

ORDINANCE NO. 2025-07-23

AN ORDINANCE ENACTING SUBSECTION 17.6.101 OF THE AMERICAN FORK CITY MUNICIPAL CODE RELATING TO SITE PLAN APPROVALS.

WHEREAS, American Fork City seeks to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork City;

WHEREAS, the City has the authority to enact land use regulations pursuant to the Municipal Land Use Development and Management Act Utah Code § 10-9a-101 *et seq.*; and

WHEREAS, the City has already enacted an ordinance permitting administrative site plan review – see American Fork City Code Section 17.6.101 Administrative Site Plan Review; and

WHEREAS, the City deems it necessary to modify Section 17.6.101; and

WHEREAS, the American Fork City Council finds it in the best interest of the City to provide an administrative process for approving minor amendments to site plans ;

WHEREAS, the American Fork City Council finds that the adoption of this ordinance would promote the health, safety and welfare of the City and its residents.

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

PART I TEXT OF ORDINANCE

SECTION 1. Section 17.6.101 Administrative Site Plan Review is hereby repealed and replaced with the following:

17.6.101. Site Plan Approval Process.

A. When Required. Site plans shall be required for any proposed development, construction upon, revision or addition to or other improvement to a property or site in a nonresidential zone, a nonresidential use in a residential zone, or to obtain a conditional use permit in any zone. Additionally, a site plan shall be required whenever the terms of the American Fork Municipal Code otherwise require. No development, construction, revision, or additions shall take place on the site until the site plan has been approved by the City, final plats if required have been recorded, the necessary bonds have been posted, and the appropriate permits have been obtained. All applicable development, construction, revisions, or additions shall take place in compliance with an approved site plan for that specific property.

No proposed development, construction, revision or additions, or other improvements to a property or site shall be placed over property lines. Any proposal that does so, shall seek a final plat, or an amended final plat approval prior to a site plan approval.

B. Submittal. Site plan applications shall be submitted to the Development Services Department on the forms provided by the City and shall be accompanied by maps and drawings,

to scale, showing the following, unless otherwise required by City Engineer or Development Services Director:

1. ALTA Survey (identify Geodetic Datum used)
2. Civil Engineering Design Plan Set using NAVD 88 vertical datum and including the following:
 - a. Cover sheet, General Notes, Site Plan, Grading and Drainage Plan, Utility Plan showing all existing and proposed wet and dry utilities (including street lights), Plan and Profile sheet for all proposed public utilities, Erosion Control Plan, American Fork Standard Details
3. Application Fees
4. Drainage Report identifying drainage sub-basins
5. Phasing Plan
6. Timpanogos Special Service District Form
7. Title Report (Dated within 60 days of date of application)
8. Zoning Clearance Letter
9. The location of all existing and proposed buildings and structures on the site with full dimensions showing the distance between buildings and distances from buildings to adjacent property lines.
10. The location of all parking spaces, driveways, and points of vehicular ingress and egress.
11. A landscaping plan showing the location, types, percentages, and initial sizes of all planting materials to be used together with the location of fences, walls, hedges, and decorative materials.
12. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used and including dimension height.
13. The locations of solid waste receptacles and trash pick-up areas. Include preliminary elevations of solid waste receptacles showing the general appearance, types of external materials to be used, and dimensions.
14. Geotechnical Report (require each phase being planned to have test pits identified within the specific phases that will be brought forward). Geotechnical Report must be dated within 3 years of date of application, or a new Geotechnical Report is required. Geotechnical report shall include percolation rates, identify liquefaction hazards, wetlands, groundwater elevations and information required

to confirm the existence or non-existence of sensitive lands as identified in the Sensitive Lands Ordinance. Boring depths up to 70' deep may be required as per the Sensitive Lands Ordinance.

15. A traffic study prepared by an independent, professional traffic engineer if a site plan proposes any of the following: i) seventy-five (75) or more parking stalls; ii) a drive-up window; iii) more than two drive approaches from dedicated streets; iv) a corner lot where one or more of the streets is a collector or arterial street; or as required based on requirements set forth in the Traffic Impact Study requirements
 - a. The final approving authority may impose traffic mitigation requirements based on the impacts identified by a traffic study prepared by the applicant, the City or any qualified independent traffic consultant. Nothing in this Section shall preclude the City from performing its own traffic study.
 - b. The Development Services Director, after consultation with the Public Works Director, may waive the requirements of a traffic study if a new traffic study would be unnecessarily cumulative or otherwise not add to the information already available to the Development Services Director.

Upon determination of a complete submittal, the site plan application shall be provided to the Development Review Committee for review.

C. Approval. After full review of the site plan application, the DRC shall take action to approve or move the proposed site plan to the final approval authority, as applicable. DRC shall only approve or move forward a proposed site plan if it complies fully with the American Fork General Plan and the American Fork City Code, City ordinances, resolutions, and policies.

- 1. Planning Commission to Approve.** Except as otherwise specified in this Section, the Planning Commission, acting in an administrative capacity, shall be the final approval authority for all proposed site plans forwarded by the Development Review Committee and shall have the power to approve, approve with conditions if granted the authority by City ordinance, or deny a proposed site plan.
- 2. DRC to approve.** A concept plan meeting shall be scheduled through the Development Services Department to determine if proposed modifications to a site qualify for an amended site plan approval process. The Development Review Committee may exercise administrative approval authority for amendments to existing site plans, or for site or structure alterations to existing buildings and sites that do not have a site plan under the following conditions:

- a. The proposed amendments to the existing site plan are minor in nature and enhance the overall site, as determined by the DRC. Minor amendments include, but are not limited to, the following:
 - i. Increasing the amount of parking;
 - ii. Restriping the parking areas;
 - iii. Reducing building size;
 - iv. Change of use in an existing building;
 - v. Building additions, including new structures, where the proposed additions do not exceed 10% of the original approved site plan approved by Planning Commission;
 - vi. Relocating on site utility services;
 - vii. Installing new utility services;
 - viii. Minor modifications to on-site grading;
 - ix. Altering the exterior site lighting;
 - x. Increasing the amount of landscaping;
 - xi. Modifying existing landscaping to water efficient standards;
 - xii. Altering or relocating covered parking stalls;
 - xiii. Changing the exterior finishing materials from one acceptable material to another; and
 - xiv. Additions to an existing building that do not increase the Gross Floor Area of the building such as awnings, canopies, decks, patios, and architectural features designed solely to enhance the aesthetic appeal of the building provided that the value of the proposed addition does not exceed five percent (5%) of the replacement value of the building.
 - xv. Increase in internal floor area by introducing additional floors, lofts, mezzanines, etc. in an existing structure or shell.
 - xvi. Cell tower upgrades
 - xvii. As determined by the Development Services Director, in consultation with the Public Works Director to be a minor enough amendment as to not constitute a full site plan review.

3. **Submittal** Required submittal documents as outlined in Section 17.6.101.B shall be determined by the Development Services Director and Public Works Director after the mandatory Concept Plan meeting is held.
 - a. Upon determination of a complete submittal, the application shall be provided to the Development Review Committee for Review.
4. **Considerations.** The recommending authority and approval authority for the site plan shall consider all of the following items when reviewing a proposed site plan:
 - a. Whether the proposed site plan complies with the American Fork City General Plan, the American Fork City Code, ordinances, resolutions, and policies.
 - b. Whether the proposed site plan promotes the health, safety and welfare of the community. In making this determination, the recommending authority and the final approving authority for the site plan, shall consider, among other things, the overall safety of the site, the impact the site will have on traffic and on surrounding properties, and the adequacy of police, fire, and utility services that can be provided to the site.
5. **Appeals permitted.** Any person aggrieved by a determination of the Development Review Committee or the Planning Commission may request a hearing before the city council who shall have the authority to reverse, affirm or modify any decision of the underlying approval authority. Any such appeal shall be filed within ten days of the decision being appealed.
6. **Issuance of a permit.** A building permit shall not be issued for any building or structure or external alterations thereto until the provisions of this section have been complied with. Any construction not in conformance with an approved site plan shall be considered a violation of this code. Any building permit issued shall ensure that development is undertaken and completed in conformity with the plans as approved.
7. **Expiration of Site Plan Approval.**
 - a. An application for site plan approval shall expire if the application has not been approved or scheduled for review and approval by the approving authority within twelve (12) months after the date it was submitted.
 - b. A site plan approval issued pursuant to this section shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the approval is not commenced within twelve (12) months of the date of the approval. The approval authority that granted the original site plan approval may, at its discretion and upon


written request submitted prior to the expiration date, grant an extension of up to six (6) months of the site plan approval.

PART II
CONFLICTING ORDINANCES, SEVERABILITY, AND ADOPTION

SECTION 1. Conflicting Provisions. Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution, or part thereof, the more stringent shall prevail.

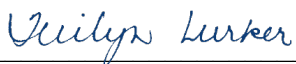
SECTION 2. Provisions Severable. This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause, or phrase is adjudged to be unconstitutional or invalid, it is hereby declared that the remainder of the ordinance shall not be affected thereby. This amended ordinance shall take effect immediately upon its passage and publication as prescribed by law.

Passed by the American Fork City Council this 8th day of July, 2025.



Bradley J. Frost
American Fork City Mayor

ATTEST:



Terilyn Lurker
City Recorder

