



September 16, 2025

UTAH COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

I. APPLICATION:

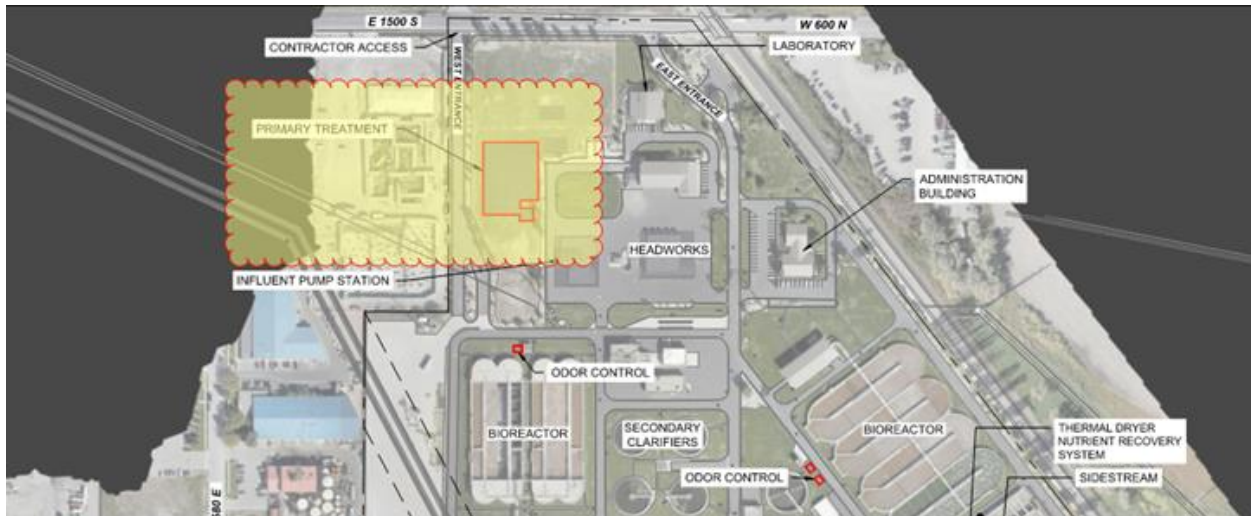
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| A. APPLICANT | - | Timpanogos Special Service District |
| B. REQUEST | - | A conditional use request for a structure associated with an existing wastewater treatment plant to exceed 40 feet in height. |
| C. LOCATION | - | 5135 West 6400 North, Section 36 T5S R1E, near American Fork City in unincorporated Utah County |
| D. ZONING | - | Public Facility Zone (PF) |
| E. AREA | - | 180 Acres (13:079:0033) |

II. STAFF SUMMARY:

Applicant Request

The applicant is requesting conditional use approval for the primary treatment facility building to exceed 40 feet in height. This structure is part of the improvement and expansion plans for the wastewater treatment facility. The expansion was approved in 2023. The expansion included approval for the digester complex (130 feet) and a storage silo (90-feet) to exceed 40 feet in height. The facility expansion is anticipated to satisfy the existing treatment needs of the district, meet projected growth, and improve discharged water quality. The applicant has indicated that the additional height of the primary treatment facility is needed to capture and treat potential odors.

The application includes a site plan showing all existing structures and facilities, and the location of proposed structures associated with the expansion. A detailed explanation of all proposed structures and facilities is included as part of the application.



Parcel Information

The subject property is part of the Timpanogos Special Service District sewage treatment plant. The plant has been in operation at this location since the mid-1970's, with the first building permit for the plant being issued in 1977 (#3223). There have been numerous permits issued by this office for various structures associated with the plant over the years, including expansions to the plant in 1984, 1993, 1996, 2009, and 2023. It appears the subject property would be eligible for any permitted or conditionally permitted use allowed in the PF Zone subject to meeting all applicable standards for a given use.

The property has approximately 585 feet of frontage along 6400 North (American Fork's 1500 South), a paved American Fork city road. Adjacent uses to the property include industrial, agricultural, commercial, vacant property, rail lines, and wetlands. The closest residence to the property appears to be approximately one-half mile from the subject parcel's boundaries.

The property lies within the annexation policy plan of American Fork City. All adjacent parcels are located within the city boundaries of American Fork or Lindon City except one parcel held by the State of Utah. Adjacent zoning designations for American Fork include, Planned Industrial (PI-1), Industrial (I), Shoreline Preservation (SP), without any changes proposed in the general plan. The American Fork General Plan also shows the future land use designation for this facility as "Institutional Lands, Schools and Public Facilities".

Lindon City adjacent zoning designations include, Regional Commercial (RC), Recreation Mixed Use West (RMU-W), with a portion included in the Utah Lake Overlay District. The Lindon City general plan does have the area zoned RMU-W designated as future open space.

Utah County Public Works did not have any opposition to the proposed additional height requests. They did state that Utah County in cooperation with other cities are working to develop a Utah Lake shoreline trail system and that this proposal may affect parcel boundaries, but the structure height did not affect the anticipated trail system in this area.

III. APPLICABLE CODES AND ORDINANCES:

The following are ordinances and laws pertaining to this appeal:

1. [U.C.L.U.O. Section 12.56.C.1](#): Identifies a water treatment plant or sewage treatment plant owned by and operated by a governmental entity as a permitted conditional use in the PF Zone, subject to the approval by the Board of Adjustment.
2. [U.C.L.U.O. Section 12.56.G.1e](#): Allows unoccupied structures to have a height in excess of forty feet subject to the approval by the Board of Adjustment.
3. [U.C.L.U.O. Section 16.80](#): Contains the rules for hearing and deciding appeals for conditional uses.

IV. STAFF FINDINGS:

1. Section 12.56.C.1 of the Utah County Land Use Ordinance lists a water treatment plant or sewage treatment plant owned by and operated by a governmental entity as a permitted conditional use in the PF Zone subject to approval by the Planning Commission as a conditional use according to the provisions of Section 16.80. The proposed use would appear to be a sewage treatment plant. Section 12.56.G.1.e allows unoccupied structures in excess of 40-feet to be approved by the Planning Commission as a conditional use. The Primary Treatment facility appears to meet this requirement.
2. A completed application was submitted August 18, 2025, as per Section 16.94.B.1.
3. The application is for a conditional use which the Board is empowered to approve as per Section 16.80.B.2.
4. The application appears to meet the requirements of Section 16.80.C, which allows the Planning Commission to attach conditions to mitigate any anticipated detrimental effects for the proposed use. Mitigation measures are included in the staff recommendation section of the staff report and may be included with findings at the Planning Commission Meeting.
5. The application and proposed conditional use appear to meet the general purposes and intent of the ordinance, as specified in Section 1.08. Specifically, it would promote efficient and economical utilization, conservation, and production of natural resources (Section 1.08.C) and it would facilitate adequate provision for a general public need (Section 1.08.E).
6. The application and proposed conditional use appear to be consistent with the "characteristics and purposes" stated for the zoning district involved and the adopted general plan. This conditional use would appear to be consistent with the purposes and intent of the PF Zone, including:
 - To provide locations where public facilities can be located to meet the needs of the residents of Utah County.

It would appear to be consistent with the general plan, including:

- Ensure that essential governmental facilities and services are provided (Policy G, Objective 11, Utah County General Plan).

V. STAFF RECOMMENDATION:

That the Utah County Planning Commission **approve** a conditional use request CU2025-07 for a Primary Treatment facility structure up to 75-feet in height, subject to staff findings included in the staff report and the following conditions:

1. That building permits or other applicable land use permits for all proposed structures and uses be obtained that meet all applicable zoning, building, health, and fire-safety requirements.
2. That all proposed structures and uses that lie within a flood hazard area meet the requirements of Section 6.16 of the Utah County Land Use Ordinance.
3. That the applicant submits and receives approval from the Utah County Engineer of any applicable Storm Water Pollution Protection Plan (SWPPP) and land disturbance permit prior to the issuance of any permits for the establishment of the solar energy facility.