



AMERICAN FORK CITY PLANNING COMMISSION AGENDA

**Regular Session
September 2, 2026
Wednesday 6:30 PM**

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

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

Planning Commission Members

**Christine Anderson, Chair
Chris Christiansen, Vice Chair
Geoff Dupaix
Rod Martin**

**David Bird
Harold Dudley
Claire Oldham**

Notice is hereby given that the American Fork City Planning Commission will meet in regular session on September 2, 2026, at the American Fork City Hall, 31 North Church Street commencing at 6:30 PM. The agenda shall be as follows:

1. Regular Session

- a. Pledge of Allegiance
- b. Roll Call

2. Public Comments

- a. Up to a 20-minute public comment period to receive public comments. Each speaker is limited to two minutes.

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

- a. Approval of the August 19, 2026, Planning Commission minutes

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

- a. Public hearing on a proposed Code Text Amendment, known as Park Strips and Trees, of the American Fork City Municipal Code. Amending Chapter 12.16, the Code Text Amendment plans to repeal the existing chapter 12.16 of the American Fork City Code and replace it with the new Chapter 12.16 to provide codification, repeal of conflicting provisions, severability, and an effective date for an updated park strips and trees ordinance.

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

- a. Review and recommendation on a proposed Code Text Amendment, known as Park Strips and Trees, of the American Fork City Municipal Code. Amending Chapter 12.16, the Code Text Amendment plans to repeal the existing chapter 12.16 of the American Fork City Code and replace it with the new Chapter 12.16 to provide codification, repeal of conflicting provisions, severability and an effective date for an updated park strips and trees ordinance.

6. Other Business

- a. Upcoming Projects

7. Adjournment

Dated this 31st day of August 2026

Patrick O'Brien

Development Services Director

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



NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the American Fork City Planning Commission will hold a Public Hearing on September 2, 2026, in the City Hall, located at 31 N. Church Street, commencing at 6:30 PM.

The public and each affected entity is invited to provide information and comment for American Fork City to consider in the process of the proposed items.

- **Notice of public hearings and public meetings on adoption or modification of land use regulation.**
 - o Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Park Strips and Trees, of the American Fork City Municipal Code. Amending Chapter 12.16, the Code Text Amendment plans to repeal the existing chapter 12.16 of the American Fork City Code and replace it with the new Chapter 12.16 to provide codification, repeal of conflicting provisions, severability, and an effective date for an updated park strips and trees ordinance.
 - Description: Providing a new and rewritten Chapter 12.16 of the American Fork City Code to provide regulations regarding park strips and trees. This code will provide information regarding planting trees within park strips and repeal conflicting provisions of the City code.

Shortly before the public hearing, supporting documentation is posted on the city website at www.americanfork.gov or available by contacting the City Recorder at 801.763.3000.

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AMERICAN FORK CITY PLANNING COMMISSION REGULAR SESSION

August 19th, 2026

The American Fork City Planning Commission met in a regular session on August 19th, 2026, at the American Fork City Hall, 31 North Church Street, commencing at 6:30 p.m.

Commissioners Present: Christine Anderson, Chris Christiansen, Rodney Martin, Geoff Dupaix, Claire Oldham, David Bird, Harold Dudley

Staff Present:

Patrick O'Brien	Development Services Director
Cody Opperman	Senior Planner
Justin Peng	Planner I
Ben Hunter	City Engineer
Carolyn Lloyd	Administrative Assistant

Others Present:

REGULAR SESSION

Christine Anderson led the "Pledge of Allegiance"

Roll Call

PUBLIC COMMENT Opened

Elizabeth Phelon of ESP Excavation thanked the Commission for revisiting the zoning changes, noting that only two major changes remain, and neither affects her business. She acknowledged the city will continue to grow and expect further revisions down the road and commended the Commission for listening to the many public comments and factoring them into its decisions.

Christine Anderson thanked Elizabeth Phelon voicing her opinion. She indicated that it really has been a process of gathering information from the City.

PUBLIC COMMENT closed

COMMON CONSENT AGENDA

1. Minutes of the July 8th 2026, Planning Commission Regular Session.

David Bird motioned to approve the Common Consent agenda.

Harold Dudley seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	AYE
Rodney Martin	AYE
Claire Oldham	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE

The motion passed

PUBLIC HEARINGS

- a. Public hearing on a proposed zone for an annexation, known as Chipman and Stake Center #2 Annexation, located at approximately 100 W 700 S, American Fork City. Consisting of approximately 24 acres, the property is proposed to be annexed into American Fork City and is proposed to receive the PR-3.0 zoning designation.**

Christine explains comments and discussion period

Public Hearing Opened

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No Comment

Public Hearing Closed

- b. Public hearing on an update to the American Fork General Plan to update all sections to establish an updated vision for growth and development in the City.**

Public Hearing Opened

Jeffrey Huffman commented on parking requirements in transit-oriented development (TOD) areas. Using an analogy — transit as a "magic garage door" that's free and convenient but limited to approved destinations and times (currently 13 stops along the Wasatch Front, once an hour, Monday–Saturday) — he argued that limited transit access means people will still want their cars accessible, comparing it to preferring a driveway over a garage when options are restricted. Though he described himself as a strong supporter of transit and said it's a reason he's moving to the area, he requested the Commission to consider allowing more parking than the current code requirement of 1.5 spaces per dwelling unit in TOD zones. He said he'd be willing to pay for additional parking, including a possible paid permit or lot, if the city could offer that option.

Public Hearing Closed

ACTION ITEMS

- a. Review and action on a proposed Request for Consideration for a project known as Lone Automotive located at 105 S 700 E Unit E. The applicants for this project request to operate an Auto Dealership in the GC-1 General Commercial Zoning.**

Cody Opperman, staff, presented a returning agenda item regarding a proposed auto dealership use at 105 South 700 East, within the GC1 zoning designation. Car and auto dealerships are not a

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permitted use under GC1 zoning as written; however, municipal code allows the Planning Commission discretion to approve other uses similar to those permitted if the Commission finds them in harmony with the intent of the zone, meaning the decision ultimately rests with the Commission. The item was previously tabled on April 22, 2026, so that staff could confirm with the applicant that they understood the additional development review requirements. Staff followed up by email on April 29, explaining that approval would require the applicant to go through a site plan application for the change of use, and the applicant confirmed on July 20, 2026, that they were prepared to proceed through that process. If the Commission approves the request, the applicant will move forward with development review, with details attached to the meeting packet. Staff was present to answer any questions from the Commission.

Patrick O'Brien noted that the city is continuing work on a full rewrite of amendments to the municipal code, a substantial undertaking. Among the proposed zoning changes is a shift in the intended uses within the GC1 and GC2 zones, effectively flipping their current orientation: GC1 would no longer be intended for primary frontage properties along main thoroughfares, but instead for larger, more office/warehouse-type development set back at the rear of the block, with primary commercial and retail outlets fronting the thoroughfares. From that perspective, uses like the proposed auto dealership would not be permitted under GC1 as currently structured. However, he indicated this is something being considered as part of the broader code update, and that the gateway area in question may instead be addressed through a future rezoning rather than through amendments to permitted uses within the existing GC1 zone.

Christine Anderson asked whether a future code update might allow a use like the proposed auto dealership within the GC1 zone.

Patrick O'Brien clarified that the GC1 zone would not accommodate that type of use, as it is not currently intended for it. He explained that the city is looking at pushing GC2-type uses out to the frontage of these areas, which could make such a use possible in the future under GC2, not GC1. Staff's request is that the Commission not approve the current proposal, and instead allow the city time to address it through updates to the zoning ordinance and a subsequent rezoning of the gateway area.

Christine asked whether, under a future rezoning, this zoning could change.

Patrick O'Brien confirmed it could, but offered no guarantee, since rezoning is a decision for the Planning Commission and City Council, not staff. He noted the city's proposal involves significant rezoning for this area, in line with the general plan and the polycentric city center master plan, aimed at creating a gateway area that supports more commercial use.

David Bird asked whether the rezoning possibility is currently in the works or a longer-range plan.

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Patrick O'Brien confirmed the rezoning effort is actively underway alongside the broader code rewrite. He said staff is working to tighten up the code so that, once there is sufficient consensus from the Commission and Council, it will be clearer whether a rezone fits, since uses would be outlined in the proposed code amendment.

Geoff Dupaix requested the map to be pulled up

Patrick O'Brien explained that GC2 is adjacent, making it a compatible and logical direction to pursue, without undermining the intent of GC1 by introducing uses better suited to GC2. He noted there is already significant overlap between GC1 and GC2 uses, and that maintaining a distinction between the two zones is important — GC2 fronts the main arterials, while GC1 steps back to the rear of the block. He referenced a similar prior request from Brian Fruit involving a comparable land use and rezoning request.

Geoff Dupaix commented that the city's zoning approach seems aimed at minimizing or readjusting certain zoning principles.

Patrick O'Brien agreed, explaining the goal is to move toward a logical, layered zoning approach organized in strips, rather than the current pattern of scattered, inconsistent zoning "splotches" throughout the city.

Christine Anderson asked staff to clarify whether the request is to change the zoning of the property.

Patrick O'Brien clarified that the applicant is not requesting a rezone but rather asking that the dealership be considered a permitted use within the existing GC1 zone. Staff's position is that it should not be considered a permitted use, since it is not similar to other existing uses in GC1. He explained that allowing it now could set a precedent for future applicants to justify similar uses in GC1 based on this approval, potentially pushing incompatible uses toward the rear of the block, closer to adjacent residential areas.

Christine Anderson asked whether approving this on the current parcel would open the door to similar uses elsewhere in the GC1 zone.

Patrick O'Brien reiterated that a rezone to GC2 would be more compatible and logical for this type of use. He noted that current code allows certain uses to be considered permitted through a determination of similarity, without going through a full legislative process — whereas a rezone would go through City Council as the legislative body, based on Planning Commission's recommendation, offering a more transparent process. He added that staff has not received clear justification for how the dealership is similar to any existing GC1 use, whereas similar businesses already exist and are permitted along the GC2 corridor near 500 East. He emphasized that staff is not saying the use doesn't make sense in the area generally — only that it does not make sense within the GC1 zone specifically — and requested that it instead go through the rezoning process.

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Chris Christiansen thanked staff for the discussion and facts shared, noting that this is an administrative matter — the Commission is bound by what the code says. Speaking apart from that administrative role, he added that even if the use were permitted by zoning, he still would not consider this a great location for that type of business, since the applicant does not own the entire building, parking is shared, and there is very little parking available as it stands. In his view, placing a dealership at this location doesn't make sense regardless, and the zoning issue alone makes it easier to conclude it doesn't belong here. He continued confirming the request fails on zoning grounds and is not advisable based on staff's input. He added that even if the matter proceeded to a site plan review, it would likely fail on parking alone, among other issues, and cautioned that if the goal is simply to satisfy an insurance requirement, this would not be the appropriate way to do it.

Rodney Martin stated, for the record, that the request would not be approved even if the property were zoned GC2. He advised the applicant to carefully consider spending money and taking up staff time and resources on something that isn't going to work anyway.

Claire Oldham indicated that parking was the Commission's biggest initial concern, and that staff had reached out to the applicant via email about it. She asked whether staff had looked at the site requirements, and whether the applicant meets them.

Cody Opperman responded that he would need to see a more conceptual or developed plan to fully confirm compliance, since the overall parking requirement would depend on the level of service the applicant plans to provide for car ownership. He said he didn't have the exact figures memorized but believed it was roughly four stalls per service bay, plus additional stalls for administrative space and storage space. He also noted that since the parking lot is a shared/common area, it would be difficult to get sign-off from all parties to change the overall parking layout for this use. Citing code section 17.5.133 (Motor Vehicle Sales and Services), he outlined the requirements: three spaces per 1,000 square feet of gross floor area used for display, sales, and administration; one and a half spaces per 1,000 square feet of area used for warehouse, parts, and materials; and four spaces per service bay. He added that the applicant's existing detailing shop, which would continue operating, would require additional parking on top of these requirements.

Claire Oldham said she would be comfortable recommending the Commission simply wait for the zone change, since based on the parking requirements outlined, there's no way the applicant could meet them as things currently stand.

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Geoff Dupaix moved to deny the proposed Lone Automotive Request for Consideration relating to permitting the use of Auto Dealership located at 105 S 700 E Unit E in the GC-1 Zoning.

Claire Oldham seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	AYE
Rodney Martin	AYE
Claire Oldham	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE

The motion passed of denial

- a. **Review and recommendation on a proposed Request for Consideration for a project known as American Fork Hotel located at 714 S 600 E. The applicants for this project request consideration of an adjustment in parking to decrease the number of required parking stalls, as outlined in Section 17.5.133(D) of the American Fork Municipal Code.**

Cody Opperman presented on a new item — the applicant is requesting a parking reduction under subsection D of code section 17.5.133. The applicant provided a concept plan illustrating the proposal, along with a parking analysis covering their overall hotel locations and specifically addressing the American Fork location under consideration today. The proposal calls for 122 suites with 129 proposed parking stalls, equating to 1.06 stalls per room. The city's standard requirement under section 17.5.133 is 1.25 stalls per room, which would require 153 stalls for the 122-room site. If the reduction is approved, the applicant would be required to submit a traffic impact study as part of the development application, demonstrating that the reduced parking would not result in vehicles parking along the street. He noted the process involves

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findings of fact supporting any adjustment, followed by a Planning Commission recommendation and City Council determination. He also referenced a site map, with the relevant lot highlighted in orange, noting the underlying land use designation is commercial. He clarified that the applicant is looking at the entire parcel, and specifically plans to shift the southeastern property line slightly further southeast — essentially a boundary line adjustment — to provide a bit more room for their development application. That adjusted parcel is where the hotel would be located. He confirmed the land use designation is commercial, and while the zoning map still shows PF1, the applicant recently completed a zone change application with the Commission to reclassify it as GC2, so the current PF1 designation reflects a lag in updating the map rather than the actual current zoning. He then walked through the overall site concept: two points of ingress/egress, with parking surrounding the hotel. Referencing the applicant's parking table, he noted their broader portfolio reflects 3,500 total units, with the American Fork location specifically requesting 122 rooms and 129 parking spaces, a ratio of 1.06 stalls per room.

Geoff Dupaix noted that parking adequacy often depends on location and use and can be especially problematic for larger vehicles — an issue he didn't see addressed in this proposal. He asked whether accommodation for larger vehicles had been discussed with the applicant.

Cody Opperman responded that this had not been discussed with the applicant. He noted that the proposal follows the city's standard parking dimensions — 9 feet wide by 18 feet deep — as required by code. He confirmed there had been no discussion regarding accommodations for larger vehicles.

Rodney Martin shared his own experience with parking challenges at freeway-adjacent hotels, including needing multiple stalls when hauling a car trailer, and noted parking is already tight in this area even for standard vehicles — let alone trailers or recreational vehicles. He suggested comparing the per-room parking ratio at the nearby Alden hotel, while acknowledging that comparison isn't a strong standalone justification. He also noted that while there's a large lot nearby at the old Walmart site, it's private property and can't be counted on as overflow parking, even though people would likely use it that way. Overall, he agreed that the parking concern raised is a legitimate, real-world issue.

Christine Anderson agreed that this was a good consideration and suggested it might be worth incorporating into the code — specifically, that hotel parking areas should be required to include configurations that accommodate larger vehicles.

Rodney Martin added that it's not just the number of stalls that matter. He indicated that the curbside parking is often overlooked, and larger-vehicle parking tends to work best in industrial-type areas where curbside space is available and unregulated.

Christine Anderson noted that since the current code doesn't appear to address large-vehicle parking accommodations for hotels, the Commission likely can't require it for this specific application.

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Blake Heiman with the TGC Group acknowledged the concern about large truck parking as valid. He asked staff to return to the parking analysis slide, explaining that the data reflects 41 hotels across 23 states, with parking ratios ranging from 0.7 stalls per room (in more urban properties) up to 1.2, the highest in their portfolio. He emphasized that the portfolio averages around 75% occupancy, not accounting for guests who share a car but not a room, such as coworkers traveling together or families splitting across multiple rooms. He said this makes their parking estimates conservative relative to actual need.

He agreed that accommodating larger vehicle stalls was a reasonable idea and something the applicant would be willing to work with, though he wasn't sure how it could be addressed in code language. He noted that in the past, they've implemented internal policies prohibiting guest parking on the street, since frustrated guests unable to park is something hotel operators actively want to avoid. Based on a 75% occupancy assumption, he estimated actual nightly parking need at roughly 95 stalls, leaving flexibility for larger vehicles such as trucks and trailers. He noted that while guests are generally discouraged from bringing such vehicles due to shared lot space with other guests, the applicant does have internal policies addressing this.

Harold Dudley indicated that he wanted to raise a broader reflection on parking requirements. He referenced the earlier comment about transit-oriented development and noted he generally leans toward trusting property owners to understand their market and parking needs better than government mandates can, while acknowledging parking still ties into health, safety, and welfare considerations — which is why ordinances setting minimum stall counts remain necessary. He said he found the applicant's data informative and believed it was accurate but noted that similar data from apartment developers in the past, while true at the time, hadn't always held up over time, since car ownership patterns evolve. He gave the example of his own children, who don't own homes and therefore, without mortgage payments, tend to own more vehicles than he did at their age. He acknowledged uncertainty about whether this was helpful, describing his struggle as a tension between not trusting governments to know more than the marketplace. assumptions.

Patrick O'Brien responded that the concerns raised about TOD, apartments, and townhomes are valid ones the city has encountered. He noted that in TOD townhome developments, subletting has driven additional demand for off-site parking, an issue the city hadn't fully anticipated. With apartments, he explained that some developments met the minimum parking requirement on-site but then charged tenants for that parking, which pushed residents to park on the street instead — resulting in two TOD apartment complexes that are only about 50% utilized in their own parking lots, despite being fully occupied by tenants, because the remaining residents choose street parking rather than pay. He said this context was worth sharing, though not necessarily a direct issue for the current proposal. He noted that while he could understand paid parking

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arrangements in a major urban center, he didn't anticipate that dynamic applying in a market like American Fork, and acknowledged the applicant's data was a helpful, relevant example.

Harold Dudley added that he continues to struggle with the issue, noting it has been a very hot summer and, while not an expert on heat, he's aware that a lot of asphalt parking areas often go unused. He said he'd sit back and defer to others he considers more knowledgeable on the topic, acknowledging he can see both sides of the issue.

Blake Heiman added that this hotel does not include conference space or a restaurant. It's intended for people working in or around American Fork on any given day. As a result, he noted there wouldn't be additional daytime traffic that would push parking demand beyond the stall count already discussed.

Christine Anderson asked whether the bottom-row figures shown, based on 75% occupancy, account for scenarios where the hotel is at 100% occupancy. She noted the upcoming Olympics as an example of a time when the hotel would hopefully be fully booked and how that would factor into the parking numbers presented.

Blake Heiman indicated that even at full occupancy, he estimates roughly five to seven stalls of buffer, since some two-car guests are offset by others who don't bring a car at all. He noted staffing is lowest at night when parking demand peaks, further offsetting need. In a "dream scenario" of full occupancy with a fully ramped brand, demand might approach the proposed 129 stalls, but any shortfall such as from an oversized vehicle would likely happen only a few times a year, since guests typically stay several days and settle into a consistent parking routine.

Boyd Preece noted that since the property doesn't include a swimming pool, it's less likely to attract large families coming for weekend stays, which he felt reinforced by the pattern Blake had described regarding parking demand.

Rodney Martin shared that he counted the parking spots at the neighboring Holiday Inn and checked its room count, which is 80 rooms with 120 parking spaces, a ratio of 1.5 stalls per room. He noted that this exceeds the city's minimum requirement by a significant margin. He argued that this comparison highlights the core problem that under-parking this development could likely push overflow parking onto neighboring properties, which he considered unfair and not something the Commission should be encouraging. His recommendation was either to reduce the size of the hotel or to utilize both parcels for the development.

Blake Heiman asked why that would encumber their hotel.

Chris Christiansen indicated that if you run out of spots, people will park next door at the Holiday Inn.

Blake Heiman responded that in his experience, neighboring hotels generally maintain a good working relationship, similar to the concern about street parking. It isn't good for the community

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or for the hotel to have a poor relationship with a neighboring property or to absorb their parking. He said this type of cross-property parking conflict isn't a problem they commonly encounter. He acknowledged that while a formal parking-sharing agreement between competing hotels might not be the most natural arrangement, in his experience — drawing on the applicant's broader portfolio of nearly 3,500 hotel rooms — the proposed stall count relative to room count has not been a problem they've encountered. He added that the company wouldn't be investing \$15–16 million into the project if they believed the parking approach would become a hindrance to the business.

Geoff Dupaix noted that this issue is a tricky one, noting he's seen other proposals with no parking at all due to proximity to transit corridors, paired with significant on-street parking problems nearby. He said he was willing to compromise somewhat, roughly splitting the difference on the 24-stall gap under discussion. He acknowledged the applicant's point that this hotel is geared more toward workers rather than a typical leisure/family hotel. He commented that this represents a different use case. He said he was willing to grant some leeway on the reduction, though not all the way down to the applicant's original request.

Chris Christiansen indicated this would increase the room size to 16.

Blake Heiman explained that when evaluating new sites, he consults his company's operations team who are responsible for long-term performance and typically retain ownership of their hotels and asks what their ideal parking scenario would be. He said the consistent answer from operations, across their portfolio of 41 hotels, has been a 1:1 ratio. One parking stall per guest room as the number that has historically proven to work well, accounting for the variability in guest parking needs he'd described earlier.

Geoff Dupaix indicated that he was trying to find a workable middle ground, noting that having a large amount of unused parking spaces isn't ideal either. He emphasized that the Commission wasn't trying to be arbitrary but rather trying to find a balance that works both for the applicant and for the city. He suggested that if there were some willingness on the applicant's part to increase the proposed stall count somewhat, it could help reduce the risk of overflow parking.

Blake Heiman explained that increasing the stall count as suggested would, based on the site plan, require adding an additional loop of parking along the east side of the property line — something he said the neighboring property owner isn't particularly interested in accommodating and would likely charge a significant amount for that additional real estate. He noted that doing so would effectively require adding another full row of parking, which he said they had already looked into early in the process. He acknowledged not being fully versed in the technical site details but explained that this approach would substantially increase parking on the east side while also potentially requiring a reduction in building size. Which would hurt the project's economics, since fixed costs would remain the same while revenue-generating rooms decreased, making the numbers less favorable.

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Rodney Martin estimated that accommodating the additional parking loop would require acquiring roughly another 40 feet of land, which would yield about 32 additional parking spots well beyond what the city's 1.25-stall-per-room requirement calls for. He noted that 40 feet of frontage real estate along I-15 would come at a cost exceeding what he earns, underscoring the expense involved.

Geoff Dupaix asked whether the parking constraints described were inherent to the dimensions of the lot itself, or whether they resulted from choices the applicant made in designing the site plan. He asked whether the applicant had ever produced a design showing 153 stalls to meet the city's standard requirement, or whether they instead started from their desired room count and only reduced it as needed to work backward into meeting the city standard.

Boyd Preece answered that yes, a design existed that met the city's standard requirement, but noted that the current layout represents the maximum number of parking stalls they were able to fit on the site.

Blake Heiman added that the 122-room count reflects the applicant's standard prototype building design,

Boyd Preece commented that a larger room count offers an advantage to the city through increased tax revenue. He also noted that if the applicant were to acquire additional land from the neighboring Woodbury property to expand parking, it would come with an opportunity cost since Woodbury would then have less land available to develop something of its own on that site. He said the tradeoffs to weigh are this opportunity cost and the potential loss of hotel rooms.

Geoff Dupaix asked staff what the implications would be if the Commission were to approve the requested parking reduction.

Patrick O'Brien responded that staff is aware parking is a genuine challenge, and acknowledged the point raised about this also being an economic development consideration balancing trust in a business to understand its own model against the risk of placing an undue burden on the broader community. He clarified that staff has not yet conducted a full review of the request, including site layout, arrangement, or code compliance. No review of fire marshal turn radius requirements, engineering standards, parking dimensions, or landscaping has been done at this stage. He explained the purpose of bringing the item forward now is to gauge whether a parking reduction would be acceptable in concept before the applicant invests significant money into design and engineering, only to potentially be denied later. He emphasized that any approval at this stage would only establish an acceptable stall number. For example, approving 129 stall and would not vest the applicant in any particular site layout or design; the applicant would still need to meet that minimum number within whatever final layout is ultimately reviewed.

Geoff Dupaix asked if this is very preliminary.

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Patrick O'Brien explained that the request is conceptual at this stage. He said staff wanted to bring it before the Planning Commission and City Council as early as possible given upcoming meeting deadlines. He noted the item was originally intended for the previous meeting, but the request came in only a week before that meeting, leaving no time for review. He explained that the intent was simply to sit down with Blake and his team, along with Woodbury, to determine whether the request was feasible and whether the proposed parking reduction would be something the Commission could support.

Geoff Dupaix indicated that in all honesty, hearing that turning movements, engineering issues, and other site details haven't yet been reviewed made him feel less comfortable committing to a position either way on the request.

Patrick O'Brien responded that regardless of the outcome, the applicant would still need to meet whatever stall number the Commission ultimately decides on, and that this number may end up impacting the layout of the site and building. He noted this is a familiar challenge with this type of early-stage request. He explained that in the past, other applicants have come in after completing full design and review, seeking a smaller parking reduction, having already gone through full fire, engineering, and planning/zoning review, with staff confirming compliance on those fronts even though the parking requirement wasn't fully met. He contrasted that with the current situation, where this request is coming in before any of that detailed review has occurred.

Blake Heiman indicated that he could state with fairly good confidence that factors like turning movements and engineering had already been factored into the site plan as designed. He characterized Patrick's point as being about setting an approved floor of 129 stalls now, subject to the applicant still passing all standard reviews. He explained the applicant's concern is that without some indication of support now, they would risk investing significant time and design costs into full engineering and review, only to potentially be told no at the end of the process.

Harold Dudley asked for more clarification on the applicant's product, referencing an earlier comment that it's tailored more toward business travelers than typical road travelers. He noted that, even though the area isn't urban, he understood the concept to be more of a business-oriented hotel that likely wouldn't generate as much of the parking demand associated with families or leisure travel.

Boyd Preece and Blake Heiman explained that the brand is Woodspring Suites, noting there is currently only one location in the entire Salt Lake City metro area. They described the target guest as more like traveling nurses, traveling engineers, and similar longer term business travelers. In response to a question about room size, they clarified the rooms are actually larger than typical hotel rooms, with more in room amenities and fewer shared out of room amenities. They noted the property still includes a workout facility and common area space, but explained that the target guest typically isn't looking to use amenities like a pool, preferring instead to settle in and relax after work. They then asked staff whether the city's 1.25 stalls per room requirement

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applies uniformly to all hotels without differentiating by hotel type, asking staff to confirm whether that was accurate.

Patrick O'Brien confirmed that was correct, explaining that the interpretation challenge staff has faced in the past is that the 1.25 stalls per room requirement applies to commercial lodging generally, without differentiating by hotel type. He noted that in cases where a hotel includes additional amenities like conference space or a restaurant open to the public, not just guests, those uses generate additional parking demand on top of the base 1.25 stalls per room, since outside visitors may attend conferences or dine there without staying at the hotel. In this instance, he clarified that the 1.25 requirement applies to the room count.

Harold Dudley indicated he felt somewhat conflicted, but could see supporting a modest reduction, perhaps to around 1.2 stalls per room, while cautioning he didn't have enough information to go lower than that. He reiterated his preference for government not to be overly restrictive on development, while acknowledging the city's responsibility to avoid pushing overflow parking onto neighboring properties or streets. He noted that a quick search suggested nearby municipalities tend to require roughly a 1 to 1 ratio, with urban hotels generally trending lower, around 0.7, and suburban hotels closer to 1 to 1.2.

Christine Anderson asked staff whether this parking reduction request is administrative or legislative in nature, noting the discussion had taken on a more legislative tone.

Patrick O'Brien explained that since the applicant is asking for a reduction beyond adopted parking standards, the Commission must weigh the information and studies presented and use judgment to determine what's acceptable. This gives the process a somewhat legislative character, and the Commission's decision would ultimately go forward as a recommendation to City Council.

Cody Opperman and Patrick O'Brien clarified further that because the Commission's role here is to make a recommendation rather than a final decision, the process is legislative in character. The Commission is expected to weigh all the information presented and forward its recommendation to City Council, which holds final decision-making authority.

Christine asked what kind of precedent this decision might set.

Patrick clarified that any approval would be site-specific, it would not amend the parking requirements for hotel uses generally. If another applicant proposed a hotel on a neighboring property, they would need to make their own separate request; this decision would not automatically apply to future projects.

Christine Anderson added that she was wary of getting too deep into assumptions about what type of guest this hotel would attract, since in her own experience, she just picks whatever hotel is convenient rather than considering its target market. She argued all hotels tend to draw a mix

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of guests, and that the Commission should plan for full occupancy since it will happen often enough to matter.

Rodney Martin commented that extended-stay hotels like this one tend to draw a distinct demographic, citing nearby properties frequented by construction workers with large trucks who leave early for job sites, plus guests there for corporate training. He argued this site is too small to accommodate that kind of demand and that the applicant would need to find another solution.

Blake Heiman added that, despite the differing opinions in the room, the request remains subject to a traffic impact study, meaning a professional, independent assessment would ultimately weigh in beyond his own opinion on the matter.

Rodney Martin clarified for the record, that City Council retains the authority to approve whatever parking arrangement it chooses, regardless of the Commission's recommendation.

Chris Christiansen commented that a small redesign of the building might allow for five or six additional stalls on the south side, but noted that even with that adjustment, the total still wouldn't come close to meeting the 1.25 stalls per room standard.

David Bird indicated that the project would be a great addition to the city, and that the area could use stable development like this. He said he leans toward Harold's view of accommodating good businesses rather than applying the code too rigidly, but acknowledged the Commission is still limited by what the code allows, leaving him torn.

Claire Oldham suggested the applicant explore talking with the neighboring property owner about a possible shared parking agreement, noting that during periods when the applicant's lot is over capacity, an arrangement with the neighbor (such as during holidays or off-peak times) might help absorb overflow parking.

Geoff Dupaix noted that the Commission had dealt with a similar situation involving apartment developments near, where staff had tried to work out arrangements for handling overflow parking from those properties as well.

Patrick O'Brien commented that in that apartment situation, the development actually has a significant amount of off-site parking, structured so that the area currently used for parking has potential to later become a commercial or retail pad, with the parking able to be relocated elsewhere within a defined area, up to a certain limit. He noted, however, that this arrangement works because the parking and the development are under the same ownership, giving that owner full control, unlike a shared parking agreement with a separate party, where complications could arise if that other party later decided to increase their own unit count and encroach on the shared stalls.

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Geoff Dupaix added that those details represent some additional nuances to consider and noted that this is roughly where the Commission had landed in a similar past situation, trying to find a way to support a fellow business or developer.

David Bird offered this as just a thought, not a formal suggestion. He noted there are other businesses in the area besides the adjacent hotel, and suggested it might be worth exploring overflow parking, with oversized vehicles directed to a separate designated area.

David Bird moved to recommend approval for the proposed American Fork Hotel Request for Consideration relating to a reduction in parking stalls, located at 714 S 600 E in the GC-2 Zone, to 129 stalls to their 122 rooms.

Geoff Dapaix seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	NAY
Rodney Martin	NAY
Claire Oldham	NAY
David Bird	AYE
Harold Dudley	NAY
Geoff Dupaix	AYE

The motion failed

Rodney Martin moved to recommend denial for the proposed American Fork Hotel request for consideration relating to a reduction in parking stalls, located at 714 S 600 E in the GC-2 Zone.

Chris Christiansen seconded the recommend of denial

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Voting was as follows:

David Martin	NAY
Harold	AYE
Claire Oldham	AYE
Geoff Dupaix	NAY
Chris Christiansen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

Recommending denial of request 5 to 2

Christine Anderson indicated that the city would love to have their business.

Harold Dudley added that the applicant can still go directly to City Council.

Blake Heiman asked whether, if the neighboring property owner two doors down (Woodbury) were willing to allow it, a shared parking agreement covering that nearby lot, just a short distance away, could be a viable option.

Patrick O'Brien replied that under city code, a shared parking arrangement generally must involve an adjacent property, though some flexibility might be possible depending on how the parcels are currently laid out.

- c. Review and recommendation on a proposed zone for an annexation, known as Chipman and Stake Center #2 Annexation, located at approximately 100 W 700 S, American Fork City. Consisting of approximately 24 acres, the property is proposed to be annexed into American Fork City and is proposed to receive the PR-3.0 zoning designation.**

Patrick O'Brien gave background on the Chipman and Stake Center #2 annexation, noting it's come before the Commission several times, with issues in the annexation agreement now largely worked out, including the sale of some city-owned land. He said this appearance is to get Planning Commission's clarification and recommendation confirming the proposal aligns with the land use plan. He noted the surrounding land is low-density residential, currently unincorporated, with land to the west already annexed under similar zoning. The proposal would

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rezone the property from R1-27,500 to PR 3.0, allowing more single-family detached homes and less attached product. He said the annexation agreement would require that development be limited to single-family detached homes only, with no additional density.

Christine Anderson asked if this was a decrease in density.

Patrick O'Brien explained that the applicant would be able to cluster some of the permitted density due to site constraints, including the river and unusable land to the east of it. He reiterated that regardless of clustering, the resulting product would be single-family detached homes, which is what the city is requiring.

Rodney Martin thanked the staff for all the work they have put in on this project.

Patrick O'Brien noted that state legislators changed the applicable process partway through this annexation, requiring the city and applicant to adjust to those changes as they worked through the agreement.

Geoff Dupaix moved to recommend approval for the proposed Annexation Agreement and proposed zoning, located at approximately 100 W 700 S, American Fork City, subject to any conditions found in the staff report.

Claire Oldham seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	AYE
Rodney Martin	AYE
Claire Oldham	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE

The motion passed

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- d. Review and recommendation on an update to the American Fork General Plan to update all sections to establish an updated vision for growth and development in the City.**

Patrick O'Brien presented on the American Fork General Plan update, noting the process has been ongoing since the end of spring 2024. He described early public and stakeholder engagement that shaped an initial framework, followed by significant revisions incorporating feedback, work with MAG (which funded 85% of the project), and updates required to address a state-mandated water use element.

He recalled that the plan came before the Planning Commission for a public hearing in February, drawing around 350 attendees, and noted that nearly all public feedback focused on the land use map, since that element ties directly to zoning changes and the ongoing code rewrite; other elements, such as open space, trails, and transit connectivity, drew little to no public comment.

Following that hearing, staff took the lead on revising the plan, applying a fresh perspective informed by feedback gathered at the public hearing and through subsequent outreach, calls, and emails. Key updates included ensuring the land use map aligns with existing zoning citywide, along with adjustments to vision for two areas needing to shift to accommodate future growth: the commercial area around the boat harbor, and the city's "gateway" zones, an eastern gateway on State Street transitioning into Pleasant Grove, and a northern gateway near the Temple and Developmental Center, on land currently owned by the state. He noted that while some mixed-use concepts were considered for these areas, public feedback largely opposed adding density there.

He explained the slides presented were the same ones used at the public open house, showing the existing land use map alongside the proposed updates, noting that although colors changed due to a GIS software transition, the underlying uses remain largely consistent. He emphasized that the overall land use plan isn't changing dramatically, but is being updated to reflect current conditions, accommodate growth over the next 10 to 15 years, and bring the general plan into compliance with state requirements.

He outlined the plan's seven required elements: land use, multimodal transportation, moderate income housing (a state-mandated component), development focus areas (which ties into the upcoming polycentric city center master plan), parks and open space/trails, public facilities and water, and historic preservation, the latter reflecting a priority to preserve American Fork's historic character while still allowing continued growth and improvement.

He noted current population estimates range from about 41,000–45,000 depending on the data source, with the city's own projections, based on building permits issued since the last census, closer to 46,000. The plan is designed with a 10–20 year growth horizon in mind.

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Addressing earlier parking and transit discussions, he clarified that transit service through UTA is largely outside the city's control, though the city continues to coordinate with UTA. Parking, by contrast, is being actively addressed, though primarily through zoning and the city code update rather than the general plan itself, since parking is fundamentally a zoning matter.

He closed by noting the plan has been circulated extensively, with many Commission members having participated in stakeholder sessions and the public open house and invited the Commission to proceed with questions or a decision.

Christine Anderson thanked the staff for all the work they have put into this project.

Geoff Dupaix emphasizes that land use and transportation connectivity are closely linked. He expressed a continued concern that the plan falls a bit short in providing better connectivity and interconnectivity between developments, particularly in creating a stronger grid network. He specifically felt this shortfall is more pronounced on the south side of the city and reiterated his belief that some corridors are still missing.

Christine Anderson agreed with Geoff Dupaix's comment.

Patrick O'Brien responded that this connectivity concern has been discussed previously, and while it falls partly outside the scope of the general plan itself, the city's transportation master plan, which will be updated and attached alongside the general plan, is intended to address these issues more specifically going forward. He offered to pull up the general plan to show the current connectivity standards for those less familiar, in order to gather more targeted feedback from the Commission on how to improve connectivity moving forward.

Harold Dudley commented, as staff pulled up the general plan, that he wanted to acknowledge an earlier speaker at the public hearing who had noted being unfamiliar with the process. He reassured the speaker that their comments were heard, and encouraged them, along with anyone with similar questions, to feel welcome to meet directly with planning staff during business hours for follow-up or clarification on the process, noting that staff can address questions in more detail than what's possible in a public meeting setting. He affirmed that the earlier comments were valued.

Patrick O'Brien pulled up the classification and intersection control map, noting it shows all planned roads in the city. He acknowledged Commissioner Dupaix's concern, noting that some connectivity gaps aren't currently planned at all, and where connections are planned, a major obstacle is that they often cross railway-owned land, which limits the city's ability to force those connections through. He agreed that, given these constraints, the city should be looking at providing additional connectivity options where possible.

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Geoff Dupaix clarified his point, saying he's comfortable including planned connectivity lines on the map even across properties not currently part of the city, since this is a long-term planning document. He emphasized the importance of looking ahead to how these connections could eventually link into the broader roadway network, supporting mobility regardless of travel mode. He reiterated that, even with the current plan, he still sees notable gaps, and would like to see improved connectivity, particularly in the east-west direction.

Patrick O'Brien agreed that north-south routes are in noticeably better shape than east-west connectivity, which he acknowledged has consistently been a major challenge for the city. He then turned to the city engineer, noting he didn't want to speak for him, and invited him to weigh in on the topic.

Ben Hunter responded that, in the areas Geoff was referring to, particularly the southern area near the industrial zone transitioning into residential, around Boat Harbor Road and the section south and east of I-15, one of the primary challenges is the railroad crossing. He explained that any new east-west connections in that area would typically need to be grade-separated to meet railroad requirements, or would otherwise require eliminating existing crossings, which isn't a desirable option since it would reduce east-west connectivity rather than improve it.

Geoff Dupaix indicated that in his experience working with other communities, he's encountered similar challenges, noting that grade crossings are difficult to secure, though not impossible. He argued that the city needs to start pursuing harder solutions, observing that while roads can act as barriers, railroads often function as nearly insurmountable ones, largely because communities rarely push back. He said the city needs to take a firmer stance with the railroad, communicating clearly that it is acting as a barrier to city connectivity and needs to work with the city rather than against it. He emphasized, for the record, that he felt strongly about this point, criticizing a pattern of the city repeatedly backing away from the issue instead of confronting it.

Rodney Martin responded that the issue isn't so much bureaucracy, but resistance from a for-profit business that doesn't see a benefit in accommodating the request.

Patrick O'Brien noted he had condensed the presentation but was happy to expand on any section the Commission wanted revisited, though he didn't want to over-review material everyone is already familiar with. He said the primary goal tonight was completing the public hearing process, which had now been satisfied, following extensive prior work sessions and direction from both the Planning Commission and City Council aimed at refining the plan and incorporating resident concerns. He emphasized that the plan is intended to be a living document, not something finalized and left untouched for the next 20 years. He said that if significant changes occur in the city that shift the plan's underlying assumptions, the city would revisit and update it accordingly. He highlighted that the plan includes a robust implementation strategy, consistent with other recent planning efforts, describing this as one of the most critical components of the document. He explained the goal isn't just to set a vision, but to pair that

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vision with concrete policies, goals, and programs needed to achieve it, since without an implementation strategy, the plan risks being nothing more than words left unused on paper.

Christine Anderson asked whether there's an established protocol for how often, or under what circumstances or threshold, the general plan would be revisited and updated going forward.

Patrick O'Brien responded that staff would likely monitor the plan on an ongoing basis and pursue formal updates roughly every five years if needed, guided by the plan's implementation strategy. He noted that major developments, such as changes tied to the Pioneer Crossing or Pony Express/Vineyard Connector areas, or unexpected shifts in density or development patterns elsewhere, could prompt an earlier review. He emphasized that the land use plan is meant to reflect the city's intended direction over roughly the next five to ten years, and when applicants request changes, staff needs to carefully evaluate whether a proposed change benefits an individual applicant in the short term without meaningfully advancing the city's long-term goals, versus whether it represents a genuine long-term strategy that helps steer future growth in a positive direction. He said staff intends to bring forward more robust, fact-based analysis of the pros and cons of future applications, minimizing opinion, to support decisions that genuinely benefit the community's long-term future.

Geoff Dupaix moved to recommend approval for the updated American Fork General Plan.

David Bird seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	AYE
Rodney Martin	AYE
Claire Oldham	AYE
David Bird	AYE
Harold Dudley	AYE
Geoff Dupaix	AYE

The motion passed

Other Business

Patrick O'Brien provided an update on the polycentric city center master plan, describing it as identifying a number of core areas across the city and functioning essentially as a set of coordinated small-area plans. He said the goal is to tie these areas together, with particular attention to active transportation and vehicular transportation, while ensuring all components of the city center are properly connected throughout the community. He credited Cody and the team for strong work on the project and said it should be finalized within the next few weeks, likely coming forward first for a final work session and then for a formal recommendation. He noted the plan includes conceptual graphics and encouraged the Commission not to be alarmed by them, explaining they're meant to illustrate what could be achieved in the community rather than finalized designs. He reiterated the importance of pairing this with a solid implementation strategy, including a funding strategy developed with help from Sciences Public Finance, crediting Susie and her team for their strong work on that piece. He said the document is close to completion and would ultimately be brought forward as an amendment to the general plan, incorporating the polycentric city center master plan as part of it.

Christine Anderson clarified that her earlier comment about connectivity near the rec center was specifically related to this polycentric city center master plan, expressing hope that the rec center could somehow be connected into one of the identified core nodes in the plan.

Rodney Martin shared, under other business, that UTA On Demand launched in North Utah County that Monday, offering rides at \$2.50 per ticket with a \$5 daily cap and \$20 weekly cap. The service runs 16 minivans (8 ADA-compliant), currently focused on connecting Saratoga Springs to the Frontrunner station, though people are also using it for things like school drop-offs. He noted plans to expand the zone toward Cedar Hills, calling it a promising step toward solving the "first mile, last mile" transit gap, and mentioned an existing distance limit is being reconsidered.

Patrick O'Brien responded that this ties into the broader plan, noting the city conducted a transit circulator study to help connect community nodes and address the first mile/last mile gap. He said the ultimate goal is to support a sustainable transit system, whether through UTA or a city-run alternative, and that this UTA On Demand launch is an early step in that direction.

Conversation between staff and Commissioners: In discussing UTA On Demand, the group noted it operates as an app and functions similarly to other on-demand transit services that have seen notable success in other parts of the state and along the Wasatch Front. The city's goal is to work with UTA's team to analyze usage data, particularly trip start and end points, to identify

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demand hotspots throughout the community that weren't originally anticipated. While On Demand service was seen as a helpful tool, the group agreed that becoming more genuinely transit-friendly would likely require changes to development patterns along key corridors, a trend observed elsewhere along the Wasatch Front. It was clarified that this doesn't mean eliminating detached single-family residential development, but that transit tends to work best when development is concentrated, frequent, and convenient along specific corridors. The group acknowledged that pursuing a more transit-friendly approach would likely come with some growing pains along the way.

Christine Anderson reminded Commissioners about the September 2nd and September 16th meetings.

Adjournment

Geoff Dupaix motioned to adjourn the meeting.

Claire Oldham seconded the motion.

Voting was as follows:

Christine Anderson	AYE
Chris Christiansen	AYE
Rodney Martin	AYE
Claire Oldham	AYE
David Bird	AYE
Harold Dudley	AYE

The motion passed

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Meeting adjourned at 8:18 PM

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

Agenda Topic

Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Park Strips and Trees, of the American Fork City Municipal Code. Amending Chapter 12.16, the Code Text Amendment plans to repeal the existing Chapter 12.16 of the American Fork City Code and replace it with the new Chapter 12.16 to provide codification, repeal of conflicting provisions, severability and an effective date for an updated park strips and trees ordinance.

Background

Under the leadership of the American Fork City Urban Forester, Brady McNaughton, Public Works and Parks division employees along with direction from City Legal, Heather Schriever, have reviewed the existing code and are providing a new, rewritten Chapter 12.16 to provide codification, repeal of conflicting provisions, severability and an effective date for an updated park strips and trees ordinance.

Potential Motions – Code Text Amendment

Approval

I move to recommend approval for the proposed Code Text Amendment amending Chapter 12.16, titled Park Strips and Trees, related to providing codification, repeal of conflicting provisions, severability, and an effective date for an updated park strips and trees ordinance, and providing an effective date for the ordinance.

Denial

I move to recommend denial for the proposed Code Text Amendment amending Chapter 12.16, titled Park Strips and Trees, related to providing codification, repeal of conflicting provisions, severability, and an effective date for an updated park strips and trees ordinance.

Table

I move to table action for the proposed Code Text Amendment amending Chapter 12.16, titled Park Strips and Trees, related to providing codification, repeal of conflicting provisions, severability, and an effective date for an updated park strips and trees ordinance, and instruct staff to.....

Park Strips and Trees Code Change Summary

Sec. 12.16.010 Purpose (was Definitions)

Establishes the purpose of Chapter 12.16.

Delineates American Fork City's park strip and tree management framework.

Sec 12.16.020 Definitions (was Park Strip Landscape and Maintenance)

Clarifies definitions for the following: Adjacent property and park strip, approved tree list, hazard tree, heritage tree, nuisance tree, park strip, protective measures, public property, public right-of-way, public right-of-way tree, tree maintenance, and Urban Forester.

Removes confusing or redundant definitions.

Sec. 12.16.030 Ownership, Control, and Maintenance Responsibilities (was Tree Advisory)

Clarifies ownership of public right-of-way (City) and maintenance responsibility (adjacent property owner).

Defines City authority.

Establishes limitations on public tree alteration.

Sec. 12.16.040 Urban Forester Authority (was Planting, Maintenance, Protection, Removal)

Defines scope of Urban Forester position.

Sec. 12.16.050 Approved Tree List (was Hazard Trees)

Establishes framework of Approved Tree List.

Classifies Approved Tree List as amendable without altering code.

Sec. 12.16.055 Prohibited Tree List (New Section)

Establishes framework of Prohibited Tree List.

Classifies Prohibited Tree List as amendable without altering code.

Sec. 12.16.060 Tree Planting Standards (was Nuisance Trees)

Maintains current City planting guidelines.

Establishes coherence with Approved Tree List.

Establishes requirement to avoid utility, sidewalk, street, and infrastructure damage.

Defines park strip width planting standards.

Applies planting standards to new plantings, allows prior plantings in violation of this section.

Sec. 12.16.070 Tree Maintenance and Protection (was Trimming Required)

Retains and clarifies maintenance and protection responsibilities of adjacent property owners.

Sec. 12.16.080 Clearance Requirements (was Trimming of Trees- Third Party)

Retains and clarifies street, sidewalk, traffic control, streetlight, and sight distance clearance requirements.

Sec. 12.16.090 Hazard and Nuisance Trees (was Heritage Trees)

Combines current Sections 12.16.050 and 12.16.060

Retains and clarifies City and property owner responsibilities.

Retains and clarifies failure to comply.

Sec. 12.16.100 Utility Operations (was Enforcement)

Clarifies utility vegetation management permissions.

Sec. 12.16.110 Heritage Trees

Clarifies Heritage Tree designation and protection.

Sec. 12.16.120 Tree Advisory Board

Retains and clarifies establishment and capacity of a Tree Advisory Board.

Sec. 12.16.130 Enforcement

Expands and clarifies City enforcement of chapter violations.

PARK STRIP AND TREES ~~–[REPLACEMENT ORDINANCE]~~

Sec. 12.16.010 Purpose

The purpose of this chapter is to:

- A. Promote public health, safety, and welfare;
- B. Protect public rights-of-way, sidewalks, streets, utilities, and other public infrastructure;
- C. Preserve and enhance the City's urban forest;
- D. Establish standards for the planting, maintenance, protection, and removal of trees;
- E. Clarify the responsibilities of adjacent property owners and the City; and
- F. Minimize conflicts between trees, utilities, transportation facilities, and public improvements.

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Sec 12.16.0210 Definitions

For the purposes of this section, the following words shall have the following meanings:

- A. Adjacent Property. Any side of real property located next to a park strip.
- B. Approved Tree List. The list of tree species approved by the Urban Forester for planting within public rights-of-way.
- ~~A. Heritage tree. A tree characterized by one or more of the following: having historical significance, being part of a historical site, or being of a rare or unusual species. The tree advisory board may advise the city forester in determining whether a tree should be designated as a heritage tree.~~
- C. Hazard tree. A tree which has been deemed by the ~~city forester~~Urban Forester as to present a risk of injury to persons or damage to structures, utilities, public improvements, or other property or that is causing material damage to public infrastructure, due to disease, infestation, structural defects, instability, root damage, or similar conditions, having the potential to cause physical damage or harm to human life, existing structures or improvements, or utilities; including (but not limited to) any tree that is host to a communicable disease or destructive disease or other pestilence, a tree whose roots cause the surface of a public street, curb, gutter, or sidewalk to be up-heaved or otherwise disturbed, or any tree whose condition or location constitutes a danger to the health, safety, or well-being of the public.
- B.D. Heritage tree. A tree characterized by one or more of the following: having historical significance, being part of a historical site, or being of a rare or unusual species. The tree advisory board may advise the city forester in determining whether a tree should be designated as a heritage tree.

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G.

E. Nuisance Tree. A tree located on private property that causes or is causing damage to a public street, curb, gutter, sidewalk, park strip, utility, or other public improvement constitutes a hazard tree for purposes of this chapter.

D.F. _____ Park strip. The landscape area within a public ~~way-right-of-way~~ located between the back of street curb and the sidewalk, or in the absence of a sidewalk, the right-of-way line.

E.G. _____ Protective measures. Any steps taken to safeguard the appearance, health, condition, or continued viability of a protected tree. Typical examples are: physical structures limiting access to a protected tree, pruning to allow access to a site, supplemental watering or fertilization, washing of canopy to remove dust or other residues, berms or grading to prevent erosion or silting in a protected root zone, signage indicating protected status of trees, or other methods deemed necessary at the time of authorization.

H. _____ Public property. Any public right-of-way, park, street, sidewalk, easement, or other ground owned by American Fork City.

F.I. _____ Public Right-of-Way. Any street, alley, sidewalk, park strip, easement or other property dedicated or owned by the city for public use.

G.J. _____ Public Right-of-Way Tree. Any tree located wholly or partially within a public right-of-way. Any tree located on public property within American Fork City.

H. _____ Street tree. Any tree planted within any right-of-way or easement adjacent to a public roadway.

I. _____ Tree topping. The severe cutting back within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

K. _____ Tree Maintenance. Activities intended to promote the health, safety, and appearance of a tree, including watering, fertilization, mulching, pruning, pest management, and protection from damage. Measures performed to promote the desirable growth and health of a tree, such as (but not limited to) watering, fertilization, mulching, weeding, pest management, pruning, and physical protection.

J.L. _____ Urban Forester. The employee designated by the City Administrator to administer and enforce this chapter.

(Ord. No. 2007-11-63, 11-27-2007)

HISTORY

Repealed & Replaced by Ord. [2022-03-16](#) on 3/29/2022

Sec 12.16.030 Ownership, Control, and Maintenance Responsibilities.

A. Public rights-of-way, including park strips, are owned or controlled by the city.

B. Maintenance obligations imposed by this chapter do not create any ownership interest in public property or the landscaping located therein.

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C. Except as otherwise provided herein, the adjacent property owner shall maintain landscaping, irrigation systems, and trees located within the park strip adjacent to the owner's property.

D. The City retains authority over all public right-of-way trees.

E. The City may plant, maintain, prune, remove, replace, or otherwise manage trees and landscaping within public rights-of-way as necessary to protect public health, safety, welfare, infrastructure, and utilities.

F. No person may plant, remove, relocate, or substantially alter a public right-of-way tree except as authorized by this chapter or approved by the Urban Forester.

Sec 12.16.040 Urban Forester Authority

The Urban Forester shall administer and enforce this chapter and may:

A. Approve tree species and planting locations;

B. Establish and maintain the Approved Tree List;

C. Inspect trees and landscaping subject to this chapter;

D. Determine whether a tree constitutes a hazard tree;

E. Require pruning, relocation, replacement, or removal of trees planted or maintained in violation of this chapter;

F. Approve alternative tree species and planting locations where consistent with the purposes of this chapter; and

G. Adopt administrative procedures necessary to implement this chapter.

Sec. 12.16.050 Approved Tree List

A. The Urban Forester shall establish and maintain an Approved Tree List identifying species approved for planting within public rights-of-way.

B. The Approved Tree List is incorporated by reference into this chapter.

C. The Approved Tree List may classify trees based upon:

1. Park strip width;

2. Mature size (**small, medium, or large**);

3. Growth **characteristics**;

4. Utility conflicts;

5. Infrastructure **compatibility**;

6. Disease resistance; and

7. Other urban forestry considerations.

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D. The Approved Tree List shall be maintained as an administrative document and may be amended by the Urban Forester without amendment to this chapter.
E. The Approved Tree List shall be available to the public and posted on the City's website.

Sec. 12.16.055 Prohibited Tree List

A. The Urban Forester shall establish and maintain a Prohibited Tree List identifying tree species that may not be planted within public rights-of-way.
B. The Prohibited Tree List is incorporated by reference into this chapter.
C. No person shall plant a tree identified on the Prohibited Tree List within any public right-of-way or park strip.
D. The Prohibited Tree List may be amended administratively by the Urban Forester and shall be made available on the City's website

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Sec. 12.16.060 Tree Planting Standards

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A. Trees planted within public rights-of-way shall comply with the Approved Tree List and the requirements of this chapter.
B. Trees shall not be planted in locations that create conflicts with utilities, sidewalks, streets, or public infrastructure at maturity.
C. Unless otherwise approved by the Urban Forester, trees shall be located not less than:

1. Thirty feet (30') from the beginning of curb returns at street intersections;
2. Twenty feet (20') from utility poles and streetlights;
3. Ten feet (10') from fire hydrants;
4. Five feet (5') from driveways and service walks; and
5. Five feet (5') from water meters.
6.

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D. Park Strip Width Standards.

1. Less than four feet (4').
 - a. No trees shall be planted.
2. Four feet (4') to less than six feet (6').
 - a. Only small-maturing tree species identified on the Approved Tree List may be planted.
3. Six feet (6') to less than eight feet (8').
 - a. Only medium-maturing tree species identified on the Approved Tree List may be planted.
4. Eight feet (8') or greater.

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a. Small-, medium-, or large-maturing tree species identified on the Approved Tree List may be planted.

E. These standards apply to all new tree plantings within existing and future park strips.

F. Trees lawfully planted prior to the effective date of this ordinance may remain unless determined to be a hazard tree, nuisance tree, or otherwise required to be removed pursuant to this chapter.

Sec. 12.16.070 Tree Maintenance and Protection

A. Trees shall be maintained in a safe and healthy condition.

B. Debris resulting from tree maintenance or removal shall be removed from public property by sunset of the same day unless otherwise authorized by the Urban Forester.

C. No person shall intentionally damage, destroy, injure, or impair a public right-of-way tree.

D. No person shall:

1. Attach signs or other objects to a public right-of-way tree;
2. Place materials around a tree in a manner that restricts water, air, or sunlight;
3. Permit animals to damage a public right-of-way tree; or
4. Engage in activities likely to injure a public right-of-way tree.

E. Tree topping is prohibited unless approved by the Urban Forester for public safety purposes.

Sec. 12.16.080 Clearance Requirements

A. Trees overhanging sidewalks shall maintain a minimum vertical clearance of eight feet (8').

B. Trees overhanging streets shall maintain a minimum vertical clearance of fourteen feet (14').

C. Trees shall not obstruct traffic control devices, streetlights, or sight distance at intersections.

D. Adjacent property owners shall maintain trees located on their property in compliance with this section.

Sec. 12.16.090 Hazard Trees and Nuisance Trees

A. Hazard trees **and Nuisance trees** are prohibited.

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B. Dead, uprooted, severely damaged, diseased, or unsafe trees that obstruct public travel or create a danger to persons or property are declared public nuisances.

C. The Urban Forester may issue written notice requiring correction, pruning, removal, relocation, or replacement of a hazard tree or nuisance tree.

D. Unless an emergency exists, the responsible party shall be provided at least fifteen (15) calendar days to comply.

E. In emergency situations presenting an immediate threat to public health or safety, the City may immediately abate the condition without prior notice.

F. If the responsible party fails to comply, the City may perform the work and recover all costs incurred.

Sec. 12.16.100 Utility Operations

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Utility providers and their authorized contractors may trim, prune, or remove vegetation within public rights-of-way as reasonably necessary to construct, maintain, repair, or protect utility facilities and safe utility operations, subject to applicable easements, state law, and city requirements.

Sec. 12.16.110 Heritage Trees

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A. Private property owners may voluntarily nominate trees located on private property for designation as heritage trees.

B. No tree located on private property shall be designated as a heritage tree without the owner's written consent.

C. Public right-of-way trees may be designated as heritage trees by the Urban Forester.

D. Heritage trees shall not be removed or materially damaged without authorization from the Urban Forester.

Sec. 12.16.120 Tree Advisory Board

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A. The City Council may establish a Tree Advisory Board by resolution.

B. The Board shall serve in an advisory capacity to the Urban Forester and City Council.

C. If no Tree Advisory Board exists, references in this chapter to the Board shall be deemed to refer to the Urban Forester.

Sec. 12.16.130 Enforcement

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A. Any person who violates this chapter is guilty of a class C misdemeanor unless otherwise provided by law.

B. The city may pursue criminal, civil, administrative, equitable, or nuisance-abatement remedies.

C. Each tree affected by a violation shall constitute a separate offense.

D. Each day a violation continues shall constitute a separate violation.

E. The remedies provided in this chapter are cumulative and not exclusive.

Sec 12.16.020 Park Strip Landscape And Maintenance

~~A.—All park strips shall be landscaped by the abutting property owner, in conformance with the provisions of this code.~~

~~B.——All park strip landscaping shall be maintained in a safe and well-kept condition by the abutting property owner. Trash, debris, and noxious weeds shall not be allowed to collect or grown in these areas.~~

~~C.—Tree(s) shall be located, as measured by the center of the tree trunk, not less than:~~

- ~~1.—Thirty feet (30') back of beginning of curb returns at any street intersection.~~
- ~~2.—Twenty feet (20') from lamp standards and power poles.~~
- ~~3.—Ten feet (10') from fire hydrants.~~
- ~~4.—Five feet (5') from service walks and driveways.~~
- ~~5.—Five feet (5') from water meters.~~

~~6.——Four feet (4') from any hardscape material (eight-foot (8') park strip necessary for tree planting).~~

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

Repealed — & — Replaced — by — Ord. — 2022-03-16 — on — 3/29/2022
Amended by Ord. 2024-02-07 on 2/27/2024

Sec 12.16.030 Creation And Establishment Of The City Tree Advisory Board

~~A.—The beautification and shade tree committee, as established by Resolution 95-04-15R, shall be the tree advisory board for American Fork City. This committee shall act in an advisory capacity to the city forester and shall focus its activities on those purposes specified in its charter.~~

~~B.—The city administrator shall designate an employee to act as the city forester.~~

~~——(Ord. No. 08-02-12, 2-12-2008)~~

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HISTORY

Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022

Sec 12.16.040 Tree Planting, Maintenance, Protection, And Removal

- ~~A. The city of American Fork shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares, public grounds, public utilities or elsewhere, as may be necessary to insure public safety.~~
- ~~B. Trees shall not be planted beneath power lines. Trees should be placed far enough from the power lines that branching will not reach power lines at maturity.~~
- ~~C. Debris resulting from tree maintenance or removal shall be removed from any street, sidewalk, right-of-way, or other public area by sunset of the same day, unless specifically authorized to do otherwise by the city forester.~~
- ~~D. No person shall willfully injure or destroy any public tree, including (but not limited to) piling or storing building materials or equipment on or near a public tree so as to cause injury, posting signs on public trees, pouring injurious matter on or around public trees including that which would shut off air, water, and light to public trees, or otherwise permitting animals to damage public trees.~~
- ~~E. Street and private trees shall be pruned for eight feet (8') of clearance over sidewalks and fourteen feet (14') of clearance over streets. Public and private trees shall not obstruct the view of traffic signs or street intersections. Public trees under which pedestrians may walk shall be pruned clear of all branches one inch (1") in diameter or bigger from the trunk between the ground and a height of eight feet.~~
- ~~F. The city may establish a fund to remove trees that are in conflict with sidewalks or power lines and may at the discretion of the city replace them with trees compatible to the situation. The city may cooperate with utility companies and others to mitigate such conflicts. This program shall be administered by the city forester.~~

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022

Amended by Ord. 2024-02-07 on 2/27/2024

Sec 12.16.050 Hazard Trees

- ~~A. It shall be unlawful to keep or maintain a tree which causes physical damage or harm to human life, existing structures, existing infrastructure (including street, curb, gutter, and sidewalk) or utilities. The city forester shall determine if the tree presents a danger or hazard. Where a hazard tree exists upon private property, the owner, landlord, tenant, or other person in control of the property on which such hazard exists, shall be deemed to be the cause thereof, and shall be liable therefore.~~
- ~~B. The city may serve notice in writing upon the owner of property upon which a hazard tree is found, or other person who may be the cause thereof, and require the person or owner to abate the hazard tree within fifteen calendar days.~~

C. If an owner or responsible party refuses to abate a hazard tree after written notice and the time specified therein, the city may abate or procure the abatement of the tree at the expense of the person or entity failing to remove the tree.

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022

Sec 12.16.060 Nuisance Trees

All dead trees, and all trees that have been or may be partially uprooted or blown over so as to be in danger of falling, or by reason thereof have become unsightly, or which in any manner obstruct the street or sidewalk, within this city, are declared to be a nuisance and the owner of the premises in front of which such trees are situated is required to remove the same, and any person who fails or refuses to move such trees within ten (10) days after notified so to do by the code enforcement officer, or by some other person authorized to do so, is guilty of a class C misdemeanor, and the city is then authorized to take whatever remedial action is necessary.

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022

Sec 12.16.070 Trimming Of Trees, Plants, And Bushes Required

Every person who is the owner, or is the agent having the care of any premises situated within the city and abutting any public street or highway, is required, and it is made his/her duty, to trim and keep trimmed all trees, plants, and bushes growing on the premises and in front thereof, where branches overhang any portion of such street or highway, or are overhanging any part of the pavement or sidewalk. Such trees, plants, or bushes shall be maintained so that the lowest branches overhanging the pavement, sidewalk, or street shall be at least eight feet (8') above the level of the pavement, or sidewalk and at least fourteen feet (14') above the level of the street.

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

*Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022
Amended by Ord. 2024-02-07 on 2/27/2024*

Sec 12.16.080 Trimming Of Trees – Third Party

A utility company, or its agents, shall have the authority to trim trees within city-owned park strips, in accordance with all applicable utility restrictions and ordinance and easement restrictions, upon and hanging over right-of-way so as to prevent the branches of such trees from coming in contact with its wireless communication system.

(Ord. No. 08-02-12, 2-12-2008)

HISTORY

Repealed & Replaced by Ord. 2022-03-16 on 3/29/2022

Sec 12.16.090 Heritage Trees

- ~~A. Private property owners may recommend or nominate heritage trees on their personal property on a voluntary basis. The tree advisory board shall inventory such trees and make its recommendation to the city forester as to whether such tree should be classified as a heritage tree. In no case shall the city nominate and inventory a heritage tree on private property without voluntary consent of the owner of the tree. The designation of a tree as a heritage tree that is owned by private landowner shall only apply to the landowner who consents to such designation.~~
- ~~B. The tree advisory board may recommend and nominate public trees as heritage trees to the city forester.~~
- ~~C. Those trees that have been classified as heritage trees by the city forester are protected. As such, heritage trees may not be removed or damaged without the authorization of the city forester.~~

HISTORY

Adopted by Ord. 2022-03-16 on 3/29/2022

Sec 12.16.100 Enforcement

- ~~A. Criminal: Any person found in willful violation of any provision of this chapter shall be guilty of a class C misdemeanor.~~
- ~~B. The city may pursue both criminal and civil actions against any person or entity that violates this chapter.~~
- ~~C. Each tree on which a violation occurs shall constitute a separate offense.~~

PARK STRIP AND TREES

Sec. 12.16.010 Purpose

The purpose of this chapter is to:

- A. Promote public health, safety, and welfare;
- B. Protect public rights-of-way, sidewalks, streets, utilities, and other public infrastructure;
- C. Preserve and enhance the City's urban forest;
- D. Establish standards for the planting, maintenance, protection, and removal of trees;
- E. Clarify the responsibilities of adjacent property owners and the City; and
- F. Minimize conflicts between trees, utilities, transportation facilities, and public improvements.

Sec 12.16.020 Definitions

For the purposes of this section, the following words shall have the following meanings:

- A. Adjacent Property. Any side of real property located next to a park strip.
- B. Approved Tree List. The list of tree species approved by the Urban Forester for planting within public rights-of-way.
- C. Hazard tree. A tree which has been deemed by the Urban Forester to present a risk of injury to persons or damage to structures, utilities, public improvements, or other property or that is causing material damage to public infrastructure, due to disease, infestation, structural defects, instability, root damage, or similar conditions.
- D. Heritage tree. A tree characterized by one or more of the following: having historical significance, being part of a historical site, or being of a rare or unusual species. The tree advisory board may advise the city forester in determining whether a tree should be designated as a heritage tree.
- E. Nuisance Tree. A tree located on private property that causes or is causing damage to a public street, curb, gutter, sidewalk, park strip, utility, or other public improvement constitutes a hazard tree for purposes of this chapter.
- F. Park strip. The landscape area within a public right-of-way located between the back of street curb and the sidewalk, or in the absence of a sidewalk, the right-of-way line.
- G. Protective measures. Any steps taken to safeguard the appearance, health, condition, or continued viability of a protected tree. Typical examples are: physical structures limiting access to a protected tree, pruning to allow access to a site, supplemental watering or fertilization, washing of canopy to remove dust or other residues, berms or grading to prevent erosion or silting in a protected root zone, signage indicating protected status of trees, or other methods deemed necessary at the time of authorization.
- H. Public property. Any public right-of-way, park, street, sidewalk, easement, or other ground owned by American Fork City.

- I. Public Right-of-Way. Any street, alley, sidewalk, park strip, easement or other property dedicated or owned by the city for public use.
- J. Public Right-of-Way Tree. Any tree located wholly or partially within a public right-of-way.
- K. Tree Maintenance. Activities intended to promote the health, safety, and appearance of a tree, including watering, fertilization, mulching, pruning, pest management, and protection from damage. .
- L. Urban Forester. The employee designated by the City Administrator to administer and enforce this chapter.

Sec 12.16.030 Ownership, Control, and Maintenance Responsibilities.

- A. Public rights-of-way, including park strips, are owned or controlled by the city.
- B. Maintenance obligations imposed by this chapter do not create any ownership interest in public property or the landscaping located therein.
- C. Except as otherwise provided herein, the adjacent property owner shall maintain landscaping, irrigation systems, and trees located within the park strip adjacent to the owner's property.
- D. The City retains authority over all public right-of-way trees.
- E. The City may plant, maintain, prune, remove, replace, or otherwise manage trees and landscaping within public rights-of-way as necessary to protect public health, safety, welfare, infrastructure, and utilities.
- F. No person may plant, remove, relocate, or substantially alter a public right-of-way tree except as authorized by this chapter or approved by the Urban Forester.

Sec 12.16.040 Urban Forester Authority

The Urban Forester shall administer and enforce this chapter and may:

- A. Approve tree species and planting locations;
- B. Establish and maintain the Approved Tree List;
- C. Inspect trees and landscaping subject to this chapter;
- D. Determine whether a tree constitutes a hazard tree;
- E. Require pruning, relocation, replacement, or removal of trees planted or maintained in violation of this chapter;
- F. Approve alternative tree species and planting locations where consistent with the purposes of this chapter; and
- G. Adopt administrative procedures necessary to implement this chapter.

Sec. 12.16.050 Approved Tree List

- A. The Urban Forester shall establish and maintain an Approved Tree List identifying species approved for planting within public rights-of-way.

B. The Approved Tree List is incorporated by reference into this chapter.

C. The Approved Tree List may classify trees based upon:

1. Park strip width;
2. Mature size (small, medium, or large);
3. Growth characteristics;
4. Utility conflicts;
5. Infrastructure compatibility;
6. Disease resistance; and
7. Other urban forestry considerations.

D. The Approved Tree List shall be maintained as an administrative document and may be amended by the Urban Forester without amendment to this chapter.

E. The Approved Tree List shall be available to the public and posted on the City's website.

Sec. 12.16.055 Prohibited Tree List

A. The Urban Forester shall establish and maintain a Prohibited Tree List identifying tree species that may not be planted within public rights-of-way.

B. The Prohibited Tree List is incorporated by reference into this chapter.

C. No person shall plant a tree identified on the Prohibited Tree List within any public right-of-way or park strip.

D. The Prohibited Tree List may be amended administratively by the Urban Forester and shall be made available on the City's website

Sec. 12.16.060 Tree Planting Standards

A. Trees planted within public rights-of-way shall comply with the Approved Tree List and the requirements of this chapter.

B. Trees shall not be planted in locations that create conflicts with utilities, sidewalks, streets, or public infrastructure at maturity.

C. Unless otherwise approved by the Urban Forester, trees shall be located not less than:

1. Thirty feet (30') from the beginning of curb returns at street intersections;
2. Twenty feet (20') from utility poles and streetlights;
3. Ten feet (10') from fire hydrants;
4. Five feet (5') from driveways and service walks; and
5. Five feet (5') from water meters.

D. Park Strip Width Standards.

1. Less than four feet (4').
 - a. No trees shall be planted.
2. Four feet (4') to less than six feet (6').
 - a. Only small-maturing tree species identified on the Approved Tree List may be planted.
3. Six feet (6') to less than eight feet (8').
 - a. Only medium-maturing tree species identified on the Approved Tree List may be planted.
4. Eight feet (8') or greater.
 - a. Small-, medium-, or large-maturing tree species identified on the Approved Tree List may be planted.

E. These standards apply to all new tree plantings within existing and future park strips.

F. Trees lawfully planted prior to the effective date of this ordinance may remain unless determined to be a hazard tree, nuisance tree, or otherwise required to be removed pursuant to this chapter.

Sec. 12.16.070 Tree Maintenance and Protection

A. Trees shall be maintained in a safe and healthy condition.

B. Debris resulting from tree maintenance or removal shall be removed from public property by sunset of the same day unless otherwise authorized by the Urban Forester.

C. No person shall intentionally damage, destroy, injure, or impair a public right-of-way tree.

D. No person shall:

1. Attach signs or other objects to a public right-of-way tree;
2. Place materials around a tree in a manner that restricts water, air, or sunlight;
3. Permit animals to damage a public right-of-way tree; or
4. Engage in activities likely to injure a public right-of-way tree.

E. Tree topping is prohibited unless approved by the Urban Forester for public safety purposes.

Sec. 12.16.080 Clearance Requirements

- A. Trees overhanging sidewalks shall maintain a minimum vertical clearance of eight feet (8').
- B. Trees overhanging streets shall maintain a minimum vertical clearance of fourteen feet (14').
- C. Trees shall not obstruct traffic control devices, streetlights, or sight distance at intersections.
- D. Adjacent property owners shall maintain trees located on their property in compliance with this section.

Sec. 12.16.090 Hazard Trees and Nuisance Trees

- A. Hazard trees and Nuisance trees are prohibited.
- B. Dead, uprooted, severely damaged, diseased, or unsafe trees that obstruct public travel or create a danger to persons or property are declared public nuisances.
- C. The Urban Forester may issue written notice requiring correction, pruning, removal, relocation, or replacement of a hazard tree or nuisance tree.
- D. Unless an emergency exists, the responsible party shall be provided at least fifteen (15) calendar days to comply.
- E. In emergency situations presenting an immediate threat to public health or safety, the City may immediately abate the condition without prior notice.
- F. If the responsible party fails to comply, the City may perform the work and recover all costs incurred.

Sec. 12.16.100 Utility Operations

Utility providers and their authorized contractors may trim, prune, or remove vegetation within public rights-of-way as reasonably necessary to construct, maintain, repair, or protect utility facilities and safe utility operations, subject to applicable easements, state law, and city requirements.

Sec. 12.16.110 Heritage Trees

- A. Private property owners may voluntarily nominate trees located on private property for designation as heritage trees.
- B. No tree located on private property shall be designated as a heritage tree without the owner's written consent.
- C. Public right-of-way trees may be designated as heritage trees by the Urban Forester.
- D. Heritage trees shall not be removed or materially damaged without authorization from the Urban Forester.

Sec. 12.16.120 Tree Advisory Board

- A. The City Council may establish a Tree Advisory Board by resolution.
- B. The Board shall serve in an advisory capacity to the Urban Forester and City Council.
- C. If no Tree Advisory Board exists, references in this chapter to the Board shall be deemed to refer to the Urban Forester.

Sec. 12.16.130 Enforcement

- A. Any person who violates this chapter is guilty of a class C misdemeanor unless otherwise provided by law.
- B. The city may pursue criminal, civil, administrative, equitable, or nuisance-abatement remedies.
- C. Each tree affected by a violation shall constitute a separate offense.
- D. Each day a violation continues shall constitute a separate violation.
- E. The remedies provided in this chapter are cumulative and not exclusive.

AN ORDINANCE OF THE AMERICAN FORK CITY COUNCIL REPEALING CHAPTER 12.16 OF THE AMERICAN FORK CITY CODE AND REPLACING IT WITH A NEW CHAPTER 12.16 ENTITLED "PARK STRIPS AND TREES"; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, American Fork City is authorized under Utah law to regulate the use and maintenance of public rights-of-way and to adopt ordinances protecting the public health, safety, and welfare; and

WHEREAS, the City Council finds that the existing provisions of Chapter 12.16 should be repealed and replaced with updated regulations governing park strips, public right-of-way trees, urban forestry practices, and maintenance responsibilities in order to better protect public infrastructure, promote public safety, preserve the City's urban forest, and clarify the respective responsibilities of the City and adjacent property owners; and

WHEREAS, the City Council has determined that repealing the existing chapter and replacing it in its entirety will provide a clearer, more comprehensive regulatory framework.

NOW, THEREFORE, BE IT ORDAINED by the City Council of American Fork City, Utah, as follows:

Section 1. Repeal and Replacement.

Chapter 12.16 of the American Fork City Code is repealed in its entirety and replaced with a new Chapter 12.16 as set forth in Exhibit A.

Section 2. Codification.

The provisions of this ordinance shall be codified in the American Fork City Code. The City Recorder is authorized to make non-substantive formatting, numbering, and cross-reference corrections necessary to accomplish codification.

Section 3. Penalty and Indigent Defense.

Violations of Chapter 12.16 are subject to the penalties provided in Chapter 1.28 of the American Fork City Code and the penalty and enforcement provisions of Chapter 12.6. If a violation of this ordinance includes any possibility of imprisonment, the City is required, pursuant to Utah Code Section 78B-22-301, to provide for indigent defense services to eligible individuals as required by law.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions shall remain in full force and effect.

Section 5. Effective Date.

This ordinance shall become effective upon publication as required by law.

PASSED AND ADOPTED by the American Fork City Council this ____ day of _____, 2026.

AMERICAN FORK CITY

Bradley J. Frost
Mayor

ATTEST:

Terilyn Lurker, City Recorder

EXHIBIT A