Wednesday, August 24, 2016
Development Review Committee

DEVELOPMENT REVIEW COMMITTEE AGENDA
PUBLIC NOTICE is hereby given that the Development Review Committee of Spanish Fork, Utah, will hold a regular meeting in the Council Chambers in the City Office Building, 40 South Main Street, Spanish Fork, Utah, commencing at 10:00 a.m.

1. Approval of Minutes

Subject	**A. July 27, 2016**
Meeting	Aug 24, 2016 - Development Review Committee
Category	1. Approval of Minutes
Access	Public
Type	Action (Consent), Minutes

File Attachments
draft DRC minutes 07-27-2016.pdf (76 KB)

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

2. Conditional Use Permit

Subject	**A. T-Mobile 700 North Modifications**
Meeting	Aug 24, 2016 - Development Review Committee
Category	2. Conditional Use Permit
Access	Public
Type	Action, Discussion

Applicant: Rage Development
General Plan: Public Facility
Zoning: P-F
Location: 432 East 700 North

File Attachments
T-mobile 700 North CUP.pdf (706 KB)

Subject	**B. T-Mobile 1150 East Modifications**
Meeting	Aug 24, 2016 - Development Review Committee
Category	2. Conditional Use Permit
Access	Public
Type	Action, Discussion

Applicant: Crown Castle

General Plan: Public Facility
Zoning: P-F
Location: 617 South 1150 East

File Attachments
T-mobile 1150 East CUP.pdf (542 KB)

Subject	**C. T-Mobile Canyon Road Modifications**
Meeting	Aug 24, 2016 - Development Review Committee
Category	2. Conditional Use Permit
Access	Public
Type	Action, Discussion

Applicant: Cortel LLC
General Plan: Public Facility
Zoning: P-F
Location: 2505 East Canyon Road

File Attachments
T-mobile Canyon Road CUP.pdf (686 KB)

3. Minor Subdivision

Subject	**A. Western Ag**
Meeting	Aug 24, 2016 - Development Review Committee
Category	3. Minor Subdivision
Access	Public
Type	Action, Discussion

Applicant: Alan Stevens
General Plan: Mixed Use
Zoning: C-2
Location: 692 South Main Street

File Attachments
Western Ag Credit MS.pdf (682 KB)

4. Site Plan

Subject	**A. Canyon Creek Shopping Center Phase 9**
Meeting	Aug 24, 2016 - Development Review Committee
Category	4. Site Plan
Access	Public
Type	Action, Discussion

Applicant: Woodbury Corporation
General Plan: Commercial
Zoning: C-2
Location: 790 Expressway Lane

File Attachments
Canyon Creek Shopping Center Phase 9 SP.pdf (1,349 KB)

Subject	**B. Western Ag**
Meeting	Aug 24, 2016 - Development Review Committee
Category	4. Site Plan
Access	Public
Type	Action, Discussion

Applicant: Alan Stevens
General Plan: Mixed Use
Zoning: C-2
Location: 692 South Main Street

File Attachments
Western Ag Credit SP.pdf (986 KB)

Subject	**C. PEG Development**
Meeting	Aug 24, 2016 - Development Review Committee
Category	4. Site Plan
Access	Public
Type	Action, Discussion

Applicant: LEI Engineering
General Plan: Mixed Use
Zoning: C-2
Location: 126 West Volunteer Drive

File Attachments
PEG Development SP.pdf (628 KB)

5. Final Plat

Subject	**A. Canyon Creek Shopping Center Phase 9**
Meeting	Aug 24, 2016 - Development Review Committee
Category	5. Final Plat
Access	Public
Type	Action, Discussion

Applicant: Woodbury Corporation
General Plan: Commercial
Zoning: C-2
Location: 790 Expressway Lane

File Attachments
Canyon Creek Shopping Center Phase 9 FP.pdf (871 KB)

6. Zone Change

Subject	**A. 1000 North Rezone**

Meeting	Aug 24, 2016 - Development Review Committee
Category	6. Zone Change
Access	Public
Type	Action, Discussion

Applicant: Anderson CRG
General Plan: Mixed Use
Zoning: R-1-6
Location: 957 North 500 East

File Attachments
1000 North ZA.pdf (1,431 KB)

7. Title 15

Subject	**A. Title 15 amendments**
Meeting	Aug 24, 2016 - Development Review Committee
Category	7. Title 15
Access	Public
Type	Action, Discussion

Applicant: Spanish Fork City
General Plan: City Wide
Zoning: City Wide
Location: City Wide

8. Other Business

9. Adjourn

Draft Minutes
Spanish Fork City Development Review Committee
July 27, 2016

Staff Members Present: Dave Anderson, Community Development Director; Seth Perrins, City Manager; Kelly Peterson, Electric Superintendent; Junior Baker, City Attorney; Cory Pierce, Staff Engineering; Jered Johnson, Engineering Division Manager; Bart Morrill, Parks Maintenance Supervisor; Steve Adams, Public Safety Director; Brady Taylor, Lead Cable Technician; Shelley Hendrickson, Engineering Division Secretary; Kimberly Brenneman, Community Development Department Secretary.

Citizens Present: Blaine Hales, Sean Smith, Scott Peterson, Winn Lindsey, Rob Lindsey, Andy Spencer, Casey Cloward.

Seth Perrins called the meeting to order at 10:05 a.m.

Dave Anderson entered the meeting at 10:07 a.m.

PRELIMINARY PLAT

Walmart Preliminary Plat

Applicant: Galloway and Company
General Plan: Commercial
Zoning: C-2
Location: 2550 East Highway 6

Dave Anderson stated the applicant has applied to separate the parcel into two lots.

Cory Pierce stated the Engineering Department is working through concerns of 2550 East and the potential need to widen the road.

Kelly Peterson stated he is still waiting for a dwg file. The Power Department will not start the electrical design until that file is uploaded.

Dave Anderson stated this is just a Minor Plat Amendment and a full construction drawing will be submitted with the Site Plan application and dwg files should be uploaded at that time.

Steve Adams noted for the record that at one point in time the fencing along the south side of a vinyl fence would be sufficient. In driving by the neighborhood yesterday he noticed the current vinyl fence is dilapidated and Steve Adams feels it would be wise to install a better fence.

Jered Johnson entered the meeting at 10:10 a.m.

DRAFT

Dave Anderson appreciates the feedback from Steve Adams and stated in a conversation he had with the applicant yesterday, the City would like to see a cross-section of where the ditch and fence would be constructed. Dave Anderson also suggested the applicant maybe install some low vegetation along the fence.

Junior Baker **moved** to recommend approval to City Council of the Walmart Preliminary Plat subject to the following conditions:

Conditions

1. That the applicant meet all the conditions imposed when the Zone Change was approved.
2. That the applicant change the name of the plat to something that is not already recorded with the County.
3. That the applicant work with the Engineering Department with regard to the width of 2550 East.
4. That the applicant meet the City's current Construction Standards.

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

Vincent Ridge Preliminary Plat
Applicant: Sean Smith
General Plan: Medium Density Residential
Zoning: R-R and R-1-12 current, R-1-15 proposed
Location: 1700 East 1900 South

Dave Anderson stated there was a conversation held previously about improvements to the road on the south of the proposed project and access to the existing home.

Cory Pierce stated the City's preference is to see the driveway to the existing home come in perpendicular to 1700 East extended instead of at an angle.

Sean Smith stated the property owner has asked that there be an access for farming at this time, with the understanding that it will go away once the farming is no longer a use for the property. There will be a drive access from Vincent Ridge Drive, to the east of lot 9, which the home can use as an access once the farm access has been removed.

Dave Anderson suggested that the existing home be included in the Preliminary Plat.

Sean Smith stated he does not see an issue with that.

Seth Perrins stated he spoke with the applicant yesterday about connectivity from 1885 South or 1925 South. The applicant stated they do not have the distance needed to be able to connect to the intersection of 1850 South and 1860 East.

DRAFT

Dave Anderson stated that the distance running north and south is not long enough for him to have a significant concern regarding connectivity to the neighboring property as Vincent Ridge Drive shows it will connect to the east properties.

Seth Perrins stated the connectivity is his only concern about the layout of the subdivision.

Kelly Peterson stated he and Chris Thompson are working on building a new substation for this area. At this time there is only one way to feed electricity to the subdivision. Adding the additional load to the system could be an issue until the substation is built. This could potentially delay the development of the subdivision.

Junior Baker asked about a jog in the property on the north east side of the development.

Sean Smith stated they are looking into the origin of that jog and will work on squaring up the lot, if they can.

Dave Anderson asked for clarification of the landscape that would be completed along 1700 East.

Cory Pierce stated he is working with the applicant regarding the need for a retaining wall and building up the trail. Cory Pierce stated they are currently working with the grade of the road and widening the road.

Seth Perrins asked if the irrigation canals will be going away.

Scott Peterson stated that yes they would go away. Fred Vincent would be put on pressurized irrigation.

Jered Johnson stated the water is dedicated to the City each year, but Fred Vincent would not need to trade in his water shares.

Bart Morrill asked what the steepest grade of the trail would be.

Cory Pierce stated he was not sure, but said it will match the grade of the road.

Bart Morrill stated that he prefers 10% as a maximum grade.

Scott Peterson stated that there won't be a problem with having nothing steeper than 10%.

Seth Perrins asked about the ADA ramps at the three-way intersections.

Cory Pierce stated that typically they have just two ADA ramps, but the City can require more if that is what Seth Perrins wishes. The problem that developers run into are the ADA ramps will sometimes match up to a driveway on the opposing side of the street.

DRAFT

Junior Baker **moved** to recommend approval to City Council of the Vincent Ridge Zone Change from R-1-12 and R-R to R-1-15 and Preliminary Plat subject to the following conditions:

Conditions

1. That the applicant meet the City's current Development Standards.
2. That the applicant modify the turnaround on the southernmost road.
3. That the applicant address any redline comments as submitted in the review.

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

FINAL PLAT

Canyon Creek Phase 8A

Applicant: LEI
General Plan: Commercial
Zoning: C-2
Location: 1200 North 800 East

Dave Anderson asked if there are any committed tenants for the proposed plat.

Andy Spencer stated the bank location on the site is America First Credit Union. There have been no other commitments at this time.

Junior Baker **moved** to approve the Canyon Creek Phase 8A Final Plat.

Kelly Peterson **seconded** and the motion **passed** all in favor.

Andy Spencer stated the improvements for the Final Plat will be the access road and the landscaping. The other improvements will be completed with Site Plan approval.

Andy Spencer stated they have met with Tom Cooper on site, for Phase 9, to address electrical issues. He would like to submit a Final Plat in conjunction with the Site Plan. The Building Department has received a building permit application for the Ross building. Andy Spencer has given Cory Pierce and Tom Cooper a concept plan of the connector road for staff to mark up and give their feedback.

Dave Anderson asked if conflicts have been worked out with neighboring properties.

Andy Spencer stated they are working on those items and it should be drawing to a close.

ZONE CHANGE

Medical/Dental Office text amendment

Applicant: Blaine Hales

DRAFT

General Plan: City Wide
Zoning: City Wide
Location: City Wide

Dave Anderson stated just over 6 parking spaces per 1,000 square feet are required for medical office uses. The applicant has asked that the parking be reduced to 5 parking spaces per 1,000 square feet. The request of going from requiring one parking stall per 150 square feet to one parking stall per 200 square feet is reasonable.

Junior Baker asked what Provo does to allow for a reduced parking requirement.

Blaine Hales stated Provo only allows a reduced parking requirement in the central business district. He stated West Jordan has a reduced parking requirement based on the size of the building.

Junior Baker stated the City gets a lot of complaints about the lack of parking within the City.

Seth Perrins does not like the idea of conditional reduction. He sees the interest in and possible pressure to make a change to the ordinance as a whole.

Dave Anderson stated Taylor Billings has done some additional research of medical facilities within the City and the average is 1 parking space for just over every 200 square feet.

Junior Baker **moved** to recommend approval to City Council of the Medical/Dental Office text Amendment to allow one parking stall for every 200 square feet of building space with the following condition:

<u>Conditions</u>

1. That the applicant bring in more information with what Provo City allows in terms of parking requirement reductions.

Bart Morrill **seconded** and the motion **passed** all in favor.

Dave Anderson asked where he plans to build the office space and how large of a building he plans to build.

Blaine Hales stated he is looking to build a 9,000 to 12,000 square foot building. The site location is on the northeast corner of 700 East and 700 North.

Title 15 Text Amendment
Applicant: Spanish Fork City
General Plan: City Wide
Zoning: City Wide
Location: City Wide

Dave Anderson **moved** to continue the Title 15 Text Amendment.

DRAFT

Kelly Peterson **seconded** and the motion **passed** all in favor.

GENERAL PLAN AMENDMENT

East Bench General Plan Amendment
Applicant: Merrillyn Hallam Clark
General Plan: Mixed Use, Medium Density Residential, Agricultural current, Commercial proposed.
Zoning: R-R and R-1-15
Location: 2550 East 700 South

Dave Anderson stated the proposal is pretty straight forward. On the northeast side of 2550 East and Highway 6, the applicant is proposing to amend the General Plan from Mixed Use, Low Density Residential and Agricultural to Commercial Use.

Dave Anderson suggested modifying the proposed General Plan Amendment to accommodate Commercial Use with a border of Mixed Use as a buffer. Another suggestion for designation is Mixed Use with High Density Residential to the east. Dave Anderson stated there are approximately 70 acres involved. To relate that to another project and understand the size of the proposal he stated the Canyon Creek Commercial development is about that size.

Seth Perrins stated residents are not well served to have commercial and retail segregated and only in certain areas. It will serve the residents well to have the commercial uses spread throughout the community. The sheer size of the proposal is a little large but he likes the idea of having some mixed uses in that area of town.

Junior Baker **moved** to recommend approval to the Planning Commission of the East Bench General Plan Amendment from Mixed Use, Low Density Residential and Agricultural to Commercial Use with a border of Mixed Use as a buffer.

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

Lindsey General Plan Amendment
Applicant: Winn Lindsey
General Plan: Industrial current, High Density Residential proposed.
Zoning: I-1
Location: 1000 East Market Place Drive

Dave Anderson stated the project is located at Market Place Drive and Canyon Creek Parkway. He asked for the applicant to address the DRC with their proposal.

DRAFT

Rob Lindsey stated he and his brother have hired Bruce Fallon to put together a concept plan of what they propose to do. Rob Lindsey envisions about 250 units with high end finishes requiring higher end rent. He stated the development would be constructed in two phases.

Jered Johnson exited the meeting at 11:06 a.m.

Winn Lindsey stated this development is targeted to the millennials allowing them to walk to the commercial development to the south and be in close proximity to the hospital.

Rob Lindsey stated the location allows for easy access from the north and south.

Junior Baker stated that he likes the concept but stated the location is not appropriate. He stated it would be a better use along Highway 51 and the property should be reserved for medical office developments.

Seth Perrins tends to agree with Junior Baker as to the location not being fitting.

Kelly Peterson stated with regard to electrical, a line would have to be brought from the substation to the south to get power to the development as the Electrical Department has only planned to have industrial uses in that area.

Junior Baker stated there is going to be a large need to have medical office uses near the hospital.

Jered Johnson returned to the meeting at 11:10 a.m.

Dave Anderson stated in meetings with groups and in looking at properties in the area, it is hard to find sites to build on near the IHC site. There are limitations with development due to contractual agreements with Canyon Creek, wetlands and landfill issues. Having land available for non-residential uses needs to be available and is important. Timing matters quite a bit and it is premature for the City to say now is the time to make a drastic change in land use. If the hospital was built and neighboring properties had filled in with the medical related uses, then it might be the time to talk about how residential uses could complement what is in the area. Creating pockets of residential uses is not a good practice on the behalf of the City.

Rob Lindsey was under the understanding the industrial uses in that area would be fading away.

Dave Anderson stated that is not correct. There are Fortune 500 companies that operate in the area and the City hopes that they expand; there are businesses that have expressed concern to the City about continuing their uses in the area with the retail development of Canyon Creek.

Seth Perrins stated the property to the west of the proposed development is currently expanding and the City wants the businesses in the industrial area to expand as they provide great jobs for the residents.

DRAFT

Rob Lindsey stated they are looking for a site that provides walkability to commercial uses.

Shelley Hendrickson exited the meeting at 11:20 a.m.

Junior Baker stated there is a need for this type of development, but they need to find a better location.

Dave Anderson stated the City is looking to amend the General Plan to allow for the new higher density designation that was recently adopted. He showed the proposed General Plan Map update and discussed where the high density might be located.

Junior Baker **moved** to recommend denial to the Planning Commission of the Lindsey General Plan Amendment.

Steve Adams **seconded** and the motion **passed** all in favor.

General Plan Update
Applicant: Spanish Fork City
General Plan: City Wide
Zoning: City Wide
Location: City Wide

Dave Anderson stated the Planning Commission has worked on identifying where high density residential would be appropriate as well as low density lots, between one-third acre and one-half acre in size. Dave Anderson outlined on a proposed General Plan Map update of where the high density, referred to as Urban Density Residential, and low density, referred to as Estate Density Residential might be appropriate.

Brady Taylor and Steve Adams exited the meeting at 11:27 a.m.

There was discussion of what designation would be appropriate in different areas of town.

Junior Baker **moved** to recommend approval to the Planning Commission of the General Plan Update subject to the following conditions:

<u>Conditions</u>

1. That the Planning Commission use the map as a guide for adding Urban Density Residential and Estate Density Residential, looking at the north and south ends of Main Street and taking time to see what is really appropriate.

Bart Morrill **seconded** and the motion **passed** all in favor.

Seth Perrins moved to adjourn meeting at 11:46 a.m.

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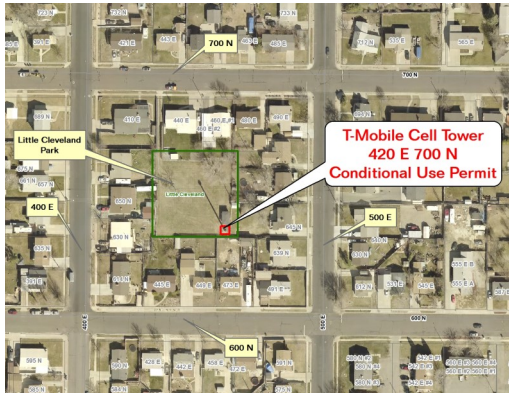
Adopted:

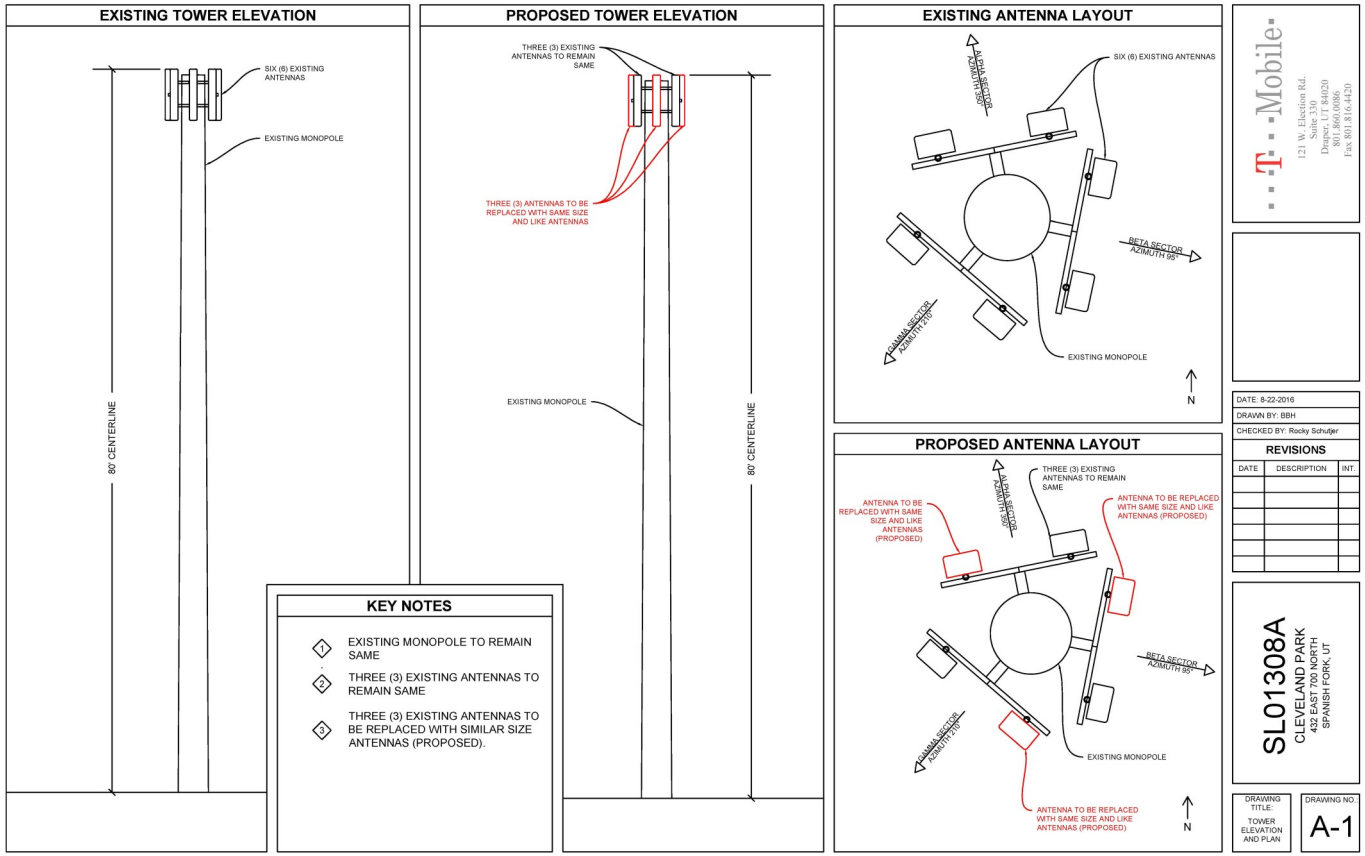
_____

Kimberly Brenneman
Community Development Division Secretary

DRAFT

T-Mobile 700 North Modifications





File Name: T-Mobile 700 North Modifications

Conditional Use Permit Application

Applicant: RAGE Development

Acres: Not Applicable

Number of Lots: Not Applicable

File #: 16-000905

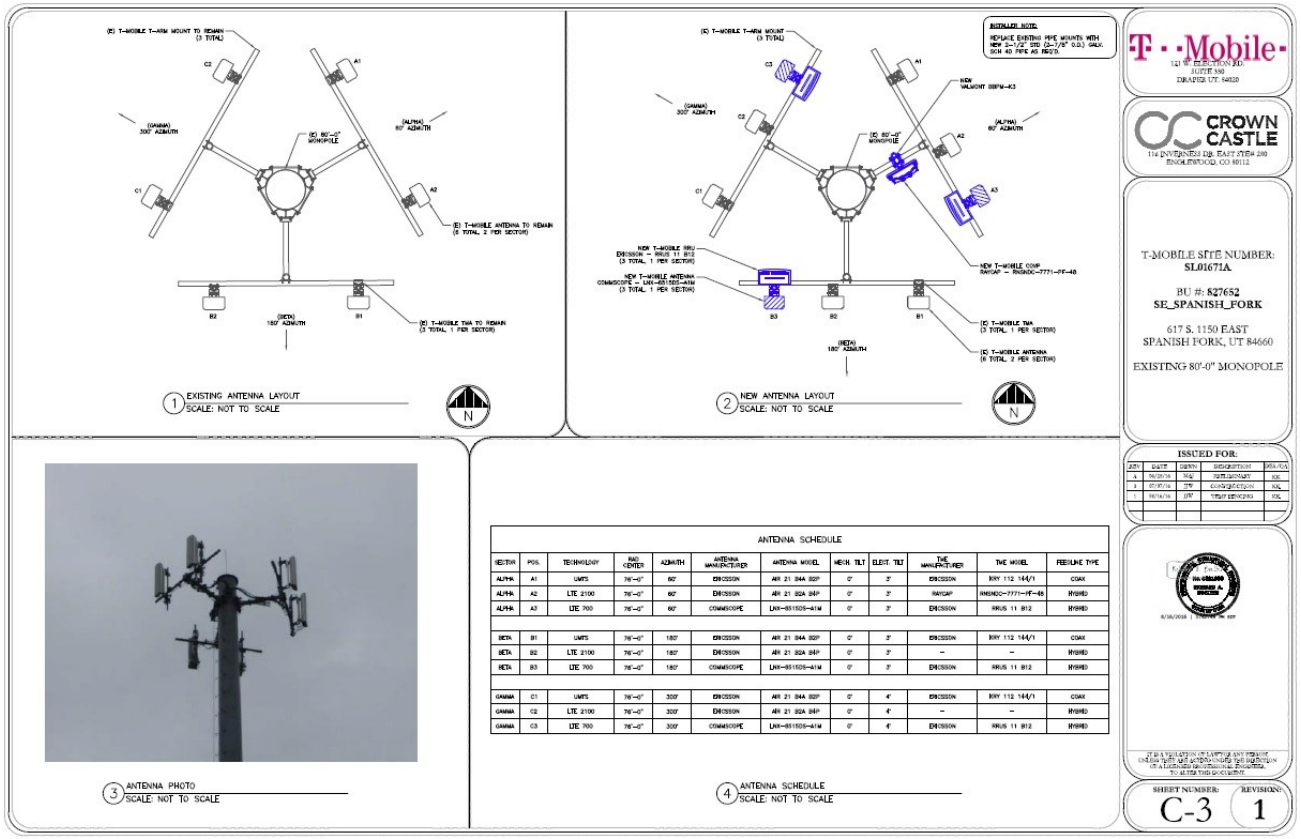
Address: 432 East 700 North

Permit #: CUP16-000004

Application Date: 08/09/2016

Application Approved: Pending

T-Mobile 1150 East Modifications



File Name: T-Mobile 1150 East Modifications

Conditional Use Permit Application

Applicant: Crown Castle

Acres: Not Applicable

Number of Lots: Not Applicable

File #: 16-000842

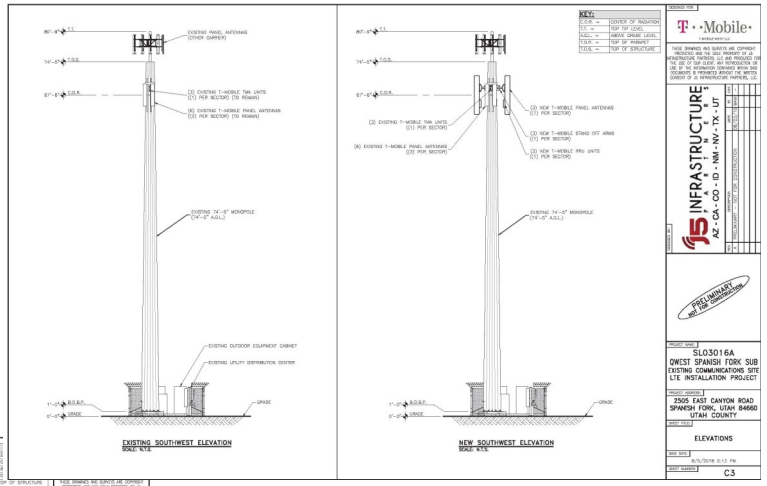
Address: 617 South 1150 East

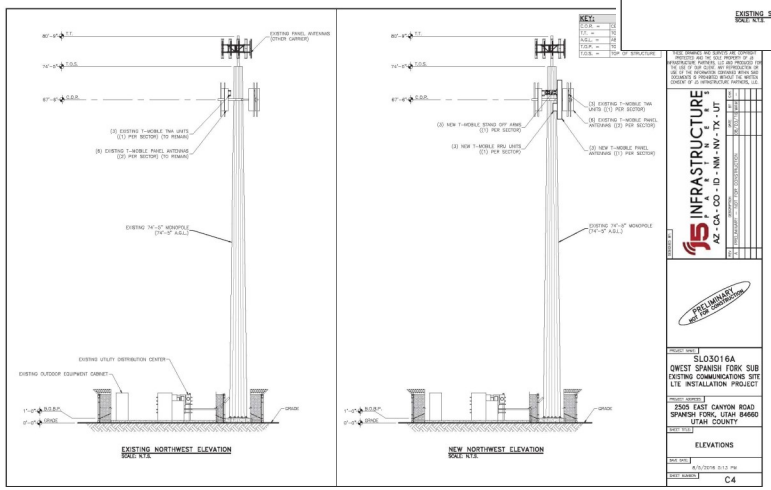
Permit #: CUP16-000003

Application Date: 07/26/2016

Application Approved: Pending

T-Mobile Canyon Road Modifications





File Name: T-Mobile Canyon Road Modifications

Conditional Use Permit Application

Applicant: Cortel LLC

Acres: Not Applicable

Number of Lots: Not Applicable

File #: 16-000931

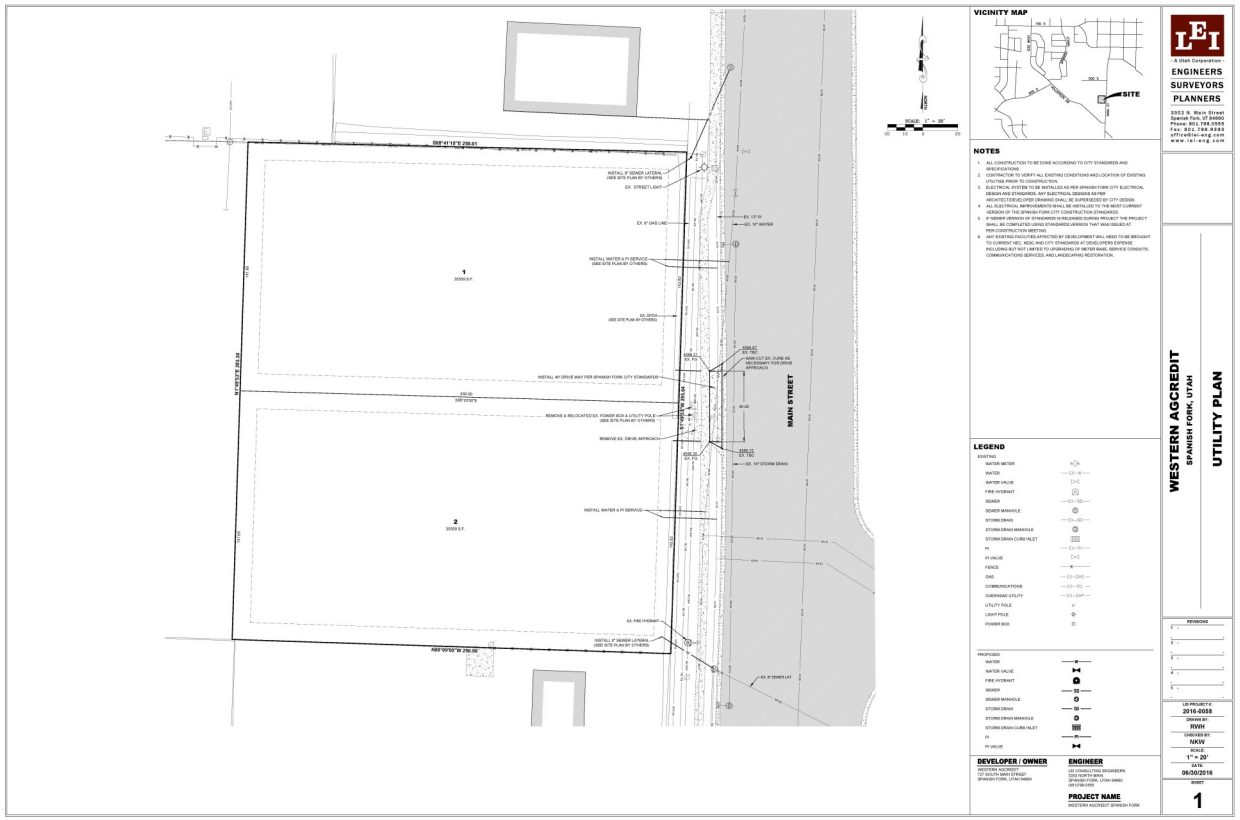
Address: 2505 East Canyon Road

Permit #: CUP16-000005

Application Date: 08/15/2016

Application Approved: Pending

Western AgCredit



File Name: Western AgCredit

Minor Subdivision Application

Applicant: Alan Stevens

1.62 Acres

Number of Lots: 2

File #: 16-000575

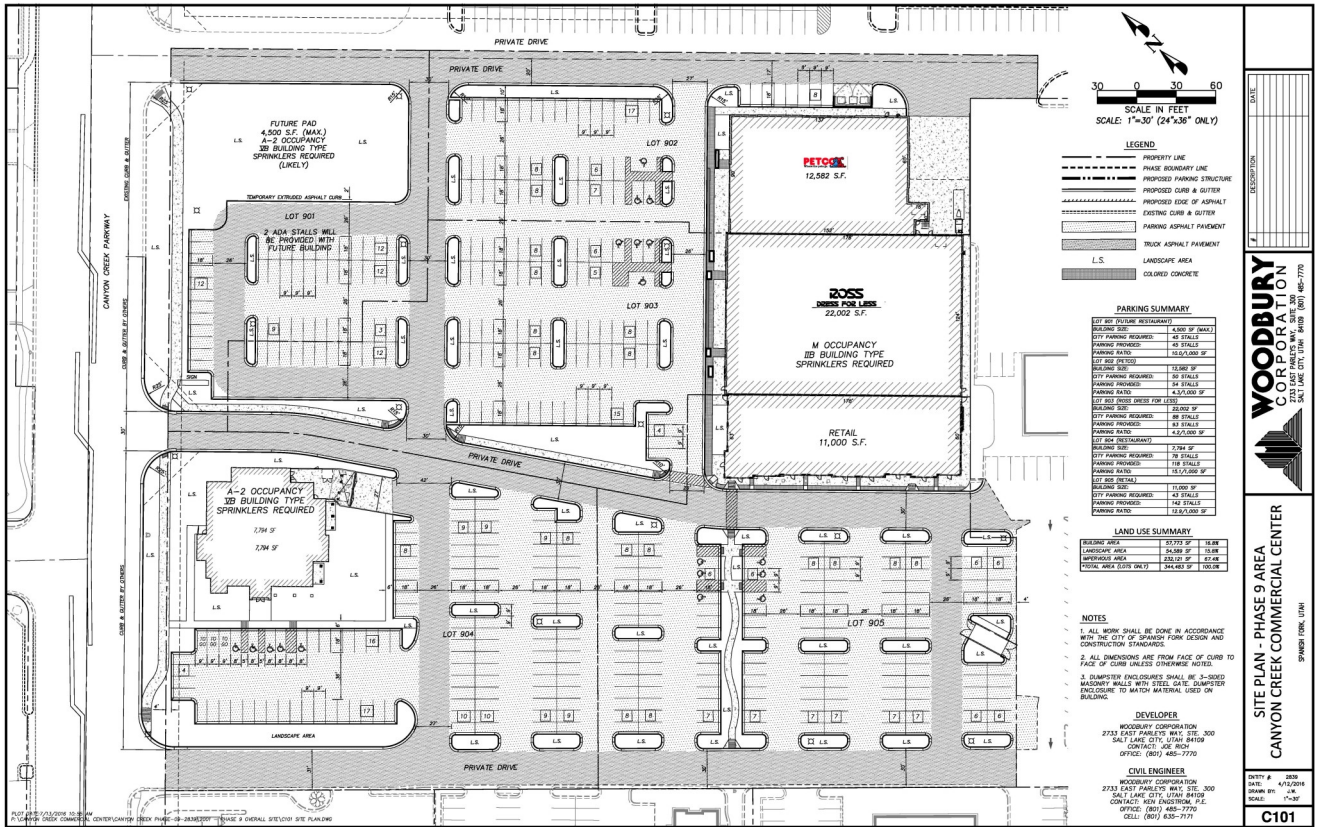
Address: 692 South Main Street

Permit #: MS16-000003

Application Date: 07/07/2016

Application Approved: Pending

Canyon Creek Shopping Center Phase 9



File Name: Canyon Creek Shopping Center Phase 9

Site Plan Application

Applicant: Woodbury Corporation

7.9 Acres

Number of Lots: 1

File #: 16-000491

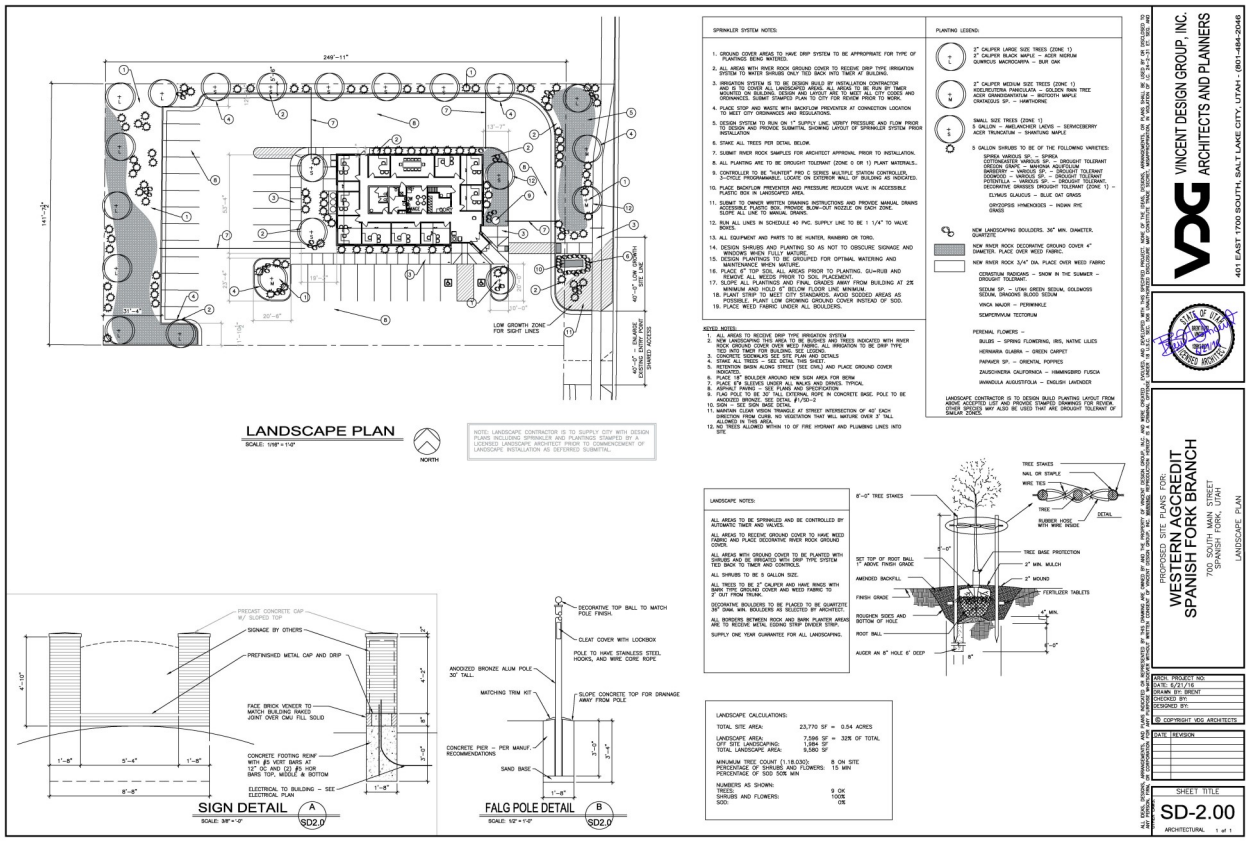
Address: 790 Expressway Lane

Permit #: SP16-000011

Application Date: 5/4/2016

Application Approved: Pending

Western AgCredit



File Name: Western AgCredit

Applicant: Alan Stevens

Number of Lots: 2

Address: 700 South Main Street

Application Date: 5/24/2016

Site Plan Application

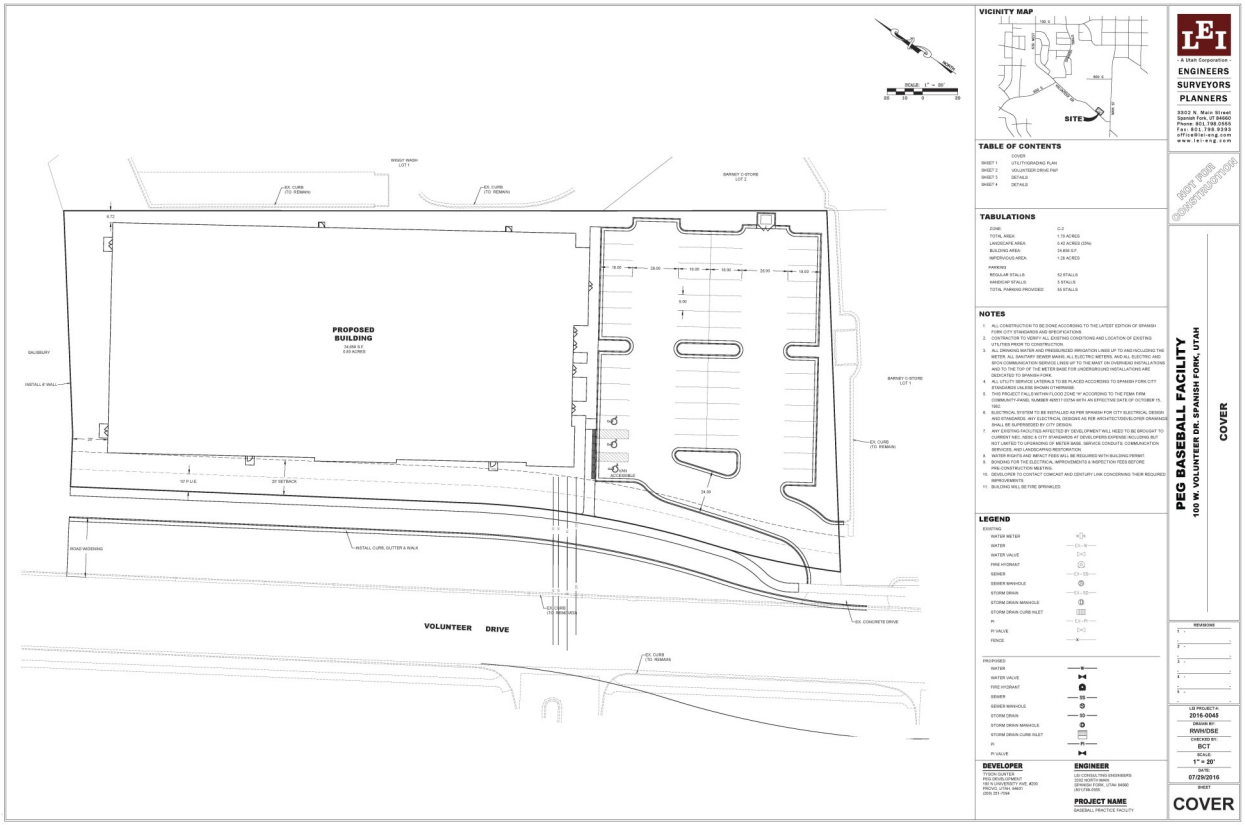
1.62 Acres

File #: 16-000575

Permit #: SP16-000013

Application Approved: Pending

PEG Development



File Name: PEG Development

Applicant: LEI Engineering

Number of Lots: 1

Address: 126 West Volunteer Drive

Application Date: 07/29/2016

Site Plan Application

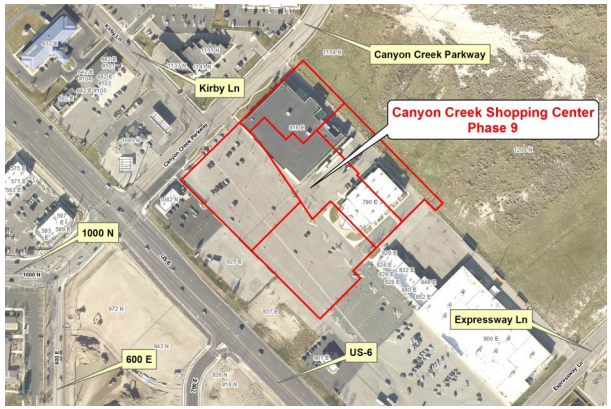
1.70 Acres

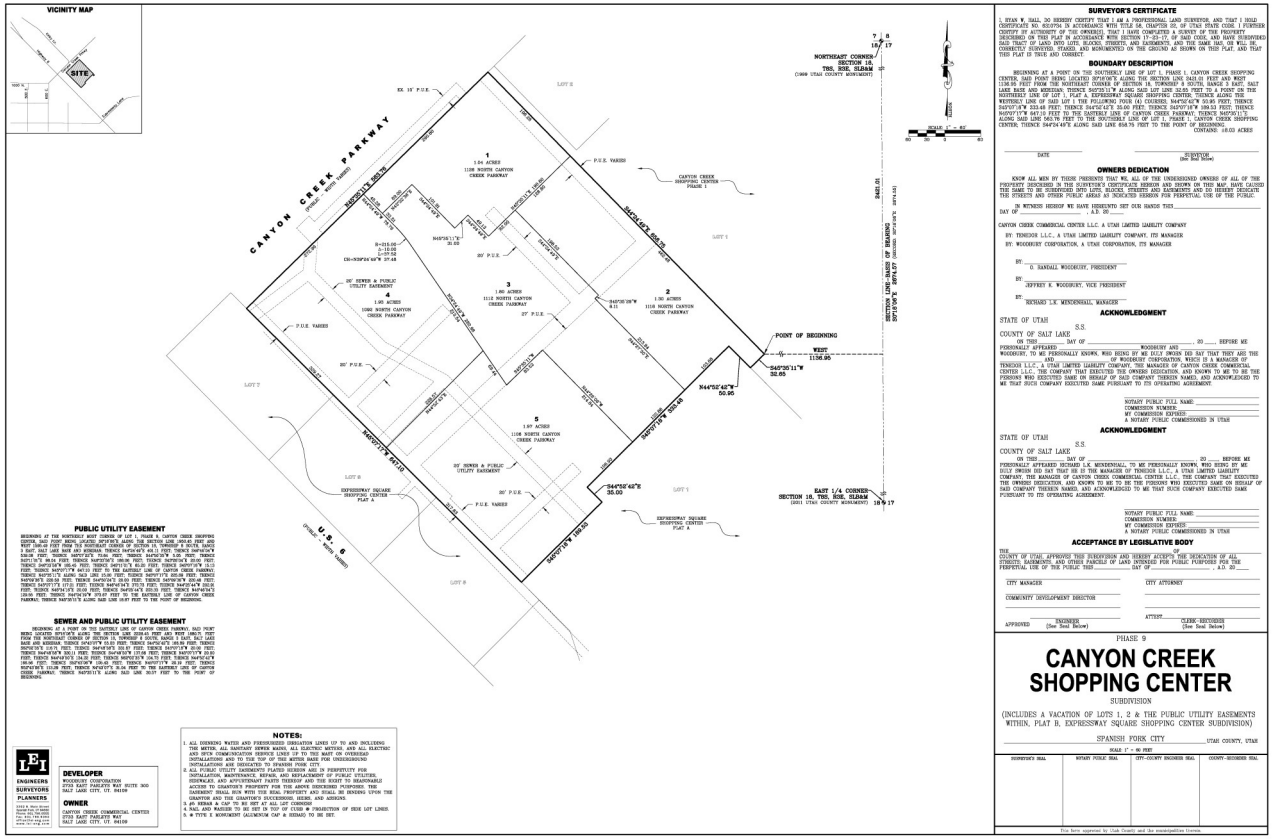
File #: 16-000864

Permit #: SP16-000017

Application Approved: Pending

Canyon Creek Shopping Center Phase 9





File Name: Canyon Creek Shopping Center Phase 9

Final Plat Application

Applicant: Woodbury Corporation

8.03 Acres

Number of Lots: 5

File #: 16-000491

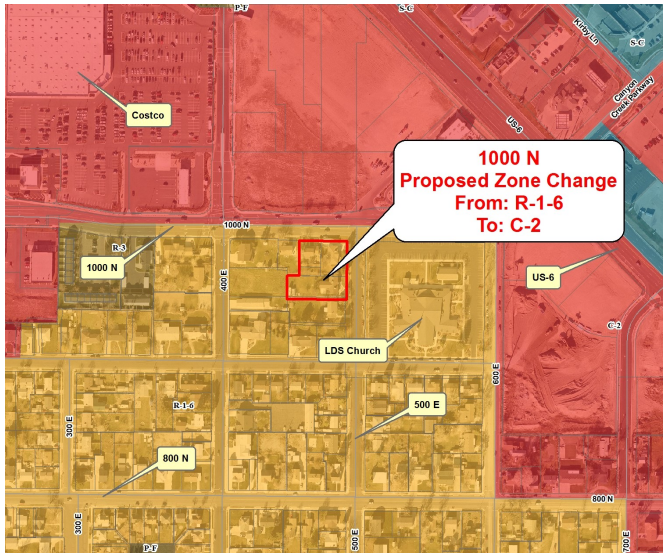
Address: 790 Expressway Lane

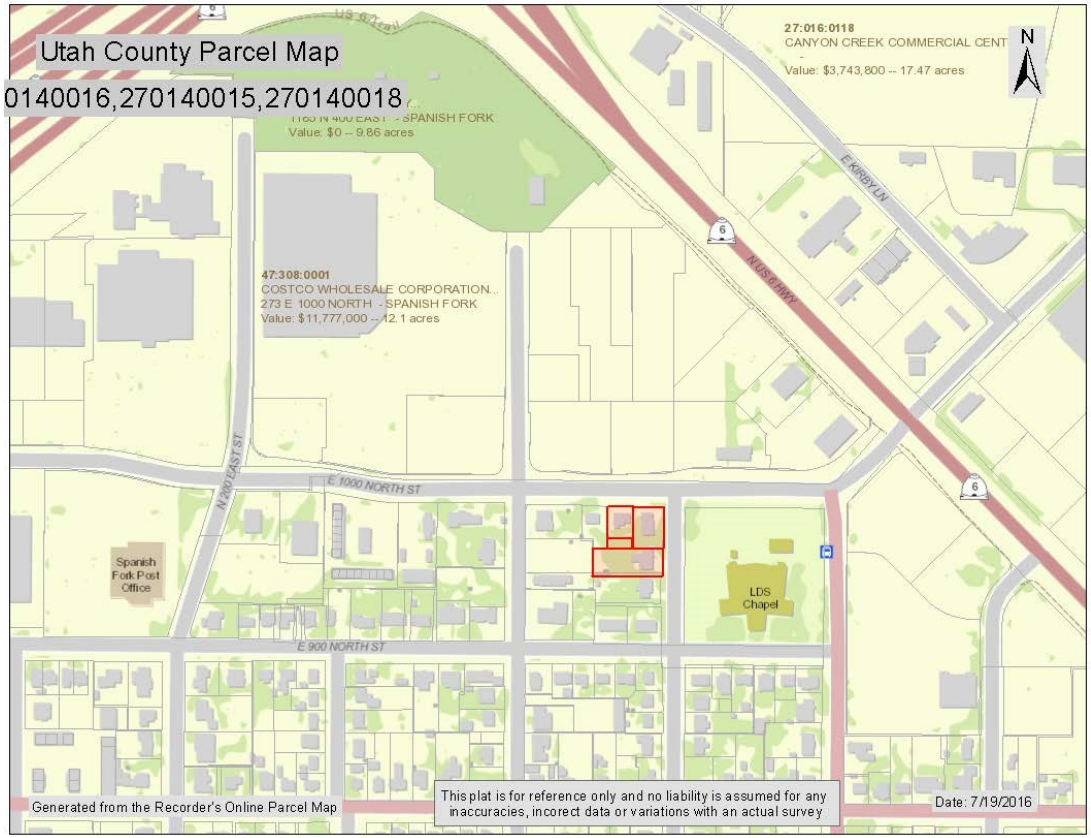
Permit #: FP16-000014

Application Date: 07/27/2016

Application Approved: Pending

1000 North Rezone





File Name: 1000 North Rezone

Zone Amendment Application

Applicant: Anderson CRG

.831 Acres

Number of Lots: 4

File #: 16-000832

Address: 957 North 500 East

Permit #: ZA16-000013

Application Date: 07/19/2016

Application Approved: Pending

ORDINANCE No. ____

ROLL CALL

VOTING	YES	NO
STEVE LEIFSON Mayor *(votes only in case of tie)*		
CHAD ARGYLE *Council member*		
STACY BECK *Council member*		
BRANDON B. GORDON *Council member*		
MIKE MENDENHALL *Council member*		
KEIR A. SCOUBES *Council member*		

I MOVE this ordinance be adopted:
I SECOND the foregoing motion

ORDINANCE No.

AN ORDINANCE MAKING AMENDMENTS TO SETBACKS, LANDSCAPING, WALLS, AND IMPACT FEE REIMBURSEMENTS, AS WELL AS GENERAL CLARIFICATION

WHEREAS, Spanish Fork City has enacted a land use ordinance to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use; and

WHEREAS, amendments to the land use ordinance need to be made from time to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices; and

WHEREAS, landscaping requirements are necessary in order to protect property values of neighboring parcels; and

WHEREAS, reducing total landscaping requirements for professional office and non-residential and non-commercial uses makes better use of available land; and

WHEREAS, the current definitions define Automotive Repair, but the text refers to both major and minor automotive repair; and

WHEREAS, defining major and minor automotive repair will avoid confusion and create clarity; and

WHEREAS, the current ordinance refers to "block walls" and "decorative masonry walls," but does not define the terms, creating confusion, which should be clarified; and

WHEREAS, clarifying when development related projects can be reimbursed from impact fees avoids confusion and allows for equal treatment of developers and easier administration; and

WHEREAS, establishing a front setback for the C-2 General Commercial Zone at twenty feet rather than twenty-five will allow more of the types of businesses desired in the C-2 zone to locate and operate without creating any loss of aesthetics from a slightly smaller front setback; and

WHEREAS, general clean up of the ordinance needs to take place over time, to assure amendments don't create conflicts with differing sections, to clarify intent, and to avoid confusion; and

WHEREAS, a public hearing was held before the Planning Commission on Wednesday, the 6th day of July, 2016, whereat public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday, the 12th day of July, 2016, whereat additional public comment was received;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:

I.

Spanish Fork Municipal Code §15.1.04.020, Definitions, is hereby amended by adding the following definitions:

15.1.04.020 Definitions

Commercial Child Care Center: Any facility located in a non-residential or non-industrial zone in which child care is provided on the premises.

Lot Line:

A. Front: The lot line adjacent to a street, except as follows:
   1. Corner Lot. The front shall be the direction in which the front door on the principal building faces and the other shall be the corner side lot line.
   2. Through or Double Frontage Lot. The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such property line is not obviously evident, the Community Development Director shall determine the front property line.

B. Rear: The lot line most nearly opposite the front property line or, if the front property is a curved line, to a line tangent to the front property line at its midpoint.

C. Side: Those other lot lines not defined as a front or rear lot line.

Wall, Decorative Masonry or Block: A sight obstructing wall constructed of brick, decorative block, decorative pre-cast concrete, or decorative glass fiber reinforced concrete composite.

II.

Spanish Fork Municipal Code, §15.1.04.030(A), Compliance and Enforcement is hereby amended to designate the Community Development Director as the Land Use Authority, as follows:

15.1.04.030 Compliance and Enforcement

A. Designation.

The Community Development Director is hereby designated and authorized as the land use authority and the officer charged with the administration and enforcement of Parts 2 and 3 of this Title, unless specifically indicated otherwise.

The City Engineer is hereby designated and authorized as the land use authority and the officer charged with the administration and enforcement of Part 4 of this Title, unless specifically indicated otherwise.

III.

Spanish Fork Municipal Code, Table 2, Commercial and Industrial Development Standards, is hereby amended to allow a twenty foot front setback in the C-2 General Commercial Zone, and increasing the height from 30 to 35 feet in the commercial zones as follows:

Table 2 - Commercial and Industrial Development Standards			
District	**Minimum District Size**	**Minimum Setback[1]**	**Max Building Height**

		Front	Rear	Side	Corner	Principal Building	Accessory Building[1]
C-O	N/A	25’	0-25’	0-10’	15’	30’	15’
C-UV	5 acres	25’	0-25’	0-20’	15’	35-48’[1]	15’
C-D	N/A	0’ (10’ max)	0-25’	0’	0’ (10’ max)	48’	15’
C-1	1 acres (5 acres max)	25’	0-25’	0-20’	15’	30’	15’
C-2	N/A	20[4] -25’	0-25’	0-20’	15’	35-48’[2]	15-25’[2]
S-C	5 acres	25’	0-25’	0-20’	15’	35-48’[2]	15’
B-P	10 acres	25’	0-25’	0-25’	15’	120’	15’
I-1	10 acres	25’	0-25’	0-25’	15’	None	None
I-2	20 acres	50’	50’	50’	50’	None	None

1 - Where range is indicated, side or rear setbacks are when the adjacent parcel is a residential use or district.
2 - Lower heights shown are for buildings and structures within 50 feet of a residential district or use.
Note: There is no minimum lot size, width, or lot frontage requirements. However, any new building or development must have permanent access on a paved road or driveway with a minimum width of 24 feet, with proper base material. Other improvements, such as curb and gutter, sidewalk, and additional pavement width or thickness may be required depending upon the nature of the business. (Ord. No. 07-04. Amended Industrial Zones Height Restrictions, 05/04/2004)
3 - The setback for self-storage units in the I-2 Industrial Zone may be reduced by the Planning Commission as noted in 15.3.16.130(E)(1).
4 - Twenty feet, provided there is 30 feet from the building to the back of curb, otherwise 25 feet.

IV.

Spanish Fork Municipal Code §15.3.08.010(A) “Administrative Bodies and Officers” is hereby amended to designate the Community Development Director as the person to review applications, as follows:

15.3.08.010 Administrative Bodies and Officers

A. Community Development Director: The Community Development Director shall be responsible for preparing, receiving, and reviewing applications under this Title. The Community Development Director is the land use authority in those instances when he/she makes a final decision with regard to a land use decision.

V.

Spanish Fork Municipal Code §15.3.08.020 “Interpretations and Administrative Review” is hereby amended to designate the Community Development Director as the land use authority, as follows:

15.3.08.020 Interpretations and Administrative Review

A. Interpretations: The Community Development Director shall be responsible for interpretation of the Zoning Ordinance and shall act as the land use authority unless specifically designated otherwise. Interpretations may be considered if there is a question of clarity of any development standard or permitted use as described in this ordinance.

VI.

Spanish Fork Municipal Code §15.3.08.030(A) "Annexations" is hereby amended as follows:

15.3.08.030 Annexations

A. Application: A party seeking Annexation to the City shall submit an Annexation petition. Petition is made by following the instructions on the electronic form provided by the Community Development Department, which meets the criteria established by state law. The petition will be placed on the Council agenda for rejection or acceptance for further review pursuant to the provisions of Utah Code Ann. '10-2-405. If accepted for further review, the City Recorder shall publish the notices, and provide the written notices as required by state law and follow the requirements of state law. During the publication period, the petition will be forwarded to the Community Development Director for presentation to the DRC and Commission, for their recommendations.

The City may also initiate an Annexation as outlined in Utah Code Ann. '10-2-418 where islands or peninsulas exist within its boundaries.

VII.

Spanish Fork Municipal Code §15.3.08.040 "Variance and Appeals" is hereby amended as follows:

15.3.08.040 Variance and Appeals

A. General: Variances from the terms of this ordinance and appeals from decisions made by the Community Development Director in administering or interpreting this ordinance shall be processed and reviewed in accordance with this section.

B. Application: Only the owner of record, the equitable interest owner, or a person owning a specific power of attorney with respect to the property may request a variance.

Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the Appeal Authority properly evaluate the request. The specific information to be included with the application is described on the application form.

C. Findings: Variances to the terms of the Zoning Ordinance can only be granted by the Appeal Authority, upon making the following findings:

1. Literal enforcement of the Zoning Ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same district.

3. Granting the variance is essential to the enjoyment of a substantial right possessed by other property in the same district.
4. The variance will not substantially affect the General Plan and will not be contrary to the public interest.
5. The spirit of the Zoning Ordinance is observed and substantial justice done.

D. Review Procedures: The Appeal Authority shall hold a public meeting on the application. Prior to the meeting, notice shall be provided as follows:
1. Notice shall be provided as set forth in '15.1.04.040.
2. All property owners, as shown on the last tax assessment role, adjacent to or across the street from the exterior boundaries of the property subject to the application shall be deemed interested parties and shall be sent notice by first class mail, postmarked at least ten (10) days prior to the date of the scheduled public meeting.

Notwithstanding the notice requirements set forth above, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

The applicant and interested parties shall be permitted to address the Appeal Authority and express any concerns. The Appeal Authority shall consider the recommendation of the Community Development Director, together with information provided by the applicant and interested parties at the public meeting both for and against the application. The Appeal Authority may approve, approve with conditions, or deny the application.

VIII.

Spanish Fork Municipal Code §15.3.08.050(B) "Amendments to the Zoning Ordinance – Text and Maps"is hereby amended as follows:

15.3.08.050 Amendments to the Zoning Ordinance - Text and Maps

B. Application: Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the City properly evaluate the request. The specific information to be included with the application is described on the application form.

Any interested party may request a change in the text of the Zoning Ordinance. Only the following may request an amendment to change property from one zoning district to another:
1. The owner or any of the joint owners of the property.
2. The owners of seventy-five percent (75%) or more of the area covered by the application when the application covers more than one property.
3. The Planning Commission or City Council on its own motion at a public meeting.

IX.

Spanish Fork Municipal Code §15.3.12.020(D) "District Boundaries" is hereby amended as follows:

15.3.12.020 <u>District Boundaries</u>

When there is uncertainty with respect to the boundaries of any zoning district on the Official Zoning Map, the following rules shall apply:

D. Where the application of the above rules does not clarify the zoning district boundary, the Community Development Director shall interpret the map and determine the boundary location.

X.

Spanish Fork Municipal Code §15.3.12.030 "Districts Established" is hereby amended to add the self-service storage zone as follows:

- SS Self Storage Overlay

XI.

Spanish Fork Municipal Code §15.3.24.020(A)(3) "Billboards" is hereby amended to name the current zones, as follows:

15.3.24.020 <u>Billboards</u>

A. Billboards are permitted in the following locations and subject to the following restrictions:

3. Must be at least 400 feet from any residential zoning district.

XII.

Spanish Fork Municipal Code §15.3.24.060(A)(2) "Subdivision Model Homes" is amended as follows:

15.3.24.060 <u>Subdivision Model Home</u>

A. A model home may be provided in conjunction with residential subdivisions subject to the following:

2. A model home plan is required, which shows the lot(s) to be used, parking areas, fencing, lighting, and signage. The Community Development Director shall review and approve the plan prior to the issuance of building permits for models.

XIII.

Spanish Fork Municipal Code §15.3.24.070(A)(2) "Temporary Office or Construction Trailers" is hereby amended as follows:

15.3.24.070 Temporary Office or Construction Trailers

A. Temporary office trailers are allowed in conjunction with new development projects subject to the following:

2. May be authorized for use exclusively as a temporary office or construction shed incidental to a construction project for a period of twelve (12) months. The Community Development Director may authorize extensions of additional six (6) month increments where construction within the project site is proceeding in a timely manner.

XIV.

Spanish Fork Municipal Code §15.4.04.060(A)(B)(C) "Filing of Preliminary Plats" is hereby amended as follows:

15.4.04.060 Filing of Preliminary Plats

A. Prior to filing a Preliminary Plat, the developer should review conceptual plans with the Community Development Department. To apply for a Preliminary Plat approval, applicants must follow instructions on the electronic form provided by the Community Development Department and submit all required materials. Plans submitted for Preliminary Plat approval shall be provided in this format:
   1. A pdf and computer aided design (CAD) file of the plat in a dwg or dxf format. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane.
   2. All fees for the Preliminary Plat are due upon filing the application.

B. The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a Portable Document Format (PDF) file of the plat must be uploaded to the electronic application.

C. All drawings, CAD files, and packets must be updated and re-submitted through the electronic application with any changes made that were required by the DRC, Planning Commission, or City Council after each meeting.

XV.

Spanish Fork Municipal Code §15.4.04.100 "Filing of Final Plats - When"is hereby amended as follows:

15.4.04.100 Filing of Final Plats - When

Within one (1) year after approval of the Preliminary Plat or within the time for which an extension to make such filing has been granted, the applicant must follow instructions on the electronic form provided by the Community Development Department and submit all required materials with the following:

A. A Computer Aided Design (CAD) file in a dwg or dxf format and a Portable Document Format (PDF) file of the plat. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.
B. All fees for the Preliminary Plat are due upon filing the application.

The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a PDF file of the plat must be uploaded to the electronic application.

Each Final Plat shall be accompanied by a filing fee established by the City Council in its annual budget, together with any impact, inspection, testing, connection, or other fees which are due at the time of application.

XVI.

Spanish Fork Municipal Code §15.4.04.120 "Review and Approval of Final Plats" is hereby amended as follows:

15.4.04.120 Review and Approval Procedure of Final Plats

Final plat and construction drawings shall be submitted to the City for review to insure conformity to the present ordinances and standards and for the adequacy and availability of public facilities. If the Final Plat or construction drawings are not in conformity, the City shall refer it back to the subdivider or developer with a list of items necessary to bring the Final Plat or construction drawings into compliance. If the Final Plat and construction drawings are in conformity, the plat or complete drawings will be submitted to the DRC with suggestions and comments noted thereon. The DRC shall act as the land use authority for Final Plat approval.

After considering the recommendation of the City Engineer, the DRC may table the matter, approve, or grant approval upon conditions stated. If approved, the City Manager, Community Development Director, City Attorney, and City Engineer shall sign the Final Plat. If any conditions are attached, the Final Plat or construction drawings shall be amended to reflect such changes and an accurate Final Plat shall be submitted to the City, prior to signing.

Original and Preliminary Plats are subject to the standards, policies, and regulations that are in effect at the time of approval for each of the Final Plats.

XVII.

Spanish Fork Municipal Code §15.4.08.030(A),(D) and (E) "Application and Review Process" is hereby amended as follows:

15.4.08.030 Application and Review Process

A. A Site Plan shall go through the following process. Pre-application conference with the Community Development Director and City Engineer, staff review, and then to the DRC.

1. Pre-application conference for Site Plan Review. Persons intending to undertake development need to arrange with the Community Development Director for a pre-application meeting. The purpose of this meeting is to acquaint the applicant with the requirements of the code; to provide for an exchange of information regarding to applicable elements of the General Plan and development requirements, to arrange such technical and design assistance as will aid the applicant, and to otherwise identify policies and regulations that create opportunities or pose significant constraints for the proposed development.
2. Staff Review.
   a. An application can be made by completing the instructions on the electronic form provided by the Community Development Department and submit all required materials:
      i. A CAD file in a dwg or dxf format and a PDF file of the plat. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

D. The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a PDF and CAD file of the plat must be uploaded to the electronic application.

E. Once accepted by the DRC, the developer must insure that a copy of the signed and approved construction plans are on site at all times during construction.

XVIII.

Spanish Fork Municipal Code §14.4.08.060 "Amendments to Site Plan" is hereby amended as follows:

15.4.08.060 <u>Amendments to Site Plan</u>

The Community Development Director may approve minor amendments that do not jeopardize the interest of the City or adjoining property owners. The types of minor amendments contemplated by this section may include, but not be limited to, legal description mistakes, minor boundary changes, and items that should have been included on the original Site Plan. Major amendments to the final Site Plan shall go back through the approval process.

IXX.

Spanish Fork Municipal Code §15.4.12.040 "Method of Assessing" is hereby amended as follows:

15.4.12.040 Method of Assessing

The Council may establish and assess impact fees by an impact fee enactment and by complying with the notice and hearing provisions of State law.

XX.

Spanish Fork Municipal Code §15.4.12.070, "Reimbursable Projects" is hereby created as follows:

15.4.12.070 Reimbursable Projects

Growth related infrastructure that does not have local connections shall be eligible for 100% reimbursement through impact fees. If there are local connections, the difference between the regional and local infrastructure cost shall be eligible for reimbursement from impact fees. 600 amp and larger electric lines are fully reimbursable from impact fees. Street lights are included in the cost of the street cross-section.

XXI.

Spanish Fork Municipal Code §15.4.16.120(C), "Off-Street Parking" table concerning parking for medical offices and automotive repair uses is hereby amended as follows:

15.4.16.120 Off-Street Parking

C. Parking Requirements by Use:

USE	MINIMUM # OF SPACES
Auto Repair	1:100 sq. ft.
Lube and Tire Centers	1:300 sq. ft.
Office:	
General/Professional	1:300 sq. ft.
Medical/Dental	1:200 sq. ft.

XXII.

Spanish Fork Municipal Code §15.4.16.130(C)(1), "Landscaping, Buffering, Walls, and Fences" is hereby amended as follows:

15.4.16.130 Landscaping, Buffering, Walls and Fences

C. Professional Office and Non-residential or Non-commercial Uses:

1. Minimum of twenty-five (25%) percent on-site landscaping as a percentage of total site area.

XXIII.

This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 20th day of September, 2016.

_____
STEVE LEIFSON, Mayor

Attest:

_____
Kent R. Clark, City Recorder