



Development Review Committee Agenda

Wednesday, July 29, 2026

80 South Main Street in the Council Chambers at Library Hall

Development Review Committee Agenda

PUBLIC NOTICE is hereby given that the Development Review Committee 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, commencing at 10 a.m. on July 14, 2026.

Development Review Committee

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Development Review Committee Meetings located at the City Council Chambers at Library Hall, 80 South Main Street, Spanish Fork. If you need special accommodation to participate in the meeting, please contact the Community Development Office at 801-804-4580. This meeting is not available to attend virtually.

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4. ADJOURNMENT

Draft Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
June 24, 2026

Staff Members Present: **Cory Pierce**, Public Works Director; **Dave Anderson**, Community Development Director; **Brandon Snyder**, Senior Planner; **David Mann**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Vaughn Pickell**, City Attorney; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Josh Wagstaff**, Assistant City Engineer; **Marcie Clark**, Engineering Department Secretary; **Jake Theurer**, Power and Light Superintendent; **Bart Morrill**, Parks Maintenance Supervisor; **Bryton Shepherd**, Landscape Architect; **Matt Romero**, Project Manager; **Jared Bartel**, Information Systems Director; **Nick Hanks**, Fairground Manager.

Citizens Present: Julie Smith, Scott Peterson, Dean Ingram, Seamus McVicar, Nate Walter, Shanice Hone, Wesley Bastian, Jake Hone.

Cory Pierce called the meeting to order at 10:00 a.m.

MINUTES

June 17, 2026

Vaughn Pickell **moved** to approve the minutes of June 17, 2026.

Dave Anderson **seconded** and the motion **passed** all in favor.

PRELIMINARY PLAT and ZONE CHANGE

LARSON PARK SUBDIVISION

Brandon Snyder presented the Larsen Park Subdivision, noting that items 2A and 2B would be considered together with separate motions required for each recommendation. He explained that the project is located in the Leland area south of Leland Meadows and adjacent to the state highway, with an existing city sewer lift station located on-site.

Mr. Snyder reviewed the existing zoning and General Plan designations, which include Rural Residential zoning with Public Facilities at the lift station, and a mix of Commercial, Medium Density Residential, and Estate Density Residential designations. The proposal includes a commercial pad at the corner, an R3 residential component with both small-lot homes and townhomes, and approximately 115 single-family lots to the east.

He noted that the R3 area averages approximately 5.6 units per acre, while the single-family lots average approximately 2.1 units per acre. Mr. Snyder also reviewed the phasing plan, landscaping, and detention basin improvements, which are proposed for dedication to the city. He indicated that additional clarification is needed regarding the treatment of areas between townhome units.

He summarized key design elements, including building materials (stucco, fiber cement siding, and brick veneer), setbacks of approximately 20 feet for garages and 15 to 25 feet between units, and fencing improvements including a masonry wall along 1700 West and the state route, a vinyl fence along the north boundary, and additional clarification needed on eastern fencing.

Mr. Snyder noted site constraints along the state highway due to a future utility corridor and confirmed that the applicant has identified buildable areas outside of easements. He concluded by stating that staff recommends approval of both the Preliminary Plat and associated zoning map amendments, subject to standard conditions, redline corrections, Planning Commission review, and City Council approval of the zoning changes.

Josh Wagstaff reported that he has been in contact with the irrigation company's engineer regarding this project and the adjacent Leland Meadows subdivision. He noted that neither development has received final approval at this time. However, discussions are ongoing, and the applicant's engineer is coordinating with the watermaster to ensure that any potential impacts to existing irrigation facilities are identified and properly addressed.

Cory Pierce inquired about the drainage district and it was confirmed that this is west of that area and there are no related concerns.

Mr. Snyder inquired if the power lines for the area belong to the city and if they will be buried. It was stated that the city will work with SESD to relocate them where they need to be placed. Mr. Pierce feels that there needs to be additional discussion with SESD about the lines being buried.

There was brief discussion on the overhead power lines and Jake Theurer suggested that they remain as overhead lines. Mr. Snyder expressed that it is his concern that the development will have no street trees for over 1,000 feet due to the overhead conflicts. He

stated that if the lines are to remain overhead, then the city will need an appropriate tree species selected that can co-exist with the power lines. He does not want there to be no trees installed, and then when the overhead lines are removed, there is a question of who funds the tree installation for the area.

Shanice Hone inquired if it's possible to bond for the trees and it was stated that this could be an option.

Cory Pierce asked the applicant or staff to provide clarification regarding discussions with adjacent agricultural property owners. He requested an overview of the neighboring landowners' needs related to protecting ongoing agricultural operations and asked what type of fencing or other boundary improvements are proposed along those property lines to address those concerns.

Jullie Smith rose to speak on the proposal and shared that she has been in discussion with Mr. Larson and shared that he recently installed a new livestock fence. She shared that it was his desire for them to install their white vinyl fence adjacent to his livestock fencing. She clarified that he wants his fence to remain. It was also clarified that the fencing is six feet in height and made of a vinyl material that would run all around the pond. She mentioned that she can provide the city with additional information regarding fencing.

Mr. Pierce inquired if Ms. Smith has had any discussions with the property owners to the east and it was stated that she has not had any discussions with this property owner yet.

Mr. Snyder requested clarification from Director Anderson regarding the proposed basin and fencing plan. He noted that a masonry wall is planned between the commercial development and the townhome area, and asked whether a final decision had been made regarding the remaining perimeter fencing, as earlier plan sets appeared to show differing treatments.

Mr. Pierce stated that he is comfortable with an open-style fence within the green space area, noting it as his personal preference. He also emphasized the importance of addressing long-standing landscaping and site improvements around the existing lift station. He indicated that as development occurs, the city and wastewater division will need to evaluate and budget for completing and enhancing that area. Mr. Pierce further noted that a masonry or concrete wall would likely be appropriate around the lift station to provide proper screening and durability.

Mr. Anderson and Mr. Pickell expressed concern that the proposed development does not meet the required findings for approval of a Master Plan Development Overlay, specifically

the requirement that it provide a more pleasant and attractive living environment than a conventional development under the base zoning. Mr. Anderson noted that, in his view, the proposed lot sizes and housing product are not sufficiently differentiated from conventional residential standards to justify the requested overlay.

He further stated that the overall balance between the R3 and R15 components appears heavily weighted toward the R3 product, which contributes to his inability to support the proposal as currently designed. Mr. Anderson indicated that while he appreciates the effort involved in the application, he does not believe it meets the intent of the Master Plan Development standards and suggested that the project would need to be retooled before it could be reconsidered for approval.

Ms. Smith presented a materials board to staff that illustrated some of the proposed materials and elevations that the builder had provided to her that city staff may not have been privy to review. Mr. Anderson inquired why this presentation differs from what has been submitted to the city staff for review. Ms. Smith was unsure and thought it may have just been an oversight.

Staff pointed out that the presentation board features elevations for the townhomes that the city staff have already reviewed. Staff inquired about who the builder is going to be for the project. Ms. Smith was unable to reveal who the building would be for the project.

Mr. Anderson shared his perspective on the proposed zoning configuration, stating that he believes an R-1-15 to R-1-6 transition would be more appropriate for the area than the proposed R-1-15 to R-3 designation. He explained that he envisions the larger lots maintaining a minimum size of 15,000 square feet and the smaller lots having a minimum size of 6,000 square feet, noting that this arrangement would provide a more balanced overall development pattern.

Mr. Pickell requested clarification on the proposed unit breakdown. Mr. Snyder responded that the development includes a total of 204 residential units, consisting of 106 residential lots. He explained that the proposal includes 47 townhome units within the R-3 zone and 51 units within the R-1-15 zone.

Mr. Pickell then asked whether there were any updates regarding the finalization of the Rocky Mountain Power easement. Mr. Anderson indicated that he was not aware of any recent progress. Mr. Pickell expressed concern about the uncertainty surrounding the easement's final boundaries.

Mr. Pierce stated that he is aware of ongoing efforts to establish the easement alignment but was unsure whether anything had been finalized. Mr. Pickell recommended adding a condition of approval to ensure that no lots would be entitled unless they remain buildable

under the final easement configuration. He explained that if the easement were to expand or shift, some of the proposed lots could become unbuildable.

Ms. Smith responded that she had received assurances regarding the anticipated easement alignment and did not expect it to change. She offered to provide staff with written correspondence documenting her communications with Rocky Mountain Power to help address those concerns.

Mr. Pickell maintained that a condition addressing the easement would still be appropriate because the easement has not yet been finalized and any future changes could affect the buildability of certain lots.

Mr. Anderson commented that any future easement modifications could ultimately become an issue between the developer and Rocky Mountain Power rather than the City, while also acknowledging and appreciating Mr. Pickell's concerns.

Ms. Smith expressed her understanding of staff's position but noted the difficulty of making design concessions for an easement adjustment that may never occur. She added that she has had multiple discussions with Rocky Mountain Power regarding the proposed pole locations and easement area.

The discussion concluded with further consideration of the proposed boundary between the R-1-15 and R-3 zoning areas. Ms. Smith stated that she believes the proposed boundary has been appropriately located, while Mr. Anderson reiterated his preference for a different zoning configuration that would have more area added to the proposed R-1-15 zone.

Dave Anderson **moved** to continue the proposed Larson Park Preliminary Plat to provide the applicant an opportunity to clarify and improve the proposed housing plans in order to justify the request for the Master Planned Development Overlay zone.

Mr. Pickell asked Mr. Anderson to clarify whether his comments included the previously discussed idea of shifting the boundary between the two housing types or if they were limited to the proposed housing elevations. Mr. Anderson clarified that he was simply sharing his perspective and welcomed any additional input, guidance, or recommendations from staff. No further comments were offered.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

After the discussion concluded, Mr. Anderson expressed his appreciation for the materials provided and stated that the level of detail presented should allow the city to clearly evaluate and approve the project based on its design and specifications, regardless of who

ultimately constructs it. However, he noted that he found it unusual and concerning that the builder had not been identified, commenting that he could not recall a similar situation. While he emphasized that the City's review should remain focused on ensuring the project meets all applicable standards regardless of the builder, he acknowledged that the lack of builder identification was an uncommon circumstance that raised concerns.

LARSON PARK ZONE CHANGE

See discussion with Preliminary Plat.

Dave Anderson **moved** to continue the proposed Larson Park Preliminary Plat to provide the applicant an opportunity to clarify and improve the proposed housing plans in order to justify the request for the Master Planned Development Overlay zone.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

LELAND MEADOWS SUBDIVISION

Brandon Snyder presented a proposed Master Planned Development located north of the previous proposal, extending from 1700 West to Mill Road. He explained that the land use pattern follows the City's planned transition, with higher-density residential development along the 1700 West corridor and larger estate lots toward Mill Road. The applicant is requesting R-1-6 zoning on the western portion of the property, R-1-15 zoning on the eastern portion, and a Master Planned Development Overlay.

Mr. Snyder reviewed the proposed subdivision layout, which includes 122 garden home units at an average density of 5.29 units per acre and 84 estate lots at an average density of 1.69 units per acre. He highlighted areas proposed for City dedication and noted that staff is seeking clarification regarding the level of required improvements for those areas. He also reviewed the proposed phasing plan, street tree plan, landscaping concepts, and example renderings of the development.

He explained the proposed development standards for both housing types, including setbacks, lot dimensions, and requested modifications for the R-1-15 lots. Mr. Snyder noted that the requested setback reductions are consistent with previous Master Planned Developments but requested additional clarification on building heights, particularly since basements may not be feasible throughout much of the subdivision. He concluded his presentation by reviewing the proposed architectural elevations and introducing a fly-through of the development.

Dean Ingram explained that the proposed development is intended to provide a variety of quality housing options while maintaining the character established in their previous Spanish Fork projects. The single-family homes will primarily feature three-car garages and customizable floor plans, allowing buyers to tailor their homes while creating greater architectural variety throughout the neighborhood.

Mr. Ingram described the proposed garden home product as an affordable alternative that bridges the gap between townhomes and traditional single-family homes. The design emphasizes enhanced streetscapes by orienting garages away from the street where possible, providing additional courtyard parking, and incorporating varied architectural elevations. The applicant stated that this housing type is intended to serve workforce housing needs while offering residents private yards and detached homes.

Mr. Ingram also highlighted the proposed school site, noting that it was relocated in coordination with the school district to better accommodate future needs and improve access from the surrounding collector roads. The overall neighborhood layout was designed to complement existing developments, preserve opportunities for larger estate lots, and create a balanced community. Mr. Ingram concluded by expressing confidence that the proposed development would be a positive addition to the area and welcomed any questions from staff.

Mr. Snyder asked Mr. Pierce for clarification on two items. First, he recalled that additional studies would be required to determine the areas where basements would be permitted and requested confirmation that this was still the expectation. Second, he requested clarification regarding the Mill Road trail and park strip dimensions, noting that his previous notes indicated the design had changed from a 12-foot park strip, 10-foot trail, and 4-foot buffer to a 10-foot trail and 8-foot park strip. He asked staff to confirm whether the agreed-upon configuration was a 10-foot trail with an 8-foot park strip or the currently shown 10-foot trail with a 6-foot park strip. Mr. Pierce recalled that it was 10 and 8.

Mr. Snyder concluded his portion of the discussion by requesting two separate motions and recommendations from the Planning Commission: one for the proposed zone change and one for the associated plat. He explained that staff recommends approval of the zone change, as the request is consistent with the General Plan designations for the area and the proposed Master Planned Development Overlay.

Mr. Snyder then reviewed the recommended conditions for the plat, noting that several items may require additional discussion and refinement with the Planning Commission. The conditions included standard requirements, approval of the associated zoning map amendment by the City Council, confirmation of the school district land exchange, continued discussions regarding required improvements and future frontage

considerations, further review of housing products and elevations, and clarification of expectations for fencing and landscaping as the project moves toward Final Plat approval. Mr. Snyder concluded by asking if there were any additional questions for staff.

Jake Theurer inquired about the status of the 1550 West connection.

Cory Pierce commented that the road will be stubbed but he is unsure of the connection status.

Mr. Ingram provided an update regarding coordination with the school district, explaining that the district remains supportive of the proposed land exchange and intends to move forward with the agreement. The applicant stated that they would follow up with the school district after the meeting to provide an update on the DRC discussion. They noted that the district had been waiting for some level of project approval before formally initiating the process so they would have an approved concept to proceed with.

Josh Wagstaff notes that his same comments regarding the irrigation company still apply.

Mr. Ingram provided an update regarding coordination with adjacent property owners, specifically noting discussions with the Gary Larson property. He explained that the applicant has maintained a positive working relationship with Mr. Larson and has been coordinating with him regarding the existing easement and future improvements. As part of the project, the applicant intends to replace or improve the existing field fencing, provide a power connection across the road, and install a water connection to assist with his property needs.

Mr. Ingram noted that Mr. Larson's primary concern relates to maintaining separation and avoiding conflicts with future residential backyards adjacent to his property, which is why additional fencing considerations have been discussed. He explained that this concern is less applicable to the proposed development because the project does not include backyards directly abutting most neighboring properties.

Mr. Pierce asked Mr. Ingram for clarification regarding the proposed spring collection areas and the long-term maintenance process. He acknowledged the effort that has gone into addressing these features but expressed concern about how the system would be managed during home construction and how the spring collection boxes located within backyards would be maintained over time. He requested additional information on the process to ensure the system functions properly and avoids potential issues experienced in other areas.

Scott Peterson with Atlas Engineering responded to Mr. Pierce's comments regarding the proposed spring collection areas. He explained that the locations of the collection systems had been adjusted based on previous staff feedback and that access easements have been incorporated to allow for future maintenance, including access through the park area. He acknowledged staff's concern regarding access to collection boxes located within residential lots and stated that final design details would be developed after additional geotechnical review and subsurface investigation. He indicated that these details would likely be finalized during the Final Plat process once the necessary excavation and design information is available. Mr. Peterson noted that additional guidance may also be provided by the Building Department regarding construction protections and requirements.

Mr. Ingram agreed and does not want any issues and would like to make sure all concerns are addressed and to ensure that access is maintained.

Mr. Anderson provided feedback regarding the proposed Master Planned Development design, noting that while some aspects of the garden-style housing concept may be subjective, he believes it introduces a unique and beneficial housing option for Spanish Fork. He referenced a similar development in Salem that incorporates garden homes, townhomes, and larger single-family lots, explaining that integrating the variety of housing types and design elements create a more interesting and attractive community.

Mr. Anderson highlighted that the proposed design aligns well with the intent of the Master Planned Development standards by creating enhanced streetscapes through features such as tree-lined streets and reduced emphasis on driveway and garage frontage. He stated that this type of detached housing product could provide a more attainable housing option while maintaining quality design. He also noted that the applicant's experience and reputation with previous projects in the city provide additional confidence in the proposed development.

Mr. Ingram acknowledged Mr. Anderson's comments and discussed the importance of quality design and responsible development, noting that some previous neighborhoods in the area have faced challenges due to inconsistent oversight and construction quality. He explained that while introducing different housing types within a community may initially concern some buyers, their experience has shown that residents often appreciate the diversity and the sense of community it creates once the neighborhood is established.

Mr. Ingram shared that similar mixed-product developments have successfully brought together a variety of residents and contributed positively to the overall neighborhood experience. He also discussed challenges experienced in other markets, including balancing affordability, construction costs, and maintaining quality design standards. He expressed confidence that the proposed development in Spanish Fork presents a strong

opportunity due to the local market conditions and believes the project will provide a successful and well-integrated community over time.

Mr. Anderson concluded the discussion by expressing his excitement from this to be discussed with the Planning Commission and City Council.

John Little **moved** to recommend approval of the proposed Leland Meadows Preliminary Plat to City Council based on the following findings and subject to the following conditions:

Findings:

1. That the proposal is consistent with the City's General Plan Designations of Medium Density Residential and Estate Density Residential.
2. That the proposal meets the intent of the Master Planned Development Overlay Zoning District.

Conditions:

1. That the Applicant meets the City's development and construction standards, zoning requirements and other applicable City ordinances.
2. That the Applicant addresses any red-line review comments.
3. That the Preliminary Plat approval is contingent upon the City Council approving the associated zoning map amendment.
4. That the Nebo School District approves the proposed land swap to accommodate the proposed development.
5. That the road cross section for Mill Road be finalized and referenced in the plans.
6. That the Applicant bonds for the future street improvements for proposed Lot 83.
7. That the Applicant provides additional details of the proposed housing products.
8. That the Applicant provides an updated street tree plan, detailed landscaping plan, fencing plan, and specific details for other improvements in the development.
9. That the applicant gets approval from the irrigation company.

Jake Theurer **seconded** and the motion **passed** all in favor.

LELAND MEADOWS ZONE CHANGE

Vaughn Pickell **moved** to recommend approval of the proposed Leland Meadows Zone Change based on the following findings:

Findings:

1. That the proposal is consistent with the City's General Plan Designations of Medium Density Residential and Estate Density Residential.
2. That the proposal meets the intent and findings of the Master Planned Development Overlay Zoning District.

Dave Anderson **seconded** and the motion **passed** all in favor.

SITE PLAN

MAVERIK CONVENIENCE STORE

Brandon Snyder presented the proposed Maverik Site Plan application for the northern portion of the existing Doug Smith car dealership property located at 1400 North Main Street. He explained that while the property is currently zoned Industrial, the General Plan identifies the area for future commercial development. The proposal includes redevelopment of the site with a Maverik convenience store and gas sales facility.

Mr. Snyder noted that the City Council previously approved a signage plan for the site and reviewed the proposed site layout, renderings, and landscaping plans. He explained that additional adjustments are needed to address property line cleanup and clarify easements through a supporting plat. Staff recommended approval of the Site Plan with conditions, including resolving outstanding red-line items prior to building permit issuance and recording the plat prior to issuance of a Certificate of Occupancy.

Josh Wagstaff stated that Engineering had no additional comments.

Seamus McVicar asked staff for clarification regarding red-line comments, including the proposed trail identified in the Trails Master Plan. Staff confirmed that the trail would be located on the Maverick property and discussed potential materials, noting that concrete would likely be required. Staff further reviewed sidewalk and trail requirements, including applicable construction standards.

Mr. Snyder recommended continuing those discussions offline so staff could provide additional direction to the applicant, which staff agreed would be appropriate.

Mr. McVicar continued with questions regarding easements and public right-of-way dedication, noting that Maverik would be willing to dedicate right-of-way to the back of the sidewalk if required.

Mr. Pierce asked whether dedication or an easement would be more beneficial, and Mr. Pickell explained that ownership provides greater flexibility. Mr. Snyder added that historically, easements have included specific language outlining permitted uses and requirements.

Mr. McVicar also asked about the requirement to upsize the existing 6-inch service line to an 8-inch line, noting that Maverik was not planning to replace the entire line.

Mr. Wagstaff explained that the redevelopment triggers the updated requirement due to fire protection needs and that the service connection must meet current standards.

The discussion concluded with Mr. McVicar asking whether Maverik could submit the SWPPP and NOI documentation after Site Plan approval as part of the building permit process, explaining that Maverik typically completes bidding after permits are issued. Staff indicated there were no concerns with that approach.

Dave Anderson **moved** to approve the proposed Maverik Convenience Store Site Plan based on the following finding and subject to the following conditions:

Finding:

1. That the proposal conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the Applicant meets the City's development and Construction Standards, zoning requirements and other applicable City ordinances.
2. That any remaining redlines are addressed prior to a Building Permit being issued.
3. That the subdivision plat is recorded prior to a Certificate of Occupancy being issued.

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

Before the next item, Mr. McVicar requested clarification regarding the parcel vacation process, explaining that Maverik was under the impression the city would be handling the vacation of the existing right-of-way. He noted that previous discussions indicated the process would begin in June without additional action required from Maverik. Mr. McVicar

asked staff to confirm whether any steps or documentation would be required from the applicant's side and how the timeline may impact the Site Plan process.

Mr. Anderson confirmed that the city would require a letter from the property owner or party requesting the land to be vacated.

Mr. Pickell outlined that there will be a required petition and the application will need to go through the process for approval that includes noticing the surrounding properties of the request to vacate, and a public hearing will need to take place.

FINAL PLAT

SPANISH FORK FAIRGROUNDS IMPROVEMENTS

David Mann began his presentation for the development of the Spanish Fork Fairgrounds area to demolish an existing fairgrounds arena to construct a new arena and barn building. He states that this is very straightforward and staff recommend approval.

Staff discussed this development and it was stated that it is a great improvement for the city property to provide additional parking and accommodations. It was mentioned that this is very time sensitive and construction should begin at the beginning of August.

Jake Theurer **moved** to approve the proposed Spanish Fork Fairgrounds Improvements Final Plat based on the following finding and subject to the following conditions:

Finding:

1. That the proposal conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the applicant meets the City's Zoning requirements and Construction Standards.
2. That the applicant addresses the redline comments.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

PRELIMINARY PLAT

VERK 1 SUBSTATION

Mr. Mann stated that the project had been reviewed by staff and was considered straightforward, with no additional comments or concerns. Staff recommended approval of the request.

Mr. Anderson requested additional discussion regarding potential easement concerns and suggested that further coordination may be more appropriate outside of the meeting. He questioned whether additional outreach to the property owner should occur at this stage to ensure all necessary items are addressed.

Mr. Theurer explained that discussions have already taken place with the property owner and that the parties have been working toward a resolution. He expressed minimal concern but emphasized the importance of both parties coordinating efforts to ensure the conduit installation occurs concurrently.

Mr. Anderson reiterated that he believes the matter should be addressed through the Preliminary Plat and subdivision process, as the property is currently one parcel undergoing the process to establish legal divisions. He explained that the applicant should be responsible for identifying and securing any necessary easements or related agreements as part of the Final Plat process. While he did not have concerns with allowing the project to proceed, he emphasized that all property-related matters should be resolved through the subdivision process, particularly if additional compensation or agreements are being considered.

Mr. Theurer added that, based on his understanding, Mr. Simpson is a willing participant and that both parties are actively working together to address the outstanding items.

Dave Anderson **moved** to recommend approval of the proposed Verk 1 Substation Preliminary Plat to City Council based on the following finding and subject to the following conditions:

Finding:

1. That the proposal conforms to the City's General Plan Designation and Zoning Map.

Conditions:

1. That the Applicant meets the City's development and construction standards and other applicable City ordinances.
2. That any remaining redlines are addressed prior to a building permit being issued.

Jake Theurer **seconded** and the motion **passed** all in favor.

CONCEPT REVIEW

CLUNE BUSINESS PARK CONCEPT

The applicants have requested to continue the discussion to a later date.

Dave Anderson moved to **Continue** the item to a later date.

Jake Theurer **seconded** and the motion **passed** all in favor.

GROW DEVELOPMENT CONCEPT

Jake Hone introduced the proposed subdivision on behalf of Grow Development, explaining that the company is under contract to purchase the property. He noted that a previous version of the project had received preliminary approval several years ago, but that approval has since expired. The current proposal includes an updated layout that incorporates recent infrastructure improvements, including the installation of a main water line, and is intended to improve efficiency while providing better roadway connections for neighboring properties.

Mr. Hone stated that the applicant is seeking staff feedback and recommendations and noted that the review comments received did not identify any issues requiring significant changes to the proposal. He also explained that the project will require a new UDOT access permit because the proposed connection will serve as a public road. Since the access application must be submitted by Spanish Fork City, he shared that preliminary discussions with UDOT indicated there were no anticipated obstacles to processing the access request concurrently with the Preliminary Plat application.

Cory Pierce expressed concerns with the proposed temporary hammerhead turnaround, explaining that similar designs have not functioned well in previous developments because they are often obstructed by parked vehicles and fail to provide reliable turning space. He recommended considering a more permanent turnaround design, such as a cul-de-sac bulb, noting that these configurations have proven to be more effective. Mr. Pierce emphasized the importance of incorporating a solution that maintains long-term functionality and discourages vehicle parking within the turnaround area.

Mr. Hone explained that the proposed hammerhead turnaround was selected because the previous application had included turnarounds extending onto neighboring properties, and

the applicant wanted to avoid that approach in the updated design. He noted that, given the configuration of the adjacent lots, a hammerhead turnaround would have less impact on the future building envelopes, even if the lots were developed before the roadway extension occurs. Mr. Hone stated that the applicant understands staff's concerns and is willing to further evaluate alternative turnaround designs.

Mr. Pierce reiterated his concerns regarding the proposed turnaround design, noting that similar configurations have historically presented operational challenges. He recommended that Mr. Hone coordinate with Mr. Wagstaff in Engineering to evaluate alternative solutions that may provide improved long-term functionality.

Mr. Anderson commented that the current proposal appears generally similar to the previously presented design. Mr. Hone explained that the prior application included a different roadway configuration with a direct eastward connection, whereas the current proposal introduces a cul-de-sac in the larger portion of the property. He stated that this revised layout allows for deeper and slightly larger lots along SR-164, improving the relationship between the homes and the roadway.

Mr. Hone further explained that the updated design reduces overall roadway length while maintaining a future road stub and access opportunity for the adjacent property to the north. He noted that the revised configuration is intended to create a more efficient layout while providing additional benefits to surrounding properties.

The group briefly discussed ongoing changes related to Rocky Mountain Power's transmission alignment. Staff noted that the property is located west of the proposed alignment and reviewed the roadway studies completed as part of the alignment process.

Mr. Hone asked staff for feedback regarding the existing storm drain crossing under SR-164 and how it may impact the proposed development. He explained that the project will include a detention pond on-site, with the storm drain system extending north through the property while maintaining the existing connection that continues south beneath SR-164. Mr. Hone noted that the applicant has accounted for this in the preliminary design and requested any additional guidance or considerations from staff prior to completing final engineering plans.

Josh Wagstaff shared that the city has completed a study of the whole area and he noted that there are only a few places where a storm drain can be located.

The discussion concluded with staff and the applicant reviewing several other items related to the proposed development. Mr. Hone confirmed that the project will continue utilizing the same engineer from the previous application and discussed the importance of verifying the Master Planned Development requirements, noting that both the maximum density of

2.08 units per acre and the minimum average lot size of 15,000 square feet are required standards.

Mr. Hone stated that a builder has not yet been selected for the project but explained that the applicant intends to establish architectural guidelines and elevation requirements to maintain the desired quality and character of the development. He noted that the larger lots are anticipated to support a higher-end, semi-custom housing product.

Staff clarified that the primary focus is ensuring compliance with the Master Planned Development standards rather than the specific builder product. The discussion also addressed maintenance responsibilities for the proposed open space and detention area. Mr. Hone explained that the applicant intends for the detention system to function as part of the City storm drain system but could establish an HOA maintenance agreement if required. Staff and the applicant discussed that, given the limited number of lots, an HOA may be less practical. Mr. Hone confirmed that each lot would manage its own stormwater detention needs.

The meeting concluded with staff thanking the applicant for the presentation and continued coordination.

Dave Anderson moved to adjourn the meeting at 11:40 a.m.

Adopted:

Kasey Woodard
Community Development Division
Secretary

Draft Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
July 1, 2026

Staff Members Present: **Cory Pierce**, Public Works Director; **Seth Perrins**, City Manager; **Dave Anderson**, Community Development Director; **Brandon Snyder**, Senior Planner; **David Mann**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Vaughn Pickell**, City Attorney; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Byron Haslam**, Assistant City Engineer; **Josh Wagstaff**, Assistant City Engineer; **Marcie Clark**, Engineering Department Secretary; **Jared Bartel**, Information Systems Director **Kevin Taylor**, Senior Power Utility Planner; **Bart Morrill**, Parks Maintenance Supervisor; **Bryton Shepherd**, Landscape Architect; **Jason Turner**, Fire Marshall.

Citizens Present: Cody Brazell, Cory Andersen.

Cory Pierce called the meeting to order at 10:00 a.m.

FINAL PLAT

CANYON COURT LOT 6 CONDOMINIUMS

David Mann presented the proposal, explaining that the subject property is located within the new Canyon Court development, which will also include the future Harmon's grocery store. He stated that the application proposes subdividing an existing commercial building into a commercial condominium plat, creating three individually owned retail units. Mr. Mann noted that a few remaining redline comments still need to be addressed and stated that staff is recommending approval, subject to the conditions outlined in the staff report.

Josh Wagstaff explained that because the building is being divided into separate condominium units, City Construction Standards require each unit to be served by its own individual water meter.

Cory Andersen requested clarification regarding the requirement for separate water meters and asked whether the building could instead be served by a single master meter with the homeowner's association responsible for utility billing. Staff confirmed that City Construction Standards require each newly created condominium unit to have its own individual water meter. Staff explained that this requirement ensures each unit owner is directly responsible for their utility account and allows the city to independently manage utility service to each unit. As a result, the request for a single master meter was not approved.

Staff also advised that the subdivision of the building into separate condominium units would result in additional applicable impact fees. The discussion concluded with a brief update on the future Harmon's grocery store, with staff noting that construction is anticipated to begin later this fall.

Dave Anderson **moved** to approve the proposed Canyon Court Lot 6 Condominiums Final Plat based on the following finding and subject to the following conditions:

Finding:

1. That the proposal conforms to the City's General Plan Land Use Designation Map and Zoning Map.

Conditions:

1. That the Applicant meets the City's development and construction standards, zoning requirements and other applicable City ordinances.
2. That the Applicant submit updated civil plans showing separate utilities for each condominium for review prior to recording the plat.
3. That the Applicant addresses any remaining red-lines.

Seth Perrins **seconded** and the motion **passed** all in favor.

SITE PLAN

CANYON CREEK PHASE 6 LOT 604

David Mann presented the proposal, explaining that the subject property is located within the existing Canyon Creek retail development near Walmart and Hobby Lobby. He shared updated photographs of the site, highlighting the parking areas and

adjacent sidewalks, and stated that the development is ready to proceed. Mr. Mann concluded by noting that staff is recommending approval of the application.

Cory Pierce added that the necessary utility infrastructure has been stubbed to the site and is in place to support the proposed development.

Staff concluded the discussion by expressing their enthusiasm for the future Under Armour retail tenant that is anticipated to occupy the space.

Dave Anderson **moved** to approve the proposed Canyon Creek Phase 6 Lot 604 Site Plan based on the following finding and subject to the following conditions:

Finding:

1. That the proposal conforms to the City's General Plan Land Use Designation Map and Zoning Map.

Conditions:

1. That the Applicant meets the City's development and construction standards, zoning requirements and other applicable City ordinances.
2. That the Applicant addresses any remaining red-lines.

Kevin Taylor **seconded** and the motion **passed** all in favor.

Before proceeding to the next agenda item, staff briefly reviewed the remaining retail pad sites within the Canyon Creek commercial center, noting that anticipated future tenants include a Sleep Number retail location as well as an additional financial institution.

ANNEXATIONS

SOUTH VALLEY VILLAGE ANNEXATION

Dave Anderson informed staff that the South Valley Village annexation petition was originally accepted by the City Council for further study on August 15, 2023. Under the city's annexation ordinance, petitions expire after three years if no final action is taken. Because the applicants recently submitted a revised annexation plat with modified boundaries, staff has determined that the annexation process should be

restarted. Mr. Anderson recommended that staff forward a recommendation to the City Council to accept the revised petition for further study. He also noted that the boundary adjustments are due in part to recent UDOT property acquisitions associated with the future rail connection and advised that development plans are expected to be presented to the Council in the near future.

Seth Perrins agreed that the timing is appropriate for the City Council to begin discussing the South Valley Village annexation. He emphasized that the recommendation is procedural in nature and is intended solely to allow the annexation petition to continue through the review process before it expires, rather than to indicate support or opposition to the proposal itself. Mr. Perrins suggested describing the action as acceptance for "further, continued, study" to better convey that the application is a continuation of the previously accepted petition while remaining consistent with the statutory language of "further consideration."

Brandon Snyder inquired whether there had been any indication from UDOT regarding its preferred disposition of the subject property and whether there was any benefit to including the UDOT/UTA parcels within the proposed annexation area. He also asked whether the city would prefer to retain the ability to guide future land use decisions in the event the property was sold to a private owner, particularly given the possibility that such decisions could otherwise be made at the county level.

A brief discussion followed regarding the City's authority and role in annexation decisions and long-term land use control.

Seth Perrins stated that he was not in favor of including the area within the annexation at this time, noting that the properties currently lack direct access to City water and sewer infrastructure. He further explained that while the city does provide power to existing billboard structures in the area, future utility relocation and related infrastructure adjustments could place additional obligations on the city. Based on these considerations, Mr. Perrins expressed that annexing the area at this time may not be in the city's best interest.

Dave Anderson clarified that a recommendation to accept the item for further consideration would not conclude the discussion or limit the City Council's ability to evaluate the annexation in greater detail.

Dave Anderson **moved** that the Development Review Committee recommend that the City Council accept the modified South Valley Village Annexation proposal for further consideration.

Vaughn Pickell **seconded** and the motion **passed** all in favor.

Dave Anderson moved to adjourn the meeting at 10:17 a.m.

Adopted:

Kasey Woodard
Community Development
Division Secretary

Draft Minutes
Spanish Fork City Development Review Committee
80 South Main Street
Spanish Fork, Utah
July 15, 2026

Staff Members Present: **Cory Pierce**, Public Works Director; **Dave Anderson**, Community Development Director; **Brandon Snyder**, Senior Planner; **David Mann**, Senior Planner; **Kasey Woodard**, Community Development Secretary; **Joshua Nielsen**, Assistant City Attorney; **John Little**, Chief Building Official; **Byron Haslam**, Assistant City Engineer; **Josh Wagstaff**, Assistant City Engineer; **Marcie Clark**, Engineering Department Secretary; **Jered Johnson**, Engineering Division Manager; **Kevin Taylor**, Senior Power Utility Planner; **Jake Theurer**, Power and Light Superintendent; **Bart Morrill**, Parks Maintenance Supervisor.

Citizens Present: Keith Lindstrom, Dave Erickson, Parker Johnson, Brent Lindstrom, Bill Gaskill.

Cory Pierce called the meeting to order at 10:00 a.m.

Before the meeting began, Brandon Snyder started by highlighting that the city has now switched over from Boarddocs to Diligent for all city meeting agendas. He provided a brief overview of how to access the website.

FINAL PLAT

THE VILLAS AT ANNIE'S ACRES SUBDIVISION 2026

Brandon Snyder presented the Final Plat for the Villas at Annie's Acres 2026 subdivision, noting that the proposal reflects the previously approved expansion to include the Mills property, resulting in a total of 111 residential units. He highlighted a proposed fencing modification, which would continue the decorative split-rail railing along River Bottoms Road before transitioning to a masonry privacy wall along Volunteer Drive to provide additional privacy and security.

Mr. Snyder reviewed the recommended conditions of approval, explaining that most were carryover conditions from previous Planning Commission and City Council approvals. He noted that staff would need to verify the status of the amended Development Agreement, which was updated to incorporate the Mills property and associated changes. The

remaining conditions addressed previously approved amenities, product quality expectations for the single-family lots, and building permit requirements for fencing and signage. Engineering staff indicated they had no concerns with the proposal.

Bart Morrill asked for clarification regarding the project's extension to Volunteer Drive and whether the required trail improvements were included. Staff confirmed that a 10-foot trail would be provided along the south side of the development, along with landscaping improvements, and that the area would be maintained by the HOA. Parker Johnson, the project designer, confirmed that the design continues the existing roadway cross-section along Volunteer Drive, including the trail configuration shown in the approved construction documents.

Joshua Nielsen was unable to confirm the status of the amended Development Agreement but stated he would continue researching the matter.

Dave Erickson clarified that the original Development Agreement had been approved by the City Council prior to the Mills property addition. He explained that an updated agreement had been prepared to address minor revisions, including unit counts and administrative updates, with the remaining potential change relating to the fencing design.

Mr. Erickson requested flexibility regarding several fencing elements. He proposed terminating the wrought iron fence near Unit 111 and eliminating fencing along the five detached single-family lots on Bradford Lane, noting that the lots have direct driveway access and that fencing in front of those homes would not be consistent with typical residential design. He further proposed using a decorative vinyl fence with masonry columns along portions of Bradford Lane and requested consideration of alternatives to solid masonry fencing where appropriate. He also questioned the requirement for a solid masonry wall along the western boundary, noting that the adjacent River Run development does not have similar fencing.

Mr. Snyder explained that Annie's Acres was approved prior to the River Run development, which resulted in the fencing requirement being placed on Annie's Acres. He noted that the fence was included as part of the original Preliminary Plat and that he was not aware of any cost-sharing agreement between the developments. Mr. Snyder also confirmed that staff had previously communicated that Rhino Rock would not satisfy the masonry requirement along Bradford Lane or Volunteer Drive based on City standards.

Mr. Erickson explained that the addition of the Mills property substantially increased roadway frontage and created approximately \$300,000 in additional fencing costs that were not anticipated with the original plan. Staff discussed whether a wall was necessary along Bradford Lane, and there was general agreement that a wall may not be required in

that location. Mr. Erickson clarified that the applicant had originally preferred vinyl fencing and was seeking direction on the most appropriate design approach.

Mr. Snyder explained that the City Council previously directed the continuation of the South Lane railing throughout the project for consistency. He noted that previous discussions considered alternatives such as vinyl fencing but sought to avoid combining vinyl fencing with the required masonry wall along Volunteer Drive. Parker Johnson clarified that the fencing shown on the plans reflected what staff had requested, but it did not necessarily represent the applicant's preferred design.

Mr. Erickson further clarified the difference in interpretation regarding the term "masonry," explaining that the applicant has historically considered Rhino Wall systems to qualify as masonry, while City standards define masonry as solid block or traditional masonry construction. He noted that solid masonry would increase costs by approximately 30% compared to the Rhino Wall system. The applicant also described a preferred decorative vinyl fence design with masonry columns and lattice elements, which they felt would provide privacy while maintaining an attractive appearance. They acknowledged that this option would likely not be appropriate along Volunteer Drive due to roadway requirements.

Mr. Snyder recommended continuing the discussion outside of the meeting to allow staff additional time to research the fencing requirements and evaluate potential options. Cory Pierce noted that any modifications to the approved Development Agreement would require City Council review and approval. Staff discussed that fencing requirements along public rights-of-way are governed by City standards, while fencing along private lots may provide more flexibility depending on the Development Agreement and HOA responsibilities.

Dave Anderson stated that one of the original goals of the project was to avoid creating a fully enclosed, walled-off development, which influenced the selection of the wrought iron fencing along the south side of the project.

Mr. Erickson explained that, based on his experience, residents often prefer a balance between privacy and openness, and he felt a decorative vinyl fence with lattice elements could provide that balance. He emphasized that the applicant was seeking clarification on the City's expectations, particularly regarding fencing in front of the five detached homes.

Mr. Snyder asked Mr. Anderson and Mr. Pierce for direction on how they would like to proceed, noting that the goal was to ensure the final plans accurately reflect the approved fencing design. He suggested either conditionally approving the plat with updated fencing plans or continuing the discussion outside the meeting before finalizing the details. Mr. Anderson indicated that he was comfortable moving forward with Final Plat approval,

subject to approval of the amended Development Agreement by the City Council, while allowing additional discussion regarding the fencing design.

The applicant agreed that the Development Agreement would need to proceed through City Council regardless and expressed a willingness to continue working with staff on the final fencing solution. Staff and the applicant agreed to further review the fencing options, with the applicant providing examples of similar projects for consideration. The final fencing requirements will be incorporated into the amended Development Agreement, and any fencing within required clear vision areas will comply with City standards.

The meeting concluded with staff and the applicant expressing appreciation for the collaborative process. Staff noted that the addition of the Mills property has created a positive outcome for the project and will contribute to a successful neighborhood. The applicant agreed and expressed excitement about the future of the development.

Dave Anderson **moved** to approve the proposed The Villas at Annie's Acres Subdivision 2026 Final Plat based on the following finding and subject to the following conditions:

Finding:

1. That the application conforms to the City's General Plan Designation and that the proposal is consistent with the City's General Plan Designation and Zoning Map.
2. That the submitted plans are consistent with the approved Preliminary Plat.

Conditions:

1. That the Applicant meets the City's development and construction standards, zoning requirements and other applicable City ordinances.
2. That the Applicant addresses any staff redline review comments prior to the plat being recorded.
3. That the City Council approves an amended development agreement.
4. That the Applicant complies with the project's details and amenities as indicated in the development agreement and as previously approved with the Final Plat and Amended Preliminary Plat.
5. That the applicant provides detailed building elevations, materials and designs for the single-family lots 103-107, at the time of building permits, for review and approval regarding compliance with the quality and compatibility with the remaining residential units and compliance with the architectural standards of the Master Planned Development Overlay.
6. That the building plans for lots 103-107, include enhanced elevations for the corner and high visibility building elevations.

7. That the appropriate process be followed for the disposal of any property that is involved in the project.
8. That the Applicant obtains the necessary fence permits for all fences and walls and that all clear view requirements are met.
9. That the Applicant obtains the necessary sign permit for the proposed monument sign and that the sign location complies with all clear view area requirements.
10. That the applicant submit an exhibit identifying the perimeter fencing to be constructed with the project, and that it be reviewed by the city staff before inclusion with the draft Development Agreement that will be presented to the City Council.

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

Jered Johnson moved to adjourn the meeting at 10:31 a.m.

Adopted:

Kasey Woodard
Community Development Division
Secretary



Hollow Acres Commercial Zone Change
 400 North Spanish Fork Parkway
 4.84 acres
 R-R Rural Residential and R-1-12 Residential
 to C-2 General Commercial
 General Plan Designations
 Commercial and Medium
 Density Residential



PROPOSAL

This proposal involves changing the zoning of approximately 4.8 acres from R-R Rural Residential and R-1-12 Residential to C-2 General Commercial for property located on the southeast corner of 400 North and Spanish Fork Parkway. Approximately 75 feet of the currently zoned R-1-12 area is proposed to be included in the commercial request. The property is currently vacant and in agricultural production. The proposed commercial area is bisected by existing overhead power lines.

A conceptual plan of how the property could possibly develop has been provided by the Applicant. The southern remainder portion is currently zoned R-1-12 and a conceptual layout has been provided for 9 lots. The proposed commercial area would be adjacent to the future residential lots. Appropriate buffering such as landscaping, increased setbacks and a masonry wall will be required with the future commercial site plan review to reduce potential impacts on the future residential lots.

The Applicant is requesting the zoning map amendment to enhance the shopping center development that is planned across the street, as well as to allow for more services to benefit the surrounding community. The Applicant plans to develop this property into retail pads, with a variety of uses typical of a retail center of this style. The Applicant has been coordinating with UDOT, Rocky Mountain Power and Spanish Fork City to understand and meet all the requirements to develop this property.

The Applicant has indicated that the power line corridor that runs through the center of the proposed commercial area creates a challenge in that it limits the amount of square footage, and users on the first two pads. Due to this constraint, the Applicant can only fit some of the prospective tenants on the south end. Additionally, due to the anticipated infrastructure improvements and utility costs projected for this site, it only works from a financial standpoint if the Applicant can fit 4 pads. The Applicant has provided an efficient layout that allows for 4 pads and works around City requirements and power line constraints.

The Spanish Fork Land Use Element of the General Plan indicates that the Commercial Designation is for hubs of retail, dining, offices, and services that provide economic vitality and community convenience through accessible, well-designed development. Goal 5 of the General Plan (Retail and Office Development), encourages the placement of commercial nodes at key intersections and roadways.

The Municipal Code and the General Plan indicate that areas in the C-2 General Commercial Zone are intended to provide for a wide range of commercial uses designed to serve neighborhood, community and regional needs. Commercial land is highly location-sensitive, with success often depending on visibility, access, and proximity to major transportation corridors and population centers. Because suitable sites for commercial activity are limited, preserving these locations for commercial use is critical to sustaining the city's economic base and ensuring convenient access to goods and services for residents.

Some of the key issues to consider are: location, access, power lines, and other future improvements.

STAFF RECOMMENDATION

That the proposed Hollow Acres Commercial Zone Change be recommended for approval based on the following findings:

Findings

1. That the proposal is consistent with the City's General Plan Land Use Designation of Commercial.
2. That the proposal will provide for commercial uses at an important and highly visible intersection.
3. That the proposal will enhance commercial uses and services in the area.
4. That the proposal will promote conveniently located commercial uses and services.

EXHIBITS

1. Area Maps
2. Request
3. Concept
4. Municipal Code 15.3.16.080 C-2 General Commercial

EXHIBIT 1

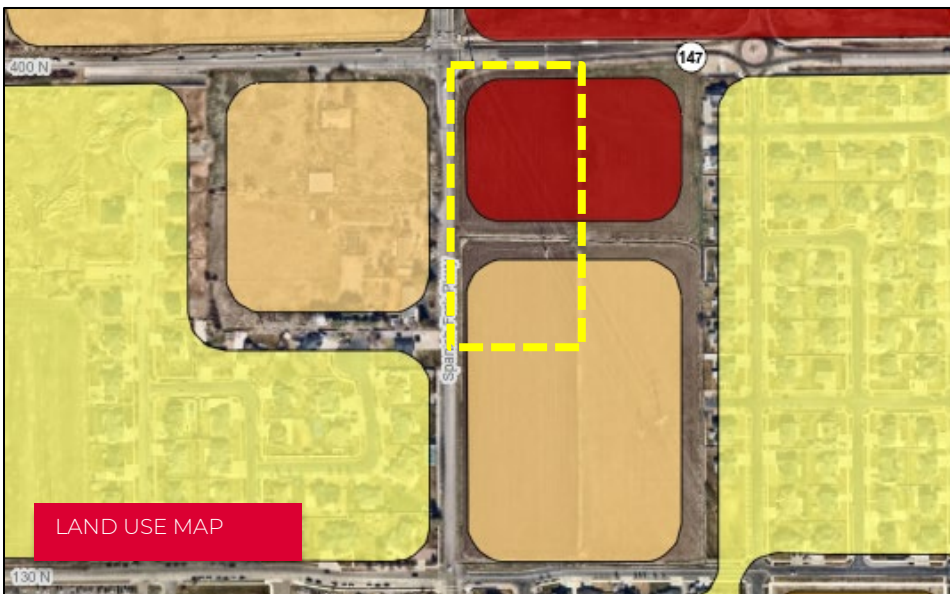
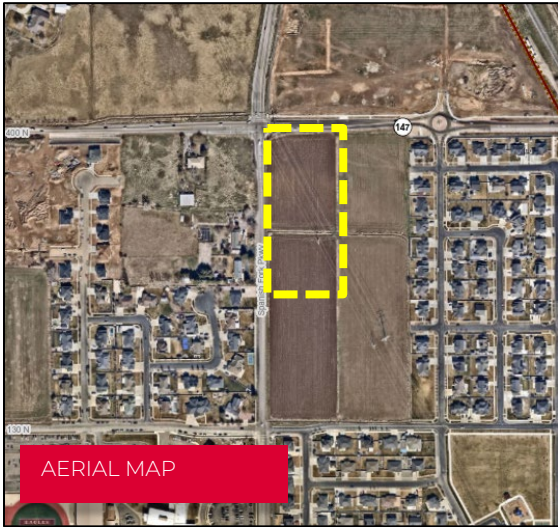
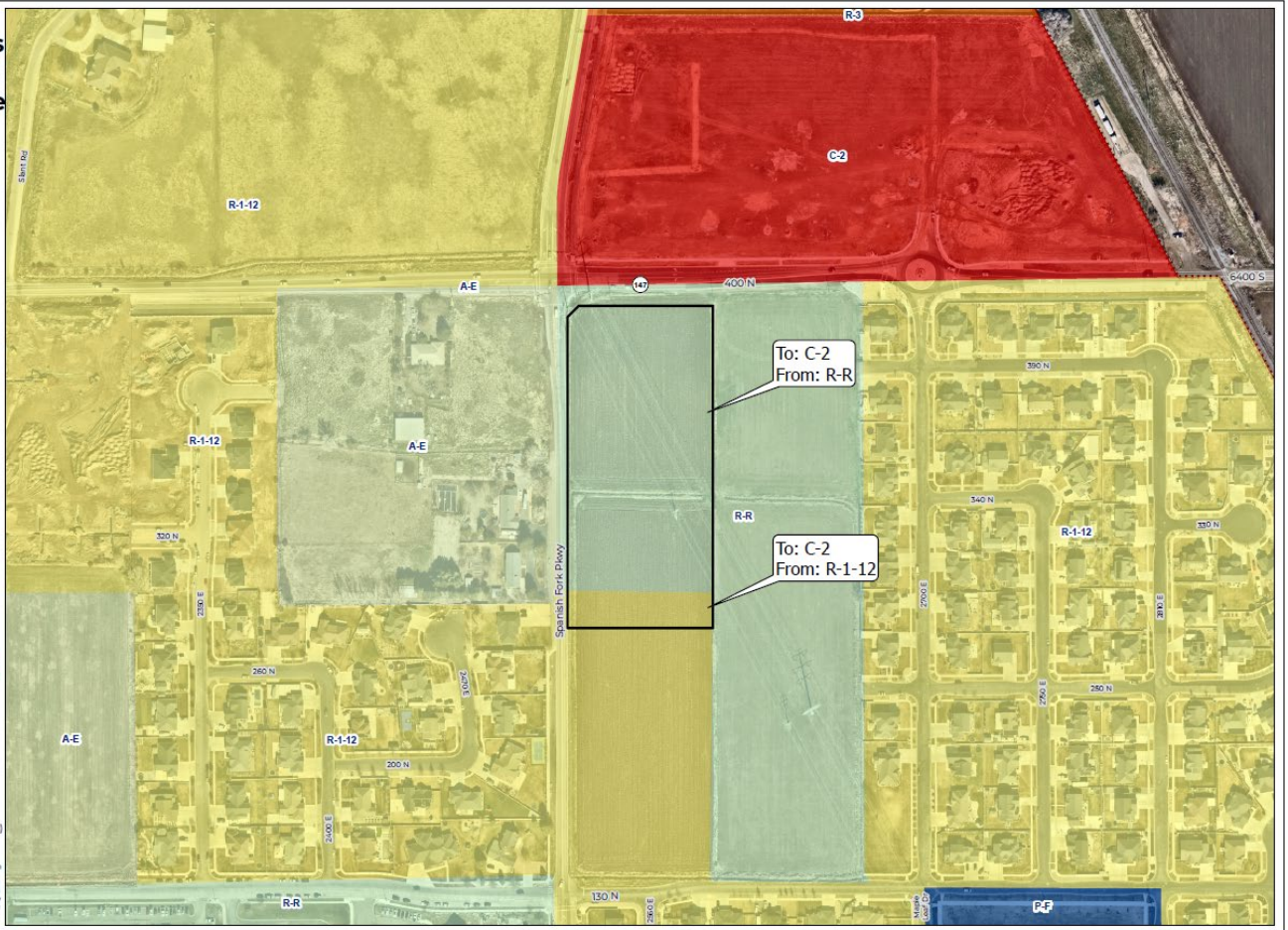
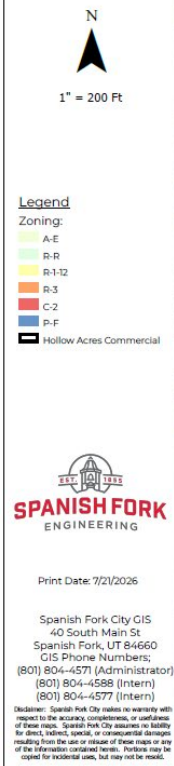


EXHIBIT 2

Exhibit A Hollow Acres Commercial Zone Change





CORNER PARTNERS
307 West 200 South, Suite 3003
Salt Lake City, UT 84101

To Whom it may concern,

We would like to apply for a zone amendment to the current zoning map, for the northern 4.84 acres of Utah County parcel 27:032:0192, on the corner of 2550 E St and 400 N.

The property is currently zoned Rural Residential (RR) and we are requesting a change to General Commercial (C-2).

We would like to make this change to match the use that is listed in the general plan (commercial). We feel that this change will enhance the shopping center development that is planned across the street, as well as allow for more services to benefit the surrounding community.

Our plan is to develop this property into retail pads, with a variety of uses typical of a retail center of this style.

We have been working with UDOT, Rocky Mountain Power and Spanish Fork city to make sure that we understand and meet all the requirements to develop this property.

We look forward to working with Spanish Fork city on this and future projects.

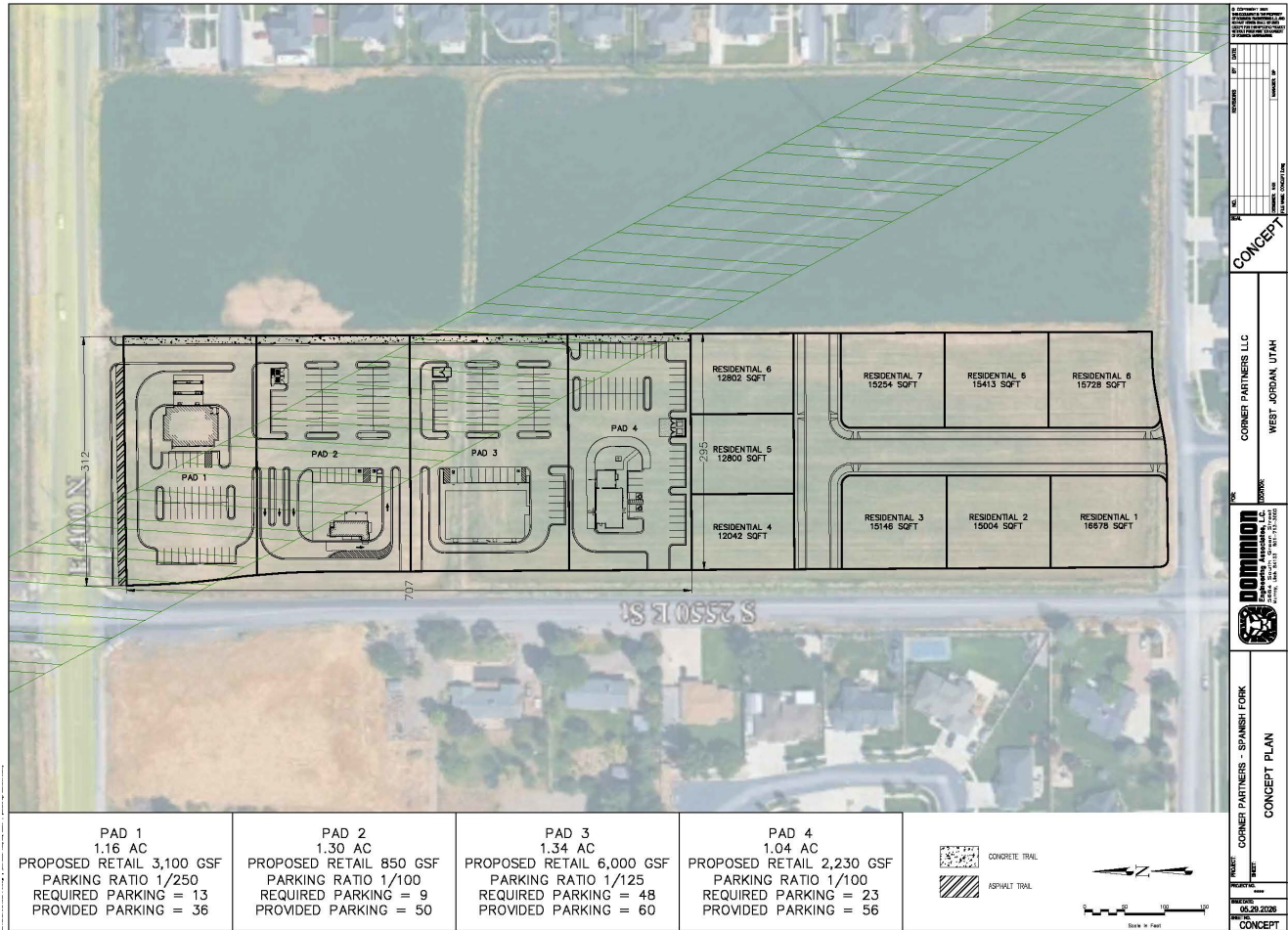
Regards,

Forrest Gaskill

Project Manager

CORNER PARTNERS | 307 West 200 South, Suite 3003 | Salt Lake City, UT 84101

EXHIBIT 3





Site plan render

Parkway Shops

400 North 2550th East, Spanish Fork, Utah



Render key

Parkway Shops

400 North 2550th East, Spanish Fork, Utah





Render view #1

Parkway Shops

400 North 2550th East, Spanish Fork, Utah



Render view #2

Parkway Shops

400 North 2550th East, Spanish Fork, Utah





Render view #3

Parkway Shops

400 North 2550th East, Spanish Fork, Utah



Render view #1

Parkway Shops

400 North 2550th East, Spanish Fork, Utah





Render view #5

Parkway Shops

400 North 2550th East, Spanish Fork, Utah



EXHIBIT 4

15.3.16.080 C-2 General Commercial

This district is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center.

- A. Permitted Uses: The following uses are permitted if operated from a permanent, enclosed building with no outside storage of merchandise:
 - 1. Adult Day Care.
 - 2. Art Galleries and Studios.
 - 3. Car Wash (full service).
 - 4. Child Care Centers.
 - 5. Convenience Stores.
 - 6. Event Center.
 - 7. Financial Institutions
 - 8. Hotels and Motels.
 - 9. Indoor Commercial Recreation Facilities.
 - 10. Instructional Studios.
 - 11. Lube Centers.
 - 12. Medical and Dental Laboratories.
 - 13. Municipal Facilities required for local service.
 - 14. Office Supply, Copying, Printing businesses.
 - 15. Offices.
 - 16. Outdoor display area.
 - 17. Personal Service businesses.
 - 18. Private Clubs.
 - 19. Public Utility Facilities required for local service.
 - 20. Repair Services for small appliances, bicycles, jewelry, and similar items.
 - 21. Restaurants.
 - 22. Retail uses.
 - 23. Tire Centers.
- B. The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such:
 - 1. New and Used Automobile, Motorcycle, Boat, Truck, Recreational Vehicle Sales and Rental Facilities, and Repair Services associated with such facilities.
- C. Uses Subject to Conditions:
 - 1. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).
- D. Uses Subject to Conditional Use Permit (see §15.3.08.060):
 - 1. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
 - 2. Wireless Communication Facilities on existing structures, with the intent to make them “stealth” facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
- E. Accessory Buildings and Uses (see §15.3.24.090):
- F. Development Standards (see Table 2).
- G. Site Plan/Design Review (see §15.4.08.010 et seq.).
- H. Landscaping, Buffering, Walls (see §15.4.16.130).
- I. Signs (see §5.36.010 et seq.).
- J. Parking (see §15.4.16.120).

TO: Development Review Committee

FROM: Dave Anderson, AICP

DATE: July 29, 2026

RE: Proposed Title 15 Amendment - Data Center and Onsite Power Generation Facilities

A document accompanying this memorandum describes proposed changes to the Municipal Code that would allow, if certain conditions are met, Data Centers and Onsite Power Generation Facilities to be located in the Industrial 1 Zone.

The redlines shown on the accompanying document do not identify the proposed changes to Title 15 but are instead changes that staff recommends to the applicant's proposal.

attachment: proposed Volition Text Amendment
supporting materials

SPANISH FORK CITY
APPLICATION FOR ZONING TEXT AMENDMENT
PROPOSED TEXT & REDLINED LANGUAGE

Applicant:	Volition Industries, Inc.
Application Type:	Zoning Ordinance Text Amendment (Spanish Fork Municipal Code Title 15, Land Use)
Governing Sections:	§15.2.04.030 (Application Requirements); §15.3.08.050 (Amendments to the Zoning Ordinance)
Sections Proposed for Amendment:	§15.1.04.020 (Definitions); §15.3.16.120 (I-1 Light Industrial Zone); §15.3.24 (Supplementary Regulations — new section)
Related Parcel (for reference):	Utah County Parcel No. 67:228:0003 (zoned I-1, Light Industrial)
Date:	July 10, 2026

Redline Legend

The proposed new language is shown in blue underline. Language proposed for deletion would be shown in ~~red strikethrough~~. This amendment adds new language only; no existing text is proposed for deletion. Existing code text is reproduced in regular type for context, and unaffected provisions are indicated by "* * *".

AMENDMENT 1 — §15.1.04.020 DEFINITIONS

Section 15.1.04.020 of the Spanish Fork Municipal Code is amended to add the following definitions, inserted in alphabetical order:

* * *

"Data Center": A facility used primarily for the housing and operation of computer servers, networking equipment, and data storage systems, together with associated electrical, mechanical, cooling, fire suppression, and security infrastructure. A Data Center may include accessory offices, maintenance areas, and an Onsite Power Generation Facility as regulated by this Title.

"Energy Storage System": One or more devices, assembled together, capable of storing energy and supplying electrical energy at a future time, including but not limited to battery energy storage systems, together with associated inverters, controls, thermal management, and enclosures. When installed as a component of an Onsite Power Generation Facility, an Energy Storage System is a functional element of that facility used for load-following, power quality, ride-through, black start, and reliability purposes, and not a separate principal use.

"Ultra-Low Emission Generation Technology": Stationary electric generation equipment that either (a) is certified under, or demonstrably meets, the distributed generation emission standards of the California Air Resources Board (CARB) Distributed Generation Certification Program, or

an equivalent or successor emission standard as reasonably determined by the Zoning Administrator based on manufacturer certification or source test data, or (b) emits oxides of nitrogen (NOx) at a rate not exceeding 0.5 pounds per megawatt-hour of electrical output. Ultra-Low Emission Generation Technology includes, ~~without limitation,~~ fuel cells, ~~recuperated microturbines,~~ and linear generators meeting the foregoing standard, operating on natural gas, renewable natural gas, hydrogen, biogas, or blends thereof. Ultra-Low Emission Generation Technology does not include reciprocating internal combustion engines.

"Onsite Power Generation Facility": Stationary Ultra-Low Emission Generation Technology, together with Energy Storage Systems, switchgear, controls, fuel handling equipment, thermal recovery equipment, and appurtenant structures, that generates, conditions, and stores electric power exclusively for consumption by principal and accessory uses located on the same site or within the same unified development, operating in electrical isolation from, and without interconnection to, any electric utility distribution or transmission system. An Onsite Power Generation Facility shall not export, sell, or deliver electric power at wholesale or retail to any offsite customer or electric system. An Onsite Power Generation Facility does not include facilities owned or operated by Spanish Fork City or another public utility.

* * *

AMENDMENT 2 — §15.3.16.120 I-1 LIGHT INDUSTRIAL ZONE

Subsection C (Uses Subject to ~~Conditional Use Permit~~Conditions) of Section 15.3.16.120 is amended to add the following uses:

~~CB.~~ Uses Subject to ~~Conditional Conditions~~Use Permit (see §15.3.08.060):

* * * [existing items 1 through ~~12-4~~ remain unchanged] * * *

~~135.~~ Data Center with Onsite Power Generation Facility, subject to the standards of § 15.3.24 (Onsite Power Generation Facilities).

~~146.~~ Onsite Power Generation Facility, subject to the standards of §15.3.24. ____ (Onsite Power Generation Facilities).

* * *

AMENDMENT 3 — PART 3, CHAPTER 15.3.24 SUPPLEMENTARY REGULATIONS

A new section is added to Chapter 15.3.24 (section number to be assigned upon codification), to read as follows:

§15.3.24.090

M. ONSITE POWER GENERATION FACILITIES

A1. Purpose: To allow electric power to be generated, stored, and consumed entirely onsite in support of permitted and ~~conditionally permitted~~-uses subject to conditions in the I-1 Zone, in a

manner that imposes no demand on, and creates no interconnection with, the City's electric utility system, and that protects surrounding properties from noise, emissions, glare, and visual impacts through enforceable performance standards.

B2. Applicability: This section applies to all Onsite Power Generation Facilities ~~approved as a conditional use~~ in the I-1 Zone. An Onsite Power Generation Facility may be established only in conjunction with, and scaled to serve, one or more principal uses lawfully established or concurrently approved on the same site or within the same unified development, ~~and shall generate a minimum of 50 megawatts.~~

C3. Eligible Technology: All generation equipment shall be Ultra-Low Emission Generation Technology as defined in §15.1.04.020. The applicant shall demonstrate compliance through manufacturer certification, source test data, or applicable air quality permit documentation submitted with the ~~conditional-site plan~~ use application.

D4. Energy Storage: An Onsite Power Generation Facility may, and where necessary to maintain utility-grade power quality in islanded operation shall, include an Energy Storage System as a functional component of the facility. Energy Storage Systems shall: (1) be listed to UL 9540 and supported by UL 9540A large-scale fire test data or equivalent; (2) be designed, installed, and operated in accordance with NFPA 855 and the fire code adopted by the City; (3) be sized and operated to provide load-following, transient response, ride-through, and black-start capability for the onsite load, and not for offsite energy sales; and (4) be subject to review by the Fire Marshal, including an emergency response plan, prior to issuance of a certificate of occupancy.

E5. Electrical Isolation: The facility shall operate in permanent electrical isolation from the Spanish Fork City electric system and any other electric utility distribution or transmission system. No interconnection, parallel operation, or export of power shall occur. Physical isolation shall be demonstrated in the electrical design submitted with the application. ~~Ordinary office, maintenance, custodial, and other similar portions of a facility may be connected to the Spanish Fork City electric system.~~

F6. Noise: Sound generated by the facility, including generation equipment, Energy Storage Systems, and cooling equipment, shall not exceed 65 dBA at any property line of the site, and shall not exceed 55 dBA at the boundary of any residential zone, at any hour, measured in accordance with the procedures of Chapter 9.32 of this Code. These limits are more restrictive than the industrial zone limits of §9.32.050 (80 dBA day / 65 dBA night) and are equivalent to the nighttime limits otherwise applicable at residential boundaries. Compliance with this subsection does not excuse compliance with Chapter 9.32. An acoustic analysis prepared by a qualified professional shall be submitted with the ~~conditional-use-site plan~~ application.

G7. Air Quality: The facility shall obtain and maintain all approvals required by the Utah Division of Air Quality prior to operation, and shall at all times operate within the emission rates demonstrated under subsection C.

H8. Setbacks, Screening, and Height: Generation and storage equipment shall comply with the setback and height standards of the I-1 Zone and shall be screened from view from public streets

and adjacent residential zones by buildings, walls, fencing, or landscaping consistent with the design standards of this Title. Fuel handling and storage equipment shall comply with all applicable fire and building codes.

I9. Water Use: Heat rejection systems serving an Onsite Power Generation Facility or a Data Center served by such facility shall use closed-loop, air-cooled, or dry cooling designs. Evaporative cooling and once-through cooling shall not be used for heat rejection. This subsection does not prohibit water use for interior humidification, domestic and sanitary purposes, landscaping, or fire protection. The ~~conditional~~+use-site plan application shall include an annual water use estimate, by category of use, for review by the Public Works Director, and the approved estimate shall be a condition of the permit.

J.10 Wastewater Discharge: Any discharge to the public sewer system from the facility, including cooling system blowdown or maintenance flushing, shall comply with the City's public sewer pretreatment program under Chapter 13.24 of this Code, including submission of the pretreatment questionnaire required by §13.24.110(A) and any wastewater discharge permit required thereunder.

K11. Decommissioning: Upon permanent cessation of the principal use served, the Onsite Power Generation Facility, including any Energy Storage System, shall be removed within twelve (12) months, and the site restored, at the owner's expense. The City may require a decommissioning plan as a condition of approval.

~~**L. Conditions:** The Planning Commission may impose reasonable conditions pursuant to §15.3.08.060 to mitigate reasonably anticipated detrimental effects of the facility in accordance with applicable standards.~~

M12. Other Codes Unaffected: Nothing in this section modifies or limits the applicability of the building, fire, or utility codes adopted by the City, including provisions of those codes governing emergency standby equipment.

SPANISH FORK CITY APPLICATION FOR ZONING TEXT AMENDMENT JUSTIFICATION STATEMENT

Applicant: Volition Industries, Inc. | Governing Sections: §15.2.04.030; §15.3.08.050 | Date: July 16, 2026

1. Purpose and Necessity of the Amendment

This application proposes a text amendment to Title 15 of the Spanish Fork Municipal Code. The amendment defines "Data Center," "Energy Storage System," "Controlled-Emission Generation Technology," and "Onsite Power Generation Facility." It adds Data Centers and Onsite Power Generation Facilities as uses subject to a conditional use permit in the I-1 Light Industrial Zone. It also establishes enforceable performance standards governing their operation, organized around a single performance-based emission standard with graduated review: ultra-low emission equipment follows a streamlined path, and all other qualifying equipment requires best-available emission controls, enhanced siting standards, and site-specific Planning Commission findings.

Title 15 is a permissive zoning code. Uses not expressly listed are prohibited. A data center is not listed as a principal use in any zone, and a non-utility onsite power generation facility is not listed either.

The amendment is necessary so the City has a procedural pathway to review, condition, and permit this category of development. Without the amendment, the City has no mechanism to evaluate a project like this on its merits.

2. Description of the Proposed Use

The amendment allows behind-the-meter, permanently islanded power generation serving an onsite load such as a data center, under a single performance-based emission standard that is not tied to one vendor or one technology. Every generator must meet an enforceable NO_x limit of 0.30 lb/MWh. Equipment that performs at or below 0.07 lb NO_x/MWh is classified as ultra-low emission and receives streamlined review; all other qualifying equipment is subject to the enhanced standards and site-specific findings described below.

Equipment is classified as ultra-low emission if it performs at or below 0.07 lb NO_x/MWh, demonstrated through manufacturer certification, source test data, or certification under a qualifying state or federal distributed generation emission certification program. The proposed text states its limits as fixed numeric standards; it does not incorporate another

jurisdiction's regulations. In practice, the technologies that meet the ultra-low classification today are stationary fuel cells, recuperated microturbines, and linear generators. All other equipment may be authorized only under enhanced review: it must meet the 0.30 lb NO_x/MWh limit — in practice requiring selective catalytic reduction and oxidation catalyst controls — be housed within a fully enclosed building, be shown by acoustic analysis to meet the residential-boundary noise limits at full rated load, and operate under continuous emissions monitoring or annual source testing. Uncontrolled combustion generation does not qualify at all.

The ultra-low emission classification is meetable today by multiple vendors; the standard is not a single-supplier specification. The certifications cited below are offered as evidence of demonstrated performance, not as the governing standard. Bloom Energy's Energy Server 6.5 is CARB-certified under Executive Order DG-058 and is rated at approximately 0.003 lb NO_x/MWh (source: Bloom Energy Server 6.5 data sheet). HyAxiom's PureCell Model 400 fuel cell is CARB-certified under Executive Order DG-047. FuelCell Energy's SureSource platforms hold CARB Distributed Generation certifications under Executive Orders DG-056 and DG-057. Mainspring Energy's Linear Generator is rated at less than 0.05 lb NO_x/MWh without aftertreatment and complies with South Coast AQMD emission limits (source: Mainspring Linear Generator 3 MW data sheet), qualifying through the manufacturer-certification pathway.

The amendment recognizes energy storage as a functional part of an islanded generation facility, not a separate use. A facility that never connects to the grid has to deliver utility-grade power quality on its own. Energy storage provides the load-following, transient response, ride-through, and black-start capability the grid would otherwise supply.

The proposed standards require that storage be listed to UL 9540 and supported by UL 9540A fire test data. Storage must be designed to NFPA 855 and reviewed by the Fire Marshal, with an emergency response plan filed before occupancy.

The amendment also regulates water. Heat rejection must use closed-loop, air-cooled, or dry cooling. Evaporative and once-through cooling are prohibited for heat rejection, and each application must include an annual water use estimate reviewed by the Public Works Director.

Any sewer discharge from the facility, including cooling loop blowdown, is subject to the City's existing public sewer pretreatment program under Chapter 13.24, which the City administers with EPA approval under 40 CFR 403. The proposed text cross-references that program rather than creating a second discharge standard in the zoning code.

3. Consistency with the General Plan

Economic development

The General Plan directs the City to strengthen and diversify its economic base and to attract employment and capital investment to its industrial areas. This category of development is capital-intensive and generates a large local tax base relative to its traffic and service demands. It is actively locating along the Wasatch Front now, and the amendment lets Spanish Fork compete for it on terms the City sets.

Utility capacity and fiscal stewardship

Spanish Fork owns and operates its own municipal electric utility. A large new load ordinarily raises hard questions for a city utility: generation adequacy, transmission capacity, and whether existing ratepayers end up subsidizing growth.

This amendment answers those questions by definition, not by promise. A facility permitted under the proposed text is prohibited from interconnecting with, drawing from, or exporting to the City's electric system. It adds taxable value and jobs while placing no demand on municipal generation, transmission, or distribution assets, and no risk on existing ratepayers.

Orderly growth and land use compatibility

The amendment channels the use to the I-1 Zone, as a conditional use, with objective standards for emissions, noise, screening, setbacks, fire safety, and decommissioning. The Planning Commission keeps full conditional use authority to impose site-specific conditions on each project. This is what the General Plan asks the City to do with an emerging land use: set standards ahead of time instead of responding to a project without any.

Environmental quality

Utah County lies within the Southern Wasatch Front marginal ozone nonattainment area and is a maintenance area for PM2.5. The amendment is more protective than the current code, which has no standard for this use at all. It subjects every generator to an enforceable NOx limit, reserves streamlined review for ultra-low emission technology, admits combustion equipment only with best-available emission controls, full building enclosure, demonstrated compliance with residential-boundary noise limits, and site-specific findings, and it requires Utah Division of Air Quality approval before operation in every case. The proposed text also caps facility-wide potential to emit NOx below the federal major source threshold, enforced through the facility's Division of Air Quality approval order, so a facility permitted under this section can never become a major source

of NO_x under the Clean Air Act. The water standards in the proposed text support the City's water conservation policies by prohibiting the highest-consumption cooling methods before any project is approved.

4. Public Benefit

No burden on the municipal grid or ratepayers

The defining feature of the proposed use is permanent electrical isolation. Residents' electric rates, reliability, and the City's power supply are unaffected because the facility cannot connect to the City's system at all.

Quiet and clean, measured against the City's own standard

The proposed text sets a property-line noise limit of 65 dBA, and 55 dBA at any residential zone boundary, at all hours. The City's existing industrial noise limit under §9.32.050 is 80 dBA in the day and 65 dBA at night. A facility under this text has to meet the City's nighttime standard around the clock. A professional acoustic study, measured under the procedures in Chapter 9.32, is required before approval. The limits apply to every class of equipment; combustion equipment authorized under enhanced review must meet the same limits from within a fully enclosed building. Compliance is verified by sound testing after construction under the proposed text, not assumed from modeling alone, with follow-up testing available upon a substantiated complaint.

Minimal water demand, set by standard

Generation equipment in the ultra-low emission class consumes no water during normal operation (source: Bloom Energy Server 6.5 data sheet; Mainspring Linear Generator 3 MW data sheet, listing water consumption as none). Equipment authorized under enhanced review must use closed-loop radiator cooling under the proposed heat rejection standard, which limits its water demand to periodic coolant make-up. The proposed text prohibits evaporative and once-through cooling for heat rejection, so facility water demand is limited to interior humidification, domestic and sanitary use, landscaping, and fire protection.

Each application must disclose an annual water use estimate for Public Works review, and the approved estimate becomes a condition of the permit. The City verifies water demand before approval instead of relying on applicant assurances after the fact.

Safety built into the standard

Energy storage must meet UL 9540, UL 9540A, and NFPA 855, and requires Fire Marshal review. Screening, setbacks, and a mandatory decommissioning requirement mean the facility does not become a long-term liability for the City after the use ends.

The City keeps control

Every project under this text still needs its own conditional use permit, its own public hearing, and its own site-specific conditions. The amendment creates a pathway. It does not create an entitlement.

5. Requested Action

The Applicant requests that the Development Review Committee recommend approval, that the Planning Commission recommend approval after public hearing, and that the City Council adopt the proposed text amendment set forth in the accompanying Proposed Text (Redlined Language), under §15.3.08.050, upon a finding that the amendment is consistent with the General Plan.

Contact: Jeff Chavez (email: jc@volition.eco) to schedule the DRC review.

TO: Spanish Fork City Planning Commission

FROM: Dave Anderson, AICP

DATE: August 5, 2026

RE: Detached Accessory Dwelling Units

A change to Utah Code will take effect on October 1, 2026. Spanish Fork City is required to modify our zoning code to be consistent with the language in Utah Code. In all but one way, Spanish Fork's zoning code is already consistent with the new language in State law. The applicable section of State Code is attached to this correspondence.

Currently, Spanish Fork City requires properties with Detached Accessory Dwelling Units to have a total of four parking spaces. Incidentally, none of the required spaces can be provided in a tandem arrangement where spaces are located in front of, or behind, one another.

Here is an excerpt from Utah Code that relates to required parking:

(3) A land use regulation described in Subsection (1) may not:

.....

(b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;

(c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet.....

The inconsistency with Spanish Fork Municipal Code and Utah Code is the amount of parking that is required for properties with Detached Accessory Dwelling Units that have less than 650 square feet of floor area. The following change to Spanish Fork City's zoning code is proposed to correct that inconsistency:

E. Accessory Dwelling Units (ADUs):

1. This sub-section is established to provide regulations for ADUs.

2. Requirements for Approval....

~~**e. The property must have a total of three (3) parking spaces for the primary single-family dwelling with an internal ADU and four (4) parking spaces for a primary single-family dwelling with an external or detached ADU which meet the criteria provided in section §15.4.16.120. i.e., two (2) parking spaces are required for the primary single-family dwelling and one (1) parking space for the internal ADU. The parking spaces for the ADU may not be provided in a tandem arrangement.**~~

e. Properties with internal ADUs must provide at least three (3) off-street parking spaces, two (2) spaces for the primary dwelling and one (1) space for the internal ADU. Properties with detached ADUs, where the detached ADU contains less than 650 square feet of floor area, must provide at least

three (3) off-street parking spaces, two (2) spaces for the primarily dwelling and one (1) space for the detached ADU. Properties with detached ADUs, where the detached ADU contains 650 or more square feet of floor area, must provide at least four (4) off-street parking spaces, two (2) spaces for the primarily dwelling and two (2) spaces for the detached ADU. The parking spaces for the ADU may not be provided in a tandem arrangement and required parking spaces must meet the criteria provided in section §15.4.16.120.

Please let me know if you have any questions.

attachment: Utah Code 10-21-304

Effective 10/1/2026

10-21-304 Detached accessory dwelling units.

- (1)
 - (a) A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel.
 - (b) This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet.
- (2) A land use regulation described in Subsection (1) shall:
 - (a) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and
 - (b) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable:
 - (i) dwelling and accessory structure setback requirements; and
 - (ii) building, health, and fire codes.
- (3) A land use regulation described in Subsection (1) may not:
 - (a) require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone;
 - (b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;
 - (c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet; or
 - (d) include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618.
- (4) A land use regulation described in Subsection (1) may:
 - (a) require a detached accessory dwelling unit to:
 - (i) conform to applicable land use regulations that regulate structure size, dimension, height, and maximum lot coverage;
 - (ii) conform to setback requirements, that may take into account proximity to property lines and other structures, easements, window orientation, massing, or other elements; and
 - (iii) be designed consistent with the design of the single-family dwelling;
 - (b) prohibit a detached accessory dwelling unit from being:
 - (i) larger in size than the single-family dwelling located on the same lot or parcel;
 - (ii) located within a public utility easement or other recorded easement;
 - (iii) located in a front-yard area of a lot or parcel; or
 - (iv) rented for less than 90 consecutive days;
 - (c) require that the owner of a lot or parcel where a detached accessory dwelling unit is located reside in the detached single-family dwelling or detached accessory dwelling unit located on the lot or parcel;
 - (d) require that when a detached garage is converted to a detached accessory dwelling unit, any parking spaces required for the single-family dwelling that were located within the detached garage are replaced on-site;
 - (e) prohibit more than one accessory dwelling unit on a lot or parcel; and
 - (f) prohibit a detached accessory dwelling unit if:
 - (i) the detached accessory dwelling unit will not have adequate access to a required utility service that is a project improvement, including sanitary sewer, culinary water, electrical, or storm water; or

- (ii) a utility service that is a system improvement, including sanitary sewer, culinary water, electrical, or storm water, to which the detached accessory dwelling unit is required to connect does not have sufficient capacity to support the addition of the detached accessory dwelling unit to the utility service system improvements.
- (5) This section does not supersede:
 - (a) a land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit;
 - (b) prohibitions or restrictions on detached accessory dwelling units in a development agreement signed by a municipality on or before May 6, 2026; or
 - (c) a land use regulation or administrative action that:
 - (i) is not prohibited by law; and
 - (ii) relates to a detached accessory dwelling unit.

Enacted by Chapter 166, 2026 General Session