annexation area?

Spanish Fork City understands that properties surrounding the annexation area are currently being served by Dominion Energy and that Dominion Energy has adequate facilities in place to serve development in the annexation area.

2.8.2 What lead time is required to be able to provide the natural gas infrastructure that is needed for additional development in the annexation area?

Not applicable.

2.8.3 What is the estimated cost to provide the natural gas infrastructure that is needed to serve additional development in the annexation area?

Not applicable.

2.8.4 What is the anticipated distance of required offsite improvements to bring services to the site?

Not applicable.

### **Section 3 - Transportation**

3.1 What transportation infrastructure is required to serve the annexation area at present?

At present, there is no additional transportation infrastructure required to serve the annexation area until development occurs. However, in order for the property to develop, depending on the proposed use, additional access to the property may be required. The additional access may be required to satisfy the City's requirement that developments with a certain number of homes have more than one access.

3.2 What is the lead time necessary to provide the required transportation infrastructure for future development in the annexation area?

The responsibility for designing, approving, and constructing transportation infrastructure will lie with the developer, who will determine the timeline for these activities.

3.3 What is the estimated cost of providing the necessary transportation infrastructure to serve the area presently?

No additional transportation infrastructure is required at this time, and therefore, there are no associated costs until development occurs.

3.4 What transportation infrastructure is necessary to serve future development in the annexation area?

The west side of 920 West will need to be widened and improved to accommodate future development. Internal transportation infrastructure will also need to be constructed as part of the development process to adequately serve the area.

3.5 What lead time is required to provide the necessary transportation infrastructure for future development in the annexation area?

The developer assumes the responsibility for designing, approving, and constructing the transportation infrastructure within the annexation area, and the timeline for these activities would be determined by the developer themselves.

3.6 What is the estimated cost of providing the necessary transportation infrastructure to serve future development in the annexation area?

Costs are projected to range from \$50,000 to \$200,000.

## **Section 4 - Ensuring Public Safety**

### **4.1 Fire**

4.1.1 Are there any fire services or facilities that require immediate attention to adequately serve the area?

Already covered by Station 61.

4.1.2 What enhancements will be necessary to cater to the additional development in the annexation area?

Already covered by Station 61.

4.1.3 How much time will be required to provide the required fire service in the annexation area presently?

Already covered by Station 61.

4.1.4 How much time will be required to serve the additional development in the annexation area?

Already covered by Station 61.

### **4.2 Police**

4.2.1 Are there any police services or facilities that should be added to adequately serve the area today?

There is not a need for additional police services or facilities for this annexation area.

4.2.2 What improvements will be necessary to accommodate additional development in the annexation area?

This annexation area will not require additional improvements for law enforcement services.

4.2.3 How much lead time, if any, is necessary to provide the required police service in the annexation area today?

Lead time is not required to provide law enforcement services to the annexation area.

4.2.4 How much lead time, if any, is necessary to accommodate additional development in the annexation area?

Lead time is not required to provide additional law enforcement development in the annexation area.

## Section 5 - Parks and Recreation

### 5.1 Parks

5.1.1 Are there designated areas within the proposed annexation area for parks or other recreational facilities?

There are no designated parks within the annexation area.

## Section 6 - Development Challenges

### 6.1 Sensitive Areas

6.1.1 Are there any designated wetlands in the vicinity?

There are no designated wetlands within the proposed annexation.

6.1.2 Does any part of the annexation area fall within a recognized floodplain?

The proposed annexation does not fall within the area of a recognized floodplain.

6.1.3 Are there any known hazards in the annexation area?

There are no known hazards within the proposed annexation area.

6.1.4 Do any properties in the annexation area fall within an agricultural protection zone?

There are no properties within the proposed annexation that fall within an agricultural protection zone.

6.1.5 Have there been any previous land uses in the annexation area that could have raised environmental concerns?

To the City's knowledge, there have been no known land uses within the proposed annexation area that have raised environmental concerns.

## Section 7 - Financial Impacts

7.1 What is the expected fiscal impact of the proposed annexation on the City?

Given the annexation size, anticipated land use in the annexation area and the fact that the City is already providing municipal services in the immediate vicinity, no measurable fiscal impact is anticipated with the proposed annexation.

7.2 Is there a five-year forecast of the cost of governmental services in the area?

No, no financial forecasts have been conducted in association with this annexation proposal. Given the size, configuration and anticipated land use in the annexation area, staff does not believe this proposal would have a notable impact on the City's finances.

7.3 What is the projected revenue of the proposed area if it undergoes residential, industrial, or commercial development?

According to the Land Use Element of the General Plan, the subject annexation area should eventually develop residentially. As such, it is likely that revenue generated via property tax and utility fees will not equal the City's cost to serve homes in the annexation area.



