



**MAYOR AND COUNCIL DINNER - 5:00 P.M.**

*The Mayor and Council will meet in the Multi-Purpose Room for informal discussion and dinner. No action will be taken on any items.*

No decisions will be made at this meeting. The public is invited to observe the work session. Public comment generally is not taken during work sessions.

**CALL TO ORDER- 5:30 P.M.**

**COUNCIL BUSINESS**

1. Calendar

- Jan 12 - Work/Study Meeting 5:30 p.m.
- Jan 18 - Martin Luther King Jr. Day Observed (City Offices Closed - Monday)
- Jan 19 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Jan 26 - Budget Retreat 2:00 p.m.

2. **DISCUSSION ON THIS EVENING'S REGULAR MEETING AGENDA ITEMS**

- a) Invocation - Councilmember Jensen
- b) Pledge of Allegiance - Councilmember Snelson
- c) Consent Agenda
- 4. Approval of minutes for the December 15, 2020 Work Study and Regular meetings.

3. **DISCUSSIONS/PRESENTATIONS**

- a) Water Adjudication Update - John Penrod, Assistant City Administrator/City Attorney
- b) Discussion Concerning COVID19 Leave - Troy Fitzgerald, City Administrator
- c) Open and Public Meetings Training - John Penrod, Assistant City Administrator/City Attorney

4. **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

5. **CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

*The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.*

6. **ADJOURNMENT**

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CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 12/29/2020

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings. s/s - Kim Crane, CMC, City Recorder





In light of health concerns with the COVID-19 pandemic and the limits on public gatherings. We encourage you to watch a live broadcast of the regular Springville City Council meeting from your computer. Go to <https://www.springville.org/agendas-minutes/> and select the Zoom Meeting link.

Public Comment may be submitted via email, comments will be read in the meeting and entered into the permanent record. Email comments to [kcrane@springville.org](mailto:kcrane@springville.org) before 5:00 p.m. on January 05, 2021

**6:30 p.m.**

**CEREMONIAL**

1. Presentation of the Mayor’s Awards - Shannon Acor, CTC Coordinator
2. Recognition of the Springville High School Girls State Championship Team
3. Swearing in of the new Public Safety Director

**CALL TO ORDER**

**INVOCATION**

**PLEDGE**

**APPROVAL OF THE MEETING’S AGENDA**

**MAYOR’S COMMENTS**

**PUBLIC COMMENT** - *Audience members may bring any item, not on the agenda to the Mayor and Council’s attention. Please complete and submit a “Request to Speak” form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.*

**CONSENT AGENDA** - *The Consent Agenda consists of items that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion, unless placed otherwise by the Council.*

4. Approval of minutes for the December 15, 2020, Work-Study and Regular meetings.

**REGULAR AGENDA**

5. Consideration of an Ordinance Amending Springville City Code 11-5-5 Westfield’s Overlay-Village Center Zone - Josh Yost, Community Development Director
6. Consideration of an Ordinance Amending Springville City Code #11-4-301 Land Use Matrix to clarify the effective date of street classifications as cited - Josh Yost, Community Development Director

**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

**CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

7. *The Springville City Council may adjourn the regular meeting and convene into a closed session as provided by UCA 52-4-205.*

**ADJOURNMENT**

CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE- POSTED 12/29/2020

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2 MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, DECEMBER 15, 2020 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,  
4 SPRINGVILLE, UTAH.

6 **Presiding and Conducting:** Mayor Richard J. Child

8 **Elected Officials in Attendance:** Liz Crandall  
Craig Jensen  
10 Patrick Monney  
Matt Packard  
12 Mike Snelson

14 **City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney  
John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane,  
16 Building and Grounds Director Bradley Neel, Community Development Director Josh Yost, Golf Pro Craig  
Norman, Interim Police Chief Dell Gordon, Public Works Director Brad Stapley, Recreation Director Corey  
18 Merideth, Operations Manager Rod Oldroyd, Library Director Dan Mickelson, and Museum of Art Director  
Rita Wright.

20  
**CALL TO ORDER**

22 Mayor Child welcomed everyone and called the Work/Study meeting to order at 5:30 PM.

24 **COUNCIL BUSINESS**

26 1. Calendar

- 26 • Dec 25 - Christmas Day (city offices closed Friday)
- 28 • Jan 01 - New Year's Day (city offices closed Friday)
- Jan 05 - Work/Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Jan 12 - Work/Study Meeting 5:30 p.m.

30  
32 Mayor Child asked if there were any questions or additions to the calendar. It was noted an  
upcoming budget retreat for the council was scheduled for January 26, 2021. Administrator Fitzgerald  
invited the council to attend the employee Christmas gift delivery on Thursday and Friday of this week.

34 2. Discussion on this evening's Regular Meeting agenda items

- 36 a) Invocation - Councilmember Monney
- b) Pledge of Allegiance - Councilmember Crandall
- 38 c) Consent Agenda

40 2. Approval of minutes for the November 10, 2020, work-study meeting and the December 01,  
2020, regular meeting.

- 42 3. Approval of a Resolution adopting the 2021 Annual Meeting Schedule - Kim Crane, City  
Recorder
- 44 4. Approval of a Resolution approving the Utah County Recreation Grant - Corey Merideth,  
Recreation Director

46 Mayor Child asked if there was any discussion on tonight's consent agenda. There was none.

48 **3. DISCUSSIONS/PRESENTATIONS**

50 a) **Springville City Independent Auditor's Report - Bruce Riddle, Assistant City Administrator/Finance  
Director**

52 Director Riddle presented the city financial results and introduced the accounting firm conducting  
the annual independent audit. Rob Wood with HBME, LLC was in attendance.

54 Director Riddle reported the total net position of the city increased this year and long-term liabilities  
decreased. He explained fund balances decreased because of large planned projects. The golf fund  
balance set revenue records this year, compared to previous years. The state retirement liability to the  
56 city was reviewed with this year's pension liability being reduced.

58 Rob Wood reported to the council on the audit report. Sales tax revenue from the last year did not  
decrease as expected with the pandemic it increased and helped with the budget.

60 Councilmember Jensen asked how the CARES Act dollars were being handled nationally and  
locally. Fitzgerald explained Springville's dollars were used for personal protective equipment, residual  
funds would be discussed in the upcoming budget retreat meeting.

62 b) **On-Street Parking of Trailers - Brad Stapley, Public Works Director**

64 Director Stapley reported storage of recreation vehicles, trailers, and on-street parking can  
influence how the city looks and functions. He asked what the council would like to see for parking of RV's  
66 and trailers in regards to city streets. Stapley said staff recommends no unhitched trailers on the street.

68 Councilmember Monney would like to see no parking of RV's, trailers, or boats on the streets,  
proclaiming the safety hazard.

Councilmember Snelson stated he preferred to have RV's off the street.

70 Stapley provided a discussion on dumpsters being parked on the streets and porta potty's on  
sidewalks.

72 Fitzgerald expressed staff would like council feedback on whether they want to aggressively  
enforce the requirements, or if the council wanted to change any requirements.

74 The Council agreed to have staff bring back an ordinance and expressed the need to provide the  
public with information on why and a timeline to be compliant.

76 c) **Discussion of Art Emphasis and Initiatives - Jack Urquhart, Management Analyst**

78 Analyst Urquhart presented ideas on making Springville's Art City more visible. Some discussions  
were had about the importance of the city image and emphasis on Art City. A program of "Creator Spaces"  
80 was suggested, providing an opportunity for artists to make public art. Possibly using utility boxes for  
artwork, walls for murals, basketball courts, etc.

82 Councilmember Jensen expressed it could be a slippery slope, some art may not be liked by  
some. Jack explained the committee would have guidelines. Other options were to have performances  
84 in the parks, as a permitted use.

86 Jack proposed a possible arts festival, with booths, chalk art, live music, public art in progress,  
and food trucks. He would bring back more information to the council and go through the budget process  
to see where it falls. Currently, a promotion on Art History is being done on social media. Last spring a

88 photo contest was held with a good response and they are looking to do a “Springville Through the  
Seasons photo theme.

90

4. **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

92 Mayor Child asked for any other comments. There were none.

94 5. **CLOSED SESSION**

96 *The Springville City Council may temporarily recess the regular meeting and convene in a closed  
session as provided by Utah Code Annotated Section 52-4-205*

98 There was none.

98

**ADJOURNMENT**

100

102 COUNCILMEMBER PACKARD MOVED TO ADJOURN THE WORK/STUDY MEETING OF THE  
104 SPRINGVILLE CITY COUNCIL AT 6:58 P.M.

106 COUNCILMEMBER SNELSON SECONDED THE MOTION, ALL VOTED AYE.

104

106

108 *This document constitutes the official minutes for the Springville City Council Work/Study meeting held on Tuesday, December 15,  
2020.*

110 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,  
State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday,  
December 15, 2020.*

112

114 DATE APPROVED: \_\_\_\_\_

116

\_\_\_\_\_  
Kim Crane, CMC  
City Recorder

MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY,  
2 DECEMBER 15, 2020, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,  
4 SPRINGVILLE, UTAH.

6 **Presiding and Conducting:** Mayor Richard J. Child

8 **Elected Officials in Attendance:** Liz Crandall  
Craig Jensen  
10 Patrick Monney  
Matt Packard  
12 Mike Snelson

14 **City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney  
John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, and City Recorder Kim Crane.  
16 Building and Grounds Director Bradley Neel, Power Director Leon Fredrickson, Interim Police Chief Dell  
Gordon, Community Development Director Josh Yost, Public Works Director Brad Stapley, Library  
18 Director Dan Mickelson, Operations Manager Rod Oldroyd, and Museum of Art Director Rita Wright

20 **6:40 p.m.**

**CEREMONIAL**

- 22 1. Presentation of the Mayor's Awards - Shannon Acor, CTC Coordinator  
Item postponed to another date.

24 **CALL TO ORDER**

Mayor Child welcomed everyone and called the meeting to order at 7:00 p.m.

26 **INVOCATION AND PLEDGE**

28 Councilmember Monney offered the invocation, and Councilmember Crandall led the Pledge of  
Allegiance.

30 **APPROVAL OF THE MEETING'S AGENDA**

32 COUNCILMEMBER PACKARD MOVED TO APPROVE THE MEETINGS AGENDA AS  
WRITTEN. COUNCILMEMBER JENSEN SECONDED THE MOTION, AND ALL PRESENT VOTED  
34 AYE.

36 **MAYORS COMMENTS**

38 Mayor Child welcomed the Council, staff, and those in attendance. He asked if there were any  
youth in attendance on assignment.

40 Mayor Child recognized Craig Norman and Joel Grose in attendance. He congratulated Assistant  
Golf Pro Joel Grose for being named Assistant Pro of the Year by the Utah Section of the PGA for 2020.  
He joins Craig Norman Pro of the Year for 2019 and Jay Geise UGSCA Superintendent of the Year for  
42 2020 as recent award winners at Hobbie Creek.

**PUBLIC COMMENT**

46 Mayor Child introduced the Public Comment section of the agenda. He asked if there were any  
written comments submitted. There were none.

48

**CONSENT AGENDA**

50 2. Approval of minutes for the November 10, 2020, work-study meeting and the December 01, 2020,  
regular meeting.

52 3. Approval of a Resolution adopting the 2021 Annual Meeting Schedule - Kim Crane, City Recorder

54 4. Approval of a Resolution approving the Utah County Recreation Grant - Corey Merideth,  
Recreation Director

COUNCILMEMBER MONNEY MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.

56 COUNCILMEMBER SNELSON SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL AYE

58 COUNCILMEMBER JENSEN AYE

COUNCILMEMBER MONNEY AYE

60 COUNCILMEMBER PACKARD AYE

COUNCILMEMBER SNELSON AYE

62 **RESOLUTION #2020-34 and #2020-35 APPROVED**

64 **REGULAR AGENDA**

66 5. Consideration of a Resolution approving an Improvement Reimbursement Agreement with  
Landmark Excavating, Inc. for installing 900 South Street Improvements - John Penrod, Assistant  
City Administrator/City Attorney

68 Attorney Penrod reported Landmark Excavating, Inc. installed approximately 965 linear feet of  
900 South street improvements in the Ashton Springs Subdivision. Under Springville’s Transportation  
70 Impact Fee Facilities Plan and Impact Fee Analysis, a portion of the 900 South street improvements are  
to be paid with impact fees to serve new development in Springville. It was not in the current budget, it  
72 was stated in the IFA and IFFP it would be approved. The next budget amendment would reflect the  
change.

74

COUNCILMEMBER JENSEN MOVED TO APPROVE RESOLUTION #2020-36 FOR AN  
76 IMPROVEMENT REIMBURSEMENT AGREEMENT WITH LANDMARK EXCAVATING, INC. FOR  
INSTALLING 900 SOUTH STREET IMPROVEMENTS.

78 COUNCILMEMBER SNELSON SECONDED THE MOTION. THE VOTE IS RECORDED AS  
FOLLOWS:

80 COUNCILMEMBER CRANDALL AYE

COUNCILMEMBER JENSEN AYE

82 COUNCILMEMBER MONNEY AYE

COUNCILMEMBER PACKARD AYE

84 COUNCILMEMBER SNELSON AYE

**RESOLUTION #2020-36 APPROVED**

86

88 6. Consideration of the Springville City Independent Auditor’s Report - Bruce Riddle, Assistant City  
Administrator/Finance Director

90 Director Riddle reported Utah State Code, requires an independent audit of all cities to be  
performed within 180 days after the close of each fiscal period. Additionally, the independent audit reports  
are required to be made available for public inspection and are to be filed with the State Auditor.

92

COUNCILMEMBER SNELSON MOVED TO APPROVE ACCEPTING THE SPRINGVILLE CITY  
FY 2020 INDEPENDENT AUDITOR'S REPORT AS PRESENTED; AUTHORIZING THE CITY  
RECORDER TO ADVERTISE AND MAKE AVAILABLE FOR PUBLIC INSPECTION THE  
INDEPENDENT AUDITOR'S REPORT, AND AUTHORIZE THE FINANCE DIRECTOR TO SUBMIT THE  
INDEPENDENT AUDITOR'S REPORT TO THE STATE AUDITOR AS REQUIRED BY LAW.

COUNCILMEMBER MONNEY SECONDED THE MOTION. ALL PRESENT VOTED AYE.

7. **Consideration of a Resolution and amendment of the cell tower site lease agreement between Springville City and American Tower - Jack Urquhart, Management Analyst**

Analyst Urquhart reported in 1997, Springville City and American Tower entered into the initial lease agreement for the cell tower site just northwest of Evergreen Cemetery. Without an amendment, the lease is scheduled to expire on November 27, 2027. American Tower expressed interest in amending the agreement to extend the lease for several more 5-year renewal terms. A one-time payment with an extension of the lease terms, and a new monthly lease fee with an escalator. Along with provisions regarding a fee for any new subtenants.

Councilmember Packard asked about the liability if the tower falls and disturbs the city power line. Attorney Penrod replied it would be something to explore and bring back to the council regarding liability.

Urquhart noted the legal description of the American Tower location will need to be adjusted to match the city.

COUNCILMEMBER PACKARD MOVED TO APPROVE RESOLUTION #2020-37 AMENDING THE CELL TOWER SITE LEASE AGREEMENT BETWEEN SPRINGVILLE CITY AND AMERICAN TOWER, PENDING ANY LEGAL ISSUES AND DESCRIPTION.

COUNCILMEMBER JENSEN SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

COUNCILMEMBER CRANDALL	AYE
COUNCILMEMBER JENSEN	AYE
COUNCILMEMBER MONNEY	AYE
COUNCILMEMBER PACKARD	AYE
COUNCILMEMBER SNELSON	AYE

**RESOLUTION #2020-37 APPROVED**

8. **Consideration of a Resolution and amendment of the Springville City Comprehensive Fee Schedule - Troy Fitzgerald, City Administrator**

Administrator Fitzgerald reported on the fee review project. The amendment follows the completion of more than a year of work by City staff to ensure that every fee was justified and reasonable.

The Springville City Consolidated Fee Schedule is where all approved fees are listed for the City and is adopted annually by the City Council.

Fitzgerald noted some fees were currently under review, building fees and business license fees would come to the council in the future. Recreation participation fees will likely be adjusted in the future. Cemetery and zoning fees have not been changed in over ten years, due to council advisement.

Councilmember Crandall asked about the change in the senior golf fee. Fitzgerald explained it was discussed with what is going on in the online reservation system. Other courses are trending away from senior fees and instituting no show fees on prepayment. Senior pass holders and punch cards are still available.

Mayor Child stated he would like to encourage youth golfers and the youth on course program.



140 Councilmember Crandall asked about expanding on service levels and customer service training  
141 from the fee adjustments and asked for more information on the canyon park fees. Fitzgerald advised it  
142 would be discussed in the next budget retreat and planning for next year.

143 COUNCILMEMBER PACKARD MOVED TO APPROVE RESOLUTION #2020-38  
144 AUTHORIZING THE AMENDMENT OF THE SPRINGVILLE CITY COMPREHENSIVE FEE SCHEDULE.

145 COUNCILMEMBER JENSEN SECONDED THE MOTION. THE VOTE IS RECORDED AS  
146 FOLLOWS:

147	COUNCILMEMBER CRANDALL	AYE
148	COUNCILMEMBER JENSEN	AYE
	COUNCILMEMBER MONNEY	AYE
150	COUNCILMEMBER PACKARD	AYE
	COUNCILMEMBER SNELSON	AYE

152 RESOLUTION #2020-38 APPROVED

154 **MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

Mayor Child asked if there were any comments.

156 Councilmember Crandall asked about the 1600 South freeway exit. Mayor Child commented he  
157 discussed the project with Representative Francis Gibson, he was informed it would be done correctly.  
158 Fitzgerald also discussed the project with Representative Gibson before thanksgiving who stated he was  
159 working to get the project done and was aware of the issues.

160 **CLOSED SESSION**

162 9. *The Springville City Council may temporarily recess the regular meeting and convene in a closed  
163 session as provided by UCA 52-4-205.*

164 COUNCILMEMBER SNELSON MOVED TO ADJOURN THE REGULAR MEETING AT 8:14 P.M.  
165 AND CONVENE IN A CLOSED SESSION REGARDING PROPERTY AND LITIGATION.

166 COUNCILMEMBER MONNEY SECONDED THE MOTION. THE VOTE IS RECORDED AS  
167 FOLLOWS:

168	COUNCILMEMBER CRANDALL	AYE
170	COUNCILMEMBER JENSEN	AYE
	COUNCILMEMBER MONNEY	AYE
172	COUNCILMEMBER PACKARD	AYE
	COUNCILMEMBER SNELSON	AYE

174 The regular meeting adjourned at 8:14 P.M.

175  
176  
177  
178 *This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, December 15, 2020  
179 I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County,  
180 State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Tuesday,  
181 December 15, 2020.*

182  
183 DATE APPROVED: \_\_\_\_\_  
184  
185 \_\_\_\_\_  
186 Kim Crane, CMC  
187 City Recorder  
188



## STAFF REPORT

**DATE:** December 29, 2020  
**TO:** Honorable Mayor and City Council  
**FROM:** Josh Yost  
**SUBJECT:** Springville Community Development seeking amendments to Springville Code Title 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone.

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### **RECOMMENDED MOTION**

Motion to adopt amendments to Springville Code Title 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

Is the proposed amendment in accordance with the General Plan of the City?

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

### **BACKGROUND**

Community Development has received numerous development inquiries regarding property within the Village Center (VC) Zone. As a result, staff has reviewed and scrutinized the language of the VC Zone. Staff discovered an inconsistency in height limits stated between the VC Zone and the RMF-2 Zone for the Multi-Family Section of the Village Center. Staff made additional changes for clarity and to better achieve the desired urban character of the zone.

### **DISCUSSION**

The Planning Commission did not have any substantive discussion about the proposed amendments.

No public comment was received.

### **PLANNING COMMISSION REVIEW**

The Planning Commission considered the item on December 22, 2020.

COMMISSION ACTION:

***CITY COUNCIL AGENDA***  
*Meeting Date:*

**Commission Vote**

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Karen Ellingson	X	
Michael Farrer	X	
Kay Heaps	Absent	
Brad Mertz	X	
Rod Parker	Absent	
Frank Young	Absent	

**ALTERNATIVES**

Deny amendments to Springville Code Title 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone.

Continue the item.

Josh Yost  
Community Development Director

Attachments

Planning Commission Staff Report





RE: Springville Community Development seeking amendments to Springville Code Title 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone.

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**Petitioner:** Springville Community Development

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**Summary of Issues**

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Is the proposed amendment in accordance with the General Plan of the City?

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

**Background**

---

Community Development has received numerous development inquiries regarding property within the Village Center (VC) Zone. As a result, staff has reviewed and scrutinized the language of the VC Zone. Staff discovered an inconsistency in height limits stated between the VC Zone and the RMF-2 Zone for the Multi-Family Section of the Village Center. Staff made additional changes for clarity and to better achieve the desired urban character of the zone.

**Analysis**

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The purpose of the VC Zone is stated in §11-5-501(1)

The Village Center (VC) of the Westfields Overlay zone is intended to provide a setting for a mix of commercial, office, public/quasi-public and residential uses that will primarily serve the Westfields Community and others needing the services of this area. The three (3) specific sections included in the Village Center include the Mixed-Use, Civic and Multi-Family Residential. The Village Center will be primarily designed with the needs of pedestrians in mind, while accommodating motorists. Buildings will be constructed of quality materials and be designed with features characteristic of an urban village. Rights-of-way shall also be designed to complement the overall urban feel of the area.

These text changes are informed by the zone’s stated purpose. Each text change in the proposed amendment is cited below by line number, followed by staff analysis.

1. Line 34 – Reduced the maximum setback in the Multi-Family section from thirty feet to twenty feet.

Reducing this maximum setback reflects the intended urban character of the zone, even in the multi-family areas. This maximum setback is five feet greater than the 15’

maximum setback in the Main Street South Gateway Zone. This will also improve the consistency in character between the mixed use and multi-family areas of the zone.

2. Line 100 – Increased the minimum sidewalk width in the Mixed-Use section from five feet to eight feet.

Eight feet is a minimum width for a sidewalk in a mixed use commercial area.

3. Lines 122 - 123 – Clarified the language describing the maximum density bonus for the Multi-Family section.

This language was previously confusing as to whether the bonus provided a 20% or a 120% bonus on top of the base density. This clarifies that the bonus is 120% of the base density in addition to the base density.

4. Line 131 – Changed the maximum height from forty-five feet to thirty-five feet.

This change reconciles this section with the standards of the RMF-2 Zone which the VC zone references. The RMF-2 Zone has a maximum height of thirty-five feet.

These small changes incrementally improve the zone and will allow the zone to better achieve its purpose.

### **Staff Recommendation**

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Staff finds that the proposed amendments are in accordance with the General Plan and are justified by the continued refinement of planning techniques and the increasing development pressure being experienced in Springville City.

### **Recommended Motion**

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Move to recommend adoption of amendments to Springville Code Title 11 Chapter 5 Article 5 – Westfields Overlay – Village Center Zone.

### **Attachments**

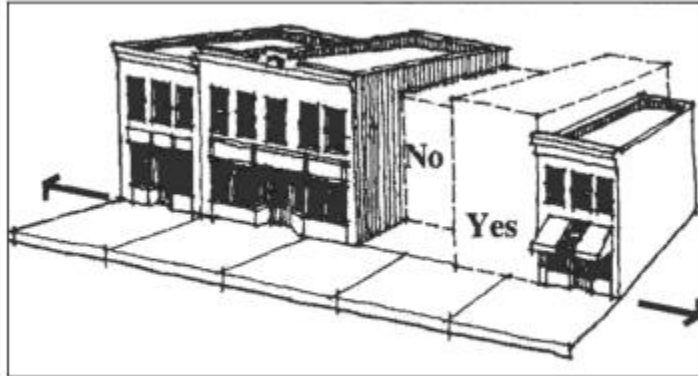
Attachment 1 – Proposed Amendment

1 **Amendments to Development Code of Springville City, Title 11, Chapter 5, Article 5**

2 **11-5-501 Purpose.**

3 (1) The Village Center (VC) of the Westfields Overlay zone is intended to provide a setting for a mix of  
4 commercial, office, public/quasi-public and residential uses that will primarily serve the Westfields  
5 Community and others needing the services of this area. The three (3) specific sections included in the  
6 Village Center include the Mixed-Use, Civic and Multi-Family Residential. The Village Center will be  
7 primarily designed with the needs of pedestrians in mind, while accommodating motorists. Buildings will  
8 be constructed of quality materials and be designed with features characteristic of an urban village.  
9 Rights-of-way shall also be designed to complement the overall urban feel of the area.

10 (2) The Mixed-Use section of the Village Center will include a continuous street wall at the property line,  
11 while the Multi-Family section includes shallow setbacks, which allows for greenspace, and then a street  
12 wall for the block. Depending on the use or uses associated with the section, the Civic section will be  
13 looked at on a case-by-case basis. Within each of these sections, facades facing public streets and ways  
14 are intended to include adequate windows to provide “eyes on the streets” of the Village Center and blank  
15 walls are discouraged.



*Buildings in the Mixed-Use Section should be built to the front property line.*

16 **11-5-502 General Provisions.**

17 (1) Uses in the Westfields Village Center are specified in the Table of Uses under the zoning  
18 classification of Village Center.

19 (2) The Westfields Village Center shall meet the requirements of the Commercial and Industrial Zones  
20 Site Development Standards for all non-residential developments and vertical mixed-use developments  
21 (commercial on the first floor with residential or other uses above) and the requirements of the Residential

22 Zones Site Development Standards for all solely residential uses unless specifically addressed within this  
23 Chapter.

24 (3) Site Plan and Design Review. All development within the Westfields Overlay Zone shall be subject  
25 to the Site Plan Review Chapter of the Zoning Ordinance, along with the design review criteria of this  
26 Chapter.

27 (4) Parking shall meet the requirements of off-street parking provisions found in Section [11-6-113](#) of the  
28 Zoning Code unless specifically addressed within this Chapter.

29 (5) Landscaping and fencing shall meet the requirements of the landscaping and fencing chapter of the  
30 Zoning Code.

31 (6) Within the Mixed-Use section, at least seventy-five percent (75%) of the block along the primary  
32 street shall include buildings located at the property line and within the Multi-Family section, at least  
33 seventy-five percent (75%) of the block along the primary street shall include building facade located no  
34 more than ~~twenty thirty~~ feet (~~2030~~) from the front property line.

35 (Ord. No. 07-2009, 04/07/2009)

36 **11-5-503 Mix Standards.**

37 The use mix for the net developable area (excluding rights-of-way) of land is as follows:

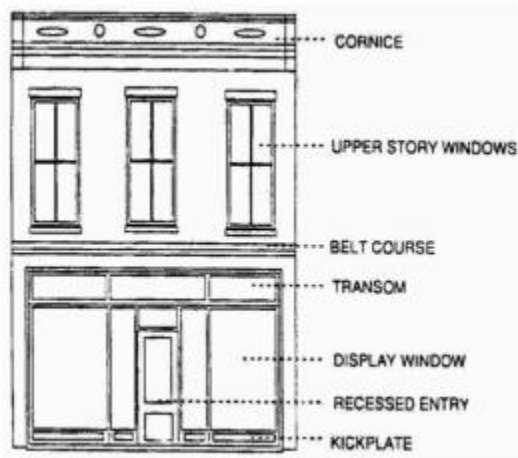
High Density Residential Area	up to 60%
Mixed-Use Area	up to 30%
Civic Use Area	up to 10%

38 In order to ensure construction of the Mixed-Use area in Village Center developments, no more than fifty  
39 percent (50%) of the multi-family residential area may be built in the development prior to beginning  
40 construction of the mixed-use portion of the Village Center. At the time fifty percent (50%) of mixed-use  
41 portion is under construction, submission may be made for the next twenty-five percent (25%) of multi-  
42 family development. At the time the remainder of the mixed-use portion is complete, the remaining  
43 twenty-five percent (25%) of multi-family residential development may be considered for approval.

44

45 **11-5-504 Design Standards for Mixed-Use Sections of the Village Center.**

46 (1) Architectural Character: Contemporary interpretation of traditional commercial buildings is  
47 encouraged. Design elements associated with traditional store facades, such as kickplates, large first-  
48 floor display windows, transoms, and cornice elements will be included.



*This illustration includes the portions of a front facade that should be included in buildings in the Mixed-Use Section of the Village Center.*

49 (2) Awnings shall be:

50 (a) Mounted to accentuate character-defining features of the facade.

51 (b) Semi-circular, odd shaped, bubble and bull-nose awnings are inappropriate.

52 (c) Back-lit awnings are not allowed.

53 (d) The angled plane of the awning shall appear larger than the vertical valance plane of the  
54 awning and the valance may not exceed fourteen inches (14").

55 (e) Awning signage shall meet the requirements of the Sign Code.

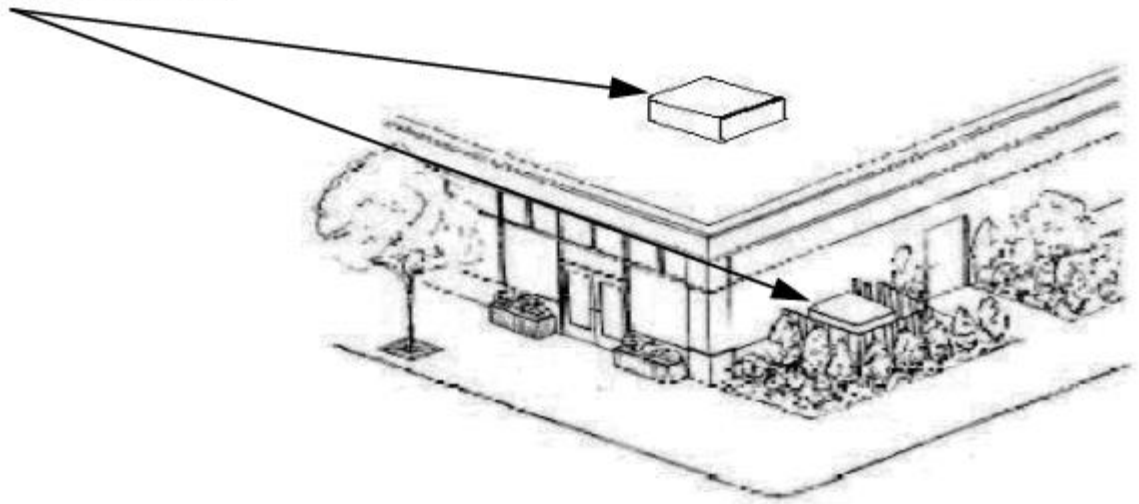
56 (f) Rigid-frame awnings may be used.

57 (3) Building Equipment.

58 (a) All building equipment and service areas, including roof and ground level HVAC and other  
59 equipment that is visible from a public street or way shall be screened.



Screening of  
Mechanical Equipment



60

61 (b) Equipment placed on the roof should be set back at least fifteen feet (15') from any public  
62 street or way.

63 (4) Building Fenestration/Transparency.

64 (a) All first floor facades facing a public street or way shall include clear windows in at least fifty  
65 percent (50%) of the primary street facade area. Glass in these areas may not be reflective,  
66 opaque or glass-block.

67 (b) The maximum length for any blank wall uninterrupted by windows, doors or architectural  
68 detailing at the first floor level shall be thirty feet (30').

69 (c) There shall be at least one (1) operable building entrance per elevation that faces a public  
70 street. Buildings on corner lots need only have one (1) operable building entrance, provided the  
71 facades of both streets meet the fifty percent (50%) window requirement.



72 (d) All second floor facades facing a public street or way shall include clear windows in at least  
73 twenty-five percent (25%) of the facade area.

74 (e) Upper story windows shall have a vertical emphasis.

75 (f) Windows shall be set inside of the building face wall.

76 (5) Building Form.

77 (a) Arcades, colonnades and recessed entryways are encouraged.

78 (b) Roof tops should appear to be flat from public streets and ways. Parapets may be used to  
79 obscure pitched roofs.

80 (6) Building Mass and Scale.

81 (a) Large buildings should be divided into smaller modules or bays of twelve (12) to thirty (30) feet  
82 in width.

83 (b) Large projects that occupy over seventy-five feet (75') of frontage shall include varying  
84 building heights to provide variety to the streetscape.

85

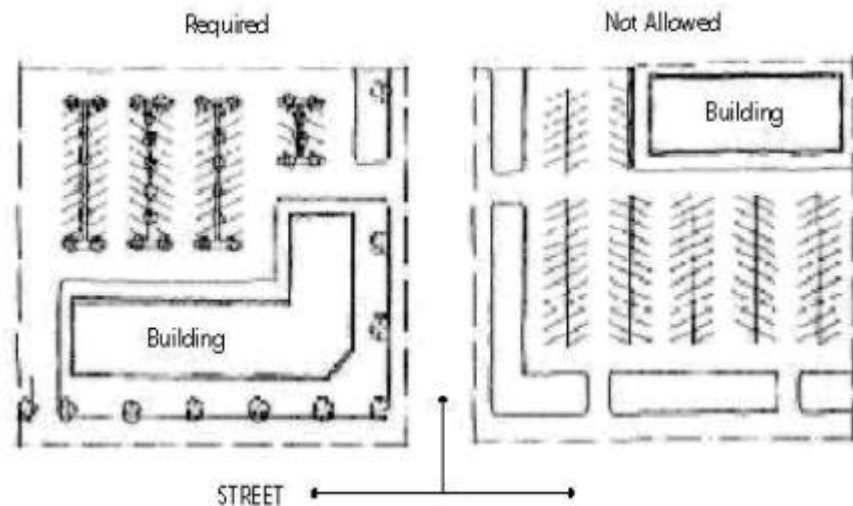
86 (7) Building Materials.

87 (a) The primary building material for facades facing a public street or way shall be standard sized  
88 brick, with carved, rusticated or dressed stone, cast concrete or stucco used as accent materials.  
89 First floor storefronts may include wood or aluminum framing.

90 (b) Walls located between buildings, that will not be exposed, may be constructed of CMU  
91 (concrete masonry units).

92 (c) Rear facades adjacent alleyways or parking areas may include standard-sized brick, stone,  
93 cast concrete or stucco.

94 (8) Parking. Off-site parking shall be located behind the buildings, with access from side streets.



95 (9) Right-of-Way.

96 (a) Streets within the Mixed-Use section of the Village Center shall be designed as minor  
97 collectors to provide street side parking. Consideration may be given for angled parking in order to  
98 provide additional storefront parking.

99 (b) The streetscape plan for the Mixed-Use section shall meet the requirements of the Westfields  
100 right-of-way streetscape requirements, which shall include a minimum ~~eight~~ eight-foot (8') sidewalk.  
101 The parkstrip area will include eight-foot (8') by eight-foot (8') street tree planters spaced every forty  
102 feet (40') on center, separated by hard-surfaced brick pavers or similar treatment.

103 (c) The outdoor permanent sales or display of merchandise shall not encroach into areas of  
104 required sidewalk, landscaping or parking.

105 (d) At least five percent (5%) of the total floor area in the Mixed-Use section shall include a plaza  
106 or square with seating provided at a rate of one (1) sitting space per two hundred fifty (250) square  
107 feet, at least thirty inches (30") wide and sixteen inches (16") in height. Sitting spaces may include  
108 ledges or more formal benches. At least one (1) of the following elements shall be provided:

109 (i) One (1) tree per eight hundred (800) square feet of area;

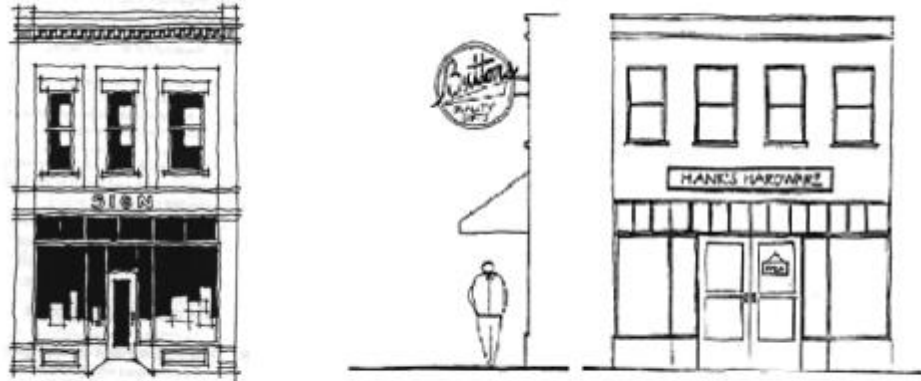
110 (ii) Water features or public art; and/or

111 (iii) Outdoor eating areas or food vendors.

112 (10) Signage.

113 (a) Signage shall be in conformance with the Springville City Sign Ordinance.

114 (b) Permanent signage should not hide architectural features of the building or obscure windows.



*The area above the transom window is usually the most appropriate location for a wall sign.*

115

116 **11-5-506 Density Standards for the Mixed-Use Section of the Village Center.**

117 Residential Density for the Mixed-Use Section of the Village Center shall allow for two (2) residential units  
118 for every one thousand (1,000) square feet of commercial space on the first floor. No residential unit may  
119 be less than six hundred (600) square feet and must be located above the first floor.

120 **11-5-507 Density and Design Standards for Multi-Family Section of the Village Center.**

121 The Multi-Family Section shall be subject to the same land use and development restrictions, standards  
122 and other requirements as the RMF-2 Zone and may receive a density bonus of up to a one hundred  
123 twenty percent (120%) of the base density~~density bonus~~ by meeting the requirements of the Westfields  
124 Density Bonus program.

125

126 **11-5-508 Design Standards for the Multi-Family Section of the Village Center.**

127 (1) Lot area per dwelling in the Multi-Family Residential Section of the Village Center shall be one (1)  
128 dwelling unit per eight hundred (800) square feet of land area.

129 (2) The minimum parking requirement in the Multi-Family Residential Section of the Village Center shall  
130 be one and one-half (1-1/2) stalls per unit.

131 (3) No building or structure shall exceed a height of ~~thirty~~ thirty-five feet (~~35~~45'), exclusive of common  
132 underground parking areas which may not exceed ten feet (10') in additional height.

133

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 11, CHAPTER 5, ARTICLE 5 OF THE SPRINGVILLE CITY CODE REVISING HEIGHT REQUIREMENTS AND SIDEWALK STANDARDS AND CLARIFYING DENSITY BONUS REGULATIONS IN THE VILLAGE CENTER OF THE WESTFIELDS OVERLAY ZONE.

**WHEREAS**, Springville City desires to amend the height requirements and sidewalk standards and clarify the density bonus regulations in the Village Center of the Westfields Overlay Zone; and

**WHEREAS**, on December 22, 2020, in accordance with Section 10-9a-502 of the Utah Code, the Springville City Planning Commission held a properly noticed public hearing on this Ordinance; and

**WHEREAS**, the Planning Commission recommended to the City Council with a vote of 4-0 to adopt this Ordinance; and

**WHEREAS**, on January 5, 2021, in a properly noticed public meeting, the Springville City Council found that this Ordinance is in the interest of the health, safety and welfare of its citizens and is appropriate and necessary for the proper and orderly development of Springville City with respect to short-term rental units.

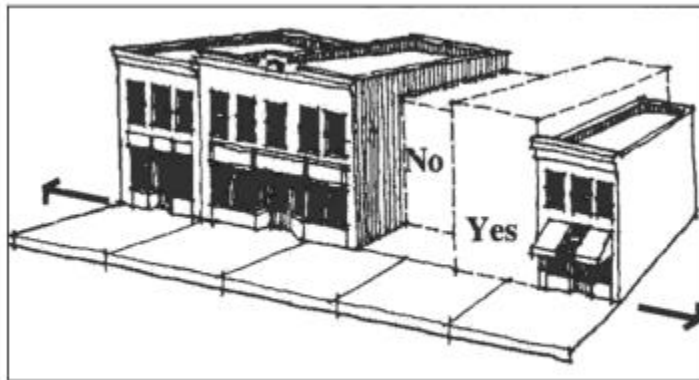
**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Springville, Utah:

**SECTION 1: Adoption.** SECTION AMENDED. Sections 11-5-501 through 508 of the Springville City Code is hereby amended and adopted to read and provide as follows:

**11-5-501 Purpose.**

(1) The Village Center (VC) of the Westfields Overlay zone is intended to provide a setting for a mix of commercial, office, public/quasi-public and residential uses that will primarily serve the Westfields Community and others needing the services of this area. The three (3) specific sections included in the Village Center include the Mixed-Use, Civic and Multi-Family Residential. The Village Center will be primarily designed with the needs of pedestrians in mind, while accommodating motorists. Buildings will be constructed of quality materials and be designed with features characteristic of an urban village. Rights-of-way shall also be designed to complement the overall urban feel of the area.

(2) The Mixed-Use section of the Village Center will include a continuous street wall at the property line, while the Multi-Family section includes shallow setbacks, which allows for greenspace, and then a street wall for the block. Depending on the use or uses associated with the section, the Civic section will be looked at on a case-by-case basis. Within each of these sections, facades facing public streets and ways are intended to include adequate windows to provide “eyes on the streets” of the Village Center and blank walls are discouraged.



*Buildings in the Mixed-Use Section should be built to the front property line.*

#### **11-5-502 General Provisions.**

(1) Uses in the Westfields Village Center are specified in the Table of Uses under the zoning classification of Village Center.

(2) The Westfields Village Center shall meet the requirements of the Commercial and Industrial Zones Site Development Standards for all non-residential developments and vertical mixed-use developments (commercial on the first floor with residential or other uses above) and the requirements of the Residential Zones Site Development Standards for all solely residential uses unless specifically addressed within this Chapter.

(3) Site Plan and Design Review. All development within the Westfields Overlay Zone shall be subject to the Site Plan Review Chapter of the Zoning Ordinance, along with the design review criteria of this Chapter.

(4) Parking shall meet the requirements of off-street parking provisions found in Section [11-6-113](#) of the Zoning Code unless specifically addressed within this Chapter.

(5) Landscaping and fencing shall meet the requirements of the landscaping and fencing chapter of the Zoning Code.

(6) Within the Mixed-Use section, at least seventy-five percent (75%) of the block along the primary street shall include buildings located at the property line and within the Multi-Family section, at least seventy-five percent (75%) of the block along the primary street shall include building facade located no more than twenty feet (20') from the front property line.

(Ord. No. 07-2009, 04/07/2009)

### 11-5-503 Mix Standards.

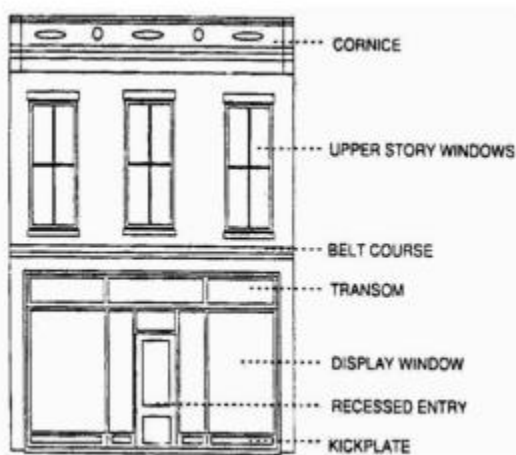
The use mix for the net developable area (excluding rights-of-way) of land is as follows:

High Density Residential Area	up to 60%
Mixed-Use Area	up to 30%
Civic Use Area	up to 10%

In order to ensure construction of the Mixed-Use area in Village Center developments, no more than fifty percent (50%) of the multi-family residential area may be built in the development prior to beginning construction of the mixed-use portion of the Village Center. At the time fifty percent (50%) of mixed-use portion is under construction, submission may be made for the next twenty-five percent (25%) of multi-family development. At the time the remainder of the mixed-use portion is complete, the remaining twenty-five percent (25%) of multi-family residential development may be considered for approval.

### 11-5-504 Design Standards for Mixed-Use Sections of the Village Center.

(1) Architectural Character: Contemporary interpretation of traditional commercial buildings is encouraged. Design elements associated with traditional store facades, such as kickplates, large first-floor display windows, transoms, and cornice elements will be included.



*This illustration includes the portions of a front facade that should be included in buildings in the Mixed-Use Section of the Village Center.*



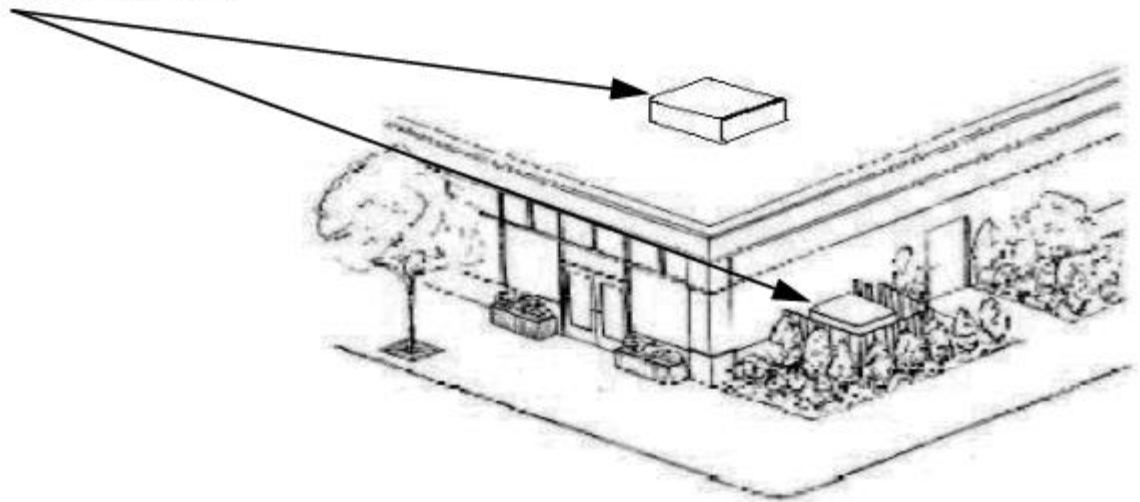
(2) Awnings shall be:

- (a) Mounted to accentuate character-defining features of the facade.
- (b) Semi-circular, odd shaped, bubble and bull-nose awnings are inappropriate.
- (c) Back-lit awnings are not allowed.
- (d) The angled plane of the awning shall appear larger than the vertical valance plane of the awning and the valance may not exceed fourteen inches (14").
- (e) Awning signage shall meet the requirements of the Sign Code.
- (f) Rigid-frame awnings may be used.

(3) Building Equipment.

- (a) All building equipment and service areas, including roof and ground level HVAC and other equipment that is visible from a public street or way shall be screened.

Screening of  
Mechanical Equipment



- (b) Equipment placed on the roof should be set back at least fifteen feet (15') from any public street or way.

(4) Building Fenestration/Transparency.

(a) All first floor facades facing a public street or way shall include clear windows in at least fifty percent (50%) of the primary street facade area. Glass in these areas may not be reflective, opaque or glass-block.

(b) The maximum length for any blank wall uninterrupted by windows, doors or architectural detailing at the first floor level shall be thirty feet (30').

(c) There shall be at least one (1) operable building entrance per elevation that faces a public street. Buildings on corner lots need only have one (1) operable building entrance, provided the facades of both streets meet the fifty percent (50%) window requirement.



(d) All second floor facades facing a public street or way shall include clear windows in at least twenty-five percent (25%) of the facade area.

(e) Upper story windows shall have a vertical emphasis.

(f) Windows shall be set inside of the building face wall.

(5) Building Form.

(a) Arcades, colonnades and recessed entryways are encouraged.

(b) Roof tops should appear to be flat from public streets and ways. Parapets may be used to obscure pitched roofs.

(6) Building Mass and Scale.

(a) Large buildings should be divided into smaller modules or bays of twelve (12) to thirty (30) feet in width.

(b) Large projects that occupy over seventy-five feet (75') of frontage shall include varying building heights to provide variety to the streetscape.

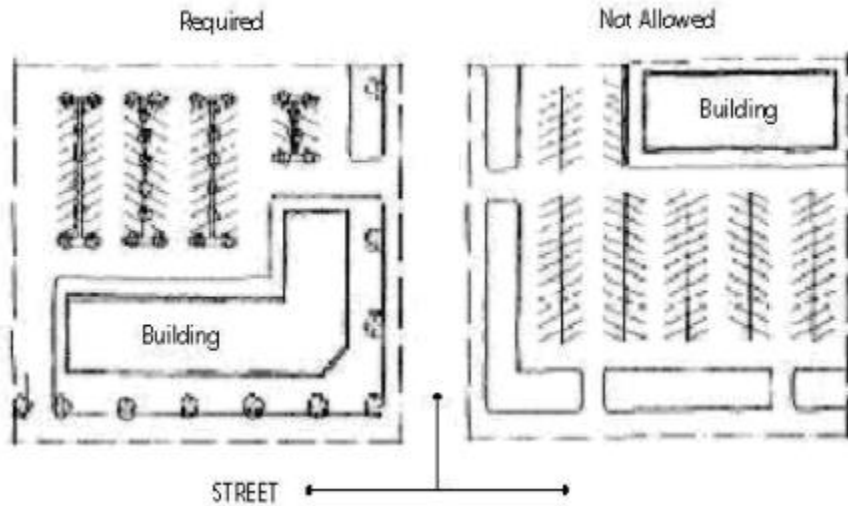
(7) Building Materials.

(a) The primary building material for facades facing a public street or way shall be standard sized brick, with carved, rusticated or dressed stone, cast concrete or stucco used as accent materials. First floor storefronts may include wood or aluminum framing.

(b) Walls located between buildings, that will not be exposed, may be constructed of CMU (concrete masonry units).

(c) Rear facades adjacent alleyways or parking areas may include standard-sized brick, stone, cast concrete or stucco.

(8) Parking. Off-site parking shall be located behind the buildings, with access from side



streets.

(9) Right-of-Way.

(a) Streets within the Mixed-Use section of the Village Center shall be designed as minor collectors to provide street side parking. Consideration may be given for angled parking in order to provide additional storefront parking.

(b) The streetscape plan for the Mixed-Use section shall meet the requirements of the Westfields right-of-way streetscape requirements, which shall include a minimum eight-foot (8') sidewalk. The parkstrip area will include eight-foot (8') by eight-foot (8') street tree planters spaced every forty feet (40') on center, separated by hard-surfaced brick pavers or similar treatment.

(c) The outdoor permanent sales or display of merchandise shall not encroach into areas of required sidewalk, landscaping or parking.

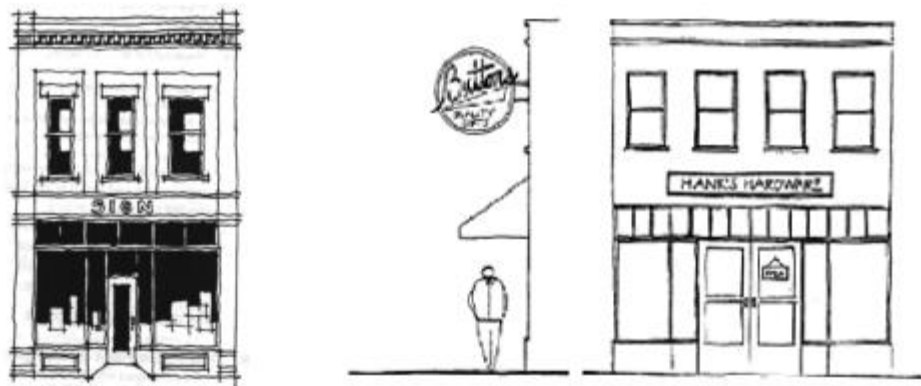
(d) At least five percent (5%) of the total floor area in the Mixed-Use section shall include a plaza or square with seating provided at a rate of one (1) sitting space per two hundred fifty (250) square feet, at least thirty inches (30") wide and sixteen inches (16") in height. Sitting spaces may include ledges or more formal benches. At least one (1) of the following elements shall be provided:

- (i) One (1) tree per eight hundred (800) square feet of area;
- (ii) Water features or public art; and/or
- (iii) Outdoor eating areas or food vendors.

(10) Signage.

(a) Signage shall be in conformance with the Springville City Sign Ordinance.

(b) Permanent signage should not hide architectural features of the building or obscure windows.



*The area above the transom window is usually the most appropriate location for a wall sign.*

**11-5-506 Density Standards for the Mixed-Use Section of the Village Center.**

Residential Density for the Mixed-Use Section of the Village Center shall allow for two (2) residential units for every one thousand (1,000) square feet of commercial space on the first floor. No residential unit may be less than six hundred (600) square feet and must be located above the first floor.

**11-5-507 Density and Design Standards for Multi-Family Section of the Village Center.**

The Multi-Family Section shall be subject to the same land use and development restrictions, standards and other requirements as the RMF-2 Zone and may receive a density bonus of up to one hundred twenty percent (120%) of the base density by meeting the requirements of the Westfields Density Bonus program.

**11-5-508 Design Standards for the Multi-Family Section of the Village Center.**

- (1) Lot area per dwelling in the Multi-Family Residential Section of the Village Center shall be one (1) dwelling unit per eight hundred (800) square feet of land area.
- (2) The minimum parking requirement in the Multi-Family Residential Section of the Village Center shall be one and one-half (1-1/2) stalls per unit.
- (3) No building or structure shall exceed a height of thirty-five feet (35), exclusive of common underground parking areas which may not exceed ten feet (10') in additional height.

**SECTION 2:** This ordinance will become effective one day after publication hereof in the manner required by law.

**SECTION 3:** The City Recorder shall cause this ordinance or a short summary hereof to be published in the *Daily Herald*, a newspaper published and of general circulation in the City.

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Springville City, Utah

this 5th day of January, 2021.

\_\_\_\_\_  
MAYOR RICHARD J. CHILD

**ATTEST:**

\_\_\_\_\_  
KIM CRANE, CITY RECORDER



## STAFF REPORT

**DATE:** December 29, 2020

**TO:** Honorable Mayor and City Council

**FROM:** Josh Yost

**SUBJECT:** STEVE BIRT SEEKING AMENDMENTS TO SPRINGVILLE CODE 11-4-301 LAND USE MATRIX, TO CLARIFY THE EFFECTIVE DATE OF STREET CLASSIFICATIONS AS CITED BY THIS SECTION.

---

### **RECOMMENDED MOTION**

Motion to adopt amendments to Springville Code 11-4-301 Land Use Matrix, to clarify the effective date of street classifications as cited by this section.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

Is the proposed amendment in accordance with the General Plan of the City?

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

### **BACKGROUND**

On May 19, the City Council adopted an ordinance amending Springville Code 11-4-301 Land Use Matrix to prohibit the following uses within 500 feet of an arterial street.

- A. Storage Indoor;
- B. Storage Outdoor;
- C. Light Industry – Manufacturing Processes;
- D. Warehousing – Storage and Distribution; and
- E. Wholesale Trade and Warehousing.

The recent adoption of an update to the Transportation Master Plan (TMP) changed the functional classification 2600 West to an arterial street. This had the unintended effect of increasing the area to which the May 19 amendment applies. The applicant purchased property at approximately 500 South 2600 West, and began making development plans for a light industrial manufacturing facility prior to the adoption of the TMP update. The applicant then made application for site plan approval on November 17, 2020, at which time their proposed use was no longer permitted on the property. The applicant proposes a text amendment to cause the May 19 2020 Land Use Matrix Amendment to apply only to streets designated as arterials in the TMP as adopted on May 19, 2020.

**DISCUSSION**

The applicant concurred with the staff presentation and expressed their eagerness to begin construction of their new facility.

No public comment was received.

**PLANNING COMMISSION REVIEW**

The Planning Commission considered the item on December 22, 2020.

**COMMISSION ACTION:**

**Commission Vote**

<u>Commissioner</u>	<u>Yes</u>	<u>No</u>
Genevieve Baker	X	
Karen Ellingson	X	
Michael Farrer	X	
Kay Heaps	Absent	
Brad Mertz	X	
Rod Parker	Absent	
Frank Young	Absent	

**ALTERNATIVES**

1. Deny amendments to Springville Code 11-4-301 Land Use Matrix, to clarify the effective date of street classifications as cited by this section.
2. Continue the item.

Josh Yost  
Community Development Director

Attachments

Planning Commission Staff Report





RE: Steve Birt seeking amendments to Springville Code 11-4-301 Land Use Matrix, to clarify the effective date of street classifications as cited by this section.

---

**Petitioner:** Steve Birt

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**Summary of Issues**

---

Is the proposed amendment in accordance with the General Plan of the City?

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

**Background**

---

On May 19, the City Council adopted an ordinance amending Springville Code 11-4-301 Land Use Matrix to prohibit the following uses within 500 feet of an arterial street.

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The recent adoption of an update to the Transportation Master Plan (TMP) changed the functional classification 2600 West to an arterial street. This had the unintended effect of increasing the area to which the May 19 amendment applies. The applicant purchased property at approximately 500 South 2600 West, and began making development plans for a light industrial manufacturing facility prior to the adoption of the TMP update. The applicant then made application for site plan approval on November 17, 2020, at which time their proposed use was no longer permitted on the property. The applicant proposes a text amendment to cause the May 19 2020 Land Use Matrix Amendment to apply only to streets designated as arterials in the TMP as adopted on May 19, 2020.

**Analysis**

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The General Plan designates the property along 2600 West, South of 400 South as commercial and the currently adopted Zone Map designates the area as Highway Commercial (HC). The proposed amendment would allow all permitted HC uses to occur in this area as previously permitted prior to the TMP Update. Such an effect is in accordance with the General Plan.



The TMP Update also made a number of properties non-conforming due to their existing use as light industry, warehousing or wholesale trade and warehousing. These include building at the following addresses

5291 W 700 S  
2499 W 700 S  
2498 W 700 S

Each building houses multiple business whose operations were made non-conforming by the TMP Update.

The TMP Update and its unintended effects on permitted land uses constitute a changed condition that makes the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah.

### **Staff Recommendation**

---

Staff finds that the proposed amendment meets the criteria cited above and recommends approval.

### **Recommended Motion**

---

Move to recommend approval of amendments to Springville Code 11-4-301 Land Use Matrix, to clarify the effective date of street classifications as cited by this section.

### **Attachments**

Attachment 1 - Application materials including proposed ordinance amendment.

## Exhibit A

### Applicant Statement on Need for Zone Text Amendment/Clarification

#### **Applicant Background:**

BetterBody Foods ("BBF") is a Utah-based company with current headquarters in Lindon, Utah. BBF produces organic, certified, plant-based food products in its 125,000 square foot Lindon facility where it employs approximately 150 persons. BBF is proposing the expansion of its business into the City of Springville by adding another 100,000 square foot facility at approximately 600 South 2600 West, which would bring approximately 50 more good-paying jobs to the City of Springville.

BBF produces environmentally friendly, sustainable, organically-certified plant-based food products, including Oat Milk, that is currently sold under the Oatsome brand in over 7000 stores nationwide (e.g. Walmart, Kroger, Smiths, etc.). In addition, Oastome is distributed internationally to China, Taiwan, UAE, Vietnam, Thailand, Korea and Malaysia. The plant-based food business is growing rapidly due to its positive impact on personal health and the environment by creating affordable and sustainable food options. BetterBody Foods believes that the proposed facility will make a positive impact on the City of Springville and the world at large by creating local employment opportunities and products that benefit society as a whole.

BBF's plans call for an attractive, aesthetically-pleasing building with upscale design features not typical of most light industrial warehouses. Although full-color elevations are not currently available, **Exhibit 1** shows the intended look and design of the building. BBF's intended use is also consistent with the intent of the HC zone and existing surrounding uses. For example, as shown in **Exhibit 2**, the subject property is located on the same block as the Young Living warehouse, the Modere warehouse, Red Rhino Industrial, Abney RV & Trailer Repair, and Provident Food Storage. It sits just across the street from a sign shop, an auto dealer, Cedar Fort Publishing, and the driver's license offices. The facility will produce lower traffic impacts than the high-density housing immediately to the north and west or the hotels and Cracker Barrel store immediately to the east.

#### **Need For The Text Amendment:**

BBF contacted City planning staff prior to purchasing the property on July 30, 2020. Staff confirmed that BBF's proposed use was allowed in the HC zone. BBF thereafter paid \$2.3 million to acquire the property. In early August, 2020, BBF sent the City's planning and engineering departments a concept plan and other materials for planning an engineering pre-application review. In mid-August the city planning staff indicated that everything looked good from its perspective. There was no indication that BBF's proposed use would not be allowed in the HC zone.

BBF paid a substantial construction and materials deposit of \$550,000.00 to its general contractor. It thereafter completed its final site plan application materials and submitted them to the City with its application fee on or about November 17, 2020. About a week later, the City provided redlined plans. Revised plans were submitted to the City planning department on December 2, 2020. By this time, BBF had expended approximately \$3,000,000.00 in acquisition costs, construction fees, and professional fees.

On December 3, 2020, the City planning department notified BBF that due to the City's adoption of revisions to the transportation master plan on September 15, 2020, which changed 2600 West's

designation from a minor collector to an arterial street, the proposed use was now banned under staff's interpretation of City Code § 11-4-301.3, which was enacted on May 19, 2020.

That section provides, "In the event that any of the uses listed below are allowed under the 'Land Use Matrix' found in this Section, they shall be prohibited within 500 feet of an arterial street (e.g., Main Street, 1400 North (SR 75), 400 South (SR 77), and SR 51) in the Highway Commercial and Regional Commercial Zones" and then lists "Light Industry – Manufacturing Processes" as one of the identified uses.

Staff's interpretation of Section 11-4-301.3 essentially adds 2600 West to the list of other roads that are expressly set forth in Section 11-4-301.3—Main Street, 1400 North, 400 South, and SR 51—thereby making BBF's proposed building a disallowed use.

**The Proposed Text Amendment:**

To rectify what seems to be one of the unintended consequences of adopting the recent changes to the transportation master plan, the applicant proposes the following alternative as a text amendment to Section 11-4-301.3:

"In the event that any of the uses listed below are allowed under the 'Land Use Matrix' found in this Section, they shall be prohibited within 500 feet of any road designated as an arterial street in the Springville City Master Street Plan in effect on May 19, 2020 (e.g., Main Street, 1400 North (SR 75), 400 South (SR 77), and SR 51) in the Highway Commercial and Regional Commercial Zones"

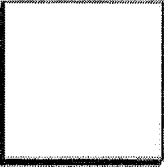
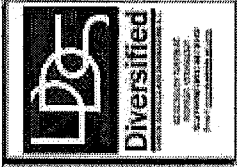
**Conclusion:**

The applicant respectfully requests that the text amendment set forth above be granted to correct what appears to be an unintended consequence of the recent adoption of the transportation master plan. When section 11-4-301.3 was enacted in May, it obviously was not the intent of the City Council to exclude this proposed use on 2600 West. Otherwise, the City Council would have listed 2600 West among the other streets identified in the ordinance. This simple text amendment clarifies that intent, and will allow the City to welcome BBF's job-creating and aesthetically pleasing building, while doing substantial justice to BBF, which has already invested nearly \$3 million in reliance upon the code, as written, and the staff's prior interpretations of it.

**Exhibits:**

**1 – Elevations / Building Design**

**2 – Aerial / Surrounding Land Uses**



**BETTER BODY FOODS**  
 Season at Springville  
 559 South 2690 West  
 Springville, Utah 84663

PROJECT INFO	
PROJECT NO.	1000000000
DATE	10/10/10
DESIGNER	DAVID L. HARRIS
CLIENT	BETTER BODY FOODS
LOCATION	559 SOUTH 2690 WEST, SPRINGVILLE, UT
SCALE	AS SHOWN

**PRELIMINARY WEST ELEVATIONS AND PARTIAL SIDES**

**A 201**  
 SHEET 3 OF 3

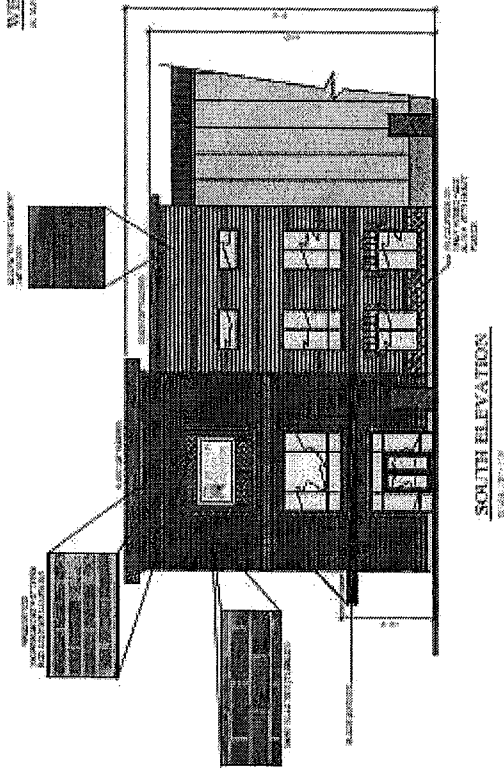
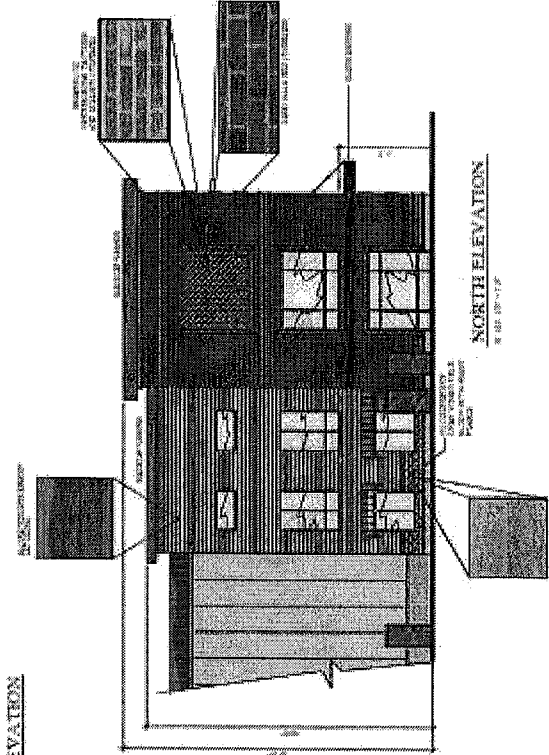
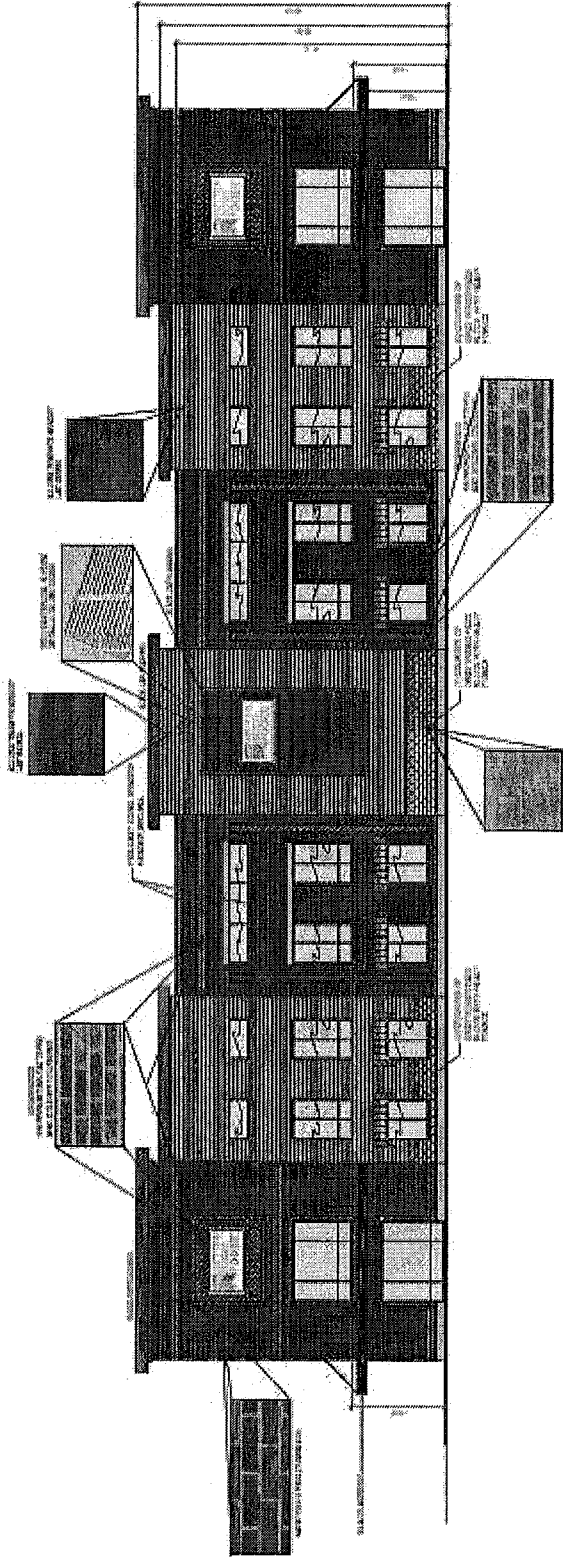
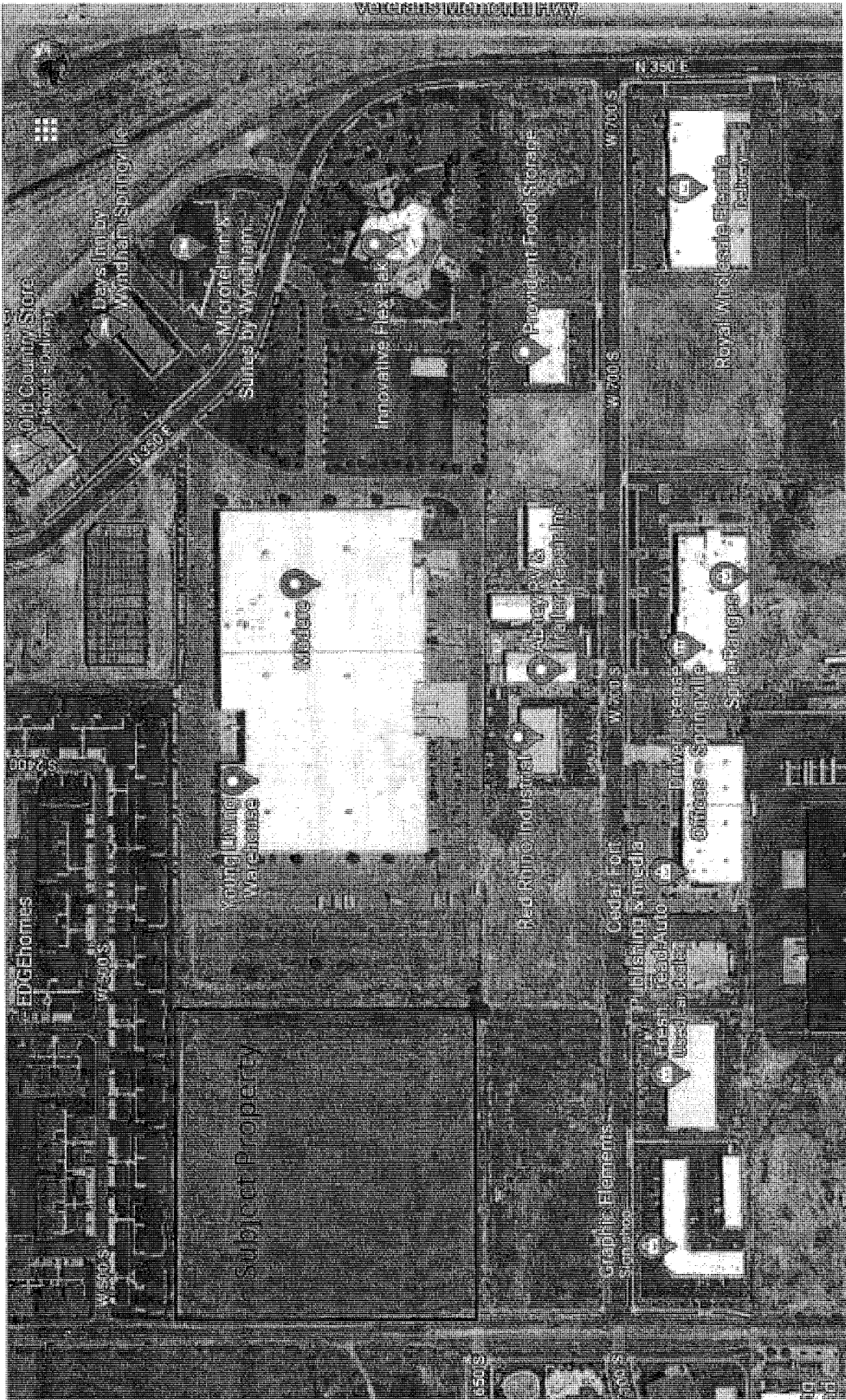


Exhibit 2





PERMITTED USE	ZONING DISTRICTS																					
	A-1	A-S	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	L	M	HIM	
Dwelling – Single- or Multiple-Family above First Floor (Mixed Use) (When Parking Is Located to the Side or Rear of the Building)											C		P	C		C <sup>4</sup>						
Dwelling – Public Agency Owned Senior Housing									P	P				C	C	C						
Dwelling – Single-Family Attached							P		P	P												
Dwelling – Single-Family Detached	P		P	P	P	P	P		P	P												
Dwelling – Single-Family Detached, Manufactured	P		P	P	P	P	P	P	P	P												
Dwelling – Two-Unit (Duplex)							P		P	P												
Mobile Home Park								P														
Residential Facilities for Elderly Persons (Small – 8 or Less)	P		P	P	P	P	P	P	P	P	P											
Residential Facilities for Persons with Disabilities (8 or Less)	P		P	P	P	P	P	P	P	P												
<b>INSTITUTIONAL/SPECIAL SERVICES</b>																						
Assisted Living Facilities									C	C	P				P	P		P				
Cemetery, Mausoleum, or Columbarium			C		P																	
Church, Temple, Rectory	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
College, University, Trade School											C	C	C	C	C	C	C	C				
Correctional Facility																						C
Daycare Center, Commercial									C	C	P			P	P	P	P	P				
Fraternal/Benevolent Societies																P	P	P				
Halfway House									C	C												C
Hospital												P						P	P			

PERMITTED USE	ZONING DISTRICTS																					
	A-1	A-S	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	L	M	HIM	
Preschool, Commercial									C	C	P		P	P	P	P	P	P				
Public Buildings and/or Community Uses	C		C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P
Rehabilitation/Treatment Facilities																		C	C			
Rest Home									C	C	P											
Schools (Public, Private and Quasi Public)	C		C	C	C	C	C		C	C	P				P	P	P	P	P			
<b>UTILITY-RELATED SERVICES</b>																						
Class 1 Utilities	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Class 2 Utilities	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P
Class 3 Utilities	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P
Class 4 Utilities	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Class 5 Utilities	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
<b>AUTO &amp; VEHICLE RELATED USES</b>																						
Auto Parts Sales – New and Reconditioned – Indoor															P	P	P	P	P	P	P	P
Automobile Repair – Major																		P	P	P		
Automobile Repair – Minor																P	P	P	P	P		
Car Wash – Manual & Automated															P	P	P	P	P	P		
Equipment Sales – (Heavy Equipment and Farm Equipment)																			P	P		
Gasoline – Petroleum Products Storage																				C	C	
Gasoline Sales – Service Station – Minor Auto Repair																		P	P	P	P	
Gasoline Sales – Wholesale																				C	C	
Paint and Body Shop																	C	C	C	P	P	



PERMITTED USE	ZONING DISTRICTS																						
	A-1	A-S	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	L	M	H	M	
Parking Lots & Structures (Commercial – Automobile Only)													C	P	C	C	C	P	P	P			
Rental of Truck or Trailers																	P	P	P	P			
Storage – Indoor (Autos – Boats – Travel Trailers)																	P	P <sup>3</sup>	P <sup>3</sup>	P	P		
Storage – Outdoor (Autos – Boats – Travel Trailers)																			P <sup>3</sup>	P	P		
Storage – Outdoor (Trucks – Heavy Equipment)																				P	P		
Tire Recapping and Retreading Shops																				P	P		
Tire Sales																	P	P	P				
Towing Service																		P		P	P		
Upholstery – Seat Cover																	P	P	P	P	P		
Vehicle Sales – (Autos – Boats – Motorcycles – Snowmobiles – Trailers – Motor Homes)																	P	P	P	P			
<b>COMMERCIAL, PROFESSIONAL &amp; PERSONAL SERVICES</b>																							
Animal Hospital																	C	P	P	P			
Animal, Grooming														P	P	P	P	P	P				
Animal Clinic														P	P	P	P	P	P				
Convenience Store with Gasoline Sales															P		P	P	P				
Financial Institutions – Banks – Credit Unions													P	P	P	P	P	P	P				
Funeral Home, Mortuary													C			C	P	P	P				
Kennels – Animal Boarding																		P	P	P	P		
Laboratory (Medical or Dental)													P	P	P	P	P	P	P	P	P		
Laundromat – Self Service														P	P	P	P	P	P				

PERMITTED USE	ZONING DISTRICTS																						
	A-1	A-S	R-15	R-10	R-18	R-15	R-25	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	L	M	H	M	
Laundry / Dry Cleaning – (Commercial)											P	P	P	P	P	P	P	P	P				
Office – General Business											P	P	P	P	P	P	P	P	P				
Office – Health Care Provider											P	P	P	P	P	P	P	P	P				
Office – Professional											P	P	P	P	P	P	P	P	P				
Personal Services											P	P	P	P	P	P	P	P					
Reception Center											P			P	P	P	P	P	P				
Rental Shops – No Outside Display or Storage													P	P		P	P	P					
Repair Services – Appliances and Electronic Equipment													C	P	C	P	P	P	P	P			P
School – Commercial												C	C	P	C	P	P	P	P				
Storage – Small, Multi-Unit																						P	
Studio – Art, Dance, Music, Drama													P	P	P	P	P	P					
Tattoo Parlor																P	P	P					
Taxidermy																P	P	P					
<b>RETAIL SALES</b>																							
Adult Sexually Oriented Business																					C	C	
Animals, Retail Sales													P	P	P	P	P	P					
Antique or Collectable Shop													P	P	P	P	P	P					
Auction House (Equipment Only)																	P	P	P				
Convenience Store													C	C	P	P	P	P					
Convenience Store with Gasoline Sales															P		P	P	P				
Drug Store / Pharmacy													C	P	P	P	P	P					
Medical Cannabis Pharmacy	P											P	P		P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P	P			

PERMITTED USE	ZONING DISTRICTS																			
	A-1	A-S	R-15	R-10	R-18	R-15	R-25	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	LIM	HIM
General Retail Stores -< 15,000 sq. ft.													P	P	P	P	P	P		
General Retail Stores -< 20,000 sq. ft.													C	P	P	P	P	P		
General Retail Stores -< 25,000 sq. ft.													C	C	P	P	P	P		
General Retail Stores -< 35,000 sq. ft.														C	P	P	P	P		
General Retail Stores -< 40,000 sq. ft.															C	P	P	P		
General Retail Stores -< or = 80,000 sq. ft.															C <sup>1</sup>	C	P	P		
General Retail Stores -> 80,000 sq. ft.																C	P	P		
Home Improvement & Garden Store – (Completely Indoors with no Outdoor Storage)	P													P	P	P	P	P		
Home Improvement & Garden Store & Farm Supply – (With Outdoor Display and/or Storage)																P	P	P		
Pharmacies when part of a Medical Office or Complex													P	P	P	P	P	P	P	
Print Shop													P	P	P	P	P	P		
<b>ACCOMMODATIONS/FOOD &amp; BEVERAGE SERVICE</b>																				
Bars & Taverns														C		C	P	P		
Bed & Breakfast														P		P	P	P		
Brew Restaurant													P	P	P	P	P	P	P	P
Fast Food Establishments														P	P	P	P	P	P	
Fast Food Establishments – (With Drive-In or Drive Thru)															P	P	P	P		
Hotel														C		P	P	P	P	
Motel																P	P	P	P	

PERMITTED USE	ZONING DISTRICTS																				
	A-1	A-S	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	V	TC	NC	CC	RC	HC	L	M	HIM
Restaurant/Cafe											P		P	P	P	P	P	P	P	P	P
<b>INDUSTRIAL/MANUFACTURING &amp; RELATED USES</b>																					
Artisan Shop													P	P	P	P	P	P	P	P	P
Contractor Yard																			P	P	
Light Industry – Manufacturing Processes												P						C <sup>3</sup>	P <sup>3</sup>	P	
Heavy Industry – Manufacturing Processes																					P
Storage – Outdoor																			P <sup>3</sup>	P	
Storage – Sand, Gravel, Earth, or Stone																					P
Medical Cannabis Production Establishment		P																			P
Warehousing – Storage and Distribution												P						P <sup>3</sup>	P <sup>3</sup>	P	
Wholesale Trade and Warehousing												P						P <sup>3</sup>	P <sup>3</sup>	P	
<b>AGRICULTURE &amp; RELATED USES</b>																					
Animal Keeping	P	P	P																		
Apiary or Beekeeping	See Section <a href="#">3-7-901</a> et seq.																				
Chickens for Egg Production	See Section <a href="#">3-7-801</a> et seq.																				
Crop Production for Sale	P	P																			
Dairy	P	P																			
Farm Building	P	P	P																		
Farm Industry or Ranch	P	P																			
Orchard – Commercial	P	P																			
<b>SPORTS &amp; RECREATIONAL FACILITIES</b>																					
Batting Cages																	P	P	P	P	
Bowling Alley																P	P	P			



PERMITTED USE	ZONING DISTRICTS																			
	A-1	A-S	R1-15	R1-10	R1-8	R1-5	R2	R-MHP	R-MF1	R-MF2	PO	BP	VC	TC	NC	CC	RC	HC	LIM	HIM
Wireless Facilities Collocated on a Structure Approved for Collocation	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Structures on City-Owned Property	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Structures on Property Owned by a Noncity Public Agency	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Facilities on Existing Buildings or Structures											P	P	P	P	P	P	P	P	P	P
Wireless Facilities on Nonresidential Structures on Nonresidential Sites in Residential Zones	P		P	P	P	P	P	P	P	P										

1. In the NC Zone, General Retail greater than 40,000 sq. ft. in this case is limited to grocery stores only.
2. See Section [11-6-132](#). Medical cannabis pharmacies are not permitted in overlay zones that allow for residential dwellings.
3. In the event that any of the uses listed below are allowed under the “Land Use Matrix” found in this Section, they shall be prohibited within 500 feet of any road designated as an arterial street in the Springville City Master Street Plan in effect on May 19, 2020 (e.g., Main Street, 1400 North (SR 75), 400 South (SR 77), and SR 51) in the Highway Commercial and Regional Commercial Zones:
  - A. Storage Indoor;
  - B. Storage Outdoor;
  - C. Light Industry - Manufacturing Processes;
  - D. Warehousing - Storage and Distribution; and
  - E. Wholesale Trade and Warehousing.

4. In the CC Zone, dwelling units under the use entitled “Dwellings - Single- or Multiple-Family above First Floor (Mixed Use) (When Parking Is Located to the Side or Rear of the Building)” may be conditionally permitted on the first floor in compliance with the conditional use standards under Section [11-7-205\(5\)](#). The conditional use standards only allow for dwelling units on the first floor in the CC Zone where the dwelling units front 700 South at least 100 feet away from the nearest right-of-way line of 1200 West.

**SECTION 2:** This ordinance will become effective one day after publication hereof in the manner required by law.

**SECTION 3:** The City Recorder shall cause this ordinance or a short summary hereof to be published in the *Daily Herald*, a newspaper published and of general circulation in the City.

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Springville City, Utah  
this 5th day of January, 2021.

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MAYOR RICHARD J. CHILD

**ATTEST:**

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KIM CRANE, CITY RECORDER