



## CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:00 p.m. on February 16, 2010.**

### AGENDA ITEMS:

#### 1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:

- a. Pledge, led by invitation

#### 2. PUBLIC COMMENTS:

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

#### 3. COUNCIL COMMENTS:

#### 4. PUBLIC HEARING:

- a. *\*SkyHawk (Hailstone) Zone Change to Commercial 2*
- b. *\*Title 15 Text Amendment: I-3 Zone Creation, I-2 Zone Modification, and Site Plan Development Requirements Text Amendment*

#### 5. CONSENT ITEMS:

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

- a. *\*Minutes of Spanish Fork City Council Meeting – January 22 & 23, 2010*
- b. *\*Minutes of Spanish Fork City Council Meeting – February 2, 2010.*
- c. *\*Golf Cart Lease*
- d. *\*Park Regulation Ordinance*

#### 6. NEW BUSINESS:

- a. *\*Discussion on allowing chickens in residential zones – Dave Anderson*
- b. *\*Telephone contract for SFCN to offer residential voice service – John Bowcut*
- c. *\*False Alarms Ordinance – Dee Rosenbaum*
- d. *\*Impact Fee Study Contract: TischlerBise – Kent Clark*
- e. *\*Allied Waste Garbage Contract Extension – Richard Heap*
- f. *\*Water Conservation Plan Update – Richard Heap*

### ADJOURN:

- \* Supporting documentation is available on the City's website [www.spanishfork.org](http://www.spanishfork.org)

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that Chapter.
- This agenda is also available on the City's webpage at [www.spanishfork.org](http://www.spanishfork.org)

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 804-4530.



# REPORT TO THE CITY COUNCIL SKYHAWK (HAILSTONE) ZONE CHANGE

**Agenda Date:** February 16, 2010.

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee, Planning Commission.

**Request:** The applicant, Hailstone Homes, LLC, has requested that the zoning be changed on a 1-acre site from Residential Office and Rural Residential to Commercial 2.

**Zoning:** Residential Office and Rural Residential existing, Commercial 2 requested.

**General Plan:** General Commercial.

**Project Size:** Approximately 1 acre.

**Number of lots:** Not applicable.

**Location:** Approximately 800 South Main Street.

## Background Discussion

Hailstone Homes, LLC has proposed to have the zoning changed on the subject property so as to permit the construction of a full-service car wash.

At present, the southern half of the site that the car wash would be constructed on is zoned Commercial 2. The northern half, however, is zoned Residential Office and Rural Residential. All of the property involved in the Zone Change request is designated General Commercial on the General Plan. The Commercial 2 Zone is consistent with the General Commercial designation of the General Plan.

Attached to this report are elevations of the proposed car wash. Staff is in the process of completing its review of the proposed Site Plan. However, staff has finished the initial review of the Site Plan and has found no substantial factors that would hinder the applicant's ability to actually construct the car wash. Furthermore, Spanish Fork City recently received confirmation that UDOT has approved the Main Street access location that is identified on the proposed Site Plan.

For two main reasons, staff recommends that the proposed Zone Change be approved. First, the proposed zoning is consistent with the General Plan. Second, the applicant has described how the subject property can accommodate the proposed car wash use.

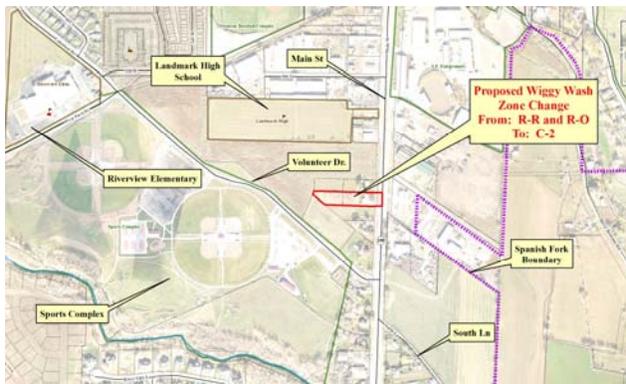
Should the Zone Change be approved, the applicant would still need to receive Site Plan approval and obtain a Building Permit before construction could begin.

## Development Review Committee

The Development Review Committee reviewed this request in their January 27, 2010 DRC meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

### SkyHawk (Hailstone) Zone Change

Applicant: Hailstone Homes, LLC  
General Plan: General Commercial



Zoning: Residential Office and Rural Residential existing, Commercial 2 proposed  
Location: approximately 800 South Main Street

Mr. Anderson explained that the proposal was for a full-service car wash and explained that the current zone was Residential Office/Rural Residential and the applicant was proposing the Zone Change to the Commercial 2 zone. He said the proposal conformed to the General Plan.

Mr. Baker **moved** to recommend to the Planning Commission **approval** of the Zone Change from Residential Office/Rural Residential zone to the Commercial-2 zone. Mr. Thompson **seconded** and the motion **passed** all in favor.

### Planning Commission

Draft minutes from the February 3, 2010 Planning Commission meeting read as follows:

#### Hailstone Zone Change

Applicant: Hailstone Homes, LLC  
General Plan: General Commercial  
Zoning: Residential Office and Rural Residential existing, Commercial 2 proposed  
Location: approximately 800 South Main Street

Mr. Anderson introduced the project. He explained that the proposed Zone Change applies to an area that is the south half of a proposed project. The two properties are zoned Residential Office and Rural Residential, but are general planned to be General Commercial. As such, the Commercial 2 zone would fit with the General Plan. He explained that the adjacent properties are already zoned Commercial 2. He explained that the applicant wanted to build a full-service car wash on the site. He said that the DRC had recommended that the Zone Change be approved.

Chairman Christianson opened the item up for public comment. There was none.

Commissioner Cope explained that he was involved with the sale of one of the adjacent properties and would abstain from voting.

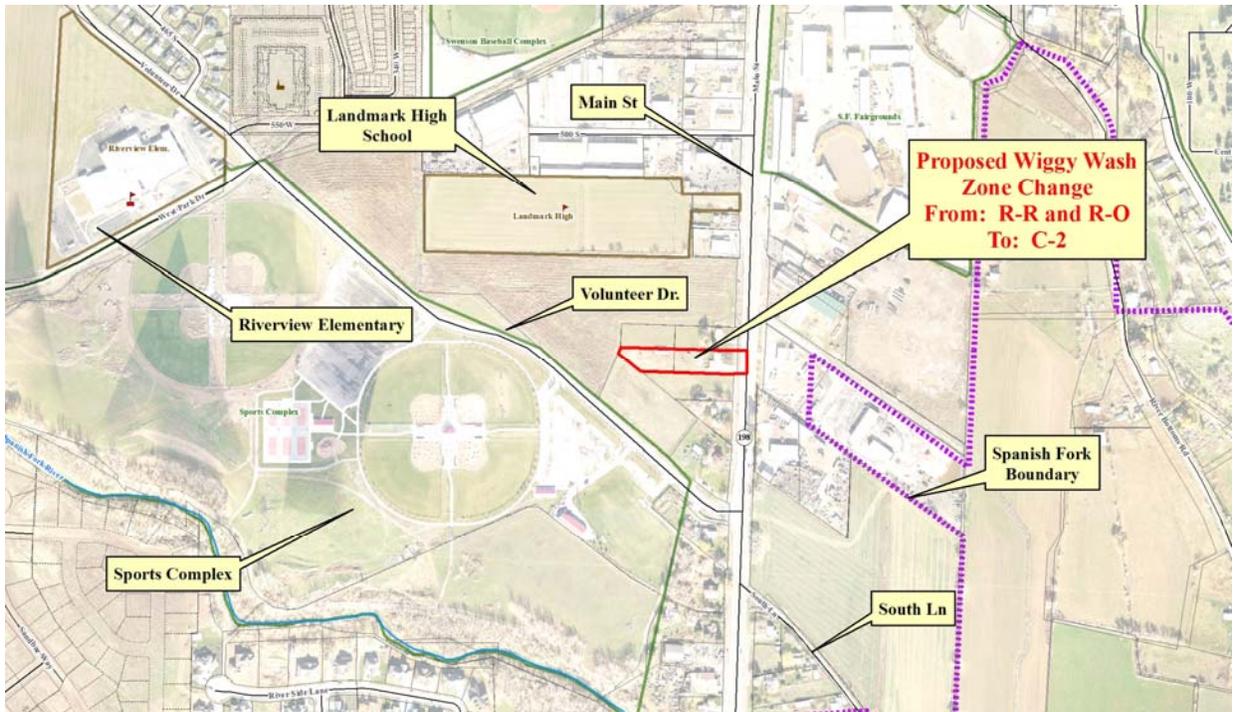
Commissioner Robins made a **motion** to recommend to the City Council **approval** of the Hailstone Zone Change. Commissioner Marshall **seconded** and the motion **passed** all in favor.

### Budgetary Impact

There is no immediate budgetary impact anticipated with the proposed Zone Change.

### Recommendation

Staff recommends that the proposed Skyhawk (Hailstone) Zone Change be approved.



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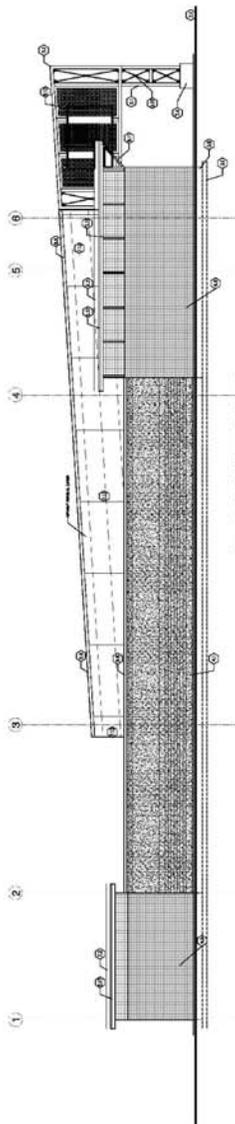
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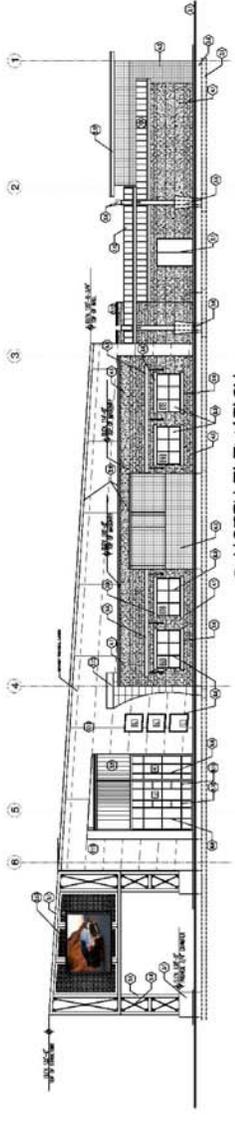
PRELIMINARY REVISION SET DEC-2009

**GENERAL SHEET NOTES**

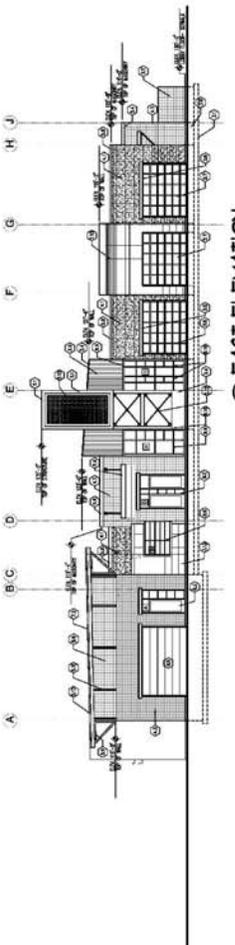
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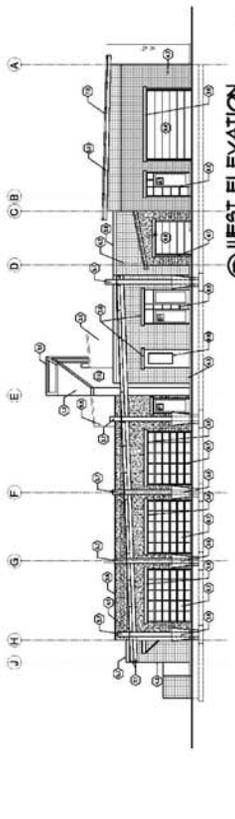
**A SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"



**B NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"



**C EAST ELEVATION**  
SCALE: 3/32" = 1'-0"



**D WEST ELEVATION**  
SCALE: 3/32" = 1'-0"





# REPORT TO THE CITY COUNCIL

## I-3 ZONE CREATION, I-2 ZONE MODIFICATIONS AND SITE PLAN DEVELOPMENT REQUIREMENTS TEXT AMENDMENT

**Agenda Date:** February 16, 2010

**Staff Contacts:** Dave Anderson, Community Development Director.

**Reviewed By:** Development Review Committee, Planning Commission.

**Request:** Spanish Fork City is proposing to modify the requirements for outdoor storage areas. Other proposed changes involve the readoption of a heavy industrial zoning district and a modification in the required zoning for wind farms.

**Zoning:** City-wide.

**General Plan:** City-wide.

**Project Size:** City-wide.

**Number of lots:** Not applicable.

**Location:** Not applicable.

### Background Discussion

The proposed Amendments include the reestablishment of the I-3 Zoning District and changes to the City's regulations for wind farms. Other proposed modifications include changes to the requirements for outdoor storage areas.

The Planning Commission reviewed these changes in their February 3, 2010 meeting and recommended that they be approved. Associated with the Planning Commission's recommendation were several minor modifications that have been made to the proposed text that is attached to this report.

One particular use that was discussed in the Planning Commission meeting is the manufacture of concrete products. The best example of this use in Spanish Fork today is the Staker Parson facility on 200 East. The discussion related to that use focused on whether it is best to leave it as a Conditional Use in the I-2 Zone or best to remove it from the I-2 Zone and only permit the manufacture of concrete products in the I-3 Zone.

From a land use perspective, it would be best to only permit the manufacture of concrete products in the I-3 Zone. However, staff is somewhat concerned about making the Staker Parson facility, which is currently zoned I-2, non-conforming. With that said, the Commission suggested that staff review the issue and perhaps meet with Staker Parson before reporting back to the Commission in future months.

### Development Review Committee

The Development Review Committee discussed this proposal in their September 23, 2009 and November 11, 2009 meetings. Minutes for the November 11, 2009 meeting read as follows:

#### Zoning Text Amendment

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained that there were nuisance problems with storage areas within the City. He said there was a need to define what an outdoor storage area was and how they would need to be improved at construction.

Discussion was held regarding how to word the storage area definitions, the purpose of the language (to make sure that outdoor storage is properly screened), conditions of the outdoor storage area, the acreage of the City shops and whether or not the City would meet this ordinance, and a zone that the City could use as a place to store concrete and other material.

*\*\*Mr. Thompson and Mr. Oyler arrived at 10:38 a.m.*

Mr. Oyler **moved** to **approve** the zoning text amendment to outdoor storage as discussed. Mr. Peterson **seconded** and the motion **passed** all in favor.

## **Planning Commission**

Draft minutes from the February 3, 2010 Planning Commission meeting read as follows:

### **Proposed Amendments to Title 15, Site Plan Development Requirements (continued from January 6, 2010)**

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Mr. Anderson explained the proposed changes. He said that he felt that there was a need to clean up certain properties in the Light Industrial zone of the City. He explained that there was also a need for a Heavy Industrial zone. He explained that they wanted to add definitions for outdoor storage areas, outdoor display areas, wind power facility (check on this and next one).

Chairman Christianson asked if this ordinance would be retroactive. He asked if this could be used to enforce the rules on old projects. Mr. Anderson said that it would only apply to new and current projects. Commissioner Evans asked if it would be required when someone modifies a structure. Mr. Anderson answered that it would. Chairman Christianson asked how current issues would be addressed. Mr. Anderson explained that it would be through the nuisance ordinance. He

explained that the issues being addressed are not covered by the current nuisance ordinance and that that would be something staff would need to look at.

Commissioner Marshall asked if these would be considered part of a use or separate uses themselves. Mr. Anderson explained that it would be the latter. Commissioner Marshall if automobile wrecking and salvage yards would be permitted in the I-3 zone. Mr. Anderson said that they would be. Commissioner Marshall asked if concrete manufacturing would remain a conditional use in the I-2 since it would be allowed in the I-3. Mr. Anderson said that he wasn't comfortable with that because of the Staker Parson plant. Commissioner Marshall asked if it could be zoned I-3. Mr. Anderson said that he wouldn't want to zone that area I-3 because of the potential for less-intense uses in that area. Commissioner Marshall asked if they could change just the Staker Parson property.

Commissioner Robins said that he didn't see a salvage yard in the future of Spanish Fork. Commissioner Marshall agreed. Commissioner Robins suggested that it be struck from the code. Commissioner Evans suggested that some of the language from the I-2 be included in the I-3 to prevent them. Commissioner Robins asked for an example of a wholesale trade business other than those expressly forbidden by the code. Mr. Anderson said that he would come up with an example in the City. Mr. Nord said that this type of business was not defined in the code. Commissioner Robins asked if Mr. Anderson wanted to talk to Staker-Parsons before moving on. Mr. Anderson said that he would prefer to move forward, but that the City's legal department could arrange a discussion with them. Commissioner Marshall suggested that that be a condition.

Randy Giboney

Mr. Giboney explained that he is a small business owner and that he had had experiences with other businesses near his that have negatively impacted his business. He asked what the specifics of storage were. Mr. Anderson showed him the proposed definition. Mr. Giboney said that this should affect existing businesses. He said that when storage spills onto neighboring properties it become a nuisance. He said that the definition may be too broad. Commissioner Marshall pointed out some of the other conditions that would regulate it further. Chairman Christianson said

that he felt that Mr. Giboney's concerns were addressed in this ordinance.

Commissioner Marshall made a **motion** to recommend that the proposed zoning text amendment be **approved** with the changes as discussed tonight and the following condition:

**Changes Discussed:**

1. Remove Outdoor Display area from C-2 zone.
2. Add "except" language to I-3.A.2 as in the I-2 zone.

**Conditions:**

1. That discussion take place with Staker Parson regarding rezoning or non-conforming.

Commissioner Robins **seconded** and the motion **passed** all in favor.

**Budgetary Impact**

Staff believes there would be little or no budgetary impact with the proposed Zoning Text Amendment.

**Recommendation**

Staff recommends that the proposed Zoning Text Amendment be approved.

**- PROPOSED ADDITIONS TO DEFINITIONS -**

**Outdoor storage area:** an area that is designated on a Site Plan for the storage of raw materials, finished products, vehicles, trailers or other equipment used in connection with a business located on the same site.

**Outdoor display area:** an area that is designated on a Site Plan for the outdoor display of the following items that are available for retail sale or rent: new or used automobiles, trailers, boats, recreational vehicles, construction equipment, or other finished products.

**Large wind energy system:** wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of more than 100 kW.

**Tower height:** The height of a wind turbine measured from the grade level to the hub.

**Blade sweep:** The diameter of the wind turbine blades as determined by the blade rotation.

## - PROPOSED ADDITIONS TO ZONING DISTRICTS –

### C-2 General Commercial

This district is intended to provide for a wide range of commercial uses designed to serve neighborhood, community, and regional needs. Uses may be freestanding or integrated in a center.

#### A. Permitted Uses:

The following uses are permitted if operated from a permanent, enclosed building with no outside storage ~~or display~~ of merchandise:

1. Art galleries and studios.
2. Child care centers.
3. Churches.
4. Private clubs.
5. Entertainment uses.
6. Financial institutions.
7. Hotels and motels.
8. Medical and dental laboratories.
9. Office supply, copying, printing businesses.
10. Offices.
11. Personal service businesses.
12. Public utility facilities required for local service.
13. Restaurants.
14. Retail uses.
15. Repair services for small appliances, bicycles, jewelry, and similar items.
16. Instructional Studios.
17. Lube Centers.
18. Tire Centers.
19. Convenience Stores.
20. Car wash (full service)
21. Municipal facilities required for local service.
- 22. Outdoor display area.**

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such:

1. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.

#### B. Uses Subject to Conditions

1. Seasonal sales and special events (as described in §15.3.24.050 et seq.).

#### C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. Outdoor commercial recreation facilities.
2. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
3. Wireless communication facilities on existing structures, with the intent to make them “stealth” facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

#### D. Accessory Buildings and Uses (see §15.3.24.090):

1. Caretaker’s residence.

#### E. Development Standards (see Table 2).

#### F. Site Plan/Design Review (see §15.4.08.010 et seq.).

#### G. Landscaping, Buffering, Walls (see §15.4.16.130).

#### H. Signs (see §5.36.010 et seq.).

#### I. Parking (see §15.4.16.120).

### S-C Shopping Center

This district is intended to provide retail uses, service oriented businesses, offices, and restaurants in an integrated center. Each center shares common architecture, access, parking, signage, and landscape design. Centers will typically be five (5) to fifteen (15) acres in size and provide neighborhood or community level destination shopping while incorporating a design which enhances pedestrian orientation within the center.

#### A. Permitted Uses:

The following uses are permitted if operated from a permanent, enclosed building with no outside storage ~~or display~~ of merchandise:

1. Retail uses.
2. Personal service businesses.
3. Offices.
4. Restaurants.
5. Entertainment uses.
6. Office supply, copying, and printing businesses.
7. Child care centers.
8. Art galleries and studios.
9. Instructional Studios.
10. Lube Center.
11. Tire Center.
12. Convenience Store.
13. Car wash (full service).
14. Municipal facilities required for local service.

#### **15. Outdoor display area.**

The following uses are permitted if operated from a permanent, enclosed building and may have outside storage or display of merchandise which is customarily part of such business:

#### B. Uses Subject to Conditions:

1. Seasonal sales and special events (as described in §15.3.24.050 et seq.).

#### C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. New automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities, and repair services associated with such facilities.
2. Hotels and motels.
3. Outdoor commercial recreation facilities.
4. Outdoor display or storage of materials or merchandise in conjunction with any permitted use.
5. Wireless communication facilities on existing structures, with the intent to make them “stealth” facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

#### D. Accessory Buildings and Uses (see §15.3.24.090).

#### E. Development Standards (see Table 2).15.3.16.120 I-1

### Light Industrial

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water, or noise pollution will not be allowed. Residential use are not allowed.

#### A. Permitted Uses:

1. The indoor manufacturing, assembly and storage of finished products.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive service, paint and body work, other consumer goods repair.
8. Trade or business schools.
9. Office supply, copying, printing businesses.
10. Offices.
11. Restaurants.
12. Financial institutions.
13. Retail businesses.
14. Telecommunication towers not taller than sixty (60) feet.
15. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.
16. Instructional Studios.
17. Veterinary offices for large animals and/or outside boarding of any animals.
18. New and used automobile, motorcycle, boat, truck, and recreational vehicle sales and rental facilities and repair services associated with such facilities.
19. Car wash (self or full service).
20. Automotive repair.
21. Lube Centers.
22. Tire Care Centers.
23. Municipal facilities required for local service.

**24. Outdoor display area.**

**B. Uses Subject to Conditions:**

1. Seasonal sales and special events (as described in §15.3.24.050 et seq.).
2. Sexually oriented businesses as defined in Chapter 5.28 of the Spanish Fork Municipal Code

**3. Outdoor storage areas (see §15.3.24.090(E)).**

**C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Outdoor commercial recreation facilities.
2. Drive-in theaters.
3. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
4. Telecommunication towers taller than sixty (60) feet.
5. Jails, county and City.
6. Residential Treatment Centers (not owner occupied).
7. Rehabilitation treatment facilities.
8. Shelter care facilities.
9. Publically owned and operated recycling centers.
10. Publically owned and operated compost facilities.

**I-2 Medium Industrial**

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit moderate amounts of air, water, or noise pollution may be considered as conditional uses. Residential uses are not allowed.

**A. Permitted Uses:**

1. Manufacturing and assembly of finished products except animal fats and oils, ammunition, and those manufacturing uses listed as conditional uses.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Automotive repair.
8. Lube Centers.
9. Tire Care Centers.
10. Municipal facilities required for local service.
11. Trade or business schools.
12. Office supply, copying, printing businesses.
13. Offices.
14. Restaurants.
15. Financial institutions.
16. Retail businesses.
17. Telecommunication towers not taller sixty (60) feet.
18. Car wash (self or full service)
19. Impound yard.

**20. Outdoor display area.**

**B. Uses Subject to Conditions:**

1. Seasonal sales and special events (as described in §15.3.24.050 et seq.).

**2. Outdoor storage areas (see §15.3.24.090(E)).**

**C. Uses Subject to Conditional Use Permit (see §15.3.08.060):**

1. Manufacture of concrete products.
2. Drive-in theaters.
3. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.
4. Telecommunication towers taller than sixty (60) feet.
5. Self-storage warehouses and/or recreational vehicle storage.

~~**6. Transfer facilities.**~~

**I-3 Heavy Industrial**

**This district is intended to provide for employment related uses including heavy manufacturing, assembling, warehousing, and wholesale activities. Residential uses are not allowed.**

**A. Permitted Uses:**

1. Manufacturing and assembly of finished products.
2. Wholesale trade businesses except explosives or automobile wrecking or salvage yards.
3. Lumber and building material yards.
4. Contractor warehouse and storage yards.
5. Trucking and warehousing.
6. Research, development, and testing services.
7. Municipal facilities required for local service.
8. Offices.
9. Impound yard.
10. Outdoor storage area.
11. Manufacture of concrete products.

**B. Uses Subject to Conditions:**

1. Rock Crusher with Surface Mining Overlay approval. (see §15.4.20.040)
2. Large Wind Energy System. (15.3.24.090 (H))

**C. Uses Subject to Conditional Use**

**Permit (see §15.3.08.060):**

- 1. Telecommunication towers taller than sixty (60) feet.**
- 2. Self-storage warehouses and/or recreational vehicle storage.**
- 3. Transfer facilities.**

**Public Facilities (P-F)**

This district is intended to provide for structures and uses that are owned, leased, or operated by a governmental entity for the purpose of providing governmental services to the community. Allowed uses will be necessary for the efficient function of the local community or may be desired services which contribute to the community's cultural or educational enrichment. Other allowed uses will be ancillary to a larger use that provides a direct governmental service to the community.

**A. Permitted Uses:**

1. Child care centers.
2. Offices.
3. Public safety facilities.
4. Court buildings and related facilities.
6. Government owned nurseries and tree farms.
7. Municipal facilities required for local service.
8. Golf courses and related facilities.
9. Public parks and recreational facilities.
10. Libraries.
11. Public art galleries.
12. Transit centers and related facilities.
13. Government maintenance shops and related facilities.
14. Campgrounds.
15. Government storage buildings.
16. Government storage yards.
18. Museums.
19. Theaters.
20. Publicly owned zoos.
21. Temporary office and construction trailers.
22. Cemeteries.
24. Publicly owned stadiums and arenas.
25. Gun clubs and firing ranges.
26. Parking structures.
27. Automotive repair.
28. Lube Centers.
29. Car wash (self or full service).
30. Wireless communication facilities on light stanchions in public parks, playgrounds, schools, golf courses and related facilities (so long as the structure height does not exceed 20 feet above the existing structure and is a monopole).

**B. Uses Subject to Conditions:**

- 1. Outdoor storage areas. (see §15.3.24.090(E))**

**C. Uses Subject to Conditional Use**

Permit (see §15.3.08.060):

1. Hospitals.
2. Restaurants.
3. Wireless communication facilities on existing structures, with the intent to make them "stealth" facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.

**D. Accessory Buildings and Uses (see §15.3.24.090).**

**E. Development Standards.**

1. The maximum height of any building or structure shall be limited to 65 feet.

2. Setbacks shall be as follows for all main buildings:

A. Front Yard, 20 feet;

B. Corner side yard, 20 feet;

C. Interior Side

Yard, 10 feet;

D. Rear yard, 20 feet.

**F. Site Plan/Design Review (see §15.4.08.010 et seq.).**

**G. Landscaping, Buffering, Walls (see §15.4.16.130).**

**H. Signs.**

1. Signage shall be permitted in accordance with section §15.36.010. Substitute or additional signage shall be permitted if it is deemed essential to providing a government service.

**I. Parking (see §15.4.16.120).**

**- PROPOSED MODIFICATIONS TO CONSTRUCTION REQUIREMENTS -**

Chapter 24 Uses Subject to Conditions/  
Supplementary Regulations

- 15.3.24.010 Treatment Facilities
- 15.3.24.020 Billboards
- 15.3.24.030 Master Planned Development (PUD)
- 15.3.24.040 Manufactured Homes
- 15.3.24.050 Seasonal Sales and Special Events
- 15.3.24.060 Subdivision Model Home
- 15.3.24.070 Temporary Office or Construction Trailers
- 15.3.24.080 Sexually Oriented Businesses
- 15.3.24.090 Supplementary Regulations

15.3.24.010 Treatment Facilities

A. Residential Facility for Persons with a Disability

The following conditions must be met:

1. A valid Spanish Fork City Business license shall be obtained.
2. The facility must comply with the development standards of the zoning district.
3. The building character and landscaping shall be of the same general character of those of other residences and yards in the neighborhood.
4. No facility shall be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property.
5. Prior to the occupancy of any facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health to establish and operate the facility shall:
  - a. provide a copy of such license or certification to the City.
  - b. be classified as level 1 or level 2 as set forth in the Small Health Care Facility Rules as promulgated by the State of Utah, Department of Health Care Licensing.
    - i. persons placed in a level 2 facility shall be deemed non-violent or nonthreatening and shall be permitted with no further requirements.
    - ii. individuals placed in a level 1 facility shall produce, through the operator of the facility, a certificate issued by the appropriate medical or other licensed mental health professional ie: LCSW, D.O., PhD. or M.D., M.F.T., MSW, and based upon professional evaluations such as, but not limited to, the ICAP, MMPI, DSM, and/or such other resources, including a potential patient's behavioral history, as may be available to the medical or other mental health professional, which certificate shall indicate that the person is not violent, nor a direct threat to the safety of the property or any other person at the time of placement. Production of the certificate required by this section shall be a prerequisite to the obtaining of the business license required by this chapter. Each new resident shall also provide said certificate in order for the facility to be eligible to renew its business license.

6. The facility shall comply with all health and safety codes applicable to that type of building and use.
7. The operator of any facility shall be required to provide supervision in accordance with the rules and regulations of the State of Utah Department of Social Services or Department of Health, which care shall be on a twenty-four (24) hour basis if so required by the aforementioned rules and regulations.
8. Off-street parking shall be provided to accommodate staff and one (1) visitor space for every three (3) residents.
9. No facility licensed for the housing of more than eight (8) disabled persons, shall be established or maintained within 660 feet measured in a straight line between the closest property lines of the lots or parcels, of the following facilities:
  - a. another residential facility for persons with a disability licensed for the housing of more than eight (8) persons;
  - b. a residential facility for the elderly with more than eight (8) elderly persons in residence; or
  - c. any of the following facilities: shelter care facility, assisted living center, and residential treatment center.
10. The use permitted by this section is nontransferable and shall be terminated if:
  - a. the facility is devoted to a use other than a residential facility for persons with a disability, or
  - b. the license or certification issued has been terminated or revoked, or
3. the facility fails to comply with these conditions.

B. Residential Facility for Elderly Persons

The following conditions must be met:

1. A valid Spanish Fork City Business license shall be obtained.
2. The facility must comply with the development standards of the zoning district.
3. The building character and landscaping shall be of the same general character of those of other residences and yards in the neighborhood.
4. No facility shall be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property.
5. Prior to the occupancy of any facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health to establish and operate the facility shall:
  - a. provide a copy of such license or certification to the City and
  - b. certify in a sworn affidavit to the City that no person will reside or remain in the facility whose tenancy would likely:
    - i. constitute a direct threat to the health or safety of other individuals, or
    - ii. result in substantial physical damage to the property of others.
6. The facility shall comply with all health and safety codes applicable to that type of building and use.
7. No facility licensed for the housing of more than eight (8) elderly persons, shall be established or maintained

within 660 feet measured in a straight line between the closest property lines of the lots or parcels, of the following similar facilities:

- a. another residential facility for elderly persons licensed for the housing of more than eight (8) persons;
  - b. a residential facility for the disabled with more than eight (8) persons in residence; or
  - c. any of the following facilities: shelter care facility, assisted living facility and residential treatment center.
8. The use permitted by this section is nontransferable and shall be terminated if:
- a. the facility is devoted to a use other than a residential facility for elderly persons, or
  - b. the license or certification issued has been terminated or revoked, or
  - c. the facility fails to comply with these conditions.

#### C. Assisted Living Facility

The following conditions must be met:

1. A valid Spanish Fork City Business license shall be obtained.
2. The facility must comply with the development standards of the zoning district.
3. Lot Size
  - a. Twenty (20) beds or less - 1,000 square feet per bed ratio (10 beds = 10,000 square foot).
  - b. More than twenty (20) beds - one (1) acre minimum plus 1,000 square feet per bed over the 20.
4. The building character and landscaping shall be of the same general character of those of other residences and yards in the neighborhood.
5. Off-street parking shall be provided to accommodate staff and one (1) visitor space for every three (3) residents for facilities larger than 15 beds.
6. No facility shall be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or result in substantial physical damage to the property.
7. Prior to the occupancy of any facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health to establish and operate the facility shall:
  - a. provide a copy of such license or certification to the City and
  - b. certify in a sworn affidavit to the City that no person will reside or remain in the facility whose tenancy would likely:
    - i. constitute a direct threat to the health or safety of other individuals, or
    - ii. result in substantial physical damage to the property of others.
8. The assisted living facility shall comply with all health and safety codes applicable to that type of building and use.
9. No assisted living facility licensed for the housing of more than eight (8) persons, shall be established or maintained within 660 feet measured in a straight line between the closest property lines of the lots or parcels, of the following similar facilities:
  - a. another assisted living facility for more than eight (8) persons;

- b. a residential facility for the disabled with more than eight (8) persons in residence; or
- c. any of the following facilities: shelter care facility and residential treatment center.

10. The use permitted by this section is nontransferable and shall be terminated if:

- a. the facility is devoted to a use other than an assisted living facility, or
- b. the license or certification issued has been terminated or revoked, or
- c. the facility fails to comply with these conditions.

#### D. Residential Treatment Center

The following conditions must be met:

1. A valid Spanish Fork City Business license shall be obtained.
2. The facility must comply with the development standards of the zoning district.
3. The facility must be located on at least a two (2) acre parcel or larger.
  - a. Twenty (20) beds or more - two (2) acre parcel minimum plus 1,000 square feet per bed over the 20 to a maximum of forty (40) beds.
4. The building character and landscaping shall be of the same general character of those of other residences/structures and landscaping in the area of the facility.
5. Off-street parking shall be provided to accommodate staff and one (1) visitor space for every three (3) residents or met the requirement of the zoning district.
6. No facility shall be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals in the facility or result in substantial physical damage to the property.
7. Prior to the occupancy of any facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health to establish and operate the facility shall:
  - a. provide a copy of such license or certification to the City and the facility shall be classified as level 1 or level 2 as set forth in the Small Health Care Facility Rules as promulgated by the State of Utah, Department of Health Care Licensing.
    - i. Persons placed in a level 2 facility shall be deemed non-violent or nonthreatening and shall be permitted with no further requirements.
    - ii. Individuals placed in a level 1 facility shall produce, through the operator of the facility, a certificate issued by the appropriate medical or other licensed mental health professional ie: LCSW, D.O., PhD. or M.D., M.F.T., M.S.W., and based upon professional evaluations such as the ICAP, MMPI, DSM, and/or such other resources, including a potential patient's behavioral history, as may be available to the medical or other mental health professional, which certificate shall indicate that the person is not violent, nor a direct threat to the safety of the property of any other person at the time of placement. Production of the certificate required by this section shall be a prerequisite to the obtaining of the business license required by this chapter. Each new resident shall also

provide said certificate in order for the facility to be eligible to renew its business license.

8 The facility shall comply with all health and safety codes applicable to that type of building and use.

9. Must meet the Design and Separation requirements in paragraph E of this section if located in a residential zone.

10. Any residential treatment facility located in a residential zone must be supervised 24 hours a day 7 days a week which shall include, but not necessarily be limited to, house parents who are on site 24 hours a day, and video monitoring in all common areas, including entrances and exits. Other surveillance measures may be included which are designed to protect the health and safety of residents therein.

11. The use permitted by this section is nontransferable and shall be terminated if:

- a. the facility is devoted to a use other than a residential treatment center, or
- b. the license or certification issued has been terminated or revoked, or
- c. the facility fails to comply with these conditions.

12. Any residential treatment facility shall be 660 feet from any public or private school or church measured from the shortest point from structure to structure.

13. The conditions will be reviewed annually by the Development Review Committee (DRC) to assure conformance.

#### E. Design and Separation

1. All residential facilities for persons with a disability, residential facility for elderly persons, residential treatment center, supervisory care facility, and assisted living facility must meet these requirements.

2. Any new or remodeled facility shall comply with the following design standards:

- a. The design, exterior materials and colors of the facility shall match the principal structures in the neighborhood (area).
- b. The facility shall be constructed in a manner as to blend in and not draw attention.
- c. A facility located in a residential zone is required to have a two car garage facing the street or a side entry garage. Any additional parking will be paved and located behind the facility.
- d. The facility shall not exceed the square footage of the average of the twenty (20) nearest residential homes.
- e. The facility shall meet all zoning requirements of the zone in which it is proposed.
- f. The facility shall have a fully fenced rear yard of either masonry or vinyl materials six (6) feet in height.

3. No facility listed in subsection 1 may be located within 660 feet from another.

#### **E. Outdoor storage areas**

**The following conditions must be met:**

**1. The storage area must be paved with asphalt or concrete or be covered with gravel. In situations where gravel is utilized, no less than four (4) inches of ¾ inch crushed gravel or six (6) inches of ¾ inch untreated base course shall be installed. Additional improvements may be required by the City Engineer in accordance with the findings of a site-specific geotechnical report. Where a paving**

**material other than asphalt or concrete is utilized, a drive apron shall be installed at all points of vehicular access. The drive apron shall be twenty-six feet wide and no less than sixty (60) feet long.**

**2. The outdoor storage area must be screened from surrounding properties with a six-foot tall masonry wall. Where the outdoor storage area abuts a public street, a ten-foot wide landscaped planter shall be installed between the masonry wall and the sidewalk or right-of-way. Landscaping shall be installed and maintained in accordance to the requirements found in section 15.4.16.130.**

**3. Lighting shall be provided in outdoor storage areas. A photometric lighting plan shall be submitted with the Site Plan application. The lighting plan shall demonstrate the capacity of the proposed lighting to uniformly illuminate the storage area without creating undue spillover onto surrounding properties.**

**4. Material kept in an outdoor storage area cannot be stacked or piled to a height that exceeds twelve feet.**

**- PROPOSED MODIFICATIONS TO SUPPLEMENTARY REQUIREMENTS -**

15.3.24.090 Supplementary Regulations

- A. Accessory Buildings, Structures, or Satellite Earth Stations.
- B. Swimming Pools
- C. Yard/Garage Sales
- D. Irregular Lots
- E. Accessory (basement, mother-in-law) Apartments
- F. Awnings or Covered Decks
- G. Animals
- H. Wind Turbines (WT)

H. Wind Turbines (WT)

It is the purpose of this section to promote the safe, effective, and efficient use of large wind energy systems installed to provide electricity to utilities and to promote the adoption of renewable energy resources to reduce dependence on fossil fuel power generation.

**A. Definitions:**

~~1. Large wind energy system: wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of more than 100 kW.~~

~~2. Tower height: The height of a wind turbine measured from the grade level to the hub.~~

~~3. Blade sweep: The diameter of the wind turbine blades as determined by the blade rotation.~~

B. Requirements:

- 1. Minimum parcel size: A large wind energy system consisting of one tower must be located on a parcel that is a minimum of five acres in size. An additional acre of property is required for each additional tower.
- 2. Onsite structures maybe located up to the foundation of the tower.
- 3. Setback from a residential zone or use: The tower base must be setback a minimum of 500 feet from residential zoning districts.
- 4. Distance from rights-of-way and property lines: None; but all tower bases must be located on leased or owned property. The blade sweep cannot encroach upon adjoining properties or rights-of-way without easements providing for their encroachment. The easement must be a recorded document.
- 5. Height: Tower height is not to exceed 270 feet. Provided that, in all cases, the system shall comply with all applicable Federal Aviation Administration (FAA) requirements.
- 6. Height of Blade (tip at low point of blade sweep from ground): No closer than 50 feet.
- 7. Braking Device: All WT devices shall have braking systems when winds reach speeds in excess of 65 miles per hour.
- 8. Sign: One project identification warning sign is permitted containing a telephone number for emergency calls, no larger than 16 square feet in size.
- 9. Color/Finish: white or other non-reflective color.
- 10. Interference with Broadcast Signals: The system shall not create electromagnetic interference and shall be

filtered and/or shielded to prevent interference with broadcast signals.

11. Compliance with International Building Code (IBC): Building permit applications for large wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower and WT showing compliance with the building code and certified by a professional engineer licensed in the state of Utah shall also be submitted.

12. Compliance with FAA Regulations: Large wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

13. Utility Notification: A letter shall be provided from any interconnecting utility companies confirming approval for any interconnection.

14. Zoning Districts: Large wind energy systems are permitted only in the **I-3 zoning district. ~~I-1 and I-2 zoning districts which are east of the intersection of State Road 6 and U.S. Highway 89.~~**

15. Wind Study: A wind or feasibility study must be conducted and recommend a specific location for the WT. The study must also recommend an optimal height for the WT and if the location is feasible for a WT.

16. The tower shall not be climbable from the exterior.

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**Tentative Minutes**  
**Spanish Fork City Council Meeting**  
**775 West Center Street, Spanish Fork, UT**  
**January 22-23, 2010**

Elected Officials Present: Mayor G. Wayne Andersen, Councilmember's Rod Dart, Richard M. Davis, Keir A. Scoubes, Jens P. Nielson, Steve Leifson

Staff Present: Dave Oyler, City Manager; Richard Heap, Public Works Director; Junior Baker, City Attorney; John Bowcut, IS Director; Dee Rosenbaum, Public Safety Director; Dale Robinson, Parks and Recreation Director; Dave Anderson, City Planner; Seth Perrins, Assistant City Manager; Kent Clark, Finance Director; Pam Jackson, Library Director; Kimberly Robinson, City Recorder

**FRIDAY JANUARY 22, 2010**

The meeting was called to order by Mayor Andersen at 1:07 p.m.

**LEGAL**

Mr. Baker gave his presentation on the budget for the Legal Department. He introduced the Legal Department employees.

He then defined social media, and stated the need to appropriately use social media. He noted some different case law regarding city business being conducted via e-mail and what that means. Mr. Baker suggested that when in City Council meeting the best idea is for the Council to turn off their cell phones and lap tops to avoid any potential issues with e-mail and texting in violation of the open meetings act. He noted from a litigation stand point it is better to just use the telephone.

Mr. Baker explained what GRAMA is and how to be careful with the social media regarding records.

Discussion was made regarding the current media information Spanish Fork City is involved with and who should be allowed to post the information.

Mr. Baker also discussed the issues of false alarms and the plan to create an ordinance regarding a false alarm policy.

Discussion was made regarding the false alarm issues.

Councilman Leifson feels the false alarm policy should be on the Council agenda and the Chamber of Commerce should be invited to attend.

Mr. Baker said it will be put on the February 2, 2010 agenda.

Councilman Scoubes asked what type of drain the required permitting for the home alarm system would create and how they are going to handle that additional staff need.

Dee Rosenbaum stated the application will be available online and that they will be really reasonable due to the circumstances.

Councilman Scoubes expressed his concern regarding people's hesitation about registering.

55 Mr. Baker stated the proposed effective date would be July 1, 2010 so there would be time to  
56 notify and work with the businesses and people.

57  
58 Mr. Baker asked that we be very careful to ensure we are following our ordinances.  
59

## 60 **PLANNING**

61  
62 Mr. Anderson gave his presentation on the budget for the Community Development  
63 Department.

64  
65 Community Development Department  
66 Inspection Work Load  
67 - 9.25 Inspections per day.  
68

69 2009 Development Report  
70 - Projects throughout the City  
71 - Inventory of lots available for development  
72 - Growth Boundary Development  
73 - Development Approvals  
74 - 427 lots approved preliminary plats  
75 - 49 lots final plats  
76 - 6 site plans  
77

78 Economic Development Program  
79 - Were able to meet with most of the key businesses in the city  
80 - Develop database of business information  
81 - Meet with staff or city officials from six communities  
82 - Revamp City's permitted and conditional uses lists  
83 - Amend zoning map to revise industrial and business park zones  
84 - Send site visit invitation to 100 companies and site selectors  
85 - Initiate one annexation of non-residential properties  
86 - Develop program to kick off branding campaign and cut loose  
87 - Collaborate with the Chamber of Commerce to define roles and develop a program  
88 to measure progress  
89 - Update Business License Program  
90 - Participate in EDCUtah's RECON program  
91 - Streamline Development Review Process  
92 - Continue review and respond to EDCUtah  
93

94 *(Councilmember Nielson arrived late 2:39 p.m.)*  
95

96 - They have seen a noticeable decrease in site visits  
97 - They struggle to find properties that meet project requirements  
98 - Limitations on power delivery may be an issue  
99 - They have seven sites listed with EDCUtah  
100 - They have responded to five projects via EDCUtah in 2009  
101 - The Branding Campaign did not hit its stride  
102

103 2010 Planning Department Economic Development Program  
104 2010 Goals  
105 1. Meet with each key business at least once in 2010  
106 2. Develop database of business information  
107 3. Meet with staff or city officials from six communities  
108 4. Revamp City's permitted and conditional uses lists  
109 5. Amend zoning map to revise industrial and business park zones  
110 6. Send site visit invitation to companies and site selectors

- 111 7. Initiate one annexation of non-residential properties
- 112 8. Develop program to kick off branding campaign and cut loose
- 113 9. Collaborate with the Chamber of Commerce to define roles and develop a program
- 114 to measure progress
- 115 10. Update Business License Program
- 116 11. Participate in EDCUtah's RECON program
- 117 12. Streamline development review process
- 118 13. Continue review and respond to EDCUtah projects

119  
120 **General Plan**

121 The purpose for having a general plan is to have a blueprint

- 122 Two Parts
- 123 Map
- 124 Narrative

125  
126 **Focus Areas**

- 127 The area surrounding prospective Center Street interchange
- 128 The 900 North corridor from main street to 600 east
- 129 The area surrounding the intersection of 1100 east and Canyon road
- 130 The blocks that flank Main Street corridor
- 131 The river bottoms

132  
133 **Concepts and Programs**

- 134 Downtown vitalization
- 135 Transfer of Development rights
- 136 Street tree standards
- 137 Growth boundary adjustments
- 138 Accessory apartments
- 139 Amendment procedure

140  
141 **Format Overhaul**

142 The General Plan will be the big project for 2010

143  
144 **LIBRARY**

145  
146 Ms. Jackson gave her presentation on the budget for the Library Department. The economy  
147 has declined and the need for public libraries and the services provided has continued to  
148 increase.

149 Food for fines program

150 Open Source vs. Dynix

- 151 - Yearly savings will be over \$10,000 per year

152 Innovative Material for Minimal Cost

153  
154 Discussion was made regarding the library fees for non-residents and possibly raising the  
155 rates. The Council would like to know how much it actually costs the citizens to use the library  
156 even though they do not pay the direct fee. They feel if it is more than the non-residents the  
157 fees should be raised.

158  
159 Putting together the needs of the community with fiscal consideration

- 160 1. Increase fee from \$25 to \$35 per family per year for non-residents
- 161 2. Creative Program strategies
- 162 3. Going Green use promotions to encourage reusable bags
- 163 4. Utilizing resources provided by Utah State Library

164  
165 Councilman Leifson requested the library fees for the cost to the City that the residents are

166 paying to support the library. He feels the information should help to respond to the emotional  
167 response to raising the fee.

168  
169 **BROADBAND**

170  
171 Mr. Bowcut gave his presentation on the budget for the Broadband Department.

172 Phone Service Preparations

- 173 - Customer Survey
- 174 - Node Certification Process
- 175 - Network Operations Center (NOC)
- 176 - Major Network Enhancements
- 177 - Redundant fiber link for internet and voice
- 178 - New Advanced Troubleshooting Tools
- 179 - Went through the RFP process to find a partner
- 180 - Voice Partner
- 181 - Unrealistic Expectations
- 182 - Most Long Distance Unlimited Plans are not Unlimited
- 183 - Limited "unlimited" plans are sneaky
- 184 - Keeping a Low Cost service with no included long distance

185 Proposed Rates

- 186 - \$14.95 / month plus 4 cents a minute for long distance
- 187 - \$34.95 Small Business Plan

188 Comcast Abuses

189 Internet Improvements

190 Full Digital Conversion

191 The Amazing SF 17

192 Must keep updating our system

193  
194 **ADJOURN**

195  
196 The meeting was adjourned at 6:00 p.m.

197  
198 **SATURDAY JANUARY 23, 2010**

199  
200 The meeting was called to order at 8:10 a.m.

201  
202 **FINANCE**

203  
204 Mr. Clark gave his presentation on the City's Finances. He reviewed the City's Cash  
205 Reserves. He also reviewed the following revenue streams:

- 206 - Building Permits
- 207 - Impact Fees
- 208 - Electric Fund
- 209 - Sales Tax
- 210 - Interest Income
- 211 - Property Tax

212 Mr. Clark reviewed a comparison of our Utility Rates to other cities. He also reviewed the  
213 North Park project finances.

214 What can we do?

215 What do we need?

216  
217 David Oyler presented information regarding the Utah State Retirement System. He noted the  
218 changes to the Utah State Retirement System program.

219  
220 Mr. Oyler then reviewed the budget. The General Fund has less revenue to operate and  
221 continue to provide the services as they are now. He then reviewed the sales tax projections.

222 The budget will balance this year as long as the Council is willing to use the reserve.  
223 Next years budget will require bringing another million dollars out of the electric fund to  
224 balance the budget. This budget does not include any capital expenditures, but it does  
225 include a pay adjustment of 2% and vehicle maintenance. It is important for all departments  
226 to look where they can increase revenue and also cut back.

227  
228 Councilman Scoubes recommended the departments look at cutting costs in a way outside  
229 the confines they have, and look at changing the ordinances to allow a way to be more  
230 efficient. He gave an example of a smaller vehicle for operation costs.

231  
232 Councilman Leifson noted with the phone tax it might be a good idea to adjust the phone tax  
233 again when they implement the new phone system.

234  
235 David Oyler stated they are going to have to look at what level of services they want to offer  
236 and still cut expenditures.

## 237 238 **PUBLIC WORKS**

239  
240 Mr. Heap gave a presentation on the budget for the Public Works department. He noted the  
241 changes in the department and stated Trapper Burdick is now the Assistant City Engineer.  
242 He then reviewed the project schedule.

243 2550 East Irrigation Pump

244 PI Pond at the Golf Course

245 Engineering Cost Comparisons

246 Water Rights Presently Owned

247 Utility Replacement

248 - \$10 million to \$15 million needed in both water and sewer for replacement of old  
249 lines

250 Impact Fees

251 Streets

252 High and Low Average Daily Traffic

253 Pavement Maintenance Plan

254 300 South Project

255 Streets Maintenance Annual Budget with B&C Road Funds

256 Cost Savings in Public Works

257 Mr. Heap noted the water loss with the older pipes throughout the system.

## 258 259 **BRANDING**

260  
261 Mr. Perrins gave a presentation on the City's Branding.

262 Why Brand Spanish Fork City

263 History of the Project

264 Who was Involved

265 Final Products

266 What was Learned (SWOT)

267 - Strengths

268 - Weaknesses

269 - Opportunities

270 - Threats

271 Logo and Strapline

272 For those who long for a true sense of community Spanish Fork is a progressive small  
273 town at the heart of South Utah County where the embrace of community is as  
274 profound as the mountains that surround it, so you are encouraged, protected, and at  
275 peace.

276

277 The Council and Department Heads were handed new business cards and shirts with the  
278 logo. The Council stepped outside to see the example of the vehicles.  
279 Discussion was made regarding the logo design and branding information and putting the  
280 brand to work throughout the city.

281  
282 **10 Main Objectives**

- 283 1. Develop the necessary tools & organizational structure for implementing, promoting  
284 and developing the brand with the City.
- 285 2. Establish Spanish Fork Brand as priority for the City employees, properties and  
286 programs.
- 287 3. Establish Partnerships with the private sector to move the brand into the community.
- 288 4. Instill the brand into the communications of Spanish Fork and affiliated  
289 organizations.
- 290 5. Integrate the brand into the culture, psyche and sightlines of the community.
- 291 6. Involve Spanish Fork residents in the brand experience.
- 292 7. Develop community events that support and grow the brand.
- 293 8. Use the brand to nurture and grow Spanish Forks cultural opportunities.
- 294 9. Protect and enhance your sense of community and small-town warmth using the  
295 brand.
- 296 10. Attract and retain businesses using the brand as a rallying cry.

297  
298 North Star has provided a 24 month roll out plan with calculated, concerted, and fiscally  
299 conservative steps.

300  
301 **PARKS AND RECREATION**

302  
303 Mr. Robinson gave a presentation on the budget for the Parks and Recreation Department.  
304 There are 12 divisions in Parks and Recreation department.

305 Most popular programs/events

306 Most desired facilities

307 Inter local agreements

308 - Aquatic Center

309 Parks Division

310 - North Park

311 - Trails Master Plan

312 - Trails Funding

313 - River Trail Budget

314 - Parks Master Plan

315 *(Councilman Nielson excused himself from the meeting 1:45 p.m.)*

316 - Parks Growth

317 - Park Regulations Ordinance

318 o Dog Parks

319  
320 Discussion was made regarding the need for a time limit in parks and trails.

321  
322 Councilman Scoubes feels not allowing dogs in any parks is not a good idea.

323  
324 **Special Events**

325 Councilman Scoubes asked if there is a possibility for the future sponsorship of events.

326  
327 Mayor Andersen reported on the rodeo status change. Steven Money has been appointed to  
328 an advisory council for the PRCA which gives our rodeo more prestige. It is difficult in any  
329 kind of a program to stay static, you either move forward or behind, because of that our rodeo  
330 has grown in respect and status. The cowboys across the country enjoy coming to our rodeo,  
331 and our rodeo is now designated as a tour rodeo. That means there is an increase to \$10,000  
332 per event. We also get a guarantee that the top cowboys in the country will be coming to our

333 event [www.prorodeo.com](http://www.prorodeo.com) lists our rodeo as t tour rodeo.

334

335 Festival of Lights

336 Discussion was made regarding the costs involved in the events.

337

338 WindFest

339 Discussion was made regarding moving the event to June instead of September.

340

341 Harvest Moon Hurrah

342 Special Events Coordinators

343 Fairgrounds

344 - Discussion was made regarding the deposit fees for the High Chaparral

345 - The idea of holding a credit card on file for the deposits the Council would like more  
346 information

347 Golf Course Revenues

348 - New Golf Cart Proposal

349 Water Park

350 Gun Club

351 Recreation

352 Concessions

353 Arts Council

354 Buildings and Grounds

355 Cemetery

356 - Need ordinance requiring a vault

357 Senior Center

358

## 359 **PUBLIC SAFETY**

360

361 Mr. Rosenbaum gave a presentation on the budget for the Public Safety Department.

362 Index Crime Comparison

363 2009 New Programs Update

364 - City Youth Peer Court

365 - Drug Disposal Review

366 Three New Programs for 2010

367 - CART – Child Abduction Response Team

368 - Reserve Officers

369 - False Alarms

370 Ongoing Programs

371 Code Enforcement

372 Drug Enforcement

373 Traffic School

374 - Noted the changes in fees by District Court

375 - Budget Shortfall

376 SAFE Grant

377 School Resource Officer

378 DARE Program

379 Internet Safety for Teens

380 TAG Teens Against Graffiti

381 Crossing Guards

382 Animal Control

383 Emergency Preparedness

384 Ambulance Report

385

## 386 **ADJOURN**

387

388 Councilman Dart made a **Motion** to adjourn the meeting. Councilman Davis **Seconded** and  
389 the motion **Passed** all in favor at 5:05 p.m.

390

391

392 ADOPTED:

393

394

395

396

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Kimberly Robinson, Recorder

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22

**Tentative Minutes**  
**Spanish Fork City Council Meeting**  
**February 2, 2010**

5 Elected Officials Present: Mayor G. Wayne Andersen, Councilman Steve Leifson; Jens  
6 Nielson; Rod Dart, Richard M. Davis; Keir Scoubes

8 Staff Present: Seth Perrins, Assistant City Manager; Dave Oyler, City Manager; Richard  
9 Heap, Public Works Director; Junior Baker, City Attorney; Dale Robinson, Parks and  
10 Recreation Director; Kent Clark, Finance Director; Dee Rosenbaum, Public Safety  
11 Director; Dave Anderson, Community Development Director; Kimberly Robinson, City  
12 Recorder, Jered Johnson, City Surveyor; Karen Bradford, Assistant Parks and Recreation  
13 Director

15 Citizens Present: Cary Hanks, Lana Creer Harris, Zach Murray, Danny Thacker, Konlin  
16 Gappmayer, Christina Pearson, Jim Brown, Cindy Bell, Gordon Bell, Nathan Sweat, Tyler  
17 Sweat, Nathan Henry, Shauna Michelsen, Dallin Shepherd, Brad Tanner, Wyatt Jensen,  
18 Austin Mellor, Richard Evans, Eric Burton, Luke Baadsgaard, Jerrylee Shepherd, Daren  
19 Rigrup, Austin Robinson, Brandon Nay, Brayden Critchfield, C.J. Baadsgaard, Taylor  
20 Brown, Wyatt Groves, Sean Cota, Michael Critchfield, Parker Hansen, Nina Isaacson, J.  
21 Merrell Hallam, Robert McMullin, Blair Hamilton, Matt Barber

23 **CALL TO ORDER, PLEDGE:**

24  
25 Mayor Andersen called the meeting to order at 6:00 p.m.

26  
27 Scout Brayden Critchfield led in the pledge of allegiance.

28  
29 **Employee of the Quarter**

30 Mr. Seth Perrins explained the Employee of the Quarter.

31  
32 Mayor Andersen recognized Jered Johnson as the Employee of the Third Quarter.  
33 Recognition was also given to Karen Bradford as Employee of the Fourth Quarter.

34  
35 **Recognition Presentation**

36 Robert McMullin, J. Merrell Hallam, Blair Hamilton, Strawberry Water Users

37  
38 J. Merrell Hallam

39 Mr. Hallam recognized Richard Heap for all he has done and accomplished.

40  
41 Blair Hamilton

42 Mr. Hamilton noted Mr. Heap has always been an example of fairness and feels it a  
43 distinct honor to read comments of what other people think about him.

44  
45 Robert McMullin

46 Mr. McMullen presented the lifetime of service award to Richard Heap.

47  
48 **PUBLIC COMMENT:**

49  
50 Shauna Michelson  
51 Ms. Michelson noted what other cities have done to change their ordinances to allow  
52 chickens on a property. She is asking that the City Council consider a change to the code  
53 allowing hens within residential areas.

54  
55 Mayor Andersen asked Junior Baker, City Attorney to look at the code and bring back  
56 some options to the council.

57  
58 Matt Barber  
59 Mr. Barber said it has been brought to his attention the City Council does not want to  
60 renew his representation on the UMPA Board. He explained how he serves on the APPA  
61 National Board representing UMPA. He agrees that the representative for UMPA should  
62 be an elected official and the alternate as well. He stated in the past it has been  
63 addressed by appointing him as the second alternate. He wants to make the Council  
64 aware that he will resign if they choose to do so and that it has been an honor to serve.

65  
66 Councilman Nielson asked for clarification regarding the position.

67  
68 Mr. Barber explained he does not represent Spanish Fork City he represents UMPA, but  
69 in order to serve on the committee he has to be affiliated with the city. That is how they  
70 came up with the second alternate position.

71  
72 Mayor Andersen noted in communication with UMPA they feel the position is important  
73 and they would like to work towards representation of an elected official to fill it. He noted  
74 they appreciate all of Mr. Barber's time and effort.

75  
76 Mr. Barber just wants to ensure the position is guaranteed to someone from UMPA.

77  
78 Mr. Andersen explained another reason to take this approach was this is the end of Mr.  
79 Barber's term and they want to ensure UMPA continues to hold a seat on the APPA  
80 board.

81  
82 **COUNCIL COMMENTS:**

83  
84 Councilman Nielson noted the Budget Work Session was held. He is very appreciative of  
85 the work the city employees do. He feels confident about the direction the city is headed  
86 and the plans the city has made to be financially in a good position to take care of its  
87 needs without raising fee's and taxes too much.

88  
89 Councilman Davis agreed with Councilman Nielson, that we really have some great  
90 employees who help make this city what it is. He also noted the Fiesta Days Committee is  
91 actively working; the theme this year is the new city brand "Surround Yourself".

92  
93 Councilman Leifson noted UMPA is discussing the power issues to try to plan for the  
94 future because some of our electrical contracts are coming up. They are working hard to  
95 keep the power rates low. They held the SUVPS board meeting. SUVPS is who transfers  
96 the power. They are working hard to keep the cost down as well. He agreed with

97 Councilman Davis and Nielson it was a great budget meeting; and he feels they are in  
98 good hands even during these tight difficult times.  
99

100 Councilman Dart agrees with everything said about the budget work session. The Senior  
101 Citizens will be having their valentines dance February 12, 2010. February is also library  
102 lover's month there will be no fees the first two weeks of February. He attended his first  
103 Recreation Board meeting and they had a great discussion.  
104

105 Councilman Scoubes reported the Fine Arts Committee held the fine arts ball and did a  
106 great job of organizing it. He encourages everyone that they get out and participate in the  
107 activities available in the community.  
108

109 Mayor Andersen thanked the staff for the budget meetings as well. He noted throughout  
110 the year the ULCT Legislative Policy Committee meets during the legislative session, they  
111 have an opportunity to go over the bills in some detail to ensure we keep an eye on what  
112 the legislature is doing. They also have an opportunity to meet with their local  
113 representatives and that they know our concerns on the proposed bills. He made  
114 everyone aware he has an open door policy, he is committing that from 4:00 – 5:30 every  
115 council meeting day his office will be open and he will be there to discuss issues.  
116

#### 117 **CONSENT ITEMS:**

##### 118

##### 119 **a. Minutes of Spanish Fork City Council Meeting – January 19, 2010**

##### 120

121 Councilman Leifson made a **Motion** to approve the consent items. Councilman Dart  
122 **Seconded** and the motion **Passed** all in favor.  
123

#### 124 **NEW BUSINESS:**

##### 125

##### 126 **False Alarm Presentation**

##### 127

128 Mr. Dee Rosenbaum gave a presentation about the proposed false alarm ordinance  
129 noting how many false alarm calls they go on and what those entail.  
130

##### 131 **Parks Regulation Presentation**

##### 132

133 Mr. Dale Robinson explained the basis for the ordinance and he stated there would be a  
134 dog park proposed to provide an area for the dog owners to utilize. They would also like  
135 to include a fine for not cleaning up after their dogs.  
136

##### 137 **Isaacson General Plan and Zoning map amendments, located in the vicinity of 885**

##### 138 **North 200 East. The proposal would change the General Plan and Zoning Maps to**

##### 139 **permit commercial uses at 885 North 200 East. (continued from January 19, 2010)**

##### 140

141 Mr. Dave Anderson explained the proposed General Plan amendment has to do with  
142 changing the General Plan for several properties located by 900 north 200 east. The  
143 designation would change the usage from strictly residential and allow for commercial  
144 uses. The second part of the proposal is to change the zoning to residential office zoning.  
145

146 Discussion was made regarding the parking requirements and ability to meet the

147 commercial requirements.

148  
149 Mr. Anderson noted the Planning Commissions recommendation is to postpone this  
150 action until the General Plan is reviewed.

151  
152 Councilman Davis feels where it is coming up to a General Plan review in the next several  
153 months we need to wait, the applicant is asking for a residential office (R-O) designation  
154 and he feels this could be a Commercial Office (C-O) area.

155  
156 Councilman Dart asked if this was changed to Commercial Office would they have to  
157 move out.

158  
159 Mr. Anderson stated they would not have to move out but they would not be able to  
160 change anything. He also explained the differences between the R-O and the home  
161 occupation license requirements.

162  
163 Nina Isaacson

164 Ms. Isaacson stated she has moved into the home and does not need anymore than  
165 three parking spaces. She stated she only treats up to two patients at a time, some might  
166 overlap because they come early.

167  
168 Councilman Leifson feels they should wait for the Planning Commission to review the  
169 General Plan all at one time.

170  
171 Councilman Nielson feels they tend to have a delay in things, he agrees it is a good  
172 reason to wait, but does not want to see it get pushed back again and again.

173  
174 Councilman Davis does not think it should be an R-O zone when in the future it could be  
175 changed to a C-O zone.

176  
177 Mr. Anderson explained the Planning Commission will be discussing a time frame at their  
178 next meeting. He noted they could possibly work on the project incrementally starting with  
179 the areas that can be decided quickly.

180  
181 Mayor Andersen would like to see it incrementally done because there are areas of the  
182 city they can take care of at a later time.

183  
184 Councilman Scoubes asked if there are fees to propose this application.

185  
186 Mr. Anderson stated there are fees and the applicant has paid \$600 so far.

187  
188 Councilman Scoubes is asking if they delay the project too long that they not require the  
189 applicant to have to pay again. He would really hate to see this project delayed.

190  
191 Mr. Anderson explained they have already done the public hearings which is where the  
192 out of pocket expenses come from.

193  
194 Councilman Nielson feels if they were underway he would wait but since they are not  
195 already currently reviewing the General Plan, he does not want to wait that long.

196  
197 Councilman Scoubes noted if they were not going to work on this so soon would the  
198 outcome be the same as far as their decision.

199  
200 Councilman Davis made a **Motion** to deny the Isaacson General Plan and Zoning Map  
201 Amendments. Councilman Leifson **Seconded** and the motion **Passed** by a roll call vote.  
202  
203 Councilman Scoubes - Nay  
204 Councilman Dart – Aye  
205 Councilman Leifson – Aye  
206 Councilman Davis - Aye  
207 Councilman Nielson - Nay  
208

209 **Board Appointments**

210  
211 Mayor Andersen would like to re-appoint Joy Nelson, Kay Poulsen and Marie Spencer to  
212 the Seniors Board.  
213

214 Councilman Dart made a **Motion** to approve board re-appointments. Councilman Nielson  
215 **Seconded** and the motion **Passed** all in favor.  
216

217 **CLOSED SESSION:**

218  
219 Councilman Davis made a **Motion** to adjourn to Closed Session for Land Sale.  
220 Councilman Leifson **Seconded** and the motion **Passed** all in favor by a roll call vote at  
221 7:45 p.m.  
222

223 ADOPTED:

224  
225 \_\_\_\_\_  
Kimberly Robinson, City Recorder



## Staff Report to City Council

<b>Agenda Date:</b>	February 16, 2010
<b>Staff Contacts:</b>	Dale Robinson, Aaron Brown
<b>Reviewed By:</b>	Kent Clark, Junior Baker
<b>Subject:</b>	Golf Cart Lease

### **Background Discussion:**

The club car representative came and made an offer that we couldn't refuse. He offered to renew our contract a year prior to the expiration date and take all existing carts back in their current condition without penalty. He offered a new upgraded style cart with more efficient batteries and a more durable design. He also added to the package windshields, name card holders and sand & seed bottles for each cart.

### **Budgetary Impact:**

The budget will increase \$4,000 per year for the lease.

### **Alternatives:**

Stay with the existing lease for one more year which could cost the city up to \$55,000 for batteries and damages to carts. We currently have approximately \$10,000 in cart damages.

### **Recommendation:**

Staff recommends that we take the offer and sign a new four year lease with club car. The company is phasing out the old style of carts anyway and this will save the city a considerable amount of money next year as well as enhance the image at the course.

### **Attachments:**

I have included with this report a copy of the bullet points that I presented at the council training session on January 23.

# New Golf Cart Proposal

- Current 4 year lease ends April 2011
- 22 of the 70 carts have bad batteries (warranty has expired of course)
- With 1 year left on current lease would cost \$45,000 to replace all batteries
- \$10,000 in damage that city must pay prior to turning in old carts next year
- Club Car will replace our current lease early and start a new 4 year lease April 1, 2010
- Take old carts without any penalties for bad batteries and damaged carts
- Additional cost is \$4,000 per year
- City receives new improved style of carts with more efficient batteries and durable design
- Club Car threw in windshields, name card holders and sand & seed bottles for each cart which total \$13,000 in additional amenities.



Old Cart



New Cart



## Staff Report to City Council

<b>Agenda Date:</b>	February 16, 2010
<b>Staff Contacts:</b>	Dale Robinson, Junior Baker
<b>Reviewed By:</b>	
<b>Subject:</b>	Park Regulations Ordinance

### **Background Discussion:**

This proposed ordinance was reviewed and discussed at the Council Retreat Work Session as well as the last City Council Meeting. The changes requested by the Council are incorporated in this ordinance (opening the trails to all hours and allowing dogs on leashes to be in all parks except those that are posted that no dogs are allowed). For your information the parks that will be posted include the Reservoir, Sports Park, Swenson Park, Centennial Park and North Park.

As this has been reviewed by the Council, it appears as a consent item.

### **Attachments:**

An updated copy of the Ordinance

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

**ROLL CALL**

<b>VOTING</b>	<b>YES</b>	<b>NO</b>
<b>MAYOR G. WAYNE ANDERSEN</b> (votes only in case of tie)		
<b>ROD DART</b> City Councilperson		
<b>RICHARD M. DAVIS</b> City Councilperson		
<b>STEVEN LEIFSON</b> City Councilperson		
<b>JENS P. NIELSON</b> City Councilperson		
<b>KEIR A. SCOUBES</b> City Councilperson		

I MOVE this ordinance be adopted: \_\_\_\_\_  
City Council person

I SECOND the foregoing motion: \_\_\_\_\_  
City Council person

ORDINANCE \_\_\_\_\_

**AN ORDINANCE CREATING PARK REGULATIONS FOR  
MUNICIPAL PARKS AND RECREATION AREAS**

WHEREAS, Spanish Fork City owns and operates a number of parks and recreation facilities for the use and enjoyment of its residents; and

WHEREAS, certain rules regulating conduct and uses of parks and recreation facilities are necessary to allow the majority of residents to have the fullest enjoyment of the parks and recreation facilities, reduce maintenance costs, and prolong the life of the facilities; and

WHEREAS, in order to provide adequate recreational opportunities, and to protect property values, maintain peace and quiet in residential neighborhoods, and maximize the use and enjoyment of parks and recreation facilities, it is appropriate to create regulations for the parks and recreation facilities owned and maintained by Spanish Fork City;

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

## **I**

Spanish Fork City Municipal Code Title 7, Chapter 24 is hereby repealed and re-enacted as follows:

### **CHAPTER 7.24 - PARK REGULATIONS**

#### **7.24.010. Parks and Recreation Facilities in General**

Spanish Fork City will construct, own, and maintain various parks and other recreational facilities for use by its residents and others. In addition to the requirements set forth in this Chapter, the City Manager, or his/her designee, is authorized to create policies for the use of these facilities, including policies which are specific to certain facilities. Specific policies for certain facilities will take precedence over the more general requirements set forth in this Chapter.

#### **7.24.020. Closure of Facilities.**

Spanish Oaks Reservoir Park shall be closed for public use from December 1st to the following March 1st each year. In addition thereto, the City Manager, in conjunction with the Parks and Recreation Director, has the discretion to temporarily close any park or recreational facility to public use at any other time in order to perform repair or maintenance work on the

facility or for safety reasons to protect the public, or employees, from potential harm, illness, or injury.

**7.24.030. Park and Recreation Facility Regulations.**

The provisions of this chapter are applicable to the parks and recreation facilities identified herein, unless otherwise indicated, including pavilions, all parking lots, and street parking adjacent to the parks and facilities described herein:

North Park, Canyon View Park, Sports Park, Swenson Park, City Park, Centennial Park, Cemetery, Skate Park, Spanish Oaks Reservoir Park, Urban Forest, Abbie Court Park, Park Side Estates Park, Pioneer Cemetery, Whispering Willows Park, Little Cleveland Park, Little Chicago Park, Wildflower Park, Patriot Park (1100 E. 1100 S. Detention Basin), 1100 E. 600 S. Detention Basin, 360 N. 1280 E. Detention Basin, and all trails.

**7-24-040. Hours.**

Spanish Oaks Reservoir Park is closed from dusk to dawn. Trails are open at all hours. All other parks and recreation facilities shall be open for public use each day beginning at 5:00 a.m. All activities must be concluded by 11:00 p.m. Persons found upon the premises of parks and recreation facilities outside of these hours are subject to trespass charges. City sponsored events are exempt from the beginning and ending hours.

**7.24.050. Motorized Vehicles.**

Motorized vehicles are limited to designated parking areas and driveways, with the exception of police, fire, or ambulance vehicles, City maintenance vehicles, and authorized vehicles for city sponsored events, such as Fiesta Days, in order to facilitate the event.

**7.24.060. Noise-Minimum Fine.**

A person convicted of violating the loud speaker requirements (found in Spanish Fork City Municipal Code §9.12.010) within the parks identified in §030, plus the Spanish Oaks Campground, Canyon View RV Park, and Gun Club shall pay a minimum fine of \$150.00, with the maximum fine not to exceed that allowed by law.

**7.24.070. Litter.**

A person convicted of littering within the parks identified in §030, plus the Spanish Oaks Campground, Canyon View RV Park, Gun Club, Golf Course, and Fairgrounds shall pay a minimum fine of \$300.00, with the maximum fine not to exceed that allowed by law.

**7.24.080. Animals.**

- A. Domestic animals, including dogs, are prohibited in parks and recreation facilities where it is posted that no animals and/or dogs are allowed, with the exceptions noted hereafter. An exception exists for animals trained for and used by disabled persons, such as dogs for the blind or hearing impaired. An exception exists for police animals being used or trained in the facilities. The owner, or other responsible party, who has control of such animal within a park or recreation facility and meets one of the identified exceptions, shall be obligated to clean up after such animal, including any excrement.
- B. It shall be illegal for any person to drop off at parks or recreation facility any animal, including ducks, geese, other waterfowl, or fish.

**7.24.090. Alcohol and Tobacco.**

No alcoholic beverage of any kind is permitted within parks and recreation facilities, whether the container has been opened or not. Any such alcohol found on persons or within

vehicles or other forms of personal property at the park is subject to confiscation and destruction.  
No tobacco product of any kind is permitted to be used within parks and recreation facilities.

**7.24.100. Fishing.**

No ice fishing is allowed on any ponds or other bodies of water located in any parks.  
Fishing is otherwise allowed in parks during their open hours, in accordance with the Utah  
Division of Wildlife Resources regulations.

**7.24.110. General Boating Regulations.**

No boats or other water craft are allowed on Spanish Oaks Reservoir which have any  
type of motor. No boats or other water craft are allowed on any of the golf course ponds.

**7.24.120. Exceptions.**

Spanish Fork City sponsored events are exempt from the provisions of this chapter.

**7.24.130. Violation.**

Any person violating any provision of this chapter, or any of the policies adopted under  
the authority of this chapter, is guilty of a class C misdemeanor.

**II.**

This ordinance takes effect twenty days after passage and publication.

DATED this \_\_\_\_\_ day of February 2010.

\_\_\_\_\_  
G. WAYNE ANDERSEN, Mayor

Attest:

\_\_\_\_\_  
KIMBERLY ROBINSON, City Recorder

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# SPANISH FORK

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## MEMORANDUM

**TO:** Spanish Fork Mayor and City Council  
**FROM:** Dave Anderson, Community Development Director  
**DATE:** February 10, 2010  
**RE:** Poultry Regulations

This correspondence is provided as a few residents have inquired in recent years about the prospect of Spanish Fork City amending its Municipal Code to permit the keeping of chickens on properties that are less than 0.5 acres in size.

Accompanying this memorandum are excerpts from several City's zoning ordinances. These excerpts contain the specific regulations in each of these Cities that pertain to the keeping of chickens or other animals. Also for your reference I provide the following excerpt from Spanish Fork City's Municipal Code:

### G. Animals

Animals are allowed in the A-E, R-R, I-1, and I-2 zoning districts with no restrictions on the maximum number. Animals are allowed in all other zoning districts subject to the following regulations:

1. The portion of the property on which the animals, except for household pets, are kept must be at least one-half (½) acre. The chart following this section sets forth the maximum number of animals which may be kept per each half acre of property. The numbers are not cumulative. A maximum of one species precludes any other species. For example, on a half acre parcel, two horses may be kept, or four sheep, or one horse and two sheep, but two horses and four sheep are not allowed.
2. All requirements set forth in Title 6, Animals, must be met.
3. No animal shall be kept in a residential zone for the purpose of commercial production.

	Animal Maximum Number Per ½ Acre	Minimum distance of barns, pens, or corrals to neighboring dwelling (in feet)
Cattle	2	100
Horses	2	100
Sheep, Goats, Llamas, Ostriches	4	100
Poultry, Turkeys or Fowl	10	100
Rabbits	10	50
Pigeons	12	50
Ducks, Geese	8	50
Game Birds*	8	50

\*with appropriate permits

From a land use perspective, I do not see any significant problem in following the lead of other cities in permitting chickens on residential properties that are less than 0.5 acres in size. However, I understand that the administration of rules regulating the keeping of animals is currently performed by the Police

Department and I recognize that they may have some thoughts relative to amending the ordinance on this issue. With that understanding, I am copying Chief Dee Rosenbaum and Officer Mark Byers on this correspondence so as to give them an opportunity to comment on the subject.

cc: Dee Rosenbaum  
Mark Byers

**Provo**

8.02.190. Keeping Chickens.

(1) Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters) regardless of age, in the amount set forth below, may be kept on a lot or parcel of land in a residential (R) zone for the sole purpose of producing eggs.

(a) The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:

- (i) ten thousand (10,000) square feet: up to six (6)
- (ii) nine thousand (9,000) square feet: up to five (5)
- (iii) eight thousand (8,000) square feet: up to four (4)
- (iv) seven thousand (7,000) square feet: up to three (3)
- (v) six thousand (6,000) square feet: up to two (2)

(b) The principal use on the lot or parcel shall be a one family dwelling.

(2) Chickens shall be confined within a secure outdoor enclosed area.

(a) The enclosed area shall include a covered, ventilated, and predator-resistant chicken coop.

(i) The coop shall have a minimum floor area of at least two (2) square feet per chicken.

(ii) If chickens are not allowed to roam within an enclosed area outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.

(b) The coop shall be located in a rear yard at least fifteen (15) feet from any property line and six (6) feet from any dwelling.

(i) The coop and enclosed area shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line.

(ii) No chicken shall be permitted to roam outside the coop or enclosed area.

(c) Chicken feed shall be stored and dispensed in rodent and predator-proof containers.

## **Taylorsville**

### **13.04.215: FAMILY FOOD PRODUCTION:**

"Family food production" means the keeping of not more than two (2) cows, two (2) sheep, two (2) goats, twenty (20) rabbits, fifty (50) chickens, fifty (50) pheasants, ten (10) ducks, ten (10) turkeys, ten (10) geese and twenty (20) pigeons, provided that an additional number of animals equal to two (2) times the number listed above, and an additional number of fowl equal to five (5) times the number listed above may be kept for each one-half (1/2) acre of the lot over and above the minimum number of square feet required for a single-family residential lot in the zone, and provided that not more than three (3) of the above listed kinds of animals and fowl are permitted at any one time on any lot smaller than one-half (1/2) acre.

### **13.20.040: LOT AREA:**

The minimum lot area for any dwelling, school, church, greenhouse, aviary or apiary, or for the keeping of animals and fowl for family food production, shall be ten thousand (10,000) square feet. The minimum lot area for any fowl, poultry, rabbit, or for raising or grazing horses, cattle, sheep or goats (except as permitted for family food production) shall be one acre. (Ord. 96-15, 6-19-1996)

### **13.40.210: ANIMAL AND FOWL RESTRICTIONS:**

No animals or fowl shall be kept or maintained closer than forty feet (40') from any dwelling on an adjacent parcel of land, and no barn, stable, coop, pen or corral shall be kept closer than forty feet (40') from any street. The distance may be reduced to twenty feet (20') with a conditional use permit.

## Midvale

### 17-7-1.11 Conditional use standards of review

- h. Chickens. Subject to the requirements of this section and any other applicable provision of this code, hen chickens (and no roosters or other types of fowl) regardless of age, in the amount set forth below, may be kept on a lot or parcel of land for the sole purpose of producing eggs.
- i. The number of hen chickens which may be kept shall be limited based on the size of the lot or parcel as follows:
- (A) Lots with at least one-half acre: up to eight.
  - (B) Lots with at least ten thousand square feet: up to five.
  - (C) Lots with at least seven thousand square feet: up to three.
  - (D) Lots with at least five thousand square feet: up to two.
  - (E) Lots with less than five thousand square feet: none.
    - ii. The principal use on the lot or parcel shall be a single-family dwelling.
    - iii. Chickens shall be confined within a secure enclosure that includes a coop.
      - (A) The coop shall be covered, weatherproof, and well ventilated.
      - (B) The enclosure, including the coop, shall be predator-resistant.
      - (C) The coop shall have a minimum floor area of at least two and one-half square feet per chicken.
      - (D) If chickens are not allowed to roam within an enclosure outside the coop, the coop shall have a minimum floor area of six square feet per chicken.
      - (E) The coop shall be structurally sound and located in a rear yard at least thirty feet from any neighboring residential structures and at least ten feet from the primary residential structure on the property. The coop shall also meet the minimum setback for accessory structures within this zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials, vegetative screening, or other means allowed within this part. Because a corner lot technically does not include a rear yard, the owner of a corner lot may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.
      - (F) The coop and enclosure shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent any odor detectable at a property line. At a minimum the coop and enclosed area shall be cleaned weekly, although waste may be composted so long as the composting area meets the setback requirements that apply to the coop and prevent any odor detectable at the property line.
      - (G) No chicken shall be permitted to roam outside the coop or enclosure.
        - iv. Chicken feed shall be stored in rodent- and predator-proof containers.
        - v. Water shall be available to the chickens at all times. A watering device that incorporates a water warming device shall be supplied, used and maintained.
        - vi. Chickens shall not be slaughtered on site.

### 6.12.125 Fowl.

It is unlawful for any person to own or keep fowl without a permit. Unless a type of fowl is specifically permitted by the applicable zoning ordinances and this section, it is prohibited.

- A. Where permitted by the zoning ordinance, hen chickens may be kept for domestic egg production or as pets.
- 1. Chickens shall not be kept on a residential lot or parcel unless the person keeping chickens first obtains a permit with the city.
    - a. The applicant shall acknowledge the rules set forth in this section and shall, as a condition of obtaining a permit, agree to comply with such rules.
    - b. It shall be unlawful for any person to keep any chicken in a manner contrary to the provisions of this section. Any such violation shall be a class C misdemeanor.

## Lehi

### Section 12.120. Supplementary Requirements for Agriculture and Residential Districts.

#### E. Keeping of Animals in Agricultural, Residential and Planned Community Districts.

5. For properties located in the R-1-8, R-1-10, R-1-12, R-1-15, and R-1-22 Districts or properties of less than one half acre (22,000 sq. ft) in the RA-1 District, or for properties with single family detached dwellings in the R-2, R-2.5, R-3 and Mixed Use Districts, the keeping of household pets is permitted limited to the following:

- (a) Not more than a total of six (6) common household pets may be allowed including dogs, cats, rabbits, ducks and chickens (excluding roosters) or other similar pets as determined by the Zoning Administrator, with the exception that no more than two (2) dogs or three (3) cats, four (4) months of age or older, shall be allowed per residence.
- (b) All household pets shall be for family use only (non-commercial) and shall not create any undue nuisance to adjoining property owners.
- (c) Cages, pens and coops, etc. shall be no closer than thirty (30) feet to any neighboring dwelling or public road.

6. For properties located in the R-2, R-2.5, and R-3 Districts which contain single family attached or multi-family dwellings, the keeping of household pets is permitted limited to the following:

- (a) Not more than a total of two (2) common household pets may be allowed per residence including cats and dogs (unless otherwise prohibited by the owner of the property) but excluding rabbits, ducks, chickens or other similar pets as determined by the Zoning Administrator.
- (b) All household pets shall be for family use only (non-commercial) and shall not create any undue nuisance to adjoining property owners.
- (c) Cages and pens shall be no closer than thirty (30) feet to any neighboring dwelling or public road.

## **Holladay**

### **13.04.235: FAMILY FOOD PRODUCTION:**

The keeping of not more than two (2) cows, two (2) sheep, two (2) goats, twenty (20) rabbits, fifty (50) chickens, fifty (50) pheasants, ten (10) ducks, ten (10) turkeys, ten (10) geese and twenty (20) pigeons; provided, that an additional number of animals equal to two (2) times the number listed above, and an additional number of fowl equal to five (5) times the number listed above may be kept for each one-half (1/2) acre of the lot over and above the minimum number of square feet required for a single-family residential lot in the zone; and provided, that not more than three (3) of the above listed kinds of animals and fowl are permitted at any one time on any lot smaller than one-half (1/2) acre.

### **9.64.080: FOOD CONTAINERS FOR ANIMALS; RATPROOFING:**

All food and feed within the city for feeding chickens, cows, pigs, horses and other animals shall be stored in rat free and rat proof containers, compartments or rooms, unless stored in a rat proof building.

**Orem**

22-6-10. Miscellaneous Regulations for Residential Zones

- C. Animals. Animals are allowed in residential zones only if the following conditions are met:
1. The area of the lot on which the animals are kept must be at least one (1) acre except for rabbits, pigeons, ducks, and household pets.
  2. Permitted animals shall include:

Maximum Number per Acre	Minimum distance of barns, pens, or corrals from any dwelling or public street
Poultry, Fowl, and Turkeys: 20	40 feet from any dwelling on the same lot and 85 from any neighboring dwelling.

3. The maximum number of dogs or cats four months of age or older shall not exceed two (2) each per lot.
4. Animals may be kept on lots containing less than one (1) acre in a rural residential area when said animals are regulated by restrictive covenants when specifically approved by the Planning Commission as a part of the subdivision.
5. The number of animals in Subparagraph (2) above shall be reduced geometrically if the resident desires to keep and maintain more than one species of permitted animals. Example: If two species are desired, then the number of each species shall be reduced to one-half (1/2). If three species are desired, then the number of each species shall be reduced to one-third (1/3), etc.
6. No animal shall be kept in a residential zone for the purpose of commercial production.

## Springville

### 11-3-402 Definitions

Animal Keeping – The raising, care, and keeping of animals and fowl, specifically in the A-1 and R1-15 Zones under the following conditions:

- (a) In the R1-15 Zone, no animals may be kept on any lot smaller in size than twenty thousand (20,000) square feet.
- (b) The number of animals kept on any lot or parcel shall not exceed one (1) animal unit, as defined below, for each ten thousand (10,000) square feet of area of the lot which is used as livestock management area.
- (c) No animals shall be kept on any lot or parcel where less than ten thousand (10,000) square feet of the lot is used as livestock management area nor shall fractional animal units be permitted.
- (d) For purposes of this Title, livestock management area shall include all portions of the lot or parcel used as sheds, barns, coops, corrals, pastures, stables, gardens or cultivated grounds where animal waste can be spread, but shall not include the area of lot or parcel devoted to dwellings, sidewalks, driveways, and lawn.

Animal Unit – For purposes of this Title, one (1) animal unit shall be any of the following:

- Horse/mule/cow/llama: 1 = 1 animal unit
- Miniature horse/sheep/goats/emu: 4 = 1 animal unit
- Small fowl/livestock (i.e., chickens, rabbits, chinchillas, or similar animals): 12 = 1 animal unit.

### 3-7-115 Barns, Stables and Runs.

- (3) No chicken coop, house, or pen, or any other structure used for any containment of fowl, including pigeons, except for household pets, shall be kept or maintained closer than 100 feet from the door or window of any dwelling other than the dwelling of the person keeping or having the same.

## West Jordan

### 6-3E-3: OWNERSHIP AND MAINTENANCE OF CHICKENS:

The keeping and maintenance of chickens is permitted within the city only as provided below:

- A. Chickens kept as provided in this title shall not be deemed as household pets.
- B. It shall be unlawful for any person to keep any chicken in a manner contrary to the provisions of this title. Any such violation shall be a class B misdemeanor.
- C. Chickens may be kept on a non-nuisance basis strictly for familial gain from the production and consumption of eggs only and there shall be no sale or income resulting from the keeping of chickens.
- D. Up to five (5) egg-laying hens and up to five(5) chicks may be kept on a residential lot.
  - 1. Chickens may only be kept on properties containing a single-family detached dwelling unit, duplex or twin home, although vacant properties directly adjacent to a lot or parcel containing a single-family detached dwelling unit under the same ownership may be used for the keeping of chickens.
  - 2. There shall be no roosters or crowing hens.
  - 3. All enclosures, pens and coops shall be located in the rear yard of the main dwelling or in an interior side yard provided all of the requirements of this title are met.
  - 4. Enclosures, pens, and coops shall not be located in a corner side yard unless the side yard shall be completely fenced using site-obscuring fencing or vegetative screening, so as to prevent sight of such areas from the street or neighboring properties to the greatest degree possible.
  - 5. All enclosures, pens and coops shall be located at least twenty (20) feet from the nearest primary structure of habitable dwelling on adjoining properties and at least five feet from the property line, provided that a portable wheeled coop may encroach temporarily and from time to time on the five (5) foot separation from the property line. During the time a heating device is employed in the pen or coop during cold weather, such pen or coop must be separated and at least 10 feet from any structure containing a habitable dwelling on the same property.
  - 6. Dead birds and unused eggs shall be removed within 24 hours or less and shall be properly discarded.
- E. Structures and Coops.
  - 1. To keep chickens, a coop is required.
  - 2. The coop shall be constructed such that it provides adequate shelter and space for chickens to roost with at least two square feet provided per chicken. If chickens are not allowed to roam outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken. (Ord. 10-05, 01-27-2010)

### 6-3E-4: FOWL KEEPING PERMIT:

- A. Permit Required: Any person who desires to keep chickens or pigeons as authorized by this title shall make application to the division of animal control for a fowl keeping permit. These permits are

temporary uses only and attach to the resident applicant, as specified in the application, and not to the property. There can be no "grandfathering" or legal nonconforming use property rights arising from Fowl Keeping permits.

B. Applications: Applications for a fowl keeping permit shall be made in writing to the division of animal control. The application shall include the following information:

1. The name of the person desiring the permit.
2. Location of the proposed fowl keeping facilities.
3. Basic plans and specifications of the proposed fowl keeping activities, showing size and dimensions of the facilities.
4. The distance between the location of the proposed facilities and the nearest residential structure on all adjoining lots.
5. The registrant shall acknowledge the rules set forth in this title and shall, as a condition of filing for the permit, agree to comply with such rules.
6. The application shall bear the signature of the registrant.

C. Permit Issuance: Upon receipt of a complete application and receipt of the required fee, the division of animal control or designee shall issue a fowl keeping permit. The permit shall expire on the last day of the three-year billing cycle established under section D, below, but may be renewable on a three-year basis thereafter. Such permit shall not be transferable to another person by the holder.

D. Fee: The fee for the fowl keeping permit shall be assessed on a three (3) calendar year basis and shall be in the amount established by the city council in its uniform fee schedule. The fee for a permit issued during a three-year billing cycle shall be prorated as of the date of the application.

#### 6-3E-5: INSPECTION:

All inspections, entries, examinations and surveys shall be done in a reasonable manner based upon cause. If the property owner or person responsible for the property refuses to allow entrance onto the property, the police officer or inspector may obtain and execute a search warrant.

#### 6-3E-6: VIOLATIONS AND PENALTY:

When the animal control officer or police officer finds a violation of this title to have occurred, the officer shall give written notice thereof to the owner. If said violation is not remedied within ten (10) days, the animal control officer may issue a citation to appear in municipal court to answer the charges stated thereon. Any owner found violating any of the provisions of this title shall, upon conviction, be guilty of a class B misdemeanor. Three (3) convictions within eighteen (18) months shall result in the revocation of the fowl keeping permit.

## Draper

### Animals and Fowl.

No accessory building for animals or fowl in excess of 1,000 square feet of floor area shall be constructed in any agricultural or residential zone closer than 50 feet from any dwelling on the same parcel or 75 feet from a dwelling on an adjacent parcel, nor be closer than 50 feet from any street right-of-way or proposed street right-of-way. No accessory building for animals and fowl that is 1,000 square feet or less shall be kept, constructed, or maintained closer than 50 feet from any dwelling on the same parcel or 75 feet from a dwelling on an adjacent parcel, nor be closer than 40 feet from any existing or proposed street. These regulations do not apply to the keeping of horses which is regulated by Section 7-5-280 of the Draper City Municipal Code.

### Keeping of Chickens for Familial Gain.

(a) Purpose and Intent. The guidelines and provisions of this Section are intended to:

- (1) minimize nuisances to neighboring property owners;
- (2) prevent rodent, insect, vermin, and pest proliferation;
- (3) prevent the spread of disease; and
- (4) provide the ability for residents to provide for themselves and produce food for the exclusive benefit of their families without the need for a Conditional Use Permit.

(b) Keeping of Chickens. Exclusive and independent of the terms and requirements of Section 9-27-050 of this Chapter and other applicable provisions of the Draper City Municipal Code regarding animal rights, residents may keep and maintain chickens on their property subject to the standards and guidelines of this Section. Any property or resident that cannot maintain any or all of the standards and guidelines of this Section shall be required to apply and be approved for a Conditional Use Permit under the applicable terms regarding the keeping of animals on property as constituted in the keeping of chickens according to this Section shall be permitted in all residential and agricultural zones provided that all standards and provisions of this Section can be fully maintained.

(c) Standards of Care. The following standards for care of chickens shall be required in all cases where the provisions of this Section are applied:

- (1) Chickens may be kept on a non-nuisance basis strictly for familial gain only and there shall be no sale or income resulting from the keeping of chickens.
- (2) Up to six chickens may be kept on any one lot or parcel or by any one family, whichever is less.
- (3) Chickens may be kept on properties containing a single-family detached dwelling unit only, although vacant properties directly adjacent to a lot or parcel containing a single-family detached dwelling unit under the same ownership may be used for the keeping of chickens.
- (4) There shall be no roosters or crowing hens.
- (5) Chickens may not be kept or allowed to roam within the living quarters of a dwelling.
- (6) All enclosures, pens, coops, and run areas shall be maintained in good condition at all times so as to keep it rodent proof from all sides, including burrowing.
- (7) Manure shall be removed from the pens, coop, and run areas at least weekly or as necessary to prevent insect breeding, vermin attraction, offensive odor, or any other nuisance per Salt Lake Valley Health Department standards.
- (8) Compost piles must be at least three feet from the nearest property line and shall be managed in a way that prevents the spread of disease, the propagation or harboring of insects or rodents, the creation of any nuisance, offensive odor at the property line, or any other condition that might adversely affect public health, including noise, as required by Salt Lake Valley Health Department regulations.
- (9) All enclosures, pens, coops, and run areas shall be kept and maintained in a clean and sanitary condition.

- (10) All enclosures, pens, coops, and run areas shall be located to the rear of the main dwelling on the property and the yard shall be completely fenced using site-obscuring fencing so as to prevent sight of such areas to the greatest degree possible.
- (11) All animal food storage and feeding areas shall be completely secured from insects, rodents, and other vermin per Salt Lake Valley Health Department standards.
- (12) Clean water shall be available to the chickens at all times.
- (13) All enclosures, pen, coops, compost, and run areas shall be located at least 30 feet from the nearest primary structure or habitable dwelling on adjoining properties, at least five feet from the property line, and at least ten feet from any structure containing a habitable dwelling on the same property.
- (14) Dead birds and discarded or rotting eggs shall be removed as soon as possible and within 24 hours and shall be properly disposed of.
- (15) Chickens may not be permitted to roam beyond the locational requirements for enclosures, pen, coops, and run areas.
- (16) To prevent disease, all chickens should be vaccinated yearly and appropriate biosecurity measures should be in place using the guidelines of the United States Department of Agriculture.

(d) Runs, Structures, and Coops.

- (1) Required. The keeping of chickens shall require the provision of a run area and a coop. The coop shall be constructed such that it provides adequate shelter and space for chickens to roost. Run areas shall be connected to the provided run and provide some method by which chickens are not allowed to freely roam beyond the run area including flying out of run area.
- (2) Structures. Structures and coops used for the keeping and feeding of chickens according to this Section shall be designed and constructed:
  - (i) with solid walls on all sides, exclusive of openings for animals and access to animals;
  - (ii) with a solid roof;
  - (iii) so as to prevent intrusion, including by burrowing, from all types of rodents, vermin, and predatory animals; and
  - (iv) such that they resemble typical accessory buildings and are not unsightly.
- (3) Permits. Structures or coops of a large enough size, or that are being altered, that would require a building permit shall apply for and be issued such a permit by the City prior to construction or alteration for use for the keeping of chickens.

(e) Violations. Violation of any provision of this Section may result in immediate removal of any or all chickens. Violations may also be subject to other civil or criminal penalties based on the nature of the violation.

**SPANISH FORK CITY  
Staff Report to City Council**



**Agenda Date:** February 16, 2010

**Staff Contacts:** John Bowcut, SFCN Director

**Reviewed By:** All Department Heads, and City Council

**Subject:** SFCN To Offer Voice Services to Residential and Business Customers

**Background Discussion:**

In January 2009, the City Council asked SFCN to consider the technology and investments required to begin offering phone service to customers. The preliminary result of that research was concluded in 2009 and the results were very favorable. We then sent out an RFP to find a phone service partner and we have found a great partner with very reasonable rates in Veracity Communications.

In January 2010, I presented the detailed concept to you, the City Council, in a work session and you asked that we proceed. We can begin offering telephone service to our residents within a couple of weeks and by the end of this year we expect to be accepting customers from all areas of the City.

**Recommendation:**

At the City council meeting on February 16, I will present our research and findings to the Council. I will recommend a packages for your consideration and will ask for your authorization to enter into an agreement with Veracity Communications and to begin providing services to customers.

MEMO

To: Mayor and Council  
From: S. Junior Baker  
Date: 26 Jan. 2010  
Re: False Alarm Ordinance

At the Council Retreat Work Session, the City Council reviewed and discussed a false alarm ordinance. As you will recall, false alarms are costing the City approximately \$60,000.00 per year. This ordinance is intended to cut down on those costs by requiring alarm companies and users to register with the police department. There are increasing penalties for false alarms, starting with warnings, then a \$50.00 fee for the fourth offense in a year, up to \$200.00 for ten and subsequent alarms in a year. The ordinance will become effective on July 1, to allow the police department time to notify the alarm companies and known users.

As this has been reviewed by the Council, it appears as a consent item.

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

**ROLL CALL**

<b>VOTING</b>	<b>YES</b>	<b>NO</b>
<b>G. WAYNE ANDERSEN</b> <i>(Mayor, votes only in case of tie)</i>		
<b>ROD DART</b> <i>Councilmember</i>		
<b>RICHARD M. DAVIS</b> <i>Councilmember</i>		
<b>STEVE LEIFSON</b> <i>Councilmember</i>		
<b>JENS P. NIELSON</b> <i>Councilmember</i>		
<b>KEIR A. SCOUBES</b> <i>Councilmember</i>		

**AN ORDINANCE CREATING PENALTIES FOR FALSE ALARMS  
AND REQUIRING ALARM COMPANIES TO REGISTER**

WHEREAS, Spanish Fork City operates a Public Safety Department consisting of police, fire and ambulance service; and

WHEREAS, the occurrence of false alarms at premises protected by emergency alarm systems constitutes both a nuisance and a hazard to life and property, in light of (1) the traffic danger inherent in the emergency response of police and fire vehicles and (2) the danger caused by possible decreased caution on the part of emergency personnel responding where no actual emergency exists; and

WHEREAS, the City Council finds it necessary for the health, safety, and welfare of the citizens to enact the following provisions governing alarm systems;

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

follows:

**I.**

Spanish Fork Municipal Code, Chapter 44 of Title 9 is hereby enacted as follows:

**Chapter 9.44. False Alarms**

**9.44.010. Definitions.**

For the purposes of this Article, the following words and phrases shall have the meaning set forth herein:

- A. **Alarm business** means any person engaged in the business of installing, planning the installation, servicing, maintaining, monitoring, repairing, replacing, moving or removing alarm systems in the City.
- B. **Alarm coordinator** means the individual designated by the Director of Public Safety Director to issue permits and enforce the provisions of this Article.
- C. **Alarm permit or permit** means a permit issued by the City that authorizes a person to operate an alarm system in the City.
- D. **Alarm system** means any mechanism, equipment, or device which is designed to detect an unauthorized entry into any building or onto any property, or to direct attention to a fire, robbery, burglary, or other emergency in progress, and to signal the above occurrences either by a local or audible alarm or by a silent or remote alarm. The following devices shall not constitute alarm systems within the meaning of this subsection:
  - 1. Devices which do not register alarms that are audible, visible, or perceptible outside the protected premises;
  - 2. Devices which are not installed, operated or used for the purpose of

reporting an emergency to the Department of Public Safety;

3. Alarm devices affixed to motor vehicles; and
4. Alarm devices installed on a temporary basis by the Department of Public Safety.

- E. **Alarm user** or **user** means the person, firm, partnership, association, corporation, company, or organization of any kind in control of any building, structure or facility or portion thereof wherein an alarm system is maintained.
- F. **Central station** means an office to which alarm systems are connected, where operators supervise the circuits, and where guards and/or service personnel are maintained continuously to investigate signals.
- G. **Emergency** means the existence of a fire or the commission or attempted commission of a criminal action, or medical conditions requiring immediate response and/or action.
- H. **Emergency personnel** means peace officers, firefighters, paramedics and emergency medical technicians.
- I. **False alarm** means the activation of an alarm system which results in a response by the Department of Public Safety where an emergency does not exist and for which no evidence or indication of criminal activity, fire, or other hazard is discovered. False alarms shall include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning, or improperly installed or maintained equipment; signals which are purposely activated to summons emergency personnel in non-emergency situations; and alarms for which the actual cause is not determined. False alarms also include an alarm

signal caused by conditions of nature which are normal for that area. “False alarm” does not include an alarm signal caused by extraordinarily violent conditions of nature which cannot be reasonably anticipated by the alarm user.

J. **Local alarm** means any noise-making alarm device and any alarm which emits a visual signal such as a strobe light.

K. **Person** means and includes natural persons, without regard to number or gender, and any partnership, corporation, and any other type of legal entity.

**9.44.020. Registration Required to Operate Alarm Business.**

A. It is unlawful for any person to engage in the practice of an alarm business, alarm company or alarm agent in the City as defined in Utah Code Ann. §58-55-301(1953, as amended), without a valid license therefor issued in accordance with the provisions of Utah Code Ann. §58-55-301 et seq.

B. No alarm business or alarm agent shall install any alarm system in the City unless the owner or lessee of the premises on which the alarm system is to be installed has a valid alarm permit issued by the City.

**9.44.030. Unlawful to Operate an Alarm System without an Alarm Permit.**

It shall be unlawful for any person to use, maintain, operate or be in control of any alarm system which has been installed in any building, structure, facility or portion thereof in the City without a valid permit therefor issued by the City.

**9.44.040. Alarm Permits.**

A. An alarm permit shall be issued to an alarm user at no charge upon the filing of a completed alarm information card with the Department of Public Safety. A separate alarm permit is required for each alarm site.

- B. The alarm information card shall set forth the full name, address and telephone number of the following individuals and entities:
1. the alarm user;
  2. the person or licensed alarm system business installing, maintaining or servicing the system;
  3. the central station to which the alarm system is connected;
  4. three individuals who may be contacted by emergency personnel responding to an alarm, who have authority to act for the alarm user in granting emergency personnel access to any portion of the premises concerned, and who are knowledgeable in the basic operation of the alarm system.
- C. In the event that emergency personnel or representatives of the central station responding to an alarm are unable to contact any of the parties listed in the alarm information card due to outdated or inaccurate information provided by the user; or if none of the listed parties are available; or if the listed parties fail to respond to the scene within thirty minutes of notice, such failure shall be treated as a separate false alarm in addition to the alarm which prompted the police response.
- D. In addition to submitting the alarm information card, users of local alarm systems shall post, near the front entrance and near the alarm, at a position readable from ground level, a code number furnished by the alarm coordinator to allow reference to the alarm information card required by this section.

**9.44.050. User Instructions.**

Every alarm business selling, leasing, or furnishing to any user an alarm system which is

installed on premises located in the City shall furnish the user with written instructions that enable the user to operate the alarm system properly.

**9.44.060. False Alarms.**

A. For each false alarm to which emergency personnel respond in any calendar year, the alarm user shall be issued a warning or shall pay an administrative service fee to the City according to the following schedule:

First three false alarms:	Warning;
Fourth false alarm:	Fifty dollars(\$50.00);
Fifth false alarm:	Seventy-five dollars(\$75.00);
Sixth through ninth false alarms:	One hundred dollars(\$100.00);
Tenth and all subsequent false alarms:	Two hundred dollars(\$200.00).

B. Any person who uses, maintains, operates or is in control of any operational alarm system in the City while the alarm permit for such alarm system is suspended shall be guilty of a Class C Misdemeanor.

**9.44.080. Right to Hearing and Appeal.**

A. An alarm user shall have the right to request a hearing to contest the imposition of any penalty under this Article including the imposition of any fee, suspension of any permit, or the determination of a false alarm. A written request for a hearing must be filed by the alarm user with the Department of Public Safety within ten (10) business days of the date of mailing of the notice of imposition of the penalty. Notice of the imposition of a penalty shall be considered satisfied if sent by regular mail to the alarm user's address listed in the alarm user's alarm information card. The request for a hearing shall include the alarm user's name, address, telephone number, and a statement of the reasons for disputing the imposition of the penalty. A timely request for a hearing shall stay the imposition

of any penalty until the hearing is decided. The City's determination of a false alarm, the imposition of an administrative service fee, or suspension of a permit shall be considered final if the alarm user fails to request a hearing within the time period set forth above.

- B. The alarm coordinator shall conduct hearings requested by alarm users and shall affirm, modify, or vacate the imposition of the penalty after considering all of the evidence presented. An alarm shall be presumed to be a false alarm unless the alarm user can establish the existence of an emergency or other hazard at the time of the alarm by a preponderance of the evidence. The burden of providing the existence of an emergency shall be upon the alarm user. Hearings shall be conducted informally. Formal rules of evidence and court procedure shall not apply. Because the hearings are administrative in nature, hearsay is admissible, but evidence must have some probative weight and reliability to be admitted.
- C. An alarm user may appeal the decision of the alarm coordinator to the City Council by filing a written request for a hearing with the City Recorder within ten (10) business days of the decision rendered in the initial hearing. If no request for an appeal hearing is made within the ten day period, the decision rendered in the initial hearing shall be considered final. The appeal hearing shall be in a public meeting. The City Council shall affirm, reserve, or modify the decision rendered in the initial hearing and the action taken in the appeal hearing shall be final.

**9.44.090. Deliberate False Alarms.**

No person shall cause any alarm to be transmitted to the Department of Public Safety knowing the same to be false or without basis in fact. Central stations shall not request

emergency personnel to respond to alarm scenes when monitoring equipment indicates an alarm system malfunction. A first violation of this section shall be a Class C Misdemeanor. Any violation of this section which occurs within three years of a prior conviction of this section shall be a Class B Misdemeanor.

**9.44.100. Local Alarm System-Cutoff Required.**

Alarm systems which use a local audible or visual alarm device to attract the attention of the public shall be equipped with an automatic cutoff-device which will terminate the audible or visual alarm within thirty minutes. However, this section shall not apply to fire alarms, strobe lights, and fire gongs.

**9.44.110. Public Safety Call Records.**

Alarm businesses which request the response of emergency personnel to alarm signals shall maintain a record of all alarms reported to the Department of Public Safety, stating the time, date and location of the alarm and the name, address and phone number of the alarm user from which the alarm originated. The records shall indicate the cause of the alarm, if known. This record shall be current and shall be made available to the Director of Public Safety or his/her designated representative at any time during normal business hours.

**9.44.120. Administration and Enforcement.**

The Director of Public Safety shall have power to make such reasonable rules and regulations as may, in the discretion of the Director of Public Safety, be deemed necessary to implement the provision of this chapter.

**9.44.130. Operational Defects to be Remedied.**

- A. The sensory mechanisms used in connection with alarm systems shall be adjusted to suppress false alarms so that the device will not be actuated by impulses due to

transient pressure changes in water pipes, short flashes of light, wind noises such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the installation, radio frequency energy, non-intrusive motion or other forces unrelated to genuine alarms.

- B. All components of an alarm system must be maintained in good repair by the alarm user so as to assure reliability of operation.

**9.44.140. Automatic Dialing and Prerecorded Message Alarm Systems Unlawful.**

It is unlawful to maintain, operate, connect or allow to be maintained, operated or connected, any alarm system or automatic dialing device which automatically dials the Department of Public Safety and then relays any prerecorded message indicating the existence of an emergency situation.

**9.44.150. City Liability Limitations.**

Nothing in this Article shall create or be construed to create a duty upon the Department of Public Safety or the City to respond to any alarm whether or not the alarm is false. An alarm, like any other request for service from the Department of Public Safety, may be responded to within the resources of the Department of Public Safety in light of other responses required by the Department of Public Safety at the time of the alarm.

**9.44.160. Violation Penalty.**

Unless otherwise provided in this Chapter, the failure of any person to comply with the requirements of this Chapter shall constitute a Class C Misdemeanor.

**II.**

This ordinance shall become effective July 1, 2010.

DATED this \_\_\_\_ day of February, 2010

---

G. WAYNE ANDERSEN, Mayor

Attest:

---

Kimberly Robinson, City Recorder

**Memo:**

To: Spanish Fork City Council & Mayor  
From: Kent Clark, Finance Director *Ke*  
RE: Impact Fee Analysis Consulting Services – TischlerBise Consultants.

(Phase I for \$30,100)

The City needs to update our Impact Fee Analysis (study). TischlerBise did our first impact fee study back in the mid-90's. Since that time, we have updated the study several times in house. In the past, we have also contracted with TischlerBise to do general updates to the study. At this time we need a complete review and update of our Impact Fees we are charging. We received the follow proposal from TischlerBise. As you will see there are two phases in the proposal. We are recommending approving only Phase I at this time.

**Phase I = \$ 30,100.**

Initiation/Prepare Land Use Forecast	\$3,900
Transportation (new)	\$ 8,100
Fire (new)	\$ 4,900
Park & Recreation	\$ 4,700
Municipal Power	\$ 6,300
Presentation	<u>\$ 2,200</u>

Total Phase I	\$30,100
---------------	----------

Phase II will be proposed later in the year. There are some additional information the City is gathering for those impact fees. (PI, Water, Sewer, StormWater)

We are proposing to study the possibility of adding some additional categories for Impact Fees. The two new Impact Fees would be: 1) Transportation and 2) Fire. TischlerBise has had extensive experience in conducting impact fee studies in these two new areas. The attached proposal lists the cities and the types of impact fee studies that were completed by TischlerBise.

## Project Budget

As the table below indicates, the consultant costs for this assignment total \$59,900. As discussed during our recent meeting, the City would like to proceed in two phases. The pricing reflects this and includes the cost for preparing the land use forecasts and demographic assumptions in Phase I, which have been deducted from the fee amounts shown in Phase II when compared to our previous proposal. These fixed fee rates include expenses for travel, etc.

Task/Fee Category	Cost
<i>Phase I</i>	
Project Initiation/Prepare Land Use Forecasts	\$3,900
Transportation	\$8,100
Fire	\$4,900
Parks and Recreation	\$4,700
Municipal Power	\$6,300
Presentation	\$2,200
<i>Subtotal</i>	<b>\$30,100</b>
<i>Phase II</i>	
Water Irrigation	\$7,800
Sewer	\$7,100
Stormwater	\$5,600
Water	\$7,100
Presentation	\$2,200
<i>Subtotal</i>	<b>\$29,800</b>
<b>TOTAL</b>	<b>\$59,900</b>

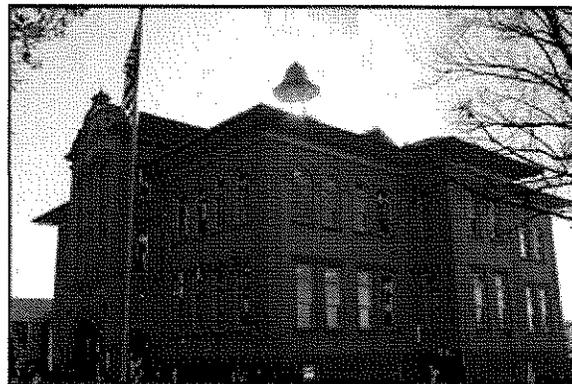
= Phase I

New

**Proposal  
for  
Impact Fee Analysis Consulting Services**

*Prepared For*

*Spanish Fork, Utah*



**JANUARY 22, 2009**

**TischlerBise**  
Fiscal, Economic & Planning Consultants

4701 SANGAMORE ROAD, S240  
BETHESDA, MD 20816  
PHONE: 301-320-6900

January 22, 2010

Mr. Richard Heap, P.E.  
Public Works Director/City Engineer  
Spanish Fork City  
40 South Main Street  
Spanish Fork, UT 84660

*Re: TischlerBise Proposal for Impact Fee Analysis Consulting Services*

Mr. Heap:

The enclosed proposal responds to your recent request for a proposal to provide impact fee consulting services to Spanish Fork.

We bring several distinct advantages to the process of handling this important assignment:

1. **Our firm is the only national company that focuses exclusively on impact fees, cost of growth and revenue enhancement strategies for local governments like Spanish Fork.** Cost plans, user fees and impact fees are our core business areas. You will not be working with sub-consultants and all of our project team members will be involved with you and the project from start to finish.
2. **Our project team has prepared more impact fees than any firm in the country.** We have prepared over 700 impact fees across the country. We have been at the forefront of advancing the state of the practice.
3. **Our impact fee approach maximizes revenues for our clients.** By tailoring our approach to each community—rather than a one-size-fits-all method—we consider all possible alternatives to maximize revenues. For example, our consideration of two different methodologies for police infrastructure for the City of Grass Valley, California yielded an additional \$3.6 million in gross revenues, representing a 50 percent increase in revenues over an alternative approach.
4. **As a small firm, we have the flexibility and responsiveness to meet all deadlines of your project.** We offer you the level of service and commitment that the larger firms save for their largest clients.

We look forward to working with Spanish Fork and are committed to providing you with top-quality support at a very competitive price.

Sincerely,

L. Carson Bise II, AICP, President  
TischlerBise  
Phone: 301-320-6900  
E-mail: [carson@tischlerbise.com](mailto:carson@tischlerbise.com)

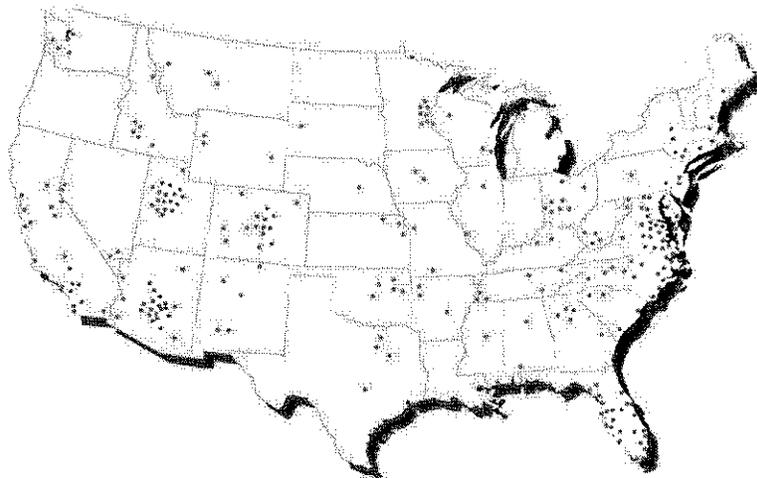
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## Qualifications

### ABOUT TISCHLERBISE

TischlerBise, Inc., is a fiscal, economic and planning consulting firm that specializes in impact fees, fiscal impact analysis, cost allocation plans, user fees, utility rate studies and financial planning, capital improvement planning, and related revenue strategies. Our firm has been providing consulting services to public agencies for over 30 years. In this time, we have prepared over 700 development impact fee evaluations – more than any other firm. Through our detailed approach, proven methodology and comprehensive product, TischlerBise is established as a national expert on impact fees, revenue enhancement and cost of growth strategies. The map below illustrates the broad geographic diversity of our client base. Our references demonstrate our ability to successfully manage projects throughout the country from our Maryland and California offices.



The following table illustrates our vast Utah impact fee experience.

### Our Utah Impact Clients

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
UT	American Fork	◆	◆	◆						◆				
UT	Brigham City	◆												
UT	Clearfield	◆		◆	◆	◆				◆				
UT	Clinton City		◆	◆	◆	◆			◆	◆	◆			
UT	Draper		◆		◆	◆			◆	◆	◆			
UT	Farmington		◆	◆	◆	◆		◆	◆	◆	◆			
UT	Hyde Park		◆	◆	◆					◆				
UT	Kaysville		◆	◆						◆				

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
UT	Logan	◆	◆	◆	◆	◆		◆		◆	◆			
UT	North Logan	◆	◆	◆	◆					◆	◆			
UT	Pleasant Grove	◆	◆	◆	◆			◆	◆	◆				
UT	South Valley Sewer District	◆		◆										
UT	Salt Lake Co.					◆				◆				
UT	Spanish Fork	◆		◆	◆	◆				◆				
UT	Springville									◆				
UT	Wellsville		◆	◆	◆				◆	◆				
UT	West Jordan		◆	◆	◆	◆		◆	◆	◆				
UT	Woods Cross	◆		◆	◆					◆				

**Our National Impact Clients**

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
AL	Baldwin		◆							◆				◆
AL	Daphne		◆					◆	◆	◆				
AL	Fairhope		◆					◆	◆	◆		◆		
AL	Foley		◆					◆	◆	◆				
AL	Gulf Shores		◆					◆	◆	◆				
AL	Orange Beach		◆					◆	◆	◆		◆		
AR	Bentonville			◆	◆			◆	◆	◆		◆		
AR	Siloam Springs		◆	◆	◆			◆	◆	◆				
AZ	Apache Co.	◆												
AZ	Apache Junction		◆					◆	◆	◆		◆	◆	
AZ	Avondale		◆	◆	◆			◆	◆	◆		◆	◆	
AZ	Buckeye		◆	◆	◆			◆		◆		◆	◆	
AZ	Bullhead City		◆					◆		◆			◆	
AZ	Casa Grande		◆					◆	◆				◆	
AZ	Camp Verde	◆						◆		◆		◆	◆	
AZ	Carefree	◆	◆		◆						◆		◆	
AZ	Casa Grande		◆	◆				◆	◆	◆		◆	◆	
AZ	Cave Creek		◆	◆	◆					◆	◆		◆	
AZ	Cochise Co.	◆												

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
AZ	Coolidge		◆	◆			◆	◆	◆	◆			◆	
AZ	El Mirage			◆	◆			◆	◆	◆			◆	
AZ	Eloy			◆	◆			◆		◆		◆	◆	
AZ	Flagstaff	◆	◆					◆	◆	◆		◆	◆	
AZ	Fort Mojave Mesa Fire Dept.								◆					
AZ	Glendale			◆	◆	◆		◆	◆	◆		◆	◆	
AZ	Lake Havasu City		◆											
AZ	Maricopa	◆	◆					◆	◆	◆	◆	◆	◆	
AZ	Navajo Co.	◆	◆						◆					
AZ	Northwest Fire District								◆					
AZ	Peoria	◆	◆					◆	◆	◆	◆	◆	◆	
AZ	Pinal Co.	◆	◆					◆		◆				
AZ	Pinetop-Lakeside		◆					◆		◆	◆		◆	
AZ	Prescott	◆												
AZ	Queen Creek		◆	◆	◆			◆	◆		◆	◆	◆	
AZ	Scottsdale			◆	◆									
AZ	Sedona		◆			◆		◆		◆			◆	
AZ	Show Low	◆	◆	◆	◆			◆		◆		◆		
AZ	Sierra Vista		◆					◆	◆	◆	◆	◆		
AZ	Springerville	◆		◆	◆									
AZ	Surprise		◆	◆	◆			◆	◆	◆		◆	◆	
AZ	Taylor	◆	◆					◆	◆	◆			◆	
AZ	Tolleson	◆	◆	◆	◆	◆		◆	◆				◆	
AZ	Yuma		◆	◆		◆		◆	◆	◆	◆		◆	
CA	Banning		◆					◆	◆	◆			◆	
CA	Butte Co.		◆					◆	◆			◆	◆	
CA	Chino Hills		◆	◆		◆				◆				
CA	Clovis			◆										
CA	El Centro							◆	◆	◆		◆	◆	
CA	Grass Valley		◆	◆	◆	◆		◆	◆	◆			◆	
CA	Half Moon Bay		◆	◆				◆		◆	◆			
CA	Hemet		◆			◆		◆	◆	◆	◆	◆	◆	
CA	Imperial Co.	◆												
CA	Maywood	◆												
CA	National City							◆	◆	◆		◆		
CA	Rancho Cucamonga									◆				
CA	Suisun City		◆							◆			◆	
CA	Visalia									◆		◆	◆	
CO	Boulder		◆					◆	◆	◆	◆	◆		

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
CO	Castle Rock		◆			◆		◆	◆	◆	◆		◆	
CO	Eaton			◆	◆			◆		◆	◆		◆	
CO	Erie		◆					◆		◆	◆		◆	
CO	Evans		◆											
CO	Greeley		◆	◆					◆	◆				
CO	Johnstown		◆					◆	◆	◆	◆	◆	◆	
CO	Louisville	◆	◆					◆		◆	◆	◆	◆	
CO	Pitkin Co.		◆											
CO	Pueblo		◆											
CO	Steamboat Springs							◆	◆	◆	◆		◆	
DE	Appoq. School District													◆
DE	New Castle Co.			◆				◆	◆	◆		◆	◆	
DE	State of Delaware		◆					◆	◆					◆
FL	Coral Gables		◆	◆				◆	◆	◆			◆	◆
FL	Deerfield Beach							◆	◆					
FL	DeSoto County	◆	◆						◆	◆		◆	◆	
FL	DeSoto Co. School Board													◆
FL	Key Biscayne	◆												
FL	Lake Wales			◆	◆			◆	◆	◆		◆		◆
FL	Manatee Co.		◆					◆	◆	◆			◆	
FL	Manatee Co. Schools													◆
FL	Miami	◆						◆	◆	◆	◆		◆	
FL	Naples	◆												
FL	North Miami	◆		◆	◆			◆	◆	◆	◆	◆	◆	
FL	Pasco Co. School Board													◆
FL	Plant City											◆		
FL	Polk County							◆		◆				
FL	Port St. Lucie									◆			◆	
FL	Punta Gorda		◆					◆	◆	◆		◆	◆	
FL	Seminole County Schools													◆
FL	Stuart		◆					◆	◆	◆			◆	
FL	Sunny Isles Beach							◆		◆			◆	
FL	West Miami			◆				◆		◆			◆	
GA	Calhoun	◆												
GA	Douglas County	◆	◆					◆	◆	◆		◆		
GA	Douglasville	◆	◆					◆		◆				
GA	Effingham Co.		◆	◆	◆			◆		◆		◆		
GA	Gordon Co.	◆							◆	◆		◆		
GA	Henry Co.		◆											

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
ID	Caldwell	◆												
ID	Canyon Co.	◆												
ID	Hailey		◆	◆	◆			◆	◆	◆	◆	◆	◆	
ID	Kellogg			◆				◆		◆				
ID	Nampa	◆	◆	◆	◆			◆	◆	◆	◆			
ID	Post Falls	◆	◆					◆		◆				
ID	Shoshone Fire District								◆					
IL	Evanston	◆	◆		◆					◆		◆		
MD	Caroline Co.													◆
MD	Carroll Co.					◆			◆	◆		◆	◆	◆
MD	Charles Co.		◆							◆				◆
MD	Dorchester Co.	◆						◆						◆
MD	Easton	◆	◆					◆	◆	◆			◆	
MD	Frederick		◆											
MD	Frederick Co.		◆					◆	◆	◆		◆	◆	◆
MD	Hagerstown		◆					◆		◆			◆	
MD	Hampstead				◆			◆		◆				
MD	Ocean City	◆												
MD	Queen Anne's, Co.	◆						◆	◆	◆	◆	◆	◆	◆
MD	Salisbury	◆	◆	◆	◆			◆	◆	◆	◆		◆	
MD	Snow Hill	◆						◆	◆	◆			◆	
MD	Talbot	◆	◆							◆		◆	◆	◆
MD	Westminster		◆		◆					◆			◆	◆
MD	Wicomico		◆											◆
MD	Worcester					◆				◆		◆	◆	◆
MO	Nixa			◆	◆			◆		◆			◆	
MO	Nixa Fire Protection District								◆					
MS	Madison							◆	◆	◆	◆			
MT	Belgrade	◆	◆	◆	◆				◆	◆				
MT	Corvallis School District													◆
MT	Flathead County		◆						◆					
MT	Florence School District													◆
MT	Gallatin Co.	◆	◆						◆					
MT	Gallatin Co. Fire Districts								◆					
MT	Great Falls	◆												
MT	Madison	◆												
MT	Manhattan			◆	◆									
MT	Missoula							◆	◆	◆	◆		◆	
MT	Missoula Co.							◆	◆	◆				

STATE	CLIENT	Feasibility Analysis	Roads/Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
MT	Polson			◆	◆					◆				
MT	Ravalli	◆												
NC	Cabarrus Co.													◆
NC	Camden Co.													◆
NC	Catawba Co.													◆
NC	Chatham Co.													◆
NC	Creedmoor			◆	◆									
NC	Currituck Co.													◆
NC	Durham													◆
NC	Greenville		◆						◆	◆				
NC	Nags Head							◆		◆			◆	
NC	Orange Co.									◆	◆			◆
NC	Pasquotank													◆
NM	Las Cruces			◆	◆									
NV	North Las Vegas	◆							◆					
NV	Nye County		◆			◆		◆	◆	◆				
OH	Delaware							◆	◆	◆			◆	
OH	Lebanon		◆							◆				
OH	Pickerington	◆	◆					◆		◆			◆	
OH	Sunbury							◆					◆	
RI	E. Greenwich								◆	◆	◆		◆	◆
SC	Aiken		◆				◆	◆	◆	◆				
SC	Horry Co.	◆						◆	◆	◆	◆	◆		
SC	Summerville								◆	◆			◆	
VA	Chesterfield Co.		◆						◆	◆		◆		◆
VA	Goochland Co.		◆											
VA	Henrico Co.		◆							◆		◆		◆
VA	Isle of Wright Co.								◆	◆				◆
VA	Prince George Co.							◆	◆	◆		◆	◆	◆
VA	Prince William County		◆											
VA	Spotsylvania County		◆											
VA	Stafford County		◆											
VA	Suffolk			◆	◆									
VA	Sussex Co.	◆												
WI	Eau Claire		◆	◆	◆	◆				◆				
WV	Jefferson Co.							◆	◆	◆			◆	◆
WY	Casper	◆	◆						◆	◆				
WY	Teton Co.		◆											

## CAPABILITIES AND EXPERIENCE OF OUR PROJECT TEAM

To successfully navigate through your impact fee study and staffing analysis, the consultant team must possess specific, detailed and customized knowledge of not only the technical analysis, but the context of impact fee structure implementation in achieving City policy goals. Our project team has over 50 years of experience performing projects requiring the same land use planning and financial expertise as that needed to serve Spanish Fork.

**Carson Bise, AICP**, President of TischlerBise, will coordinate our project team's interaction with the City to ensure that all work is completed properly, on time, and within budget. Mr. Bise will also participate in the impact fee analysis.

**Dwayne Guthrie, AICP**, Principal at TischlerBise, will have primary responsibility for the impact fee analysis.

### **Carson Bise, AICP**

#### EXPERIENCE

Carson Bise has 19 years of fiscal, economic and planning experience and has conducted fiscal and infrastructure finance evaluations in 25 states. Mr. Bise has developed and implemented more fiscal impact models utilizing the case study-marginal approach than any consultant in the country. The applications he has developed have been used for evaluating multiple land use scenarios, specific development projects, annexations, urban service provision, tax-increment financing and concurrency/adequate public facilities monitoring. Mr. Bise is also a leading national figure in the calculation of impact fees, having completed over 130 impact fees for the following categories: parks and recreation, open space, police, fire, schools, water, sewer, roads, municipal power and general government facilities. In his six years as a planner at the local government level, he coordinated capital improvement plans, conducted market analyses and business development strategies, and developed comprehensive plans. Mr. Bise has also written and lectured extensively on fiscal impact analysis and infrastructure financing. His most recent publications are a chapter on fiscal impact analysis in the book Planning and Urban Design Standards, published by the American Planning Association, and the recently released ICMA IQ Report, *Fiscal Impact Analysis: How Today's Decisions Affect Tomorrow's Budgets*. Mr. Bise was also the principal author of the fiscal impact analysis component for the Atlanta Regional Commission's Smart Growth Toolkit and is featured in the recently released AICP CD-ROM Training Package entitled *The Economics of Density*. Mr. Bise is currently on the Board of Directors of the National Impact Fee Roundtable and recently Chaired the American Planning Association's Paying for Growth Task Force.

#### EDUCATION

M.B.A., Economics, Shenandoah University

B.S. Geography/Urban Planning, East Tennessee State University

B.S. Political Science/Urban Studies, East Tennessee State University

## SPEAKING ENGAGEMENTS

- “Impact Fee Basics,” National Impact Fee Roundtable
- “Fiscal Impact Assessment,” AICP Training Workshop, American Planning Association National Planning Conference
- “Dealing with the Cost of Growth: From Soup to Nuts,” International City/County Management Association National Conference
- “Demand Numbers for Impact Analysis,” National Impact Fee Roundtable
- “Impact Fees and Cash Proffers,” APA Virginia Annual Planning Conference
- “Calculating Infrastructure Needs with Fiscal Impact Models,” Florida Chapter of the American Planning Association Conference
- “Economic Impact of Home Building,” National Impact Fee Roundtable
- “Annexation and Economic Development,” American Planning Association National Conference
- “Economics of Density,” American Planning Association National Conference
- “The Cost/Benefit of Compact Development Patterns,” American Planning Association National Conference
- “Fiscal Impact Modeling: A Tool for Local Government Decision Making,” International City/County Management Association National Conference
- “Fiscal Assessments,” American Planning Association National Conference
- “From Soup to Nuts: Paying for Growth,” American Planning Association National Conference
- “Growing Pains,” International City/County Management Association National Conference
- “Fiscal Impact Analysis in Comprehensive Planning,” Virginia Chapter of the American Planning Association Conference
- “Mitigating the Impacts of Development in Urban Areas,” Florida Chapter of the American Planning Association
- “Fiscal Impact Analysis and Impact Fees,” National Impact Fee Roundtable
- “Are Subsidies Worth It?” American Planning Association National Conference
- “Paying for Growth,” APA Virginia Annual Planning Conference
- “Fiscal Impact Analysis and Cash Proffers in Virginia Jurisdictions,” APA Virginia Annual Planning Conference

## **Dwayne Guthrie, AICP**

### EXPERIENCE

Mr. Guthrie has 31 years of experience as a professional planner, working primarily in the areas of impact fees, demographic analysis, infrastructure funding, fiscal evaluations and

transportation planning. His career includes 23 years of work as a planning consultant and 8 years of public sector experience. At TischlerBise, Mr. Guthrie is the impact fee team leader, with over 360 studies completed for approximately 120 jurisdictions in 25 states/provinces. Mr. Guthrie has also served as an expert witness on the topic. His experience also includes numerous fiscal evaluations and capital improvements plans. Mr. Guthrie has prepared Capital Improvements Elements for numerous clients. As part of these studies he defines local level of service standards, cost factors and projected revenue sources to determine whether sufficient funding is available to pay for infrastructure. Additional infrastructure planning assignments include the cities of Westminster, MD; Kenosha, WI; Hailey, ID; a Capital Needs Assessment for public schools in Polk County, FL; and numerous capital facilities plans for jurisdictions in the metropolitan area of Salt Lake City, UT.

#### EDUCATION

Ph.D., in Planning, Governance, and Globalization from Virginia Tech

M.A., in Urban and Regional Planning from University of Florida

B.A., in Education from University of Florida

#### SPEAKING ENGAGEMENTS

- Preparing the Impact Fee Ordinance, Institute of Continuing Legal Education in Georgia, Land Use Law Program
- Development Impact Fees, Association of Idaho Cities Conference
- Reasonable Impact Fees, National Association of Home Builders Conference
- Impact Fees: The Good, The Bad and The Ugly, Continuing Legal Education International, Growth Management Conference
- Do Impact Fees Fit Your Comprehensive Revenue Strategy? Rocky Mountain Land Use Institute Conference
- Developing a Capital Improvements Program, Utah League of Cities & Towns Conference

## **Project Approach and Scope of Work**

#### PROJECT APPROACH

Impact fees are fairly simple in concept, but complex in delivery. The jurisdiction imposing the fee must: (1) identify the purpose of the fee, (2) identify the use to which the fee is to be put, (3) show a reasonable relationship between the fee's use and the type of development project, (4) show a reasonable relationship between the facility to be constructed and the type of development and (5) account for and spend the fees collected only for the purpose(s) used in calculating the fee.

Reduced to its simplest terms, the process of calculating impact fees involves only two steps:

1. Determine the cost of development-related capital improvements, and
2. Allocate those costs equitably to various types of development.

However, there is a fair degree of latitude granted in constructing the actual impact fees, as long as the outcome is “fair and equitable.” Fee construction is both an art as well as a science, and it is in this convergence that our project team excels in delivering products to our clients.

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics and planning requirements for the facility type being addressed. Each method has advantages and disadvantages in a particular situation and to some extent they are interchangeable because they all allocate facility costs in proportion to the needs created by development.

In practice, however, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for capital facilities. The following paragraphs discuss the three basic methods for calculating impact fees and how those methods can be applied.

**Plan-Based Impact Fee Calculation** - The plan-based method allocates costs for a specified set of future improvements to a specified amount of development. The improvements are identified by a facility plan. In this method, the total cost of relevant facilities is divided by total demand to calculate a cost per unit of demand. The plan-based method is often the most advantageous approach for larger types of facilities such as roads and utilities.

**Cost Recovery Impact Fee Calculation** - The rationale for the cost recovery approach is that new development is paying for its share of the useful life and remaining capacity of facilities from which new growth will benefit. To calculate an impact fee using the cost recovery approach, facility cost is divided by ultimate number of demand units the facility will serve. An oversized correctional facility or new aquatics center are two examples.

**Incremental Expansion Impact Fee Calculation** - The incremental expansion method documents the current level-of-service (LOS) for each type of public facility in both quantitative and qualitative measures, based on an existing service standard such as square feet per capita or park acres per capita. The level-of-service standards are determined in a manner similar to the current replacement cost approach used by property insurance companies. However, in contrast to insurance practices, clients do not use the funds for renewal and/or replacement of existing facilities. Rather, the jurisdiction uses the impact fee revenue to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments, with LOS standards based on current conditions in the community.

**Evaluation of Alternatives** - Designing the optimum impact fee approach and methodology is what sets TischlerBise apart from our competitors. Unlike most consultants, we routinely consider each of the three methodologies for each component within a fee category. The selection of the particular methodology for each component of the development impact fee

category will be dependent on which is most beneficial for the City. In a number of cases, we will prepare the development impact fees using several methodologies and will discuss the various trade-offs with the City. There are likely to be policy and revenue tradeoffs depending on the capital facility and methodology. We recognize that “one size does not fit all” and create the optimum format that best achieves our client’s goals.

*Each client is different, each fee area is different, and TischlerBise compares alternative methodologies to maximize revenues for our clients.*

#### SCOPE OF WORK

The scope of services offered in this proposal is intended to satisfy all legal requirements governing development impact fees, including provisions of the U.S. Constitution and the Utah Impact Fee Act. In general, the scope involves the following main tasks:

#### **Task 1: Project Initiation / Data Acquisition, Compilation and Review**

**Objective:** Develop a complete understanding of City’s land use planning issues as well as identify policy issues related to the development and implementation of impact fees within the City.

**Description:** During this task, we will meet with City staff to establish lines of communication, review and discuss project goals and City policies related to the project, review the project schedule, and revise if necessary, and to request data and documentation related to the project. The purpose of this initial discussion is outlined below:

- Review and refine work plan and schedule, if appropriate
- Assess information needs and required staff support
- Conduct initial interviews with key staff members
- Become familiar with the City’s infrastructure needs
- Discuss overall capital facility financing issues
- Identify and collect data and documents relevant to the analysis
- Discuss the possible number and location of service areas to be used in the study (e.g. areas of benefit for road improvements)
- Become familiar with the City’s economic development goals
- Identify any major relevant policy issues

**Policy Discussion.** We will meet with appropriate staff from the various Spanish Fork departments for the various impact fee categories. The interviews will focus on determining existing facility inventories and capacities, current levels of service, future capital facility needs/plans, geographic sub-areas, financing, and other items relevant to meeting the requirements of impact fees.

**Data Request.** A typical data request will include current demographic data, adopted General Plan, adopted Capital Improvement Plans, development projections and other relevant planning documents. We will provide a comprehensive and detailed data request memorandum to the City prior to the initial meeting.

**Meetings:** One (1) meeting with various members of City staff to initiate project.

**Deliverables:** 1) Data request memorandum (prepared in advance of meeting). 2) Revised project schedule, if necessary.

**Task 2: Compile Recommended Land Use Data and Growth Forecasts**

**Objective:** Review and understand and the current demographics of the City as it related to growth and development/redevelopment. Determine the likely development future for the City in terms on new population, housing units, employment and nonresidential building area. This includes potential annexations.

**Description:** In this task TischlerBise will meet with City staff to discuss current demographic data as well as discuss any available annual projections of population, employment, housing units, commercial, industrial and other nonresidential square footage data needed to assess the demand generated by new development/redevelopment for capital facilities. These projections may come from the City's General Plan and a review of approved, planned or anticipated development projects, depending on the outcome of our onsite discussions.

**Meetings:** One (1) meeting with City staff that will take place as part of Task 1.

**Deliverables:** We will prepare a memorandum discussing the recommended land use factors and projections.

**Task 3: Determine Capital Facility Needs and Service Levels**

**Objective:** Determine growth-related capital facility needs by infrastructure category and determine appropriate level of service standards.

**Description:** This task as well as tasks 4-6 may vary somewhat depending on the methodology applied to a particular impact fee category. The impact fee analysis for each facility type would be presented in a separate chapter in the impact fee report.

**Identify Facilities/Costs Eligible for Impact Fee Funding.** As an essential part of the nexus analysis, TischlerBise will evaluate the impact of development/redevelopment on the need for additional facilities, by type, and identify costs eligible for impact fee funding. Elements of that analysis include:

- Review facility plans, fixed asset inventories, and other documents establishing the relationship between development and facility needs by type.

- Identify planned facilities, vehicles, equipment, and other capital components eligible for impact fee funding.
- Prepare forecast of relevant capital facility needs.
- Adjust costs as needed to reflect other funding sources.

**Identify Appropriate Level of Service Standards.** We will review needs analyses and level-of-service levels for each facility type. Activities related to this task include:

- Apply defined service standards to data on future development to identify the impacts of development on facility and other capital needs. This will include discussions with staff of the existing versus adopted levels of service, as appropriate.
- Ascertain and evaluate the actual demand factors (measures of impact) that generate the need for each type of facility to be addressed in the study.
- Identify actual existing service levels for each facility type. This is typically expressed in the number of demand units served.
- Define service standards to be used in the impact fee analysis.
- Determine appropriate geographic service areas for each fee category.

**Meetings:** One (1) meeting with City staff and project team to discuss capital facility needs and levels of service.

**Deliverables:** See Task 6.

#### **Task 4: Evaluate Different Allocation Methodologies**

**Objective:** Determine the methodology most appropriate for each impact fee category. It is imperative that the methodology take into account the City’s funding needs as well as land use and other policy objectives.

**Description:** As noted previously, the three basic methodologies that can be applied in the calculation of development impact fees are the plan-based, incremental expansion, and cost-recovery approaches. Selection of the particular methodology for each component of the impact fee category will depend on which is most beneficial for Spanish Fork. In a number of cases, we will prepare the impact fees for a particular infrastructure category using several methodologies and will discuss the trade-offs with the City. This allows us utilization of a combination of methodologies within one fee category. For instance, a plan-based approach may be appropriate for a new facility building while an incremental approach may be appropriate for support vehicles and equipment. By testing all possible methodologies, the client is assured that the maximum supportable impact fee will be developed. Policy discussions will then be held at the staff level regarding the trade-offs associated with each allocation method prior to proceeding to the next task.

**Meetings:** One (1) meeting to discuss methodological findings.

**Deliverables:** See Task 6.

**Task 5: Determine the Need for Credits**

**Objective:** Alleviate the possibility of double payment by new development by evaluating the need to include a revenue credit within the impact fee methodology.

**Description:** A consideration of “credits” is integral to the development of a legally valid impact fee methodology. There is considerable confusion among those who are not immersed in impact fee law about the definition of a credit and why it may be required.

There are, in fact, two types of “credits” each with specific, distinct characteristics, but both will be included in the development of impact fees. The first is a credit due to possible double payment situations. This could occur when a property owner will make future contributions toward the capital costs of a public facility covered by a impact fee. The second is a credit toward the payment of a impact fee for the required dedication of public sites and improvements provided by the developer and for which the impact fee is imposed. Both types of credits will be considered and addressed in the impact fee analysis.

**Meetings:** None.

**Deliverables:** See Task 6.

**Task 6: Prepare Impact Fee Report, Presentations**

**Objective:** To document and present the methodology, supporting documentation, cost factors to facilitate impact fee implementation.

**Description:** TischlerBise will prepare a draft report that summarizes the need for impact fees for each public facility category, reflects the relevant methodologies employed, and documents all assumptions and cost factors. Upon completion of the analysis and calculation of impact fees, a draft of the entire study report, incorporating any previous staff comments, will be submitted for review by Spanish Fork staff.

The report will include the following components:

- Executive summary including summary of proposed impact fees.
- A chapter discussing legal framework and impact fee methodology.
- A chapter presenting data on existing and planned development in the study area as well as demand indicators (e.g. population, vehicle trips, equivalent dwelling units, etc.) for each type of facility.
- A chapter for each fee category addressing level of service standards, eligible costs required, cost allocation (growth versus existing residents), fee

calculations, recommended fee schedules, listing of capital facilities funded by impact fees, and projected revenue.

In addition to the above components, the report will also contain a separate chapter on implementation. Topics will include:

- Updating and indexing of fees.
- Accounting and reporting procedures.
- Provision of credits for facilities constructed by developers.

Because of TischlerBise’s extensive experience in calculating impact fees and preparing such reports, we have developed a succinct written product that leaves a well-understood paper trail. Following completion of the first draft, one round of additional changes will be incorporated to produce a final report. This proposal assumes that only minor changes will be required following completion of the first draft.

**Presentations.** We will meet with City Council and staff to present the impact fee study findings and results. The reports and presentations will be distributed at least ten (10) days in advance of meetings.

**Meetings:** One (1) meeting with the City Council to present results.

**Deliverables:** 1) Draft and final reports and presentation materials for meetings.

## **Project Schedule**

Both studies can be completed within a three-month period. This assumes prompt responses at critical decision points as well as review of drafts.

## Project Budget

As the table below indicates, the consultant costs for this assignment total \$59,900. As discussed during our recent meeting, the City would like to proceed in two phases. The pricing reflects this and includes the cost for preparing the land use forecasts and demographic assumptions in Phase I, which have been deducted from the fee amounts shown in Phase II when compared to our previous proposal. These fixed fee rates include expenses for travel, etc.

<b>Task/Fee Category</b>	<b>Cost</b>
<i>Phase I</i>	
Project Initiation/Prepare Land Use Forecasts	\$3,900
Transportation	\$8,100
Fire	\$4,900
Parks and Recreation	\$4,700
Municipal Power	\$6,300
Presentation	\$2,200
<i>Subtotal</i>	<b>\$30,100</b>
<i>Phase II</i>	
Water Irrigation	\$7,800
Sewer	\$7,100
Stormwater	\$5,600
Water	\$7,100
Presentation	\$2,200
<i>Subtotal</i>	<b>\$29,800</b>
<b>TOTAL</b>	<b>\$59,900</b>

## Representative Study Descriptions and Client References

Listed below are recent projects that demonstrate our technical abilities for your project and are similar in approach, scope and results. We encourage you to contact each reference regarding our consulting services.

### CLIENT

Town of Queen Creek, Arizona

### CONTACT

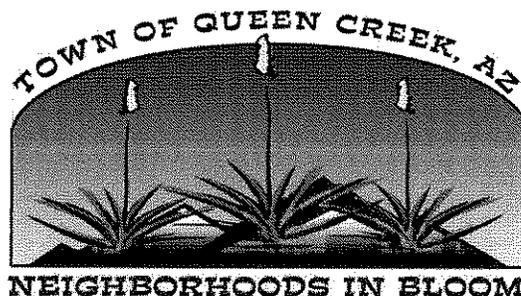
Wendy Kaserman, Community Development  
Administrator  
(480) 987-9887

### DATE

1999, 2002, 2005, and 2007

### NATURE OF ASSIGNMENT

TischlerBise was hired by the Town of Queen Creek to prepare a comprehensive package of development fees to offset the Town's capital costs associated with providing necessary public services to new development. In 1999, TischlerBise used a combination of methodologies to compute impact fees to support the Town's wastewater collection and treatment facilities, libraries, town buildings and vehicles, public safety, and parks, open space, and recreation facilities. In 2002, 2005, and 2007, Queen Creek retained TischlerBise to update its existing development fees and calculate new fees for additional categories of infrastructure (transportation in 2002 and fire in 2007).



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### CLIENT

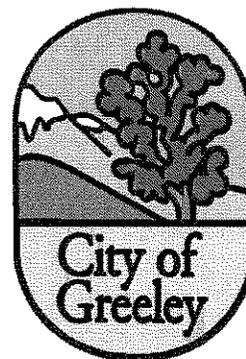
Greeley, Colorado

### CONTACT

Roy Otto, Assistant City Manager  
(970) 350-9750

### DATE

2003



### NATURE OF ASSIGNMENT

For Greeley, Colorado, TischlerBise calculated maximum supportable impact fees for the following categories: transportation, fire/ rescue, parks, trails, police and storm drainage. The City of Greeley has an expansive, largely undeveloped corridor along US 34 that is poised for considerable development over the next 20 years. Many parts of this corridor are located a

considerable distance away from infrastructure and services. In addition to the many planning considerations germane to this corridor, a financing strategy for necessary infrastructure was needed before extensive development can occur. To address these issues, the City hired a multidiscipline team of consultants that included TischlerBise to prepare the Highway 34 Corridor Development Study.

TischlerBise prepared a tiered impact fee structure for the City reflective of the infrastructure needs of the Highway 34 corridor, specific service areas, as well as those of the older areas of the City. In almost all cases, marginal cost information was used, based on infrastructure cost estimates provided by the consultant team, facility master plans and the City. The resulting fee structure reflects the true cost to serve new growth in specific areas, rather than the average cost of infrastructure. This type of fee approach results in lower fees in areas served by existing infrastructure. This graduated, or tiered, approach can be helpful in creating incentives for new development to locate in areas with infrastructure in place and/or encourage infill development.

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CLIENT

Dorchester County, Maryland

CONTACT

Jane Baynard  
(410) 228-1700



NATURE OF ASSIGNMENT

TischlerBise conducted an impact fee/excise tax study for Dorchester County, on Maryland's Eastern Shore. TischlerBise evaluated fees for three types of capital improvements: (1) public schools, (2) public safety communication system, and (3) sheriff's facilities and equipment. Dorchester County used the study to request authorizing legislation from the State of Maryland to impose excise taxes on new development. Based on TischlerBise's study and recommendation, the County was successful in obtaining excise tax authorization from the State during the 2004 Legislative Session.



**MEMO  
SPANISH FORK CITY  
PUBLIC WORKS DEPARTMENT**

**DATE: February 16, 2010**

**TO: Mayor and City Council**

**FROM: Richard J. Heap, Public Works Director**

RE: Solid Waste Contract

Our contract with Allied Waste expires June 30, 2010 unless the city wishes to renegotiate for another five years. We have to give Allied 180 Days notice if it is our desire to renegotiate which we did in December. We have been happy with their service.

We have been meeting with Gordon Raymond and negotiated what we feel is a fair contract. I have enclosed some comparisons that show that even with the new rates we have still about the lowest rate in the County. The new rate of \$3.77, as compared with the \$3.15 we currently have had for five years, is less than 20% increase over five years. Some of you will remember that Gordon came to a City Council Meeting and wanted to increase the fees then with a CPI adjustment. This was denied. Allied Waste is requesting a yearly increase of 2.5% which amounts to about 9 cents per year, instead of waiting for five years for any increase. We could tie the increase to the Consumer Price Index, but I am not sure if we know what inflation and prices will do over the next five years.

Both Public Works and Finance have reviewed this and recommend the council authorize the finalization of contract to meet this proposal.

## AMENDMENT # 2

### To Residential Solid Waste Collection & Disposal Agreement

THIS AMENDMENT is made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between Spanish Fork City, a municipal corporation and political subdivision of the State of Utah (hereinafter called "City"), and Allied Waste Services of North America, LLC. (hereinafter called "Contractor").

WHEREAS, City and Contractor are parties to that certain Agreement dated June 28, 2005 (the "Agreement") and Amendment to that Agreement dated August 7, 2006 (the "Amendment") that provides for residential solid waste collection and disposal and associated fuel surcharge for services within the boundaries of the city; and

WHEREAS, the City has given 180 day notice to Contractor indicating their intent to extend said agreement for an additional five years; and

WHEREAS, City and Contractor have negotiated new rates for solid waste collection and a new baseline for the fuel surcharge.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

#### **1) Extension**

The Agreement will be extended for five (5) years beginning July 1, 2010 and concluding on June 30, 2015. City may choose to extend the Agreement beyond June 30, 2015. Further extensions will be negotiated with the Contractor as may be in the best interests of the City

#### **2) Basic Fee**

Beginning on July 1, 2010, fees for each first garbage receptacle will be \$ 3.77 monthly, every additional garbage receptacle will be \$ 1.95 monthly. These fees will increase each July 1, 2.5% beginning in 2011.

#### **3) Fuel Surcharge**

The baseline rate for the fuel surcharge shall be adjusted per the table on page 2 of this Amendment # 2. All other aspects of the surcharge as described in the Amendment will remain as previously agreed.

# Spanish Fork Fuel Surcharge Table

Monthly Avg. \$/Gallon	Monthly Rate per 1st Container
\$2.80 or less	\$ 3.77
\$3.05 or more	\$ 3.83
\$3.30 or more	\$ 3.90
\$3.55 or more	\$ 3.98
\$3.80 or more	\$ 4.05
\$4.05 or more	\$ 4.13
\$4.30 or more	\$ 4.20
\$4.55 or more	\$ 4.28

Table will follow same pattern for fuel rates which exceed \$ 4.50 per gallon.

**All terms of this Amendment #2 are subject to the original Agreement covenants as amended, except as modified herein.**

## Spanish Fork City

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
(Authorized Representative)

Print \_\_\_\_\_ Title \_\_\_\_\_

## Allied Waste Services of North America, LLC

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
(Authorized Representative)

Print \_\_\_\_\_ Title \_\_\_\_\_

GARBAGE SERVICES SURVEY 11/18/09

City	Who is your Garbage Service Provider?	Price 1st Can (What provider is charging you)	When your contract originated with your provider what was the bid price (the price before inflation) for the 1st can?	Price 2nd Can	Do you (City) own your cans? If no, how much does your provider charge for each individual can?	When did you last bid your Garbage services out?	Do you have a fuel adjustment cost? If yes, how much?	Contact	Phone Number	Notes
Pleasant Grove	AW	\$ 4.84	\$4.30 for 1st Can and \$2.65 for 2nd Can	\$ 3.26	part of 4.84	July 1, 2004. 5 Year Contract. 2 one year extensions if both parties agree. They have enacted one of those.	Not used. INFLATION INDEX meaning adjusted annually as part of price. Part of \$4.53.	Gary	801-785-5045	Same day pick up. One day per week. WM could not do. Reluctant to have WM do it. Ace no same day pick up.
American Fork	AW	\$ 4.53	\$4.53 because each year they reevaluate the cost of services based on the CPI.	\$ 3.16	N/A	Periodic indexing. 6 months ago recycling.	Included in CPI	Kathy	801-763-3000	4.47 Recycling
Orem	WMM	\$ 5.51	4.65 1st can 2.59 2nd Can	\$ 3.08	No charge. Call WMM directly.	November 2008 extended 3 years. Contract started June 2001.	None. Energy .02 raise over 2.50 then times each can by that amount. Ex: \$2.62 per gallon than take extra .12/2 = .06. Then .06 x # of cans.	Kathy getting info from Richard Manning.	801-229-7275	3.45 Recycling. Free of charge to pick up elderly/disabled/etc. garbage. Good customer service.
Lindon	AW	\$ 6.04	\$9.32 back in 2003 for 1st can. \$4.45 for 2nd.	\$ 1.85	For repairs	Awarded in October 1, 2009. Suggestion: start bid 6 months early and award 4 months early.	See Attached Chart.	Sherril Sanders	801-785-5043	4.19 Recycling. Land fill fees separate.
Lehi	WMM	\$ 5.45	Same just bid out October 1st, 2009.	\$ 3.25	\$75 WMM Charges			Janelle. Message	801-768-7100	See Attachments: RFP.
Payson	Do Own	N/A	N/A	N/A	N/A	N/A	N/A		801-465-5200	Service good. Contract stinks. Paid \$24,000 total last month of which \$7,000 transfer fees. 2764
Santaquin	AW	\$ 5.98		\$ 5.46	Included in cost. AW owns.	Year and half ago rec'd contract.	.09 per 1st can	Susan	801-754-3211	Service good. Contract stinks. Paid \$24,000 total last month of which \$7,000 transfer fees. 2764
Salem	AW	\$ 3.85		\$ 1.83			Yes, last month 0.12 per can.	Jeff - Pulling Contract and Calling back.	801-423-2770	Price increases each year based on Cost of Living Adjustment. Move garbage cans to one side of the street. Kept rates same.
Mapleton	AW	\$ 9.11	Searching will let if find.	\$ 3.52	Replacements \$75	At least 13 years.	No, just put on one side of street.	Martian Everett	801-489-5655	
Springville	Do Own	N/A	N/A	N/A	N/A	N/A	N/A	Shauna	801-489-2700	

CPI = Consumer Price Index

*Mark Amy Anderson*



**MEMO  
SPANISH FORK CITY  
PUBLIC WORKS DEPARTMENT**

**DATE: February 16, 2010**

**TO: Mayor and City Council**

**FROM: Richard J. Heap, Public Works Director**

**RE: Water Conservation Plan**

About five years ago the State required all water systems in the state to prepare a Water Conservation Plan. The goal of the State is to see a 25% reduction in water use by the year 2050. Spanish Fork City has been proactive in this effort. All of the cities in the South Utah Valley Municipal Water Association (SUVMTWA) have the same requirement in the contract with Central Utah Water Conservation District for the 30,000 acre-feet of CUP water.

When we installed the PI system and metered the users we met a little over half of this goal. With new construction using the new plumbing codes with low flow fixtures, with more and continued education we expect to meet that goal.

Another requirement from the state is that every five years we have to update the Water Conservation Plan. This is the first update.



## SPANISH FORK CITY

# WATER CONSERVATION PLAN

(HAL Project No.: 348.04.100)

February 2010

**SPANISH FORK CITY**  
**WATER CONSERVATION PLAN**

(HAL Project No.: 348.04.100)



**Project Manager**

**HANSEN  
ALLEN  
& LUCE<sub>INC</sub>**  
ENGINEERS

**February 2010**

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## **CHAPTER I**

### **INTRODUCTION**

In response to projected future growth along the Wasatch Front, citizens and leaders of Spanish Fork City are concerned about the future water supply in the region. The Utah State Legislature has passed legislation requiring public water suppliers to prepare a Water Conservation Plan and to update the plan periodically. The City prepared the original Water Conservation Plan in 2004. This report is the 2010 update of the City's Water Conservation Plan.

This report assesses the water conservation alternatives available to the City, sets goals to conserve water, and identifies existing and proposed water conservation measures to be implemented by the City.

## CHAPTER II

### WATER SYSTEM DESCRIPTION

Spanish Fork City, located in the south central portion of Utah County, had an estimated population of about 31,500 people in 2008 according to the US Census Bureau. The service area for the culinary water system has an estimated population of about 34,000 while the population of the pressurized irrigation system service area is about 32,000. Providing water to meet the needs of its citizens has always been a top priority of City leaders and planners. This priority has resulted in a well maintained and operated water system. The pressurized irrigation system was installed in 2002 to conserve drinking quality water and to provide customers with water at a lower cost. Currently, the Spanish Fork Municipal Water System serves the entire City with some additional homes on the periphery of the City. The distribution of these connections is shown in Table II-1.

**TABLE II-1  
CURRENT WATER SYSTEM CONNECTIONS (AS OF 2009)**

<b>CONNECTION TYPE</b>	<b>CULINARY WATER SYSTEM</b>	<b>PRESSURIZED IRRIGATION SYSTEM</b>
Residential	9,382	7,590
Commercial	567	276
Industrial	30	4
Institutional	75	1
<b>TOTAL</b>	<b>10,054</b>	<b>7,871</b>

Spanish Fork City residents and their leaders place a high value on open space. Spanish Fork City presently has almost 400 acres in parks, golf course, cemetery and sports fields. Open grassed areas around schools and churches bring the total acreage in open grassed areas to over 500 acres.

Spanish Fork City is presently receiving an above average portion of the county's residential, commercial and industrial growth. This growth is causing changes in the way the land within the City limits is being utilized and straining the ability of the present water supply and delivery system to meet demands. Through careful planning and efficient utilization of available water supplies these increased needs can and will be met.

### INVENTORY OF WATER RESOURCES

Spanish Fork City has been withdrawing approximately 9,000 acre-feet of water annually from four springs located in the Spanish Fork River drainage and wells located throughout the City. This has supplied the total water required to meet demands on the culinary water system which provides for both indoor and outdoor water uses. Spanish Fork City installed a city-wide pressurized irrigation system in 2002 which reduces the demand on the culinary water supply.

The City owns shares of stock in several local canal companies. The City also owns several water rights in the Spanish Fork River and in underground wells. Table II-2 summarizes the City's water sources.

**TABLE II-2  
EXISTING WATER SOURCES SUMMARY**

<b>SOURCE</b>	<b>2009 WATER SUPPLY (gpm)</b>	<b>2009 WATER SUPPLY (Acre-feet)</b>	<b>SOURCE SUPPLY CAPACITY (gpm)</b>
<b>CULINARY WATER SYSTEM</b>			
Crab Creek	1,319.7	2,128.6	2,100
Cold Springs	503.9	812.7	2,468
Malcomb Springs	1029.9	1,661.3	3,366
1700 East (Part Time)	185.1	297.6	987
Ed Clark Well	-	-	224
<b>SUBTOTAL</b>	<b>3,038.6</b>	<b>4,901.2</b>	<b>9,145</b>
<b>PRESSURIZED IRRIGATION SYSTEM</b>			
Olsen Well	-	-	1,400
Cemetery #2 Well	719.4	1,160.4	1,000
1700 East (Canyon Rd Well)	523.5	844.3	2,200
2550 East (Canyon View Elem. Well)	457.0	737.2	2,300
Memorial Well	316.2	510.1	1,300
Fairgrounds Well	301.3	486.0	800
Malcomb Springs Booster (Part Time)	104.7	168.9	500
2550 East Reservoir	51.5	83.1	500
Darger Springs	327.1	527.6	1,400
Oaks Bypass at Darger Springs	2.6	4.2	400
Golf Course Pond	-	-	-
<b>SUBTOTAL</b>	<b>2,803.3</b>	<b>4,521.8</b>	<b>11,800</b>
<b>TOTAL</b>	<b>5,842</b>	<b>9,423</b>	<b>20,945</b>

**WATER USE**

Water use is categorized into residential, commercial, industrial, and institutional uses. The amount of water metered during 2009 for each type of use is shown in Table II-3.

**TABLE II-3  
WATER DELIVERIES BY CUSTOMER TYPE (2009)**

<b>COSTUMER TYPE</b>	<b>CULINARY WATER SYSTEM WATER USE (acre-feet)</b>	<b>PRESSURIZED IRRIGATION SYSTEM WATER USE (acre-feet)</b>
Residential	1,974	2,517
Commercial	195	340
Industrial	117	204
Institutional	339	589
<b>Total</b>	<b>2,625</b>	<b>3,650</b>

Based on the 2009 service area population estimate of 34,000 people for the culinary water system, the per capita water is 129 gallons per capita per day (gpcd). Based on the 2009 service area population estimate of 32,000 people for the pressurized irrigation system, the per capita water is 126 gallons per capita per day (gpcd). Together, the combined per capita water use for Spanish Fork City is 255 gpcd. This represents an increase from the 235 gpcd value from 2001. This evidence should not be seen as a failure of current water conservation measures, rather it should invigorate the effort to continue existing conservation measures while implementing additional practices to reach conservation goals. Spanish Fork City's water use is still slightly lower than the State of Utah average of 260 gpcd.

Table II-4 compares the water supplied to both the culinary water and pressurized irrigation systems to the metered water use for the years 2007, 2008 and 2009. Based on this table, about 40% of the water supplied by the City's culinary water sources is unaccounted for. The pressure irrigation system appears to have very little water unaccounted for. Possible explanations for the unaccounted water use include leaks in the distribution system, meter inaccuracies, and miscellaneous unmetered water use (such as pipe line flushing, construction activities, etc.).

**TABLE II-4  
COMPARISON OF WATER SUPPLIED TO METERED WATER USE**

<b>TYPE</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
<b>CULINARY WATER SYSTEM</b>			
Water Supplied (acre-feet)	4,239	4,589	4,901
Water Metered (acre-feet)	2,733	2,706	2,625
Accounted for Waste (acre-feet)	-	-	289
% Unaccounted for Waste	36%	41%	41.0%
<b>PRESSURE IRRIGATION SYSTEM</b>			
Water Supplied (acre-feet)	3,960	4,190	4,522
Water Metered (acre-feet)	3,911	4,098	3,651
Accounted for Waste (acre-feet)	327	528	369
% Unaccounted for Waste	-	-	11%

## **EXISTING AND FUTURE WATER USE**

Water use for the City is expected to grow in proportion to the number of connections added to the City's water system. Assuming the current per capita water use of 255 gpcd, the estimated 2010 water use for all of Spanish Fork City (estimated population of 35,000 is about 10,000 ac-ft/year. When the City has reached its 2050 population projection of about 55,000, the estimated water use is about 15,700 ac-ft/year.

If water losses in the culinary water system can be reduced from 40% to 10%, the estimated additional water savings in 2050 would be about 2,400 ac-ft/year and reduce the per capita water use to about 216 gpcd from the current 255 gpcd, a reduction of about 15%. Additional water conservation efforts would be needed to reduce the per capita usage by the State goal of 25%.

## CHAPTER III

### CONSERVATION ISSUES AND GOALS

#### WATER METERING AND PIPELINE REPLACEMENT

Spanish Fork City currently meters water use at almost all connections and reads meters on a monthly basis on both the culinary water system and pressurized irrigation system.

Spanish Fork City has a current program to replace and/or upsize old or undersized water pipelines along streets that need to be re-constructed. The City also replaces meters and laterals that are found to be leaking or defective. These projects are implemented as City budget allows. The City is also planning to complete master plans for both water systems to identify pipeline deficiencies and inefficiencies.

#### CURRENT WATER RATE STRUCTURE

Spanish Fork City's pressurized irrigation system rate structure is summarized in Table III-1. The culinary water system rate structure is summarized in Table III-2. The City plans to reassess water rates to promote additional water conservation.

**TABLE III-1  
WATER RATE STRUCTURE FOR PRESSURIZED IRRIGATION SYSTEM**

METER SIZE	MONTHLY BASE SERVICE FEE
3/4" or 1"	\$13.25
1.5"	\$25.98
2"	\$41.69
3"	\$94.80
4"	\$162.59
\$0.92 per 1000 Gallons	

**TABLE III-2  
WATER RATE STRUCTURE FOR CULINARY WATER SYSTEM**

RATE TYPE	RATE <sup>1</sup>
Base Rate	\$10.00
Metered Residential Rate (per 1000 gallons)	\$1.19
Commercial Rate	\$1.19
Non-Residents Base Rate	\$13.60
Non-Residents Residential Rate (per 1000 gallons)	\$2.46

<sup>1</sup> For units with and without pressurized irrigation

## IDENTIFIED PROBLEMS

Spanish Fork City is concerned with the potential waste of water from inefficient indoor and outdoor water use and from system wide losses. The following specific concerns have been identified by the City:

- Many pipes in the culinary water distribution system are old and are undersized and may be leaking.
- The current rates may not promote conservation enough.
- Comparison of the water supplied to the distribution system and the monthly meter readings has revealed 41% of water supplied is unaccounted for.

Spanish Fork City has decided to set goals to address the identified problems and to promote conservation. The City is currently promoting water conservation measures similar to the State of Utah water conservation campaign that was instituted in 2001. Utah's M&I Water Conservation Plan, released in July 2003, sets a state-wide goal to reduce per capita water use 25% from the 1995 usage by the year 2050. In 2001, the average Spanish Fork City water use was estimated to be about 235 gallons per capita per day (gpcd). The estimated 2009 water use is about 255 gpcd. This represents a water use increase of about 8.5% since 2001. It is possible that the increase in unaccounted for water in the culinary water system is responsible for the increase in use. Nevertheless, the City will continue to promote water conservation to increase the current conservation level and to achieve the state-wide goal of 25% reduction.

## GOALS

Spanish Fork City desires to reduce per capita water use to the goal stated in the 2001 Water Conservation Plan, which is to reach 201 gpcd by 2020 and 172.5 gpcd by 2050, representing a 12.5 percent and 25 percent reduction respectively from the 2001 value of 235 gpcd. Per capita water use will be re-evaluated every 5 years to determine if this goal has been reached. The following specific water conservation goals have been identified by the City to help them reach this goal:

- The City will continue public education efforts including encouraging customers to limit outside watering during high wind and the heat of the day.
- The City will continue to support the water conservation measures currently in effect as defined in Chapter IV.
- The City will evaluate the water rate structure to promote water conservation.
- The City will determine potential causes for high percentage of culinary water that is unaccounted for and attempt to reduce this water loss.
- The City will consider adoption of conservation focused landscaping ordinances.
- The City will replace leaking pipelines as they are discovered and as budget will allow.

## CHAPTER IV

### CONSERVATION MEASURES AND IMPLEMENTATION

Spanish Fork City believes that water conservation is an important factor for allowing the City to meet water demands into the future. Although the City does not have an appointed water conservation coordinator, City staff are aware of the conservation goals of the City and works together to implement these goals.

#### EXISTING CONSERVATION MEASURES

Table IV-1 identifies water conservation measures that are currently being implemented by Spanish Fork City. The measures will continue to be implemented according to the plan indicated in Table IV-1. It is not known if existing conservation measures have been effective given the increase in per capita water use since 2001 and the uncertainties regarding the high loss rates included in those figures.

**TABLE IV-1  
EXISTING CONSERVATION MEASURES**

CONSERVATION MEASURE	IMPLEMENTATION PLAN
<u>PUBLIC EDUCATION:</u> Promote water conservation measures to City residents through public education. (See Appendix for public education material.)	Advertise conservation measures through: <ul style="list-style-type: none"> <li>• The City's website.</li> <li>• The City Newsletter</li> <li>• Links to water conservation websites on City's website.</li> </ul>
<u>RECOMMEND WATER SAVING FIXTURES:</u> City has recommended water saving plumbing fixtures through their public education program.	Educate citizens about the potential water savings from water saving plumbing fixtures.
<u>REPLACEMENT PROGRAM FOR OLD PIPELINES:</u> City replaces pipelines when necessary	Replace old/undersized pipelines: <ul style="list-style-type: none"> <li>• whenever a street is redone,</li> <li>• according to master planned projects,</li> <li>• as leaks are detected.</li> </ul>
<u>REPLACEMENT OF OLD WATER METERS:</u> New efficient meters with touch-read sensors installed at all connections	All water meters have been replaced: <ul style="list-style-type: none"> <li>• within the past 9 years.</li> </ul>
<u>INSTALLATION OF WATER METERS ON PI SYSTEM:</u> New meters installed at all PI customer connections	Water meters added to PI system when implemented: <ul style="list-style-type: none"> <li>• Reduces water consumption (compared to non-metered systems)</li> </ul>
<u>RESTRICT WATER USE FOR PUBLIC LANDSCAPED AREAS:</u> Practice water-wise irrigation for City owned facilities.	Sprinkler irrigation of public landscaped areas is: <ul style="list-style-type: none"> <li>• adjusted based on weather,</li> <li>• performed during the cooler parts of the day.</li> </ul>
<u>PROVIDE SECONDARY SOURCE FOR IRRIGATION:</u> City provides pressurized irrigation system that helps conserve culinary water	Maintain and manage the pressurized irrigation system. Metering the system helps conserve a large amount of water as costumers pay for use versus a flat rate.

**PROPOSED CONSERVATION MEASURES**

Table IV-2 identifies water conservation measures that are proposed to be implemented by Spanish Fork City in the future.

**TABLE IV-2  
PROPOSED CONSERVATION MEASURES**

<b>CONSERVATION MEASURE</b>	<b>IMPLEMENTATION PLAN</b>
<p><u>PUBLIC EDUCATION:</u> Promote water conservation measures to City residents through public education.</p>	<p>Advertise additional conservation measures and workshops by providing additional links and information on the City website and in the annual water quality report.</p>
<p><u>CONSIDER LANDSCAPING ORDINANCES:</u> City's existing landscaping ordinances are not conservation focused.</p>	<p>Consider updating the City's existing landscaping ordinances so that they focus on water conserving practices.</p>
<p><u>CONDUCT A WATER LOSS INVESTIGATION:</u> Perform study to determine the sources of the high unaccounted for water</p>	<p>The City will complete master plans for the culinary water and pressurized irrigation systems which will identify water loss origins. A capital improvement plan will be implemented that will focus on mitigating water loss and leaks. A goal of the master plan will be to create a plan to reduce culinary water loss from 41% to 10%.</p>
<p><u>RE-EVALUATE WATER RATE STRUCTURE:</u> The current rate structure does not promote water conservation through increasing rates and higher overage costs during peak water use times.</p>	<p>The City will re-evaluate the water rate structure in 2011 or later when the current water rate structure plan is completed. This evaluation will focus on whether the current rate structure continues to promote water conservation.</p>

# APPENDIX



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# Culinary Water

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### Indoor Water Conservation

- [Spanish Fork City Water Conservation Plan - 2004](#)
- [Utah Water Conservation Plan](#)
- [Outdoor Water Conservation](#)

#### Indoor Water Conservation Tips

- Use a shut-off spray nozzle on your hose to wash the car.
- Clean driveways, patios and decks with a broom instead of a hose.
- Check for leaks around the house, including dripping faucets, running noise in toilet, etc. A drip can waste as much as 5,000 gallons per month. To check for leaks turn everything off that uses water. Check your water meter and write down the current reading (include tenths of a cubic foot). Then check the meter again after one hour. If the meter has changed you have a leak.
- Consider installing water efficient plumbing fixtures.
- Toilets installed before 1993 generally use 2 to 4 times more water than newer toilets. These can either be replaced or a glass quart jar without a lid may be placed in the tank.
- Keep a jug of drinking water in the refrigerator instead of running tap water until cold.
- Water Conservation Workshops
- Water Conservation Workshop

The next water conservation workshop is scheduled on March 16, 2006 at 7:00 PM. The workshop will be held at the Spanish Fork Fairgrounds High Chaparral Building, 475 South Main, Spanish Fork, Utah. Come to the workshop to learn about indoor water conservation, outdoor water conservation, efficient sprinkler systems, drip irrigation systems and more. For more information about the workshop contact Spanish Fork City Engineering Department at (801) 798-5000 x 22 or at [msmith@spanishfork.org](mailto:msmith@spanishfork.org).

#### Links

- <http://extension.usu.edu/files/natrpubs/nrwq03.pdf>
- [www.conservewater.utah.gov](http://www.conservewater.utah.gov)
- [www.slowtheflow.org](http://www.slowtheflow.org)
- [www.awwa.org/advocacy/learn/](http://www.awwa.org/advocacy/learn/)
- <http://www.awwa.org/Advocacy/learn/conserve/>
- [www.utahschoice.org](http://www.utahschoice.org)

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# Pressurized Irrigation

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## Maps / GIS

## Outdoor Water Conservation

[Spanish Fork City Water Conservation Plan - 2004](#)

[Utah Water Conservation Plan](#)

[Indoor Water Conservation](#)

### Water Conservation Tips

- Avoid watering during the heat of day or during times of wind. This will reduce water loss to evaporation.
- It is better to water during the heat of the day then when there is wind because wind will evaporate water 6 times faster than the sun.
- As the weather changes adjust your watering schedule accordingly.
- Aerate your lawn to increase the amount of water the ground soaks in. This is best done in the spring or fall.
- Water your lawn separately from other landscaped areas.
- Invest in a rain switch or moisture sensor.
- Place mulch in planting beds to reduce evaporation.
- Leave small grass clippings on the lawn as a nutrient source or invest in a mulching lawn mower.
- Fertilize lawn in the late fall with a slow release fertilizer. Do not over fertilize.
- Use hardscape landscaping such as patios, walks, statuary, pavers, etc.
- Plant drought resistant trees and plants. Ask a local nursery about Utah-friendly landscape materials.
- Control weeds. Weeds use a lot of water.
- Increase the mowing height of your lawn mower. Longer grass grows deeper roots, uses less water and stands the stresses of hot dry weather better.
- Use a shut-off spray nozzle on your hose to wash the car.
- Clean driveways, patios and decks with a broom instead of a hose.
- Check for leaks. A leaking sprinkler system or hose bib can waste a significant amount of water. To check for leaks turn everything off that uses water. Check your pressurized irrigation meter and write down the current reading (include tenths of a cubic foot). Then check the meter again after one hour. If the meter has changed you have a leak.

The following web sites will give you more information on water conservation:

- <http://extension.usu.edu/files/natrpubs/nrwq03.pdf>
- [www.conservewater.utah.gov](http://www.conservewater.utah.gov)
- [www.slowtheflow.org](http://www.slowtheflow.org)
- [www.awwa.org/advocacy/learn/](http://www.awwa.org/advocacy/learn/)
- <http://www.awwa.org/Advocacy/learn/conserve/>
- [www.utahschoice.org](http://www.utahschoice.org)