



STAFF REPORT

DATE: June 1, 2022

TO: Honorable Mayor and City Council

FROM: Josh Yost, Community Development Director

SUBJECT: Landd requests an amendment to the Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

Recommended Motion:

Adopt ordinance #_____ amending the Springville Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

Executive Summary:

The proposed zone map amendment is for 28.53 acres of property located in the area of 1500 West and Center Street. The current zoning is the R1-15 with a current General Plan Land Use designation of Medium Low Density, which supports the requested R1-8 zoning classification.

On May 20, 2003, the City Council adopted the Westfields Community Plan element of the General Plan, which amended the Land Use Map and Official Zone Map. The proposed residential baseline zoning classifications for the Westfields Overlay area consist of the R1-15, R1-10, R1-8 and R2. At the time the Westfields was being annexed, there were several property owners in areas being designated as the R1-10 and R1-8 zoning, concerned that they would lose their animal rights and requested to retain the R1-15 Zoning designation, which allows for animal keeping. While the R1-8 zoning was not applied to the property at that time because of this concern, the Westfields Community Plan and the adopted Land Use Map of the General Plan still designated the property as Medium Low-Density Residential, which includes the R1-8 Zone.

Focus of Action:

Does the proposed amendment meet the intent of the Westfields Community Plan, General Plan and requirements of Springville City Code?

Discussion:

The adopted Westfields Community Plan included residential densities in the Westfields that transition from lower densities in the southeast and northeast portions of the community to higher densities around the village center and western portions.

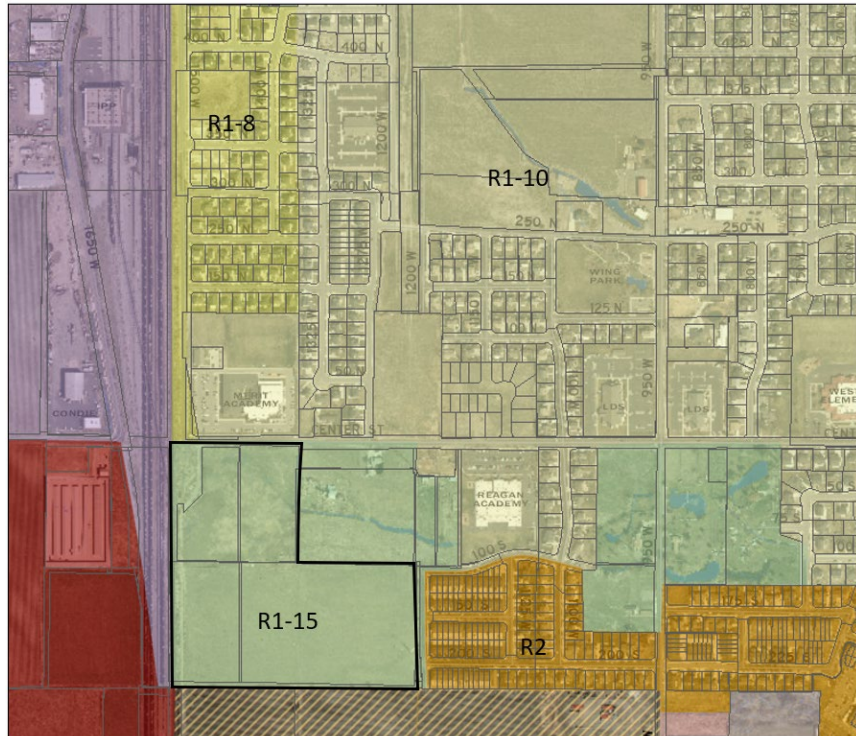


Figure 1 - Current Zoning Map

The current adopted land use is Medium Low Density Residential which the Westfields Community Plan designates as between 3.0-5.0 dwelling units/acre. The R1-8 zone equates to 3.8 units/net acre if the property is zoned R1-8. The current R1-15 zoning of the property equates to 2-units/net acre.

Staff recognizes that the general policy guidance from the Council is to not recommend approval of zone map amendment applications that increase residential density. While we recognize this guidance, the proposed zone map amendment, while increasing the density from that currently allowed on the subject property, does not change the density planned and designated for the property in the Westfields Community Plan and the General Plan Land Use Map. Therefore, we view this request as being in line with the current plan.

These proposed amendments were reviewed by the Planning Commission in a properly noticed public hearing on May 10, 2022. Eileen Miller of the Utah Valley HBA made a

public comment regarding the recent Utah State Auditor Alert regarding development and building fees, not related to the item under consideration. No other comment was received during the public hearing.

During Planning Commission discussion (see Item 5 in the attached minutes for the full discussion), Commissioner Baker asked about the density. Director Yost said it is consistent with the surrounding densities.



Figure 2 - Current General Plan Map

Commissioner Heaps asked if the owners of this property were among those who chose to stay R1-15. Director Yost said yes.

Chair Ellingson asked what the differences are per acre in the R1-8 and R1-10. In R1-10 it is 3.0 and in R1-8 it is 3.8. Commissioner Baker asked what it would be with your maximum bonus. Director Yost said with the maximum bonus it is 4.2 in R1-10 and in R1-8 it is 5.3.

Alternatives:

- Deny the proposed zone map amendments.
- Continue the proposed zone map amendments for further discussion.



Attachments:

1. Proposed Zone Map Amendment Ordinance
2. Minutes of the Planning Commission Public Hearing, May 10, 2022
3. Planning Commission Staff Report

Attachment 1

Ordinance #_____ amending the Springville Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

ORDINANCE NO. ____-2022

AN ORDINANCE AMENDING THE SPRINGVILLE OFFICIAL ZONE MAP ON PARCELS 23:030:0016, 23:031:0015, 23:030:0011, AND 23:031:0014 FROM THE R1-15 SINGLE-FAMILY RESIDENTIAL ZONE TO THE R1-8 SINGLE-FAMILY RESIDENTIAL ZONE, LOCATED IN THE AREA OF 1500 WEST AND CENTER STREET.

WHEREAS, the City has an Official Zone Map which delineates zone boundaries for the various city zones; and

WHEREAS, a land owner or agent may propose to amend the Official Zone Map to a zone or zones they find to be more appropriate and a better use of the land; and

WHEREAS, the City Planning Commission considered the amendment and conducted a public hearing on May 10, 2022 and has recommended approval of the proposed amendment;

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

Section 1 Ordinance. The Official Zone Map is hereby amended for parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

Section 2 This ordinance shall become effective upon adoption by the Springville City Council and publication as required by law.

ADOPTED by the City Council of Springville, Utah, this 7th day of June, 2022.

Matt Packard, Mayor

ATTEST:

Kim Crane, City Recorder

Attachment 2

Minutes of the Planning Commission Public Hearing, May 10, 2022



MINUTES
Planning Commission
Regular Session
Tuesday, May 10, 2022

IN ATTENDANCE

Commissioners Present: Chair Karen Ellingson, Genevieve Baker, Michael Farrer, and Kay Heaps

Commissioners Excused: Rod Parker, Brett Nelson

City Staff: Josh Yost, Community Development Director
Heather Goins, Executive Assistant

City Council: Liz Crandall

CALL TO ORDER

Chair Ellingson called the meeting to order at 7:06 p.m.

APPROVAL OF THE AGENDA

Commissioner Baker moved to approve the agenda as written. Commissioner Heaps seconded the motion. The vote to approve the agenda was unanimous.

CONSENT AGENDA

- 1. Johnston Developments seeking a recommendation for final approval for the Holdaway Park Estates Subdivision located in the area of 650 E 200 N in the Traditional Neighborhood Development Overlay Zone.*
- 2. Rock Tops Surfaces seeking site plan amendment approval for a storage yard located at 495 N 1650 W in the L-IM Light Industrial Manufacturing Zone.*
- 3. Adam Weight seeking plat amendment approval for Spring Terrace Estates located at 1451 E 620 S in the R1-10 Single-Family Residential Zone.*
- 4. Travis Olsen seeking approval for the Lakeshore Industrial Subdivision located at about 2100 W Center Street in the HC-Highway Commercial Zone.*

Commissioner Baker moved to approve the Consent Agenda. Commissioner Farrer seconded the motion. The vote to approve the Consent Agenda was unanimous.

LEGISLATIVE SESSION:

- 5. Josh Davis with Landd seeking an amendment to the Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.***

Josh Yost, Community Development Director, presented. This is 28.53 acres of land. He showed the current zoning is R1-15 and in the General Plan, it is Medium to Low density. He gave the surrounding zoning and history of the Westfields Plan. There was a concern previously about rezoning and losing animal rights.

Commissioner Baker asked about the density. Director Yost said it is consistent with the surrounding densities.

Commissioner Heaps asked if the owners of this property were among those who chose to stay R1-15. Director Yost said yes.

Director Yost showed the densities. He explained that policy considerations include the City Council not wanting us to increase density and to stick with the plan. The Westfields Community Plan is not an increase in density and conforms to the current plan. It is a change to the zoning map. Staff recommends forwarding a recommendation of approval as this is in line with the current zoning plans.

Chair Ellingson asked what the differences are per acre in the R1-8 and R1-10. Director Yost asked if she means in terms of yield, he does not know. Chair Ellingson said these numbers represent a maximum density, right? Director Yost said no. In R1-10 it is 3.0 and in R1-8 it is 3.8. Commissioner Baker asked what it would be with your maximum bonus. Director Yost said with the maximum bonus it is 4.2 in R1-10 and in R1-8 it is 5.3.

Chair Ellingson invited the applicant to speak. He had no additional comments.

Chair Ellingson asked for a motion to open the Public Hearing. Commissioner Baker moved to open the Public Hearing. Commissioner Heaps seconded. The Public Hearing was opened at 7:20 p.m.

Ivy Miller

With the Utah Valley Home Builders Association
707 E Mill Road Vineyard, UT

She spoke about an alert from the State Auditor's office regarding an alert for expenditures on collected impact fees. She admonished the Commission to stick with the plan. The City has to stay within the building fund. The State Auditor has to get the cities to stay on target. She had the findings and left copies.

Chair Ellingson told Ms. Miller that she should address the City Council, as the Planning Commission is a recommending body with no budgetary authority. Ms. Miller said she knows the Planning Commission has influence.

Director Yost responded by saying that this Auditor Alert didn't have to do with impact fees. It was the assessment of fees related to services, such as how much we charge for a building permit. It wasn't that any city mismanaged the funds, it is the Auditor is making sure that monies to other departments were justifiable. Springville was sampled. We responded and we are meeting internally at how we will comply. We are working on that. It isn't related to impact fees. Ms. Miller added that the Home Builders Association wants oversight.

Commissioner Farrer moved to close the Public Hearing. Commissioner Baker seconded. The Public Hearing was closed at 7:24 p.m.

Commissioner Heaps moved to recommend approval for an amendment to the Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

6. Springville City seeking an amendment to Springville City Code, Section 11-6-313, Specific Sign Regulations. Continued from April 26, 2022.

Director Yost presented. There are 3 proposed amendments to the sign code. For A-frame signs, businesses would be allowed one portable A-frame sign per ground-level business. It must be attended by a responsible party. There is a maximum size of sign face and frame. It cannot be electronic and must be a static size. It is to be displayed in front of the building within your business's sides. The time of display is only during operating hours.

Commissioner Farrer said they don't have to be attached to the building. Director Yost yes, they are free-standing, A-frame signs.

Chair Ellingson asked about competing signs. Director Yost said that the location of the sign comes in here. It can only be in front of your business. Chair Ellingson asked if a member of the public could come in and put up a sign because they don't own that business. Director Yost said correct unless they were willing to stand by it all day, then probably yes. Director Yost said we could not infringe on free speech.

Commissioner Baker asked if they could be spotlighted. Director Yost said there are specific regulations about lighting on buildings that prevent you from shining light on adjacent properties. There must be shielding. That could cover that, but it is not an eventuality that we have considered or had someone try to do.

The second sign type is the Projecting Vertical Blade or Marquee sign. They are permitted in all nonresidential sign districts. There are location and projecting requirements. They have height and area allowances. They can have running lights and flashing lights.

Chair Ellingson asked why sign permits are needed. Director Yost said they require a building permit to make sure it follows the electrical and sign code, is properly anchored, etc. The encroachment permit is because they are projecting an element of building over the air rights of our sidewalks.

The third sign type is the Projecting Storefront sign. These are for pedestrians. Each business could have one of these signs, they have to be within the sidewalls of the business. There has to be 8 feet of ground clearance to the bottom of the sign. They can be up to 4 feet wide by 3 feet tall. They can be lit internally or by external lights.

Commissioner Heaps asked if we have any of those in Springville now. Director Yost said he doesn't think that we do.

They have a hold harmless agreement that says if your sign falls, it isn't on the City. The message is regulated in that it is on-premise messaging. No electronic or variable display type of signs.

Commissioner Baker asked about the marquee signs, those can be electronic because they can be lit. Director Yost said right, but that is not a variable message system. It cannot be a digital display. Commissioner Baker said the shingle-type signs cannot be electronic but they can have a light component. Director Yost said yes, they can be externally or internally lit. but the sign has to be shielded. Commissioner Baker asked if they are internally lit, can they flash. Director Yost said that is a good question. It doesn't speak to that.

Chair Ellingson asked for a motion to open the Public Hearing. Commissioner Baker moved to open the Public Hearing. Commissioner Heaps seconded. The Public Hearing was opened at 7:48 p.m.

Liz Crandall - City Council Representative

She asked when they are electronic if there is a time they need to turn off. Director Yost said it is not specified. There may be a general time in the code that he doesn't recall. Ms. Crandall mentioned the lights at Wavetronix. Director Yost said the homes are 4-5 blocks away from lights at Wavetronix.

Commissioner Baker moved to close the Public Hearing. Commissioner Heaps seconded. The Public Hearing was closed at 7:50 p.m.

Chair Ellingson said we could ask staff to look at that before it goes to City Council for the lights to be turned off at certain times.

Commissioner Baker said there are lots of homes that are close to Downtown and can see things like the carnival. Director Yost said it is a good question.

Commissioner Baker is concerned about the 4 feet wide signs. Director Yost said it is typical. Commissioner Farrer said the flour sign shown is probably 4 feet.

Commissioner Farrer moved to recommend approval of the proposed amendments to Springville City Code, Section 11-6-313, Specific Sign Regulations. Commissioner Heaps seconded. The vote to approve the Legislative item was unanimous.

With nothing further to discuss, Commissioner Baker moved to adjourn the meeting. Commissioner Heaps seconded the motion. Chair Ellingson adjourned the meeting at 7:54 p.m.

Attachment 3

Planning Commission Staff Report

May 5, 2022

TO: Planning Commission Members

FROM: Laura Thompson, Planner II

RE: Recommendation for an amendment to the Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.

Petitioner: Landd / Josh Davis
2901 Bluegrass Blvd., Ste 200
Lehi, UT 84043

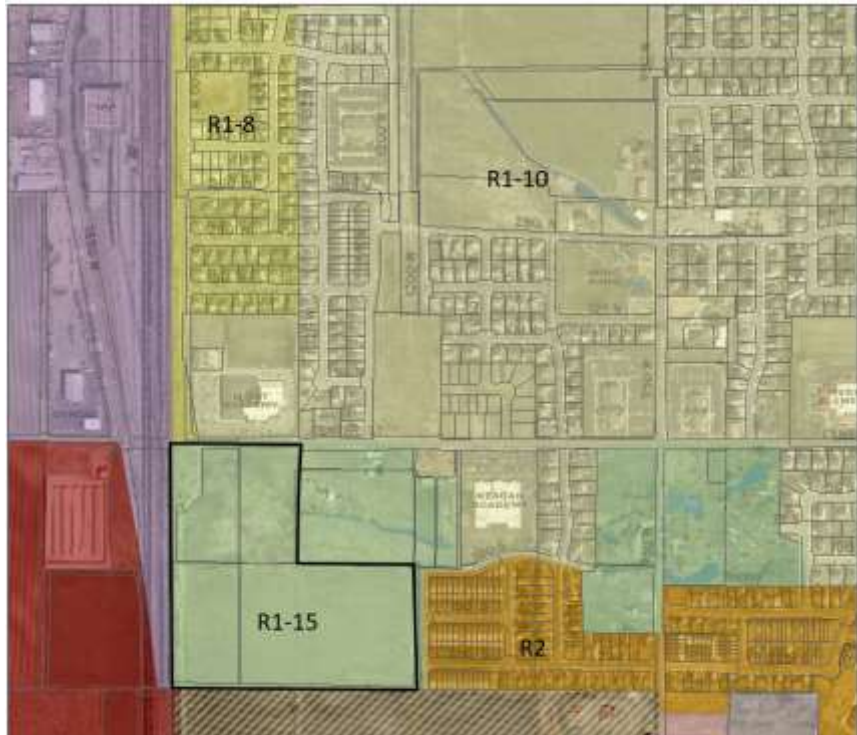
Summary of Issues

Does the proposed amendment meet the intent of the Westfields Community Plan, General Plan and requirements of Springville City Code?

Background

The proposed zone map amendment is for 28.53 acres of property located in the area of 1500 West and Center Street. The current zoning is the R1-15 with a current General Plan Land Use designation of Medium Low Density, which supports the requested R1-8 zoning classification.

On May 20, 2003, the City Council adopted the Westfields Community Plan element of the General Plan, which amended the Land Use Map and Official Zone Map. The proposed residential baseline zoning classifications for the Westfields Overlay area consist of the R1-15, R1-10, R1-8 and R2. At the time the Westfields was being annexed, there were several property



owners in areas being designated as the R1-10 and R1-8 zoning, concerned that they would

lose their animal rights and requested to retain the R1-15 Zoning designation, which allows for animal keeping. While the R1-8 zoning was not applied to the property at that time because of this concern, the Westfields Community Plan and the adopted Land Use Map of the General Plan still designated the property as Medium Low-Density Residential, which includes the R1-8 Zone.

Analysis

The adopted Westfields Community Plan included residential densities in the Westfields that transition from lower densities in the southeast and northeast portions of the community to higher densities around the village center and western portions.

The current adopted land use is Medium Low Density Residential which the Westfields Community Plan designates as between 3.0-5.0 dwelling units/acre. The R1-8 zone equates to 3.8 units/net acre if the property is zoned R1-8. The current R1-15 zoning of the property equates to 2-units/net acre.



Staff recognizes that the general policy guidance from the Council is to not recommend approval of zone map amendment applications that increase residential density. While we recognize this guidance, the proposed zone map amendment, while increasing the density from that currently allowed on the subject property, does not change the density planned and designated for the property in the Westfields Community Plan and the General Plan Land Use Map. Therefore, we view this request as being in line with the current plan.

Staff Recommendation

Staff finds the proposed amendment is in keeping with the Westfields Community Plan and Springville General Plan and recommends approval.

Recommended Motion

Move to recommend an amendment to the Official Zone Map on parcels 23:030:0016, 23:031:0015, 23:030:0011, and 23:031:0014 from the R1-15 Single-Family Residential Zone to the R1-8 Single-Family Residential Zone, located in the area of 1500 West and Center Street.