



AMERICAN FORK CITY COUNCIL
JUNE 16, 2026
WORK SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Staci Carroll	Council Member
Tim Holley	Council Member
Ryan Hunter	Council Member
Ernie John	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Assist. City Administrator
Anna Montoya	Finance Director
Stephanie Finau	Deputy Recorder
Sam Kelly	Public Works Director
Patrick O'Brien	Development Services Director
Cody Opperman	City Planner
Heather Schriever	Legal Counsel

Also present: Cherylyn Egner, Royce Shelley, George Brown, and Keith (Bowen Collins & Associates).

The American Fork City Council held a special session, immediately followed by a work session on Tuesday, June 16, 2026, in the City Administration Conference Room, located at 51 East Main Street, commencing at 4:05 p.m.

WORK SESSION

The purpose of the City Work Sessions is to prepare the City Council for upcoming agenda items on future City Council Meetings. The Work Session is not an action item meeting. No one attending the meeting should rely on any discussion or any perceived consensus as action or authorization. These come only from the City Council Meeting.

1. Discussion on proposed amendments to the city's municipal code.

Mayor Frost commented that the proposed amendments had been brought before the Council in several previous work sessions—approximately five or six—and expressed hope that this would be the final work-session review.

Mr. O'Brien explained that the discussion was a continuation of previous work sessions and reflected direction the Council had provided to staff and consultant Cherylyn Egner. He noted that Ms. Egner had distributed a draft document to Council members the previous week that compared the proposed verbiage code with the existing municipal code and highlighted changes to help identify revisions. He described the document as a high-level working draft intended to show what was being modified and invited Ms. Egner to provide additional details regarding the formatting and highlighted revisions.

Ms. Egner emphasized that the document remained a working draft and had only been distributed to Council members because revisions were still being made before any public review process. She explained that the purpose of the draft was to identify potential code changes for Council consideration before releasing the document for broader public input and eventual legislative action. She apologized for the complexity of the color-coding system used in the draft, explaining that the formatting evolved throughout the editing process and was intended to draw attention to significant changes.

Ms. Egner stated that one of the most substantial revisions involved changes to the *Land Use* approval process resulting from recent state legislation. She explained that, under current law, the City Council can no longer serve as either the approving authority or appeal authority for administrative Land Use decisions such as site plans, conditional use permits, subdivision plats, and similar applications. To address those requirements, the draft code proposes that administrative Land Use approvals be handled by the Development Review Committee (DRC).

Ms. Egner noted that earlier versions of the draft had contemplated assigning approvals such as site plans and conditional use permits to the Planning Commission (PC). However, doing so would create complications in identifying an appropriate Appeal Authority because appeals could not be heard by the City Council. Ms. Egner explained that assigning initial decisions to the DRC would allow the PC to serve as the appeal authority, providing a clearer and more streamlined process. She described this restructuring of approval and appeal responsibilities as one of the most significant changes made during the code revision process and invited questions from the Council.

Council Member Taylor arrived at 4:04 p.m.

Council Member Carroll asked how frequently Land Use decisions have been appealed in the past. Ms. Egner responded that, historically, many of the matters that came before the City Council had been appeals, particularly subdivision plat approvals that were appealed from PC decisions.

Council Member Carroll then asked whether she was referring to appeals occurring within the last few years. Ms. Egner explained that during the past year subdivision plats have been approved by the DRC, so it would be necessary to look further back to evaluate the frequency of appeals. She stated that site plan appeals have been relatively uncommon and that most issues are typically resolved through discussions between applicants and staff before reaching a formal decision. For that reason, she felt it made sense for site plans to return to the DRC for approval because applicants already work closely with staff throughout the review process. She explained that if an applicant disagreed with staff's direction and the DRC ultimately denied the application, the applicant could then appeal the decision to the PC.

Mayor Frost asked whether Ms. Egner believed the Legislature's intent in prohibiting city councils from serving as appeal authorities for Land Use decisions was to expedite the approval process. He observed that assigning appeals to the PC did not necessarily appear to create a faster process.

Ms. Egner responded that her comments were speculative but explained that the legislative changes require Land Use approvals to be administrative in nature. She noted that many cities chose to designate their Planning Commissions as the administrative approval authority, while others considered alternatives such as Development Review Committees (DRCs). She recalled that American Fork had also considered whether administrative approvals should be handled by the PC or by a DRC.

According to Ms. Egner, assigning approvals to the PC did not necessarily result in a more efficient process. She suggested that the legislative change preventing city councils from serving as appeal authorities effectively pushes decision-making to the administrative level, either through staff, a DRC, or a PC acting in an administrative capacity. In some communities, appeals must now be heard by a separate appeal authority outside of the council structure.

Ms. Egner stated that a primary effect of the legislation is the removal of political influence from administrative Land Use decisions. She acknowledged that local officials can sometimes view issues through the lens of their own community but noted that the legislation was largely driven by development concerns occurring in larger counties such as Salt Lake and Davis Counties rather than by issues commonly experienced in Utah County communities.

Mr. O'Brien emphasized that the proposed process would not grant staff any additional authority or discretion in reviewing development applications. He explained that when recommendations are brought forward to the City Council or Planning Commission, those bodies typically follow staff recommendations because the review is based on whether a proposal complies with the City's adopted code. Under the proposed DRC process, applications will continue to be approved if they meet code requirements and would either be tabled or denied if they do not. Applicants would then need to address deficiencies and return through the review process. Mr. O'Brien stated that the proposal simply streamlines the process, creates a more direct review path, and reduces situations where elected officials are asked to approve projects that do not comply with adopted regulations.

Mayor Frost asked whether Council Members were comfortable with the proposed approach and indicated that, if there was general agreement, staff could continue applying that framework throughout the draft code revisions. Council Member Carroll indicated support for the proposal, noting that the primary alternative would be to outsource appeals to an independent appeal authority.

Ms. Egner agreed and explained that outsourcing appeals typically involves retaining outside legal counsel or another independent hearing authority, resulting in additional costs. While some municipalities use that approach, she was unaware of American Fork ever seriously considering it. She stated that this was one reason she had drafted the code to use the DRC as the initial approval authority and the PC as the appeal authority. She added that the structure also creates consistency across all administrative Land Use approvals by establishing a uniform process and clearly identifying the decision-makers involved, making the process easier for both residents and developers to understand.

Mayor Frost stated that there was also an element of elected accountability involved in the proposed appeal structure because the City Council appoints the members of the Planning

Commission. As a result, he noted that residents could still view the process as being overseen by individuals selected by elected officials.

Ms. Egner acknowledged the comment and stated that the appeal-authority issue had been the primary policy question she wanted to ensure the Council was comfortable with before moving forward. She then invited Council Members to raise any specific sections of the draft code they wished to discuss or receive additional information about.

Ms. Egner noted that the revised code document was extensive. She explained that the final draft was approximately 530 pages, compared to more than 800 pages in the existing code. She added that the page reduction was achieved despite incorporating additional materials that had previously existed outside the municipal code, including the Sensitive Lands Ordinance and the Transit-Oriented Development (TOD) regulations. Those provisions, which had previously been maintained as separate ordinances totaling dozens of pages, were integrated directly into the code to create a more comprehensive and user-friendly document. Ms. Egner acknowledged the size and complexity of the draft and remarked that it was a substantial document for the Council to review.

Council Member Carroll stated that, during her review of the draft code, she had identified a few questions but was unsure whether they should be discussed during the work session or addressed separately at another time. She explained that her questions were primarily requests for clarification to improve her understanding of the document rather than concerns about the proposed changes themselves. She asked whether the Council preferred to discuss those questions during the meeting. Mayor Frost responded that there was sufficient time to discuss them. Ms. Egner stated that she was happy to answer questions during the work session and noted that if any issue required a more detailed explanation, she would also be available to discuss it separately outside the meeting.

Council Member Carroll then indicated that she had two primary questions. She directed the Council's attention to page 53 of the draft document and began by asking about provisions related to the Planned Residential (PR) zone. She asked whether the highlighted zoning districts represented new zones or substantive changes from the existing code. Ms. Egner clarified that the highlights were not intended to indicate new or modified zones; they had carried over from the prior draft and should have been removed. Ms. Egner explained that the *Use* chart had not yet been fully updated because Council had indicated a preference to retain existing permitted and conditional uses where possible. She stated that the revised chart would therefore remain substantially similar to the current code, with only limited additions and refinements. She noted that the rewrite would create more use-specific standards for certain uses, including auto repair, liquor stores, and car washes. Rather than requiring applicants to locate requirements scattered throughout individual zoning districts, the revised code would consolidate standards for each use into dedicated sections. She also noted that the signs and outdoor advertising provisions had been comprehensively rewritten based on a version previously presented to Council several years earlier, but which had been deferred due to significant public input.

Mr. O'Brien clarified that the prior sign and outdoor advertising proposal had not reached the City Council. He stated that it was withdrawn after Planning Commission review.

Ms. Egner explained that the issue had been discussed extensively during prior work sessions, but Council ultimately deferred further consideration until the broader code rewrite. The sign and outdoor advertising provisions included in the current draft are therefore based on the version presented to Planning Commission approximately three years earlier. She noted that the city had received input from local sign companies during the earlier review process. She offered to retrieve and circulate that feedback so Council could review the concerns previously raised by the sign industry and determine whether they remain relevant.

Council Member Holley asked whether the earlier feedback was from three years ago and whether the existing code contains any provisions addressing outdoor advertising. Ms. Egner confirmed that the feedback was from that earlier process and that the current code does include an outdoor advertising section. However, she noted that the existing provisions are relatively brief, approximately a page and a half—while the proposed rewrite contains substantially more detailed regulations.

Mr. O'Brien noted that the existing sign regulations were adopted before electronic display signs became common and therefore do not address issues associated with digital signage. He identified several policy questions for Council consideration, including how frequently electronic displays may change images, how bright they may be, and how much animation or visual activity should be allowed. He explained that modern signs, including backlit signs, often allow brightness to be adjusted rather than simply turned on or off. He noted that some communities have adopted dark-sky-oriented standards that require more subdued, downward-directed lighting and less prominent advertising. Although he did not suggest that American Fork necessarily pursue a dark-sky approach, he stated that overly bright or poorly designed signs can be visually intrusive and unattractive.

Ms. Egner advised that the sign and outdoor advertising section would warrant close Council review because it had generated significant feedback during the earlier process. She stated that she was willing to revise the provisions based on Council direction and would provide the prior sign-industry feedback for reference.

Mr. O'Brien acknowledged that the sign industry's concerns were understandable, explaining that the City's earlier proposal emphasized smaller, less bright, and less prominent signage, while industry representatives generally favored larger, brighter, and more visible signs for advertising purposes.

Ms. Egner explained that sign regulations often involve competing interests between the City's desire for more subdued signage and businesses' desire to advertise effectively. She identified several policy considerations for Council, including whether signs should be dimmed or turned off after business hours and how signage should be regulated when located adjacent to residential neighborhoods. She also noted that grandfathering creates equity concerns. If the City reduces allowable sign sizes for new development, existing larger signs may remain legally nonconforming, potentially placing neighboring businesses at a disadvantage if they are prohibited from installing comparable signage. Ms. Egner stated that this issue was a primary concern raised by sign companies during the earlier review, although the level of opposition was less substantial than she had anticipated.

Mayor Frost observed that some businesses replace signs without obtaining approval or permits, creating an enforcement challenge.

Mr. O'Brien added that the City has limited authority over certain billboard relocations governed by state law. He explained that state regulations may allow a billboard to be moved within a specified area when redevelopment requires removal of its original location, such as when a building is demolished. In those circumstances, the City's role is generally limited to verifying compliance with applicable state requirements, even if the relocated sign becomes more prominent, such as a taller pylon sign.

Council Member John asked whether the revised code clearly defines "mixed-use" as a combination of commercial and residential uses, rather than a combination of different residential housing types. He emphasized the importance of ensuring that future references to mixed-use require a true commercial-residential component.

Ms. Egner confirmed that the definition appears in the definitions section, approximately page 32, and defines mixed-use as a structure containing both residential and commercial uses within the same building. She stated that the draft does not provide additional detail beyond that definition but did not believe further specificity was necessarily needed.

Council Member Hunter noted that the definition was intended to address concerns raised in prior discussions. Ms. Egner confirmed that, under the proposed code, mixed-use specifically means residential and commercial uses.

Council Member Hunter asked whether the code could include a default rule for resolving questions or uncertainty about City definitions. Mr. O'Brien noted that interpretive authority would generally rest with the zoning administrator.

Ms. Egner cautioned that simply stating the City's interpretation controls would not prevent legal challenges and could result in costly litigation. She recommended clarifying terms as specifically as possible within the code and, where appropriate, relying on established state-law definitions.

Council Member Hunter suggested referencing definitions used by a recognized development or construction industry organization for terms such as mixed-use. Ms. Egner agreed that incorporating or deferring established external definitions could be a preferable approach. He explained that the code could specify that, when a term is not defined locally or when uncertainty exists, the City would defer to identified state-law or industry-standard definitions. In contrast, a broad provision declaring that the City's interpretation controls whenever a definition is uncertain could invite litigation.

Mayor Frost raised concern about relying on definitions from an outside association, noting that unlike state law, the city would not necessarily be aware when an association changed its terminology. He asked whether the city would need to adopt a dated version of those definitions to maintain a consistent standard.

Ms. Egner agreed that the city should adopt a specific set of definitions, similar to its adoption of building and fire codes. She stated that the preferred approach would be to include as many relevant definitions as possible directly in the municipal code. If another source provides a useful definition, she recommended incorporating that definition into the code rather than relying on an external reference. She noted that the draft already includes

numerous definitions, including some for relatively straightforward terms, because an abundance of clear definitions is preferable to ambiguity.

Mr. O'Brien suggested that the City could use the International Zoning Code as a default reference for undefined terms and use classifications. He explained that it aligns with the International Building Code and International Residential Code, which the city already monitors and updates regularly. As a result, relying on that framework would not create a separate monitoring obligation, and the City could incorporate the relevant provisions into its code.

Ms. Egner stated that the city could either incorporate outside definitions directly into the code or refer to an external source but reiterated that her preference was to include the definitions in the municipal code itself. Mr. O'Brien agreed.

Mayor Frost characterized the external reference as a potential "catch-all" for terms the City may have missed. Ms. Egner agreed that it could serve that purpose but emphasized that staff should first pull as many relevant definitions as possible into the code.

Mr. O'Brien stated that no use should appear on the permitted-use table unless it is also defined in the code. If a new use is proposed, the city should define it through a corresponding code amendment before adding it to the permitted- or conditional-use list. This would allow the City to establish the parameters and standards for the use at the same time it authorizes the use.

Ms. Egner explained that the current code allows staff to approve an unlisted use if it is "similar in nature" to an existing permitted use. The proposed rewrite removes that provision. Under the revised approach, a use that is not specifically listed could not be approved administratively. Instead, it would require a City Council code amendment to add the use to the permitted- or conditional-use table, reducing administrative decisions while retaining Council authority over new land-use categories.

Mr. O'Brien explained that, under the current "other uses as deemed appropriate" provision, most determinations are made by the PC, with only one circumstance requiring City Council action. Removing that provision would restore the Council's legislative role over whether new or unlisted use categories should be allowed.

Ms. Egner noted that the city has historically received requests from businesses seeking to characterize themselves as "similar in nature" to an allowed use even when their actual operations differ. The proposed code would eliminate that pathway. A business would either fit with an expressly defined and listed use, or it would not. If it does not, the applicant could request a code amendment to establish the use as permitted or conditional, along with appropriate standards, but could not obtain basic administrative approval through the Development Review Committee by relying on a similarity argument.

Mr. O'Brien acknowledged that this approach adds process for novel use but stated that it provides greater protection for the City by ensuring new use categories are considered through the appropriate legislative process rather than being decided administratively outside the Council's role.

Council Member John observed that clearly defined, listed uses would continue to proceed directly through the Development Review Committee without Council involvement. Ms. Egner clarified that Council would not approve a particular applicant's use; rather, Council would consider a code amendment establishing the use category. Once adopted, the applicant will still need to proceed through the DRC for project-specific approval.

Council Member Carroll raised concern with the R4-7500 multifamily standard on page 58. The draft permits a multifamily dwelling with a minimum of 20,000 square feet for the first four units, plus 3,000 square feet for each additional unit. She noted that the provision does not establish a maximum number of units, meaning the density could continue to increase so long as the site has sufficient frontage and land area. Mr. O'Brien confirmed that the current standard would allow additional units based on available frontage and square footage. He explained that the R4 zone is generally intended for structures containing up to four units, while larger multifamily projects are permitted in other, more appropriate multifamily zones.

Council Member Carroll stated that the R4-7500 zone should not permit more than four units. Mr. O'Brien agreed that apartments and larger multifamily developments should remain allowed in the city but should be directed to zones intended for that level of density rather than located in an R4 district that could be adjacent to lower-density development.

Ms. Egner summarized the direction as removing the provision allowing an additional 3,000 square feet for each unit above four. Under that revision, the R4-7500 standard would require 20,000 square feet for the first four units, with no additional units permitted.

Mr. O'Brien clarified that the intent was not to limit an R4-7500 site to only one four-unit structure. Rather, a site with sufficient land area could accommodate multiple separate four-unit buildings. For example, a 40,000-square-foot site could support two quadplexes, assuming all applicable frontage and development standards are met. He emphasized that the change would prevent an applicant from treating a four-unit building as a larger multifamily structure—such as a ten-unit building—within the R4-7500 zone. In other words, the district could allow multiple quadplexes on a larger site, but each individual structure would remain limited to four units.

Council Member Carroll asked whether the in-fill-lot provisions on page 61 were entirely new, noting that in-fill development had been discussed extensively and had created recurring issues. Mr. O'Brien explained that the proposed infill-lot standards would generally replace the City's existing inter-block cottage provisions.

Ms. Egner clarified that the infill-lot section is new compared with the current code, although it reflects prior Council discussions. She noted that the existing inter-block cottage provisions remained highlighted in the old code because staff still needed Council direction on whether to retain, revise, or replace them. She indicated that the proposed infill-lot standards were intended to reflect the approach Council had previously discussed.

Council Member Carroll noted that the minimum lot-size figure in the section heading remained blank and had not yet been determined. Ms. Egner stated that she would need to verify the source language but explained that the provision was not drafted from scratch. She believed it had been adapted from another jurisdiction's code and then modified through discussions with Mr. O'Brien.

Mr. O'Brien stated that a detailed infill-development section is necessary as the city enters a more mature stage of growth. Although American Fork continues to experience new development, he noted that downtown and other historic areas increasingly need redevelopment and infill. He emphasized that infill standards therefore need to be more comprehensive than a brief code provision.

Council Member Carroll asked whether the proposed infill standards applied only to residential development and whether the code included comparable provisions for commercial infill. Mr. O'Brien confirmed that the specific section under discussion was residential. He stated that commercial infill would, for now, be addressed through the general code provisions rather than a dedicated infill section.

Mr. O'Brien explained that commercial infill warrants a separate future effort after the city has further considered the polycentric city-center plan, General Plan, other long-range plans, and their implementation strategies. He stated that those planning efforts will identify issues requiring more detailed analysis than can be addressed within the scope of the current code rewrite. Ms. Egner added that commercial infill involves significant additional complexities, particularly parking. She noted that parking is often a major constraint in commercial infill areas and would require careful consideration in any future commercial-infill standards.

Council Member Carroll noted that many properties are currently unable to be redeveloped because of existing code requirements. Mr. O'Brien agreed and explained that parking requirements are a major obstacle, particularly because structured parking is expensive and often necessary for commercial redevelopment. He described potential tools for reducing parking demand, including shared or time-of-day parking arrangements for uses with different peak hours and credit for on-street parking along a project's frontage. He asked whether the city should allow both types of reductions or require a project to choose the single option that provides the greater benefit.

Ms. Egner stated that the draft takes the latter approach. A project may either use time-of-day parking reductions or count available on-street parking toward its required parking total but may not use both. She explained that allowing both could overstate the available parking supply because parking demand varies significantly by time of day.

Mr. O'Brien added that limiting projects to one parking reduction method prevents the first redevelopment project in an area from consuming multiple forms of available parking capacity. For example, a project could otherwise use time-of-day shared parking while also claiming all available on-street spaces along its frontage, potentially limiting the ability of neighboring properties to redevelop later. The proposed approach is intended to preserve a range of redevelopment options for multiple properties rather than allowing one project to "double dip" and absorb the available parking capacity.

Council Member Hunter asked how the city tracks parking credits, particularly on-street parking adjacent to a project, to ensure the same spaces are not counted by multiple developments. He described a scenario in which one project relies on a parking agreement and a neighboring project later seeks to rely on the same parking capacity.

Mr. O'Brien stated that the City's developing GIS database should make those records more visible and easier to track than relying solely on table-based documentation. He also explained that shared-parking agreements involving separate properties generally require a recorded document. During project review, staff can verify whether the parking capacity has already been committed to another development. He added that if a project relies on parking located on a vacant neighboring parcel, a later development on that parcel would be constrained by the area already committed to parking.

Council Member Hunter returned to the proposed setback changes, noting that they had been a significant point of discussion, and asked where the draft currently stood. Ms. Egner explained that the setback standards in the draft reflected staff's proposed changes. She suggested holding a separate work session to review the rationale for each proposed setback in detail. She stated that she had generally incorporated the standards recommended by staff where staff had identified a reason for the change.

Mr. O'Brien explained that staff's concern with reducing setbacks too far is the resulting loss of usable on-site parking space. When lots do not have adequate front or side-yard area for vehicles, trailers, recreational equipment, or other accessory parking, those vehicles are pushed into the public right-of-way. This can create neighborhood conflicts when residents park in front of neighboring homes and then expect the City to resolve the resulting issues. He noted that narrow side-yard setbacks on both sides of a home can prevent practical parking access. Allowing sufficient width on at least one side yard can reduce reliance on street parking. He added that even where a nominally wider side yard exists, physical features such as window wells, chimneys, or other building projections may make the area unusable for parking.

Mr. O'Brien explained that a 10-foot side yard may still be too narrow for practical vehicle parking when a vehicle is positioned between a house wall and a fence. Even if a vehicle physically fits, the available space may not allow occupants to fully open vehicle doors without parking tightly against one side and unloading passengers first. He stated that the proposed 12-foot setback was intended to provide additional functional clearance for vehicle access and door swing. He contrasted the proposed approach with the 10-foot/22-foot setback configuration reflected in the draft, noting that some residents understood the practical benefit of additional width while others objected to the larger setback requirement.

Council Member Hunter clarified that he was referring to the 10-foot/22-foot standard currently written in the draft. He emphasized that setbacks must account for physical obstructions, such as window wells and roof soffits. A side yard may appear wide enough on paper for a vehicle, trailer, or motorhome, but roof overhangs can reduce usable clearance and prevent taller vehicles from fitting.

Mr. O'Brien added that the current code includes a provision allowing a side-yard setback to be reduced to six feet when an attached garage is located on one side of the home. He questioned how "garage" is defined for purposes of applying that reduction.

Council Member Hunter asked how setbacks are measured, including whether they begin at the porch, exterior wall, roof soffit, curb, or another feature. Mr. O'Brien stated that staff generally measure from the building elevation but expect roof overhangs and similar projections to remain outside required setbacks and easements. He explained that a nominal

10-foot setback may therefore require the building wall to be placed about 11.5 feet from the property line.

Ms. Egner stated that the code should clearly define that measurement method. Mr. O'Brien agreed and added that recent state-law changes prevent cities from counting porches and landings within required setbacks, so those features must be accommodated separately.

Council Member Hunter noted that plans can appear compliant while projections, wall thickness, soffits, and similar features reduce usable space. Mr. O'Brien agreed that plans do not always reflect actual building dimensions.

Council Member Hunter asked that side-yard setback measurements account for those real-world conditions. Ms. Egner agreed and stated that the code could be revised to provide side-yard measurement standards similar to those already used for front setbacks.

Mayor Frost asked what specific standard the city should adopt. Ms. Egner responded that staff should first review applicable state law to determine what limitations apply, particularly because state requirements have already affected how the city may regulate front setbacks.

Ms. Egner stated that staff would review the issue and add clearer measurement standards for side setbacks. She explained that the draft already addressed front-setback measurement because that issue had generated prior disputes but agreed that side setbacks are equally important.

Mayor Frost asked whether setbacks should be measured from the back of curb or another reference point. Mr. O'Brien responded that the appropriate reference is the lot line, which accounts for differing conditions in older areas of the City.

Ms. Egner clarified that the measurement should be taken from both existing and future lot lines. Where a master-planned roadway requires future right-of-way dedication, the setback would be measured from the anticipated property line after dedication rather than the existing lot line. She noted that some existing American Fork lot lines extend well into roadway areas, making a future-lot-line standard necessary.

Council Member Hunter asked whether the city could require a combined 22-foot side-yard setback while requiring at least one side yard to be 12 feet wide. Mr. O'Brien explained that the proposed 10-foot/22-foot standard effectively achieves that result by requiring one side yard to be at least 10 feet and the combined side yards to total 22 feet, leaving at least 12 feet on the opposite side.

Council Member Hunter also asked whether the combined setback could provide flexibility for additions. Mr. O'Brien said that approach could be considered, but the City would need to establish how close structures could be placed to property lines. He noted that utility easements often affect side yards and that a 5-foot setback could require approximately 6.5 feet of actual clearance to keep roof overhangs out of the easement.

Ms. Egner added that setbacks could not be reduced much to approximately 6.5 feet without creating fire-code concerns, particularly where neighboring homes could also be located close to the shared property line. Mr. O'Brien further noted that a building's footings may

extend beyond the exterior wall. If a building is shown at a five-foot setback based only on the wall line, its foundation could intrude into the public utility easement and reduce the easement's usability. Council Member Hunter reiterated that this was another reason to measure from the soffit or outer building projection rather than only from the wall.

Ms. Egner stated that reducing the minimum side-yard setback was a policy question for Council. She explained that fire code requires at least 10 feet of separation between structures, which could allow a five-foot setback on each adjoining property if measurements were taken from the footing line. In practice, a 5-foot footing-line setback could place the building closer to 7 feet from the property line once easement and construction considerations are accounted for. She noted that any such change would need to be directed by Council.

Mr. O'Brien cautioned that measuring footings could create inconsistent results because footing widths vary based on soil conditions, structural loads, and building design. A uniform standard based on footings could therefore be difficult to administer.

Ms. Egner suggested that the code could establish a minimum side setback—such as 6 feet—while also prohibiting footings from encroaching into a public utility easement. She acknowledged, however, that monitoring those conditions could be challenging.

Mr. O'Brien suggested a 7-foot/12-foot side-yard configuration as a compromise, while Ms. Egner proposed retaining the existing 8-foot minimum on one side and increasing the combined setback from 20 to 22 feet.

Mr. O'Brien noted that most concerns arise where variances reduce both side setbacks to five feet. He stated that retaining the existing 8-foot/20-foot standard where it is working would avoid widespread nonconformities and make future additions easier for existing homeowners.

Mayor Frost asked whether there was a compelling reason to change the existing standard. Ms. Egner said wider side yards could preserve on-site parking and provide flexibility for future ADU-related parking demand.

Mr. O'Brien added that narrow side yards can create conflicts when homeowners need rear-yard access for pools, shops, or other improvements. Wider setbacks would allow owners to complete those projects without relying on neighboring properties.

Ms. Egner noted that staff could readily return to the existing standards if directed, since the comparison materials and prior requirements were already documented.

Mr. O'Brien suggested that the Planning staff could prepare SketchUp illustrations showing how the proposed setback standards would function on an actual lot. He stated that plan-view or aerial-style examples could help Council evaluate the practical effects of the standards rather than relying only on dimensions in a table. He asked whether that visualization would be helpful or whether Council preferred to retain the existing standards to avoid creating new complications.

Council Member Carroll indicated that she was leaning toward retaining the current standards. She expressed hesitation about increasing setbacks in a way that would further limit homeowners' use of their property. She also stated that parking along the side of a yard was not a common concern from her perspective.

Council Member Holley suggested that side-yard parking may refer to gravel driveways or areas used to store motorhomes and similar vehicles.

Council Member Hunter explained that this is a common issue in cul-de-sac neighborhoods, where a recreational vehicle or camp trailer may not fit beside a home. As a result, it is often placed in the driveway, pushing household vehicles onto the street. He connected the issue to parking requirements for basement apartments and accessory dwelling units, emphasizing that required parking should be accommodated on the property rather than in the street or on front-yard landscaping.

Mr. O'Brien added that the alternative to providing functional side-yard parking may be allowing homeowners to remove front-yard landscaping and convert it into hardscape parking areas. He suggested that the city should consider whether it prefers to accommodate additional parking in a less visible side-yard location while preserving front-yard landscaping and neighborhood appearance.

Ms. Egner stated that the proposed wider side-yard setbacks are intended to anticipate future parking demand if accessory dwelling units become more broadly permitted. She noted that without space for an ADU occupant to park on-site or along the side of the home, the vehicle would likely be parked in the public right-of-way.

Council Member Carroll questioned whether ADUs were permitted, and Ms. Egner confirmed that they are. Council Member Carroll noted that parking demand is not limited to ADUs because many households already have multiple vehicles.

Council Member Hunter stated that homeowners should provide parking on their own property rather than relying on neighboring frontage, public rights-of-way, or front-yard parking. Mr. O'Brien noted that this may not be feasible on all lots, particularly narrow cul-de-sac lots that meet minimum width requirements but have limited frontage and practical space for additional parking.

Ms. Egner stated that staff could return the side-yard setback standards to the existing requirements, while leaving room for further Council discussion if desired.

Council Member Holley confirmed his understanding of the current standard: a minimum eight-foot side yard on one side, with a combined minimum of 20 feet across both side yards. Ms. Egner confirmed that this results in an 8-foot and 12-foot configuration, or greater setbacks where a property owner chooses to provide more space.

Council Member John returned to the multifamily standards and noted an apparent inconsistency between the R3 and R4-7500 districts. He observed that R3 could allow up to four units while the R4-7500 provision appeared to allow a greater number of units. He asked Ms. Egner to review the provision with Mr. O'Brien to ensure that the R4-7500 district is limited appropriately. Ms. Egner agreed and confirmed that she had noted the issue.

Mayor Frost then asked about next steps for the code rewrite, including whether the remaining issues required another work session or whether the draft could proceed directly to a Council meeting for the formal adoption process.

Ms. Egner recommended that the draft not move into the formal approval process immediately. She noted that not every Council Member had completed a full review and stated that, while another work session might not be necessary, Council Members should first have time to read the entire document and raise questions or identify needed corrections with staff.

Mr. O'Brien suggested using the same approach applied during the General Plan review: Council Members could meet individually with staff to discuss questions and work through specific sections. He proposed setting aside time for one-on-one meetings as needed. Ms. Egner invited Council Members to contact her or Mr. O'Brien by email, phone, or text to discuss concerns. She asked the Mayor and Council to allow additional time for individual review so that each member understands the provisions they will ultimately be asked to approve or reject.

Mayor Frost asked staff to advise him when the code rewrite was ready to be placed on a Council action agenda, suggesting approximately 30 days for Council review. Ms. Egner noted that the draft must first proceed through PC review. Mr. O'Brien stated that PC consideration was anticipated in early August.

2. Discussion on pressurized irrigation water rates.

Mayor Frost invited Keith Larson to provide an update on the proposed pressure-irrigation rate structure, confirm that Council was on the right track, and identify questions before moving forward. He noted that the city planned to hold an open house to educate residents about the proposal.

Mr. Larson reviewed the proposed five-year pressure-irrigation rate plan, which uses a continuous base rate based on lot size rather than fixed lot-size categories. Because no increase was implemented in fiscal year 2026, staff may revise the schedule to begin in 2027. The proposal includes four usage tiers, with low initial rates and progressively higher charges for heavier use, including a fourth-tier rate of \$5.16 per thousand gallons by the final phase-in year.

Council Member John asked how Tier 4 usage compares with Utah State's recommended irrigation amount, using a weekly recommendation of 1.5 inches as an example. Mr. Larson stated that Tier 4 begins at approximately 2.5 times the amount Utah State recommends. Council Member John expressed concern that the proposed Tier 4 rate may not be high enough, stating that customers using 2.5 times the recommended amount are substantially overwatering and should face a stronger price signal.

Council Member Hunter said he was open to a higher Tier 4 rate but wanted confidence in the underlying benchmark. He asked how the city determined that Utah State University recommendations were the appropriate standard for water use on a typical quarter-acre lot.

Council Member Taylor noted that the City was relying on the same authorities it had historically used. Mr. Larson stated that Utah State is the local expert on turf water needs and that its recommendations reflect the amount of water needed to maintain healthy turf in the local climate.

Mr. Bunker added that staff may have made an additional adjustment to the calculations, potentially using Utah State's recommended amount plus 10%, and indicated that he would verify the figures.

Council Member John noted that Utah State University Extension develops the underlying irrigation guidance and that the Utah Department of Natural Resources uses those recommendations in its weekly watering guide.

Mr. Larson corrected his earlier statement, explaining that Utah State's peak recommended use is approximately 25,000 gallons. He then reviewed the chart, stating that the solid black line represents current average use by customers in each lot-size category. Based on metering data, staff expect usage to decline by about 30% once customers can see and pay for their actual consumption.

Council Member Holley asked whether the expected reduction in water use would occur immediately or overtime. Mr. Larson stated that the adjustment would likely take one to two years, although many customers would reduce use quickly after receiving their first metered bill.

Mayor Frost commented that customers would likely review and adjust their irrigation clocks once they see their usage. Council Member Hunter emphasized the importance of allowing residents to monitor and evaluate their use, so they are not surprised by a high bill.

Mr. Larson acknowledged that some customers would be surprised by their bills but stated that the proposed rate structure is intended to comply with state requirements for tiered rates while encouraging efficient water use, rather than creating a punitive or "gotcha" system. He explained that the red dashed line on the chart represents USU recommended irrigation amount, which is below the City's projected post-metering use. The proposed rates are therefore based on the level of use staff expect customers to reach after metering, with a somewhat softer first-year rate.

Council Member Hunter clarified that the City's rates should not be tied directly to Utah State University's recommended irrigation amount.

Council Member John noted that average projected use falls within Tier 3, not Tier 4. He argued that customers who reach Tier 4 are using substantially more water than both USU recommendation and the City's average use, and that a stronger financial incentive may be needed to encourage those customers to reduce consumption.

Mr. Larson explained that Tier 4 begins at approximately 50,000 gallons, well above recommended and average use. The first three tiers were designed to recover cost of service, while Tier 4 was set higher to encourage conservation. He noted that recent state law allows the highest tier to exceed cost of service as a conservation penalty. Revenue above cost of

service would not need to be fully dedicated to conservation, but the City would need to use a portion of it to fund at least one conservation measure.

Council Member Holley asked whether the delayed implementation of the rate increase required changes to the proposed schedule or capital plan. Mr. Larson explained that because no increase occurred in 2026, future revenue would fall below the original projection unless the city either increases future rate adjustments to catch up or delays planned projects.

Council Member Hunter suggested that, in concept, shifting projects one year later could align the capital plan with the delayed revenue schedule. He acknowledged that the approach could not be applied uniformly because some projects may be urgent or failing and cannot be deferred.

Council Member John stated that the city could likely defer pressure-irrigation projects because that system is newer than those in many neighboring cities. Council Member Carroll agreed. Mr. Larson clarified, however, that the financial analysis covers the combined culinary and pressure-irrigation water fund. While the pressure-irrigation system is relatively new, the culinary system is not and may still require more immediate investment.

Mr. Larson reiterated that the proposed initial volume rates are intentionally lower than the full cost of water to avoid major first-year bill increases. He described them as “training wheel” rates that would give customers time to adjust their irrigation practices before rates gradually reach full cost recovery over five years. He stated that Council could choose even lower initial rates, but he believed the proposed phase-in was a reasonable compromise.

Council Member Hunter emphasized that the goal was to keep customers’ total annual cost approximately comparable during the transition. Although bills would be higher during the six-month irrigation season, they would be lower during the six months when pressure irrigation is not in use because of the lower base rate. Council Members Holley and Taylor clarified that the comparison should be understood on an annual—not monthly—basis, with Council Member Taylor asking whether implementation should still begin that year.

Mr. Bunker stated that staff could communicate the proposed rate impacts to residents before implementation.

Mr. Larson noted that some communities provide individualized end-of-season notices showing each customer’s historical use, the proposed tier thresholds, recommended irrigation levels, and an estimate of how the customer’s bill would change.

Council Member Carroll suggested a simpler and less costly alternative: including a standard insert with mailed bills directing residents to the online dashboard, where they could review their own usage and projected rates. Mr. Bunker agreed that a general communication approach would be less expensive than individualized notices.

Council Member John suggested adopting the rate structure in advance but making it effective in January 2027. He stated that this would give residents time to understand the change and experience the lower base-rate months before irrigation-season volume charges begin. Council Member Carroll confirmed that this was consistent with the approach previously discussed.

Mr. Larson recommended implementing the new rate structure during the off-season, stating that January 1 would be an ideal effective date.

Council Member John suggested adopting the rates in advance with an effective date January 1, 2027 effective date so residents could use the dashboard to understand their expected costs before the first irrigation season under the new structure.

Council Member Hunter supported advance notice but cautioned that dashboard use may be limited, acknowledging that even he had not spent much time using it. Mr. Bird stated that the City's responsibility is to make the information broadly available and demonstrate that it made a meaningful effort to notify residents.

Council Member Carroll asked why the city should adopt the rates now rather than wait until January. Mr. Bunker responded that early adoption would give residents certainty about the future rate structure and allow them to calculate their anticipated costs. Council Member John added that customers would benefit from the lower base rate for the full 2027 calendar year before irrigation-season usage charges begin.

Council Member Hunter asked how the proposed timing would affect the budget. Ms. Montoya responded that the city had implemented the culinary-water increase but had not included a pressure-irrigation increase.

Mr. Bunker stated that the implementation would affect only part of fiscal year 2027. Ms. Montoya noted that the budget would reflect a moderate increase for part of the year, though it would not achieve the full planned revenue level.

Council Member Carroll pointed out that the impact would be less than half a year because customers would pay only the base rate until the irrigation season begins. Council Member Hunter added that the base rate would decrease in January under the new structure, reducing revenue during the off-season. He expressed concern about lowering the base rate at that time.

Mayor Frost stated that the approach balances a period of higher current base-rate revenue with a lower base rate beginning in January, while allowing substantial time for resident education. He noted that the rate structure could be adjusted later if needed. He added that the proposed first-tier charge of \$0.43 per 1,000 gallons of pressure-irrigation water remained relatively low. He asked whether staff had data on the percentage of residents using the online dashboard.

Mr. Bird stated that staff would request data on how many residents have access to or use the online customer portal. Mr. Larson added that portal use would likely increase once residents become aware of the upcoming rate changes.

Council Member Hunter requested comparison information from neighboring cities so the City's communications team could address likely resident comparisons. He noted that residents may focus on another city's lower rates without recognizing differences in rate structures or whether the comparison includes culinary water, secondary water, or both.

Council Member John noted that Lehi had not yet determined its implementation timeline. Mr. Larson stated that staff could obtain comparison data from any cities Council wished to

review and clarify that the comparison shown was from the prior year and combined culinary and secondary-water costs.

Council Member Hunter reiterated that comparative information would be important because residents are likely to raise concerns about other cities' rates. Council Member Taylor commented that, compared with the public feedback Council had recently received on other issues, the anticipated criticism over the rate change might be relatively manageable. Council Member Carroll indicated that she was particularly concerned about the potential public response.

Council Member Taylor clarified that the rate change was a significant issue but stated that Council was unlikely to be surprised by the tone of public feedback.

Mr. Bunker asked Mr. Larson to update the comparison of neighboring cities' rates later in the year, after other communities have finalized or proposed their own changes. Council Member Hunter supported that approach and suggested including the comparison in resident communications, along with a link to the customer dashboard.

Mr. Larson stated that he is currently working with six or seven other Utah County cities facing similar rate and water-system challenges. Mayor Frost asked whether those communities were taking different approaches. He explained that cities without secondary-water systems, such as Orem and Provo, face different circumstances and are pursuing different approaches. He stated that Pleasant Grove's approach is nearly identical to the one being considered by American Fork.

Council Member Hunter asked for more detail because residents frequently compare American Fork's water rates with those in Orem and Provo. He noted that the City's earlier rationale for developing a secondary-water system was that providing non-potable irrigation water would be less expensive than using culinary water, and he asked whether that expectation was being borne out.

Mayor Frost noted that Orem and Provo operate only one water system. Mr. Larson stated that Provo recently adopted a series of increases totaling approximately 50% over 5 years and said he expected Provo's rates to remain higher than American Fork's over time.

Mr. Bunker stated that Orem had historically operated efficiently and had made significant long-term investments, including a partnership with the Central Utah Project for water-treatment infrastructure. Mr. Larson added that Orem has placed a strong emphasis on keeping rates low but expressed concern about whether that approach is sustainable. He confirmed that Orem's current rates are lower than American Fork's.

Mr. Bunker stated that, over the long term, American Fork's pressurized-irrigation system should be less expensive than relying solely on culinary water for outdoor irrigation. He explained that obtaining additional culinary water is difficult and costly, while the pressurized-irrigation system allows the city to use a broader portfolio of non-potable water sources. Although the system may not produce immediate savings, he said it should reduce costs over time.

Mr. Larson added that Orem and Provo benefit from older, established water rights that are not available to many other cities.

Council Member Hunter asked that future rate comparisons include all relevant neighboring communities, including cities with lower rates such as Orem and Alpine. He stated that residents can readily find those comparisons themselves, so the city should present complete information rather than omit less favorable comparisons. Council Member Holley suggested adding Eagle Mountain, and Council Member Hunter agreed that it would be useful to include communities experiencing significant growth as well.

Council Member John noted that at least one nearby city charges approximately \$7 per thousand gallons in its highest tier. He stated that, while American Fork need not match that rate, high-tier pricing can target the relatively small group of customers responsible for a disproportionate share of overwatering. He cited the general observation that roughly 10% of customers may account for about 90% of excessive water use.

Mayor Frost asked whether Council wanted to increase the Tier 4 rate further as it continued to review new information. Council Member John reiterated that his support for a high Tier 4 rate was intended to target only the small percentage of customers who use substantially more water than recommended. Council Member Holley noted that the proposed Tier 4 rate would already become expensive over time, reaching approximately \$5 per thousand gallons within 3 years.

Council Member John stated that stronger Tier 4 pricing could help prevent overwatering from becoming normalized in neighborhoods. He described a situation in which one resident water daily without consequence, prompting neighbors to do the same. He emphasized that the City's current conservation progress should be reinforced through meaningful consequences for excessive use.

Council Member Hunter asked whether Council Member John believed the proposed future Tier 4 rate of approximately \$5.16 per thousand gallons was too low. Council Member John responded that he did.

Mr. Larson displayed a comparison using a slightly different meter size and stated that, although American Fork would begin with lower "training-wheel" rates, its rates would increase over time and would ultimately be the highest among the cities included in that comparison.

Council discussed whether the proposed Tier 4 rate would be sufficiently high compared with other communities. Mr. Larson stated that American Fork's Tier 4 rate would be among the highest in the comparison, although Sandy City had a higher upper tier. Council Members John and Hunter noted that the comparison should be updated, citing Cedar Hills as an example of a nearby city with a top-tier rate exceeding \$7 per thousand gallons.

Council Member John argued that high-tier pricing should focus on the relatively small number of customers responsible for disproportionate overuse. Council Member Hunter recommended first implementing the proposed structure, monitoring customer behavior, and adjusting Tier 4 later if needed rather than committing now to higher future rates.

Council discussed that state metering requirements help demonstrate beneficial use and protect the City's water rights. Council Member John noted that the city is currently using all available canyon water. Council also clarified that it would adopt the full five-year rate schedule but could revisit or revise future increases through the annual fee schedule if needed.

3. Discussion on culinary water rates.

Mr. Larson reviewed the proposed residential culinary-water rates, explaining that the rate structure itself would remain unchanged and that the proposal would simply increase existing rates to support the capital project plan.

Council Member Carroll clarified that the planned 12% increase had been included in the fiscal year 2027 budget but had not yet been adopted for 2026. Mr. Larson noted that Council could consider whether any catch-up adjustment was needed, but the displayed increases were those previously identified to support planned capital projects.

Council Member John emphasized that the culinary-water system is older and requires investment. Council Member Holley asked whether the increase would begin in July or January. Ms. Montoya stated that the budget assumed a July 1 implementation, effectively delaying the increase by one year unless Council directed otherwise. Council Member Hunter confirmed that the budget was based on a July 1 start date.

Mr. Larson stated that the non-residential culinary rates followed the same general approach and did not propose a structural change. Royce Shelley then asked why the nonresidential per-thousand-gallon charge was substantially lower than the residential rate and why nonresidential customers were subject to only one usage tier rather than the four tiers applied to residential customers.

Mr. Larson explained that the nonresidential rate structure was not being changed because it has historically used a single usage tier. He stated that commercial customers have widely varying water demands depending on the type of business, making multiple tiers difficult to structure fairly. A single commercial tier was therefore considered the simplest and fairest approach, and he noted that the state ombudsman had reviewed it as an acceptable method for complying with state requirements.

Council Member Carroll summarized that commercial customers would simply pay based on their total use. Mr. Larson agreed. Mr. Larson added that commercial customers pay a higher base rate than residential customers. He also explained that commercial water demand is generally more consistent over time, while residential demand fluctuates more sharply during peak periods. Because peak demand affects system costs, the more stable commercial-use pattern results in a somewhat lower per-thousand-gallon cost of service for commercial customers.

Council Member Hunter asked for clarification on the ombudsman's approval of the nonresidential rate structure. Mr. Larson explained that the ombudsman had approved the use of a single usage block for non-residential customers because the state's increasing-block requirement applies to residential rates, not commercial rates.

Council Member Hunter then asked whether the City could increase the nonresidential volume rate without creating compliance issues. Mr. Larson stated that a higher non-

residential volume charge would not create a problem under the tiered-rate requirement. However, he said staff would need to revisit the cost-of-service analysis to ensure the increase could be justified.

Mr. Larson added that, if the city increased the nonresidential volume rate, it would likely need to reduce the nonresidential base rate to align more closely with the single-family residential structure.

Council Member Holley sought clarification that the discussion concerned all nonresidential customers, not single-family residential customers, including commercial, industrial, government, schools, churches, and hospitals. Mr. Bunker and Mr. Larson confirmed that the nonresidential category includes all of those uses.

Mayor Frost said he better understood the rationale, though he remained concerned that the nonresidential per-thousand-gallon charge was lower than the residential charge and diverged further as residential customers moved into higher tiers. He noted that water rates can affect economic-development decisions for water-intensive businesses. He also observed that the ombudsman's approval gave some assurance that the single-block structure was legally permissible.

Council Member Hunter clarified that the ombudsman's approval applied to the use of a single or limited number of nonresidential blocks, not to the specific dollar amount of the rate.

Mr. Larson stated that the nonresidential cost-of-service analysis was last reviewed around 2012 and that the current structure reflected that earlier analysis. He acknowledged that conditions and approaches may have changed and said the City could revisit the analysis if Council wished, although that review was outside the scope of the current assignment.

Council Member Hunter said he would support evaluating whether the nonresidential volume rate should more closely match the residential rate but asked about the cost of completing that analysis. Council Member Taylor agreed that it did not seem logical for the non-residential rate to be lower.

Mr. Larson estimated that a focused review would likely cost a few thousand dollars rather than a major consulting expense.

Council Member Hunter stated that he would like the city to have a defensible answer because residents and businesses may notice the difference. He added that increased revenue could be a benefit if supported by the analysis.

Mr. Bunker noted that any adjustment should also consider the effect on local businesses and identify which types of businesses would be most affected.

4. Discussion on automatic annexations.

Mayor Frost asked whether it was acceptable to distribute the materials to Council Members. Mr. O'Brien stated that he would provide the information in advance so Council could review it before the matter returned for further discussion, noting that the materials were relatively self-explanatory.

5. Adjourn.

The meeting was adjourned at 6:00 p.m.



Stephanie Finau
Deputy Recorder