



## AMENDED 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 April 16, 2013**.

### AGENDA ITEMS:

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

- a. Pledge, led by invitation
- b. Utah Recreation & Parks Association Awards Presentation

#### 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. SPANISH FORK 101: Officer Mark Byers - Animals in Disasters

#### 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 – April 2, 2013
- b. \* Airport Runway Extension AIP Project No. 3-49-0034-19/20 Change Order #1
- c. \* Williams Agreement Amendment
- d. \* Canyon View Park & Fairgrounds Caretaker Rental Contracts

#### 6. PUBLIC HEARING:

- a. \* Canyon Creek Zone Change – Including some 14 acres located at approximately 700 East Chappel Drive. The proposal would change the zoning on some lands from Business Park to Commercial 2 and the zoning on other lands from Commercial 2 to Business Park.

#### 7. NEW BUSINESS:

- a. \* Report on formal request by Iralea Pace to amend Title 6 regarding kennels
- b. \* Board Appointments – Marivene Zohner, Shade Tree Commission
- c. \* Resolution #13-04 Proclaiming Arbor Day
- d. \* Revisions to the signage regulations in Title 5
- e. \* Proposed Preliminary Plat for the Spanish Highlands development. This proposal would amend the approval of this project to include three additional lots.

#### 8. CLOSED SESSION:

- a. Land Acquisition

### 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.

Tentative Minutes  
Spanish Fork City Council Meeting  
April 2, 2013

Elected Officials Present: Mayor G. Wayne Andersen, Councilmembers Steve Leifson, Rod Dart, Keir A. Scoubes, Brandon Gordon. Absent: Councilmember Richard Davis.

Staff Present: David Oyler, City Manager; Junior Baker, City Attorney; Seth Perrins, Assistant City Manager; Dave Anderson; Community Development Director; Jered Johnson, Engineering Division Manager; Steve Adams, Public Safety Director; John Bowcut, IS Director; Angie Warner, Deputy Recorder; Don Thomas, Emergency Preparedness Officer.

Citizens Present: Tristan Buchanan, Benjamin Chidester, Rayce Tanner, Marden Pace, Iralee Pace, Travis Wilson, Brett McInelly, Nathan Roberts, Amy Roberts, Deann Sandage, JoseAnn Engle, Lana Creer Harris, Lynn Rindlisbacher, Cary Hanks, David Peterson, Jeff Yates, Kena Mathews, Bob Tandler, Rick McBride, Johnny McCoy, Doris Rusan, Krisel Travis, Hayden Nielsen.

**CALL TO ORDER, PLEDGE, RECOGNITION:**

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

Rayce Tanner led in the pledge of allegiance.

**PUBLIC COMMENTS:**

**Agenda Request – Iralee Pace, Residential Kennel Permit Restrictions on Unaltered Animals**

Iralee Pace asked the City Council to consider changing Title 6 of the City Code animals. Ms. Pace read the section regarding the number of unaltered animals at a home. Ms. Pace is requesting to have 4 unaltered animals for breeding purposes.

Mayor Andersen asked Ms. Pace to meet with Officer Mark Byers and City Planner Dave Anderson to see if a decision can be made to present back to the City Council for approval.

Cary Hanks Director Spanish Fork Salem Chamber of Commerce thanked the City Council for their support at the Easter Egg Hunt.

**COUNCIL COMMENTS:**

Councilman Gordon said the Youth City Council attended Utah State University for a conference where they won some individual awards. Councilman Gordon congratulated Katina Burt who was crowned Miss Spanish Fork.

Councilman Leifson said the City Council attended the UMPA conference, which was very informative and successful.

Councilman Dart said a few of the City Council attended the Parks and Recreation Conference. At the awards banquet Spanish Fork City received the "Outstanding Facility" for the new rodeo arena. Also there, city employee Bronco Hunter received a scholarship to further his education.

Councilman Scoubes gave an update from the solid waste board.

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SPANISH FORK 101: Don Thomas – Great Utah Shakeout

CONSENT ITEMS:

- a. Minutes of Spanish Fork City Council Meeting – March 5, 2013
- b. Spanish Fork River Trail MAG Grant, Federal Aid Agreement
- c. Center Street 1150 East to US 6 MAG Grant, Federal Aid Agreement
- d. 200 East Center Street to 900 North Water Replacement Project, Change Order 4
- e. Powerhouse Road Diversion Line, Change Order 1

Councilman Leifson made a **Motion** to **approve** the consent items.  
Councilman Gordon **Seconded** and the motion **Passed** all in favor.

PUBLIC HEARING:

**Donation in the form of a Fee Waiver for the Daughters of Utah Pioneers for installation & monthly SFCN Internet usage for the Memorial Building at 400 North Main Street.**

Lana Creer Harris, representing the DUP asked the City Council to waive the fees for internet hookup and monthly service fees to have internet at the DUP museum. The DUP is creating a website for the public to be able to see what the museum has and also to be able to sell copies of historic photos. Ms. Harris has spoken with SFCN and they said they could do this if the Council approved it. Ms. Harris said they would like their website up and ready before Fiesta Days.

Councilman Dart made a **Motion** to move into Public Hearing.  
Councilman Gordon **Seconded** and the motion **Passed** all in favor at 6:39p.m.

Mayor Andersen welcomed any public comment.

There was none.

Councilman Dart made a **Motion** to move out of Public Hearing.  
Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:40p.m.

Councilman Gordon asked Mr. Bowcut the cost for installation & monthly internet.

John Bowcut said the business fee is \$55 per month and no installation costs.

Councilman Leifson commented that it would be a good thing.

Councilman Leifson made a **Motion** to **approve** the Donation in the form of a Fee Waiver for the Daughters of Utah Pioneers for installation & monthly SFCN Internet usage for the DUP at the Memorial Building at 400 North Main Street.

Councilman Gordon **Seconded** and the motion **Passed** all in favor with a roll call vote.

Councilman Scoubes made a **Motion** to move into Public Hearing to discuss a zone change.  
Councilman Leifson **Seconded** and the motion **Passed** all in favor at 6:43p.m.

**Zone Change for property located at approximately 1500 North State Road 51. The proposal would change the zoning from Rural Residential to R-1-6 on approximately 44 acres. & Proposed Meadow Creek Preliminary Plat – This proposal would create 191 lots located on approximately 44 acres in the vicinity of 1500 North State Road 51**

99 Dave Anderson said this proposal is located at approximately 1500 North State Road 51 and is  
100 on both sides of the road. The request is to change from Rural Residential to R-1-6. A road will  
101 be constructed in the future on the south of this development. If the City Council approves the  
102 zone change then the next item to discuss is the preliminary plat for this proposed subdivision.  
103 Staff, Development Review Committee and Planning Commission recommends approval of the  
104 zone change.

105 Dave Anderson said that when this property was annexed years ago, there was an issue with a  
106 buyout of Springville power in the area. This issue would have to be resolved before the property  
107 is developed. Staff, Development Review Committee and Planning Commission recommends  
108 approval of the preliminary plat.

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110 Mayor Andersen welcomed any public comment.

111  
112 There was none.

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114 Councilman Gordon made a **Motion** to move out of Public Hearing.  
115 Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 6:51 p.m.

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117 Councilman Scoubes asked if there are requirements or restrictions regarding wetlands, green  
118 space, or pollutants.

119  
120 Dave Anderson said a while ago there was testing performed throughout the area. Nothing was  
121 found and there are no park requirements in the development.

122  
123 Lynn Rindlisbacher said they acquired the property from the Forbush family. Mr. Rindlisbacher  
124 has not had any environmental testing done because the property has been farmed for years and  
125 he did not have any concerns.

126  
127 Councilman Gordon made a **Motion** to **approve** the Zone Change for property located at  
128 approximately 1500 North State Road 51, changing the zoning from Rural Residential to R-1-6 on  
129 approximately 44 acres.

130 Councilman Dart **Seconded** and the motion **Passed** all in favor with a roll call vote.

131  
132 Mr. Rindlisbacher said he does not understand all of the Springville power issue, his attorney is  
133 going to meet with Mr. Baker. Mr. Rindlisbacher said regarding the offsite sewer geotechnical  
134 report that is still 1-2 weeks away.

135  
136 Councilman Dart made a **Motion** to **approve** the Proposed Meadow Creek Preliminary Plat that  
137 would create 191 lots located on approximately 44 acres in the vicinity of 1500 North State Road  
138 51 with the condition that the Springville Power issue be resolved.

139 Councilman Leifson **Seconded** and the motion **Passed** all in favor with a roll call vote.

140  
141 **NEW BUSINESS:**

142 **Fritzi Realty Contract Addendum**

143 Junior Baker said the Fritzi Contract was an item on the last meeting agenda and Mr. Tandler  
144 was not present so the matter was continued. Mr. Baker, the Mayor and Mr. Tandler have had  
145 many meetings via phone to make this contract work. Mr. Baker reviewed the amendments to  
146 the contract.

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148 *1. Section 4 of the Site Plan Phasing Agreement is stricken and replaced with the following:*

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150 **4. OWNER'S RESPONSIBILITY.**

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- 4.1 All required improvements, as shown on the approved site plan, shall be constructed by Owner within the time frame allowed herein.
  - 4.2 The Site upgrade shall take place in four phases. The first phase shall consist of 75,000 square feet of space within the building which can be made available for use by Owner or one or more tenants. Owner may designate the 75,000 square feet to be in Phase 1. That designation may take place all at once, or in segments, as the Owner has opportunity to use various portions of the building. The second phase shall consist of an additional 35,000 square feet of space within the building which can be made available for use by Owner, or one or more tenants. Developer may designate the 35,000 square feet to be in Phase 2. That designation may take place all at once, or in segments, as the Owner has opportunity to use various portions of the building. The third phase shall consist of an additional 50,000 square feet of space within the building which can be made available for use by Owner, or one or more tenants. Developer may designate the 50,000 square feet to be in Phase 3. The fourth phase consists of usage of the balance of the square footage of the building, consisting of approximately 50,000 square feet.
  - 4.3 The improvements required to be installed with Phase 1 are electrical upgrades to the entire building to satisfy life and safety concerns under the Fire Code and electrical upgrades to the portion of the building to be used to meet the needs of Owner and/or its tenant(s). In addition thereto, Owner will contribute to City the sum of \$30,000 which City will use, in conjunction with its standard streets maintenance program, to install curb and gutter along Cal-Pac Avenue along the frontage of Owner's property, together with installation of asphalt between the curb and existing asphalt, overlay the existing asphalt, modify the end of Cal-Pac Avenue to align at a 90 degree angle with Arrowhead Trail, and place a storm drain pipe under Cal-Pac Avenue near the north end of Owner's property. The obligation required with Phase 2 shall require Owner contributing to City the sum of \$20,000. City will use the funds to add sidewalk and landscaping in Cal-Pac Avenue along the frontage of Owner's property. The improvements required to be installed with Phase 3 include the improvements along Arrowhead Trail as shown on the site plan. The improvements required in Phase 4 are the balance of the improvements required in Cal-Pac Avenue, including installing an eight inch pressurized irrigation line and a fifteen inch storm drain line in the east side of the street in the current shoulder, a masonry wall between Owner's property and residential properties on the south and west as shown on the site plan, unless plans have been submitted to convert the current zoning and usage to residential, in which event, no walls will be required, and other improvements required by City's Ordinances which are not yet installed.
  - 4.4 Any usage of the building beyond 75,000 square feet will trigger the Phase 2 improvements. Any usage of the building beyond 110,000 square feet will trigger the Phase 3 improvements. Any usage of the building beyond 160,000 square feet will trigger the phase 4 improvements.

190 **2. INTEGRATION.**

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- 2.1 In all other respects, and except as specifically set forth herein, the aforesaid Agreement shall be in full force and effect without any change or amendment
  - 2.2 This Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall comprise but a single instrument.

198 **3. COOPERATION.**

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- 3.1 The Parties shall cooperate together, take such additional actions, sign such additional documentation, and provide such additional information as is reasonably necessary to accomplish the objectives set forth herein.
  - 3.2 In the event of any conflict between the terms of this Agreement and those of any document referred to herein, this document shall govern.

207 Mr. Tandler apologized for not being at the last meeting. Also, for forgetting the masonry wall;  
208 the residents did not want it so he just forgot about it. When Habitat for Humanity approached  
209 him, they thought it would be a great thing for the community.

210  
211 Councilman Leifson asked if Fritzi is in agreement with the cash contribution and the proposed  
212 contract.

213  
214 Mr. Tandler replied yes, he has worked with staff to come to this agreement.  
215  
216 Mayor Andersen commented that he is glad that it was worked out and the improvements will be  
217 great.  
218  
219 Councilman Scoubes gave explanation that at the last meeting the city did not want to discuss  
220 the addendum to the contract with Habitat for Humanity because they are not the owner.  
221  
222 Mr. Oyler reminded Mr. Tandler that whoever moves into the building needs to follow the  
223 business regulations of the city.  
224  
225 Mr. Tandler said that it is already in the contract.  
226  
227 Councilman Leifson made a **Motion to approve** the Fritzi Realty Contract Addendum.  
228 Councilman Scoubes **Seconded** and the motion **Passed** all in favor.  
229  
230 **Proposed McInelly Preliminary Plat – The proposal would create two lots at approximately 3000**  
231 **East Spanish Oaks Drive on a 3.6 acre parcel**  
232 Dave Anderson said the property is zoned R-1-9. The two lots would share one driveway onto  
233 Spanish Oaks Drive and each of the lots exceeds 9,000 square feet. Development Review  
234 Committee and Planning Commission recommend approval.  
235  
236 Councilman Gordon made a **Motion to approve** the Proposed McInelly Preliminary Plat – creating  
237 two lots at approximately 3000 East Spanish Oaks Drive on a 3.6 acre parcel.  
238 Councilman Dart **Seconded** and the motion **Passed** all in favor.  
239  
240 **Proposed West Gate Manor Preliminary Plat – The proposal involves reapproving the existing**  
241 **West Gate Manor development to permit the completion of the last two phases**  
242 Dave Anderson said this property is located north of Spanish Fork High School. The preliminary  
243 plat has expired and needs reapproving to start over in the process. There are approximately 8-9  
244 lots in the R-1-8 zone.  
245  
246 Councilman Dart made a **Motion to approve** the Proposed West Gate Manor Preliminary Plat –  
247 Reapproving the existing West Gate Manor development to permit the completion of the last two  
248 phases.  
249 Councilman Scoubes **Seconded** and the motion **Passed** all in favor.  
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251 **River Debris and Tree Removal Project, Change Order 1 & 2 to Extend Project to I-15 & through**  
252 **the Golf Course**  
253 Jered Johnson said the city received an NRCS grant and have not spent all of the money. Mr.  
254 Johnson pointed out on the map the extension to I-15 on the west side and through the Golf  
255 Course to Powerhouse Road on the east side that were added.  
256  
257 Councilman Leifson made a **Motion to approve** the River Debris and Tree Removal Project,  
258 Change Order 1 & 2 to Extend Project to I-15 & through the Golf Course.  
259 Councilman Gordon **Seconded** and the motion **Passed** all in favor.  
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261 **ADJOURN:**  
262 Councilman Dart made a **Motion to adjourn** to Closed Session to discuss Sale of Property &  
263 Potential Litigation.

264 Councilman Scoubes **Seconded** and the motion **Passed** all in favor at 7:27p.m.

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266 ADOPTED:

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Angie Warner, Deputy Recorder

*DRSHEI*



## SPANISH FORK-SPRINGVILLE AIRPORT

*Cris Child/Manager*  
2050 N 300 W  
Spanish Fork, Utah 84660  
(801) 420-8888



April 11,2013

### Staff Report

**To:** Honorable Mayors and City Councils

**From:** Cris Child Airport Manager on behalf of the Spanish Fork/Springville Airport Board

**Subject:** Change Order 1 Airport Runway Shift Phase ! (FAA Grant #3-49-0034-19/20)

**Recommended Motion:** Approval

#### **Background/Discussion:**

This change order is summarized as follows:

- a) The work on the 3 intersections being improved along the 800 West closure alternate route has been significantly expanded as requested by Utah County including the replacement of irrigation piping and additional paving.
- b) The location of the storm drain which was originally planned to go in 800 West Street has been moved out of the paved area so that 800 West Street could remain open throughout the bulk of the construction project.
- c) A Manhole in a Storm Drain has been added to a section where the length of the drain exceeded the Spanish Fork City standard.

The Airport Board has unanimously approved a recommendation to the City Councils that they authorize the execution of this change order.

**Alternatives:** Let the contract stand as is.

**Fiscal Impact:** Reductions in budget line items such as fill and compaction have been made so that the Costs vs. Credits on this Change Order are equal and as a result no change in the budget for this project will be made..

Respectfully submitted by:

Cris Child  
Airport Manager



## SPANISH FORK-SPRINGVILLE AIRPORT

*Cris Child/Manager*  
2050 N 300 W  
Spanish Fork, Utah 84660  
(801) 420-8888



April 11,2013

### Staff Report

**To:** Honorable Mayors and City Councils

**From:** Cris Child Airport Manager on behalf of the Spanish Fork/Springville Airport Board

**Subject:** Addendum to Williams Land Purchase Agreement

**Recommended Motion:** Approval

**Background/Discussion:**

This addendum is related to the agreement that was entered into by Spanish Fork City with Keith Williams to purchase land that will be needed to complete the future phases of the Runway Shift. This addendum will allow us to delay closing until we receive Federal and State Funds to cover roughly 95% of the cost of the land acquisition. Prior to this addendum it would have been necessary for Spanish Fork City to advance funds in order to close on the purchase.

The Airport Board has unanimously approved a recommendation to the City Councils that they authorize Mayor Anderson to execute this addendum on behalf of Spanish Fork City.

**Alternatives:** Let the contract stand as is.

**Fiscal Impact:** The agreement provides that Spanish Fork City will purchase the needed land for the Runway extension at Market Value to be determined by an Appraisal and a Revue Appraisal in accordance with FAA standard land acquisition requirements. 90% of the land acquisition cost will be obtained by a Federal Grant with another 5% of the cost to be obtained from a State Grant leaving the net cost to the Cites of roughly 5%.

Respectfully submitted by:

Cris Child  
Airport Manager



## Staff Report to City Council

<b>Agenda Date:</b>	April 16, 2013
<b>Staff Contacts:</b>	Dale Robinson
<b>Reviewed By:</b>	Junior Baker, Tyler Jacobson, Bart Morrill, Steven Money
<b>Subject:</b>	Canyon View Park & Fairgrounds Caretaker Contracts

### **Background Discussion:**

It has become necessary for us to change the way we are handling our caretaker contracts. The Canyon View Park Caretaker (Janice Ottesen) has had a contract that exchanged labor for rent payment on the house. We are no longer able to do that and have revised the contract to pay her for the hours she works in the park and in turn have her pay the city rent for the house she lives in. Since we were revising Janice's contract we decided to update the Fairgrounds Caretaker (Heath Atwood) contract as well so that the language was consistent.

### **Recommendation:**

Staff recommends that the council approve these contracts and authorizes the Mayor to sign them.

### **Attachments:**

Canyon View Park Caretaker Contract  
Fairgrounds Caretaker Contract

## **Canyon View Park Caretaker Contract**

COMES NOW Spanish Fork City, a Municipal Corporation of the State of Utah, hereinafter City, and JANICE OTTESEN, hereinafter Ottesen, who recite and agree as follows:

### **RECITALS**

WHEREAS City owns and operates public properties for the benefit of the residents, including the Canyon View Park, and

WHEREAS on-going maintenance is required at the Canyon View Park in order for the public to fully use and enjoy this public facility, and

WHEREAS maintenance of the Canyon View Park does not require the attention of full-time staff but is most efficiently performed by a caretaker who is on-site and able to address maintenance needs in a timely fashion, and

WHEREAS City also owns and maintains a caretaker residence at Canyon View Park to accomplish these purposes; and

WHEREAS Ottesen has been acting as the caretaker at Canyon View Park as an independent contractor; and

WHEREFORE, Ottesen still resides in the caretaker home, but is now employed as a part time City employee to perform the caretaker functions;

NOW THEREFORE, the parties contract, covenant, and agree as follows:

### **AGREEMENT**

1. Ottesen agrees to provide caretaker services to the Canyon View Park pursuant to the terms and conditions of this Agreement. This contract shall commence on the 1<sup>st</sup> day of April, 2013 and continue through the 31st day of March, 2014. Thereafter, this Agreement shall

continue on an annual basis, from April 1 through March 31 the following year, unless or until either party gives thirty (30) days notice to terminate.

2. Ottesen agrees to perform caretaker duties at Canyon View Park as an employee of the City, as directed by her supervisor.

3. City will pay Ottesen an hourly rate, which will vary over time, based on the wage scale and performance evaluation for this position. City will also provide a maintenance vehicle for performing caretaker functions.

4. City will provide Ottesen a two-bedroom home on the premises of the Canyon View Park. Ottesen will pay City the sum of \$7500.00 per annum for the use of the living facilities. Rent shall be due, in one lump sum, on an annual basis, due on the 31<sup>st</sup> day of August each year. Utilities are included with the rent, except for cable television and telephone. City may withhold the amount of the rent from Ottesen's last pay check in August of each year.

5. Ottesen shall be responsible for any damages to the caretaker facility, normal wear and tear excepted. If repairs are needed to the caretaker facility, beyond the scope of repairs expected of the caretaker, Ottesen shall immediately call her supervisor in the recreation department to report the needed repairs. City shall act promptly to complete the repairs.

6. This agreement is specific to the parties hereto and is not assignable.

7. This agreement may be modified only by a written amendment, executed by each of the parties hereto. This Agreement represents the entire agreement between the parties. Any prior understandings, agreements, or negotiations are merged herein and superseded hereby.

8. Either party to this Agreement may terminate if the other party fails to comply with any of the terms. A party desiring to terminate the Agreement based on the other party's

default shall first give the other party a written notice of the default. To enable the non-terminating party to make alternative plans, the termination shall not be effective until thirty days after the notice is given. Each party shall continue performing its respective obligations pursuant to this Agreement until this Agreement is actually terminated.

9. In the event this agreement is breached, the non-breaching party shall be entitled to recover, in addition to actual damages, attorney fees and costs of court actually incurred in the enforcement of this agreement.

**SPANISH FORK CITY**

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

ATTEST:

\_\_\_\_\_  
KENT R. CLARK, City Recorder

**CARETAKER**

\_\_\_\_\_  
JANICE OTTESEN

## **Fairgrounds Caretaker Contract**

COMES NOW Spanish Fork City, a Municipal Corporation of the State of Utah, hereinafter City, and HEATH ATWOOD, hereinafter Atwood, who recite and agree as follows:

### **RECITALS**

WHEREAS City owns and operates public properties for the benefit of the residents, including the Fairgrounds, and

WHEREAS on-going maintenance and security is required at the Fairgrounds in order for the public to fully use and enjoy this public facility, and

WHEREAS after hours maintenance and security of the Fairgrounds does not require the attention of full-time staff but is most efficiently performed by a caretaker who is on-site and able to address public needs in a timely fashion, and

WHEREAS City also owns and maintains a caretaker residence at Fairgrounds to accomplish these purposes; and

WHEREFORE, Atwood resides in the caretaker home, and is now employed as a part time City employee to perform the caretaker functions;

NOW THEREFORE, the parties contract, covenant, and agree as follows:

### **AGREEMENT**

1. Atwood agrees to provide caretaker services to the Fairgrounds pursuant to the terms and conditions of this Agreement. This contract shall commence on the 1<sup>st</sup> day of April, 2013 and continue through the 31st day of March, 2014. Thereafter, this Agreement shall continue on an annual basis, from April 1 through March 31 the following year, unless or until either party gives thirty (30) days notice to terminate.

2. Atwood agrees to perform caretaker duties at Fairgrounds as an employee of the City, as directed by his supervisor.

3. City will pay Atwood an hourly rate, which will vary over time, based on the wage scale and performance evaluation for this position. City will also provide a maintenance vehicle for performing caretaker functions.

4. City will provide Atwood a one-bedroom home on the premises of the Fairgrounds. Atwood will pay City the sum of \$4800.00 per annum for the use of the living facilities. Rent shall be automatically deducted from Atwood's City paycheck in the amount of \$200 for 24 pay periods annually. Utilities are included with the rent, which does not include cable television, internet and telephone.

5. Atwood shall be responsible for any damages to the caretaker facility, normal wear and tear excepted. If repairs are needed to the caretaker facility, beyond the scope of repairs expected of the caretaker, Atwood shall immediately call his supervisor in recreation department to report the needed repairs. City shall act promptly to complete the repairs.

6. This agreement is specific to the parties hereto and is not assignable.

7. This agreement may be modified only by a written amendment, executed by each of the parties hereto. This Agreement represents the entire agreement between the parties. Any prior understandings, agreements, or negotiations are merged herein and superseded hereby.

8. Either party to this Agreement may terminate if the other party fails to comply with any of the terms. A party desiring to terminate the Agreement based on the other party's default shall first give the other party a written notice of the default. To enable the non-terminating party to make alternative plans, the termination shall not be effective until thirty days

after the notice is given. Each party shall continue performing its respective obligations pursuant to this Agreement until this Agreement is actually terminated.

9. In the event this agreement is breached, the non-breaching party shall be entitled to recover, in addition to actual damages, attorney fees and costs of court actually incurred in the enforcement of this agreement.

**SPANISH FORK CITY**

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

ATTEST:

\_\_\_\_\_  
KENT R. CLARK, City Recorder

**CARETAKER**

\_\_\_\_\_  
HEATH ATWOOD



# MAP AMENDMENT

## REPORT TO THE CITY COUNCIL TENEDOR ZONE CHANGE APPROVAL REQUEST

**Agenda Date:** April 16, 2013.

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

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

**Request:** Richard Mendenhall has requested that the zoning be changed on property located in the vicinity of Chappel Drive and 700 East from Industrial 1 and Shopping Center to Commercial 2 and Business Park.

**Zoning:** I-1 and SC existing, BP and C-2 proposed.

**General Plan:** Industrial and General Commercial.

**Project Size:** approximately 14 acres in all.

**Number of lots:** Not applicable.

**Location:** Approximately 700 East Chappel Drive.

### Background Discussion

This proposal is something of a follow up to changes that were made to the Zoning Map in December of 2011. At that time, a boundary was established between the Business Park and Shopping Center Zoning Districts for properties that are included in the Canyon Creek Preliminary Plat. It is now proposed that that boundary be modified.

One part of the proposed Zone Change would allow a planned roadway to be the dividing line between the Shopping Center and Business Park zoning districts. The other part would adjust the boundary between the two zones in the vicinity of SAPA.

Staff has no concerns with the proposed Zone Change.

### Planning Commission

The Planning Commission reviewed this request in their April 3, 2013 meeting and recommended that it be approved. Staff anticipates having minutes from that meeting available in the Council meeting.

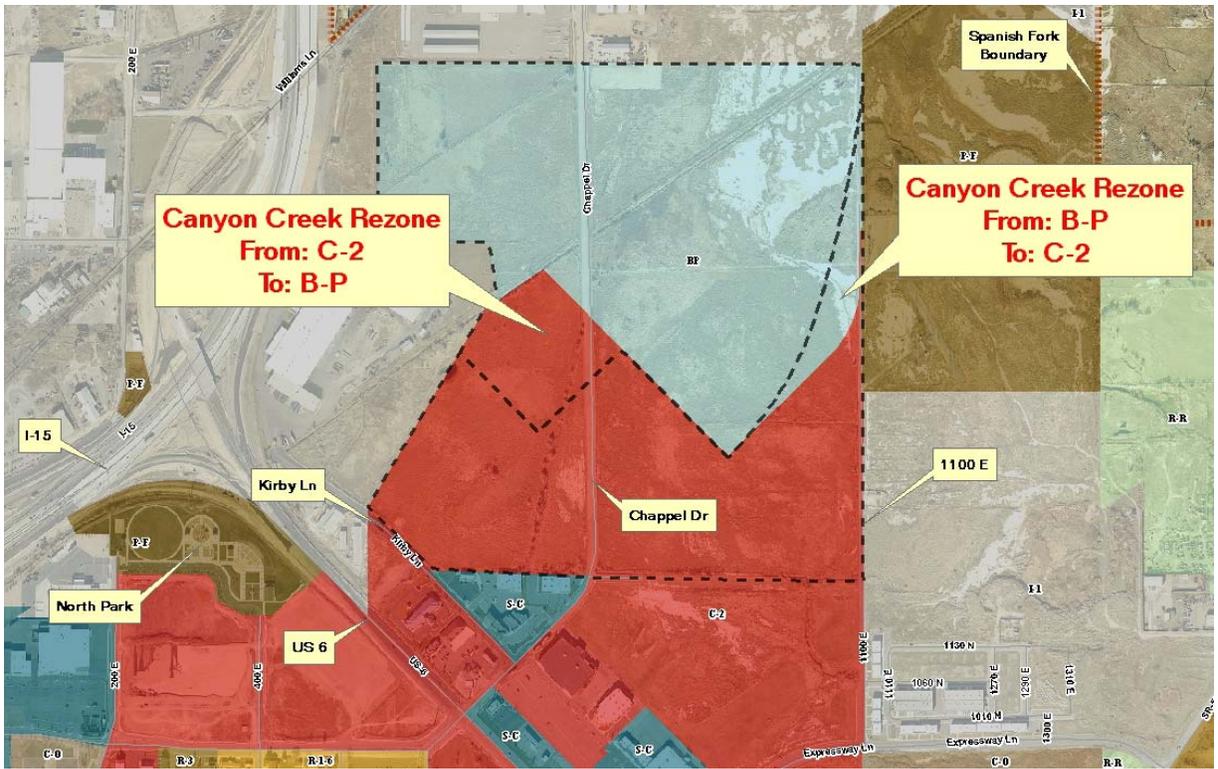
### Budgetary Impact

It is unlikely that any accurate prediction of the budgetary impact of this proposal can be made at this time. Even so, in as much as this proposal may facilitate retail development, one would suspect that the change would have a positive impact on the City's finances.

### Recommendation

Staff recommends that the proposed Zone Change be approved.





Date: April 11, 2013

To: City Council

From: Officer Mark Byers

Subject: Iralee Pace agenda request regarding kennel permit ordinance change

Lt. Matt Johnson and I have met with Iralee Pace regarding this ordinance change request.

As you know Iralee was requesting that the city change ordinance Title 6.16 Kennels to allow up to four animals at a residence to be animals intact. Our current ordinance allows for up to four animals however two must be altered. She indicated that she is requesting this because she wants to raise dogs and cats for breeding purposes and to then sell the offspring for a source of income.

After reviewing this information and speaking with Iralee, Lt. Johnson and I met with Junior Baker. After this discussion I recommend that the city not change the ordinance. My main concern with granting Iralee's request is that if changed a Residential Kennel permit holder could have, depending on the littler quantity, up to 30 animals at one time. This would likely increase complaints from citizens such as smell, disturbance, running at large, etc.

I would recommend that Iralee and others wanting to breed animals for profit do so in a commercial zone, where they would be able to be in compliance with our current ordinance.

I have reviewed with Iralee our viewpoint and position on the request. She has indicated that she understood our concern and I advised her that this will be on the agenda for the next meeting on April 16, 2013. She stated that she would be coming to this meeting and bringing some friends.

## **Announcement for Arbor Day 2013**

Spanish Fork City Shade Tree Commission is pleased to announce plans to celebrate Arbor Day 2013 twice this year. The Riverview Elementary School student's observance will be held at the Wildflower Retention Basin at 300 South 630 West at 9:30 am on Thursday, April 25<sup>th</sup>. The Rees Elementary School observance will be held at the Trail Head located at 349 North 1280 East at 9:30 am on Friday, April 26<sup>th</sup>. Student programs including songs, poems and other presentations will entertain and educate all who attend. Everyone is invited to come and help plant some trees. Bring a shovel!

The Shade Tree Commission has acquired a new member: Spanish Fork Resident Marivene Zohner. On Tuesday, April 9, 2013, at the monthly Shade Tree Commission Meeting, Marivene Zohner was nominated by Member, Ginny DeRaimo and was seconded by Member, Sterling Johnson. The voting was unanimous in favor of her appointment. We are glad to have her experience and service in the Shade Tree Commission. We request that Mayor Andersen appoint Marivene Zohner to a 3-year commission in the Spanish Fork City Shade Tree Commission.

Max Darrington  
Chairman

# RESOLUTION NO. 13-04

## ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>		
RICHARD M. DAVIS <i>Council member</i>		
STEVE LEIFSON <i>Council member</i>		
BRANDON GORDON <i>Council member</i>		
KEIR A. SCUBES <i>Council member</i>		

I MOVE this resolution be adopted:

I SECOND the foregoing motion:

## RESOLUTION 13-04

### A RESOLUTION PROCLAIMING ARBOR DAY

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, 2013 is the 141<sup>st</sup> anniversary of the holiday and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and

water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewal resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and,

WHEREAS, Spanish Fork City has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices

NOW, THEREFORE, I, G. Wayne Andersen, Mayor of the City of Spanish Fork, do hereby proclaim Friday, April 26th, 2013 as Arbor Day in the City of Spanish Fork, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

This resolution adopted this 16<sup>th</sup> day of April, 2013, by the City Council of Spanish Fork City, Utah.

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G. WAYNE ANDERSEN, Mayor

ATTEST:

---

KENT R. CLARK, City Recorder



**TO:** Honorable Mayor, Esteemed City Council

**FROM:** Dave Anderson, Community and Economic Development Director

**DATE:** April 16, 2013

**RE:** Proposed Changes to Signage Standards - Title 5

Accompanying this memorandum is a proposal that contains modifications that may be made to the City's signage standards.

The impetus for the proposed changes is two-fold. First, our staff has recognized for some time that elements of our signage regulations are unduly complicated and confusing. Second, the City has been approached by two retail developers about modifying some of our specific requirements to allow for more signage than what is currently permitted. In preparing this proposal, staff has made a concerted effort to prepare language that is clear and standards that would balance the need for signage with the goal of maintaining an orderly community.

The proposed changes attempt to address both issues. However, it should be acknowledged that the changes that would potentially allow for more retail signage are somewhat time sensitive. Staff has less sense of urgency on the other components of the proposal. Also, staff will likely continue to deliberate on these proposed changes and may have additional suggestions in your meeting.

Staff has worked to be methodical and considerate in its review of proposals to construct retail signs that are greater in size and number than what is currently allowed. Specifically, staff has solicited input from several retail developers, retailers, property owners and the President of the Chamber of Commerce in our effort to propose changes that would allow a reasonable amount of signage in a manner that is equitable for our local merchants. In our effort to solicit ideas, we've hosted two meetings that were attended by several of the people that we consider to be professional experts on signage and the need for signage in retail settings.

In those meetings, it became apparent that, in many cases, consideration must be given to site specific factors that may vary from one property to the next. For example, until recently the sign near the I-15 onramp on the south side of I-15 that advertises Macey's was adequately tall to be visible from I-15 in both directions. However, with the reconstruction of the interchange, the I-15 travel lanes have been modified so as to screen some or all of the sign from the view of drivers on I-15. With that understanding, staff believes it is advisable to change our ordinance so as to permit that sign to be raised so as to be visible from the interstate.

With the example of Macey's sign that is now somewhat obscured from view, staff has discussed how tall such a sign should be permitted to be. In other words, what should the maximum height for such a sign be? In this case, the sign in question needs to be a certain height based on factors that are somewhat unique to the subject property. The real factor that determines whether the sign is visible from the freeway or not is the elevation of the actual freeway itself, which varies throughout the City. Therefore, staff has concluded

that a maximum height that fails to account for the site specific factor of the adjacent freeway's elevation may not adequately address the need for sign height on this site. Likewise, it may not be necessary to permit signs that are as tall as the Macy's sign elsewhere in the City where the elevation of the freeway is lower or where factors are otherwise different. In staff's view, a one size fits all approach to all signage requirements will likely not function as well as we want.

In response to this conclusion staff has devised a proposal that would provide the City with an opportunity to establish location specific standards for signage. The language in the attached draft that refers to Project Signage Plans explains that aspect of the proposal. In short, for projects that meet certain requirements, an applicant may request that the City approve a number of signs, height of signs or area of signage that exceeds what the Code otherwise permits. This approval would come in the form of a Conditional Use approval with the Planning Commission being the Land Use Authority. As with other Conditional Uses, the Planning Commission would be able to account for site specific factors in determining how great deviations from the City's signage standards should or should not be.

Other components of the proposal generally involve restructuring the standards without changing the provisions for what is and is not permitted. That is to say, we've attempted to reorganize the rules without changing what the rules are. There are a few exceptions to that idea and I will attempt to describe all of those exceptions in this correspondence.

You will see that language pertaining to the City's ability to remove signs on private property has been struck in the proposal. This change is recommended in order to bring the ordinance into conformity with the City's standard practice which is to not enter private property to remove signs.

You will see that language requiring signs to be installed in landscape planter areas has been struck. Staff believes this is appropriate as certain sites are situated as to make the installation of such a planter area impossible.

The definition of sign height has been modified.

Provisions for Planned Commercial Centers have been removed. The proposal would replace the options afforded in that language with options that come about as part of the Project Signage Plan proposal.

The section of prohibited signs has been simplified. In staff's view the standard has not been changed in a material way even though the language has been made much more succinct.

Language pertaining to seasonal signage has been replaced with language that would allow businesses to use Temporary Signs to advertise events during 30 day periods of time up to four times a year. An example of an event in this context is Macey's case lot sale.

A portion of the nonconforming sign section has been struck to bring it into conformity to the City's standard procedure.

It is proposed that language be added to the billboard section of the ordinance to specify a permitted color.

Should this proposal be adopted, staff believes it may be beneficial to make further adjustments in coming months as the new structure is vetted through the day-to-day practice of the City's operation. As proposed, any part of the proposal can be adopted or eliminated from the proposal.

attachment: proposed Revisions to Title 5

## Chapter 5.36 Signs

### 5.36.010 Purpose

### 5.36.020 General Provisions

### 5.36.030 Prohibited Signs

### 5.36.040 Permitted Permanent Signs

### 5.36.050 Permitted Temporary Signs

### 5.36.060 Billboards

### 5.36.070 Nonconforming Signs

### 5.36.080 Exempt Signs

### 5.36.090 Permits and Fees

### 5.36.010 Purpose

The purpose of this section is to regulate the number, type, location, physical dimensions and design of signs in order to protect the public interest and achieve community objectives as follows:

1. To balance public and private objectives by allowing adequate signage for business identification;
2. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage which may be caused by cluttered, distracting and illegible signage;
3. To prevent property damage and personal injury resulting from signs which are improperly constructed or poorly maintained;
4. To promote the use of signs which are well designed, of appropriate scale and integrated with surrounding buildings and landscape in order to meet the City's desire for quality development.

### 5.36.020 General Provisions

1. All signs shall comply with the City's Clear Vision Area requirements.
2. All signs shall be structurally designed, constructed and maintained in accordance with all applicable provisions of the International Building Code.
3. Signs shall not be located in a manner which interferes with pedestrian travel or poses a hazard to pedestrians.
4. ~~All signs and sign structures shall be maintained in good order, repair and appearance at all times so as not to constitute a danger or hazard to the public safety or create a visual blight. If the Building Official/City Planner determines any sign or sign structure to be in an unsafe or unsightly condition, he/she shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty eight (48) hours. If the correction has not been made within forty eight (48) hours, the Building Official/City Planner may have the sign removed if it creates a danger to the public safety or welfare or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.~~
5. Signs may be illuminated or non-illuminated, unless otherwise restricted herein. The source of the sign's illumination shall not be visible from any street, sidewalk or adjacent property. This shall not preclude the use of neon sign elements.
6. ~~Freestanding signs shall be incorporated within a landscaped planter area of at least twenty five (25) square feet.~~
7. Sign area shall be measured as follows:
  - a. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background.
  - b. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard or parapet of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.
  - e. ~~For multi-face signs, only the largest single face shall be counted as the area.~~
8. **Sign height shall be measured as the vertical distance from the top of the highest element of the**

sign or sign structure to the base of the sign or sign structure provided or native grade of the site if the base of the sign extends more than one (1) foot above the native grade.

- a. Pole or pylon sign(s): The height shall be the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or crown of the roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.
  - b. Monument signs must have at least a one (1) foot high pedestal and the illuminated cabinet may not exceed five (5) feet in height for a total of six (6) feet. The height to the top of the sign as measured from the street curb may vary depending upon landscaping, but the combined height of the sign and berming/landscaping may not exceed nine (9) feet unless specifically authorized herein.
  - e. Wall, fascia, mansard and parapet mounted signs: The height shall be the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.
9. The maximum height for freestanding signs are as follows:
- a. Pole or pylon signs may be 35 feet in height.
  - b. Monument signs: 6 feet not including berming/landscaping
  - e. Other freestanding signs: 35 feet
10. Freestanding signs (pole, pylon and monument) are allowed for any size parcel provided that the parcel has 50 lineal feet of street frontage.
11. Freestanding signs (size requirements)
- a. Monument sign area is determined by the following formula: thirty (30) square feet plus one (1) square foot per one (1) lineal foot of street frontage over 50 feet, maximum size is 80 square feet unless specifically authorized herein.
  - b. A freestanding pole/pylon sign may not exceed 200 square feet unless specifically authorized herein.
12. Reader boards and electronic message centers may be allowed, however, devices shall not exceed 50 percent of the total freestanding sign area.
13. Each business is entitled to wall signs if the following criteria are met:
- a. The sign may not occupy more than 15 percent of the front flat wall area.
  - b. The 15 percent may be divided into more than one sign.
  - e. Secondary wall signs may be approved by the City planner if the sign does not exceed 5 percent of that wall.
14. Signs in planned commercial centers that are one (1) and up to five (5) acres in size allow the following:
- a. One (1) primary multi-tenant freestanding pole or pylon sign per project may have a total of 200 square feet.
  - b. Planned centers with two (2) or more street frontages over 100 feet are allowed one (1) sign on each street frontage. The signs must be separated by at least 100 feet as measured in a straight line between the signs. The second sign must be a monument sign not to exceed 48 square feet.
  - e. A freestanding building located within a planned center may request a monument sign up to 30 square feet provided that the freestanding building lot is contiguous to a major arterial street and has at least fifty (50) feet of street frontage. The sign must be in architectural harmony with the signage within the project and not be within 50 feet of any other freestanding sign within the development.
  - d. Planned commercial developments must have a sign theme and plans must be submitted for the overall placement and design for the development.
15. Signs in planned commercial centers that are over five (5) and up to ten (10) acres in size allow the following:
- a. One (1) primary multi-tenant freestanding pole or pylon sign per project may have a total of 200 square feet, an additional primary multi-tenant freestanding sign may be approved if the project has over 500 feet of frontage. The additional sign must be approved by the Development Review Committee and the signs must be a minimum of 300 feet apart.
  - b. Planned centers with two (2) or more street frontages over 100 feet are allowed one (1)

monument sign on each street frontage. The signs must be separated by at least 100 feet as measured in a straight line between the signs. The monument sign cannot exceed 48 square feet in size.

- e. A freestanding building located within a planned center may request a monument sign up to 30 square feet provided that the freestanding building lot is contiguous to a major arterial street and has at least fifty (50) feet of street frontage. The sign must be in architectural harmony with the signage within the project and be 50 feet from any other sign within the development.
  - d. Planned commercial developments must have a sign theme and plans must be submitted for the overall placement and design for the development.
16. Signs in planned commercial centers that are ten (10) or more acres in size allow the following:
- a. One (1) primary freestanding pole or pylon multi-tenant sign is permitted per project. Additional primary multi-tenant freestanding sign(s) may be approved for each additional 700 feet of frontage. The additional sign(s) must be approved by the Development Review Committee and be a minimum of 500 feet from any other primary freestanding sign. Freestanding sign(s) must meet the following:
    - i. 10 to 39 acres may have up to 200 square feet of signage.
    - ii. 40 to 69 acres may have up to 260 square feet of signage.
    - iii. 70 and over acres may have up to 320 square feet of signage.
  - b. Planned centers with two (2) or more street frontages over 100 feet are allowed one (1) monument sign on each street frontage not to exceed 48 square feet in size. The signs must be separated by at least 100 feet as measured in a straight line between any freestanding signs for the development.
  - c. A freestanding building located within a planned center may request a monument sign up to 30 square feet in size provided that the freestanding building lot is contiguous to a major arterial street and has at least fifty (50) feet of street frontage. The sign must be in architectural harmony with the signage within the project and not within 50 feet of any other signs for the project.
  - d. Planned commercial developments must have a sign theme and plans must be submitted for the overall placement and design for the development.

(Ord. No. 04-11, Amended 04/05/2011)

### 5.36.030 Prohibited Signs

Any sign not specifically listed as permitted by this ordinance is prohibited, including, but not limited to the following:

- 1. Signs located within or projecting over any public street, right-of-way or other public property except shingle signs as provided in Section D(3a). The City or other governmental entities may install signs on their own property to identify public buildings and uses and to provide necessary traffic control.
- 2. Roof signs, except those in the C-2 commercial zone, which must meet the following criteria:
  - a. Located below the peak of the roof; not permitted on a flat roof
  - b. Located on the side or back of the building
  - c. Non-illuminated
  - d. Under five (5) percent of the flat wall area for that side of the building
  - e. No secondary wall sign shall be permitted
  - f. No parcels over 2 acres in size or planned commercial centers over 1 acre shall be permitted a roof sign.
- 3. Projecting signs.
- 4. Any sign which interferes with or confuses traffic or presents a traffic hazard.
- 5. Signs emitting sound, except for approved drive-up menu boards as provided for in §5.36.040(3)(e).
- 6. Repealed.  
(Ord. No. 04-11, Amended 04/05/2011)
- 7. Awning mounted signs, unless painted directly on the face of the awning.

- ~~8. Signs mounted, attached or painted on trailers, boats or motor vehicles when parked, stored or displayed in a manner intended to attract the attention of the public for advertising purposes.~~
- ~~9. Pennants, banners, balloons, flags and similar displays except as provided in Section E(3).~~
- ~~10. Temporary signs which advertise a business, commodity, service, entertainment, product or attraction, except as permitted in §5.36.050(3).~~
- ~~11. Reader panel and electronic message signs that are portable, exceed 50 percent of a permanent sign, unless specifically authorized herein.~~
- ~~12. Portable signs except as provided in Section E.~~
- ~~13. Signs which extend below the bottom edge of a fascia board or mansard roof.~~
- ~~14. Off-premise signs except as allowed herein.~~

#### 5.36.040 Permitted Permanent Signs

Permanent Signs are limited to on-site advertising, may be illuminated or non-illuminated, must be located outside of any Clear Vision Areas, Reader Boards are permitted and Permanent Signs are subject to meeting any applicable requirements found in the International Building Code.

##### 1. Wall Signs

- a. The primary sign may not occupy more than fifteen (15) percent of the flat wall area of the primary elevation.
- b. Secondary wall signs are allowed provided they do not exceed five (5) percent of that wall area.
- c. The permitted sign area for a wall may be divided into more than one sign provided that the signs do not cumulatively exceed the allowed sign area for that particular wall.

##### 2. Monument Signs

Monument Signs shall be permitted for Churches and Schools. Monument Signs shall be limited to the following criteria unless a Project Signage Plan is approved:

- a. Monument signs must have at least a one (1) foot high pedestal.
- b. The illuminated cabinet may not exceed five (5) feet in height for a total of six (6) feet.
- c. The maximum copy area per side of a monument sign is forty-eight (48) square feet.

Monument Signs shall be permitted for individual businesses and multi-tenant developments. One Monument Sign shall be permitted per street frontage for each development unless a Pole Sign is installed on that frontage.

##### 3. Pole Signs

Pole Signs are permitted for non-residential individual businesses and multi-tenant developments that occupy sites that are one acre in size or larger. One Pole Sign shall be permitted per street frontage for each development unless a Monument Sign is installed on that frontage. Pole Signs shall be limited to the following criteria unless a Project Signage Plan is approved:

- a. Pole signs that advertise retail uses including restaurants:
  - i. Pole or pylon signs may be thirty-five (35) feet in height.
  - ii. Pole signs may not exceed two-hundred (200) square feet unless specifically authorized herein.
- b. Pole signs that advertise non-retail businesses and developments :
  - i. Pole or pylon signs may be fifteen (15) feet in height.
  - ii. Pole signs may not exceed sixty (60) square feet unless specifically authorized herein.

##### 4. Directional Signs

Directional signs, when required to assist the flow of traffic, not to exceed six (6) square feet in copy area or a height of three (3) feet.

##### 5. Menu Boards

One (1) Preview Menu Board and one (1) Ordering Menu Board are allowed for each drive-thru business. Preview Menu Board and Ordering Menu Boards may not exceed six (6) feet of height and twenty-four (24) square feet in copy area.

##### 6. Project Signage Plans

Application may be made to have a Conditional Use approved to permit taller signs with greater copy area as well as additional signs as part of a Project Signage Plan. Qualifying projects will contain at least 5 acres in area and will have at least 50,000 square feet of building space. Developments with Project Signage Plans may have Monument Signs and Pole Signs that exceed the height and area

requirements set forth in this chapter. Applicants may also request that a greater number of signs be allowed than what this Title otherwise permits. Applications for Project Signage Plans are made by submitting detailed descriptions of the proposed signs and proposed sign locations to the Community Development Department. Once approved, Project Signage Plans may not be modified without making new application for Conditional Use approval with the Planning Commission.

In reviewing applications for Project Signage Plan approval, the Planning Commission shall consider the impact of the proposed signs on surrounding properties, the advantages proposed signage may create in generating commerce in Spanish Fork City, the aesthetics of proposed signs and visibility from travel lanes on State roads.

1. ~~Agriculture, Residential and Residential Office Districts:~~
  - a. ~~All signs must meet the general provisions section and the additional requirements listed below.~~
  - b. ~~General:~~
    - i. ~~Monument signs shall not exceed a height of five (5) feet, measured from the top of the pedestal.~~
    - ii. ~~Wall signs shall not exceed a height of fifteen (15) feet measured from the base of the wall.~~
  - e. ~~Identification Signs:~~
    - i. ~~Residence signs: One (1) or more wall signs not to exceed a total aggregate area of three (3) square feet which may include the name of the residence, the name of the occupant and the street address.~~
    - ii. ~~Nonresidential uses:  
The maximum aggregate area of all identification signs shall be forty-eight (48) square feet.  
One (1) monument sign not to exceed twenty-four (24) square feet except for churches who may use up to forty-eight (48) square feet.~~
  - d. ~~Reader panel signs:~~
    - i. ~~Churches may use up to one-half (1/2) of the allowed monument sign area for a reader panel.~~
    - ii. ~~Public and private schools may have one (1) freestanding reader panel sign not to exceed thirty-two (32) square feet in area and fourteen (14) feet in height.~~
  - e. ~~Temporary signs in accordance with Section E.~~
2. ~~Commercial Office and Business Park Districts:~~
  - a. ~~All signs must meet the general provisions section and the additional requirements listed below.~~
  - b. ~~Wall, fascia, mansard and parapet identification signs:~~
    - i. ~~The maximum sign area permitted for each business is fifteen percent (15%) of the flat wall area or forty-eight (48) square feet, whichever is greater.~~
  - e. ~~Freestanding identification signs:~~
    - i. ~~One (1) monument sign shall be permitted per project, except on parcels with two (2) or more street frontages over 100 feet in length, which are allowed one (1) monument sign per frontage. The signs must be separated by at least 100 feet as measured in a straight line between the signs.~~
    - ii. ~~The maximum monument sign area is forty-eight (48) square feet.~~
  - d. ~~Reader panel signs:~~
    - i. ~~Churches may use up to one-half (1/2) of the allowed monument sign area for a reader panel.~~
  - e. ~~Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or a height of three (3) feet.~~
  - f. ~~Directory signs when required to identify the location of the various buildings or offices located within the project not to exceed eighteen (18) square feet and a maximum height of six (6) feet.~~
  - g. ~~Temporary signs in accordance with Section E.~~

3. Commercial Districts:

- a. All signs must meet the general provisions section and the additional requirements listed below.
- b. Wall, fascia, mansard, parapet, awning and shingle identification signs:
  - i. Are allowed only on the exterior elevation of the space occupied by the business, or, for shingle signs, immediately adjacent to the business it identifies.
  - ii. The maximum sign area permitted for each business is fifteen percent (15%) of the flat wall area.
  - iii. The maximum aggregate wall sign area is 300 square feet.
  - iv. The minimum clearance between the bottom of a shingle sign and the nearest grade or sidewalk is eight (8) feet.
- e. Freestanding identification signs not part of a planned commercial center:
  - i. One (1) freestanding sign shall be permitted per project or on parcels with multiple street frontages, one (1) monument sign may be permitted for each street if the frontage adjacent to the site is at least 100 feet and the signs are over 100 feet apart.
  - ii. The maximum area for a pole or pylon sign is 200 square feet.
- d. Reader panel signs:
  - i. Churches may use up to one half (1/2) of the allowed monument sign area for a reader panel.
  - ii. Automotive service stations may use up to twenty four (24) square feet of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold.
- e. Menu boards for drive-thru restaurants:
  - i. One (1) preview menu board and one (1) ordering menu board is allowed per business. Such signs may be freestanding or wall mounted.
  - ii. The maximum aggregate area for a preview and an ordering menu board shall not exceed twenty-four (24) square feet with a maximum height of six (6) feet.
- f. Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or three (3) feet in height.
- g. Directory signs when required to identify the location of the various buildings or offices located within the project not to exceed eighteen (18) square feet and a maximum height of six (6) feet.
- h. Temporary signs in accordance with §5.36.050.
- i. No freestanding signs are allowed in the C-D zoning district.

5. Industrial Districts:

- a. All signs must meet the general provisions section and the additional requirements listed below.
- b. Wall, fascia, mansard and parapet identification signs:
  - i. Are allowed only on the exterior elevation of the space occupied by the business.
  - ii. The maximum sign area permitted for each business is fifteen percent (15%) of the flat wall area.
  - iii. The maximum wall sign shall not exceed 300 square feet per building wall or side of building.
- e. Freestanding identification signs:
  - i. One (1) monument sign shall be permitted per project or on parcels with multiple street frontages, one (1) monument sign may be permitted for each street if the frontage adjacent to the site is at least 100 feet and the signs are over 100 feet apart.
  - ii. For developments that are considered as planned industrial centers (over 25 acres in size and have multi-tenant signs) the Planning Commission may increase the size and height of the monument sign.
- d. Reader panel signs:
  - i. Automotive service stations may use up to twenty-four (24) square feet of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold.

- e. ~~Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or three (3) feet in height.~~
- f. ~~Directory signs when required to identify the location of the various buildings or offices located within the project not to exceed eighteen (18) square feet and a maximum height of six (6) feet.~~
- g. ~~Temporary signs in accordance with Section E.~~

~~(Ord. No. 04-11, Amended 04/05/2011)~~

#### **5.36.050 Permitted Temporary Signs**

**Temporary Signs must be located outside of any Clear Vision Areas and conform to the provisions found in this Title. Government entities and non-profit organizations may install Temporary Signs on public and private property to give notice of events and functions. Temporary Signs are limited to on-site advertising unless expressly allowed for in this Title.**

##### **1. Banner Signs**

**Banner Signs must be affixed to the building façade so as to be secure and flush to the wall surface. Banner Signs are permitted to advertise during up to four (4) thirty (30) day periods each year for each property. One roof-mounted Banner Sign is permitted for each subdivision. Roof-mounted Banner Signs may not extend above the roofline of the structure they are installed upon. Roof-mounted Banner Signs must be located on a home in the subdivision they are advertising. Roof-mounted Banner Signs may not be larger than sixteen (16) feet by forty (40) feet.**

##### **2. Freestanding Temporary Signs**

**Freestanding Temporary Signs may be constructed of a variety of materials and shall be securely installed so as to be immovable without some measure of disassembly. Freestanding Temporary Signs may be up to eight (8) feet tall and may have up to thirty-two (32) square feet of copy area on each side unless further restrictions are described below:**

- a. **One (1) Freestanding Temporary Sign may be installed to advertise vacant parcels of land that are five (5) acres or larger unless the parcel has frontage on more than one (1) public right-of-way. Should the parcel have frontage on more than one (1) public right-of-way, then an additional Freestanding Temporary Sign may be installed for each additional frontage.**
- b. **One (1) Freestanding Temporary Sign may be installed to advertise vacant non-residential buildings unless the parcel has frontage on more than one (1) public right-of-way. Should the parcel have frontage on more than one (1) public right-of-way, then an additional Freestanding Temporary Sign may be installed for each additional frontage.**
- c. **Two (2) Freestanding Temporary Signs may be installed to advertise residential subdivisions. Two (2) off-site Freestanding Temporary Signs per builder are allowed, subject to obtaining a Sign Permit. Off-site Freestanding Temporary Signs must contain the name of the development and its address. For purposes of regulating off-site directional signs, a development is recognized as a residential subdivision by having a currently approved Preliminary Plat.**
- d. **One (1) Temporary Freestanding Sign is allowed on a construction site. The Temporary Freestanding Sign may identify the name of the project, the names of the developer, contractor, architect, subcontractor and financier of the project and the projected completion date. The sign may only be installed after Building Permits have been issued for the project. The sign shall be removed prior to the issuance of a Certificate of Occupancy for the project.**
- e. **One (1) Temporary Freestanding Sign is allowed to advertise a home or vacant lot. Temporary Freestanding Signs that advertise a home or vacant lot may be up to six (6) feet tall and may have up to twelve (12) feet in copy area on each side.**
- f. **Two (2) off-site Temporary Freestanding Signs are permitted for each open house for the sale of property. Each sign shall have a maximum area of six (6) square feet and a maximum height of three (3) feet. Signs must be placed on private property with the permission of the owner or lessee of the property.**
- g. **Freestanding Temporary Signs may be used to advertise political campaigns. Temporary Freestanding Signs that advertise political campaigns may be installed as soon as a candidate files for office and must be removed within seven (7) days following the election. Temporary Freestanding Signs that advertise political campaigns in residential zoning districts shall have a**

maximum height of five (5) feet and a maximum copy area of six (6) square feet. Temporary Freestanding Signs that advertise political campaigns in non-residential zoning districts shall have a maximum height of eight (8) feet and a maximum copy area of thirty-two (32) square feet.

- h. Freestanding Temporary Signs may be used to advertise polling locations. Temporary Freestanding Signs identifying a location as a polling place may be placed ten (10) days prior to an election. Such signs shall not support a candidate or cause, but merely identify the polling place and provide other general information about the upcoming election.

### 3. A-frame Signs

A-frame Signs are portable signs, usually equilateral triangular shaped, such that the short side provides a base for two sign copies facing opposite directions. A-frame Signs may not exceed sixteen (16) square feet of overall size. One (1) A-frame Sign is allowed per business and may only be placed in the front of the business. A-frame Signs may be placed in the public right-of-way so long as they are not in a travel lane, parking lane, road shoulder or obstructs pedestrian travel on a sidewalk. A-frame Signs must be sufficiently secured so that it won't readily fall over or otherwise create a hazard to persons or property. A-frame Signs may only be displayed during open business hours in commercial and industrial zoning districts. A-frame Signs shall be maintained in a well-kept condition.

### 4. Window Signs

May be used for business identification and advertising of any service, product, person, business, place or activity on the premises. Window Signs may cover up to fifty (50) percent of the area of the window on which the sign is located.

#### ~~1. Sale, lease or rent signs:~~

~~Signs shall be non-illuminated, with one (1) sign permitted for each street frontage, with a maximum of two (2) signs per parcel or building:~~

##### ~~a. Agricultural, Residential and Residence Office Districts:~~

~~xiii. Subdivision Lots: Vacant lots in recorded residential subdivisions may have one "for sale" sign with a maximum area of six square feet and a maximum height of three feet. Vacant lots in recorded commercial or industrial subdivisions may have one "for sale" or "for lease" sign with a maximum area of twelve square feet and a maximum height of six feet.~~

~~ii. Vacant land: Less than five (5) acres, each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet. Five (5) acres or more, each sign shall have a maximum area of thirty two (32) square feet and a maximum height of eight (8) feet.~~

~~iii. Commercial and Office Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.~~

~~iv. Residential Buildings: Each sign shall have a maximum area of six (6) square feet and a maximum height of three (3) feet.~~

##### ~~b. Commercial Office, Commercial and Industrial Districts:~~

~~i. Vacant land: Each sign shall have a maximum area of thirty two (32) square feet and a maximum height of eight (8) feet.~~

~~ii. Commercial and Office Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.~~

#### ~~2. Off-site open house signs:~~

~~a. A maximum of two (2) signs is permitted for each open house sign for the sale of property.~~

~~b. Each sign shall have a maximum area of six (6) square feet and a maximum height of three (3) feet.~~

~~e. Signs must be placed on private property and with the permission of the owner or lessee of the property.~~

#### ~~3. Subdivision Advertising Signs:~~

~~a. One sign is permitted at each major entry, with a maximum of four signs per subdivision.~~

~~b. Two off-site directional signs per builder are allowed, subject to obtaining a permit as set forth in section 090 of this chapter. Off-site directional signs must contain the name of the development and its address. For purposes of regulating off-site directional signs, a~~

development is recognized as a residential subdivision with a currently approved preliminary plat.

- e. One roof-mounted sign is permitted for each subdivision. Roof-mounted signs shall be banners that adhere directly to the roof of the structure they are installed upon. Roof-mounted signs may not extend above the roofline of the structure they are installed upon. Roof-mounted signs must be located on a home in the subdivision they are advertising. Roof-mounted signs may not be larger than sixteen (16) feet by forty (40) feet.
  - d. Trailers located in a subdivision may advertise the name of the company that owns the trailer but may not advertise any subdivision.
  - e. Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.
  - f. No sign permit shall be issued until a final plat has been recorded.
  - g. Such signs may be maintained until ninety percent (90%) of the lots in the subdivision are sold or the sales office closes, whichever occurs first.
4. ~~Special Events, Seasonal Sales, Grand Openings:~~
- a. ~~These displays may be used to advertise grand openings, a change of business ownership, special sales, seasonal sales, new products or services and other similar promotions.~~
  - b. ~~These displays may include such displays as pennants, banners, flags, inflatable structures, search lights, character or product likeness and other similar attention attracting media and devices.~~
  - e. ~~Such displays shall be allowed for a maximum of ten (10) consecutive days no more than four (4) times per year except Christmas tree sales lots which may have signage from Thanksgiving to December 31.~~
  - d. ~~Grand opening displays are allowed for thirty (30) consecutive days. The grand opening display requires a new business, change in business name or new management.~~
  - e. ~~There shall be a minimum of thirty (30) days between each display.~~
  - f. ~~Holiday periods. A business may advertise a special service, product or sale during the following holiday periods. One banner sign only is allowed during these periods. The sign must be mounted on the building. The sign must be removed by the end of the first working day after the holiday period ends.~~
    - ~~President's Day - February for 5 days~~
    - ~~Easter - March or April for 5 days~~
    - ~~Memorial Day - May for 5 days~~
    - ~~July 4<sup>th</sup> for 5 days~~
    - ~~July 24<sup>th</sup> for 5 days~~
    - ~~Labor Day - September for 5 days~~
    - ~~Thanksgiving - November for 7 days~~
    - ~~December 15<sup>th</sup> to Jan. 2 for 21 days~~
  - g. ~~Government entities and non-profit organizations may install signs, upon obtaining a special events sign permit, to give notice of special events and functions. Such signs may be displayed during holidays or civic functions (i.e. Festival of lights, fiesta days, etc.). Signs may be erected 30 days prior to the event or function. All signs must be removed at the conclusion of the event or function.~~
5. ~~Construction and Development Signs:~~
- a. ~~One (1) non-illuminated sign is allowed on a construction site with a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.~~
  - b. ~~The sign may identify the name of the project, the names of the developer, contractor, architect, subcontractor and financier of the project and the projected completion date.~~
  - e. ~~The sign may only be installed after building permits have been issued for the project.~~
  - d. ~~The sign shall be removed prior to the issuance of a Certificate of Occupancy for the project.~~
6. ~~Window Signs:~~
- a. ~~May be used for business identification and advertising of any service, product, person, business, place or activity on the premises.~~

~~7. Non-commercial Signs:~~

- ~~a. In agricultural, residential and residence office districts such signs shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.~~
- ~~b. In commercial office, commercial and industrial districts such signs shall have a maximum area of thirty two (32) square feet and maximum height of eight (8) feet.~~
- ~~c. Repealed (Ord 15-07)~~

~~8. Campaign Signs:~~

~~Campaign signs may be displayed, in accordance with the following requirements, as soon as a candidate files for office and must be removed within seven days following the election:~~

- ~~a. In agricultural, residential and residence office zoning districts, campaign signs shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.~~
- ~~b. In commercial office, commercial and industrial zoning district, campaign signs shall have a maximum area of thirty two (32) square feet and a maximum height of eight (8) feet.~~
- ~~c. Repealed.~~
- ~~d. Signs identifying a location as a polling place may be placed ten (10) days prior to an election. Such signs shall not support a candidate or cause, but merely identify the polling place and provide other general information about the upcoming election. If the polling place is not on City property, permission from the property owner must be obtained prior to posting the sign. The property owner may designate the location to place such a sign in order to avoid damage to landscaping, sprinklers or for ease of maintenance of the grounds.~~
- ~~e. A violation of this section is a class C misdemeanor.~~

~~9. A-Frame Signs in Commercial and Industrial Districts:~~

- ~~a. An A-frame sign is defined as a portable sign, usually equilateral triangular shaped, such that the short side provides a base for two sign copies facing opposite directions. Signs shall be maintained in a well-kept condition.~~
- ~~b. A-frame Signs may not exceed forty-eight (48) inches by forty-eight (48) inches in size.~~
- ~~c. One A-frame sign is allowed per business and may only be placed in the front of the business. A-frame Signs may be placed in the public right-of-way so long as they are not in a travel lane, parking lane, road shoulder or obstructs pedestrian travel on a sidewalk.~~
- ~~d. An A-frame sign must be sufficiently secured so that it won't readily fall over or otherwise create a hazard to persons or property.~~
- ~~e. An A-frame sign may only be displayed during open business hours.~~

~~(Ord. No. 15-07, Amended 09/04/2007)~~

~~(Ord. No. 04-11, Amended 04/05/2011)~~

~~(Ord. No. 11-11, Amended 08/02/2011)~~

~~(Ord. No. 14-11, Amended 09/06/2011)~~

### 5.36.060 Billboards

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

1. Billboards are permitted:
  - a. Along I-15 from 3100 North to 1600 North and mile post number 259 to mile post number 258 (heading south) these billboards must be at least 500 feet from any other billboard on the same side of the interstate highway and located in an industrial zone.
  - b. Along State Road 6 from the junction with Highway 89 southeasterly for 0.84 miles. These billboards must be at least 750 feet from any other billboard on the same side of the highway and located in an industrial zone.
2. Must be within 100 feet of I-15 or US Highway 6.
3. Must be at least 400 feet from any R-1 and R-3 residential districts.
4. Cannot exceed a height of fifty (50) feet or twenty-five (25) feet above roadway grade level, whichever is less.
5. May be double-faced or back-to-back if the separation of panels does not exceed five (5) feet.
6. Each side may have a sign area not to exceed 675 square feet.
7. Footing and structure details must be furnished to the City Building Official prior to issuance of a building permit.

8. Must be monopole. **The monopole and all appurtenances to the sign must be painted black.**
9. Utah Department of Transportation must approve the billboard location prior to City approval. (Ord. No. 12-05, Amended 09/06/2005+)

#### 5.36.070 Nonconforming Signs

Nonconforming signs shall be removed or brought into conformance with this ordinance when:

1. More than fifty percent (50%) of the reproduction cost of the sign or sign structure has been damaged or destroyed or has deteriorated to such an extent that the cost of repairs exceeds fifty percent (50%) of the reproduction cost of the sign or sign structure.
2. The property undergoes development or redevelopment in accordance with the Design Review section of Title 15.
3. ~~There is a change in the business name.~~

#### 5.36.080 Exempt Signs

1. Traffic signs or barricades erected or maintained by a governmental entity.
2. Signs not visible beyond the boundaries of the property upon which they are located shall be exempt from the provisions of this Section, except those public safety provisions contained in §5.36.020.

#### 5.36.090 Permits and Fees

1. Building and sign permits shall be obtained prior to erecting, placing, constructing or altering any sign except Window Signs, Freestanding Temporary Signs that advertise open houses for the sale of property, Freestanding Temporary Signs that advertise a home or vacant lot, Freestanding Temporary Signs that advertise political campaigns, Freestanding Temporary Signs that advertise polling locations and A-frame signs.
  - a. ~~The following temporary signs:~~
    - i. ~~Non-commercial signs.~~
    - ii. ~~Sale, lease or rent signs.~~
    - iii. ~~Political signs.~~
    - iv. ~~Window signs.~~
    - v. ~~Open house direction signs.~~
  - b. ~~Residence and commercial farm or ranch identification signs.~~
  - c. ~~Change of copy on reader panel signs or copy on any billboard.~~
2. The permit fees shall be in the amount established by City Council resolution or in the annual budget.
3. An application for a sign permit shall be made in writing on forms provided by the **Community Development Department**. The following information will be required on all sign permit applications:
  - a. Address of the property.
  - b. Business name.
  - c. Business owner's name, address and telephone number.
  - d. Sign contractor's name, address and telephone number.
  - e. Valuation of the sign(s).
  - f. Inventory of all existing signs on the property showing the type, dimensions and location of each sign.
  - g. Fully dimensioned plans and elevations showing the dimensions, design copy and location of each proposed sign.
  - h. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings and materials.
  - i. Required information for an electrical permit for all electric signs.
  - j. Color, material and letter samples when the sign is subject to design review.
4. Violations of this section are a Class C Misdemeanor. Signs placed on public property or in public right-of-ways may be removed without notice.

~~Any sign, billboard, display or other object prohibited in Section 5.36.030, which has been placed without prior written permission from the City, may be removed by the City, under the direction of the public works director, City planner or their designee(s), without prior notice. Any cost incurred by the City may be assessed against the person, corporation or other entity responsible for the improper~~

~~placement. Any legal action required to collect those costs will also obligate the responsible party for attorney's fees. Any person, company or other entity owning a sign, billboard, display or other object removed by the City may have it returned by paying a civil fee in the amount of up to \$25.00 per sign, based upon the value of the sign, at the discretion of the enforcement officer. If no request for return is made within fourteen (14) days of removal, the City may forfeit or otherwise dispose of the sign(s).~~

(Ord. No. 06-05, Enacted 06/07/2005)

(Ord. No. 07-06, Amended 07/18/2006)



# PRELIMINARY PLAT

## REPORT TO THE CITY COUNCIL SPANISH HIGHLANDS AMENDED PRELIMINARY PLAT

**Agenda Date:** April 16, 2013.

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

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

**Request:** The applicant is requesting to have a Master Planned Development approval amended to include three additional lots.

**Zoning:** R-1-12.

**General Plan:** Residential 2.5 to 3.5 units per acre.

**Project Size:** 23.6 acres.

**Number of lots:** 82.

**Location:** Approximately 2000 East 200 South.

### Background Discussion

The Spanish Highlands Master Planned Development and adjacent Maple Highlands project were both approved several years ago. When those developments were approved, the boundary between the two developments was such that a few lots on the southern portion of the developments were split between the two developments. This proposal would now bring all of the lots that were at this transitional portion of the developments into the Spanish Highlands project. Those lots are identified as lots 80, 81 and 82 on the attached plat.

Staff believes it is sensible to modify the boundary of this project to include the three lots in question. Nonetheless, in accordance with our ordinance, the applicant still needs to justify their request for approval as this is a Master Planned Development. To that end, it has been represented to staff that the applicant will upgrade the construction of the homes, similar to what has been done in the rest of the Spanish Highlands development. To that end, the applicant has provided the architectural images that are attached to this report. Given the nature of the proposal and its limited size, staff believes that is an appropriate approach to take in justifying the proposed project density.

### Development Review Committee

The Development Review Committee reviewed this request in their March 27, 2013 meeting and recommended that it be approved. Draft minutes from that meeting read as follows:

#### Spanish Highlands

Applicant: Ivory Homes  
 General Plan: Low Density Residential  
 Zoning: R-1-12  
 Location: 2000 East 150 North

Discussion was held regarding the plans not showing the utilities in front of the three lots.



Mr. Anderson mentioned that the applicant planned to hold a neighborhood meeting tomorrow night and that the applicant still needed to submit materials that justify the plat being reapproved as a Master Planned Development.

Mr. Johnson **moved** to **approve** the Spanish Highlands Preliminary Plat subject to the plans being updated to match what is in the ground. Mr. Peterson **seconded** and the motion **passed** all in favor.

### **Development Review Committee**

The Planning Commission reviewed this request in their March 27, 2013 meeting and recommended that it be approved. Staff anticipates having minutes from that meeting available in the Council meeting.

### **Budgetary Impact**

No budgetary impact is anticipated with this proposal.

### **Recommendation**

Staff recommends that the proposed Preliminary Plat for Spanish Highlands be approved.







# Spanish Highlands

Architectural element options



Covered Front  
Porch with Railing

Decorative Gable Ends

Stucco Pop-outs

- Front Exterior combination Of Stone/Brick and Fiber Cement
- Full Stucco on Side and Back of Home
- Decorative Window Grids
- Decorative Window Trim
- Combination of shake and Lap Fiber Cement

## Napoli

**Total Finished Sq. Ft. 1,936**

**Total Unfinished Sq. Ft.**

**1,128**

**Total Sq. Ft. 3,064**



# Spanish Highlands

Architectural element options



Decorative gabled roof lines

Decorative exterior window Shutters

Covered Front Porch with Railing

- Front Exterior combination Of Stone/brick, Stucco and Fiber Cement
- Decorative exterior window Shutters
- Decorative Window Trim
- Optional 3-car garage
- Decorative Coach Lights
- Covered Front Porch with Railing
- Decorative gabled roof lines

## Marseille

**Total Finished Sq. Ft. 1,746**

**Total Unfinished Sq. Ft.**

**1,056**

**Total Sq. Ft. 2,802**



# Spanish Highlands

Architectural element options



- Front Exterior combination Of Stone/brick, Stucco and Fiber Cement
- Decorative exterior window Shutters
- Decorative Window Trim
- Optional 3-car garage
- Decorative Coach Lights
- Covered Front Porch with Railing
- Decorative gabled roof lines

## Avignon

**Total Finished Sq. Ft. 1,384**

**Total Unfinished Sq. Ft.**

**1,394**

**Total Sq. Ft. 2,778**



# Spanish Highlands

Architectural element options



- Front Exterior combination Of Stone/brick and stucco
- Tudor elevation
- Decorative Window Trim
- Optional 3-car garage
- Recessed Soffit Lights
- Grand entrance with rounded entry door
- Decorative dutch hip roof lines

## Briarwood

**Total Finished Sq. Ft. 2,158**

**Total Unfinished Sq. Ft. 994**



# Spanish Highlands

Architectural element options



- Front Exterior combination Of Stone/brick and Fiber Cement
- Shake and lap combination of fiber cement
- Decorative Window Trim
- Optional 3-car garage
- Decorative Coach Lights
- Covered Front Porch with Railing
- Decorative dutch hip roof lines
- Decorative Dormer

## Amberwood

**Total Finished Sq. Ft. 2,497**  
**Total Unfinished Sq. Ft. 1,669**



# Spanish Highlands

Architectural element options



Decorative dutch hip roof lines

Decorative Dormer

Decorative Box Window

Covered Front Porch with Railing

- Front Exterior combination Of Stone/brick and Fiber Cement
- Decorative Box Window
- Decorative Window Trim
- Optional 3-car garage
- Decorative Coach Lights
- Covered Front Porch with Railing
- Decorative dutch hip roof lines
- Decorative Dormer

## Carlisle

**Total Finished Sq. Ft. 2,046**  
**Total Unfinished Sq. Ft 2,128**



# Spanish Highlands

Architectural element options



- Front Exterior combination Of Stone/Brick and Fiber Cement
- Shake and lap combination of fiber cement
- Decorative Window Trim
- Optional 3-car garage
- Decorative Coach Lights
- Bay window

## Roma

**Total Finished Sq. Ft. 1,919**  
**Total Unfinished Sq. Ft. 1,582**

