



## Planning Commission Agenda March 5, 2014

### Planning Commissioners

6:00 P.M.

#### 1. Preliminary Activities

- a. Pledge of Allegiance
- b. Approval of Minutes: None

Brad Gonzales

George Gull

Bruce Fallon

#### 2. Ordinance Amendments and Zone Changes

Richard Heap

##### a. Title 15

Applicant: Spanish Fork City

General Plan: City-wide

Zoning: City-wide

Location: City-wide

Reed Swenson

Treaci Tagg

##### b. Mayfield

Applicant: Edge Homes

General Plan: Low Density Residential

Zoning: Exclusive Agriculture existing, R-1-12 proposed

Location: 2550 East 130 North

#### 3. Preliminary Plats

##### a. Mayfield

Applicant: Edge Homes

General Plan: Low Density Residential

Zoning: Exclusive Agriculture existing, R-1-12 proposed

Location: 2550 East 130 North

##### b. Muhlestein Meadows

Applicant: Arive Homes

General Plan: Low Density Residential

Zoning: R-1-15

Location: 1300 South Mill Road

#### 4. Other Business – discussion on proposed changes to the General Plan.

#### 5. Adjourn

Planning Commissioners, if you are unable to attend a meeting please let us know ASAP. Thanks.

The public is invited to participate in all Planning Commission Meetings at 40 South Main Street, Room 140, Spanish Fork. If you need special accommodations to participate in the meeting, please contact the City Manager's Office at (801) 804-4531.



**TO:** Spanish Fork City Planning Commission  
**FROM:** Dave Anderson, Community and Economic Development Director  
**DATE:** March 3, 2014  
**RE:** Proposed to Title 15 Amendments

Accompanying this memorandum is a document containing language that describes several changes that are proposed to Title 15.

Many of the proposed changes were discussed with the Planning Commission in February; however, there are several new ones as well. In fact, the City attorney is completing his review of this latest draft and staff may recommend that some other changes be made as well.

Notice has been provided to hold a public hearing to discuss and then potentially act on the proposed changes during your March 5 meeting. Please let me know if you have any questions or suggestions about the proposed changes.





TO: file

FROM: Dave Anderson, Community and Economic Development Director

DATE: February 4, 2014

RE: Title 15 Amendments

## 1. Driveway Slope

### 15.4.16.085 Street Improvements

F. Grades. The maximum grade allowed for any City street is eight percent (8.0%) unless otherwise approved by the City Engineer. In no case shall grades greater than fourteen percent (14.0%) be allowed. The minimum grade allowed for any City street is 0.45%.

The maximum grade allowed for any private driveway is twelve percent (12.0%).

## 2. Pedestrian Connections

### 15.4.16.085 Street Improvements

F. Grades. The maximum grade allowed for any City street is eight percent (8.0%) unless otherwise approved by the City Engineer. In no case shall grades greater than fourteen percent (14.0%) be allowed. The minimum grade allowed for any City street is 0.45%.

G. Pedestrian Connections. Pedestrian connections may be required in situations where the Development Review Committee finds that the design creates an impediment for pedestrian travel within a development or neighborhood. Particular attention will be paid to providing pedestrian access to public spaces such as schools and parks. Pedestrian access corridors will be twelve feet in width or wider.

Sidewalks may be required on non-residential sites to connect buildings with sidewalks in public streets, to connect one site with adjacent sites or to provide a connection between two public streets.

## 3. Impact Fees for Existing Lots

### 15.4.12.050 Special Exceptions

A. The Council retains the authority to adjust any impact fee imposed in order to respond to unusual circumstances in specific cases and to insure that impact fees are fairly imposed. Economic hardship shall not be considered an unusual circumstance justifying an adjustment to the impact fee.

B. The Council may, at its sole discretion, adjust any impact fee, on the basis of justice and equity, based upon studies and data submitted by the developer.

C. The Council may, at its sole discretion, waive any impact fee for governmental development or other development activities with broad public purposes. Any development undertaken to gain a profit, whether or not a profit is realized, does not qualify as a broad public purpose.

D. The Council may, at its sole discretion, allow a full or partial credit against impact fees for any system improvements provided by the developer that are required as a condition of approval of the development activity.



#### 15.4.12.060 Existing Structures

Where the following conditions are met, credit will be given towards the Impact Fees for replacement structures:

1. The subject property was located within Spanish Fork City limits on July 1, 1995.
2. A dwelling or business was located on the subject property on July 1, 1995.
3. Municipal services such as water, sewer, or power were being provided to the subject property on July 1, 1995.

Credit towards Impact Fees will be limited to the services provided to the property and the existing service size.

### 4. Plat Amendment Process

#### 15.4.04.040 Amended Plats

In all subdivisions which have been recorded and in which changes have been made which changed the subdivision materially, an amended plat must be filed and recorded in accordance with the provisions of this title.

In situations where modifications are limited to the adjustment of lot lines and all affected property owners consent to the modifications, an applicant shall apply to have a Minor Plat Amendment approved. The information required with an application for Minor Plat Amendment approval shall match those found with Final Plat applications. The fee for Minor Plat Amendment approval shall be set forth by the City Council in the City's budget. The Development Review Committee may waive individual submittal requirements as the DRC finds appropriate. Upon finding that all applicable standards have been met, the Development Review Committee shall approve the Minor Plat Amendment. Once all requirements have been met and any required bonds have been posted, the Plat will be submitted to the Utah County Recorder's Office for recordation.

### 5. Master Plan Development

#### 15.3.24.030 Master Planned Developments

1. Purpose: The purpose of the Master Planned Development concept is to:
  - a. Allow for designs that provide for more efficient utilization of public infrastructure than what is achieved in a standard subdivision.
  - b. Allow for deviations from typical zoning standards in order to permit uniquely configured or situated properties to be developed in a functional manner that enhances the City.
  - c. Allow developments to include a total number of units that matches the base density that found in the underlying zone as identified in Table 1 – Residential Development Standards of Title 15.
  - d. Establish residential neighborhoods with a distinct character and convey a sense of unity.
- ~~1. Purpose: The purpose of the Master Planned Development concept is to:~~
  - ~~e. Encourage imaginative and innovative planning of residential neighborhoods by providing greater flexibility in design.~~
  - ~~f. Encourage the provision of useable open space and recreation facilities within developments.~~
  - ~~g. Encourage variation in lot size and residential types within the development.~~
  - ~~h. Establish residential neighborhoods with a distinct character and convey a sense of unity.~~
  - ~~i. Allow projects that provide superior amenities to be developed at the high end of the density ranges as shown on the General Plan Map. Amenities include but are not necessarily limited to design features, architectural style, open space (including parks and trails), conservation elements, landscaping features, and recreational facilities.~~
  - ~~j. Reduce ongoing maintenance costs.~~
2. Permitted Uses:
  - a. All uses listed in R-1 and R-3 Districts, subject to the same restrictions or limitations of the use.
  - b. Multi-family dwellings with more than four (4) attached units.

- e. ~~Clubhouses, community buildings, and recreational facilities. Master Planned Development Requirements and Bonus Density: This section includes a list of requirements that must be met in order for a project to qualify as a Master Planned Development and a list of options that exist for the City to award bonus density. Density bonuses may be awarded for the inclusion of amenities that the City determines to be upgrades from design standards in conventional subdivisions. In determining what bonus is warranted, the Planning Commission and City Council shall consider the size of the development and the overall benefit that a particular amenity would be to the development and the City. As a guide, sample items are listed in the various areas below to describe some elements that may qualify for bonus density. The listed elements are intended to serve as a guide and do not represent an all-inclusive list of what may be considered. Projects at or near the top of the density range for the underlying district must demonstrate a coordinated approach to neighborhood development and include such things as an overall landscape concept, the use of high quality materials and architecture, the blending of different dwelling types in larger projects, well designed and useable open space and developed recreational amenities and attention to detail such as fencing, street lighting, entry treatments, and project signage.~~

### 3. Subdivision Design

- 1. ~~The base density for projects that meet the minimum requirements to qualify as Master Planned Developments will receive the base density as identified in Table 1 (Residential Development Standards) plus .25 units per acre. Additional density may be obtained as developments qualify for bonus density.~~
- 2. ~~Developments may not exceed the maximum density identified in Title 15, Table 1 (Residential Development Standards).~~
- 3. For purposes of calculating base density, sensitive lands shall be excluded from the calculation.
- 4. The minimum size of a Master Planned Development is ~~twenty (20) five (5)~~ five (5) contiguous acres, except in R-1-6 and R-3 zones, where ~~one (1) acre is five (5) contiguous acres are~~ one (1) acre is required. School and church sites are to be excluded from the acreage calculation.
- 5. Density Calculations - Church sites, school sites, and sites for other non-residential uses may not be counted in the density calculations.
- 6. Street Design - Local streets shall not exceed ~~600 800~~ 800 feet in length without an intersecting street.

#### ~~B. Recreation~~

##### ~~1. Bonus Density~~

- a. ~~Developments that include recreation elements may qualify for bonus density. Some of the specific elements that may qualify for bonus density are listed below:~~
- b. ~~Active Recreation (private gated communities only if accepted by City). Active recreation areas may include swimming pools, sports courts, spas, and other similar areas.~~
- c. ~~Common Buildings (private gated communities only if accepted by City). Developments which provide common buildings or facilities for meetings, indoor recreation, receptions, classes, or other similar uses.~~
- d. ~~Parks. Developments that provide and improve park space may qualify for bonus density. Improved park space means fully developed, landscaped property (consistent with the needs of the City), approved by the City, which includes a commercially rated automatic sprinkler system and commercially rated playground equipment, pavilion, or equivalent. The City will not accept public parks less than three acres in size.~~
- e. ~~Trails. Developments that construct trails, in accordance with the City's trails master plan and trails construction standards, may qualify for bonus density.~~

### 4. Architecture

- 1. Minimum House Sizes - finished area (square feet). For the purposes of calculating required finished area, square footage in basements shall not qualify. For split level homes, finished area on floors that are at least 50% below the finished grade of the lot shall not count towards the required finished area.

#### Minimum House Sizes - Finished Floor Area

Minimum House Sizes - finished area		
Minimum Lot Size and Multi-family	One Story	Multi-Level
80,000 square feet	1,600 square feet	2,400 square feet
60,000 square feet	1,600 square feet	2,400 square feet
40,000 square feet	1,600 square feet	2,400 square feet
30,000 square feet	1,500 square feet	2,200 square feet
20,000 square feet	1,500 square feet	2,200 square feet
15,000 square feet	1,500 square feet	2,200 square feet
12,000 square feet	1,400 square feet	2,000 square feet
9,000 square feet	1,300 square feet	1,600 square feet
8,000 square feet	1,200 square feet	1,500 square feet
6,000 square feet	1,100 square feet	1,400 square feet
Multi-family	1,000 square feet (one level)	1,200 square feet (multi-level)

2. Distinct Designs – Master Planned Developments shall provide a variety of home styles to ensure a diverse and interesting streetscape. Neighborhoods that have repetitive homes constructed along the same street are not allowed. In order to ensure that the neighborhood is non-repetitive, the same street facing elevation shall not be built on adjacent lots on the same street or on lots directly or diagonally across the street from one another. Different elevations shall be characterized by elements such as, but not limited to, distinct footprints, rooflines, cladding materials or architectural features which contribute to home designs that are easily distinguishable from other home designs along the same street. The City Council may waive this requirement for developments which include multi-family housing that present specific architectural designs for the multi-family portion of the development at the time of project approval.
3. Parking - Master Planned Developments shall provide at least a two car garage for each single family residence. Townhomes and multi-family units must have one attached or detached garage (minimum 12 feet x 20 feet) per unit. Developments shall include no less than 0.5 guest parking spaces per dwelling unit. Developments that include, with each dwelling unit, a two car garage and driveway space for two vehicles shall not be required to provide additional guest parking. When required, at least one space for guest parking shall be located within 200 feet of each dwelling unit.
4. Roofing - Homes in the development shall have at least a 6/12 pitched roof on the main portion of

the roof unless it is determined by the Community Development Department that a lesser pitch roof is essential to maintain the integrity of a particular architectural style and that the style is a substantial improvement to what would be built in a standard subdivision.

5. Exterior Materials - Homes in Master Planned Developments shall be clad in masonry, or masonry based materials or a chemically-treated, wood-based, nail-on, lap siding that has at least a 50-year warranty. The City Council may grant a waiver of this requirement based upon superior architectural design plans which involve other materials.

~~6. Bonus Density.~~

- ~~a. Developments with superior architectural designs qualify for bonus density. Designs may be determined to be superior based on consistency with a particular style, building articulation, type and quality of materials, excellent use of materials, conservation elements, additional garages or garage placement, and other creative and/or innovative ideas, as deemed superior in the discretion of the City Council.~~

5. Landscaping

1. Front and side yard landscaping shall be installed in Master Planned Developments prior to receiving a Certificate of Occupancy. Exceptions to this rule include the installation of yards between October 15 and April 15. Provisions shall be made to allow bonds to be posted for required landscaping between October 15 and April 15 when homes are otherwise ready for occupancy. For phased multi-family Master Planned Developments, landscaping shall be installed according to the approved phasing plan. Minimum landscaping shall include sod or hydroseed, one, two-inch caliper tree, measured two feet from the ground, and automated sprinkler system. The City Council has the discretion to modify the minimum landscaping requirements if a conservation (xeriscaping) landscape plan is proposed.

~~2. Bonus Density.~~

- ~~a. Developments that include landscaping above and beyond the minimum required qualify for bonus density. Landscaping elements that may qualify for bonus density include perimeter landscaping, entrance monuments, landscaped features in common areas and enhanced landscaping on individual lots.~~
- ~~b. Developments that incorporate fencing for individual lots and the whole project with high quality materials may qualify for bonus density.~~
- ~~c. Developments that are designed so as to incorporate common areas at highly visible locations may qualify for bonus density.~~

6. Application.

1. Applications to establish a Master Planned Development shall be processed as a subdivision if any new lots are to be created. If no new lots are proposed, such as for an apartment project, an application will be processed according to the Site Plan procedures. All applications must include the following information in addition to normal filing requirements for a subdivision or Site Plan project:
  - a. Complete description of the intended nature and character of the development.
  - b. Description of all proposed private or public open space areas, including improvements, ownership, and maintenance provisions.
  - c. Proposed project phasing.
  - d. Plans representing proposed landscaping, fences, walls, entry treatments, signage and lighting.
  - e. Preliminary conditions, covenants, and restrictions (CC & Rs).
  - f. Any variations from the non-Master Planned Development standards.
  - g. Any proposed amended development standards, including such things as variations in setbacks, heights, and lot sizes.
  - h. Proposed street cross sections, and proposed ownership and maintenance provisions, if the streets are proposed to be private.
  - i. A data table which includes total acreage, acreage of sensitive lands, total number of dwelling units, and units by type, dwelling units per acre, acreage of open space, percent of acreage in open space.
  - ~~j. A data table which includes total acreage, acreage of sensitive lands, total number of dwelling~~

~~units, and units by type, dwelling units per acre, acreage of open space, percent of acreage in open space.~~

~~k. A description of any requested bonus density and the proposed justification for bonus density.~~

7. Phases. All residential subdivisions shall include a phasing plan that specifies the timing of public improvements and residential construction. This plan must be submitted at the submission of the Preliminary Plat. If the sequence of construction of various portions of the development is to occur in stages then the bonus density amenities shall be developed, or committed thereto, in proportion to the number of dwelling units intended to be developed during any given stage of construction.
8. Findings. Prior to granting approval of a Master Planned Development, the applicable reviewing body shall make findings identifying why the applicant's proposal justifies a bonus density. Those findings should include the following:
  - a. The proposed development will provide a more pleasant and attractive living environment than a conventional residential development established under the strict application of the provisions of the underlying zone;
  - b. The proposed development will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the development;
  - c. Any variation allowed from the development standards of the underlying district will not create increased hazards to the health, safety, or general welfare of the residents of the development of adjacent areas.

## 6. Subdivision Waiver

### 15.4.04.180 Filing of Minor Subdivision Plat

Minor Subdivision Plats may be approved for subdivisions of five (5) or fewer lots where those lots conform to applicable zoning standards and where all required infrastructure is adjacent to the subject property. Application for Minor Subdivision Plat approval can be made by completing an application form and submitting the following materials to the Community Development Department:

A Computer Aided Design (CAD) file and a Portable Document Format (pdf) file of the plat must be submitted in a dwg or dgn format. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

The City will review the submission and notify the applicant of any changes that must be made. Once these changes are made, a Portable Document Format (pdf) file of the plat must be submitted to the Community Development Department. Once approved by the DRC, an updated CAD and pdf file of the plat must be submitted to the Community Development Department. Each Minor Subdivision Plat shall be accompanied by a filing fee established by the City Council in its annual budget, together with any impact, inspection, testing, connection or other fees which are due before recording.

### 15.4.04.190 Form and Contents of Minor Subdivision Plats

- A. The developer must submit a Mylar of the Minor Subdivision Plat to the City in a format approved by the City and County. The Minor Subdivision Plat shall contain the following:
  1. A tie to a section corner and the state plane coordinates of each point. All horizontal data shall be based on the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot. Horizontal datum shall be clearly written on the plat;
  2. Accurate dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use, and other important features; the lines, angles, dimensions, state plane coordinates, bearings, areas and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All dimensions shall be determined by an accurate field survey which shall balance and close as required by Utah County;
  3. All lots and blocks are to be numbered, addressed and named in accordance with the street numbering and naming system assigned by the City Engineer;

4. A statement that "All drinking water and pressurized irrigation lines up to and including the meter, all sanitary sewer mains, all electric meters, and all electric and SFCN communication service lines up to the mast on overhead installations and to the top of the meter base for underground installations are dedicated to Spanish Fork City.";
  5. Plats and signatures shall be in waterproof ink on a 24x36 inch Mylar sheet. There shall be an unencumbered margin of one and one-half inches on the left-hand side of the sheet and not less than a half inch margin around the outer three sides of the sheets. The scale shall be a standard engineering scale of no more than 100 feet to the inch;
  6. A stamp and signature of a surveyor licensed in the state of Utah;
  7. A statement that "All public utility easements platted hereon are in perpetuity for installation, maintenance, repair, and replacement of public utilities sidewalks and appurtenant parts thereof and the right to reasonable access to grantor's easement shall run with the real property and shall be binding upon the grantor and the grantor's successors, heirs and assigns";
  8. All Building Permits for the subdivision shall comply with the Development Soils Report and Mass Grading Plan. Elevation certificates shall be reviewed and approved by the City Engineer or his/her designee as required;
  9. The date of preparation, a standard engineering scale of not more than 100 feet to the inch, a north arrow, and a vicinity map;
  10. All offsite easements required to provide services or utilities to the project shall be recorded with the Utah County Recorder's office prior to or in conjunction with the Minor Subdivision Plat recordation;
- B. The following documents must accompany the Minor Subdivision Plat:
1. Construction Plans. A complete set of construction plans must accompany the Minor Subdivision Plat. Construction plans must meet the requirements of this Title as well as the standards found in Chapter 39.20 Improvement and Design Requirements of the Construction Standards;
  2. Soils Reports. A soils report shall provide a detail of lot by lot summary addressing finished floor elevation including basements. The report shall include a minimum height factor for peak month in a wet year, and also address all Hillside Development Standards;
  3. Storm Water Plan. The developer shall provide a final drainage plan and report according to the Storm Water Drainage Design Manual;
  4. Mass Grading Plan. The developer shall provide a final subdivision grading plan showing each individual property. The site shall be designed to eliminate flooding or standing water on any private property.

#### **15.4.04.200 Review and Approval Procedure of Minor Subdivision Plats**

Minor Subdivision Plat and construction drawings shall be submitted to the City for review to insure conformity to the present ordinances and standards and for the adequacy and availability of public facilities. If the Minor Subdivision Plat or construction drawings are not in conformity, the City shall refer it back to the subdivider or developer with a list of items necessary to bring the Minor Subdivision Plat or construction drawings into compliance. If the Minor Subdivision Plat and construction drawings are in conformity, the plat or complete drawings will be submitted to the Development Review Committee with suggestions and comments noted thereon. The DRC shall act as the Land Use Authority for Minor Subdivision Plat approval. If approved, the City Manager, Community Development Director and City Engineer shall sign the Minor Subdivision Plat. If any conditions are attached, the Minor Subdivision Plat or construction drawings shall be amended to reflect such changes and an accurate Minor Subdivision Plat shall be submitted to the City, prior to signing.

#### **15.4.04.210 Recordation of Minor Subdivision Plats**

Following acceptance by the DRC, the Minor Subdivision Plat bearing all official approvals shall be deposited in the office of the County Recorder for recording by the City. Only the City may record Minor Subdivision Plats. The Minor Subdivision Plat must be recorded with Utah County within 120 days after approval by the DRC. Approval expires and the plat must be resubmitted if the Minor Subdivision Plat is

not recorded within 120 days. All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recordation of the Minor Subdivision Plat.

#### **15.4.04.220 Commencement/Completion Time Frame of Minor Subdivision Plats**

- A. Prior to the construction of any improvements required by this Title, the subdivider shall furnish to the City Engineer the following:
  - 1. Approved sets of construction plans;
  - 2. Full security deposit (bond) required by this title (15.4.16.110);
  - 3. Inspection fee deposit;
  - 4. Subdivision development agreement;
  - 5. Hold a preconstruction meeting;
  - 6. Meet all conditions for approval as established by the Council.
- B. All improvements within subdivisions must be completed within one year of the date of recordation. If improvements are not completed within the time limitation imposed herein, the City may forfeit any bond or surety, which shall have been posted by the owner or subdivider.

#### **15.4.04.230 Amendments to Minor Subdivision Plats**

The City Engineer may approve minor amendments to approved Minor Subdivision Plat before the Minor Subdivision Plat is recorded, if he/she finds that the proposed amendments do not jeopardize the interest of the City or adjoining property owners. The types of minor amendments contemplated by this section may include, but not be limited to, legal description mistakes, minor boundary changes and items that should have been included on the original Minor Subdivision Plat. Major amendments to unrecorded approved Minor Subdivision Plat shall go back through the approval process.

#### **15.4.04.240 Building Permits in Minor Subdivision Plats**

The City may issue a Building Permit upon application and compliance with the requirements of law and once all improvements are installed, accepted by the City Engineer, and in service for the entire plat. In the event asphalt pavement plants are closed for the winter, Building Permits may be issued before paving if there is six inches of compacted road base in all areas to be paved.

### **7. Two Points of Access**

#### **15.4.16.085 Street Improvements**

F. Grades. The maximum grade allowed for any City street is eight percent (8.0%) unless otherwise approved by the City Engineer. In no case shall grades greater than fourteen percent (14.0%) be allowed. The minimum grade allowed for any City street is 0.45%.

G. Two Points of Access. Two points of vehicular access may be required for developments if the Development Review Committee finds they are necessary to create a functional street network or to help ensure access for public safety personnel and equipment.

### **8. Dedication of Corridor Next to River**

#### **15.4.20.020 General Provisions**

G. ~~All properties adjacent to the Spanish Fork River shall provide a forty (40) foot trail and river access easement for the installation, maintenance, repair, and replacement of a public trail, and the following public purposes:~~

All properties adjacent to the Spanish Fork River shall dedicate forty (40) feet of land adjacent to the River for river access and the installation, maintenance, repair and replacement of roadway access for the following public purposes:

- 1. Access to the Spanish Fork River;
- 2. The right to do necessary work in and adjacent to the Spanish Fork River to preserve the river corridor buffer in an effort to reduce ~~the chance of~~ erosion and potential future flooding;
- 3. The right to install and maintain armor along the Spanish Fork River bank;
- 4. The right to maintain and repair the river bank and bed ~~and easement area~~ and monitor river flow capacities;

5. The right to survey the ~~easement~~ area as needed for installation of armor and for periodic monitoring of the easement area;
6. The right to construct a trail for public access and public use ~~that will be part of the Spanish Fork River Parkway.~~

The City may require that additional land be dedicated to provide access from developed areas to the river access.

## 9. Local Street Connectivity

### 15.4.16.085 Street Improvements

F. Grades. The maximum grade allowed for any City street is eight percent (8.0%) unless otherwise approved by the City Engineer. In no case shall grades greater than fourteen percent (14.0%) be allowed. The minimum grade allowed for any City street is 0.45%.

H. Local Street Connections. Where parallel or nearly parallel streets are 600 feet or longer, a local street connection between those two streets shall be required unless this requirement is expressly waived by the Development Review Committee.

## 10. Hearing Requirement

### 15.4.04.070 Form and Content of Preliminary Plats

A. Each preliminary plat shall be accompanied by a filing fee in the amount established by the City Council in the annual budget. Each preliminary plat of a subdivision shall contain the following information:

1. The proposed name of the subdivision;
2. The names and addresses of the Developer and the Civil Engineer of the subdivision, ~~and other persons to whom notice of the hearing to be held by the Council should be sent;~~

## 11. Agricultural Sales

### 15.3.16.010 Agricultural and Rural Residential Districts

A-E. Exclusive Agriculture. The purpose of this district is to promote agricultural production on lands with high quality soil types. The lands will usually not be suited for other urban uses because of location within a floodplain, or distance to other urban services.

R-R. Rural Residential. This district is similar in character with the A-E District, but parcel sizes are generally somewhat smaller and the soil types may be lower quality.

Many of these areas within the Growth Management boundary will likely be rezoned and developed with higher density uses as utilities are extended and adequate streets are developed and/or widened. Other lands outside the Growth Management boundary may eventually be converted to urban uses when a need is shown to expand that boundary.

A. Permitted Uses:

1. Agriculture, including the production of food and fiber crops, and tree farms; grazing and animal husbandry of livestock.
2. Commercial horse riding, training, and boarding stables. (AE District only)
3. Living quarters for agricultural employees employed on the premises. (AE District only)
4. Wholesale plant nurseries.
5. One (1) single residence dwelling per lot.
- ~~6. Seasonal fruit, vegetable, and hay retail sales structures of less than 500 square feet when located on the premises where the products are raised.~~

B. Uses Subject to Conditions:

1. Home Occupations (as described in §5.40.010 et seq.)
2. Manufactured Homes (as described in §15.3.24.040 et seq.)
3. Residential facilities for persons with a disability (as described in §15.3.24.010(A) et seq.)
4. Residential facilities for elderly persons (as described in §15.3.24.010(B) et seq.)

5. Seasonal fruit, vegetable, and hay retail sales in structures of less than 500 square feet when at least some of the products being sold are raised on the premises. Subject to having access, parking, and any utility needs approved by the DRC.

## 12. Definitions

**Assisted Living Facility:** A residential facility, licensed by the State of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available 24-hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting the resident's independence and self-sufficiency. Such facility does not include adult day care provided in conjunction with a ~~residential facility for elderly persons~~ or a residential facility for persons with a disability.

~~**Boardinghouse:** A dwelling in which three, four, or five (3, 4, or 5) sleeping rooms are provided which serve as the principal residence of the occupants. A common dining room may be provided for the occupants. The operator of a boarding house must reside on the premises of a boarding house. A boarding house does not include a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a non-residential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants. A boarding house shall not have more than 10 boarders occupying the home at one time.~~

**Building Height:** The vertical distance from the average finished grade surface of the building to the ~~highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip, or gambrel roofs~~ peak of the roof.

**Completion Date:** The date the entire subdivision, ~~or~~ development or construction is completed and an approved final inspection statement is given.

**Comprehensive General Plan or General Plan:** The **Land Use Element of the Comprehensive General Plan** document as approved by the city council.

~~**Duplex:** A building designed for two (2) housekeeping family units living independently of each other.~~

~~**Dwelling, Single Residence:** A detached building designed for one (1) housekeeping family unit and having one (1) kitchen.~~

**Final Plat:** An original map or plat drawn on Mylar ~~or linen~~ in a form as approved by the city, showing all lots, streets, utility easements, etc.

~~**Foster Home:** A dwelling occupied as a primary residence by an individual or individuals having the care or control of not more than five (5) minor children as their legal wards.~~

**Hotel/Motel:** A building which provides ~~six (6) or more~~ guest rooms for the overnight lodging of travelers. It may include customarily incidental uses such as meeting rooms, restaurants, and gift shops.

~~**Housekeeping Unit:** One (1) or more individuals living, sleeping, and cooking in a single dwelling unit who share housekeeping tasks and responsibilities as an interdependent unit.~~

~~**Residential Facility for Elderly Persons:** A dwelling unit that is either owned by one of the residents or by an immediate family member of one of the residents, or is a facility for which the title has been placed in trust for a resident, and is occupied on a 24-hour per day by eight or fewer elderly persons in a family-type arrangement. A "residential facility for elderly persons" shall not include any facility.~~

- ~~A. which is operated as a business; provided, that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of operation and maintenance of the facility;~~
- ~~B. where persons being treated for alcoholism or drug abuse are placed;~~
- ~~C. where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution;~~
- ~~D. which is a health care facility as define by Section 26-21-2 of the Utah Code; or~~
- ~~E. which is a residential facility for persons with a disability.~~

Residential Facility for Elderly Persons: A facility that houses and provides at least some services that contribute towards the care of elderly residents.

### 13. Notices

#### 15.1.04.040 Notices

Notices informing of public hearings shall provide a minimum of ten days’ notice and shall be given as follows:

- ~~City wide zoning~~ Zoning map changes, zoning text amendments, and comprehensive general plan amendments shall be published in a newspaper of general circulation within the City.
- Conditional use permits and specific property zone changes shall be posted on the subject property and mailed to all property owners located within 300 feet of the subject property.
- Land use ordinance amendments shall be mailed, sent by facsimile, or e-mailed to affected entities.
- In addition to the above notices, all notices shall be posted on the City’s web page **and State notice website.**

### 14. Outdoor Storage

1. Outdoor Storage Areas. The following conditions must be met:
  1. The storage area must be paved with asphalt or concrete or be covered with gravel. In situations where gravel is utilized, no less than four inches of: inch untreated base course shall be installed. Additional improvements may be required by the City Engineer in accordance with the findings of a site-specific geotechnical report. Where a paving material other than asphalt or concrete is utilized, a drive apron shall be installed at all points of vehicular access. The drive apron shall be twenty-six feet wide and no less than sixty (60) feet long.
  2. The outdoor storage area must be screened from surrounding properties with a six-foot tall masonry wall, **except where the adjoining property is a railroad right-of-way or Interstate 15.** Where the outdoor storage area abuts a public street, a ten-foot wide landscaped planter shall be installed between the masonry wall and the sidewalk or right-of-way. Landscaping shall be installed and maintained in accordance to the requirements found in 15.4.16.130.
  3. Lighting shall be provided in outdoor storage areas. A photometric lighting plan shall be submitted with the Site Plan application. The lighting plan shall demonstrate the capacity of the proposed lighting to uniformly illuminate the storage area without creating undue spillover onto surrounding properties.
  4. Material kept in an outdoor storage area cannot be stacked or piled to a height that exceeds twelve feet.

### 15. Zoning Table

TABLE 1 - Residential Development Standards										
District	Base Density	Minimum Lot Area	Minimum Width	Minimum Depth	Minimum Setback				Max. Building Height <sup>5</sup>	
					Front <sup>6</sup>	Rear <sup>7</sup>	Side	Corner	Principal Building	Accessory Building <sup>1</sup>

A-E	N/A	40 acres	400'	400'	50'	50'	50'	50'	35'	35'
R-R	N/A	5 acres	200'	200'	50'	50'	25'	50'	35'	35'
<del>R-1-80</del>	<del>.4 units per acre</del>	<del>80,000 sf</del>	<del>180'</del>	<del>200'</del>	<del>40'</del>	<del>80'</del>	<del>20'</del>	<del>30'</del>	<del>30'</del>	<del>20'</del>
<del>R-1-60</del>	<del>.54 units per acre</del>	<del>60,000 sf</del>	<del>160'</del>	<del>200'</del>	<del>40'</del>	<del>60'</del>	<del>20'</del>	<del>30'</del>	<del>30'</del>	<del>20'</del>
R-1-40	.81 units per acre	40,000 sf	140'	200'	30'	40'	20'	30'	30'	20'
R-1-30	1.07 units per acre	30,000 sf	130'	150'	40'	40'	15'	25'	30'	20'
R-1-20	1.61 units per acre	20,000 sf	125'	150'	30'	30'	15'	25'	30'	15'
R-1-15	2.15 units per acre	15,000 sf	100'	125'	20-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	30'	15'
R-1-12	2.69 units per acre	12,000 sf	100'	100'	20-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	30'	15'
R-1-9	3.58 units per acre	9,000 sf	85'	90'	20-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	30'	15'
R-1-8	4.03 units per acre	8,000 sf	75'	90'	20-25 <sup>2</sup>	25'	10'	15-25 <sup>4</sup>	30'	15'
R-1-6	5.37 units per acre	6,000 sf	50'	90'	20-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	30'	15'
R-3	5.37 units per acre	6,000 sf	50'	90'	20-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	30'	15'
R-O	N/A	6,000 sf	50'	90'	20-25 <sup>2</sup>	25'	5-10 <sup>3</sup>	15-25 <sup>4</sup>	30'	15'

- 1 - Refer to 15.3.24.090(A) for accessory buildings  
2 - 20 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of a side entry garage.  
3 - 5 feet on one side, 10 feet on the other for single family dwellings; 10 feet for non-residential uses.  
4 - 15 feet to living areas, 25 feet to garages or carports, and 20 feet to the front of the side entry garage.  
5 - Flagpoles are limited to the height of principal buildings in residential zones  
6 - Maximum setback is 250 feet, with an all-weather driveway, capable of supporting a fire truck, and with adequate turn around space for a fire truck at the end of the drive. Greater distances may be allowed if a fire hydrant is installed within 250 feet of the principal building.  
7 - On corner lots, the setback is reduced by 5 feet.

## 16. Residential Districts

### 15.3.16.020 Residential Districts

~~R-1-80, R-1-60~~, R-1-40, R-1-30: These districts provide a rural residential environment within Spanish Fork that are characterized by large single family lots conducive to animal rights as defined in section 15.3.24.090(H).

## 17. Submittal Requirements

### 15.4.04.060 Filing of Preliminary Plats

A. Prior to preparing a preliminary plat, the developer should review conceptual plans with the **Community Development Department City Planner**. To apply for a preliminary plat approval, applicants must follow instructions on the electronic form provided by the Community Development Department and submit all required materials. Plans submitted for preliminary plat approval shall be provided in this format: **complete a preliminary application form. Forms are available at the City office or City website. Submit the completed form to the Community Development Department with the following:**

- 1. Seven 24x36 inch copies of the preliminary plat drawings folded to a 9x12 inch size so the name of the subdivision is visible.**
- 2. Two clearly legible 11x17 inch copies of the preliminary plat drawings and**

~~3.~~ A pdf and computer aided design (CAD) file of the plat ~~on a CD, or by an e-mail~~ in a dwg or dxf format. The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane 4. All fees for the preliminary plat are due upon filing the application.

If anything is submitted by e-mail, the Community Development Department must be contacted for the proper e-mail address and for confirmation that the e-mail was received.

#### **15.4.04.100 Filing of Final Plats - When**

Within one (1) year after approval of the preliminary plat or within the time for which an extension to make such filing has been granted, the original tracing shall be submitted to the Community Development Department, together with ~~the following:~~

~~1. Seven 24x36 inch copies of the final plat and construction drawings stapled and folded to a 9 x 12 inch size so the name of the subdivision and plat is visible, the final plat on top;~~

~~2. Two 11x17 inch copies of the Final Plat and construction drawings;~~

~~3.~~ a Computer Aided Design (CAD) file in a dwg or dxf format and a Portable Document Format (PDF) file of the plat ~~must be submitted on a CD or by e-mail in a dwg or dgn format.~~ The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

~~If anything is submitted by e-mail, the Community Development Department must be contacted for the proper e-mail address and for confirmation that the e-mail was received.~~

The City will review the submission and notify the developer of any changes that must be made. The developer shall have a written response to all redlines corrected. Once these changes are made, a Portable Document Format (PDF) file of the plat must be submitted to the Community development department.

~~Once accepted by the DRC, four 24x36 inch copies, one clearly legible 11x17 inch copy, and a CAD file of the plat must be submitted to the engineering department. Two 24x36 inch copies will be retained by the City, the other two 24x36 inch copies will be signed and stamped by the City and returned to the Developer. The Developer must insure that a copy of the signed and approved construction plans is on-site at all times during construction.~~

Each final plat shall be accompanied by a filing fee established by the City Council in its annual budget, together with any impact, inspection, testing, connection, or other fees which are due before recording.

#### **15.4.08.040 Approval or Disapproval - Procedure**

Each Site Plan submitted to the City shall be referred to the DRC, for review to insure conformity to the present ordinances and standards and for adequacy and availability of public facilities. The DRC may table the matter to further study the issues presented. The DRC may approve, reject, or grant approval upon the conditions stated. If approved, the DRC shall express its approval with whatever conditions are attached. If any conditions are attached, the site plan shall be amended to reflect such changes and an accurate site plan shall be submitted to the City.

Receipt of this accurate copy shall be authorization for the developer to proceed with the preparation of plans and specifications for the minimum improvements hereinafter required by this title. Original site plans are subject to the standards, policies, and regulations that are in constraints for the proposed development.  
2. Staff Review.

a. Application for Site Plan approval can be made by following instructions on the electronic form provided by the Community Development Department ~~An application provided by the City shall be filled out in completeness and submitted to the Community Development Department together with a~~

~~i. Seven 24x36 copies folded to a 9x12 size so that the name of the plan is visible.~~

~~ii. Two clearly legible 11x17 copies of the site plan.~~

~~iii. A computer aided design (CAD) file of the plans on a CD, or by an e-mail in a dwg or dxf format.~~ The CAD file of the subdivision must be in the 1927 North American Datum (NAD27) or 1983 North American Datum (NAD83) State Plane Coordinate System, Utah Central Zone, US Foot, with a tie to a section corner.

iv. If anything is submitted by e-mail, the Community Development Department must be contacted for the proper e-mail address and for confirmation the e-mail was received.

### 15.3.08.060 Conditional Use Permits

A. Purpose: Certain uses have characteristics that may have a greater impact on the adjoining properties, surrounding neighborhood, or community as a whole than do other permitted uses in the specific zoning district. These uses require a more comprehensive review to determine whether the proposed use at a specific location is appropriate, or whether the use can be made compatible by placing certain conditions on its operation that mitigate or eliminate potential detrimental impacts. The Commission is the land use authority for conditional use permits and is empowered to grant, to grant with conditions, or to deny the conditional use permit application, subject to the findings and hearing requirements of this section.

B. Application: ~~Application is made by following the instructions on the electronic form provided by the Community Development Department and submitting all required materials. Applications shall be filed with the City Planner on a form provided by the City. The application form will require the applicant to provide certain documentation and information about the site, surrounding area, and proposed use that will help the DRC and Commission properly evaluate the request. The specific information to be included with the application is described on the application form.~~

## 18. Recordation and Construction.

### 15.4.04.130 Recordation - Copy to be Supplied to City Engineer

Following acceptance by the DRC, the final plat bearing all official approvals shall be deposited in the office of the county recorder for recording by the city. Only the City may record final plats. The final plat must be recorded with Utah County within ~~180~~ ~~120~~ days after approval by the DRC. Approval expires and the plat must be resubmitted if the final plat is not recorded within ~~180~~ ~~120~~ days.

All inspection, testing and/or connection fees required by ordinance shall be paid and permits required shall be obtained prior to the recording of the Final Plat.

### 15.4.04.140 Commencement/Completion Time Frame

A. Prior to the construction of any improvements required by this title, the subdivider shall furnish to the city engineer the following:

1. Approved sets of construction plans;
2. Full security deposit (bond) required by this title (15.4.16.110);
3. Inspection fee deposit;
4. Subdivision development agreement;
5. Hold a preconstruction meeting;
6. Meet all conditions for approval as established by the Council.

B. All improvements within subdivisions must be completed within one year of the date of ~~recordation the pre-construction meeting~~. If improvements are not completed within the time limitation imposed herein, the City may forfeit any bond or surety, which shall have been posted by the owner or subdivider.

## 19. Bonding Requirement

### 15.4.16.110 Security for Improvements Required

The owners and/or developers of property shall deposit security with the City to guarantee proper installation of all required improvements in accordance with the plans, specifications, time limitations, and conditions relating thereto as meets with the approval of the Council or such personnel as the Council shall designate. The amount of the security shall be ~~120%~~ ~~110%~~ of the City's estimated costs of the improvements. Security shall be in form of cash in the minimum amount of ten percent (10%) of the City's bond amount. The balance of the security shall be in the form of cash, an irrevocable letter of credit, or an escrow bond.

Irrevocable letters of credit or escrow bonds shall be executed by financial institutions acceptable to the City and authorized to conduct business in the State of Utah, and must be in the form approved by the City. The bond or letter of credit, as required by this section, must be posted prior to recording of the plat. Upon completion, inspection, approval, and acceptance of the improvements, the security, less ten percent (10%), shall be released to the developer. Ten percent (10%) of the security amount shall be held for a period of one year following final inspection and acceptance to warrant improvements for this time period.

The ten percent (10%) retained for the warranty period shall be in cash. The cash amount may be released one year after installation, final inspection, and acceptance by City, if no repairs or replacement are required to the infrastructure installed.

## 20. Carport Setbacks

### 15.3.24.090 Supplementary Regulations

#### A. Accessory Structures:

1. All accessory structures must meet the following requirements:
  - k. Where a property's side yard abuts another property's rear yard, no setback is required for structures that are open on at least two sides so long as though the structure is attached to the principle structure and is constructed of materials that are aesthetically consistent with the principle structure.

## 21. Downtown Commercial Parking

### 15.4.16.120 Off-Street Parking

- F. Purpose: To provide adequate, but not excessive, parking to meet the needs of residents, employees, and business patrons, in a manner this is functional, safe, and aesthetically pleasing.
- G. General Requirements:
  1. Off-street parking is not required for permitted uses in the Downtown Commercial (C-D) district except for residential uses which must meet the requirements that are otherwise prescribed in this Title.



**TO:** Spanish Fork City Planning Commission

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

**DATE:** March 3, 2014

**RE:** Muhlestein Meadows Amended Preliminary Plat and the Mayfield Zone Change and Preliminary Plat

### **Muhlestein Meadows**

Attached to the memorandum is a proposed Amended Preliminary Plat for the Muhlestein Meadows subdivision. The proposed Amendment was initiated at the City's request and the City is grateful for the developer's cooperation in making changes to the Plat. The proposed amendment would have Muhlestein Meadows approved as a Master Planned Development.

There are two components to the change. The first has to do with modifying the Plat to incorporate a new system for managing storm water. The City's Public Works Department feels as though this is a very worthwhile modification to make and the developer has agreed to utilize this new system. Relative to the Plat and the storm drain system, the only change that you'll see is a reduction in the size of lot 11 from 15, 001 to 14,971 square feet.

The second change has to do with the inclusion of a pedestrian connection between lots 6 and 7. This is something staff should have requested the applicant do with the initial Preliminary Plat submittal. Nonetheless, we are pleased that the applicant is willing to work with the City to include the connection now. Once constructed, this walkway will provide a connection through the neighborhood to the schools to the north so that students do not need to use Mill Road. Staff still needs to address this issue with the developer of the adjoining project, Old Mill Estates.

The Development Review Committee reviewed this proposed Amendment on February 26<sup>th</sup> and recommended that it be approved. A neighborhood meeting was held to discuss the proposed Amendment on February 27<sup>th</sup>. Staff recommends that the proposed Amendment be approved.

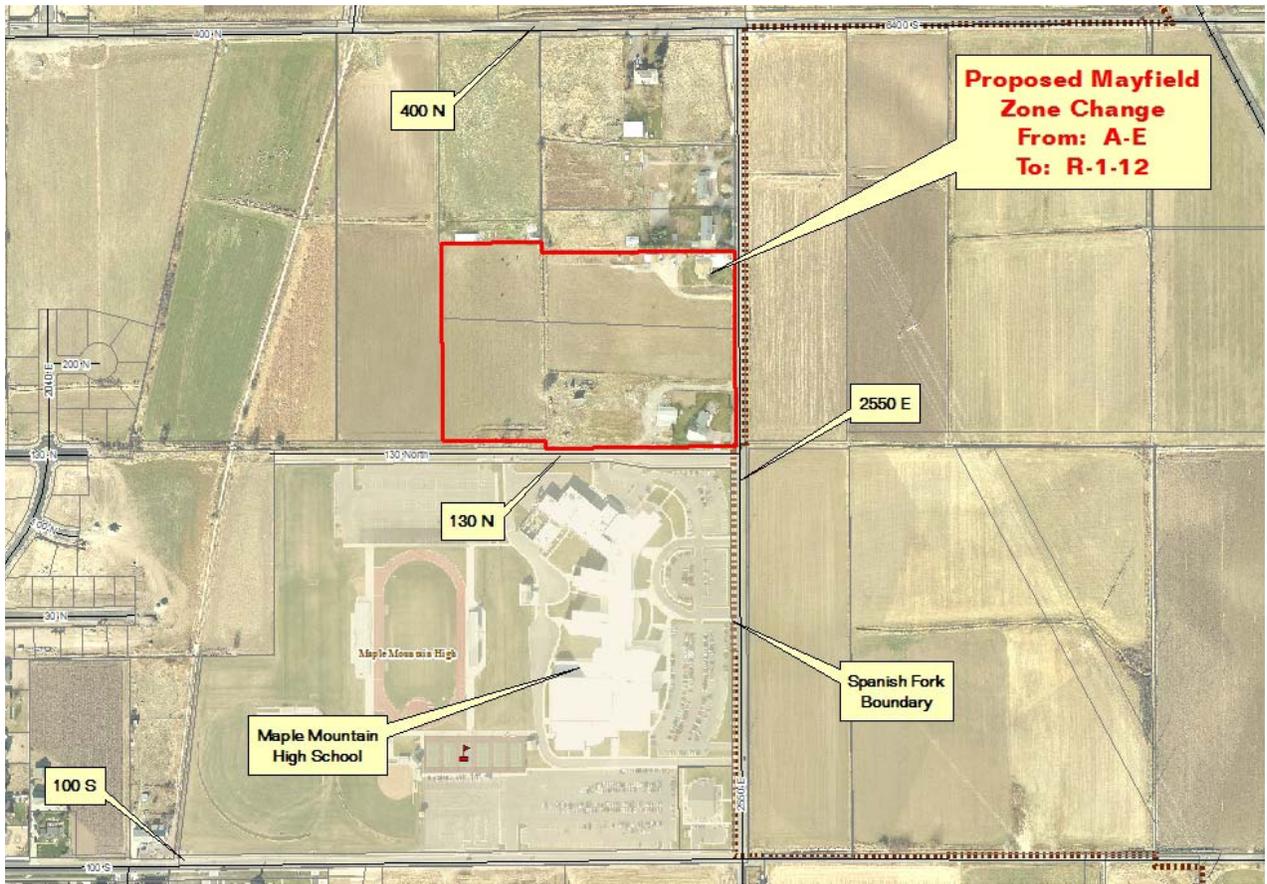
### **Mayfield Meadows**

Attached to this memorandum are exhibits that describe the proposed Zone Change and Preliminary Plat. The proposed Zone Change would change the zoning for some 14 acres from Exclusive Agriculture to R-1-12. The proposed Preliminary Plat contains a total of 33 lots and would allow for the construction of 31 homes in the Mayfield Meadows subdivision. This proposal is back on the Planning Commission's agenda for recommendations on both the Zone Change and

the Preliminary Plat. Staff recommends that the proposed Zone Change and Preliminary Plat be approved.

attachments: proposed Amended Preliminary Plat for the Muhlestein Meadows subdivision  
proposed Mayfield Zone Change  
proposed Mayfield Preliminary Plat





**Proposed Mayfield  
Zone Change  
From: A-E  
To: R-1-12**

400 N

2550 E

130 N

Spanish Fork  
Boundary

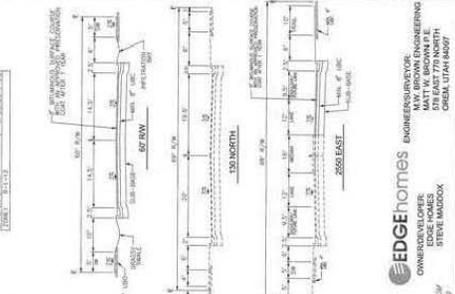
Maple Mountain  
High School

100 S

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	01/11/17
2	REVISED PER COMMENTS	01/11/17
3	REVISED PER COMMENTS	01/11/17
4	REVISED PER COMMENTS	01/11/17
5	REVISED PER COMMENTS	01/11/17
6	REVISED PER COMMENTS	01/11/17
7	REVISED PER COMMENTS	01/11/17
8	REVISED PER COMMENTS	01/11/17
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31	REVISED PER COMMENTS	01/11/17
32	REVISED PER COMMENTS	01/11/17
33	REVISED PER COMMENTS	01/11/17



**BOUNDARY DESCRIPTION**  
 Beginning at a point which is North 89°19'10" East along the Section line 335.19 feet and South 685.95 feet from the Northwest corner of Section 21, Township 8 North, Range 3 East, Salt Lake Base and Meridian (Found County Monument) to the Northeast corner of the subdivision; thence North 00°46'07" East 33.70 feet; thence North 89°27'57" East 623.82 feet; thence South 00°46'07" East 33.70 feet; thence North 89°27'57" East 623.82 feet; thence South 89°19'10" West 611.50 feet; thence North 00°47'40" West 24.09 feet; thence South 89°19'10" West 611.50 feet; thence North 00°47'40" West 24.09 feet; thence West 329.82 feet; thence North 00°37'32" West along the boundary agreement recorded with the Utah County Recorder's Office as Entry Number 61207, Book 3027 and Page 174, 638.68 feet to the point of beginning.



**EDGEhomes ENGINEERING SERVICES**  
 MATT W. BROWN, P.E.  
 OWNER/PROJECT MANAGER  
 EDGAR HAMES  
 PROJECT MANAGER  
 STEVE MADDOCK  
 PROJECT MANAGER

