



STAFF REPORT

DATE: May 17, 2022
TO: Honorable Mayor and City Council
FROM: Laura Thompson, Planner II
SUBJECT: APPROVAL FOR ORD# _____-2022, AMENDING SPRINGVILLE CITY CODE, SECTIONS 11-7-402(2)(G)(VII); AND 14-2-104(2)(KK), CONCERNING WETLAND REPORTS.

RECOMMENDED MOTION

Motion to approve Ordinance No. _____-2022, amending Springville City Code, Sections 11-7-402(2)(g)(vii); and 14-2-104(2)(kk), concerning wetland reports.

SUMMARY OF ISSUES/FOCUS OF ACTION

Do the proposed code amendments meet the requirements of Springville City Code?

BACKGROUND

Utah State Code, Section 10-9a-521, states that a municipality may not designate or treat any land as wetlands unless the United States Army Corps of Engineers or other agency of the federal government has designated the land as wetlands.

DISCUSSION

The proposed amendments to both Title 11 and Title 14 are to make both sections consistent with each other and clarify a wetlands clearance letter is acceptable from a wetlands specialist.

PLANNING COMMISSION REVIEW

The Planning Commission considered the amendments on April 26, 2022 and held a public hearing, in which there were no comments.

COMMISSION ACTION: Commissioner Parker moved to recommend approval. Commissioner Heaps seconded the motion. Approval was unanimous.

Commission Vote

Table with 3 columns: Commissioner, Yes, No. Rows include Genevieve Baker, Karen Ellingson, Michael Farrer, Kay Heaps, Brett Nelson, Rod Parker, and Vacant.

ALTERNATIVES

1. Adopt the proposed ordinance amendments as recommended by the Planning Commission.
2. Amend and adopt the proposed ordinance; or
3. Reject the proposed amendments.

Laura Thompson
Planner II



ORDINANCE #XX-2022

AN ORDINANCE AMENDING SPRINGVILLE CITY CODE SECTIONS 11-7-402(2)(G)(VII); AND 14-2-104(2)(KK), CONCERNING WETLAND REPORTS.

WHEREAS the Springville City Development Code governs land use decisions within Springville City in fulfillment of the recommendations of the General Plan as well as the future vision of the City as established by the Mayor and Council; and

WHEREAS the City Council desires to ensure that the Springville City Development Code remains compliant with Utah State Code; and

WHEREAS the Planning Commission conducted a public hearing on April 26, 2022 and reviewed the proposed text amendments and has recommended favorably of the amendments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Springville, Utah, that Sections 11-7-402(2)(g)(vii); and 14-2-104(2)(kk) be amended as shown in Exhibit A:

This ordinance shall become effective upon adoption by the Council of Springville City.

ADOPTED by the City Council of Springville, Utah, this 07th day of June 2022.

Matthew Packard, Mayor

ATTEST:

Kim Crane, City Recorder

EXHIBIT A

Section 11-7-404(2)(g)(vii), Formal Applications

- (g) Other required information required for submission with the site plans shall include:
 - (i) Preliminary title report or policy of title insurance on the property, which identifies ownership, easements of record, liens or other encumbrances;
 - (ii) Any required UDOT approval for access for other improvements along a State road;
 - (iii) An engineer's estimate of all required off-site public improvements;
 - (iv) Conveyance of water rights, unless water rights have been tendered, in which case evidence of tendering shall be provided;
 - (v) A traffic impact study may be required at the discretion of the City Engineer;
 - (vi) A geotechnical report shall be required for all areas designated for off-site improvements and may be required for other portions of the site at the discretion of the City Engineer;
 - (vii) A wetlands delineation or clearance letter from a wetlands specialist as required by the City Engineer; and
 - (viii) Other data or plans deemed necessary by DRC member(s).

Section 14-2-104(2)(kk) and (II), Preliminary Plan, Sensitive Lands

Sensitive Lands

- (kk) Identification of natural features or sensitive lands including, but not limited to:
 - (i) Wetlands. A wetland report and letter from the Army Corp of Engineers, if wetlands are located within the boundaries of the proposed plat.
 - (ii) Floodplains, floodways and areas that would be covered in water in a 100-year storm event.
 - (iii) Areas where ground water rises periodically to within two (2) feet of the surface of the ground.

- (iv) Slopes exceeding twenty-five (25) percent and/or area within the Hillside Overlay Zone.
- (v) Vegetation areas (including name and size of all existing trees and shrubs which could be incorporated into the subdivision).
- (vi) Threatened or endangered species habitat areas.

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