

CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

Mayor

Paul A. Cutler

City Council

Ken S. Averett

Tamilyn Fillmore

John T. Higginson

Stephanie Ivie

Lawrence Wright

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager *S. Thacker*
subject: City Manager's Summary of April 7, 2015 Council Meeting
date: April 3, 2015

E.1. Minutes Review and Acceptance – The minutes to be approved are enclosed.

E.2. Summary Action Calendar

- a. Cooperative Agreement with UDOT** – In the Agreement the City commits to maintain the Connector Trail to the Legacy Parkway Trail System, after it is constructed by the developer of the Legacy Trail Subdivision Project. This trail segment will run along the south side of Parrish Lane—west of 1250 West—and then along the west side of this new development and connect with the existing Legacy Parkway Trail at a point north of the Birnam Woods Trailhead. This Connector Trail, along with the pedestrian bridge and related pathway being constructed this year as part of the I-15 project, will allow residents on the east side of I-15 to access the Legacy Parkway Trail without driving to the west side.
- b. Engberson-Taylor Subdivision** – This residential project is ready to end its warranty period.
- c. Woods Park PDO** – This residential development is ready to begin its warranty period.

E.3. 2015 Municipal Elections – Davis County has asked cities to approve agreements pertaining to the conduct of municipal elections in 2015. The County has also given cities the choice of holding a traditional election (i.e. electronic voting at polling places) or a vote by-mail “hybrid” option. The City Council initially discussed this option at their March 17 meeting, but tabled a decision to this meeting.

E.4. Public Hearing – Code Text Amendment re South Main Street Corridor – Brighton Homes wishes to redevelop property along the east side of Main Street between 300 South and Porter Lane (400 South). They have applied for several text amendments to the Zoning Code to accommodate their desired residential development—as explained in the staff report. There was a large crowd for the Planning Commission’s public hearing on this matter, which resulted in a split vote (4-3) recommending approval to the City Council.



- E.5. **Mayor's Report** – Mayor Cutler will report on the recent Fire Agency work session attended by mayors and city managers of the member cities. The work session topics included a summary of proposed capital projects and analyses by the financial consultant and Agency legal counsel regarding the possibility of funding those capital projects via a taxing district.
- E.6. **City Council Liaison Report** – Councilman Ken Averett will report on emergency management and community preparedness activities. He chairs the Citizen Corps Council and meets monthly with key City employees responsible for overseeing emergency management activities.
- E.7. **City Manager's Report** – Since I will not be present at this council meeting, Assistant City Manager Blaine Lutz will report on pertinent matters, including the scheduling of an RDA/ACB meeting.
- E.8. **Miscellaneous Business** – At this time there are no topics identified under this heading.
- E.9. **Closed Meeting, if necessary** – At this time I do not know of a need for a closed meeting, but the agenda allows for that possibility.
- E.10. **Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments to City boards/committees.

Potential Agenda Items for April 21, 2015 City Council meetings (subject to change):

- Work Session – Discussion with County Commissioners & Temporary Sign Ordinance
- Presentation re South Davis I-15 Project by Nathan Peterson, Project Manager
- Public hearing – Zoning Code Text Amendment re ADUs
- Continue discussion re temporary sign ordinance – give direction to staff
- Discuss proposed Complete Streets Policy
- Questar Franchise renewal
- Financial Report for period ending March 31, 2015
- Amend FY 2015 Budget
- Bid awards for City Hall reroofing; annual street paving contract; and Legacy Trail Subdivision waterline

mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON APRIL 7, 2015 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, or may read this memo on the City's website: <http://centerville.novusagenda.com/agendapublic>.

Tentative - The times shown below are tentative and are subject to change during the meeting.

Time:

7:00 **A. ROLL CALL**

(See City Manager's Memo for summary of meeting business)

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Blaine Lutz, Asst. City Manager/Finance Director

7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

E. BUSINESS

7:10 1. Minutes Review and Acceptance

- March 17, 2015 work session and regular City Council meeting; March 25, joint City Council/Planning Commission work session
- | | |
|------|---|
| 7:10 | 2. Summary Action Calendar <ul style="list-style-type: none"> a. Consider Cooperative Agreement between UDOT and Centerville City Providing for Maintenance of Connector Trail to the Legacy Parkway Trail System b. Terminate warranty for Engberson-Taylor Subdivision c. Commence warranty for Woods Park PDO |
| 7:10 | 3. 2015 Municipal Elections <ul style="list-style-type: none"> a. Determine whether to participate in vote by-mail option for 2015 municipal elections b. Agreement with Davis County for administering Centerville City's 2015 Municipal Elections - Consider Resolution No. 2015-05 |
| 7:25 | 4. Public hearing – Zoning Code Text Amendment – Chapter 12-48 South Main Street Corridor <p>Consider proposed Zoning Code text amendments for various sections of Chapter 12-48 South Main Street Corridor Zone; which include building heights and floor heights within Traditional Main Street District and allowance for stand-alone residential projects. Taylor Spendlove, Brighton Centerville LLC, Applicant - Consider Ordinance No. 2015-04</p> |
| 8:25 | 5. Mayor's Report <ul style="list-style-type: none"> a. Fire Agency work session |
| 8:35 | 6. City Council Liaison Report <p>Councilman Ken Averett re Citizen Corps Council/Emergency Management and Davis Chamber of Commerce</p> |
| 8:45 | 7. City Manager's Report <ul style="list-style-type: none"> a. Schedule RDA/ACB meeting |
| 8:55 | 8. Miscellaneous Business |
| 9:00 | 9. Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended |
| 9:00 | 10. Possible action following closed meeting, including appointments to boards and committees |

F. ADJOURNMENT

Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

CENTERVILLE

**Staff Backup Report
4/7/2015**

Item No.

Short Title: (See City Manager's Memo for summary of meeting business)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ City Manager Summary Memo of April 7, 2015 Council meeting

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No.

Short Title: Blaine Lutz, Asst. City Manager/Finance Director

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 1

Short Title: Minutes Review and Acceptance

Initiated By:

Scheduled Time: 7:10

SUBJECT

March 17, 2015 work session and regular City Council meeting; March 25, joint City Council/Planning Commission work session

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ March 17, 2015 City Council meeting minutes
- ☐ March 25, 2015 joint cc/pc work session minutes

PRELIMINARY DRAFT

Minutes of the Centerville **City Council** meeting held Tuesday, March 17, 2015 at 7:00 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore Stephanie Ivie Lawrence Wright

MEMBERS ABSENT

Ken S. Averett
John T. Higginson

STAFF PRESENT

Steve Thacker, City Manager
Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney
Neal Worsley, Centerville Police Chief
Cory Snyder, Community Development Director
Randy Randall, Public Works Director
Katie Rust, Recording Secretary

VISITORS

Curtis Koch, County Clerk/Auditor
Bret Milburn, County Commissioner
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Steve Thacker, City Manager

NEW POLICE OFFICER INTRODUCTION

Police Chief Worsley introduced the Centerville Police Department's new police officer, David Davis. Officer Davis' previous experience includes six years of service in the United States Air Force, and five and a half years with the Davis County Correctional Facility.

OPEN SESSION

Lee Skabelund – Mr. Skabelund expressed appreciation for the Centerville Police Department. He stated that in the 25 years he has lived in Centerville he has never had a negative encounter with the Police Department.

Phil Sessions – Mr. Sessions is a Centerville resident. He said he is perturbed with the changes that are taking place on Main Street. He stated he feels that the owners of the property on Main Street between 300 South and 400 South should not be allowed to do what they want to do. He referred to the amount of parking currently available at some of the commercial properties, and said he thinks sufficient parking should be required. Mr. Sessions reminded the Council that they were elected to protect the citizens.

Robyn Mecham – Ms. Mecham stated that she heard from Mr. Sessions of an agreement between the Pitt group and the City that the property referred to by Mr. Sessions would be purchased for additional parking. She asked that the City research the possibility of such an agreement. Ms. Mecham said she feels the Planning Commission is there to look after rules and regulations, and the City Council is to look after the interests of the citizens. She said

PRELIMINARY DRAFT

1 she has done a lot of research regarding Main Street, and she believes most small towns do not
2 zone by building rather than acreage. She stated the only reason to zone by building would be
3 for high density. Ms. Mecham said that when the overlay was looked at she was told the
4 density is necessary to support the commercial. She said things have changed, and
5 developers, the Planning Commission, and residents are all saying that commercial is not viable
6 on Main Street. If commercial is not viable, she feels the density should be lowered. She also
7 said that, with recent developments in Centerville, the City does not have the same need for
8 affordable housing that existed in 2007. Ms. Mecham stated that she does most of her
9 shopping online, and in five to seven years she believes there will be less commercial business
10 on the streets. She asked if the historic corridor is really the place for high density. She pointed
11 out that Centerville Junior High students walk past the property in question every day, and
12 suggested that student safety should be considered. Ms. Mecham provided the Council with
13 copies of her comments.

14
15 Nancy Smith – Ms. Smith said she feels she was not properly notified of the discussions
16 taking place regarding the proposed change to the City core area. One public notice indicated
17 that chapters or sections of the Main Street Plan were being looked at, and the other public
18 notice was specific to the two residential properties being rezoned from Residential-Low (R-L) to
19 Commercial. In reading the minutes, Ms. Smith said she realized that the City center was being
20 discussed. She does not feel her neighborhood fully understood the scope of what was being
21 considered. She said she feels that one notice is not sufficient for an eight-block radius. Ms.
22 Smith said that more people would have participated in the discussion if they had realized the
23 full scope. She said she believes there was a lot of confusion amongst the Commissioners
24 about the full area they were voting on. She asked that the Council reopen the matter for
25 consideration if they believe due process did not take place.

26
27 Rick Bingham – Mr. Bingham thanked the City Council for their vote two weeks ago on
28 the non-debt version of the Drainage Fee increase. He also asked if it would be possible to
29 provide a moment for public questions after the Davis County Election Manager presentation.
30 Mr. Bingham asked that the candidate election packet be brought up to date to accurately
31 inform candidates about the process.

32
33 Mayor Cutler closed the open session, and stated that the proposed changes to the
34 Main Street Plan have not been brought before the Council for consideration.

MINUTES REVIEW AND ACCEPTANCE

35
36
37
38 The minutes of the February 17, 2015 Council meeting, February 24, 2015 Special
39 meeting, and March 3, 2015 work session and regular Council meeting were reviewed. Mayor
40 Cutler requested an addition to the February 17, 2015 minutes, and Councilwoman Fillmore
41 requested an amendment to the March 3, 2015 regular meeting minutes. Councilman Wright
42 made a **motion** to approve the February 17, 2015 minutes as amended, the February 24, 2015
43 Special meeting minutes, the March 3, 2015 work session minutes, and the March 3, 2015
44 Council meeting minutes as amended. Councilwoman Ivie seconded the motion, which passed
45 by unanimous vote (3-0).

PUBLIC HEARING – PARK HILLS SUBDIVISION PHASE 3 – FINAL SUBDIVISION

PLAT

Cory Snyder, Community Development Director, explained the application for final subdivision of the property located at 2130 North Rock Manor Drive. The project consists of two developable lots within the Park Hills Phase 3 Subdivision and a larger remnant parcel that will not be eligible for development at this time. Although a physical street exists at this location, it has not been officially dedicated. Now that two lots are being platted, the street area located along the proposed lots must be dedicated to meet the lot frontage requirements of City ordinances. Mr. Snyder stated that the Planning Commission recommends approval of the proposed subdivision for the creation of two lots.

At 7:33 p.m. Mayor Cutler opened a public hearing, and closed the public hearing seeing that no one wished to comment.

Councilman Wright asked who maintains the road. Mr. Snyder responded that the City maintains the road as a public thoroughfare. Mayor Cutler asked why a portion of the road will remain an easement. Mr. Snyder responded that the applicants do not intend to develop the remnant portion at this time, and dedicating that portion of the road would involve further subdivision and fees.

Councilman Wright made a **motion** to approve the Final Subdivision Plat for the Park Hills Subdivision Phase 3 located at approximately 2130 North Rock Manor Drive, subject to the following conditions and findings. Councilwoman Ivie seconded the motion, which passed by unanimous vote (3-0).

Conditions:

1. Park Hills Phase 3 shall consist of Lots 1 and 2 as depicted on the final plat and shall not allow any development to occur on the remnant parcel at this time. The remnant parcel shall be subject to all current applicable subdivision approvals when the future development shall occur.
2. A bond shall be posted for all public infrastructure and utility work to be conducted and the applicants shall be required to enter into an improvement agreement for all public infrastructure.
3. Storm drain impact fees and other impact or development fees have not been paid for Parcel A. Such impact fees and development fees for Parcel A shall be paid at the time such parcel is subdivided or built upon and shall be paid in accordance with the fee schedule in place at the time such fees are due.
4. A current title report shall be submitted to City staff for review.
5. The submitted final plat shall be approved by the City Council.
6. A final subdivision paper plat shall be submitted prior to the mylar and reviewed by the City Engineer and City Attorney, and shall receive the proper signatures before recordation.
7. The final plat shall be recorded at the Davis County Recorder's Office.
8. No construction on Lots 1 and 2 shall take place before recordation of the plat.
9. The applicant shall submit a building permit for Lots 1 and 2 prior to construction taking place.

Findings:

- a. The remnant parcel may not be developed without the proper City approvals [Section 15-2-101].
- b. Security of public improvements is required for all subdivisions [Section 15-4-109].
- c. The new subdivision meets the objectives for development within a Residential-Low Zone [Section 12-30-020(b)(1)].
- d. It appears all applicable development standards for development within an R-L Zone have been satisfied [Table 12-32-1].
- e. It appears all general requirements for all subdivisions have been satisfied [Chapter 15-5].
- f. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision application have been satisfied [Chapter 15-4].

SOLID WASTE CONTRACT WITH ACE DISPOSAL

Blaine Lutz, Finance Director/Assistant City Manager, reported on a comparison of solid waste services, cautioning that it is impossible to directly compare waste service costs between cities because of differing terrain and markets. Mr. Lutz stated that Ace Disposal has provided excellent service to the City, offers competitive rates, and uses natural gas vehicles. Councilman Wright asked how much citizens will save from the concessions offered by Ace for contract renewal. Mr. Lutz responded that staff recommends rates be held constant this year, using additional savings to build up the City's reserves that were diminished during recession years when the City covered increases in cost without increasing rates. The City will provide the traditional spring green waste pickup, which is an expense of the Sanitation Fund.

Councilman Wright made a **motion** to approve Amendment No. 1 to the Amended Solid Waste, Green Waste, and Recycling Collection Agreement with Ace Disposal through July 1, 2016. Councilwoman Fillmore seconded the motion. Councilman Wright pointed out that Ace offered two concessions: no fuel surcharge, and no inflationary increases to the current charges. The motion passed by unanimous vote (3-0).

DRAINAGE FEES

Steve Thacker, City Manager, briefly described the analysis and consideration process used by the City Council prior to making a final decision regarding drainage fees. The no-debt, 112% increase chosen by the Council is intended to fund drainage needs through the next ten years, will be effective June 26, 2015, and will be included in the billing statements issued at the end of July. The City website has extensive information about the research and scenarios considered by the Council, the front office at City Hall will have the inserts that were previously sent to citizens available for anyone with questions, and the special email address for drainage fee questions/comments will continue to be available.

Mr. Thacker explained that staff have identified seven residential properties that, in staff's opinion, should be included within the Subdrain District and, therefore, assessed the higher monthly subdrain fee. He recommended an effective date of March 26, 2015, which would make the change visible on the April billing statement. The property owners were notified by mail and invited to meet with staff to discuss this matter, but to date no such request has been made.

PRELIMINARY DRAFT

Centerville City Council
Minutes of Meeting of March 17, 2015

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1 Councilman Wright made a **motion** to approve Resolution No. 2015-03 adding seven
2 lots to the Subdrain District Map. Councilwoman Ivie seconded the motion, which passed by
3 unanimous vote (3-0).
4

5 Councilman Wright made a **motion** to approve Resolution No. 2015-04 increasing
6 Drainage Utility Fees in the Centerville Fee Schedule. Councilwoman Ivie seconded the motion,
7 which passed by unanimous vote (3-0). Mayor Cutler stated that, while it is always difficult to
8 increase fees, he is confident that everyone can agree having a high quality drainage system is
9 a core function of government.
10

11 **ENERGY SAVINGS PROPOSALS AND INCENTIVE OFFERS FROM ROCKY** 12 **MOUNTAIN** 13

14 In-depth analysis and proactive management of the City's water system power usage
15 have reduced the annual power cost of the system. Randy Randall, Public Works Director,
16 explained innovations that could reduce this even further. The Water Fund would bear the
17 upfront cost for materials/equipment needed, off-set in part initially by Rocky Mountain Power's
18 "Incentive Offer" of approximately \$13,000. Mr. Randal estimates the remaining
19 materials/equipment cost would be recovered within one year with the reduction in power costs.
20 Water Department employees would provide the labor needed to install materials and
21 equipment.
22

23 Mayor Cutler expressed support for the proposed innovations. Council members
24 Fillmore and Wright thanked Mr. Randall for his hard work and his efforts to improve service and
25 savings in the City. Mr. Randall said he also believes the advances in LED lighting technology
26 now make it cost-effective to convert some of the City's public lighting to LED. Bruce Cox,
27 Parks and Recreation Director, has said he is supportive of the proposal to convert the Freedom
28 Hills Park parking lot lights to LED, utilizing an incentive offer from Rocky Mountain Power for a
29 portion of the cost, as an opportunity to confirm (after a period of evaluation) whether similar
30 conversions to LED lighting should be considered at other City facilities, such as City Hall
31 parking lot. Mr. Thacker explained that the net conversion cost of approximately \$2,500, after
32 applying the Rocky Mountain Power incentive, should come from the General Fund.
33

34 Councilman Wright made a **motion** to move forward with the energy savings proposals
35 as set forth by the Public Works Director, and to accept the incentive offers from Rocky
36 Mountain Power related to the proposals. Councilwoman Ivie seconded the motion, which
37 passed by unanimous vote (3-0).
38

39 **RIGHT-OF-WAY ON 500 EAST STREET** 40

41 The City issued a stop work order for a retaining wall that was being reconstructed on
42 property located at approximately 1514 North 500 East because the retaining wall was being
43 constructed without a permit (necessary for a retaining wall exceeding four feet in height), and
44 was within the right-of-way. Lisa Romney, City Attorney, explained the situation with
45 photographs and recommended the City vacate the right-of-way to the edge of the sidewalk to
46 allow the property owner to reconstruct the retaining wall as a private improvement on private
47 property. She showed a photograph of the property immediately to the north, owned by Michael
48 Kelley, which has a shorter retaining wall within the right-of-way. Ms. Romney stated that the
49 City would retain a Public Utility Easement (PUE), and staff thinks vacating the right-of-way
50 would be a good compromise to a difficult situation that was created approximately 30 years
51 ago. The property owners would need to pay for a survey of the properties, prepare a legal
52 description, and pay any noticing and recording costs.
53

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1 Mayor Cutler invited Michael Kelley to address the Council. Mr. Kelley stated he is
2 willing to pay the survey cost and other costs for both properties. Ms. Romney stated there are
3 not many properties with that type of situation, and other property owners are able to petition the
4 City for a review if desired. The Council members in attendance indicated approval for the
5 direction suggested by staff. Staff will bring back the matter for formal approval of right-of-way
6 vacation after the required steps have been completed, as set forth in State law.

ELECTION PROCEDURES AND VOTE-BY-MAIL

8
9
10 Curtis Koch, County Clerk/Auditor, presented the vote-by-mail option to the Council for
11 the 2015 election. The vote-by-mail option would involve additional cost to the City, but Mr.
12 Koch stated he believes the benefits are worth consideration. He stated that issues involved in
13 an election and the method used influence voter turnout. The County experienced a higher
14 voter turnout in the 2014 elections with the vote-by-mail option than would have been expected
15 with the traditional option. Mr. Koch stated that the County recognizes the need to have multiple
16 options available to meet different needs, and is proposing Centerville use a hybrid system with
17 a traditional polling location on Election Day. Mayor Cutler asked what percentage of those who
18 voted last year used the vote-by-mail option, and what the County would do to make sure the
19 City does not experience the long lines at the polling location that were experienced last year.
20 Mr. Koch responded that the County was surprised by the number of voters at the polling
21 location last year. They intend to do a better job of educating the public that a vote-by-mail
22 ballot can be dropped in a specified box at the polling location on Election Day. Mr. Koch said
23 that during the primary election approximately 4.5% of participants chose to vote at a polling
24 location rather than return a by-mail ballot. The County had anticipated 7%. Due to the lower
25 participation in the primary at polling locations, the County adjusted the projection to 5% for the
26 general election, but nearly 18% of the voters participated at polling locations on Election Day,
27 resulting in long lines.

28
29 Mr. Koch stated the County estimates that a traditional election would cost the City
30 \$8,135.82, and the vote-by-mail option would cost the City \$13,036.61 per election. Mr. Koch
31 stated that, although the cost of the vote-by-mail option is higher, voter engagement and voter
32 experience is greatly improved with vote-by-mail. The City could save \$1,400 by not paying for
33 return postage.

34
35 Mayor Cutler said he feels it is important to engage more citizens in the voting process.
36 Councilwoman Ivie stated she feels the vote-by-mail option would result in more uninformed
37 voting. Councilman Wright said he thinks a number of people would get more involved with the
38 vote-by-mail option, stated he would be in favor of it, and suggested including postage on the
39 ballot if the Council chooses the vote-by-mail option. Marsha Morrow, City Recorder/Election
40 Official, said she would love for the City to do vote-by-mail. Although the cost would be more,
41 she said she thinks there would be a better turnout, and voters would be more informed. The
42 Mayor allowed members of the audience to comment as well.

43
44 Rick Bingham – Mr. Bingham said he has been voting by mail for the last couple of
45 elections, and he appreciates the time to research candidates and become familiar with the
46 issues before voting. He stated that his wife, however, is scared to vote by mail because she is
47 afraid that someone will steal the ballot and vote for her. Mr. Bingham asked what safeguards
48 are in place to protect against voter fraud.

49
50 Nancy Smith – Ms. Smith stated she has been through the voter registration list for her
51 district, and there are many people listed that have moved away or are no longer living. She
52 asked what the County can do to avoid unintended votes being submitted.

PRELIMINARY DRAFT

1 Mr. Koch responded that there is no forwarding on a vote-by-mail ballot. Completed,
2 returned ballots are sorted by batches as they come in, not by area. The signature on the outer
3 flap is compared to the voter's signature from registration. If a difference is noticed, the voter is
4 contacted to verify authenticity. The signature flap is then discarded and the sealed ballot is
5 opened and processed. If a citizen has submitted a vote-by-mail ballot, they will not be able to
6 vote at the polling location on Election Day.

7
8 Lee Skabelund – Mr. Skabelund stated that he is a registered poll manager. He said he
9 does not think Centerville has wide-spread voter fraud, but he thinks vote-by-mail would open it
10 up to more voter fraud. He added that no right comes without responsibility, and it is not too
11 much to ask someone to come to the polls to vote. Mr. Skabelund said he feels that when the
12 costs are compared, the value is not there. He stated that, to him, City funds are sacred, and
13 the Council has a responsibility to be frugal.

14
15 Councilman Wright said he appreciates Mr. Skabelund's comments, but he personally
16 feels the Council has a sacred responsibility to make sure the City has an electoral process that
17 represents the will of the people. He said he would like to at least test the program to give as
18 many people as possible the opportunity.

19
20 Steve Allen – Mr. Allen asked if a voter would be able to cancel a vote after submitting a
21 ballot by mail and then vote on Election Day if something comes up during the course of an
22 election season that prompts them to change their mind. Mr. Koch responded that a ballot
23 cannot be cancelled after it has been submitted, but the voter could hold onto the ballot and
24 "walk-and-drop" it at the polling location on Election Day. Mr. Allen said he is concerned that
25 voters might vote extremely early in the season and later change their minds. Mr. Koch said the
26 County would prefer a shorter voting period, but they follow State statutes.

27
28 Paula Tinnabi – Ms. Tinnabi works for the Postal Service. She said that political
29 mailings receive top priority. Postal workers know who lives at each address. Ballots are not
30 delivered to incorrect addresses. Ms. Tinnabi said that a lot of ballots are returned to the
31 County.

32
33 Councilman Wright said his one concern with the vote-by-mail option is the length of
34 time given to return ballots. He said he feels there should be an opportunity for voters to hear
35 the issues and interact with candidates before they can fill out and mail a ballot. Mr. Koch
36 agreed that voter engagement needs to occur. He responded that his office can improve the
37 website and make it easier to find information about the candidates. The timing is established
38 by State law – ballots are sent out four weeks before Election Day. Mr. Koch said the County
39 would prefer three weeks. He is hoping for legislation that would narrow the vote-by-mail
40 window.

41
42 Mayor Cutler said he would prefer to wait until all Council members are present to make
43 a final decision. Mr. Koch stated he would be willing to be a little flexible on the April 1st
44 deadline, allowing the City Council to make a decision on April 7. Mr. Skabelund stated that
45 candidates need time to campaign. He feels there are disadvantages for some candidates with
46 the vote-by-mail option.

47 CURRENT SOUTH MAIN STREET CORRIDOR PLAN

48
49 Council members Ivie and Wright requested a briefing on the current provisions of the
50 South Main Street Corridor Plan be placed on the agenda. Ms. Romney cautioned that the
51 application currently pending has not been noticed for discussion at this meeting.
52
53

PRELIMINARY DRAFT

Centerville City Council
Minutes of Meeting of March 17, 2015

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1 Cory Snyder, Community Development Director, explained that in 2007 a significant
2 public process was initiated to examine Main Street between Parrish Lane and Pages Lane.
3 The resulting South Main Street Corridor Plan identified Pages Lane to Porter Lane as a
4 residential area, Porter Lane to 100 North as the core commercial area zoned Commercial-
5 Medium (C-M), and 100 North to Parrish Lane as the civic area. An overlay is in place to make
6 it possible to add different features to each area. The two gateways are allowed high intensity
7 mixed-use, with less intensive mixed-use in the City Center (core) C-M Zone. The South Main
8 Street Corridor Plan includes a form-based code, which is not concerned as much about uses
9 as it is maintaining an overall feel. Councilman Wright expressed concern with a loss of density
10 control. Mr. Snyder responded that intensity is set with the number of units per building and the
11 form of the building. Density per acre is not part of form-based code. He listed several cities in
12 Utah, including Park City, Midvale, Kanab, and Panguich, that have utilized form-based code on
13 their main streets to preserve a desired ambiance. Councilwoman Fillmore stressed that form-
14 based code provides controls in the size of the buildings and the number of units. Mr. Snyder
15 stated that the intention of the South Main Street Corridor Plan was to synergize deteriorating
16 commercial, and create an active street with people. Mr. Thacker suggested the Council read
17 the South Main Street Corridor Plan and the Zoning Ordinance in preparation for the April 7
18 Council meeting. Councilman Wright thanked Mr. Snyder for the briefing, and suggested that it
19 might be time to refresh the Plan.

20
21 At 9:19 p.m. the Council took a brief recess, returning at 9:35 p.m.

22 FENCING ON PEDESTRIAN BRIDGE AND ALONG NORTH SIDE OF PARRISH 23 LANE

24
25
26 City Manager Thacker presented a Betterment Agreement and a Maintenance
27 Agreement with UDOT for the Pedestrian Bridge Project. He recommended the Council include
28 in the motion the ability for staff to seek non-substantive changes in the Agreements. The City
29 will be responsible for maintaining the pedestrian bridge fencing and snowplowing upon
30 completion. Councilman Wright said he feels that fact underscores the need to ensure quality
31 work. Mr. Thacker responded that the City Engineer will be involved in the inspection of the
32 work related to the betterments.

33
34 The UDOT cost summary dated December 12, 2014 included fencing on the east side of
35 the bridge. However, there is not currently a contract for the work on the east side. Mr. Thacker
36 expressed displeasure with the cost summary dated March 17, 2015, which does not include
37 costs for fencing on the east side, shows a higher cost for the bridge fencing, and reflects a
38 higher, two-step markup. The RDA previously authorized the use of up to \$120,000 for bridge
39 betterments. Mr. Thacker advised that the project will exceed \$120,000. Councilman Wright
40 said, in his opinion, the City should move forward.

41
42 Mr. Thacker reported that UDOT will present an earth-tone color pallet to the cities.
43 Councilman Wright complimented Councilwoman Fillmore for her role in ensuring a uniform
44 color scheme. Mr. Lutz said it needs to be understood that the RDA will be paying for a
45 substantial amount of the City Engineer's time. Mr. Thacker estimated \$10,000-\$15,000 for
46 engineer time should be added to the amounts on the cost summary, and noted another
47 Betterment Agreement would be needed in the future for the east-side fencing.

48
49 Councilwoman Fillmore made a **motion** to approve the Betterment Agreement and the
50 Maintenance Agreement with UDOT for the Pedestrian Bridge Project, allowing staff to seek
51 non-substantive changes, and conditioned upon approval of RDA funding. Councilman Wright
52 seconded the motion, which passed by unanimous vote (3-0). Councilwoman Ivie asked if there

PRELIMINARY DRAFT

1 is a way for the cities to band together in complaint about the mark-up costs being higher than
2 reported earlier. Mr. Thacker suggested the Council remember that the City is currently hoping
3 to accomplish two other goals with UDOT, relating to use of the pipe at Chase Lane
4 compromised by a UDOT contractor, and relining of several drain pipes under the freeway to be
5 funded by UDOT. Therefore, he recommended the Council approve the proposed Betterment
6 Agreement on the agenda tonight.

FINANCIAL REPORT

7
8
9
10 Blaine Lutz, Finance Director, presented a financial report for the 8-month period ending
11 February 28, 2015. He stated that Sales Tax Revenue is close to the budgeted amount, and
12 Franchise Tax Revenue is lower due to the warmer winter weather, but could catch up if air
13 conditioning units are operated sooner than usual. Mr. Lutz suggested the City can expect
14 lower vehicle fuel costs when putting together the FY 2016 Budget.

MAYOR'S REPORT

- 15
16
17
18 • Mayor Cutler updated the Council on the SB 160/HB 362 Tax compromise, which
19 would have a percentage base and be effective January 1, 2016. County
20 Commissioner Millburn added to the discussion by explaining the breakdown of the
21 local-option County-wide increase: 0.10% would go to the cities, 0.10% would go to
22 the transit authority, and 0.05% would go to the County to be used within the County
23 for transportation purposes. The 0.10% percent for the cities would be in addition to
24 funds already allocated by the cities for transportation purposes, and is not to be
25 used as a substitution. Mayor Cutler thanked Commissioner Milburn for his support.
26 • The Mayor mentioned that Centerville got an "A" on transparency from the Standard
27 Examiner.

CITY MANAGER'S REPORT

- 28
29
30
31 • UDOT will begin pile driving in Centerville for the I-15 project this weekend between
32 the hours of 11 p.m. and 5 a.m.
33 • Mr. Thacker reported that UDOT has decided to proceed with the installation of traffic
34 signals at 1250 West/Parrish Lane based on a recent on-site study of current
35 conditions.
36 • FY 2016 health insurance rates for City employees are expected to be the same as
37 the previous year. In light of this information, the Council was supportive of staying
38 with the current health insurance plan for the next fiscal year. Mr. Thacker also
39 reported that State Retirement rates will not increase for FY 2016.
40 • The Council will meet in a joint work session with the Planning Commission on
41 Wednesday, March 25th, prior to the regular Planning Commission meeting, in lieu of
42 the joint work session scheduled for March 17 but cancelled due to absences.

MISCELLANEOUS BUSINESS

- 43
44
45
46 • The ULCT Mid-Year Conference in St. George will take place April 8-10, 2015.
47 Mayor Cutler expressed a preference to follow employee policies regarding
48 reimbursement of hotel expenses. The Council indicated agreement. This means
49 the City will pay for two nights of lodging for Councilmembers attending the ULCT
50 Conference in St. George.

PRELIMINARY DRAFT

Centerville City Council
Minutes of Meeting of March 17, 2015

Page 10

- Council members will receive a newsletter draft electronically on Wednesday, March 18th. Comments should be received by staff no later than 8:00 a.m. on Monday, March 23rd.

APPOINTMENT

Mayor Cutler recommended the Council reappoint Vivian Talbot to the Landmarks Commission. Councilwoman Ivie made a **motion** to reappoint Vivian Talbot to another term on the Landmarks Commission. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (3-0).

ADJOURNMENT

At 10:43 p.m. Councilman Wright made a **motion** to adjourn the meeting and move to a meeting of the RDA. Councilwoman Ivie seconded the motion, which passed by unanimous vote (3-0).

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

PRELIMINARY DRAFT

Minutes of the Centerville City Council/Planning Commission **joint work session** held Tuesday, March 25, 2015 at 5:10 p.m. in the City Hall Training Room, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor Paul A. Cutler (arrived at 5:45 p.m.)

Council Members Ken S. Averett
Tamilyn Fillmore (arrived at 5:20 p.m.)
John T. Higginson
Stephanie Ivie (arrived at 5:30 p.m.)
Lawrence Wright (arrived at 5:40 p.m.)

PLANNING COMMISSION PRESENT

David P. Hirschi, Chair
Gina Hirst
William Ince
Scott Kjar (arrived at 6:00 p.m.)
Kevin Merrill
Debra Randall

COMMISSIONER ABSENT Logan Johnson

STAFF PRESENT

Steve Thacker, City Manager (arrived at 5:45 p.m.)
Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Katie Rust, Recording Secretary

PRESENTATION REGARDING REDEVELOPMENT AGENCY

Blaine Lutz, Finance Director/Assistant City Manager, briefed members of the Planning Commission and City Council on how the RDA works and can assist in achieving community development goals. He also outlined obstacles and increased value estimates for redevelopment of the Page Lane business area.

At 5:45 p.m. the group paused for dinner, and resumed discussion at 6:00 p.m. with Mayor Cutler leading the discussion.

DISCUSSION OF COMMUNITY PLANNING AND DEVELOPMENT GOALS AND WORK PROGRAM PRIORITIES

Planning Commission Chair Hirschi outlined four projects the Planning Commission feels are top priority.

- a. West Centerville Neighborhood Plan (high priority) – a plan should be developed and adopted to guide the future land use for the area.
- b. Re-development of Pages Lane (old Dick's Market area) – the Zoning for the area should be assessed to identify opportunities to facilitate more immediate reuse.
- c. Comprehensive City Trails & Pathways Element – ensure that such facilities are developed and implemented in a coordinated manner.

PRELIMINARY DRAFT

Centerville City Council/Planning Commission Joint Work Session
Minutes of Meeting of March 25, 2015

Page 2

- 1 d. Re-write of the City's Subdivision Ordinance (a staff recommendation) – the State
2 has made several significant amendments to subdivision law and other changes are
3 needed to bring the regulations up to date, as previously done with portions of the
4 Zoning Ordinance.

5 Chair Hirschi mentioned two other goals identified by the Planning Commission as lower
6 priority: determine what would be appropriate in the Main Street area, especially in the Old
7 Town district; and consider zoning changes regarding infill development.

8
9 Chair Hirschi stressed that he feels the City needs to be aggressive in developing a plan
10 for future land use on the west side. He said he would hate for the existing residential units on
11 the west side to remain isolated, and suggested a plan should be developed to allow for
12 synergies between what is there now and what will be there 20 years from now. Cory Snyder,
13 Community Development Director, stated that the recently completed planning process looked
14 at a very specific set of questions centered on public transportation. He said the City now
15 needs to decide whether to keep the zoning as it is, or look at a new set of questions. Mr.
16 Snyder said he thinks the complaints regarding traffic voiced during the recent public hearing
17 process are valid. Councilman Wright expressed the opinion that the City should first look at
18 what could occur in the area with current zoning and determine if change is warranted.
19 Councilwoman Fillmore said she would not want the City to underestimate the amazing potential
20 of the area, considering the prime location between two freeway/highway exits. She suggested
21 that a plan could include lower intensity on the south end next to West Bountiful, with something
22 more intense on the north side of Parrish Lane that would be supportive of the Shorelands
23 Commerce Park, and create synergy for the west side in the long run, including the possibility of
24 improved transit options. The group discussed development demographics and a desired
25 approach moving forward, and seemed to be in agreement that real estate experts and current
26 property owners and other stakeholders should be involved.

27
28 Regarding the redevelopment of Pages Lane, Mr. Lutz stated that not a lot can be done
29 if the property owners are not interested. Chair Hirschi stated that the area as it is has outlived
30 its usefulness, and suggested the City find a way to encourage other types of development.
31 Mayor Cutler asked which of the remaining two Planning Commission goals is higher priority.
32 Mr. Snyder responded that addressing the City's Subdivision Ordinance is the higher priority,
33 and Councilman Wright and Chair Hirschi expressed agreement. At 6:55 p.m. the Planning
34 Commission, Mr. Snyder, and Ms. Romney left the work session for the regular Planning
35 Commission meeting.

36
37 The City Council discussed possible goals suggested by Council members, beginning
38 with goals that received the highest combined priority ranking (see attached compilation of
39 ratings).

- 40
41 • Continue/complete land use planning process for west side – There was strong
42 support for this. As noted above, the Council generally agreed to create a small
43 working group of City officials who will meet with the real estate professionals,
44 property owners and other stakeholders to discuss development options.
45 • Evaluate the cost/benefit to Centerville of expanding Justice Court to service other
46 cities – City Manager Thacker reported that the County Court cannot discontinue
47 court service to cities before 2018, but West Bountiful is still interested in moving its
48 cases to the Centerville Court. Mr. Thacker stated that staff will develop an analytic
49 framework and involve the West Bountiful City Manager in continued discussions. It

PRELIMINARY DRAFT

was agreed that the option would only be considered if it meant a net savings to Centerville.

- Relocate overhead utility poles to underground – Councilman Wright pointed out that downed utility lines prevent access to first responders during an emergency. Councilwoman Fillmore repeated her desire to have a strategic plan in place. She pointed out that putting utility poles underground could be included in the South Main Street plan. Staff will put together a preliminary high-level cost estimate with the help of Rocky Mountain Power.
- Create a long-term plan for cemetery expansion, either at Island View Park or other location – The Council discussed the limited space available at the Centerville Cemetery, and whether or not the City should find a way to continue providing that service. Councilman Higginson noted that even if more cemetery land is developed, eventually the City will be at this same point again—i.e., facing the question of whether to develop more land for cemetery use. He said providing a cemetery is not a necessary function of government. It was agreed that the Council would ask the Parks and Recreation Committee to examine and generate ideas for updating Island View Park, including the possibility of converting a portion for cemetery use. Councilwoman Ivie commented that the Committee should involve the neighborhood in discussions.
- Budget for and implement pedestrian safety improvements each year – The Mayor expressed his desire to improve pedestrian safety in some way every year. It was mentioned that pedestrian safety improvements could be discussed within the context of a Complete Streets Policy.
- Adopt a Complete Streets Policy – The Council discussed different goals that could all be included in a Complete Streets Policy. Mr. Thacker stated that staff will schedule time on an upcoming agenda to present a draft. He added that a Complete Streets Policy is a statement of intent to accommodate and improve use of roadways for all users.
- Construct bus shelter on north end of Post Office property – Mr. Thacker reported that the City is waiting for UTA to approve the proposed location.
- Revitalize Pages Lane corridor, including potential creation of RDA project area/Study potential creation of RDA project area for South Main Street corridor – The earlier discussion regarding the Pages Lane corridor was continued. The City Council agreed with the Planning Commission's recommendation to review the zoning for this area as a way to possibly encourage re-use. The Planning Commission will be asked to do that. Councilwoman Fillmore suggested looking at the possibility of combining the Pages Lane corridor and South Main Street into one project area. She said she feels the first major goal of the Complete Streets Plan should be the South Main Street corridor—i.e., prepare a public space plan for this corridor.
- Develop a plan to make Centerville a debt-free city – Mayor Cutler stated that he is not aware of any city that is or has been debt free. Councilman Wright said he would like to put a plan in place that could make Centerville debt-free. Councilwoman Fillmore commented that becoming debt-free sounds like a great principle, but pointed out that bonding can enable improvements to be made and enjoyed sooner, with repayment taking place over the lifetime of the applicable fee or tax (i.e., RAP Tax). It was also mentioned that, considering inflation, bonding can save money by allowing a project to be completed sooner.

PRELIMINARY DRAFT

Centerville City Council/Planning Commission Joint Work Session
Minutes of Meeting of March 25, 2015

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ADJOURNMENT

The City Manager suggested the Council could continue the goal-setting discussion at a future meeting, if they wish. Mayor Cutler adjourned the work session at 7:55 p.m.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

Goals Suggested by Elected Officials – 2015
Compilation of Ratings

Suggested goals that are already in progress—or have been initiated but are waiting on the actions of others—are listed below. Do not rate these, but you may want to talk about these in the goal-setting work session:

- RAP Tax renewal
- UDOT traffic signal at 1250 West & Parrish
- Shorelands Commerce Park concept plan & creation of Economic Development Area
- Extend 1250 West to Farmington
- Complete evaluation/consideration of Accessory Dwelling Units as a housing option
- Publish performance metrics on City webpage
- Complete Community Park expansion
- Seek increased paramedic funding from County
- Improve Frontage Road with federal funds already awarded

Suggested Goals to be Rated -- per the instructions in the email message:

- 5 • Tennis courts at Community Park BBCDD
- 6 • Add dog park to Parks Master Plan BBCCD
- 8 • Replace soil in Community Park infield that has not yet been replaced BBBC
- 8 • Extend Ford Canyon trail via easement to access the Ricks Creek waterfall ABCCC
- 12 • Create a long-term plan for cemetery expansion, either at Island View Park or other location AAABCD
- 10 • Upgrade Island View Park and playground equipment ABBCCC
- 11 • Adopt a Complete Streets Policy AA*BBC
- 12 • Budget for and implement pedestrian safety improvements each year AAA*BC
- 7 • Consider the possibility of constructing visible, low-impact speed bumps on 400 West as an effective traffic-calming strategy AACD
- 9 • Improve smoothness and width of Frontage Road ABBDD
- 2 • Improve smoothness of Parrish & Main Intersection CCDD
- 4 • Add more "betterments" or enhancements to Parrish & Main Intersection BCCDD
- 11 • Construct bus shelter on north end of Post Office property ABBBB
- 8 • Prepare and adopt a public space plan for South Main Street corridor AABDD
- 10 • Revitalize Pages Lane corridor, including potential creation of RDA project area AA**BBD
- 10 • Study potential creation of RDA project area for South Main Street corridor AA**BCC
- 14 • Continue/complete land use planning process for west side AAAAB
- 7 • Create historic district ABCCD
- 7 • Improve code enforcement program by moving from complaint-based enforcement to proactive/uniform enforcement and possibly hiring part-time code enforcement officer AACD

- 6 • Add decorative pole-mounted banners to Parrish Lane commercial area and possibly South Main BCCCC
- 5 • Support formation of taxing district for fire services to enable bonding, even if Centerville does not join ABDDDD
- 8 • Look at options for funding additional full-time or part-time police officer(s) ABCCCD
- 13 • Evaluate cost/benefit to Centerville of expanding Justice Court to service other cities AABBBC
- 8 • Evaluate solar power at City facilities to reduce operating expense A***BCCC
- 10 • Become a debt-free city. Develop a plan to make Centerville a debt-free city; possibly find ways to pay off existing debt more quickly. AABCC
- 12 • Relocate overhead utility poles to underground. This would beautify the City, reduce damage/hazards due to windstorms, and improve mobility of emergency responders during disaster events. AABBBB
- 6 • Look at transitioning from Rocky Mountain Power to Bountiful Power for electric service; could be part of a long-range plan to move overhead utility lines to underground. ABCD
- 9 • Print the cost of fluoridation on the monthly utility bill—as a separate fee along with other fees AABCD
- 8 • Become a model green city. Focus on actions/projects that will be environmentally friendly, economically feasible and cost efficient. A***BCCC
- 7 • Implement water conservation plan for City use and educate residents re water conservation BBCCC
- 4 • Begin a formal exploratory study to examine the feasibility of creating a South Davis City ACD
- 10 • Look at opportunities for Centerville to cooperate with other cities on potential cost-saving initiatives ABBBC
- 8 • Pursue cost-saving opportunities in purchasing activities by establishing contracts or "preferred customer" status with specific stores/vendors, etc. BBBCC

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 2.

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:10

SUBJECT

- a. Consider Cooperative Agreement between UDOT and Centerville City Providing for Maintenance of Connector Trail to the Legacy Parkway Trail System
- b. Terminate warranty for Engbersen-Taylor Subdivision
- c. Commence warranty for Woods Park PDO

RECOMMENDATION

- a. Approve Cooperative Agreement between UDOT and Centerville City Providing for Maintenance of Connector Trail to Legacy Parkway Trail System.
- b. Terminate warranty period for Engbersen-Taylor Subdivision and release remaining bond amount.
- c. Commence the warranty period for the Woods Park PDO development.

BACKGROUND

a. The developer of the Legacy Trail Subdivision is dedicating some land to UDOT and installing a Connector Trail to the Legacy Parkway Trail. The new Connector Trail will run east-west along the south side of Parrish Lane from 1250 West to the Legacy Parkway Parrish Lane off-ramp and then north-south along the boundary line with the Legacy Parkway Parrish Lane off-ramp from Parrish Lane to the connection with the existing Legacy Parkway Trail System at a point north of the Birnam Woods Trailhead. The location and details of the Connector Trail are shown in Exhibit A to the Agreement. The City and UDOT wish to enter into an agreement designating the responsibilities of each regarding the Connector Trail. The City agrees to maintain the asphalt surface of the Connector Trail and the two-foot gravel shoulders once completed by the developer. UDOT agrees to maintain the field fencing along the west side of the Connector Trail. The developer/property owner will be required to maintain all other designated decorative three-rail fencing along the Connector Trail. Staff attempted to limit the agreement to 20 years, but a limitation was unacceptable to UDOT. Despite this, staff recommends approval of the Agreement.

b. The Engbersen-Taylor Subdivision, located at approximately 200 South 400 East, was given final site plan approval from the Planning Commission on November 12, 2008. The City Council commenced the warranty period on April 16, 2013. The City Engineer has inspected this project and recommends the warranty period be terminated. Security (in the form of a cash bond) in the amount of \$1,035 will be released upon termination of the warranty period.

c. The Woods Park PDO, located at the Frontage Road and Lund Lane, was given final approval by the City Council on August 6, 2013. According to the City Engineer, all public improvements have been completed and he recommends commencement of the warranty period. The City has been holding two bonds pertaining to the project, totaling initially more than \$1.2 million. During the warranty period, the City will continue to hold \$87,853 from the first bond and \$98,776 from the second bond. These amounts represent the 10% contingency normally held during the warranty period, plus additional sums to guarantee the completion of other improvements (slurry seal, fencing, landscaping, etc) that did not need to be finished before the City Engineer recommended start of warranty period.

ATTACHMENTS:

Description

- ❑ Cooperative Agreement-Legacy Connector Trail
- ❑ Cooperative Agreement-Exhibit A
- ❑ Recommendation to terminate warranty for Engberson-Taylor Subdivision
- ❑ Recommendation to commence warranty period for Woods Park PDO

COOPERATIVE AGREEMENT
BETWEEN
THE UTAH DEPARTMENT OF TRANSPORTATION
AND
CENTERVILLE CITY
PROVIDING FOR
MAINTENANCE OF A CONNECTOR TRAIL TO
THE LEGACY PARKWAY TRAIL SYSTEM

THIS AGREEMENT ("Agreement") is made and entered into as of the ____ day of April, 2015, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, an agency of the State of Utah, hereinafter referred to as "UDOT", and **CENTERVILLE CITY**, a political subdivision of the State of Utah, hereinafter referred to as the "Local Entity."

WITNESSETH:

WHEREAS, UDOT is an agency of the State of Utah and the Local Entity is a public agency located within Davis County, State of Utah, both of which are empowered to own, operate and maintain public trails, trailheads and related structures and facilities for the benefit of the public; and

WHEREAS, UDOT has completed construction of the Legacy Parkway and in conjunction therewith has constructed the Legacy Parkway Trail System which traverses through the boundaries of the Local Entity; and

WHEREAS, a private developer will be constructing a connector trail to the Legacy Parkway Trail System within the UDOT right of way and/or within property to be dedicated by the developer to UDOT as more particularly described herein ("Connector Trail"); and

WHEREAS, UDOT has approved the design and construction drawings for the Connector Trail, as more particularly set forth in **Exhibit A**, attached hereto and incorporated herein by this reference; and

WHEREAS, upon completion, inspection and acceptance of the Connector Trail by UDOT and the Local Entity, the Local entity accepts responsibility for the maintenance of the surface of the Connector Trail in accordance with the provisions of Title 72, Chapter 3, Section 109 of the *Utah Code Annotated*, 1953, as amended, and in accordance with terms and conditions set forth herein;

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

1. **CONNECTOR TRAIL.** The Connector Trail to the Legacy Parkway Trail System consists of an approximately eight foot (8') wide asphalt trail with approximately two

foot (2') wide gravel shoulders on either side of the trail. The Connector Trail runs east-west along the south side of Parrish Lane from 1250 West to the Legacy Parkway Parrish Lane off-ramp and then north-south along the boundary line with the Legacy Parkway Parrish Lane off-ramp from Parrish Lane to the connection with the existing Legacy Parkway Trail System. The design and location of the Connector Trail is more particularly described in **Exhibit A**.

2. **CONNECTOR TRAIL MAINTENANCE.** Upon completion, inspection and acceptance of the Connector Trail by UDOT and the Local Entity, the Local entity hereby agrees to maintain the Connector Trail in accordance with the following provisions:

a. Trash. The Local Entity shall have the responsibility for trash pickup and removal in and along the Connector Trail.

b. Surface Maintenance. The Local Entity shall have the responsibility to maintain the asphalt trail and gravel shoulders of the Connector Trail.

c. Signs. The Local Entity shall have the responsibility to maintain any Connector Trail related signs located in or along the Connector Trail.

d. Snow Removal. The Local Entity may determine, in its sole discretion what level of snow removal, if any, will be provided for the Connector Trail, and shall be responsible for any such snow removal. The Local Entity agrees that the Connector Trail will receive the same level of snow removal that the adjacent section of the Legacy Trail (located within the jurisdiction of Centerville City) receives, as applicable.

3. **LANDSCAPING AND IRRIGATION MAINTENANCE.** There is no landscaping or irrigation designed or intended to be installed adjacent to the Connector Trail other than the two foot (2') wide gravel shoulders on either side of the Connector Trail. If the Local Entity desires to add landscaping and irrigation in the future, a Landscaping and Irrigation Plan shall be submitted to UDOT for its review and approval prior to installation. Any such landscaping and irrigation shall be installed and maintained by the Local Entity unless otherwise agreed to in writing by UDOT. The Local Entity agrees to be responsible for weed control for the Connector Trail (including the two foot (2') wide gravel shoulders on either side of the Connector Trail) for the north-south portion of the Connector Trail and to obligate the adjacent property owner to be responsible for weed control for the Connector Trail (including the two foot (2') wide gravel shoulders on either side of the Connector Trail) for the east-west portion of the Connector Trail along Parrish Lane.

4. **FIELD FENCING.** A private developer will be installing field fencing along the portion of the Connector Trail adjacent to the Legacy Parkway Parrish Lane off-ramp. UDOT has approved the design and construction drawings for the field fencing along the Connector Trail, as more particularly set forth in **Exhibit A**. Upon completion, inspection and acceptance

of the field fencing along the Connector Trail, UDOT hereby agrees to maintain the field fencing along the Connector Trail.

5. **DECORATIVE FENCING.** A private developer will be installing three-rail decorative fencing along both sides of the Connector Trail along Parrish Lane as more particularly shown in **Exhibit A**, one side of which will be in the UDOT right-of-way and the other side of which will be on private property. The private developer will also be installing three-rail decorative fencing along the east side of the Connector Trail along the Legacy Trail Parrish Lane off-ramp as more particularly shown in **Exhibit A**, which will be on private property. The private developer/property owner of the adjacent property shall be responsible for maintaining the three-rail decorative fencing described herein in accordance with applicable Centerville City Ordinances and specific approvals for the Legacy Trail Apartments planned development zoning, subdivision, and site plans.

6. **ASSIGNMENT.** This agreement is not assignable.

7. **ENTIRE AGREEMENT.** This agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof and supersedes all prior agreements and understandings, written or oral, between the parties with respect to the subject matter hereof.

8. **RESPONSIBILITY FOR EMPLOYEES.** Except as specifically provided otherwise herein, each party shall be responsible for and shall defend the actions of its own employees, negligent or otherwise, performed pursuant to the provisions of this Agreement. Each party shall be solely responsible for providing workers' compensation, wages and benefits for its own personnel who provide any assistance under the terms this Agreement.

9. **INDEMNIFICATION.** UDOT and the Local Entity are both governmental entities subject to the Governmental Immunity Act. Each party agrees to indemnify, defend and save harmless the other party from any and all damages, claims, suits, costs, attorney's fees and actions arising from or related to its actions or omissions or the acts or omissions of its officers, agents, or employees in connection with the performance and/or subject matter of this Agreement. It is expressly agreed between the parties that the obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided the Act applies to the action or omission giving rise to the protections of this paragraph. This paragraph shall not be construed as a waiver of the protections of the Governmental Immunity Act by the parties. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

10. **SEVERABILITY.** If any portion of this Agreement is held unenforceable or invalid for any reason by a court of competent jurisdiction, the remaining provisions hereof shall continue in full force and effect.

11. **THIRD PARTIES.** This Agreement is not intended to benefit any person or entity not named as a party hereto.

12. **BREACH.** If any party fails to perform its obligations hereunder or to comply with the terms hereof, the non-defaulting party shall have all rights and remedies available at law and/or in equity.

13. **AMENDMENT.** This Agreement may be amended only in writing signed by the parties hereto.

14. **COOPERATION.** It is the intent and desire of the parties hereto to cooperate in carrying out the terms of this Agreement in order to achieve a coordinated maintenance of the Connector Trail and to minimize disruption and unnecessary expense for the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

**UTAH DEPARTMENT OF
TRANSPORTATION**

By: _____

Its: _____

CENTERVILLE CITY

ATTEST:

Marsha L. Morrow, City Recorder

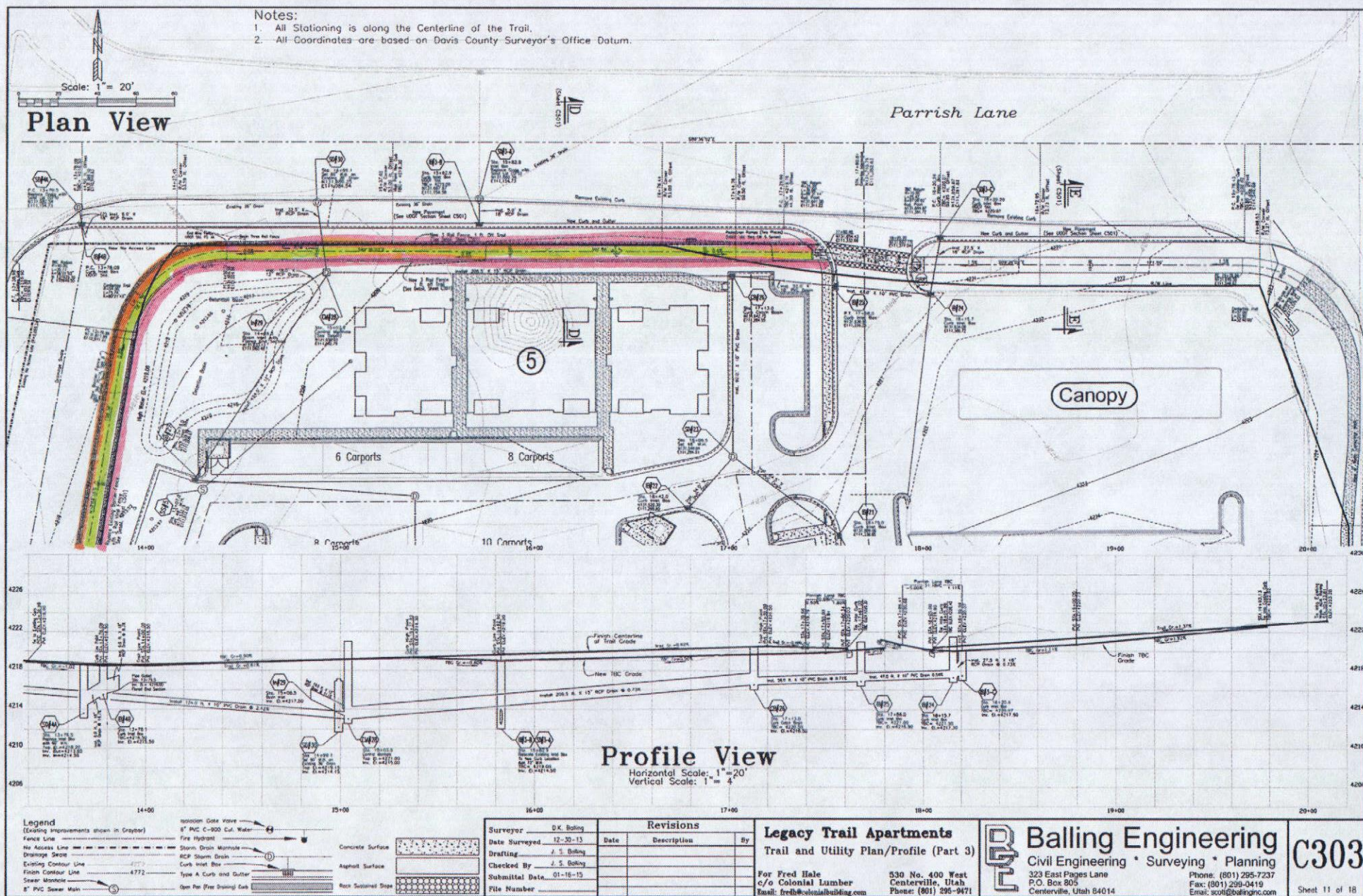
By: _____
Mayor Paul A. Cutler

Approved as to Form and Legality:

Centerville City Attorney

UDOT Attorney

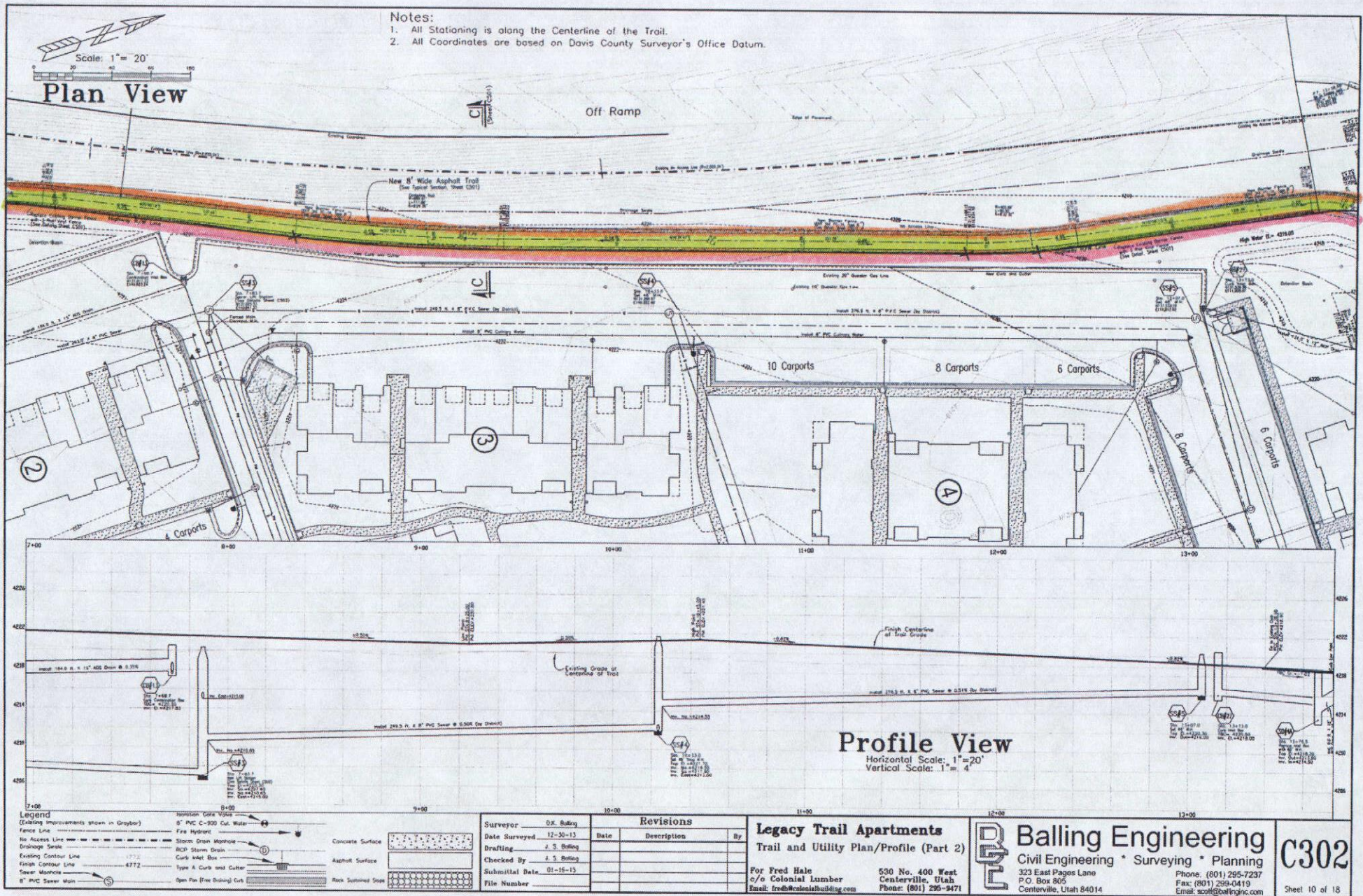
Exhibit A
Connector Trail Description



Field Fence
 (UDOT) To be maintained by UDOT
 UDOT Standard FG-1A Type B
 See Detail Sheet C501

Three Rail Fence
 (Dev) To be maintained by Dev./Prop Owner
 See detail Sheet C501

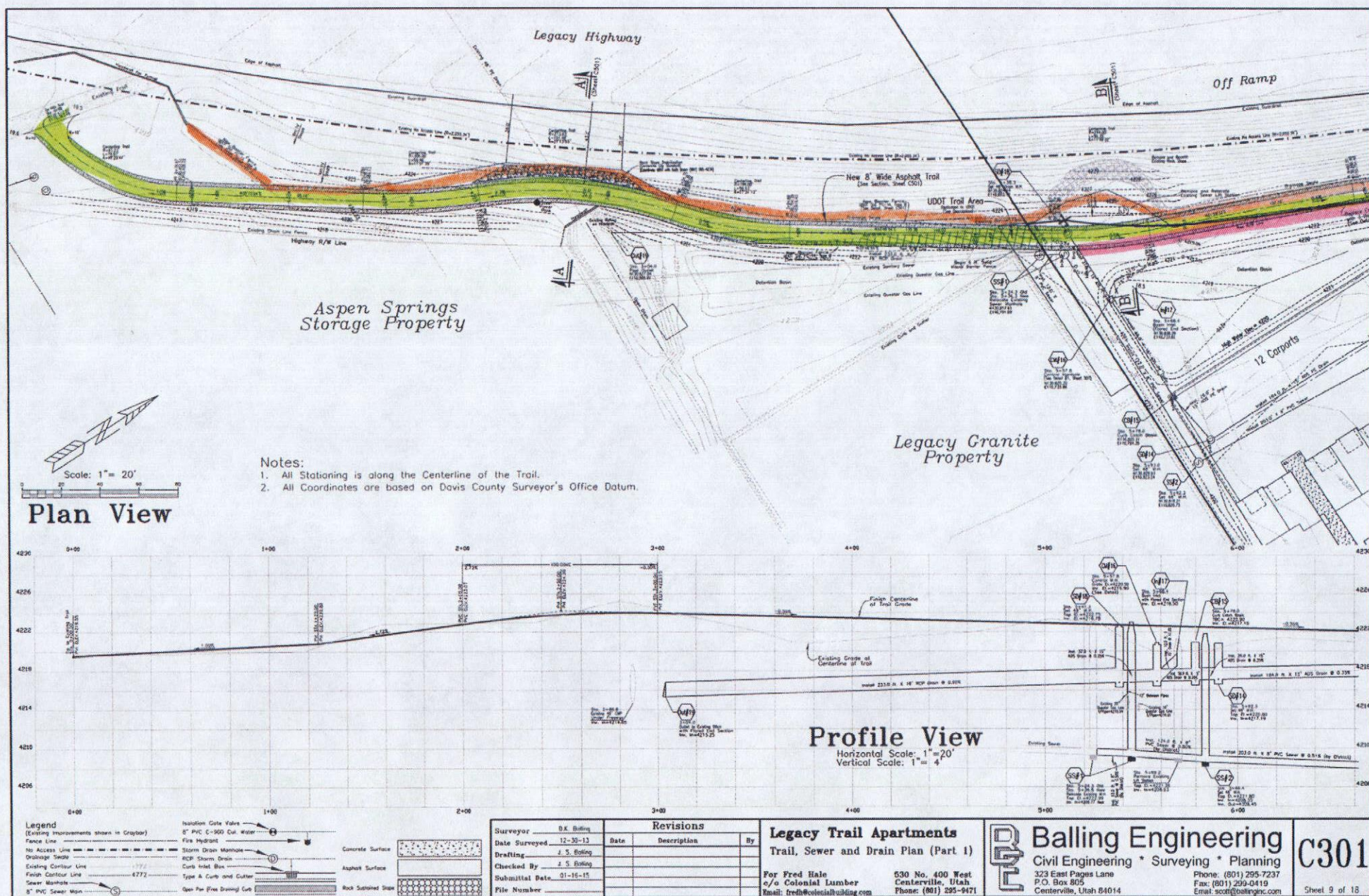
Trail Surface (asphalt)
 (City) with 2' gravel shoulders
 to be maintained by City



Field Fence
(UOOT) To be maintained by UDOT
See Detail Sheet C501

Three Rail Fence
(Dev) To be maintained by Dev/
See Detail Sheet C501 Prop. Owner

Trail surface & 2' gravel shoulders
(City) To be maintained by City



Existing Chain link and/or
(UDOT) new Field Fence
To be maintained by UDOT

Three Rail Fence
(Dev) To be maintained by
Dev/ Prop. Owner

Trail Surface and 2'
(City) gravel shoulders
To be maintained by City

Marsha Morrow

From: kevin campbell <kevin.campbell@esieng.com>
Sent: Thursday, March 26, 2015 2:38 PM
To: Steve Thacker
Cc: Marsha Morrow
Subject: Engbersen - Taylor Subdivision - Bond Reduction #3 (End Warranty)
Attachments: Bond Reduction #3 (End Warranty)_03-26-15.pdf

Steve -

The attached bond reduction and end of warranty are recommended.

There was a section of sidewalk that was cracked, but it has been sealed and it looks fine.

Kevin

Kevin Campbell, P.E.
Centerville City Engineer

Kevin Campbell, P.E.
ESI Engineering, Inc
3500 S. Main St.
SLC, Ut 84115
801.263.1752

Marsha Morrow

From: kevin campbell <kevin.campbell@esieng.com>
Sent: Tuesday, March 31, 2015 2:22 PM
To: Steve Thacker
Cc: Marsha Morrow; Seth Vining; Randy Randall; Benson Whitney
Subject: Woods PDO - Bond Reductions and Begin Warranty
Attachments: Woods PDO - BOND 1 - BR #4 (Begin Warranty)_03-31-15.pdf; Woods PDO - BOND 2 - BR #4 (Begin Warranty)_03-31-15.pdf

Steve -

The attached bond reductions and start of warranty for the Woods PDO development is recommended.

Let me know if additional information is needed.

Kevin

Kevin Campbell, P.E.
Centerville City Engineer

Kevin Campbell, P.E.
ESI Engineering, Inc
3500 S. Main St.
SLC, Ut 84115
801.263.1752

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 3.

Short Title: 2015 Municipal Elections

Initiated By: Marsha Morrow, City Recorder

Scheduled Time: 7:10

SUBJECT

- a. Determine whether to participate in vote by-mail option for 2015 municipal elections
- b. Agreement with Davis County for administering Centerville City's 2015 Municipal Elections - Consider Resolution No. 2015-05

RECOMMENDATION

- a. Determine if the City wants to participate in the vote by-mail option for the 2015 Municipal Elections (both Primary and General).
- b. Adopt Resolution No. 2015-05 approving the enclosed Agreement with Davis County to administer the City's 2015 Elections.

BACKGROUND

a. The City Council tabled this action at their March 17 meeting. Each city was to notify the County by April 1 as to which option they were going to use for their elections. At the March 17 meeting, Curtis Koch, County Clerk/Auditor was filling in for Brian McKenzie, County Elections Manager, and gave his permission to delay Centerville's decision until the City Council's April 7 meeting.

The vote by-mail ballots are mailed 28 days prior to each election. For the 2014 Primary Election, ballots were mailed out on May 23 with the Primary Election held on June 24. For the 2014 General Election, ballots were mailed out on October 6 with the General Election being held on November 4.

The first attachment is a timeline from the County showing when the ballots were either returned to the County by mail or dropped off for both the Primary & General 2014 Elections. As noted in the Primary Election, the peak of returns was from May 28 - May 30 (with an average of 1,000 - 1,500 each day) and for the General Election the peak of returns was Nov. 3 - Nov. 4 (with an average of 2,000 each day).

The 2015 Municipal Primary Election is August 11. In a vote by-mail election the ballots would be mailed out on July 14. The 2015 Municipal General Election is November 3 and ballots would be mailed out October 6.

As noted on page 4 in the Vote By-Mail Hybrid Election Report, the Cost Summary for the County's 2014 Primary Election was based on actual figures for the by-mail election:

By-Mail Hybrid Primary Election:

Total Cost = \$193,491.40
Total Votes = 26,460
Turnout of eligible Voters = 27.94%
Cost per vote = \$7.31

Traditional Primary (based on an assumed 14.10% turnout):

Total cost = \$176,438.34
Total Votes = 13,500
Turnout of eligible voters = 14.10%
Cost per vote = \$13.07

On page 5 are the figures for the County's 2014 General Election:

By-Mail Hybrid General Election:

Total cost = \$223,018.44

Total votes = 65,347

Turnout of eligible voters = 47.89%

Cost per vote = \$3.41.

Traditional General (based on an assumed 35% turnout):

Total cost = \$240,440.24

Total votes = 47,600

Turnout of eligible voters = 35%

Cost per vote = \$5.05

Centerville City's 2011 Municipal Elections results (for 3 council seats):

15.11% turnout for the Primary Election (9,092 registered voters, 1,374 ballots cast)

25.25% turnout for the General Election (9,126 registered voters, 2,304 ballots cast)

Centerville City's 2013 Municipal Elections results (for Mayor and 2 Council seats):

17.89% for the Primary Election (10,389 registered voters, 1,859 ballots cast)

38.28% for the General Election (9,815 registered voters, 3,757 ballots cast)

The 2013 General Election was a mayoral race as well as 2 councilmember race. The Primary election was only for the councilmember seats as there were only 2 candidates running for the mayoral race; thus the bigger than normal difference in the turnouts between the Primary and General Elections.

The following documents that were included for the March 17 meeting are attached again:

- Vote By-Mail Hybrid Election Report for the 2014 Primary and General Elections, prepared by Davis County Elections Clerk/Auditor. It explains the results of the 2014 County Elections (Primary & General Election) that were vote by-mail.
- Estimate of Davis County Election Expenses for the City for a regular election (electronic voting machines) and a vote by-mail election.

The costs for the 2015 Municipal Elections would be as follows:

Traditional:

\$8,136 per election (primary [if needed] & general)

\$16,272 total cost for both elections (if primary is needed)

Vote By-Mail:

Cost estimate for vote by-mail election with City paying the return postage (\$1,406*) for inbound reply:

\$13,037 per election (primary [if needed] & general)

\$26,074 total cost for both elections (if primary is needed)

Cost estimate for vote by-mail election if voters pay the return postage* (\$1,406 estimate):

\$11,631 per election (primary [if needed] & general)

\$23,262 total cost for both elections (if primary is needed)

*HB321, passed by the 2015 Legislature, gives the Council the option to reduce the cost of vote by-mail by requiring voters to pay the return postage (\$1,406 estimate) for both primary and general elections.

The Davis School District is still considering a bond issue on this November's ballot. Since this is a municipal election, they would be sharing a portion of the cost for the general election. This would reduce the cost for either a traditional or by-mail election. As of the date this staff report was prepared, the School District had not made a decision.

One advantage of the by-mail option is that it would not require early voting, thereby saving the cost of overtime for the City Recorder to administer. Early voting is required by State statute (UCA 20A-3-601) to be done for eight days during the two weeks prior to each election. The City's early voting is usually held Mon – Thurs, 7 - 11 a.m. the first week and Tues – Friday, 1:00 - 5:00 p.m. the second week. The last day of early voting has to be on a Friday and open until 5:00 p.m. The earlier time the first week is to accommodate those who work and need to come in early.

In the City Recorder's opinion, by choosing the by-mail option it would be less confusing for voters to go from a by-mail election with the County one year and then the next year a traditional election with the City. Voters like consistency. The City Recorder recommends going with the by-mail option.

b. The Davis County Elections Manager, Brian McKenzie, has contacted each Davis County city to approve the agreement for Davis County to administer the elections. The agreement does not specify an administrative option type such as by-mail or traditional. Brian said the School District hasn't made a decision on a ballot question for the November election yet, and he understands this may impact each city as they decide which administrative option they would like to use.

Important Notice about the listed prices in Exhibit A: This exhibit shows listed costs for both a traditional as well as a by-mail administrative option. Most of the listed prices show the cost per unit. Some show the overall cost for that service and indicate that the cost will be shared with all cities. The total cost of the election is subject to decisions made by each city and approved in each election plan and varies by city. For a more complete view of total cost, refer to the cost estimate that has been prepared for each individual city based upon their administrative option (which is the third attachment).

ATTACHMENTS:

Description

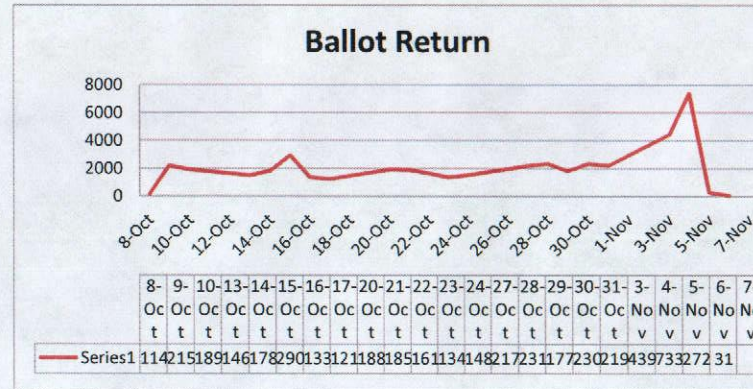
- ☐ Estimated 2014 Ballot Timeline
- ☐ Davis County Vote By-Mail Report
- ☐ Election Cost Estimates
- ☐ Resolution No. 2015-05-Election Services
- ☐ Agreement with Davis County for Election Services for 2015 Municipal Elections
- ☐ Exhibit A to Agreement

2014 General Estimated ballots returned

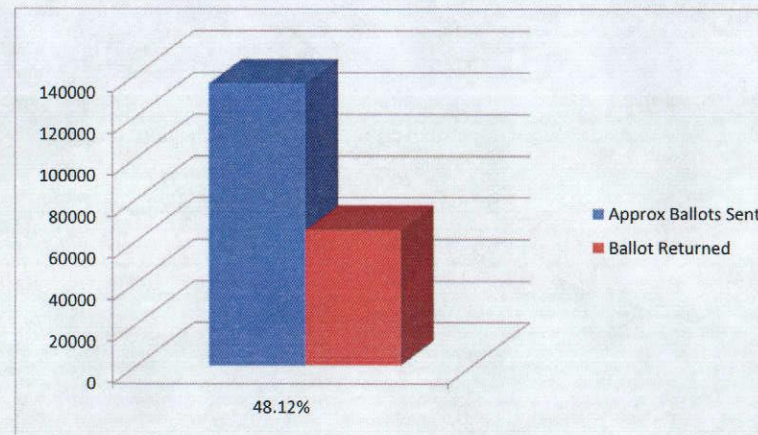
Date Returned	By Mail	Drop Locations	Total
8-Oct	114		114
9-Oct	2155	18	2173
10-Oct	1894		1894
13-Oct	1468		1468
14-Oct	1782	56	1838
15-Oct	2907		2907
16-Oct	1338	44	1382
17-Oct	1219		1219
20-Oct	1886		1886
21-Oct	1855		1855
22-Oct	1610		1610
23-Oct	1341		1341
24-Oct	1486	31	1517
27-Oct	2172	17	2189
28-Oct	2318		2318
29-Oct	1773		1773
30-Oct	2300		2300
31-Oct	2196		2196
3-Nov	4398	490	4888
4-Nov	7339	8882	16221
5-Nov	272		272
6-Nov	31		31
7-Nov			0
Total	43854	9538	53392
Polling Location			11809
Provisional			65201

2014 Primary Estimate ballots returned

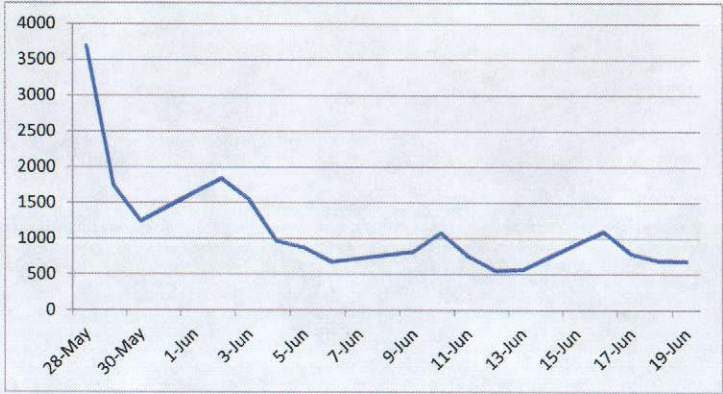
Date Returned	By Mail	Drop Locations
28-May	3700	
29-May	1750	
30-May	1246	
2-Jun	1845	
3-Jun	1550	
4-Jun	967	84
5-Jun	876	
6-Jun	677	
9-Jun	816	
10-Jun	1087	
11-Jun	755	
12-Jun	552	12
13-Jun	566	6
16-Jun	1105	5
17-Jun	791	
18-Jun	692	10
19-Jun	686	4



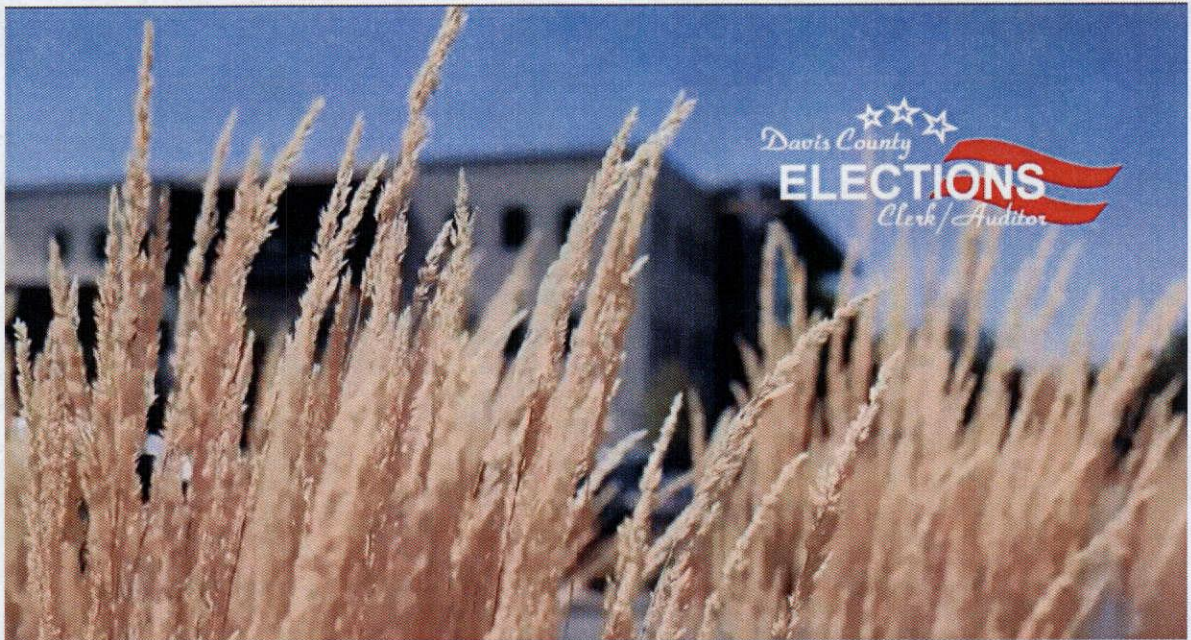
Approx Bal Ballot Returned
135500 65201 48.12%



Total
3700
5450
6696
8541
10091
11142
12018
12695
13511
14598
15353
15917
16489
17599
18390
19092
19782



VOTE BY-MAIL HYBRID ELECTIONS



2014

2014 Davis County Primary and General Elections
Official Report

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Vote By-Mail Hybrid Elections

2014 DAVIS COUNTY PRIMARY AND GENERAL ELECTIONS OFFICIAL REPORT

REPORT SUMMARY

In March of 2014 the Davis County Clerk/Auditor announced that in accordance with Utah Code 20A-3-302 and 20A-5-410, the 2014 Primary and General Elections would be conducted by mail. In addition to by-mail ballots being sent to all active registered voters, the county would also provide seven vote centers. The purpose of the vote centers was to accommodate voters who were unable to vote independently on a paper ballot, voters who lost or didn't receive a by-mail ballot, or voters who would rather vote on a voting machine.

With the understanding that the current voting equipment will most likely need to be replaced within the next 5-10 years, by-mail voting was identified as a potential option that: 1- may be more cost effective to the County as an alternative to purchasing a new system and equipment that would accommodate a "traditional" polling location method. 2 -may assist in improving voter engagement and overall turnout in elections.

This report contains information gathered from both the primary and general elections including the cost of each election and the total of voters participating in each election. . It also contains results of an online survey as well as general observations that were made during the elections. Concluding the report is a cost projection for the 2016 Presidential Election.

Please Note: There are a number of factors that will effect participation in an election, one of which includes administrative actions such as method of voting, positioning of polling locations, hours of early voting, etc. Another major factor that impacts participation includes candidates and issues and how much campaigning and advertisement takes place. No two elections are the same; the approach of this report is to compare what took place with the by-mail voting and what most likely would have taken place with a traditional method during the same election.

STATUS OF CURRENT VOTING SYSTEM

As mentioned in the Report Summary, it is projected that the current voting system will need to be replaced within the next 5-10 years. This reality raises many questions pertaining to what is wrong with the system and why it needs to be replaced. This section of the report will provide a snapshot of the current system, its history and its future.

Davis County currently maintains an inventory of 933 Diebold TSX voting machines. The voting machines are only part of the overall system; they are merely the voter interface to the voting process. In addition to the voting machines the most critical part of the system is the GEMS server, this is device that is used to create, program and tabulate the election. We have one primary server and one backup server. It is also important to include the 269 laptop computers, scanners and voter access card encoders, and various other components and supplies used to support the election process. In total our election inventory stands at a value just over 3.1 million dollars.

It is clear a substantial investment has been made in our current system, but we must point out that only about \$400,000 of our current inventory was paid for out of county funds. The vast majority of the cost of our current system was purchased and paid for with federal funds provided with the Help America Vote Act (HAVA).

The future of our current system cannot be clearly seen, we can only project its longevity. The equipment and software we use is no longer manufactured and vendors have notified us that they will only support our system as long as it is profitable for them. The system we have functions as a whole and individual pieces cannot be replaced without replacing the entire system. Compare it to a puzzle made up of hundreds of pieces; if one piece is missing then the puzzle will never be complete. Missing puzzle pieces can only be replaced with an exact duplicate of the original. So it is with our voting system, we can only use the original pieces of our system to replace any piece that fails, or we will need to replace the entire system. Barring any outside and unforeseen influences, we estimate we will be able to maintain the system for another 5-10 years. We know that when the time comes, the system will need to be replaced and the county will need to be financially prepared for the replacement.

2014 PRIMARY ELECTION

The 2014 Primary Election included one county wide race for the Republican nomination for County Commission Seat A, the Republican nomination for State Representative District 19 (located in the Bountiful area), the non-partisan positions of Davis School Board District 3 (from Farmington to Kaysville area) and District 6 (from Layton to Syracuse area). This was a closed primary election meaning that in areas where there was not a school board race, the only voters eligible to participate were required to be affiliated with the Republican Party.

COST SUMMARY

By-Mail Hybrid – See Attachment “A” for cost details.

Total Cost = \$193,491.40

Total Votes = 26,460

Turnout of Eligible Voters = 27.94%

Cost Per Vote = \$7.31

Traditional – See Attachment “B” for cost details. This estimate is calculated using actual cost figures for an election based upon a 14.10% turnout. Using this turnout the required equipment, personnel and supplies are calculated with their associated cost. The turnout is estimated based upon the dynamics of the actual election this year and experiences from previous similar elections.

Total Cost = \$176,438.34

Total Votes = 13,500

Turnout of Eligible Voters = 14.10%

Cost Per Vote = \$13.07

2014 GENERAL ELECTION

The 2014 General Election included races for US Congressional District 1 and 2; State Attorney General; State Senate 18, 21, 22; State House Districts 11,12,13,14,15,16,17,18,19,20; State School Board District 5. All County Offices were also included, except for one Commission Seat. With the exception of the two Commission Seats that were on the ballot, none of the County positions were contested. The ballot also contained some local school district board member positions, the Mutton Hollow Township Planning Commission, Judicial Retention Questions, Constitutional Amendments A, B and C, and City Propositions in Bountiful, Clearfield, and Farmington.

COST SUMMARY

By-Mail Hybrid – See Attachment “C” for cost details.

Total Cost = \$223,018.44

Total Votes = 65,347

Turnout of Eligible Voters = 47.98%

Cost Per Vote = \$3.41

Traditional – See Attachment “D” for cost details. This estimate is calculated using actual cost figures for an election based upon a 35.00% turnout. Using this turnout the required equipment, personnel and supplies are calculated with their associated cost. The turnout is estimated based upon the dynamics of the actual election this year and experiences from previous similar elections.

Total Cost = \$240,440.24

Total Votes = 47,600

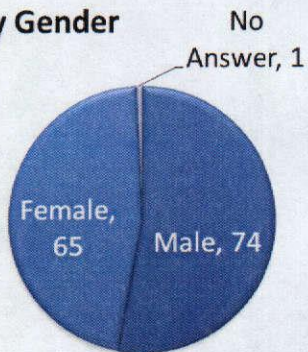
Turnout of Eligible Voters = 35.00%

Cost Per Vote = \$5.05

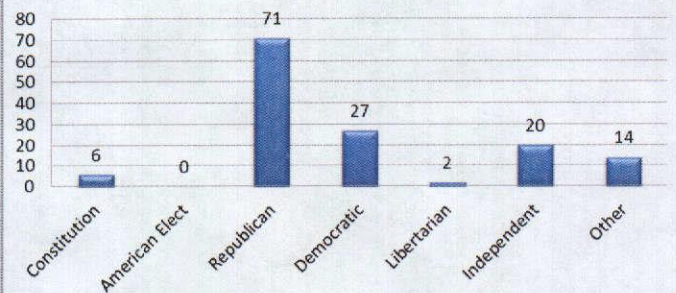
SURVEY RESULTS

A notice was included with every ballot during the General Election. The notice informed voters of an online survey made available through our website. There were a total of 140 responses to the survey. Some questions were asked to determine demographic information. Other questions were asked to determine the voters overall opinion of voting by mail in this election and possible future elections. These are the results of those who responded.

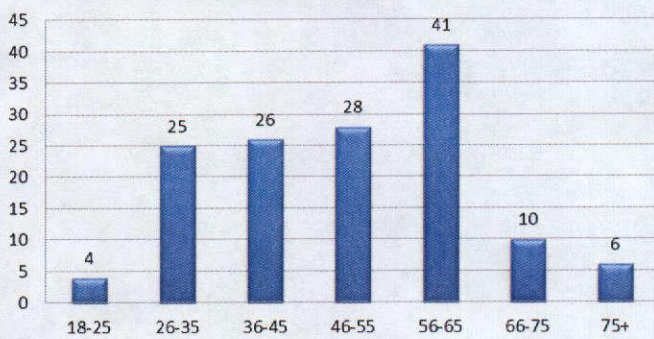
Response by Gender



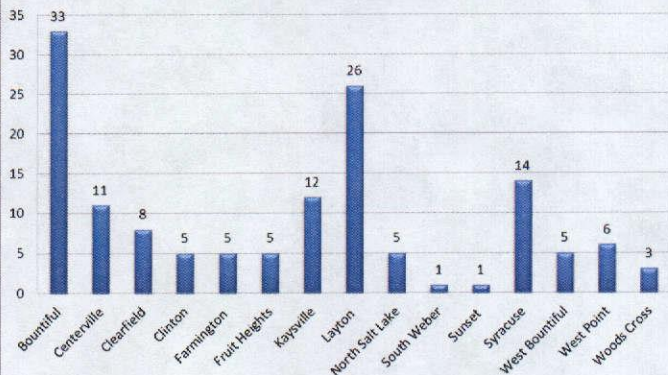
Responses by Political Party Preference



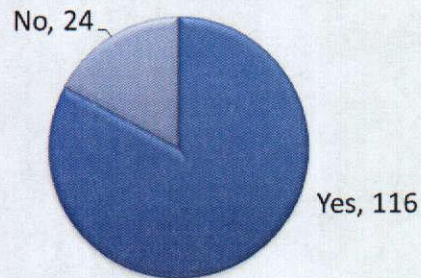
Response by Age Group



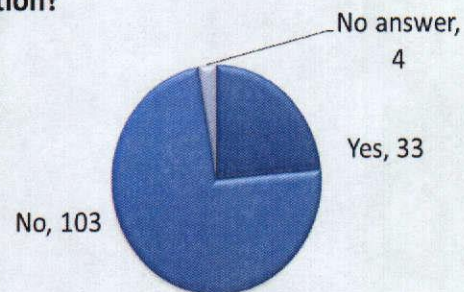
Responses by City



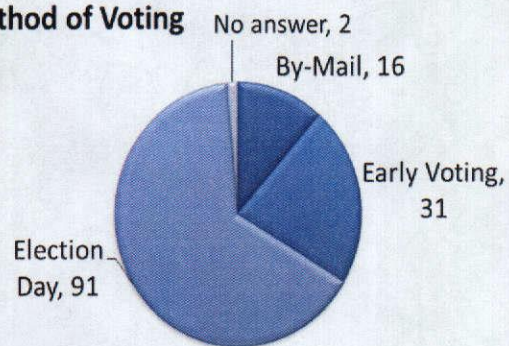
Have you or do you intend to vote using your by-mail ballot?



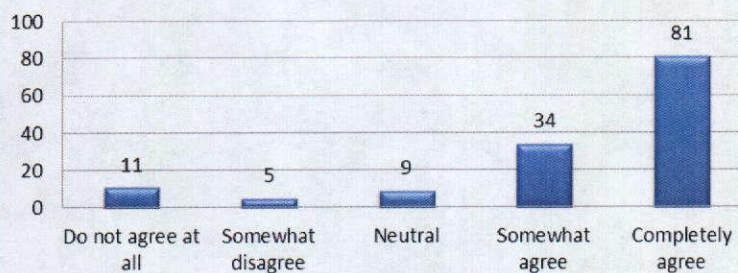
Have you or do you intend to Vote at a Polling Location?



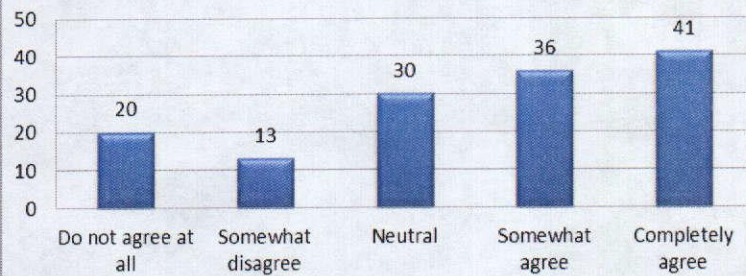
Prior Method of Voting



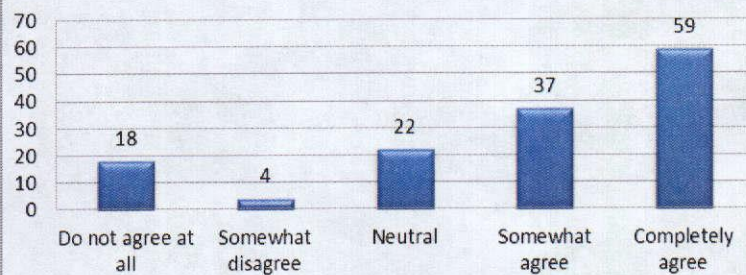
The provided voting instructions were clear and easy to understand.



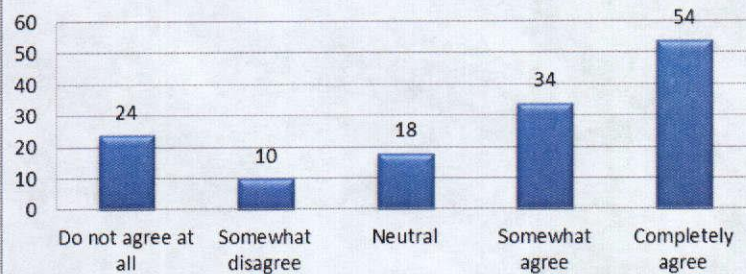
**Able to find adequate information
about candidates and issues.**



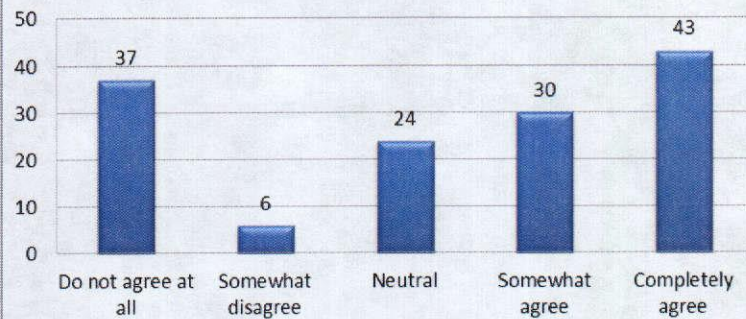
**Confident in services provided by US
Postal Service.**

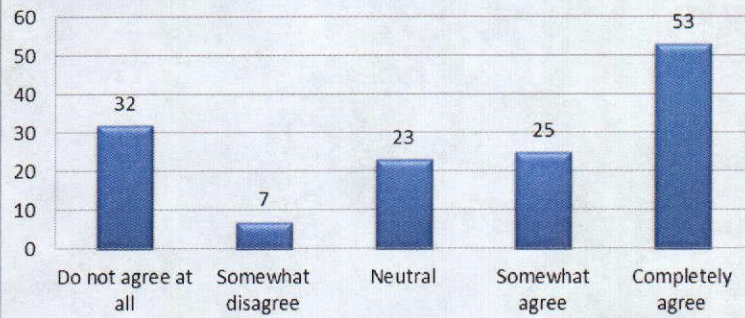
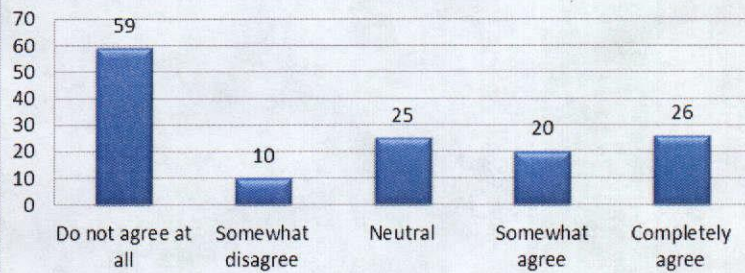
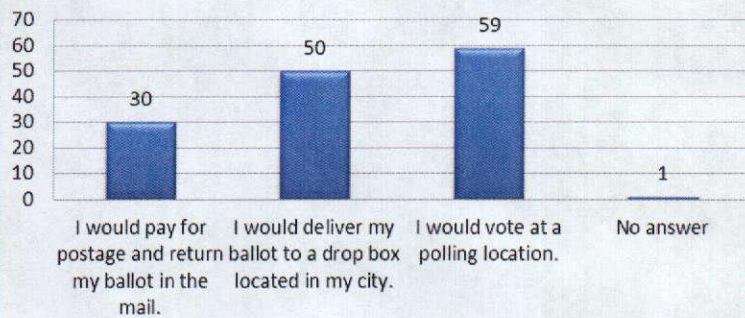


**Confident vote will be counted
accurately.**



By-mail voting is safe and secure.



Confident ballot will remain secret.**All elections should be conducted by-mail.****If postage was not provided.**

GENERAL OBSERVATIONS IN 2014

During both the Primary and General Election we received a number of calls or letters from voters who shared their concerns or dislike with the idea of voting by-mail. Many of the common concerns had to do with the security of the system and the potential for fraud. The major concerns are listed below in order of frequency along with an explanation of the safeguards in place.

1. How we made sure that a ballot was voted by the person the ballot belonged to.
 - a. Each voted ballot that is returned to our office must contain the signature of the voter that it belongs to. The signature that is on the returned ballot envelope is compared to the signature that is on file with the voter registration record. Law enforcement assisted in the training of our staff assigned to compare signatures.
2. How we ensure the secrecy of a voter's ballot.
 - a. After a signature has been compared and determined that it matches the voter's record, the signature affidavit is removed from the envelope, removing the voters name from the envelope. Only after the affidavit is removed is the envelope opened to expose the ballot.
3. How a voter is able to know their ballot is received by our office and counted.
 - a. When a ballot is returned to our office and prior to any sorting the ballot is scanned into the voter registration system. This creates a return log for the voters ballot which is viewable by the voter at www.Vote.Utah.gov
4. Ballots were mailed out too early.
 - a. As a result of this, some voters had misplaced their ballot; if they requested, we would spoil the original ballot and send a replacement. Some voters believed that they had to send their ballot in right away. We explained that it was not necessary to send it in immediately and that they could take the time to study the issues and they only needed to return it by the deadline.

We also received a number of calls and letters from voters who were very happy with the decision to conduct the election by-mail. The common positive points that they made had to do with convenience and time to review the ballot. The most common comments are listed below.

1. It allows time to research candidates and issues.
2. It is easier to vote a ballot at home than trying to remember choices at the polls.
3. There was no need to wait in lines.

We observed a much higher call volume from voters during this election cycle than we have in previous years. The majority of these calls were voters calling to find information about the candidates and issues on the ballot. Many calls were asking about how the "Straight Party" option worked. This gave us a new opportunity to engage with voters and assist them with their questions.

During the Primary Election, approximately 4.5% of participants chose to vote at a polling location rather than return a by-mail ballot; we had anticipated 7%. Due to the lower participation of voters at the polling locations we didn't experience long lines. As a result, in preparing for the General Election we adjusted our projection to 5% participation at the polling locations. We ended up seeing nearly 18% of the voters participate at polling locations. This resulted in long lines on Election Day with approximately a 45 minute wait at some locations, especially in the evening.

2016 GENERAL ELECTION COST PROJECTIONS

The 2016 General Election will included races for President of the United States; US Senator; US Congressional District 1 and 2; Governor; State Attorney General; State Auditor; State Treasurer; State Senate 20and 23; State House Districts 11,12,13,14,15,16,17,18,19,20; State School Board District 4; Davis County Commissioner. The ballot will also contain some local school district board member positions, the Mutton Hollow Township Planning Commission, and Judicial Retention Questions. It is also possible that there will be a number of constitutional amendments or other questions proposed to the voters.

COST SUMMARY PROJECTIONS

By-Mail Hybrid – See Attachment “E” for cost details.

Total Cost = \$288,926.91

Total Votes = 122,244

Turnout of Eligible Voters = 80.00%

Cost Per Vote = \$2.36

Traditional – See Attachment “F” for cost details.

Total Cost = \$320,217.39

Total Votes = 117,660

Turnout of Eligible Voters = 77.00%

Cost Per Vote = \$2.72

Vote By-Mail SWOT Analysis

Strengths

- Support from Administration and other Departments
- Organization of process
- Trained staff both permanent and temporary
- Adequate space for processing and storage of records
- Safeguards in place from planning and experiences
- Technology- VISTA, GEMS, Equipment

Weaknesses

- Processing capacity of personnel and equipment
- Identifying and Communicating priorities to staff
- Communication with public
- Turnout projection
- Long term storage of election returns
- Poll workers
- Inability to adapt to changes on Election Day
- Human Errors
- Candidate Information
- Technology- scanners

Opportunities

- Cost savings
- Increased voter turnout
- Increased voter engagement/involvement
- More time for voters to see and study ballot issues
- Improved administrative controls
- Voter Perception
- Improve processes and efficiencies through experience
- Media-communication
- Reduced time and work load preparing equipment and supplies
- Cleaner and more accurate voter files

Threats

- High volume of ballots just before Election Day
- 30 day requirement of sending ballots
- Voter files being ready 45-50 days prior to election
- Candidates withdrawing or being disqualified
- Municipalities choosing traditional method
- Results undetermined Election Night
- Turnout projection
- Voter Perception – trust in Mail, Election Organization
- Learning curve for staff and poll workers
- Technology
- Media
- Voter Registration on line and DMV
- VIP

**2015 General
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES
Estimate**

Centerville City

Poll Workers Compensation Rates

20A-5-802(4)(b) Municipalities may not compensate higher than the county.	QTY	COST	TOTAL	
Poll Manager (PM)	2	\$160.00	\$320.00	Poll Workers who are trained for early voting and work on election day only attend early vote training. They do not attend or receive compensation for regular training. Poll workers who are trainers and work the position they trained do not attend or receive compensation for training. Poll workers who are trainers and do not work the position they train will attend and receive compensation for additional training.
Training Course(s)	2	\$50.00	\$100.00	
Review Training	0	\$10.00	\$0.00	
Touch Screen Technician (TST)	2	\$160.00	\$320.00	
Training Course(s)	2	\$35.00	\$70.00	
Review Training	0	\$10.00	\$0.00	
Receiving Clerk	4	\$135.00	\$540.00	
Training Course(s)	4	\$35.00	\$140.00	
Review Training	0	\$10.00	\$0.00	
Poll Book Clerk	4	\$125.00	\$500.00	
Training Course(s)	4	\$25.00	\$100.00	
Review Training	0	\$10.00	\$0.00	
Provisional Clerk	2	\$135.00	\$270.00	
Training Course(s)	2	\$35.00	\$70.00	
Review Training	0	\$10.00	\$0.00	
Host	0	\$125.00	\$0.00	
Training Course(s)	0	\$25.00	\$0.00	
Mileage	33	\$0.25	\$8.25	(optional -- city staff may be used)
Early Voting Poll Worker Pay (per hour)	0	\$10.00	\$0.00	
Training Course(s)	0	\$50.00	\$0.00	
Alternate Poll Workers	1	\$740.00	\$49.33	Shared with: 15 cities
		Sub Total	\$2,487.58	

Poll Worker Recruitment and Training

Poll Worker Recruitment and Administration	14	\$8.00	\$112.00	Per Poll Worker
Training Creation and Preparation (Includes equipment and preparation)	1	\$500.00	\$33.33	Shared with 15 cities
Poll Worker Handbook and Supplies	14	\$1.00	\$14.00	
Poll Worker Training (per person)	14	\$20.00	\$280.00	
Review Training (per person)	0	\$10.00	\$0.00	
		Sub Total	\$439.33	

Equipment

Touch Screen (TSX) Includes:	12	\$75.00	\$900.00	(150 voters per machine, minimum of 3 machines per location)
Testing Pre and Post election				
Security Seals				(1 per machine)
Canister, Label, and (1) Roll of Paper				(1 per machine)
Printer Housing				(1 per polling location)
VIBS--Visually Impaired Ballot Station (Keypad & Headphones)				(4 per machine)
Voter Access Cards				
Vote Here Signs (4 per location)	2	\$5.00	\$10.00	
WiFi Connection	2	\$40.00	\$80.00	
Laptop Computers, Programming, Pre/Post Test	6	\$75.00	\$450.00	(If using electronic voter check in, 1 laptop per 500 voters)
		Sub Total	\$1,440.00	

Consumable Supplies

Paper Roll (for each additional)	6	\$1.00	\$6.00	(No charge for unused and returned paper rolls)
Canister Label	6	\$1.00	\$6.00	
Canisters		\$10.00	\$0.00	
Polling Location Supplies	2	\$35.00	\$70.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.)
Regular Green Poll Books (per check in station)				Included with Laptop
Provisional Orange Poll Books				Included with Laptop
Paper Ballot Yellow Poll Books				Included with Polling Location Supplies
		Sub Total	\$82.00	

Ballot Layout and Programming

Gems Programming/ Ballot Logic and Accuracy Testing - TSX & Optical Scan	11	\$800.00	\$44.44	Shared with 198 precincts
City/District set-up (cities/districts with new recorders/clerks)		\$75.00	\$0.00	
Memory Card Programming (per card)	12	\$15.00	\$180.00	
Audio Programming	1	\$50.00	\$50.00	
		Sub Total	\$274.44	

Election Services

Public L&A Demonstration (testing, programming & demonstration)	1	\$300.00	\$20.00	Shared with 15 cities
Independent Rovers (training & election day - per person)	5	\$500.00	\$178.57	Shared with 14 cities
Election Night Clerk Staff Support	1	\$1,400.00	\$93.33	Shared with 15 cities
Election Night Security	1	\$150.00	\$10.00	Shared with 15 cities
Election Night Ballot / Supply Return Teams	2	\$210.00	\$14.48	Shared with 29 polling locations
Rover Kits (each)	7	\$25.00	\$11.67	Shared with 15 cities
Rovers Training	1	\$400.00	\$26.67	Shared with 15 cities
Help Desk Set-Up	1	\$75.00	\$5.00	Shared with 15 cities
Help Desk Staff	1	\$450.00	\$30.00	Shared with 15 cities based on pre and post regular work day hrs.
Pre-Canvass Ballot Issues Audit, if needed	0	\$300.00	\$0.00	Shared with 0 cities
Canvass Preparation	0	\$150.00	\$0.00	Shared with 15 cities
		Sub Total	\$389.72	

Delivery and Pickup (machines & supplies at polls)

Delivery (per location)	2	\$34.50	\$69.00	Actual cost per contract with moving company
Pickup (per location)	2	\$34.50	\$69.00	Actual cost per contract with moving company
		Sub Total	\$138.00	

Election Night Counting - IT Services

TSX Counters	1	\$750.00	\$50.00	Shared with 15 cities based on # of hrs. - election specific
		Sub Total	\$50.00	

Early Voting

Fees and services not listed below apply to early vote sites same as an election day polling location

Administration Support	0	\$30.00	\$0.00	If needed
Poll Delivery and Setup for Electronic Check-in	1	\$50.00	\$50.00	
Early Vote On-call Technical Support (per hour + mileage)	0	\$50.00	\$0.00	
Early Vote TSX	1	\$75.00	\$75.00	
Memory Card Programming (per card)	1	\$15.00	\$15.00	
Early Vote Laptop Computers, Programming, Pre/Post Test	2	\$75.00	\$150.00	
Early Voting Polling Location Supplies	1	\$35.00	\$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.)
		Sub Total	\$325.00	

By-Mail and Paper Ballots

Materials				
By-Mail Outer Envelopes	1034	\$0.13	\$134.42	
By-Mail Inner Return Envelopes	1034	\$0.24	\$248.16	
By-Mail Ballots	1034	\$0.32	\$330.88	
Paper Ballots - Election Day, Early Vote, Extra for Remakes, Late Absentee	288	\$0.32	\$92.16	
Test Deck Paper Ballots	29	\$0.50	\$14.50	
Administration				
Ballot set-up (per style)	2	\$25.00	\$50.00	By K&H
Ballot Preparation Assembly into Envelopes (each sent out)	1034	\$0.32	\$330.88	By K&H
Signature Verification and Tabulation Prep. (each returned)	679	\$0.82	\$556.78	
Tabulation (each returned)	679	\$0.32	\$217.28	
Postage				
Freight to Salt Lake City for Non-Profit Rate Out-Bound	1351	\$0.13	\$171.61	Total freight / total Ballots = freight cost per each ballot
Postage Out-Bound	1034	\$0.09	\$93.06	Actual Postage
Postage In-Bound (only if all by-mail option)		\$0.46	\$0.00	Actual Postage
		Sub Total	\$2,239.73	

Post Election

Provisional Verification (per hour)	9	\$25.00	\$225.00	
		Sub Total	\$225.00	

General Administration

Election Administration Support	1	\$45.00	\$45.00	
Clerk Staff (per-hour for any additional services)		\$25.00	\$0.00	
		Sub Total	\$45.00	

Complete Paper Voting System

Printed Official Registers (1-3 precincts)	0	\$30.00	\$0.00	
Printed Official Registers (4 or more precincts)	0	\$50.00	\$0.00	
Addendums (per location)	0	\$5.00	\$0.00	Only applies if Vista Local is not used for early voting
Posting List (each)	0	\$7.00	\$0.00	Optional
Update Voter Histories Manually (Hours)	0	\$25.00	\$0.00	
		Sub Total	\$0.00	

Additional Special Services

Total Election Expense \$8,135.82

**2015 General
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES
By-Mail Estimate**

Centerville City

2013 Poll Workers Compensation Rates

20A-5-602(4)(b) Municipalities may not compensate higher than the county.	QTY	COST	TOTAL	
Poll Manager (PM)	1	\$160.00	\$160.00	Poll Workers who are trained for early voting and work on election day only attend early vote training. They do not attend or receive compensation for regular training. Poll workers who are trainers and work the position they trained do not attend or receive compensation for training. Poll workers who are trainers and do not work the position they train will attend and receive compensation for additional training.
Training Course(s)	1	\$50.00	\$50.00	
Review Training	0	\$10.00	\$0.00	
Location Set up and supply return allowance	1	\$25.00	\$25.00	
Receiving Clerk	1	\$135.00	\$135.00	
Training Course(s)	1	\$35.00	\$35.00	
Review Training	0	\$10.00	\$0.00	
Provisional Clerk	2	\$135.00	\$270.00	
Training Course(s)	2	\$35.00	\$70.00	
Review Training	0	\$10.00	\$0.00	
Host	0	\$125.00	\$0.00	(optional -- city staff may be used)
Training Course(s)	0	\$25.00	\$0.00	
Mileage	20	\$0.25	\$5.00	
Early Voting Poll Worker Pay (per hour)	0	\$10.00	\$0.00	
Training Course(s)	0	\$50.00	\$0.00	Shared with 15 cities
Alternate Poll Workers	1	\$330.00	\$22.00	
		Sub Total	\$772.00	

Poll Worker Recruitment and Training

Poll Worker Recruitment and Administration	4	\$8.00	\$32.00	Per Poll Worker
Training Creation and Preparation (includes equipment and preparation)	1	\$500.00	\$33.33	Shared with 15 cities
Poll Worker Handbook and Supplies	4	\$1.00	\$4.00	
Poll Worker Training (per person)	4	\$20.00	\$80.00	
Review Training (per person)	0	\$10.00	\$0.00	
		Sub Total	\$149.33	

Equipment

Touch Screen (TSX) Includes:	3	\$75.00	\$225.00	(150 voters per machine, minimum of 3 machines per location)
Testing Pre and Post election				
Security Seals				
Canister, Label, and (1) Roll of Paper				(1 per machine)
Printer Housing				(1 per machine)
VIBS--Visually Impaired Ballot Station (Keypad & Headphones)				(1 per polling location)
Voter Access Cards				(4 per machine)
Vote Here Signs (4 per location)	1	\$5.00	\$5.00	
WiFi Connection	0	\$40.00	\$0.00	
Laptop Computers, Programming, Pre/Post Test	2	\$75.00	\$150.00	(If using electronic voter check in, 1 laptop per 500 voters)
		Sub Total	\$380.00	

Consumable Supplies

Paper Roll (for each additional)		\$1.00	\$0.00	(No charge for unused and returned paper rolls)
Canister Label		\$1.00	\$0.00	
Canisters		\$10.00	\$0.00	
Polling Location Supplies	1	\$35.00	\$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.)
Regular Green Poll Books (per check in station)				Included with Laptop
Provisional Orange Poll Books				Included with Laptop
Paper Ballot Yellow Poll Books				Included with Polling Location Supplies
		Sub Total	\$35.00	

Ballot Layout and Programming

Gems Programming/ Ballot Logic and Accuracy Testing - TSX & Optical Scan	11	\$800.00	\$44.90	Shared with 196 precincts
City/District set-up (cities/districts with new recorders/clerks)		\$75.00	\$0.00	
Memory Card Programming (per card)	3	\$15.00	\$45.00	
Audio Programming	1	\$50.00	\$50.00	
		Sub Total	\$139.90	

Election Services

Public L&A Demonstration (testing, programming & demonstration)	1	\$300.00	\$20.00	Shared with 15 cities
Independent Rovers (training & election day - per person)	0	\$500.00	\$0.00	Shared with 14 cities
Election Night Clerk Staff Support	1	\$1,400.00	\$93.33	Shared with 15 cities
Election Night Security	1	\$150.00	\$10.00	Shared with 15 cities
Election Night Ballot / Supply Return: Teams	1	\$210.00	\$14.00	Shared with 15 polling locations
Rover Kits (each)	5	\$25.00	\$8.33	Shared with 15 cities
Rovers Training	0	\$400.00	\$0.00	Shared with 15 cities
Help Desk Set-Up	1	\$75.00	\$5.00	Shared with 15 cities
Help Desk Staff	1	\$450.00	\$30.00	Shared with 15 cities based on pre and post regular work day hrs.
Pre-Canvass Ballot Issues Audit, if needed	0	\$300.00	\$0.00	Shared with 1 cities
Canvass Preparation	1	\$150.00	\$10.00	Shared with 15 cities
		Sub Total	\$190.67	

Delivery and Pickup (machines & supplies at polls)

Delivery (per location)	1	\$34.50	\$34.50	Actual cost per contract with moving company
Pickup (per location)	1	\$34.50	\$34.50	Actual cost per contract with moving company
		Sub Total	\$69.00	

Election Night Counting - IT Services

TSX Counters	1	\$750.00	\$50.00	Shared with 15 cities based on # of hrs. -- election specific
		Sub Total	\$50.00	

Ballot Remake Equipment

Remake TSX	4	\$75.00	\$20.00	Shared with 15 cities
Remake Memory Cards	4	\$15.00	\$4.00	Shared with 15 cities
Remake Laptops	1	\$75.00	\$5.00	Shared with 15 cities
		Sub Total	\$29.00	

By-Mail and Paper Ballots**Materials and Services from Printer**

By-Mail Outer Envelopes	8727	\$0.06	\$481.73	
By-Mail Inner Return Envelopes	8727	\$0.11	\$920.70	
Instruction/ID requirement Inserts including product and service	1	\$7,472.43		
Instruction/ID requirement Inserts per ballot	8727	\$0.0544	\$475.15	
Test Deck Paper Ballots	1	\$399.50	\$26.63	Shared with 15 cities
Ballot set-up (per style)	2	\$25.00	\$50.00	Printer Cost
Freight to Salt Lake City for Non-Profit Rate Out-Bound	1	\$1,918.59		
Freight cost per ballot	8727	\$0.0140	\$122.00	8727
1st Mailing				
By-Mail Ballots	8727	\$0.32	\$2,827.55	
Assembly, insert and mailing services	8727	\$0.31	\$2,705.37	
Postage Out-Bound	8727	\$0.10	\$913.72	Actual Postage
2nd Mailing				
By-Mail Ballots	87	\$0.37	\$31.93	
Assembly, insert and mailing services	87	\$0.37	\$31.93	
Postage Out-Bound	87	\$0.69	\$60.03	Actual Postage

County Administration

Signature Verification and Tabulation Prep. (each returned)	2618	\$0.31	\$805.33	these are figured with a formula but will need to be cal
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Return Postage

Postage In-Bound Business Reply	2618	\$0.54	\$1,405.92	Actual Postage
Returned Undeliverable Postage	175	\$0.54	\$93.73	Actual Postage
		Sub Total	\$10,951.71	

Post Election

Provisional Verification (per hour)	9	\$25.00	\$225.00	
		Sub Total	\$225.00	

General Administration

Election Administration Support	1	\$45.00	\$45.00	
Clerk Staff (per-hour for any additional services)		\$25.00	\$0.00	
		Sub Total	\$45.00	

Additional Special Services

Total Election Expense \$13,036.61

RESOLUTION NO. 2015-05

**A RESOLUTION OF THE CENTERVILLE CITY COUNCIL APPROVING
AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL
AGREEMENT BETWEEN CENTERVILLE CITY AND DAVIS COUNTY
REGARDING ELECTION SERVICES FOR THE 2015 MUNICIPAL
ELECTIONS**

WHEREAS, the Interlocal Cooperation Act, set forth at *Utah Code Ann.* §§ 11-13-101, *et seq.*, as amended, authorizes public agencies and political subdivisions of the State of Utah to enter into mutually advantageous agreements for cooperative projects and services; and

WHEREAS, Centerville City and Davis County desire to enter into an agreement pursuant to the Interlocal Cooperation Act to provide for cooperative election services for the upcoming 2015 municipal elections as more particularly provided herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. Agreement Approved. The City Council of Centerville City hereby accepts and approves the Interlocal Cooperation Agreement between Centerville City and Davis County regarding election services for the upcoming 2015 municipal elections as more particularly set forth in **Exhibit A**, attached hereto and incorporated by reference.

Section 2. Mayor Authorized to Execute. The City Council of Centerville City hereby authorizes the Mayor to sign the attached Interlocal Cooperation Agreement for and on behalf of Centerville City.

Section 3. Severability Clause. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage. The Interlocal Cooperation Agreement adopted herein shall become effective when the parties have executed the Agreement and the Agreement has been filed with the keeper of records of each public entity that is a party to the Agreement in accordance with *Utah Code Ann.* § 11-13-209, as amended.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 7th DAY OF APRIL, 2015.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

CERTIFICATE OF PASSAGE AND EFFECTIVE DATE

According to the provisions of the U.C.A. § 10-3-719, as amended, resolutions may become effective without publication or posting and may take effect on passage or at a later date as the governing body may determine; provided, resolutions may not become effective more than three months from the date of passage. I, the municipal recorder of Centerville City, hereby certify that foregoing resolution was duly passed by the City Council and became effective upon passage or a later date as the governing body directed as more particularly set forth below.

MARSHA L. MORROW, City Recorder

DATE: _____

EFFECTIVE DATE: ____ day of _____, 20____.

EXHIBIT A

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN CENTERVILLE CITY AND DAVIS COUNTY
FOR ELECTION SERVICES**

AGREEMENT

This Agreement is made and entered into this ____ day of April, 2015 by and between DAVIS COUNTY, a body politic of the State of Utah, hereinafter referred to as "County," and CENTERVILLE CITY, a municipal corporation of the State of Utah, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, pursuant to Section 20A-1-201.5 and 20A-1-202, *Utah Code Ann.* (1953) as amended, City is authorized and required to hold municipal elections in each odd-numbered year; and

WHEREAS, County has equipment and resources needed to carry out an election and is willing to make available the resources and equipment to assist City in holding its municipal primary and general elections in 2015 upon the following terms and conditions; and

WHEREAS, the parties are authorized by the *Utah Interlocal Cooperation Act* as set forth in Chapter 13, Title 11, and Section 20A-5-400.1 of the *Utah Code Ann.* (1953) as amended, to enter into this Agreement:

NOW THEREFORE, in consideration of the mutual terms and conditions set forth hereafter, the parties hereto agree as follows:

1. County agrees to provide to City if needed for the primary election in August 2015, and if needed for the general election in November 2015 the following:

- a. Test, program, assemble and make available to City voting machines and poll supplies.
- b. Provide for delivery and retrieval of voting equipment.

- c. Polling location management, which includes, but is not necessarily limited to making arrangements for use, ADA compliance survey and contact information.
 - d. Absentee and By-Mail ballot processing, which includes mailing, receiving, signature verification and tabulation.
 - e. Provide electronic ballot files for Optical Scan Ballots printing.
 - f. Provide Information System assistance which includes, but is not necessarily limited to election programming, tabulation, programmers and technicians.
 - g. Canvass reports.
 - h. Electronic tabulation results transmitted to the Office of the Lieutenant Governor.
 - i. Provide personnel and technical assistance throughout the election process and equipment and/or supplies required specifically for voting.
 - j. Recruit poll workers; provide training, scheduling, supplies and compensation.
 - k. Provide preparation and personnel for the public demonstration of the tabulation equipment.
 - l. If required, in cooperation with the City, conduct an election audit.
 - m. Store all election returns for the required twenty-two (22) months.
2. City agrees to do the following:
- a. Provide the Recorder or other designated officer to act as the election officer and assume all duties and responsibilities as outlined by law.
 - b. Identify polling location(s) and assign voting precinct.

- c. Enter into a polling location Hold Harmless Agreement, if needed.
- d. Provide projected voter turnout.
- e. Declaration of Candidacy filing.
- f. Provide County with ballot information which includes, but is not necessarily limited to races, candidates and ballot issues.
- g. Approve the election plan, which includes, but is not necessarily limited to accuracy of polling location and precinct assignments, voter turnout percentages, paper ballot quantities, voting machine quantities and poll worker assignments.
- h. City's legislative body poll worker approval.
- i. Proof and approve the accuracy of the printed and audio of ballot formats.
- j. Publish all legal notices which include, but are not necessarily limited to election notice, polling locations, ballots and public demonstration.
- k. Early voting administration if needed.
- l. Arrange and conduct election canvass.
- m. Prepare candidate certificates.
- n. Perform all other election related duties and responsibilities not outlined in this agreement but required by law.
- o. City agrees to pay County repair or replacement costs for damaged voting equipment, which occurs at the polling locations beyond the normal wear and tear.

3. Both parties agree to conduct the election according to the statutes, rules, Executive Orders, and Policies of the Lieutenant Governor as the Chief Elections Officer of the state.

4. City agrees to pay County the costs for providing the election equipment, services and supplies in accordance with the election costs schedule, attached hereto, incorporated herein, and made a part hereof as Exhibit "A". The payment shall be made within thirty (30) days of receiving the invoice prepared by the County.

5. This Agreement shall be effective as of the date of execution by all parties and when filed with the keeper of records of each public entity in accordance with *Utah Code Ann.* § 11-13-209, as amended.

6. This Agreement shall continue in effect until 30 days after the election or upon invoicing, whichever occurs later.

7. The individuals executing this Agreement on behalf of the parties confirm that they are duly authorized representatives of the parties and are lawfully enabled to execute this Agreement on behalf of the parties.

8. To the extent this Agreement requires administration it shall be administered by the City Recorder and the Elections Manager of the County acting as a joint board.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate, each of which shall be deemed an original.

DAVIS COUNTY

By _____
P Bret Milburn, Chair
Davis County Commission

ATTEST:

Curtis Koch
Davis County Clerk/Auditor

Attorney Approval

The undersigned, the authorized attorney of Davis County, approves the foregoing Agreement as to form and compatibility with State law:

Neal Geddes
Deputy Davis County Attorney

CENTERVILLE CITY

By _____
Mayor Paul A. Cutler

ATTEST:

Marsha L. Morrow, City Recorder

Attorney Approval

The undersigned, the authorized attorney of Centerville City, approves the foregoing Agreement as to form and compatibility with State law:

Lisa G. Romney
Centerville City Attorney

Exhibit "A" (Page 1 of 3)
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES

<u>Poll Workers Compensation Rates</u>			
20A-5-602(4)(b) Municipalities may not compensate higher than the county.			
	COST TRADITIONAL	COST BY-MAIL	
Poll Manager (PM)	\$160.00	\$160.00	Poll Workers who are trained for early voting and work on election day only attend early vote training. They do not attend or receive compensation for regular training. Poll workers who are trainers and work the position they trained do not attend or receive compensation for training. Poll workers who are trainers and do not work the position they train will attend and receive compensation for additional training.
Training Course(s)	\$50.00	\$50.00	
Review Training	\$10.00	\$10.00	
Touch Screen Technician (TST)	\$160.00	\$160.00	
Training Course(s)	\$35.00	\$35.00	
Review Training	\$10.00	\$10.00	
Receiving Clerk	\$135.00	\$135.00	
Training Course(s)	\$35.00	\$35.00	
Review Training	\$10.00	\$10.00	
Poll Book Clerk	\$125.00	\$125.00	
Training Course(s)	\$25.00	\$25.00	
Review Training	\$10.00	\$10.00	
Provisional Clerk	\$135.00	\$135.00	
Training Course(s)	\$35.00	\$35.00	
Review Training	\$10.00	\$10.00	
Host	\$125.00	\$125.00	
Training Course(s)	\$25.00	\$25.00	
Mileage	\$0.25	\$0.25	
Early Voting Poll Worker Pay (per hour)	\$10.00		Early voting only with Traditional administrative option
Training Course(s)	\$50.00	\$50.00	
Alternate Poll Workers	\$740.00	\$330.00	Shared with all cities under administrative option
<u>Poll Worker Recruitment and Training</u>			
Poll Worker Recruitment and Administration	\$8.00	\$8.00	Per Poll Worker
Training Creation and Preparation (Includes equipment and preparation)	\$500.00	\$500.00	Shared with all cities
Poll Worker Handbook and Supplies	\$1.00	\$1.00	
Poll Worker Training (per person)	\$20.00	\$20.00	
Review Training (per person)	\$10.00	\$10.00	
<u>Equipment</u>			
Touch Screen (TSX) Includes:	\$75.00	\$75.00	(150 voters per machine, minimum of 3 machines per location)
Testing Pre and Post election			
Security Seals			
Canister, Label, and (1) Roll of Paper			(1 per machine)
Printer Housing			(1 per machine)
VIBS--Visually Impaired Ballot Station (Keypad & Headphones)			(1 per polling location)
Voter Access Cards			(4 per machine)
Vote Here Signs (4 per location)	\$5.00	\$5.00	
WiFi Connection	\$40.00	\$40.00	
Laptop Computers, Programming, Pre/Post Test	\$75.00	\$75.00	(If using electronic voter check in, 1 laptop per 500 voters)
<u>Consumable Supplies</u>			
Paper Roll (for each additional)	\$1.00	\$1.00	(No charge for unused and returned paper rolls)
Canister Label	\$1.00	\$1.00	
Canisters	\$10.00	\$10.00	
Polling Location Supplies	\$35.00	\$35.00	(Forms, instructions, signs, stickers, pens, pencils, name tags, etc.)
Regular Green Poll Books (per check in station)			Included with Laptop
Provisional Orange Poll Books			Included with Laptop
Paper Ballot Yellow Poll Books			Included with Polling Location Supplies
<u>Ballot Layout and Programming</u>			
Gems Programming/ Ballot Logic and Accuracy Testing - TSX & Optical Scan	\$800.00	\$800.00	Shared with all cities
City/District set-up (cities/districts with new recorders/clerks)	\$75.00	\$75.00	
Memory Card Programming (per card)	\$15.00	\$15.00	
Audio Programming	\$50.00	\$50.00	

Exhibit "A" (Page 2 of 3)
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES

<u>Election Services</u>			
Public L&A Demonstration (testing, programming & demonstration)	\$300.00	\$300.00	Shared with all cities
Independent Rovers (training & election day - per person)	\$500.00	\$500.00	Shared with all cities
Election Night Clerk Staff Support	\$1,400.00	\$1,400.00	Shared with all cities
Election Night Security	\$150.00	\$150.00	Shared with all cities
Election Night Ballot / Supply Return Teams	\$210.00	\$210.00	Shared with all cities
Rover Kits (each)	\$25.00	\$25.00	Shared with all cities
Rovers Training	\$400.00	\$400.00	Shared with all cities
Help Desk Set-Up	\$75.00	\$75.00	Shared with all cities
Help Desk Staff	\$450.00	\$450.00	Shared with all cities
Pre-Canvass Ballot Issues Audit, if needed	\$300.00	\$300.00	Only if needed
Canvass Preparation	\$150.00	\$150.00	Shared with all cities
 <u>Delivery and Pickup (machines & supplies at polls)</u>			
Delivery (per location)	\$34.50	\$34.50	Actual cost per contract with moving company
Pickup (per location)	\$34.50	\$34.50	Actual cost per contract with moving company
 <u>Election Night Counting - IT Services</u>			
TSX Counters	\$750.00	\$750.00	Shared with all cities
 <u>Early Voting</u>			
Fees and services not listed below apply to early vote sites same as an election day polling location			
Administration Support	\$30.00		Early voting only with Traditional administrative option
Poll Delivery and Setup for Electronic Check-in	\$50.00		Early voting only with Traditional administrative option
Early Vote On-call Technical Support (per hour + mileage)	\$50.00		Early voting only with Traditional administrative option
Early Vote TSX	\$75.00		Early voting only with Traditional administrative option
Memory Card Programming (per card)	\$15.00		Early voting only with Traditional administrative option
Early Vote Laptop Computers, Programming, Pre/Post Test	\$75.00		Early voting only with Traditional administrative option
Early Voting Polling Location Supplies	\$35.00		Early voting only with Traditional administrative option
 <u>Ballot Remake Equipment</u>			
Remake TSX		\$75.00	Shared with cities using by-mail option
Remake Memory Cards		\$15.00	Shared with cities using by-mail option
Remake Laptops		\$75.00	Shared with cities using by-mail option
 <u>By-Mail and Paper Ballots</u>			
<u>Materials and Services from Printer</u>			
By-Mail Outer Envelopes	0.130	\$0.0552	Actual cost from printer
By-Mail Inner Return Envelopes	0.240	\$0.1055	Actual cost from printer
Instruction/ID requirement Inserts per ballot	0.054	\$0.0544	Actual cost from printer
Test Deck Paper Ballots	399.500	\$399.50	Shared with all cities
Ballot set-up (per style)	25.000	\$25.00	Actual cost from printer
Freight cost per ballot	0.130	0.0140	Actual cost for shipping per ballot
<u>1st Mailing</u>			
By-Mail Ballots	0.3200	\$0.3240	Actual cost from printer
Assembly, insert and mailing services	0.3200	\$0.3100	Actual cost from printer
Postage Out-Bound	0.1047	\$0.1047	Actual Postage
<u>2nd Mailing</u>			
By-Mail Ballots	0.3670	\$0.3670	Actual cost from printer
Assembly, insert and mailing services	0.3670	\$0.3670	Actual cost from printer
Postage Out-Bound	0.6900	\$0.6900	Actual Postage
 <u>County Administration</u>			
Signature Verification and Tabulation Prep. (each returned)	0.820	\$0.3076	
 <u>Return Postage</u>			
Postage In-Bound Business Reply	NA	NA	Return Postage is no longer required
Returned Undeliverable Postage	NA	NA	
 <u>Post Election</u>			
Provisional Verification (per hour)	\$25.00	\$25.00	
 <u>General Administration</u>			
Election Administration Support	\$45.00	\$45.00	
Clerk Staff (per-hour for any additional services)	\$25.00	\$25.00	

Exhibit "A" (Page 3 of 3)
DAVIS COUNTY MUNICIPAL ELECTION EXPENSES

<u>Complete Paper Voting System</u>			
Printed Official Registers (1-3 precincts)	\$30.00	\$30.00	
Printed Official Registers (4 or more precincts)	\$60.00	\$60.00	
Addendums (per location)	\$5.00	\$5.00	Only applies if Vista Local is not used for early voting
Posting List (each)	\$7.00	\$7.00	Optional
Update Voter Histories Manually (Hours)	\$25.00	\$25.00	

Important Notice about the above listed prices

This exhibit shows listed costs for both a traditional as well as a by-mail administrative option. Most of the above listed prices show the cost per unit. Some show the overall cost for that service and indicate that the cost will be shared with all cities. The total cost of the election is subject to decisions made by each city and approved in each election plan and varies from each city. For a more complete view of total cost you should refer to the cost estimate that has been prepared for each individual city based upon their administrative option.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 4.

Short Title: Public hearing – Zoning Code Text Amendment – Chapter 12-48 South Main Street Corridor

Initiated By:

Scheduled Time: 7:25

SUBJECT

Consider proposed Zoning Code text amendments for various sections of Chapter 12-48 South Main Street Corridor Zone; which include building heights and floor heights within Traditional Main Street District and allowance for stand-alone residential projects. Taylor Spendlove, Brighton Centerville LLC, Applicant - Consider Ordinance No. 2015-04

RECOMMENDATION

Consider Ordinance No. 2015-04 regarding proposed amendments to Chapter 12-48 of the Zoning Code regarding the South Main Street Corridor Zone, including amendments to the building heights and floor heights within the Traditional Main Street District and allowance for stand-alone residential projects within the Traditional Main Street District.

BACKGROUND

On March 11, 2015, the Planning Commission reviewed and recommended approval of the proposed amendments to Chapter 12-48 of the Zoning Code regarding the South Main Street Corridor Zone, including amendments to the building heights and floor heights within the Traditional Main Street District and allowance for stand-alone residential projects in the Traditional Main Street District. The Staff Transmittal Report for this application is attached. The proposed Ordinance No. 2015-04 is also attached, as well as other background information from the Planning Commission, and a copy of the entire Chapter 12-48 (SMSC Overlay Zone).

At the March 17 Council meeting, Nancy Smith--speaking during the Open Session--questioned whether the Main Street matter scheduled for the April 7 meeting was properly noticed. Cory Snyder prepared the attached memo addressing her questions and concluding that the matter has been properly noticed. Apparently Ms. Smith did not understand the developer had withdrawn his earlier application and submitted another application that did not include a zone map amendment and did not affect the portion of Main Street Ms. Smith referred to in her remarks on March 17. The documents submitted by Ms. Smith to the Council at the March 17 meeting are also attached, and are referred to in Cory Snyder's memo.

ATTACHMENTS:

Description

- ☐ 3-11-15 CC Staff Report Brighton Home SMSC Zone Text Change
- ☐ Ordinance No. 2015-04-SMSC Amendments
- ☐ 3-11-15 PC Staff Report Brighton Homes SMSC Zone Text Change
- ☐ 3-11-2015 PC min re South Main Street Corridor
- ☐ Brighton Letter
- ☐ Chapter 12-48-SMSC Overlay Zone
- ☐ Cory Snyder Memo Re Nancy Smith Questions
- ☐ Nancy Smith Submittal at March 17 Meeting

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

STAFF TRANSMITTAL REPORT

DATE: MARCH 12, 2015

TO: STEVE THACKER, CITY MANAGER

FROM: CORVIN M. SNYDER, AICP, COMMUNITY DEVELOPMENT DIRECTOR

APPLICANT: BRIGHTON CENTERVILLE LLC
C/O TAYLOR SPENDLOVE
215 NORTH REDWOOD RD. SUITE #8
NORTH SALT LAKE, UTAH 84054
taylor@brightonhomes-utah.com

APPLICATION: ZONING CODE TEXT AMENDMENTS

APPLICANT REQUEST: AMEND CENTERVILLE CITY ZONING ORDINANCES
FOR VARIOUS PROVISIONS OF THE SOUTH MAIN
STREET CORRIDOR DISTRICT (SMSC)

PC RECOMMENDATION: RECOMMEND APPROVAL OF THE ZONING
CODE TEXT AMENDMENTS

BACKGROUND

Brighton Homes desires to redevelop several properties within and adjacent to Main Street, on the east side between 300 South and Porter Lane. However, they are requesting to amend the zoning text of the South Main Street Corridor District to facilitate their land use development plan for the property. The proposed text amendments relate to the "Traditional Main Street" segment of the South Main Street Corridor Zone. The text amendments consist of the following:

- A new maximum building height limit of 28 feet to accommodate a pitched roof-style building, or alternatively alter how the building height is measured, or just set the limit to two-stories.
- Remove the commercial requirement to allow for residential uses (allow just a stand-alone residential development in the Traditional Main Street segment.
- Alter the main level clear space height from 10 feet to 9 feet.

PLANNING COMMISSION RECOMMENDATION

On March 11, 2015, the Planning Commission forwarded to the City a **recommendation of APPROVAL** of the proposed text amendments for the "Traditional Main Street" Segment as follows:

1. Modify the text to allow a new maximum building height limit of 28 feet.
2. Modify the text to allow stand-alone residential use.
3. Modify the text to allow main level clear space height from 10 feet to 9 feet, if a stand-alone residential development occurs.

Suggested reasons for the action:

- a. The Planning Commission finds that the General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street.
- b. The Planning Commission finds that there is General Plan policy language that desires the bulking and massing of buildings to facilitate desirable development.
- c. The Planning Commission finds that the height request better facilitates a two-story building development pattern.
- d. The Planning Commission further finds that since the City Center District is the focal or heart of the commercial corridor thus, a transition of multi-family style residential would create a buffer between commercial development further north (core area) and the residential corridor to the south.
- e. The Planning Commission perceives that the changes "synergize the core" commercial by creating sufficient demand for services.
- f. The Planning Commission believes that keeping the clear space expectation would be at odds with the building form of residential-style development, if residential only developments were allowed.

Planning Commission Vote (4-3):

Commissioner	Yes	No	Not Present
Hirschi (Chair)		X	
Hirst		X	
Johnson		X	
Kjar	X		
Merrill	X		
Randall	X		
Ince	X		

ORDINANCE NO. 2015-04

AN ORDINANCE AMENDING CHAPTER 12-48 OF THE CENTERVILLE ZONING ORDINANCE REGARDING BUILDING HEIGHTS, FIRST FLOOR CLEAR SPACE HEIGHT AND RESIDENTIAL USES IN THE TRADITIONAL MAIN STREET DISTRICT OF THE SOUTH MAIN STREET CORRIDOR OVERLAY ZONE

WHEREAS, the City Council has previously enacted Zoning Ordinance provisions regarding building form and uses within the South Main Street Corridor (SMSC) Overlay Zone; and

WHEREAS, the City Council desires to amend certain provisions of Chapter 12-48 regarding building heights, first floor clear space height, and residential uses in the Traditional Main Street District of the SMSC Overlay Zone as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed revisions to Zoning Ordinance regarding buildings and uses in the Traditional Main Street District are in the best interest of the public and will provide for better land use development within the SMSC Overlay Zone; and

WHEREAS, the proposed amendments to the Zoning Ordinance as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Subsection 12-48-080(c) of the Centerville Zoning Ordinance is hereby amended regarding permitted and conditional uses in the Traditional Main Street and City Center Main Street Districts of the SMSC Overlay Zone as more particularly provided as follows:

12-48-080. South Main Street Corridor Zone, Permitted and Conditional Uses by Specified District.

* * *

(c) ~~*Traditional Main Street & City Center Main Street Districts*~~ - The following uses, as defined in this Title, shall be the permitted and conditional uses in the ~~South-City Center Main Street Commercial District of the SMSC Overlay District Zone:~~

(1) *Permitted Uses:*

- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.
- Restaurant, Eatery
- Dwellings, Single Family
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-3 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-4 units per building), as part of a mixed-use development

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 4-6 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 5-8 units per building), as part of a mixed-use development
- Parking Garage, Public, as part of a mixed-use development
- Restaurant, General, as part of a mixed-use development

* * *

Section 2. Amendment. Subsection 12-48-080(f) of the Centerville Zoning Ordinance is hereby enacted regarding permitted and conditional uses in the Traditional Main Street District of the SMSC Overlay Zone as more particularly provided as follows:

12-48-080. South Main Street Corridor Zone, Permitted and Conditional Uses by Specified District.

* * *

(f) Traditional Main Street District - The following uses, as defined in this Title, shall be the permitted and conditional uses in the Traditional Main Street District of the SMSC Overlay District Zone:

(1) *Permitted Uses:*

- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.

- Restaurant, Eatery
- Dwellings, Single Family
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-3 units per building), ~~as part of a mixed-use development~~
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-4 units per building), ~~as part of a mixed-use development~~

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 4-6 units per building), ~~as part of a mixed-use development~~
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 5-8 units per building), ~~as part of a mixed-use development~~
- Parking Garage, Public, as part of a mixed-use development
- Restaurant, General, as part of a mixed-use development

Section 3. Amendment. The Lot Type Illustration and related building envelope specifications for the Traditional Main Street Lot Type are hereby amended to reflect the following changes:

- (1) To set a maximum building height of twenty-eight feet (28') for residential buildings on the east side of Main Street within the Traditional Main Street District;
- (2) To set a minimum first floor level clear space height of nine feet (9') for residential buildings within the Traditional Main Street District; and
- (3) To eliminate the ground floor restriction on residential uses on the street-side portion of buildings within the Traditional Main Street District.

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 6. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, THIS 7th DAY OF APRIL, 2015.**

ATTEST:

CENTERVILLE CITY

Marsha Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: **BRIGHTON CENTERVILLE LLC
C/O TAYLOR SPENDLOVE
215 NORTH REDWOOD RD. SUITE #8
NORTH SALT LAKE, UTAH 84054
(taylor@brightonhomes-utah.com)**

APPLICATION: **ZONING CODE TEXT AMENDMENTS**

APPLICANT REQUEST: **AMEND CENTERVILLE CITY ZONING ORDINANCES
FOR VARIOUS PROVISIONS OF THE SOUTH MAIN
STREET CORRIDOR DISTRICT (SMSC)**

RECOMMENDATION: **STAFF RECOMMENDS BOTH DENIAL AND APPROVAL
TO VARIOUS REGULATIONS**

BACKGROUND

As a result, of the previous meeting held on January 28, 2015 regarding several zoning map and text amendments, Brighton Homes withdrew their initial request on February 13, 2015. Brighton Homes has submitted a new application containing only text amendments related to the "Traditional Main Street" segment of the South Main Street Corridor Zone (*see attached letter*). The text amendments consist of the following:

- A new maximum building height limit of 28 feet to accommodate a pitched roof-style building, or alternatively alter how the building height is measured, or just set the limit to two-stories.
- Remove the commercial requirement to allow for residential uses (allow just a stand-alone residential development in the Traditional Main Street segment.
- Alter the main level clear space height from 10 feet to 9 feet.

ZONE TEXT AMENDMENT REVIEW PROCESS

Factors to be Considered

The deciding entity must consider three (3) factors when making a recommendation and a final decision for a zone text amendment. These required factors are found in Section 12-21-080(e) of Centerville City's Zoning Ordinance. Staff's review and conclusions for these factors are provided below:

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

✓ *South Main Street Corridor Plan:*

- City Objective 1.C – “Encourage additional [land uses] ... by way of mixed use.”
- City Objective 1.D – “Encourage greater intensity...such as retail with housing above, and greater floor-area-ratios, such as a two-story building rather than a one-story building...”
- City Objective 1.E – “Incorporate Main Street into the neighborhood planning process for both east and west side...to allow for consistency and coordination”
- City Objective 4.D – “Encourage a variety of complementary architectural styles, types, and massing of structures to establish connectivity...”
- City Objective 4.F – “Require appropriate building heights within each District”
- City Goal 7- Traditional & City Center Main Street – “Create a commercial district with a central core intersection that is designed to serve as the heart of the City...”

Staff's Conclusion - Building Heights – The General Plan for this area does not directly address the issue of 28-foot building heights. However, the policy language does desire the bulking and massing of buildings, at least 2-story development. Thus, staff is supportive of the height request to better facilitate the expected two-story development pattern.

Staff's Conclusion - Removal of Commercial Requirement to Allow Residential Uses – The General Plan does address the desire to create a commercial district and even more particular a central core. This central core is located at Center and Main Street. The question is, “how much commercial is desirable or needful to establishing the expected commercial district?” One way to perceive it is “keeping the existing historical pattern.” This pattern extends from 100 North to Porter Lane. Keeping this existing pattern over the long term may or may not create the needed commercial synergy to create a vibrant local commercial center. Another way to perceive it is “synergizing the core” commercial by creating sufficient demand for services. Additional residential creates additional demands for commercial services. Staff believes that there are advantages/disadvantages with each option.

Staff's Conclusion- Main Level Clear Space Height – The General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street. The main floor clear space is a “form base” ideal. The purpose of main floor clear space is to create the traditional storefront appeal that is associated with small town buildings. The keeping of the clear space

expectation would be at odds with the building form of residential-style development, if residential only developments were allowed.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property? and,
3. What is the extent to which the proposed amendment may adversely affect adjacent property?

Staff's Conclusion - Building Heights – Staff believes that the request for 28 feet does not create a conflict on the east side of the street. The existing R-L Zone District located behind the area already allows for the development of homes with a maximum height of 35 feet (*see Table 12-32-1*).

Staff's Conclusion - Removal of Commercial Requirement to Allow Residential Uses – Staff believes that the change can be viewed with two general perceptions. One is that the existing commercial pattern has a historical termination boundary, which is Porter Lane (400 South). Any conflicts or other compatibilities are long established. Another way is to recognize the south corridor, which consists mostly of single-family residential uses and has a northern termination at Porter Lane. A transition of multi-family style residential would create a buffer between commercial development further north (core area) and the residential corridor to the south. Would this change, mitigate or alleviate any existing historical conflicts at the Porter Lane termination point?

Staff's Conclusion - Main Level Clear Space Height – Staff believes this is a building form issue and would be compatible only if stand-alone residential development is allowed.

PLANNING STAFF RECOMMENDATION

Staff Suggested Action #1 – I hereby make a motion for the Planning Commission to **recommend APPROVAL** of the following proposed text amendments for the Traditional Main Street Segment:

1. Modify the text to allow a new maximum building height limit of 28 feet.
2. Modify the text to allow stand-alone residential use.
3. Modify the text to allow main level clear space height from 10 feet to 9 feet, if a stand-alone residential development occurs.

Suggested reasons for the action:

- a. The Planning Commission finds that the General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street.
- b. The Planning Commission finds that there is General Plan policy language that desires the bulking and massing of buildings to facilitate desirable development.
- c. The Planning Commission finds that the height request better facilitates a two-story building development pattern.

- d. The Planning Commission further finds that since the City Center District is the focal or heart of the commercial corridor thus, a transition of multi-family style residential would create a buffer between commercial development further north (core area) and the residential corridor to the south.
- e. The Planning Commission perceives that the changes “synergize the core” commercial by creating sufficient demand for services.
- f. The Planning Commission believes that keeping the clear space expectation would be at odds with the building form of residential-style development, if residential only developments were allowed.

Staff Suggested Action #2 – I hereby make a motion for the Planning Commission to **recommend DENIAL** of the proposed text amendments for the following reasons:

Suggested reasons for the action:

- a. The Planning Commission finds that the General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street.
- b. The Planning Commission finds that there is General Plan policy language that desires the bulking and massing of buildings to facilitate desirable development.
- c. The Planning Commission finds that it desirable to maintain “the existing historical pattern,” which is primarily that of commercial uses.
- d. The Planning Commission finds that this commercial historical pattern extends from 100 North to Porter Lane (400 South).
- e. The Planning Commission finds that keeping this existing pattern over the long term is needed to create the expected vibrant local commercial area.
- f. The Planning Commission finds that the existing commercial pattern has a historical termination boundary, which is Porter Lane. Any conflicts or other compatibilities are long established.
- g. The Planning Commission finds that the purpose of main floor clear space is to create the traditional storefront appeal that is associated with small town buildings.

1 The applicant requested this item be postponed until the next Planning Commission meeting
2 to be held on March 25, 2015.

3
4 Chair Hirschi made a **motion** to table the application from Colonial Building Supply for a
5 conditional use permit to store and sell liquid propane gas. The motion was seconded by
6 Commissioner Johnson and passed by unanimous vote (7-0).

7
8 **PUBLIC HEARING | CODE TEXT AMENDMENT | CHAPTER 12-48 SOUTH MAIN**
9 **STREET CORRIDOR - Consider proposed zoning code text amendments for various**
10 **sections of Chapter 12-48-South Main Street Corridor Zone; which include building**
11 **heights and floor heights within the Traditional Main Street District, and allowance for**
12 **stand-alone residential projects. Taylor Spendlove, Brighton Centerville LLC, Applicant.**
13

14 Taylor Spendlove, applicant, said Brighton Homes has officially pulled their previous
15 requests for a rezone and other various amendments to the Traditional Main Street District (see
16 January 28, 2015 Planning Commission Meeting minutes). Brighton Homes is still interested in
17 developing a multi-family project on the site but is now requesting three (3) different
18 amendments. Mr. Spendlove said they would like to amend the Traditional District of the Main
19 Street Corridor to allow for a residential only development with a maximum building height of
20 28 feet and a diminished main floor height from 10 feet to 9 feet. He explained Brighton Homes
21 would like to build a multi-family development with 2-story townhome units. He presented
22 various pictures of what these 2-story units could look like. He said the development would front
23 Main Street taking all commercial uses out of the project. All driveways, sidewalks, and garages
24 would be interior to the development. In addition, Brighton Homes will include a park or other
25 public space. He explained the 28-foot building height allows for 2-stories and will
26 accommodate a typical roof pitch which will blend with surrounding homes. They would be
27 amenable to a 25-foot maximum if measured to the mid-point of the roof, as is typical for most
28 ordinances. He said the proposed 9-foot main floor height is typical for a residential home, 10
29 feet is too great and generally used for commercial buildings only. He said the second story will
30 have a height of 8 feet. He said if the Commission prefers commercial remain part of this
31 development then Brighton will need to increase the building height back to the previously
32 requested 35-foot maximum. He said residential makes sense for this area and would continue
33 what already exists. He also explained that residential will help spur additional commercial uses
34 in the future along Main Street. Mr. Spendlove said they are looking at a density of 13-15 units
35 per acre for this multi-family townhome development.

36
37 Cory Snyder, Community Development Director, reported the General Plan is the first
38 document to be considered when looking at text amendments. The General Plan states the middle
39 or center of Main Street should be the core of the commercial district but doesn't state
40 specifically how commercial should be managed. Brighton Homes request for a residential only
41 development within the Traditional District could be interpreted two (2) ways. It could be

1 interpreted that residential should be mixed with commercial as the ordinance currently states or
2 it could be interpreted that residential could be used as a buffer to the more commercially intense
3 Main Street core. He explained the mixed-use of commercial and residential together was created
4 to help mesh all the Districts along Main Street. Currently, the ordinance only allows residential
5 if commercial is the primary use, not vice versa. However, a residential only option could be
6 included in addition to the commercial only or commercial/residential mixed-use options which
7 already exist. The Commission needs to decide if they believe the Traditional District could be
8 considered a buffer to the commercial Core District or if commercial needs to be preserved to
9 maintain continuity. He reminded the Commission that any text amendment would be applicable
10 throughout the entire Traditional District, which extends from the Core District to Porter Lane,
11 and not just for this property. Mr. Snyder explained the General Plan encourages re-investment
12 and synergy through the entire Main Street Corridor. The proposed stand-alone residential could
13 be viewed as such as it will bring a demand for services, it could also be viewed as a hindrance.
14 He said if the Commission is comfortable allowing a stand-alone residential development then
15 staff is comfortable with the building height and main floor height requests.

16
17 Chair Hirschi opened the public hearing.

18
19 Dale McIntyre explained the property in question should not be considered a full block, but
20 rather split into two blocks.

21
22 Jennifer Turnbloom said this development is right in the middle of a transitional area and
23 residential would be a better option than commercial. She said she owns the next largest parcel in
24 this area and would appreciate an option for residential only if she ever chose to redevelop. She
25 said Centerville already has a large commercial area on 400 West. She believes homes will
26 revitalize Main Street and that any commercial uses built will remain dark because the city's
27 commercial core is no longer located on Main Street.

28
29 Jeff Warren said there is no question this particular property is blight and in need of
30 redevelopment. He said he likes the idea of residential only but wants to make sure the current
31 residents in this area get some return as well. He would like to see a park or other green space
32 required to be used by the general public.

33
34 Cami Layton expressed frustration over having to come back to the City time and time again
35 to explain that the residents do not want commercial. She encouraged the Commission to review
36 the history of this area and find that the residents have always wanted residential on Main Street.
37 The citizens have stated for years that low density single-family residential is the preferred
38 option.

39
40 Brad Nance, said he is in favor of residential. He said he understands the financial needs for
41 redevelopment but if the General Plan does not paint a clear picture then perhaps residential is

1 appropriate. He said he likes The Commons development (Pages Lane and Main Street) which is
2 about 6-7 units an acre. He said the proposed development is located within a very nice
3 neighborhood and that this property could support some nice quality homes. He suggested the
4 28-foot building height request be denied and a lower density required. He agreed Main Street is
5 no longer the commercial hub of the city.

6
7 Nancy Smith said there is not enough information about the proposed development to decide
8 if the proposed amendments are acceptable. She said without a specific plan it is too hard to say
9 whether the development is appropriate for this area. She said history shows that this area was
10 downsized to single-family residential in order to preserve the historic character of this area. She
11 said the guiding principles and overall objectives of the Main Street Corridor plan are sensitive
12 to the historic character of the city. She said she likes the idea of allowing a residential only
13 development, but it is hard to know if this particular development will be appropriate without a
14 specific plan. She expressed concern with changing one district as it may affect other districts
15 stability. She said the Main Street Corridor plan was created in a way to prevent a high density
16 residential development such as The Village in Bountiful. She is concerned that Brighton
17 Homes, if allowed a residential only option, could build such a building. She said density should
18 be limited. She likes the idea of residential only, but is concerned that apartments may be the end
19 result. She also expressed concern with the shadow effect that these types of buildings can
20 produce. She said more study needs to be done to limit impacts to ensure the small town
21 atmosphere is maintained.

22
23 Rolf Sorenson said he moved to Centerville from California 15 years ago because of the
24 small town feel. He expressed concern with regard to the mature trees on this property. He would
25 like to see every effort to maintain as many trees as possible as Centerville is known as a Tree
26 City. He is concerned with density and the traffic that this type of development can bring to an
27 already congested area. He encouraged the applicant to look at possible undulations to help
28 control and limit traffic congestion. He agreed this site is an eye sore and needs to be
29 redeveloped. He cautioned the Commission to consider all negative impacts. He said there seems
30 to be more questions than answers and perhaps this is a sign to slow down and reconsider.

31
32 Spencer Summerhays said he agrees a residential-only option would provide a good buffer
33 from the Core District as well as to the single-family homes to the east and south. He asked what
34 the setbacks would be for this development on the east property line. He too is concerned with
35 traffic and congestion. He said perhaps more discussion is needed as this would be applied to the
36 entire Traditional District.

37
38 Teri Nance said the 2012 General Plan calls this area the Old Town Site and discusses a
39 desire for single-family homes in order to keep the impact on services to a minimum. She said
40 high density does not bring long-term residents. She would like her children to have long-term

1 neighbors which come from low-density residential uses. She agreed the citizens have been
2 requesting residential for years. She would like to keep the Old Town concepts intact.

3
4 Sherri Lindstrom discussed the process that took place leading up to the creation of the Main
5 Street Corridor Plan. She explained the five (5) districts were created mainly out of respect for
6 the rights of the property owners. These rights should be allowed to continue. She said she has a
7 deep respect for those that have invested in property and development in Centerville. These
8 property owners should be allowed to reinvest in their properties at a value that will provide a
9 necessary return. This is why the Main Street Corridor Plan has multiple layers or options built
10 in. She said there is value in keeping commercial on Main Street. She said she uses existing
11 services on Main Street and would like to see more commercial uses encouraged. She said
12 commercial is not necessary along every inch of Main Street, but she would not want to see
13 commercial restricted in favor of residential only. She agreed this area is historic but also
14 explained the history of this area includes commercial uses. She encouraged the Commission to
15 keep the commercial options intact. She also encouraged the Commission to research property
16 taxes and how they might be affected.

17
18 Robin Mecham suggested the building height be limited to the top of the roof and not
19 allowed at the mid-point. She agrees residential is a good option. She said the existing
20 commercial buildings on Main Street struggle to stay open and are often vacant. She said if
21 commercial is required then the City is asking Brighton Homes to build dead space. She agreed
22 the commercial hub for Centerville is on 400 West; Main Street is no longer a commercially
23 viable area. She said commercial uses do not need to be extended district wide. She said the
24 Main Street Plan was originally discussed with light rail in mind which warranted commercial
25 uses. She said light rail has been eliminated as an option for Main Street, therefore she
26 questioned the true need for commercial. She suggested residential be allowed but be pulled back
27 from Main Street with a greater setback. She agreed Brighton Homes proposal may be too dense
28 for this area and suggested options be included to keep the historic feel.

29
30 Chair Hirschi closed the public hearing.

31
32 Mr. Spendlove said Brighton Homes is committed to working with residents as they plan this
33 development and they will include some type of green space for public use. He is accepting of
34 the 28-foot building height maximum stating this will create a quality 2-story unit with a nicer
35 roof line. He said Brighton Homes has purchased a home on Pages Lane which will be
36 demolished and a new single-family home built.

37 Mr. Snyder explained the density is contingent on many layers of the ordinance. Current
38 ordinance permits three (3) units per buildings. The applicant must comply with several
39 additional requirements in order to get the conditional use allowance of up to six (6) units per
40 building. He said the rear setback for homes within the development is 15 feet in addition to a
41 required 8-foot buffer along the east property line. The front yard setback is 5-10 feet. He

1 explained the impact fees associated with such a development. He also said the Historic District
2 will be considered for approval in the next few weeks but is a voluntary program. No home will
3 be required to adhere to the historic guidelines. Mr. Snyder said zoning decisions must be made
4 independent of any project. The Commission must decide if the proposed amendments are
5 acceptable for the entire Traditional District and decide how these changes may affect overall
6 future development. The Commission should not decide based on any one single development.
7 He explained the current ordinance is not density based but rather based on mixed-use ratios with
8 both commercial and residential components.

9
10 Lisa Romney, City Attorney, said the City does not provide a variance or exception without
11 cause. This application is for a zoning text amendment which would be applied to the entire
12 zone. If this applicant were to request these amendments for their property only it would be
13 considered a "spot zone" and denied. Individual properties are not generally considered for these
14 types of exceptions. Per law, any amendment to the zoning text or the zone map must be
15 followed by all within that zone.

16
17 Chair Hirschi clarified that the proposed residential-only option is just another choice that
18 would be allowed within the Traditional District. The commercial only or the mixed-use
19 commercial/residential options will also remain in effect. He said if a developer were to request
20 the commercial option he would like to keep the 10-foot main floor height requirement. He
21 prefers to allow the 9-foot option for residential only. He said it's true that Centerville's Main
22 Street does not feel like a typical main street. The question is, does Centerville want a Main
23 Street or residential? He questioned if allowing residential only will take away from possible
24 future income and if this could be detrimental to the health of the city. He said the cost of
25 redevelopment is an important factor. He said additional information on the possible impacts of
26 this decision may be beneficial.

27
28 Commissioner Johnson said he is comfortable with an all residential option but is not
29 comfortable changing the core intent of the General Plan. He said he would be more comfortable
30 if they looked at amending the General Plan first, then amending the zoning ordinance. He said
31 commercial uses are a key component on Main Street and should not be eliminated lightly.

32
33 Commissioner Kjar said he does not believe commercial uses are currently realistic for
34 the Traditional District. He is comfortable allowing a residential only option for this transitional
35 area. He agreed that requiring commercial uses could be the building of empty boxes. He is also
36 comfortable with a 28-foot building height.

37
38 Commissioner Merrill agreed. He too is accepting of the residential only option, the 28-
39 foot building height, and the 9-foot main floor height.

1 Commissioner Ince said he too agrees with a residential only option. He said the mixed-use
2 commercial/residential concept is more European, not Centerville.

3
4 Commissioner Ince made a **motion** for the Planning Commission to recommend approval of
5 the following proposed text amendments for the Traditional Main Street Segment:

- 6
7 1. Modify the text to allow a new maximum building height limit of 28 feet.
8 2. Modify the text to allow stand-alone residential use.
9 3. Modify the text to allow main level clear space height from 10 feet to 9 feet, only if a
10 stand-alone residential development occurs.

11
12 Reasons for Action (findings):

- 13 a. The Planning Commission finds that the General Plan language promotes a mixture of
14 uses and desires variety to create the expected visual appeal of the street.
15 b. The Planning Commission finds that there is General Plan policy language that desires
16 the bulking and massing of buildings to facilitate desirable development.
17 c. The Planning Commission finds that the height request better facilitates a two-story
18 building development pattern.
19 d. The Planning Commission further finds that since the City Center District is the focal or
20 heart of the commercial corridor thus, a transition of multi-family style residential would
21 create a buffer between commercial development further north (core area) and the
22 residential corridor to the south.
23 e. The Planning Commission perceives that the changes "synergize the core" commercial
24 by creating sufficient demand for services.
25 f. The Planning Commission believes that keeping the clear space expectation would be at
26 odds with the building form of residential-style development, if residential only
27 developments were allowed.

28
29 The motion was seconded by Commissioner Kjar.

30
31 Chair Hirschi made a **motion to amend** to include in condition #3 language clarifying the 9-
32 foot main level clear space allowance may only be applied for residential uses, it must remain at
33 ten (10) feet for commercial uses. The motion to amend was seconded by Commissioner Kjar
34 and passed by unanimous vote (7-0).

35
36 Chair Hirschi called for a vote on the motion as amended. The motion **passed** with a roll-call
37 vote (4-3). Chair Hirschi, Commissioner Hirst and Commissioner Johnson opposed.

38
39 **THE PASTURE BUSINESS PARK | 1275 NORTH 1300 WEST - Consider a proposed**
40 **final site plan amending the site plan approval for "The Pasture Business/Industrial Park;"**
41 **which consists of changes to the phasing layout and driveway location on property located**



February 13, 2015

Centerville City Planning Commission
Attn: Cory Snyder
250 N. Main Street
Centerville UT 84014

RE: Brighton Homes Revised Proposal for Walton Village - Located in the Traditional Main Street Zone of the South Main Street Corridor Zone

After further review of our project and listening to the many concerns of residents within the City, Brighton would like to make the following revised proposals:

- 1- We will retract our request for re-zone from the R-L zone to the C-M/ SMSC on both of the properties found within its application.
- 2- The height limit within the Traditional Main Street Plan on the east side of the street be kept to a maximum of two-story structures within this zone, but changed to a maximum height of 28 feet within the zone. The current height requirement does not allow for a two story home to have 9 feet ceilings on the main floor and an upgraded 6:12 roof pitch, which are standard residential construction styles/dimensions for newly constructed homes with an aesthetically pleasing design.

Alternatively, you could do one of the following:

- a. Keep the 25' roof height, but measure it to the "midpoint" of the roof,
 - b. Simply make remove the 25' measurement and simply require the buildings to be a maximum of two stories, which is the best option and will allow for the best possible architecture with upgraded roofs that will be the best architecturally.
- 3- The required commercial components of the Traditional Main Street Plan be REMOVED. This is found under Title 12, Chapter 48, Page 11 under Building Use and Element Specifications. It is proposed that the entire main level be used as residential space in the Traditional Main Street Plan.
 - 4- The main level clear space requirement of the Traditional Main Street Plan be a minimum of 9 feet, with the clear space for the second level to be a minimum 8 feet. Currently the zone requires 10 feet on the main level.

Sincerely,

Nate Pugsley
Taylor Spendlove

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Sections.

- 12-48-010. Purpose.**
- 12-48-020. Scope.**
- 12-48-030. Definitions.**
- 12-48-040. Zone Location.**
- 12-48-050. Other Approval Requirements.**
- 12-48-060. Development Agreement.**
- 12-48-070. Development Project Evaluation.**
- 12-48-080. South Main Street Corridor Overlay District Zone, Permitted and Conditional Uses by Specific District**
- 12-48-090. South Main Street Corridor Overlay District Zone Design Pattern Book**
- 12-48-100. General Development Standards.**
- 12-48-110. Regulations of General Applicability.**
- 12-48-120. Development Implementation.**
- 12-48-130. South Main Street Corridor Overlay Zone Sub-Districts.**
- 12-48-140. Corridor Regulating Plan**
- 12-48-150. Building Form and Site Envelope Standards**
- 12-48-160. Off-Street Parking Space Standards**
- 12-48-170. Landscaping and Screening Standards**

12-48-010. Purpose.

The purpose of the South Main Street Corridor (SMSC) Overlay District Zone is to:

- (a) Preserve the historic character of Centerville's South Main Street and/or encourage development that is sensitive to the City's heritage;
- (b) Provide a gathering space and cultural heart for the community by fostering a small town atmosphere;
- (c) Provide a walkable streetscape that gives equal consideration to pedestrian, bicycles, and transit users, so that a safe and comfortable environment is created;
- (d) Provide continuity and sensitivity between types of differing land uses; and
- (e) Promote South Main Street as an active corridor that serves as a balance between local and regional uses.

12-48-020. Scope.

The provisions of this Chapter shall apply to any real property located in the SMSC Overlay District Zone as shown on the Official Zoning Map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this Chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, the Centerville City Code, or other laws except to the extent such provisions are altered by the requirements of this Chapter.

12-48-030. Definitions.

Certain words and phrases in this Chapter, including uses, are defined in Chapter 12-12 of this Title. The following will be relocated to Chapter 12-12, but are listed below for reference:

ARCADE - A roofed or built structure, extending over the sidewalk, that is open to the street except for the supporting columns, piers, or arches. A minimum clear height of 11 feet is required and a minimum clear width of 10 feet from inside of the column or supporting member to the building or Required Building Line (RBL). The arcade area shall be open to public access and have a minimum of 5 feet of public access easement/sidewalk within the arcade clear width.

BUILDABLE AREA - The area of the lot where buildings will sit. This area sets the limits for the building footprint, now and in the future. Additions must be within the buildable area.

BUILDING ENVELOPE STANDARDS - These standards establish the parameter for building construction within the South Main Street Overlay District Zone. This includes the building placement in all 3 dimensions and certain required building elements.

MIXED USE, DEVELOPMENT - Mixed use refers to the combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site in one (1) of the following ways:

A. Vertical Mixed Use. A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or service uses.

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B. Horizontal Mixed Use – Attached. A single structure which provides retail/commercial or other service uses in the portion fronting the public or private street with attached residential or office uses behind.

C. Horizontal Mixed Use – Detached. Two (2) or more structures on one (1) site which provide retail/commercial or other service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind or to the side.

REGULATING PLAN - The key map for the South Main Street Overlay District Zone and the associated Building Envelope Standards that provide specific information on location of lots and districts within the zone, their relation to one another and to the surrounding neighborhoods.

REQUIRED BUILDING LINE (RBL) - The building must be built to the RBL and/or range as established for the appropriate lot characteristics in the code. This RBL or range is not a minimum setback, but the envelope in which the front of the building must be situated.

RESTURANT, EATERY – A small informal establishment that sells ready-to-eat food and beverages as part of a larger building and does not utilize a drive-through facility.

SOLID TO VOID RATIO – The mathematical ratio between openings or voids (windows, glazing, etc) and the structural elements along the wall line of a building resulting in a percentage of elements that allow light and views between the interior and exterior. Its purpose is to establish a required minimum amount of void area, usually windows, along the wall line of a building.

STREET FRONTAGE - This refers to the building line coincident with the street Right of Way (ROW) or the RBL.

SUBSTANTIAL ALTERATION – Any repair, construction, reconstruction, or other such improvement to a building, structure, lot, or parcel that results in any increase more than thirty percent (30%) of the floor area or fifty percent (50%) of the value of the building, structure, or premises; or for property located in a commercial zone, any change that requires the issuance of a new certificate of occupancy. For the purpose of this definition "substantial alteration" is considered to occur when the first alteration commences and includes any

subsequent changes in a cumulative calculation for defining the term substantial.

Moreover, with many Main Street properties being developed in the historic past, such alterations may also petition for applicable "waivers or modifications" to required landscaping and parking standards as provided in by this Title, subject to applicable review criteria as found in Sections 12-51 and 12-52.

12-48-040. Zone Location.

The SMSC Overlay District Zone is intended to be utilized for properties with frontage along the South Main Street Corridor between Parrish Lane and Pages Lane, including properties associated with the parcel having frontage or developments that are visually prominent as seen from the intersections at Parrish Lane/South Main Street or Page Lane/South Main Street. The SMSC Overlay District Zone is further divided into five (5) sub-districts that are specified or depicted in Section 12-48-South Main Street Corridor Regulating Plan Illustration.

12-48-050. Other Approval Requirements.

Except as otherwise provided in this Chapter, an application for development within the SMSC Overlay District Zone shall be submitted and processed pursuant to applicable requirements of this Title, the Centerville City Code, and any rules, regulations, or standards adopted there under, including, but not limited to, conceptual, preliminary and final subdivision plats, site plans, conditional use permits, building permits, and any other needed permit or approval.

(a) *Rezoning Approval Process.* Except as otherwise specifically provided herein, an application for rezoning of property to the SMSC Overlay District Zone shall comply with the requirements for zoning map amendments as provided in Section 12-21-080 of this Title.

(b) *Subdivision Approval Process.* Except as otherwise specifically provided herein, an application for development within the SMSC Overlay District Zone shall comply with the procedures and requirements for subdivision plat approval as provided in Title 15 of the Centerville City Code.

(c) *Site Plan Approval Process.* Except as otherwise specifically provided herein, an application for construction and improvements within the SMSC Overlay District Zone requiring site plan approval

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under Section 12-21-110 of this Title shall comply with the requirements therein.

12-48-060. Development Agreement.

A rezoning of property to the SMSC Overlay District Zone may be conditioned upon the applicant entering into a development agreement with the City designating and describing contractual requirements for the development of the property.

12-48-070. Development Project Evaluation.

(a) *Development Characteristics.* Development within the SMSC Overlay District Zone shall exhibit design components and characteristics, such as those set forth below, which set the development apart from a standard subdivision and/or traditional site plan approval accomplished under this Title.

- (1) Enhancement of the overall physical framework of the Corridor including streetscape and connectivity components;
- (2) Coordination of street trees, plantings, furniture, lamps, signs, benches, and trash cans that project a harmonious setting;
- (3) Creating connectivity to surrounding residential areas both visually and physically through use of streetscape elements and physically through establishment of pedestrian pathways, bike accessibility, and access to future transit opportunities;
- (4) Utilization of complimentary styles, types, and massing of structures to establish proper building orientation and architectural designs to help unify the corridor; and
- (5) Proper transitioning or overlapping of the varying setbacks to establish a sense of continuity along the corridor.

(b) *Evaluation Criteria.* Each development proposal for development within the SMSC Overlay District Zone shall be evaluated based on its compatibility with:

- (1) The Centerville City General Plan and the South Main Street Corridor Plan;
- (2) The purpose and development standards of the SMSC Overlay Development Standards set forth in this Chapter; and
- (6) Any other City-approved study applicable to the subject property and specifically the October 19, 2007, South Main Street Master Plan.

(c) *Burden of Persuasion.* An applicant shall have the burden of showing that the proposed uses, project design, and location of utilities and facilities meet the requirements of this Chapter.

12-48-080. South Main Street Corridor Zone, Permitted and Conditional Uses by Specified District.

(a) *North Gateway Mixed Use District* – The following uses, as defined in this Title, shall be the permitted and conditional uses in the Gateway District of the SMSC Overlay District Zone:

- (1) *Permitted Uses:*
 - Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone
 - Dwelling, Town House, Two-Family, or Multiple (Density 1-4 units per building), as part of a mixed-use development
- (2) *Conditional Uses:*
 - Conditional Uses, as Shown in Section 12-36- Table of Uses for the respective underlying zone
 - Dwelling, Townhouse, Two-Family, or Multiple (5-8 units per building), as part of a mixed-use development;
 - Dwelling, Garden Apartments (9-12 units per building), as part of a mixed use development.

(b) *Civic/Cultural District* – The following uses, as defined in this Title, shall be the permitted and conditional uses in the City Civic/Cultural District of the SMSC Overlay District Zone:

- (1) *Permitted Uses:*

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- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone

(c) *Traditional Main Street & City Center Main Street Districts* - The following uses, as defined in this Title, shall be the permitted and conditional uses in the South Main Street Commercial District of the SMSC Overlay District Zone:

(1) *Permitted Uses:*

- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.
- Restaurant, Eatery
- Dwellings, Single Family
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-3 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 1-4 units per building), as part of a mixed-use development

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 4-6 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (Density 5-8 units per building), as part of a mixed-use development
- Parking Garage, Public, as part of a mixed-use development
- Restaurant, General, as part of a mixed-use development

(d) *Residential Boulevard District* - The following uses, as defined in this Title, shall be the permitted and conditional uses in the Residential Boulevard District of the SMSC Overlay District Zone:

(1) *Permitted Uses:*

- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone

(e) *Pages Lane Mixed Use District* - The following uses, as defined in this Title, shall be the permitted and conditional uses in the Pages Lane Mixed-Use District of the SMSC Overlay District Zone:

(1) *Permitted Uses:*

- Permitted Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone.
- Dwelling, Town House, Two-Family, or Multiple (Density 1-4 units per building), as part of a mixed-use development

(2) *Conditional Uses:*

- Conditional Uses, as shown in Section 12-36-Table of Uses for the respective underlying zone
- Dwelling, Townhouse, Two-Family, or Multiple (5-8 units per building), as part of a mixed-use development;
- Dwelling, Garden Apartments (9-12 units per building), as part of a mixed use development.
- Parking Garage, Public, as part of a mixed-use development

12-48-090. South Main Street Corridor District Zone Development Design Pattern Book.

(a) *Development Design Pattern Book Required.* In addition to applicable requirements of this Title and other provisions of the Centerville City Code, all applications for the development of property to the SMSC Overlay District Zone shall include a development design pattern book.

(b) *Development Design Pattern Book Approval.* The development design pattern book shall be reviewed and approved by the City in conjunction with an application for conceptual site plan and/or conceptual subdivision acceptance within the SMSC Overlay District Zone.

(c) *Development Design Pattern Book Submittal Requirements.* In addition to the conceptual site plan

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or conceptual subdivision plan submittal requirements of this Title, the development design pattern book shall provide and address the following:

- (1) Written descriptions and graphic illustrations explaining how the development standards in this Chapter are to be integrated into the layout and design of the development.
- (2) Written descriptions and graphic illustrations explaining the proposed conceptual architectural design, building location, parking lot placement, landscaping elements, and other such related design schemes.
- (3) Written descriptions and graphic illustrations that clearly describe how the development will compliment or relate to the streetscape pattern within the district it is located, such relationships include, but are not limited to, street features and amenities, pedestrian pathways, and other related streetscape design elements.

(d) *Effect of Development Plan Approvals.* Upon acceptance of a conceptual site or subdivision plan and the associated development design pattern book by the City, further development applications such as subdivision plat and site plan approval for development within the SMSC Overlay District Zone shall comply substantially with conceptual plan and development design pattern book.

12-48-100. General Development Standards.

(a) Development within the SMSC Overlay District Zone shall be as follows:

1. Dimensional requirements for each lot type as set forth in Table 12-48-4, and other applicable requirements of this Title and the Centerville City Code.
2. Buildings shall be constructed substantially with rock, brick, and/or decorative concrete block for the first floor level as viewed from Main Street. Upper floors may be accented with other maintenance free materials compatible with the base floor design.
3. At least 25% of the primary building façade facing Main Street shall have upgraded architectural features, such as columns, pillars, archways, canopies, balconies, or other treatments.

4. At least 15% of a secondary façade facing another non-primary street frontage shall be of upgraded architectural features.
5. At least 5% of all other façade shall be of upgraded architectural features.
6. Each building on a lot with Main Street frontage shall have an entrance facing Main Street. Entrances shall be accessible to the public as a regular building entry from the public sidewalk.
7. In the Traditional Main Street and City Center Districts, entrances allowing public access from the sidewalk shall be provided at intervals of at least 50 feet to maximize street activity and pedestrian access opportunities and to minimize expanses of inactive building wall.
8. The percentage of building frontage required along the lot width may be reduced to accommodate site plan approved pedestrian plazas located between buildings. Building frontage percentage shall not be reduced to further accommodate parking beyond what is allowed according to Section 12-48-160. Access to such pedestrian plazas shall be provided from the sidewalk.
9. Pedestrian breezeways between buildings shall be a minimum of five (5) feet in width.
10. A portion of the building frontage may be setback beyond the required build-to range (RBR) up to an additional 20 feet if the space is utilized as a site plan approved courtyard or entryway that is open and accessible to the public sidewalk. This portion may be up to 40 percent of the actual building frontage and shall not be used for parking area.
11. The use of front yard areas for commercial type development shall be oriented towards the pedestrian and is to include related amenities such as entrance walks, plazas, benches, bike racks, raised flower boxes, or other such features.
12. Required Building Frontage shall be the percentage of the total width of the lot that is required to be used as a building wall. A porte cochere may be counted as a building wall even though it has no front or rear wall.
13. Each building shall have separate walls to support all loads independently of any walls located on an adjacent lot. Buildings with side-facing windows shall provide necessary light and air shafts within their own lot without relying on the side yard of an adjacent lot.

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14. Front porches, balconies, or stoops may extend up to 10' into front yards provided that walls, screened areas, or railings that are within the front yard do not exceed 42 inches in height above the floor of the porch, balcony, or stoop.
15. Parking shall be located to the rear of the building or in a side yard as allowed by the lot width and building frontage percentage requirements of the applicable lot type.
16. Side areas that exceed 15 feet in width shall not be located to another side area that exceeds 15 feet in width unless the areas are used as a unified public gathering area or courtyard.
17. The street level floor elevation shall be no more than 12 inches above the fronting sidewalk elevation.
18. Roof lines may be flat or pitched. Roofing shall not be of vivid primary colors (red, blue, yellow).
19. Windows of tinted or reflective glass may not be located between 2 feet and 9 feet above sidewalk grade on street-facing facades.

12-48-110. Regulations of General Applicability.

The use and development of real property in the SMSC Overlay District Zone shall conform to regulations of general applicability as set forth in the following chapters of this Title.

- (a) *Existing Conditions Inventory.* See Chapter 12-50 of this Title.
- (b) *Landscaping and Screening.* See Chapter 12-51 of this Title.
- (c) *Off-Street Parking and Loading.* See Chapter 12-52 of this Title.
- (d) *Signs.* See Chapter 12-54 of this Title.
- (f) *Supplementary Development Standards.* See Chapter 12-55 of this Title.
- (g) *Temporary Uses.* See Chapter 12-56 of this Title.

12-48-120. Development Implementation.

- (a) *Intent.* The SMSC Overlay District Zone designation is intended to be utilized for the development of the subject property in accordance with the terms and conditions of the respective zone

and/or the approved development plan for the property.

- (b) *Conceptual Site Plan and/or Preliminary Subdivision Plat.* Rezoning of any property to the SMSC Overlay District Zone shall be subject to and conditioned upon submission of a Conceptual Site Plan and/or Preliminary Subdivision Plat within one (1) year from the effective date of rezoning.

- (c) *Final Site Plan or Final Subdivision Plat.* Rezoning of any property to the SMSC Overlay District Zone is further subject to submission and approval of a Final Site Plan and/or submission, approval, and recording of a final subdivision plat within one (1) year from the effective date of approval of the preliminary subdivision plat(s) and/or conceptual site plan approval, as applicable.

- (d) *Substantial Construction.* Substantial construction for all properties within the SMSC Overlay District Zone shall be commenced within one (1) year from the date of final site plan approval or final plat recording.

Section 12-48-130. South Main Street Corridor Overlay Zone Sub-Districts

The Centerville SMSC Overlay District Zone is designed to implement the goals and objectives of the South Main Street Corridor Plan of the City's General Plan, adopted by the City in [insert date of plan amendment adoption]. The South Main Street Overlay District Zone is organized around the following sections:

- South Main Street Districts Regulating Plan
- Building Form and Site Layout Standards
- Streetscape (public space) Standards and related amenities.

12-48-140. Corridor Regulating Plan

The SMSC District Overlay District Zone Regulating Plan consists of the Sub-District Illustration Map 12-48-1, the Building Form and Site Layout Envelope Standards, and the Public Space Standards. The illustrative map of the SMSC Overlay District Zone designates the boundary extents of the six (6) sub-districts within the zone, where each district has associated building form and site envelope standard(s) and its related public space elements.

The regulating plan is the key to show the locations of the different building sites and how they relate to the South Main Street District in which they are

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located and its relation to other lots and districts along the corridor.

The illustration map may be amended from time to time pursuant to and conjunction with any application for an amendment to the Zoning Map regarding the SMSC Overlay District Zone location. The Building Form and Site Envelope and Public Space Standards may be amended from time to time pursuant to an application for a Zoning Text Amendment.

12-48.150. Building Form and Site Envelope Standards

(a) The following regulations and standards establish the parameters that guide the form of building within the South Main Street Corridor, including the site envelope for building placement. They direct and control the building envelope and site in regard to configuration, orientation, function, and features that define and shape the public realm. The technique of the standards is to use private buildings to define and shape the public space in a manner that makes it attractive. The standards are designed to use a minimum level of control to meet this goal.

(b) The Regulating Plan identifies six (6) specific districts within the overall South Main Street Overlay Zoning District. Within those districts, seven (7) unique lot types have been identified and development regulations established for each unique type. Unique lot types within the South Main Street Overlay District Zone are as follows:

1. **Corner Gateway Lot**
2. **Civic/Cultural Lot**
3. **City Center Main Street Lot**
4. **Traditional Main Street Lot**
5. **Traditional House Lot**
6. **TND/Mixed-Use Lot**
7. **Brownstone/Live-Work Lot**

(c) Unique lot types may occur in more than one of the six (6) South Main Street districts, and the building envelope standards for each lot type shall apply to all such lots within the South Main Street Overlay District as identified in Table 12-48-1 of the Regulating Plan.

The various lot types and related development standards allowed for each of the sub-districts are defined in the Lot Type Illustrations, as found in this Chapter. The development specifications for the various lot types include provisions for Height,

Siting, and other Elements. Additionally, "Character Examples" are provided to depict simply context of the style and not the actual design height, or exterior materials of buildings. The development specifications for each lot type are designed to address the following:

1. Height:

- (A) The height of the principal building is measured in stories, with the maximum height indicated in feet.
- (B) The maximum height is measured from the Main Street grade (i.e. top back of curb) to the top of the roof.
- (C) Street wall or landscaping heights are relative to the adjacent sidewalk, or the ground elevation when not fronting a sidewalk.

2. Siting:

- (A) Buildings shall only occupy the specified area of the lot, as indicated on the site plans and in relation to the required building range and setbacks.
- (B) The street frontage for corner lots shall apply to that portion of the building facing Main Street only.

3. Elements:

- (A) The primary or main wall portion of the building's street façade that is required to be built to the Required Building Range (RBR) shall be composed as a simple plane, with interruptions only by windows, stoops or front porches, balconies, and storefronts. Recessed entry doorways are also acceptable and count toward the required built-to percentage.
- (B) Off-street parking for vehicles shall not occupy any space in front of a building on the building lot. Parking areas located to the side of a structure where space allows shall be located at least 10 feet back from the back of the sidewalk.

12-48-160. Off-Street Parking Space Standards

(a) Within the SMSC Overlay District, the building form, scale, mass, and uses need to be interrelated with the streetscape and mass transit opportunities to encourage interaction with one another. Therefore, the expected parking lot

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configuration and space calculations need to be revised and even reduced to provide the impetus such for interaction.

(b) Parking lots and their placement shall meet the following requirements:

1. Parking lots are permitted only in side and rear yards as follows:

- (A) All parking areas shall be setback a minimum of 10 feet from the front lot (property) line of the building lot.
- (B) When parking is located in a side yard and has frontage along a public right-of-way, no more than 25% of the total site frontage or 60 feet, whichever is less, shall be occupied by the parking lot (see Figure 1 of this Section).
- (C) For a corner lot, the building shall be located at the corner of the lot adjacent to the intersection. The cumulative total of both frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less.
- (D) For a corner lot that has frontages on three streets, the building shall be located at the corner adjacent to the intersection. The cumulative total of the primary and secondary streets frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less.
- (E) A side yard parking lot may not be located adjacent to another side yard parking lot on an adjoining lot. Rear lots may be located adjacent to another parking area and shall be designed to allow through traffic between parking areas.

2. Where an off-street parking lot is visible from the street in a side-yard, it shall be screened by either a 2-foot tall screen wall or 18-inch seat wall located between the parking lot and the sidewalk. Where a parking lot is adjacent to a single-family residential district, a 3-foot screen wall and landscaping, sufficient to screen up to the headlight level of vehicles, shall be located

between the residential use and the parking lot.

3. Where a parking structure is provided or parking is located on the ground level and/or below the upper stories of the building, usable building floor space to a depth of a minimum of 20 feet shall be provided in front of the parking area, along the street frontage, for the entire length of the building.
4. Official government approved on-street parking located along a lot's frontage may be credited toward meeting the parking requirements for that use.
5. Driveway access to off-street parking lots shall be located to provide safe separation from street intersections. Driveways shall be aligned with driveways on the opposite side of the street or offset to avoid turning movement conflicts. Two-way driveways shall be a minimum width of 24 feet. If feasible, driveways shall not be located within 40 feet of a corner.
6. New driveway accesses shall not be established onto Main Street. Exceptions shall be recognized and allowed as follows:
 - (A) For an existing legally created lot where the side and rear of the lot are not adjacent to a Street and there are no other opportunities to provide needed access to the property.
 - (B) An existing legally created access is being moved to another location to meet the parking placements of this Chapter.
 - (C) An existing legally created access or accesses are being combined together to establish an access that meets the parking placements of this Chapter.
7. Driveways and driveway lanes may be combined for adjacent developments and shall be subject to recordation of shared access easements for between the adjacent lots.
8. Parking may be allowed off-site according to joint use agreements or use of shared parking districts, subject to Section 12-52-110, Parking Modifications, as found in this Title.

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- (c) Table 12-48-2, Off-Street Parking
Modifications shall be used to modify the minimum amount of parking spaces required by Section 12-52-1, Off-Street Parking Schedule found in this Title.

12-48-170. Landscaping and Buffer Standards

- (a) Within the SMSC Overlay District, the standard Landscaping and Screening requirements of Section 12-51 are also being modified to accommodate the building form and site envelope standards for the various lot types within the sub-districts.
- (b) Table 12-48-3, Landscaping Modifications shall be used, which modify the landscaping and buffer standards required by Section 12-51, Landscaping and Screening, as found in this Title.

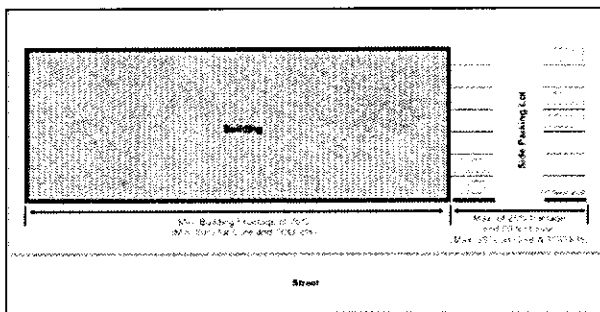
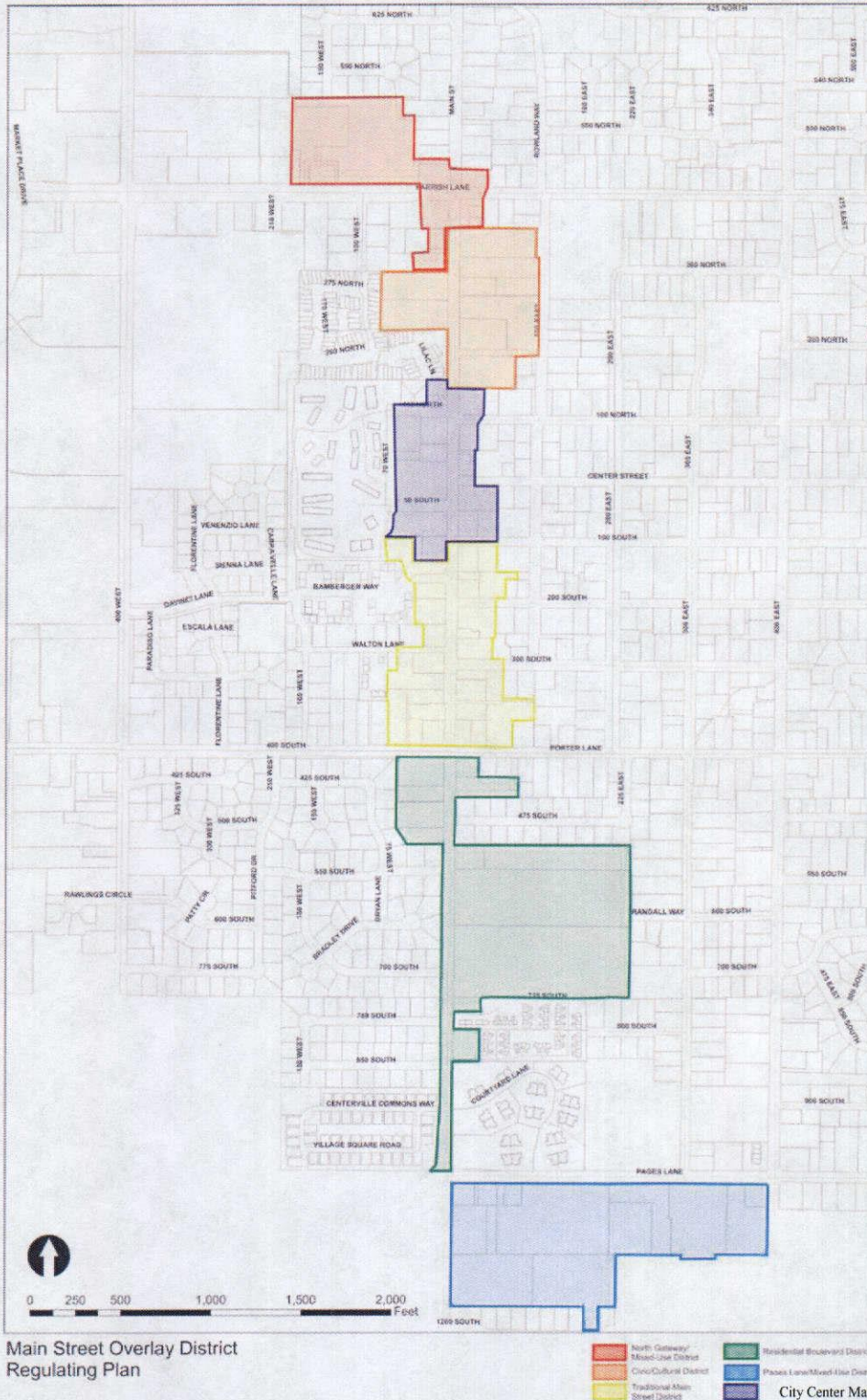


Figure 1 – Example Parking Lot & Stall Arrangement

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SMSC OVERLAY DISTRICT Sub-District Illustration Map 12-48-1



Traditional Main Street Lot

Building Envelope Specifications:

Height: East Side, 1.5/ 2 stories 25' maximum
West Side 1.5/ 3 stories 35' maximum w/ CUP

First Floor: 10' clear height (minimum 50% of floor)

Upper Floor: 8' clear height

Front of Lot: Required Build-To Range (RBR) 5' to 10'

Sides of Lot: No setback required

Rear of Lot: 15' setback to building

Lot Width: 25' to 260'

Building Frontage: Minimum 75% of lot width

Street Facade: Minimum 75% in the RBR

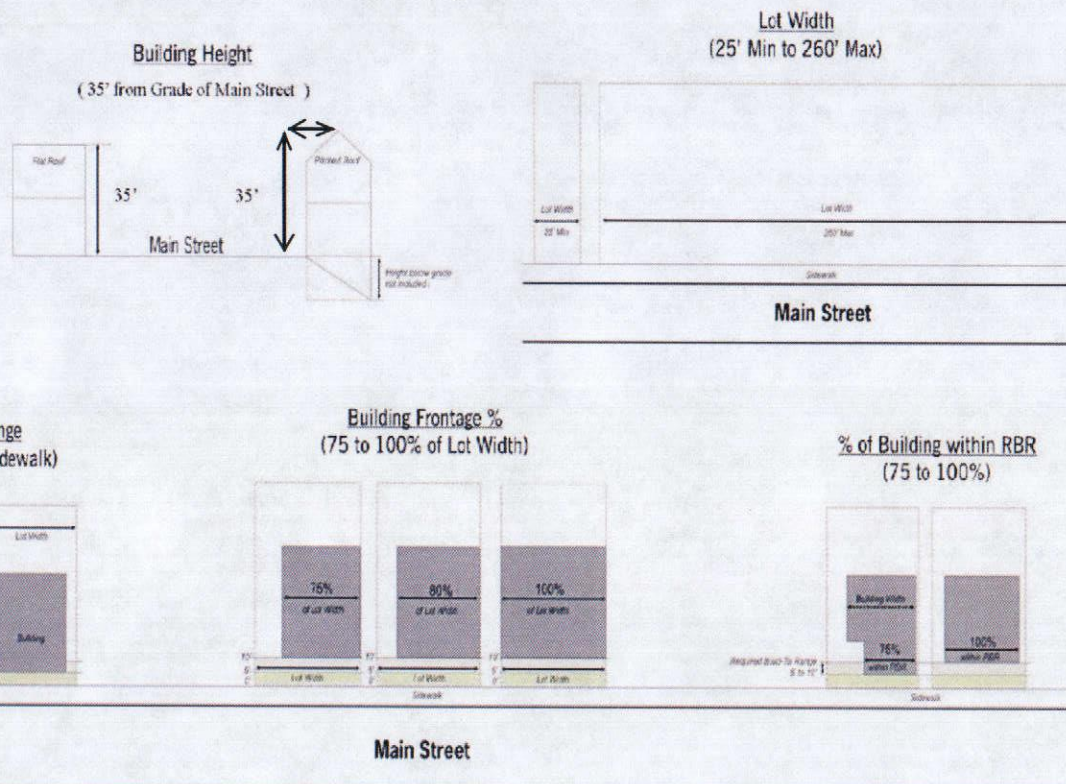
Building Use & Element Specifications:

Solid to Void Ratio: 60% openings (voids) are required for the street level on all street facing facades. Upper levels shall have 30 to 60% openings on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.

Uses: Ground floor uses shall be nonresidential, such as office or retail, on the street-side portion of the building. Residential uses may occupy the rear portion (up to 50%) of the ground floor. Upper floor uses may be residential, office, retail,



Character Examples



TND/ Mixed Use Lot

Building Envelope Specifications:

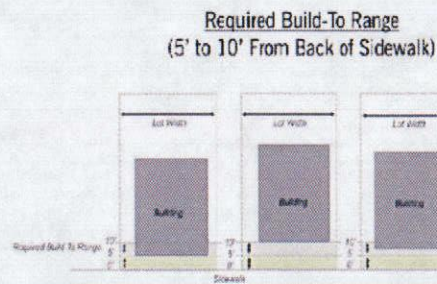
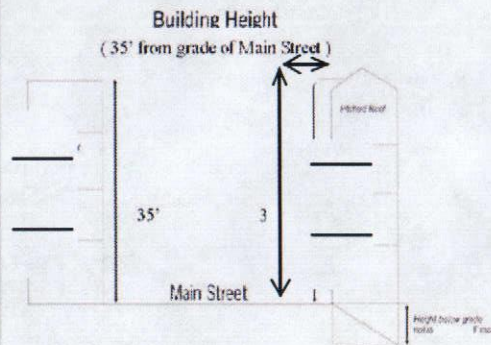
Height: 2 to 3 stories, 35' maximum
First Floor: 12' clear height (minimum 50% of floor)
Upper Floor(s): 8' clear height
Front of Lot: Required Build-To Range (RBR) 5' to 10'
Sides of Lot: 0' to 10' max
Rear of Lot: 15' setback to building
Lot Width: 25' min; no max
Building Frontage: Minimum 80% of lot width
Street Facade: Minimum 75% in the RBR

Building Use & Element Specifications:

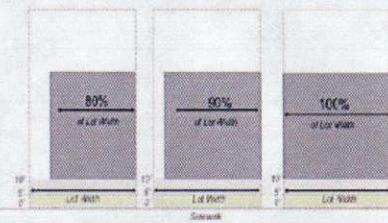
Solid to Void Ratio: 60% openings (voids) are required for the street level on all street facing facades. Upper levels shall have a minimum of 30% openings on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.
Uses: Ground floor uses shall be nonresidential, such as office or retail, on the street-side portion of the building. Residential uses may occupy the rear portion (up to 50%) of the ground floor. Upper floor uses may be residential, office, retail.
Arcade: An arcade or galleria may project into the sidewalk easement if constructed as part of a contiguous street frontage of at least 200 feet in length.



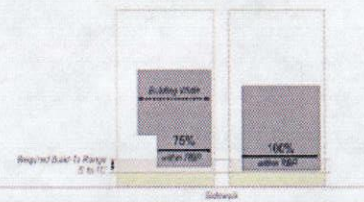
Character Examples



Building Frontage %
(80 to 100% of Lot Width)



% of Building within RBR
(75 to 100%)



Main Street

City Center Main Street Lot

Building Envelope Specifications:

Height: East Side, 1.5/ 2 stories 25' maximum
West Side 1.5/ 3 stories 35' maximum w/ CUP

First Floor: 12' clear height (minimum 50% of floor)

Upper Floor: 8' clear height

Front of Lot: Required Build-To Range (RBR) 2' to 5'

Sides of Lot: 0' to 10' max

Rear of Lot: 15' setback to building

Lot Width: 18' to 120'

Building Frontage: Minimum 80% of lot width

Street Facade: Minimum 75% in the RBR

Building Use & Element Specifications:

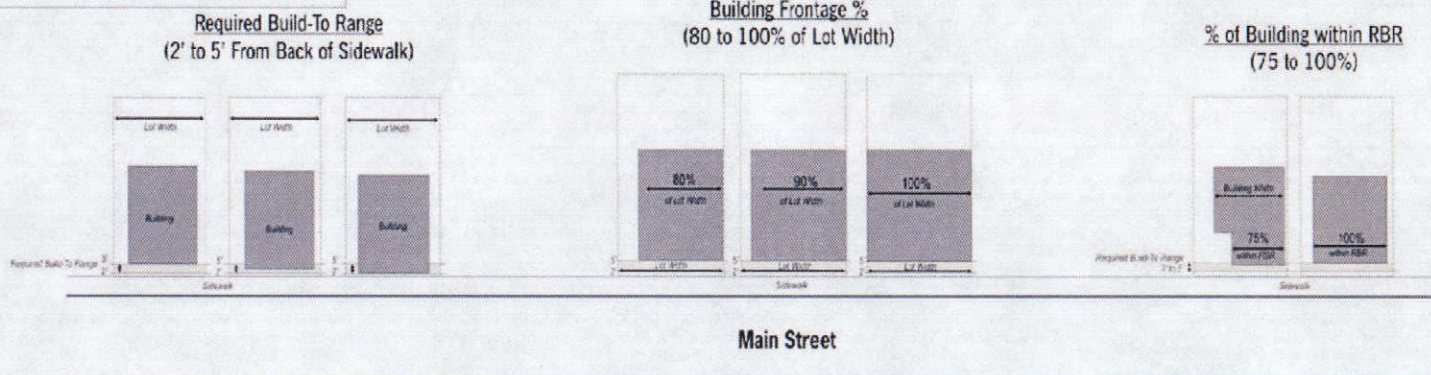
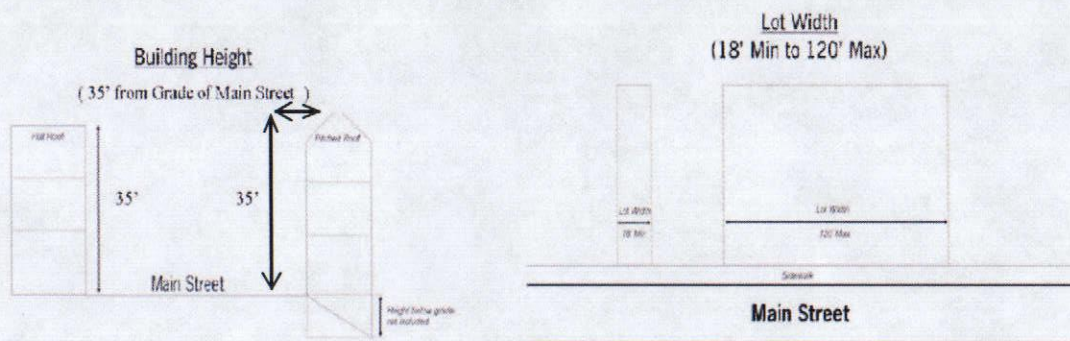
Solid to Void Ratio: 60% openings (voids) are required for the street level on all street facing facades. Upper levels shall have 30 to 70% openings on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.

Uses: Ground floor uses shall be non-residential, such as office or retail, on the street-side portion of the building. Residential uses may occupy the rear portion (up to 50%) of the ground floor. Upper floor uses may be residential, office, retail.

Arcade: An arcade or gallery may project into the sidewalk easement if constructed as part of a contiguous street frontage of at least 200 feet in length.



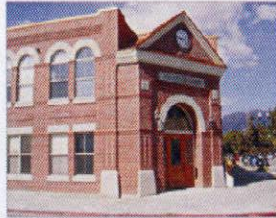
Character Examples



Corner Gateway Lot

Building Envelope Specifications:

Height: 1.5 or 2 stories, 28' maximum
First Floor: 10' clear height (minimum 50% of floor)
Upper Floor: 8' clear height
Front of Lot: Required Build-To Range (RBR) 5' to 10'
Sides of Lot: No setback required
Rear of Lot: 15' setback to building
Lot Width: 25' to 190'
Building Frontage: Minimum 75% of lot width
Street Facade: Minimum 75% in the RBR



Character Examples

Building Use & Element Specifications:

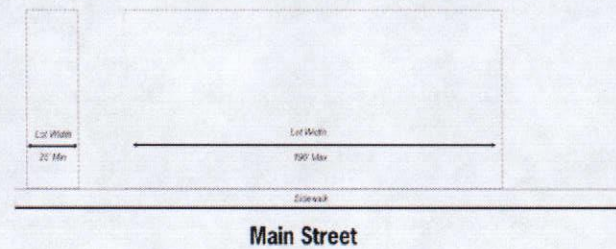
Solid to Void Ratio: 60% openings (voids) are required for the street level on all street facing facades. Upper levels shall have a minimum of 30% openings on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.

Uses: Ground floor uses shall be non-residential, such as office or retail, on the street-side portion of the building. Residential uses may occupy the rear portion (up to 50%) of the ground floor. Upper floor uses may be residential, office, or retail.

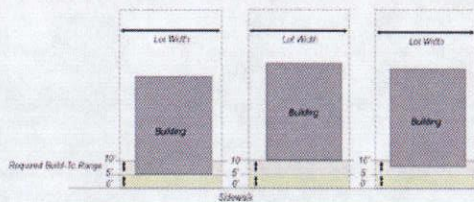
Building Height
(28' from Grade of Main Street)



Lot Width
(25' Min to 190' Max)



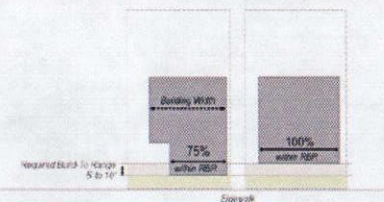
Required Build-To Range
(5' to 10' From Back of Sidewalk)



Building Frontage %
(75 to 100% of Lot Width)



% of Building within RBR
(75 to 100%)

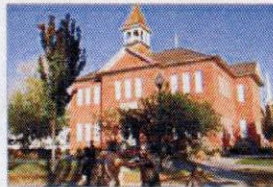


Main Street

Civic/Cultural Lot

Building Envelope Specifications:

Height: 2 or 3 stories, 40' maximum
First Floor: 12' clear height (minimum 50% of floor)
Upper Floor: 9' clear height
Front of Lot: Required Build-To Range (RBR) 15' to 25'
Sides of Lot: 5' min
Rear of Lot: 15' setback to building
Lot Width: 50' to no max
Building Frontage: Minimum 60% of lot width
Street Facade: Minimum 75% in the RBR

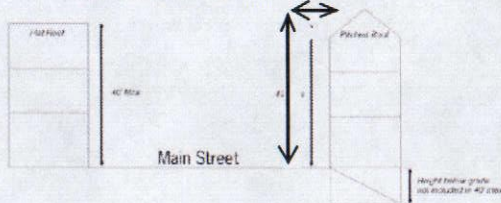


Character Examples

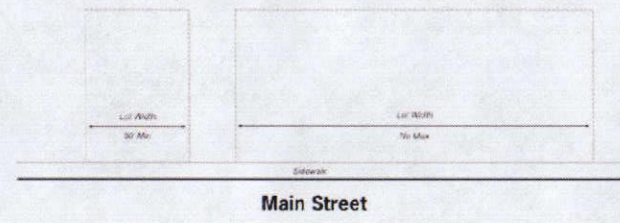
Building Use & Element Specifications:

Solid to Void Ratio: 60% openings (voids) are required for the street level on all street facing facades. Upper levels shall have a minimum of 30% openings on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.
Uses: Civic uses shall occupy a minimum of 50% of the ground floor space. Office or community service-related uses may occupy the remainder of the ground floor and upper floors.

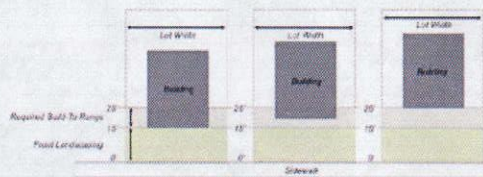
Building Height
(40' from Grade of Main Street)



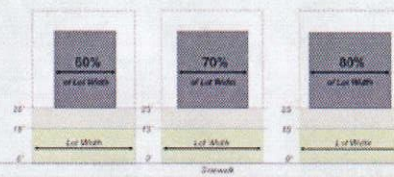
Lot Width
(50' Min to No Max)



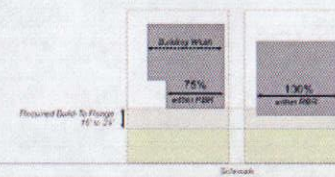
Required Build-To Range
(15' to 25' From Back of Sidewalk)



Building Frontage %
(60 to 80% of Lot Width)



% of Building within RBR
(75 to 100%)



Main Street

Traditional House Lot

Building Envelope Specifications:

Height: 1 or 2 stories, 28' maximum
First Floor: 9' clear height (minimum 75% of floor)
Upper Floor(s): 8' clear height
Front of Lot: Required Build-To Range (RBR) 15' to 25'
Sides of Lot: 5' min
Rear of Lot: 15' setback to building
Lot Width: 25' to 120'
Building Frontage: 40 to 70% of lot width
Street Facade: Minimum 75% in the RBR

Building Use & Element Specifications:

Solid to Void Ratio: 30 to 60% openings (voids) are required on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.

Uses: The ground level may be used for a small office or business as associated with a home business.

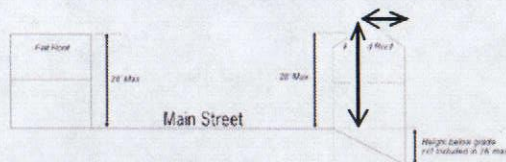
Access: A rear drive or alley is allowed for access to garages and/or accessory dwelling units at the rear of the lot.

Fencing: Fencing, not to exceed 36 inches in height, is allowed on either street facing facade.

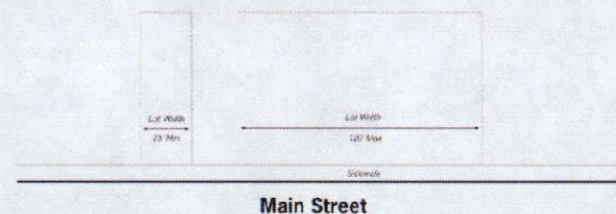


Character Examples

Building Height
(28' from Grade of Main Street)



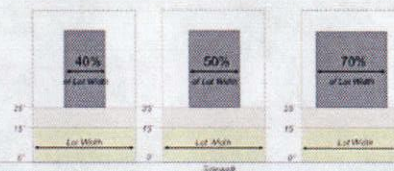
Lot Width
(25' Min to 120' Max)



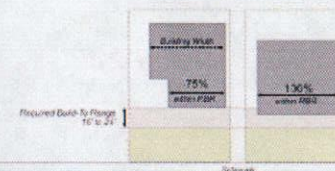
Required Build-To Range
(15' to 25' From Back of Sidewalk)



Building Frontage %
(40 to 70% of Lot Width)



% of Building within RBR
(75 to 100%)



Main Street

Brownstone/Live-Work Lot

Building Envelope Specifications:

Height: 2 or 3 stories, 35' maximum
First Floor: 10' clear height (minimum 75% of floor)
Upper Floor(s): 8' clear height
Front of Lot: Required Build-To Range (RBR) 5' to 10'
Sides of Lot: 0' min
Rear of Lot: 15' setback to building
Lot Width: 32' to 50'
Building Frontage: Minimum 75% of lot width
Street Facade: Minimum 66% in the RBR

Building Use & Element Specifications:

Solid to Void Ratio: 30 to 60% openings (voids) are required on all street facing facades. Blank walls with no openings are not allowed in lengths that exceed 20 feet on any side.

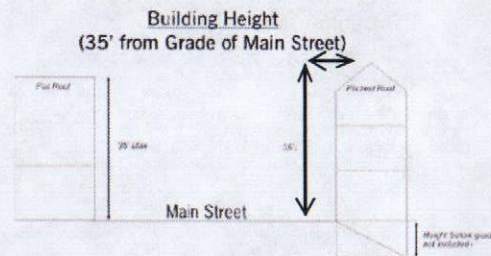
Uses: The ground level may be used for a small office or business as associated with a live-work unit.

Units: A minimum of two units shall be constructed adjacent to one another. This may take place on the same lot or on adjoining lots.

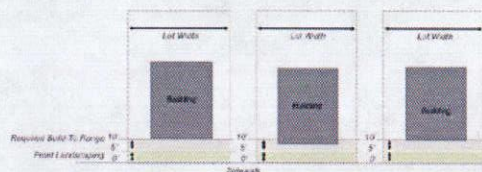
Fencing: Fencing, not to exceed 36 inches in height, is allowed on either street facing facade.



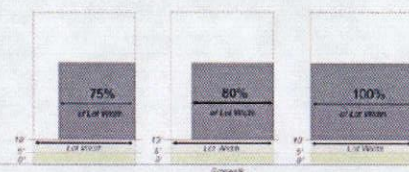
Character Examples



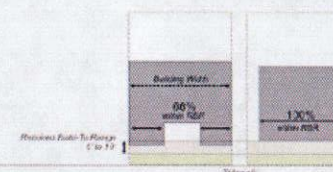
Required Build-To Range
(5' to 10' From Back of Sidewalk)



Building Frontage %
(75 to 100% of Lot Width)



% of Building within RBR
(66 to 100%)



Main Street

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TABLE 12-48-1 Lot Types Allowed by Sub-District						
TABLE 12-48-1	South Main Street Corridor Districts					
Lot Type	North Gateway/ Mixed-Use	Civic/Cultural	Traditional Main Street	City Center Main Street	Residential Boulevard	Pages Lane/ Mixed Use
Traditional Main Street	X	X	X	---	---	X
City Center Main Street	X	---	---	X	---	X
Corner Gateway	X ¹	---	---	---	---	X
Civic/Cultural	---	X	X	---	X	---
Traditional House	X	X	X	---	X	---
TND/Mixed Use	X	---	---	---	---	X
Brownstone/Live Work	X	---	X	---	---	X
Note 1: Corner Gateway Lot Type must be used for any corner lot development at the Parrish Lane and Main Street Intersection; The TOD lot is not allowed on lots fronting Main Street						

TABLE 12-48-2, Off-Street Parking Modifications		
Land Use Type	SMSC Districts	
	City Center	All others
Residential Uses	60% of Requirement	75% of Requirement
Public/Civic Uses	50% of Requirement	60% of Requirement
Commercial Uses	40% of Requirement	60% of Requirement

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TABLE 12-48-3 – Landscaping Modifications

Land Use Type	SMSC Districts	
	City Center	All others
Non-Single Family Projects	15% On-Site Requirement	20% On-Site Requirement
Non-Residential Projects	7% On-Site Requirement	9% On-Site Requirement
Mixed Use Projects	7% On-Site Requirement	9% On-Site Requirement
Public Street Landscaping	10 Feet to Parking Areas	15 Feet to Parking Areas
Buffer Landscaping For Mixed Use Projects Only (all others per 12-51)	8 Feet for "M" Zones 15 Feet for "H"	8 feet for "M" Zones 15 Feet for "H"

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TABLE 12-48-4 - Lot Size and Dimension Requirements

Lot Types	Height				Setbacks			Siting		
	<i>Total</i>	<i>Stories (min/max)</i>	<i>First Floor (min)</i>	<i>Upper Floors (min)</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>	<i>Lot Width (min/max)</i>	<i>% of building at RBL</i>	<i>Building % of lot frontage</i>
1. Corner Gateway Lot	28	1.5/2	10	8	5 to 10	0	15	25/185	75	75
2. TND/Mixed-Use Lot	35	2/3	12	8	5 to 10	0/10 max	15	25/no max	75	80 to 100
3. City Center Main Street Lot										
a. East Side	25'	1.5/2	12	8	2 to 5	0/10 max	15	18/120	75	80 to 100
b. West Side	35'	1.5/3 ^a	12	8	2 to 5	0/10 max	15	18/120	75	80 to 100
4. Traditional Main Street Lot										
a. East Side	25'	1.5/2	10	8	5 to 10	0	15	25/240	75	75
b. West Side	35'	1.5/3 ^a	10	8	5 to 10	0	15	25/240	75	75
5. Civic/Cultural Lot	40	2/3	12	9	15 to 25	5	15	50/no max	75	60
6. Traditional House Lot	28	1/2	9	8	15 to 25	5	10	25/120	75	40 to 70
7. Vehicle Storage Lot					15	5	5	56/150		
8. Brownstone/Live-Work Lot	35'	2/3 ^b	10	8	5 to 10	0	15	32/50	66	75

- a. Note: For Traditional Main Street & City Center Main Street Lot Types a third story height shall be subject to Condition Use Permit approval and limited to West Side Only.
- b. Note: If lot type is used in the Traditional Main Street District building heights shall comply with the east/west allowances of Table 12-48-4(4).

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

STAFF MEMORANDUM

DATE: MARCH 24, 2015

TO: STEVE THACKER, CITY MANAGER

FROM: CORVIN M. SNYDER, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PROTEST OF PUBLIC NOTICE ABOUT SMSC ZONE TEXT AMENDMENTS - BRIGHTON HOMES PETITIONERS

BACKGROUND

On March 17, 2015, during the Open Session, the City Council received a protest from Mrs. Nancy Smith questioning whether the proposed text amendments for the South Main Street Corridor (SMSC) were properly noticed. Additionally, Mrs. Smith submitted several documents as evidence to support the position of the protest. Staff researched this matter and has prepared this memorandum as a response to the received protest.

REVIEW OF THE DOCUMENTS SUBMITTED TO THE CITY COUNCIL

Staff received a copy of the documents submitted to the City Council (*see attachments*). The documents consist of the following:

- Document dated 3/17/15 – Nancy Smith – This document has two questions; 1) Did the City Properly Notice?" and, 2) "What is the definition of "stand alone residential?"

Staff Response:

Question 1 – Yes, proper public notice as provided and will be explained later in this memo.

Question 2 – "Stand alone" is an informal term to describe the intent of the petitioners. Eventually, if deemed acceptable, a formal term would be written into the Ordinance allowing the possibility of developing a singular project consisting of only residential uses.

- Public Notice – dated January 28, 2015 (City website copy, originally posted on 1/15/15) – This document reflects a prior notice associated with Brighton Homes original application presented to the Planning Commission on January 28, 2015.

Staff Response: The original petition consisted of both ZONING TEXT AND MAP AMENDMENTS. The application associated with this notice and review by the Planning

Commission was officially withdrawn by the petitioners on February 13, 2015. ***THIS NOTICE IS NO LONGER APPLICABLE IN THE PETITION BEFORE THE CITY COUNCIL.***

- *Copied portion of a Staff Report (2 pages) – dated January 28, 2015* – This staff report was written to address the original petition submitted by Brighton Homes. Again, the petition associated with this staff report was ***WITHDRAWN*** by Brighton Homes on February 13, 2015. ***THIS STAFF REPORT IS NO LONGER APPLICABLE IN THE PETITION BEFORE THE CITY COUNCIL.***
- *Preliminary Draft Minutes of the Planning Commission – dated January 28, 2015* – these minutes are associated with the Planning Commission's review of the original petition, which was tabled at their meeting of January 28th. As a result of this meeting, Brighton Homes withdrew this original petition on February 13, 2015 and filed a separate new petition that was subsequently also reviewed by the Planning Commission on March 11, 2015. ***THESE PRELIMINARY DRAFT MINUTES ARE NO LONGER APPLICABLE IN THE PETITION BEFORE THE CITY COUNCIL.***
- *Public Notice – dated March 11, 2015 (City website copy, originally posted on 02/26/15)* – ***THIS IS THE CORRECT NOTICE REGARDING THE PETITION BEFORE THE CITY COUNCIL.*** This notice covers the current application before the City, which consists of only ***ZONING TEXT AMENDMENTS***. This application was submitted on February 13, 2015, after the prior application was withdrawn. This notice is limited, at the request of the petitioners, only to the Traditional Main Street District area of the South Main Street Corridor Plan. There are ***NO OTHER CHANGES*** being suggested with this specific petition or as forwarded in the Commission's recommendation.
- *Copied portion of a Staff Report (1 page) – dated March 11, 2015* – This staff report was written to address the separate and new petition submitted by Brighton Homes on February 13, 2015. The submitted document depicts the last page of the staff report provided to the Planning Commission. It is not clear what point is being made with this specific document. Staff assumes that the findings relating to the City Center and the reference of 100 North may have something to do with why it was submitted. However the findings are based on a generalized historic commercial. A recognition of this pattern helps to assist the Planning Commission in deciding whether the proposed amendments should be approved or denied. Nonetheless if approved, the ***PROPOSED AMENDMENTS WOULD BE LIMITED TO ONLY TO "TRADITIONAL MAIN STREET DISTRICT" and NOT TO ANY OTHER DISTRICT ALONG THE SOUTH MAIN STREET CORRIDOR.***

REVIEW OF THE ADEQUACY OF NOTICE REGARDING CURRENT PETITION BEFORE THE CITY COUNCIL

Staff has reviewed the documentation regarding the current petition before the City Council (*see attachments*). Staff has determined that the applicable published public notice ***MEETS THE REQUIREMENTS*** and procedures for the petition that is before the City Council. The notice for the petition that is before the Council consists only of a Zoning Text Amendment. The following is a summary of the notice requirements and procedures for ***ZONING TEXT AMENDMENTS*** (*see attached notice matrix*).

Public Notice Content – The notice for the petition is to consist of a summarized statement; date, time, and place of the hearing, place where the petition may be inspected, and contact person. **(Compliance - YES)**

General Notice, 1st Public Hearing – requires posting on City Website & Utah Public Notice Website, 10 days before date of hearing. Notice posting for both were performed on 02/26/15 at 1:15pm & 1:20pm, respectively. **(Compliance - YES)**

Published Newspaper, 1st Public Hearing - requires publication in newspaper of general circulation, 10 days before date of hearing. Notice posting to MEDIAONE (i.e. SL Tribune, Deseret News, & utahlegals.com) was performed on 02/25/2015. **(Compliance - YES)**

Notice to Affected Entities, 1st Public Hearing - requires mailing to affected entities, as defined by state statute, 10 days before date of hearing. Notices were mailed on 02/26/2015. **(Compliance - YES)**

Courtesy Site Postings, Discretion of Zoning Administrator – Zoning Text Amendments do not involve actual changes to any property and therefore site postings are not performed. However, the Zoning Ordinance allows the Zoning Administrator, at his/her discretion, provide additional courtesy notice (see 12-21-50.f.1). Due to the public having been involved in the previous petitions filed and then subsequently withdrawn without a final action, I believed it was beneficial to provide some additional courtesy notice by way of posting the text amendment petition at the corners of 300 South and Porter Lane along Main Street. This particular block section is the focal area associated with Brighton Homes proposed project and would readily be seen by the general public **(A Required Notice – No / As a Courtesy Notice - Allowed)**

Consistency of Notice with Planning Commission Recommendation – The Public Notice provided for the petition that is currently before the Council involves changes to Chapter 12-48-South Main Street Corridor Zone, which include changes to the Traditional Main Street District regarding building and floor heights and allowing for stand-alone residential uses. The recommendation forwarded by the Planning Commission is limited to changes within the Traditional Main Street District and appear to be consistent with the published notice. **(Consistency - YES)**

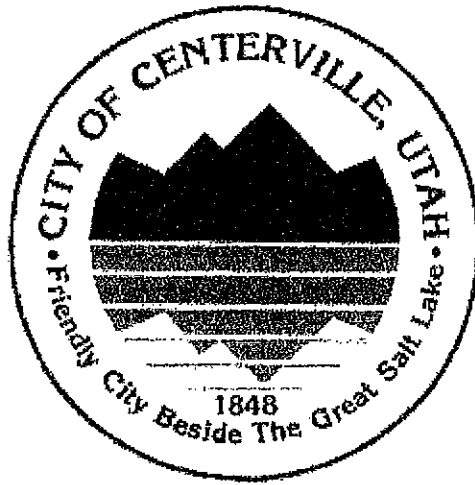
3/17/15
Nancy Smith

1. Did the City properly notice?

- Public Notice was only for Traditional District
- PC Back-up shows 100 North listed as part of a potential vote
- Minutes reflect a vote was made for Traditional and City Center Districts
- I asked a Commissioner after their vote on this matter "was it your understanding the vote included Porter Lane to 100 North?" And the answer was Yes..

2. What is the definition of "stand alone residential"?

- Clearly there is a difference of opinion on what "stand alone residential" means among the professional planning field.
- If we change the core component in a mixed use zone and say it isn't working by allowing another developer who wants to do just high density residential, the game changes and we should re-look at the entire overlay and the General Plan more closely.



January 28, 2015

Notice is hereby given that the **Centerville City Planning Commission** will hold a **public hearing on Wednesday, January 28, 2015, beginning at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Centerville City Hall, 250 North Main Street, Centerville, Utah, regarding proposed zoning code text amendment for various sections of Chapter 12-48-South Main Street Corridor Zone.

If you have questions regarding this matter or would like further information, contact Community Development, at 801-292-8232 or visit the City's website at www.centervilleut.net

Marsha L. Morrow, MMC

Centerville City Recorder

Posted January 15, 2015 by Community Development

This article comes from The Official Centerville City Website
<http://www.centervilleut.net/>

The URL for this story is:
<http://www.centervilleut.net/agendasminutes,ph0128151.html>

Jan 28 - 2015

Centerville City Planning Commission

ground level uses to be commercial in nature and not residential. Further reducing the 50% commercial expectation to allow residential parking area is not consistent with the goals and objectives for creating a variety of uses within the district.

Staff's Conclusion- Lot Dimensions -- The General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street. Staff believes that allowing a 500-foot lot width, promotes a greater potential for homogeneous pattern to the layout of buildings and uses. This can happen when an entire block is developed as a singular project rather than an amalgamation of different interpretations of the code over a period of several years. This is a major concern of the planning staff with the applicant's submitted conceptual idea for developing the property. There is little distinction from one area of the project to another area or location.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property? and,
3. What is the extent to which the proposed amendment may adversely affect adjacent property?

Staff's Conclusion- Building Heights -- Staff believes that the request for 35 feet does not create a conflict on the east side of the street. The existing R-L District located behind the area already allows for the development of homes with a maximum height of 35 feet (*see Table 12-32-1*).

Staff's Conclusion- Floor Area Ratio -- Staff believes that the change in floor area for the ground level to facilitate residential development is not in character of the underlying C-M Zoning, which is based on the area being a local commercial support district.

Staff's Conclusion- Lot Dimensions -- Staff believes that the change to allow 500-foot lot widths does not promote small localized commercial or mixed-use development. The intent of the smaller lot size is to discourage large single site development by keeping the small lot development pattern that lead to establishing a variety of commercial, office, and residential uses.

PLANNING STAFF RECOMMENDATION

Staff Suggested Action #1 -- I hereby make a motion for the Planning Commission to ***recommend APPROVAL*** of the following proposed text amendments:

1. *Change the Traditional and City Center Lot Zoning Regulations and related development tables for building heights to match the existing west side standards to allow a 35-foot maximum building height.*

Suggested reasons for the action:

- a. The Planning Commission finds that there is General Plan policy language that desires the bulking and massing of buildings to facilitate mixed-use development.

Jan 28-2015

Pg 4 of 4

Centerville City Planning Commission

- b. The Planning Commission finds that the height request better facilitates a mixed-use development pattern.
- c. The Planning Commission finds that in general, the lot sizes along Main Street are small and need the extra mass and bulk to achieve a mixed-use pattern.
- d. The Planning Commission further finds that since the City Center District is the focal or heart of the corridor, allowing the 35-foot building height in City Center District is also warranted.
- e. The Planning Commission finds that the request for 35 feet does not create a conflict on the east side of the street, because the existing R-L District located behind the area already allows for the development of homes with a maximum height of 35 feet.

Staff Suggested Action #2 – I hereby make a motion for the Planning Commission to **recommend DENIAL** of the following proposed text amendments:

1. *Any changes to the Floor Area Ratios or Lot Dimensions, as proposed by the petitioner.*

Suggested reasons for the action:

- a. The Planning Commission finds that the General Plan does address floor area ratios in relation to multiple-story development.
- b. The Planning Commission finds that the language desires ground level uses to be commercial in nature and not residential.
- c. The Planning Commission finds that further reducing the 50% commercial expectation to allow residential parking area is not consistent with the goals and objectives for creating a variety of uses within the district.
- d. The Planning Commission finds that the General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street.
- e. The Planning Commission finds that allowing a 500-foot lot width, promotes a greater potential for homogeneous pattern to the layout of buildings and uses.
- f. The Planning Commission finds that this can happen when an entire block is developed as a singular project, rather than an amalgamation of different interpretations of the code over a period of several years.
- g. The Planning Commission finds that the change in floor area for the ground level to facilitate residential development is not in character of the underlying C-M Zoning, which is based on the area being a local commercial support district.
- h. The Planning Commission finds that the change to allow 500-foot lot widths does not promote small-localized commercial or mixed-use development.
- i. The Planning Commission finds that the intent of the smaller lot size is to discourage large single site development by keeping the small lot development pattern that lead to establishing a variety of commercial, office, and residential uses.

PRELIMINARY DRAFT

Planning Commission Meeting
January 28, 2015

Page 11

1 Mr. Pugsly clarified that Brighton Homes has officially purchased the parcel on the north
2 side of the block and Brighton Homes is under contract to purchase the remaining parcels. He
3 said Brighton Homes is here to stay and assured the public they have listened to all comments
4 and will do their best to create a project that will work for this area.

5
6 Chair Hirschi made a **motion** for the Planning Commission to recommend **APPROVAL**
7 of the following proposed text amendments:

- 8
9 1. Change the Traditional and City Center Lot Zoning Regulations and related
10 development tables for building heights to match the existing west side standards to
11 allow a 35-foot maximum building height.

12
13 *Reasons for the action:*

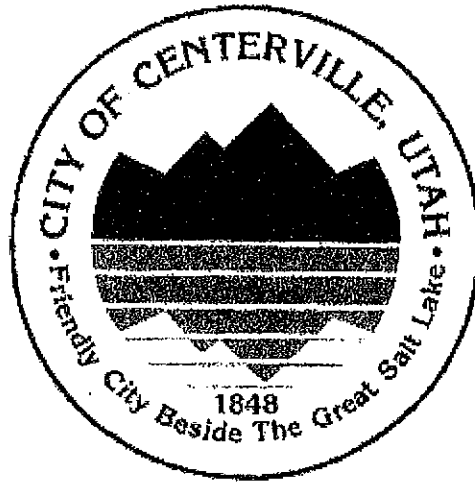
- 14 a. The Planning Commission finds that there is General Plan policy language that
15 desires the bulking and massing of buildings to facilitate mixed-use development.
16 b. The Planning Commission finds that the height request better facilitates a mixed-use
17 development pattern.
18 c. The Planning Commission finds that in general, the lot sizes along Main Street are
19 small and need the extra mass and bulk to achieve a mixed-use pattern.
20 d. The Planning Commission further finds that since the City Center District is the focal
21 or heart of the corridor, allowing the 35-foot building height in City Center District is
22 also warranted.
23 e. The Planning Commission finds that the request for 35 feet does not create a conflict
24 on the east side of the street, because the existing R-L District located behind the area
25 already allows for the development of homes with a maximum height of 35 feet.

26
27 The motion was seconded by Commissioner Johnson.

28
29 Commissioner Kjar said he is concerned with the proposed increase in building height
30 and is not sure this is the best idea for this area. He agreed this is a quaint area with smaller
31 homes and he recognized there has been a lot of comments against the building height. He
32 agreed Brighton Homes is one of the better developers around but questioned if there is a better
33 plan for this area. He said he is sensitive to Mr. Obrien and his need and right to sell his property.
34 He also understands the need to plan for future growth.

35
36 Commissioner Randall said she is concerned with the blend or transition from Main
37 Street commercial to existing residential. She is concerned the increased building height may be
38 too significant.

39



March 11, 2015

Notice is hereby given that the Centerville City Planning Commission will hold a public hearing on **Wednesday, March 11, 2015, beginning at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Centerville City Hall, 250 North Main Street, Centerville, Utah, regarding proposed zoning code text amendment for various sections of Chapter 12-48-South Main Street Corridor Zone; which include building heights and floor heights within the Traditional Main Street District, and allowance for stand-alone residential projects.

If you have questions regarding this matter or would like further information, contact Community Development, at 801-292-8232 or visit the City's website at www.centervilleut.net

Marsha L. Morrow, MMC

Centerville City Recorder

Posted February 26, 2015 by Community Development

This article comes from The Official Centerville City Website
<http://www.centervilleut.net/>

The URL for this story is:
<http://www.centervilleut.net/agendasminutes.ph0311151.html>

March 11 - 2015 PG 4074

Centerville City Planning Commission

- d. The Planning Commission further finds that since the City Center District is the focal or heart of the commercial corridor thus, a transition of multi-family style residential would create a buffer between commercial development further north (core area) and the residential corridor to the south.
- e. The Planning Commission perceives that the changes "synergize the core" commercial by creating sufficient demand for services.
- f. The Planning Commission believes that keeping the clear space expectation would be at odds with the building form of residential-style development, if residential only developments were allowed.

Staff Suggested Action #2 – I hereby make a motion for the Planning Commission to **recommend DENIAL** of the proposed text amendments for the following reasons:

Suggested reasons for the action:

- a. The Planning Commission finds that the General Plan language promotes a mixture of uses and desires variety to create the expected visual appeal of the street.
- b. The Planning Commission finds that there is General Plan policy language that desires the bulking and massing of buildings to facilitate desirable development.
- c. The Planning Commission finds that it desirable to maintain "the existing historical pattern," which is primarily that of commercial uses.
- d. The Planning Commission finds that this commercial historical pattern extends from 100 North to Porter Lane (400 South).
- e. The Planning Commission finds that keeping this existing pattern over the long term is needed to create the expected vibrant local commercial area.
- f. The Planning Commission finds that the existing commercial pattern has a historical termination boundary, which is Porter Lane. Any conflicts or other compatibilities are long established.
- g. The Planning Commission finds that the purpose of main floor clear space is to create the traditional storefront appeal that is associated with small town buildings.

Cory Snyder

From: Cory Snyder
Sent: Friday, February 06, 2015 10:46 AM
To: 'Taylor Spendlove'
Cc: Lisa Romney; Steve Thacker; Donna Wilkinson; dave@hsblegal.com
Subject: RE: Walton Village

Taylor,
We have received your request and have communicated it also to the Chair of the Planning Commission. Your items for text amendment and zone map amendment will be tabled on 2/11 and rescheduled for the 02/25/2015 regularly scheduled Planning Commission Meeting. If you have any changes to the application or other requests (that cannot be covered by the already published notices), you will need to have such information submitted to the City by this Monday 2/9. Otherwise, it would need to be submitted by 2/18, which would delay the changes to the March 11th Commission Meeting.

Thanks for keeping us in the communication loop and let us know how you desire to proceed with any changes. Feel free to call me to sort out whether any changes exceed the already published notices.

*Corvin M. Snyder, AICP
Community Development Director
Centerville City, Utah 84014
(801)292-8232*

From: Taylor Spendlove [<mailto:taylor@brightonhomes-utah.com>]
Sent: Friday, February 06, 2015 9:31 AM
To: Cory Snyder
Subject: Walton Village

Cory,
We would like to be bumped from this upcoming meeting. We need to figure something's out prior to the hearings. We may want to ask for some other changes to the code in order to deal with the issues that came up in the last hearing. We feel it better to get all our ducks in a row in order to make a clean and clear plan. If we need to notice any additional changes to the code when do we need that information in buy to make it to the following planning commission meeting?
Thanks,
Taylor Spendlove



BRIGHTON HOMES

Taylor Spendlove
taylor@brightonhomes-utah.com
O: 801.397.9755
C: 801.803.1090



February 13, 2015

Centerville City Planning Commission
Attn: Cory Snyder
250 N. Main Street
Centerville UT 84014

RE: Brighton Homes Revised Proposal for Walton Village - Located in the Traditional Main Street Zone of the South Main Street Corridor Zone

After further review of our project and listening to the many concerns of residents within the City, Brighton would like to make the following revised proposals:

- 1- We will retract our request for re-zone from the R-L zone to the C-M/ SMSC on both of the properties found within its application.
- 2- The height limit within the Traditional Main Street Plan on the east side of the street be kept to a maximum of two-story structures within this zone, but changed to a maximum height of 28 feet within the zone. The current height requirement does not allow for a two story home to have 9 feet ceilings on the main floor and an upgraded 6:12 roof pitch, which are standard residential construction styles/dimensions for newly constructed homes with an aesthetically pleasing design.

Alternatively, you could do **one of the following:**

- a. Keep the 25' roof height, but measure it to the "midpoint" of the roof,
 - b. Simply make remove the 25' measurement and simply require the buildings to be a maximum of two stories, which is the best option and will allow for the best possible architecture with upgraded roofs that will be the best architecturally.
- 3- The required commercial components of the Traditional Main Street Plan be REMOVED. This is found under Title 12, Chapter 48, Page 11 under Building Use and Element Specifications. It is proposed that the entire main level be used as residential space in the Traditional Main Street Plan.
 - 4- The main level clear space requirement of the Traditional Main Street Plan be a minimum of 9 feet, with the clear space for the second level to be a minimum 8 feet. Currently the zone requires 10 feet on the main level.

Sincerely,

Nate Pugsley
Taylor Spendlove

PUBLIC NOTICE REQUIREMENTS

NAME OF PROJECT	CODE TEXT AMEND., CHAPTER 12-48-SOUTH MAIN ST CORRIDOR
ADDRESS	N/A
APPLICATION	AMENDMENTS TO TRADITIONAL MAIN STREET DISTRICT; BUILDING HEIGHTS, FLOOR HEIGHTS AND ALLOWANCE FOR STAND-ALONE RESIDENTIAL PROJECTS

DATE PUBLIC NOTICE DUE (10 days)	03-01-2015
--	------------

DATE EMAILED TO DAVIS CLIPPER AND/OR MEDIAONE	02-25-2015 (MEDIAONE)
DATE POSTED ON-SITE <i>First Sign Posted</i> <i>Time</i> <i>Second Sign Posted</i> <i>Time</i>	02-26-2015 CORNER OF 300 S MAIN (BY PINEAE) @ 2:48 PM CORNER OF 400 S MAIN (BY GARY'S CLEANERS) @ 2:51 PM
DATE/TIME POSTED CITY HALL	02-26-2015 2:45 PM
DATE MAILED TO AFFECTED ENTITIES Mail Only – labels on Donna's drive	02-26-2015
DATE/TIME POSTED ON CITY WEBSITE *CITY NOTICING	02-26-2015 @ 1:15 PM
DATE/TIME POSTED ON UPN WEBSITE *UTAH PUBLIC NOTICING	02-26-2015 @ 1:20 PM
DATE NOTICE MAILED TO PROPERTY OWNERS LOCATED WITHIN REZONE AREA	N/A

Donna Wilkinson

From: Donna Wilkinson
Sent: Wednesday, February 25, 2015 9:39 AM
To: 'naclegal@mediaoneutah.com'
Subject: 1 Public Notice for Saturday, February 28, 2015: Code Text Amend., 12-48-South Main Street Corridor
Attachments: NEWSPAPER CODE AMEND 12-48 South Main Street Corridor Plan (SMSC) 031115.doc
Importance: High

Please confirm that this public notice will meet the Saturday, February 28 deadline.

Thank you for your help.



Order Confirmation for Ad #0001014415-01

Client	CENTERVILLE CITY	Payor Customer	CENTERVILLE CITY
Client Phone	801-295-3477	Payor Phone	801-295-3477
Account#	9001403630	Payor Account	9001403630
Address	250 N MAIN CENTERVILLE UT 84014-3450 USA	Payor Address	250 N MAIN CENTERVILLE UT 84014-3450
Fax		Ordered By	Acct. Exec
EMail	dwilkinson@centervilleut.com	Donna	kstowe

Total Amount	\$78.92			
Payment Amt	\$0.00			
Amount Due	\$78.92	Tear Sheets	Proofs	Affidavits
		0	0	1

Payment Method	PO Number	Zoning PH 3/11
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Confirmation Notes:

Text: Donna

Ad Type	Ad Size	Color
Legal Liner	1.0 X 44 Li	<NONE>

Product	Placement	Position
Salt Lake Tribune::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	2/28/2015	
Product	Placement	Position
Deseret News::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	2/28/2015	
Product	Placement	Position
utahlegals.com::	utahlegals.com	utahlegals.com
Scheduled Date(s):	2/28/2015	

Ad Content Proof Actual Size

CENTERVILLE CITY
NOTICE OF PUBLIC
HEARING ON ZONING
CODE TEXT AMENDMENT

Notice is hereby given that the Centerville City Planning Commission will hold a public hearing on Wednesday, March 11, 2015, beginning at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Centerville City Hall, 250 North Main Street, Centerville, Utah, regarding proposed zoning code text amendment for various sections of Chapter 12-48-South Main Street Corridor Zone, which include building heights and floor heights within the Traditional Main Street District, and allowance for stand-alone residential projects.

If you have questions regarding this matter or would like further information, contact Community Development, at 801-292-8232 or visit the City's website at www.centervilleut.net

Marsha L. Morrow, MAC
Centerville City Recorder
1014415 UPAXLP

WASATCH FRONT REG. COUNCIL
295 N JIMMY DOOLITTLE RD
SALT LAKE CITY UT 84116

CENTERVILLE DEUEL CREEK
P O BOX 429
CENTERVILLE UT 84014

BOUNTIFUL CITY
P O BOX 140102
BOUNTIFUL UT 84114-0102

DAVIS COUNTY HEALTH DEPT
P O BOX 618
FARMINGTON UT 84025

DAVIS COUNTY
P O BOX 618
FARMINGTON UT 84025

QUESTAR GAS
P O BOX 45360
SALT LAKE CITY UT 84145-0360

FARMINGTON CITY
P O BOX 160
FARMINGTON UT 84025

QWEST COMMUNICATIONS
431 26TH STREET
OGDEN UT 84401

WEST BOUNTIFUL CITY
550 NORTH 800 WEST
WEST BOUNTIFUL UT 84087

STEVE RUSH
ROCKY MOUNTAIN POWER
1438 WEST 2550 SOUTH
OGDEN UT 84401

GOV OFFIC PLANNING & BUDGET
C/O JOHN NIXON EXEC DIR
UTAH STATE CAPITOL STE 150
P O BOX 132210
SALT LAKE CITY UT 84114-2210

SO DAVIS METRO FIRE AGENCY
P O BOX 1547800 SOUTH
BOUNTIFUL UT 84011

AUTO GEO REFERENCE CENTER
C/O DENNIS GOREHAM MANAGER
STATE OFFICE BUILDING RM 5130
SALT LAKE CITY UT 84114

UTAH DEPT OF TRANSPORTATION
166 SOUTHWELL ST
OGDEN UT 84404

GOV BD OF SO DAVIS REC CENTER
550 NORTH 200 WEST
BOUNTIFUL UT 84010

UTOPIA
2175 SOUTH REDWOOD ROAD
WEST VALLEY CITY UT 84119

DAVIS SCHOOL DISTRICT
P O BOX 588
FARMINGTON UT 84025

WEBER BASIN WATER DISTRICT
2837 EAST HIGHWAY 193
LAYTON UT 84040

COMCAST COMMUNICATIONS
752 NORTH MARSHALL WAY
LAYTON UT 84041

SOUTH DAVIS SEWER DISTRICT
P O BOX 140111
SALT LAKE CITY UT 84114-0111

**CENTERVILLE CITY
NOTICE OF PUBLIC HEARING ON ZONING CODE TEXT
AMENDMENT**

Notice is hereby given that the **Centerville City Planning Commission will hold a public hearing on Wednesday, March 11, 2015, beginning at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at the Centerville City Hall, 250 North Main Street, Centerville, Utah, regarding proposed zoning code text amendment for various sections of Chapter 12-48-South Main Street Corridor Zone; which include building heights and floor heights within the Traditional Main Street District, and allowance for stand-alone residential projects.

If you have questions regarding this matter or would like further information, contact Community Development, at 801-292-8232 or visit the City's website at www.centervilleut.net

Marsha L. Morrow, MMC
Centerville City Recorder

❖ Posted February 26, 2015 by Community Development

Centerville City Planning Commission

Notice of Public Hearing

Applicant:	Brighton Centerville LLC
Application:	Zoning Code Text Amendments for various sections of Chapter 12-48-South Main Street Corridor Zone; which includes: For the Traditional Main Street District: • Building heights and floor heights • Allowance for stand-alone residential projects
Meeting Date:	Wednesday, March 11, 2015
Time:	7:00 PM (or as soon thereafter as the matter may be heard)
Place:	Centerville City Hall Building City Council Chambers 250 North Main Street Centerville

The public is cordially invited to attend this meeting and comment. Your input on this matter is very important. Anyone desiring further information about this proposal, call the Centerville City Planning Department at 801.292.8232 during regular business hours.

[illegible]

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 5.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 8:25

SUBJECT

- a. Fire Agency work session

RECOMMENDATION

BACKGROUND

a. The Mayor and City Manager recently attended a Fire Agency work session (with the other mayors and city managers) about the Agency's long-term capital plans and the process and time-line for creating a taxing entity as a way to fund those projects. Several documents from that work session are attached. Mayor Cutler will report on that work session. This matter will be a subject of discussion by the city councils of the member cities in the next few months.

ATTACHMENTS:

Description

- ☐ Fire Agency Worksession Documents

Executive Summary

Special Service Area

Discussion:

In previous board meetings, there have been discussions about the creation of a Special Service Area (taxing district). One of the questions the board wanted researched was what is the cost to the citizen and what would the tax rate become for the city. I have been working with Jason Burningham on this issue and he will present his findings to answer this question. The board wanted to look at two budgets, our current one (2015) and the budget that shows the total staffing needs and funding of the vehicle replacement plan (see attached).

The other discussion item was refinancing the bond at a better interest rate and the ability to bond for building needs we have. We need to replace the fire station in Centerville; we need to address building issues at the Muller Park and Foxboro stations. All of these items are not funded and without the ability to bond there is no current financial plan to take care of these needs.

Attorney Hendrickson has created a timeline for the creation of a Special Service Area and that is attached. He will also discuss the ability to create the district on a Fiscal year.

History:

In 2004 a decision was made to merge the Bountiful City Fire Department and the South Davis Fire District. An interlocal agreement was created for a term of 5 years. The 5 year term was to give enough time for the creation of a taxing district. The initial members of the legislative bodies wanted the district created.

In November of 2005 Lewis, Young, Robertson and Burningham presented the impact fee study

In March of 2006 the Board approved the application for funding 2 fire stations from the Community Impact Board (CIB). The board authorized the issuance and sale of ambulance service revenue bonds in the amount of 4,205,000 with an annual payment of 269,000 due October 1 of each year. Interest on this loan is at 4%. The impact fees were set to cover this payment.

In May of 2006 the interlocal was amended and the 5 year term was changed to 25 year term. This was needed to change due to the Bonds and due to other projects the cities were involved with creating taxing districts for the Recreation center and the performing arts building in Centerville.

In April of 2011 it became clear there would be a gap between impact fee revenue and bond payments.

In 2012 the board directed Chief Rampton to try and refinance the bonds. The CIB was not willing to refinance and lower the interest. Since we were not a taxing district the market and public market was not willing to refinance the bonds with the security of the ambulance revenue bonds.

In November of 2012 the board directed Fire Chief Rampton to find representation to sponsor a bill changing the max rate of a special service district and the members of the board. The sponsor was Senator Wielder. The type of district and how it was created was the language changed. This was successful and the language was changed to meet our needs.

In 2013 the changes were made through legislation and the timeline was given to city managers and board members. A meeting with Fire Chief Rampton, Attorney Craig Hall and city managers was held to discuss the time line. Majority of the managers decided not to move forward with the creation of the special service district.

As I have looked at the budget I am concerned over the funding issues for

Bond Payments

Building of new fire station \$2.6 - \$3.0 million

Vehicle replacement plan

Capital improvement plan estimate:

Muller Park \$400,000-\$500,000

Foxboro \$350,000

Staffing levels

Reserve funding

Summary:

The department has significant financial needs for buildings. We need to determine the best way to create the financial plan to complete these projects. Jason Burningham has explained there is not a way for us to obtain bonds as an interlocal agreement. This applies to the refunding or refinancing of the current bonds.

In addition to the Capital needs we will have staffing needs. As we continue to increase in call volume we need to maintain a safe staffing level for our employees and our citizens.

Attorney Hendrickson will discuss the timelines on creating the district. He will also discuss the ability for cities to create the district or remain in the interlocal.

Tax Analysis South Davis Metro Fire Agency



Option 1: Pay-As-You Go Approach for Capital (No New Debt)

2015 Budget	Current	Budget B
Calculation of O&M Rate		
Revenue without Member Contributions	\$2,551,105	\$2,555,539
Expenses	\$8,602,112	\$10,620,087
Base Member Contribution	\$8,040,407	\$8,064,548
Minus Depreciation	(\$350,000)	(\$350,000)
Minus Transfers from Reserve	\$0	\$0
Final Member Contribution	\$5,690,407	\$7,714,548
Base Rate	0.000935	0.001267

Calculation of CIP Levy	Current	Budget B
CIP Need (Year 1)	\$822,185	\$822,185
CIP Rate	0.000135	0.000135
Combined Rate	0.001070	0.001402
Current Budget: Estimate of Tax Impact		
2014 Median Home Values		
Zip	City	2014 Median Price
84610	Bountiful	\$284,000
84614	Centerville	\$240,000
84054	North Salt Lake	\$247,039
84087	Woods Cross	\$231,500

Source: <http://www.slrb.com/slrbcms/sites/slrb/MoneyHomePrices.asp>

Current Budget: Estimate of Tax Impact
2014 Median Home Values

Zip	City	2014 Median Price	Assessed Rate	Annually	Monthly
84610	Bountiful	\$284,000	0.001070	\$155.36	\$12.95
84614	Centerville	\$240,000	0.001070	\$141.24	\$11.77
84054	North Salt Lake	\$247,039	0.001070	\$145.38	\$12.12
84087	Woods Cross	\$231,500	0.001070	\$138.24	\$11.36

Source: <http://www.slrb.com/slrbcms/sites/slrb/MoneyHomePrices.asp>

Budget B: Estimate of Tax Impact

2014 Median Home Values

Zip	City	2014 Median Price	Assessed Rate	Annually	Monthly	Difference
84610	Bountiful	\$284,000	0.001402	\$203.57	\$15.96	\$4.02
84614	Centerville	\$240,000	0.001402	\$185.06	\$15.42	\$3.65
84054	North Salt Lake	\$247,039	0.001402	\$190.49	\$15.87	\$3.76
84087	Woods Cross	\$231,500	0.001402	\$178.51	\$14.88	\$3.52

Source: <http://www.slrb.com/slrbcms/sites/slrb/MoneyHomePrices.asp>

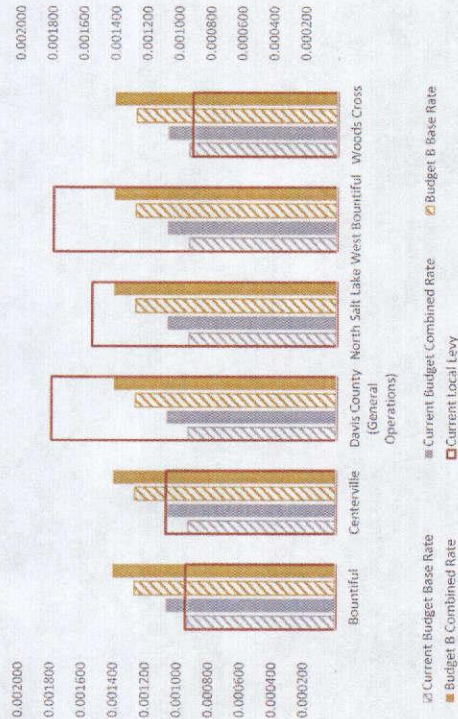
Current Municipal Levy	Current Local Levy	Current Budget Combined Rate	Budget B Base Rate	Budget B Combined Rate
Bountiful	0.000948	0.001070	0.001267	0.001402
Centerville	0.001072	0.001070	0.001267	0.001402
Davis County (General Operations)	0.001737	0.000935	0.001267	0.001402
North Salt Lake	0.001541	0.000935	0.001267	0.001402
West Bountiful	0.001788	0.000935	0.001267	0.001402
Woods Cross	0.000913	0.001070	0.001267	0.001402

Assumptions	Total Assessed Value	\$
Bountiful Assessed Value	\$5,088,367,444	
Assessed Value (Excluding Bountiful)	\$2,235,919,561	
Proposed Bonding Amount	\$3,851,447,883	

This analysis assumes the first year of the CIP is funded from the proposed tax levy. Future property tax increases would be needed to fund the CIP on a pay-as-you go basis, or the CIP will have to be adjusted.

Department	2015	2016	2017	2018	2019	2020	2021
CIP Levy	0.000135	0.000246	0.000537	0.000166	0.000144	0.000055	0.000206
Architect	10,000	150,000	-	20,000	-	100,000	-
Building Improvement	-	30,000	30,000	-	25,000	25,000	-
Construction	-	20,000	3,000,000	20,000	-	-	20,000
IT	9,000	90,000	-	-	350,000	-	-
Radon	25,000	-	-	-	-	-	-
Software	88,185	-	-	-	-	-	-
Vehicles	690,000	705,000	240,000	980,000	500,000	180,000	140,000
Total	\$822,185	\$1,495,000	\$3,270,000	\$1,130,000	\$875,000	\$305,000	\$180,000
Debt Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Comparison of Property Tax Levy





Option 2: Debt Funding Approach for Capital

2015 Budget		Assumptions	
Calculation of O&M Rate		Total Assessed Value	\$6,086,367,444
Revenue without Member Contributions	\$2,561,705	Bountiful Assessed Value	\$2,236,919,961
Expenses	\$8,602,112	Assessed Value (Excluding Bountiful)	\$3,851,447,883
Base Member Contribution	\$6,040,407	Proposed Bonding Amount	\$5,785,000
Minus Depreciation	(\$350,000)		
Minus Transfers from Reserve	\$0		
Final Member Contribution	\$5,690,407		
Base Rate	0.000935		

This analysis assumes the first three years of the CIP is funded using a GO Bond, with the idea that future years CIP will be funded on a pay-as-you go basis from future property tax revenues.

Calculation of CIP Levy		Budget B	
Maximum Annual Debt Service	\$371,727		
CIP Rate	0.000661		
Combined Rate	0.000595		
Increase	33%		

Current Budget Estimate of Tax Impact		2014 Median Home Values	
Zip	City	2014 Median Price	Monthly
84010	Bountiful	\$264,000	\$144.62
84014	Centerville	\$240,000	\$131.47
84054	North Salt Lake	\$247,039	\$135.33
84087	Woods Cross	\$231,500	\$126.62

Sources: <http://www.slrb.com/csp/oms/sites/slrb/MoneyHomePrices.csp>

Budget B: Estimate of Tax Impact		2014 Median Home Values	
Zip	City	2014 Median Price	Monthly
84010	Bountiful	\$264,000	\$16.07
84014	Centerville	\$240,000	\$14.61
84054	North Salt Lake	\$247,039	\$15.04
84087	Woods Cross	\$231,500	\$14.09

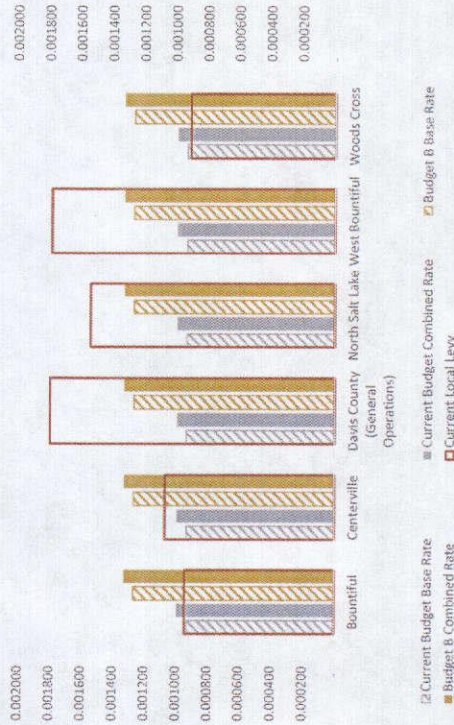
Sources: <http://www.slrb.com/csp/oms/sites/slrb/MoneyHomePrices.csp>

Current Municipal Levy		Current Budget Combined Rate		Budget B Base Rate		Budget B Combined Rate	
Current Local Levy		Current Budget Base Rate		Budget B Base Rate		Budget B Combined Rate	
Bountiful	0.000946	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328
Centerville	0.001072	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328
Davis County (General Operations)	0.001787	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328
North Salt Lake	0.001541	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328
West Bountiful	0.001788	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328
Woods Cross	0.000813	0.000935	0.000986	0.001267	0.001328	0.001267	0.001328

Bountiful Base Assessment if Not in District		Current		Budget B	
Bountiful Base Assessment if Not in District		\$2,091,520	\$2,834,177		
Bountiful Total Assessment if Not in District		\$2,227,972	\$2,970,629		

Department	2015	2016	2017	2018	2019	2020	2021
Air Picks	-	-	-	-	-	-	-
Architect	10,000	150,000	-	100,000	-	100,000	-
Building Improvement	-	30,000	30,000	-	25,000	-	25,000
Cement	-	20,000	-	20,000	-	-	20,000
Construction	-	500,000	3,000,000	-	350,000	-	-
IT	9,000	90,000	-	-	-	-	-
Radios	25,000	-	-	-	-	-	-
Software	88,185	-	-	-	-	-	-
Vehicles	690,000	705,000	240,000	990,000	500,000	180,000	140,000
Total	\$822,185	\$1,495,000	\$3,270,000	\$1,130,000	\$975,000	\$305,000	\$160,000
Debt Service	\$360,352	\$370,948	\$369,037	\$371,685	\$368,610	\$370,065	\$371,066

Comparison of Property Tax Levy



PROPOSED TIME LINE FOR TRANSITION OF THE SOUTH DAVIS FIRE INTERLOCAL AGENCY TO A LOCAL FIRE DISTRICT

The following time line allows time for document transfer, scheduling delays and unforeseen problems. In a best case scenario and with concurrent activities and preparation approximately two months could be saved.

April 1 through June 15, 2015.

Due Diligence by Creating Entities

This period would allow for organizational discussions, preparation of the map and legal description that will be needed for the Initial Resolutions and reaching consensus on the proposed district.

June 15 through July 1, 2015.

Adoption of Resolutions Proposing District Creation (UCA 17B-1-203(1)(d))

Each of the creating entities must adopt a resolution proposing the creation of a local district.

August 1 through August 15, 2015

Entities conduct Public Hearings on the Creation of the District (UCA 17B-1-210)

Each entity proposing the District must conduct a public hearing no later than 45 days after the date of the Proposing Resolution's adoption. Entities may join together and conduct joint hearings but a quorum of each participating governing body must be in attendance through the hearing. Hearings may commence no earlier than 6 p.m..

August 15 through September 1, 2015

Entities That Could Provide Fire and Emergency Medical Services in the District Area decline to provide the Service. (UCA 17B-1-212)

Each of the participating entities must decline to provide the service proposed to be provided by the District. This is a pro forma act done through a Resolution of the Governing Body.

August 15 through October 15, 2015 Protest Period Runs. (UCA 17B-1-213)

The protest period commences upon the holding of the last public hearing and runs for sixty days. If sufficient protests are received the process stops; if not, the participating entities can proceed with creating the District

October 15 through November 15, 2015

Resolutions Creating the District are Adopted by the Participating Entities. (UCA 17B-1-213(4)).

Each of the participating entities must adopt a Resolution Creating the District. The Resolutions must describe the area included in the District, be accompanied by a map of the boundaries, describe the service(s) to be provided, state the name of the District and describe the process for appointment of the initial board of trustees

(which is described in S.B. 140)

November 15 through December 15, 2015 Transmit District Creation Documentation to Lt. Governor for Certification, Receive Certification (UCA 17B-1-215 and 67-1a-6.5)

Within ten days after the adoption of the last Resolution the Notice of an Impending Boundary Action and related documents must be filed with the Lt. Governor. After review, the Lt. Governor will issue the Certificate of Incorporation for the District .

December 15 through December 31, 2015 Record the original Notice of Impending Boundary Action, Certificate of Incorporation, Approved local entity plat and certified copies of the Creating Resolutions (UCA 17B-1-215((a))).

Recording must occur by December 31, 2015, for the District to have property tax authority beginning January 1, 2016.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 6

Short Title: City Council Liaison Report

Initiated By:

Scheduled Time: 8:35

SUBJECT

Councilman Ken Averett re Citizen Corps Council/Emergency Management and Davis Chamber of Commerce

RECOMMENDATION

BACKGROUND

Councilman Averett chairs the Citizen Corps Council, consisting of the volunteer Neighborhood Network leadership. He also meets monthly with the City's key emergency management staff. He will report on current and upcoming emergency management/community preparedness activities.

Councilman Averett also represents the City in activities of the Davis Chamber of Commerce, of which the City is a dues-paying member.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 7

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 8:45

SUBJECT

- a. Schedule RDA/ACB meeting

RECOMMENDATION

BACKGROUND

a. There are several business matters that should be addressed in a combined meeting of the RDA Board and the Administrative Control Board (ACB) of the performing arts center. Due to a work session already scheduled on April 21 prior to the regular City Council meeting, the City Manager requests the City Council agree on another date for the RDA/ACB meeting. The second and fourth Tuesdays are not an option because the ACB includes two Bountiful City Council Members and their Council meets regularly on those Tuesdays, including work sessions prior to the regular meetings.

The following are suggested options for this meeting:

- Wednesday, April 15 -- evening
- Thursday, April 16 -- late afternoon/early evening
- Wednesday, April 22 -- prior to the regular Planning Commission meeting
- Tuesday, May 5 -- prior to the regular City Council meeting

Staff would prefer to meet in April rather than wait until May, in order to address some of the business in a more timely manner. Business for that agenda at this time includes the following:

- Report on HVAC maintenance issues and proposed contract to service and maintain the HVAC systems
- Report on the status of the Theatre Reserve Fund, Operations Reserve Fund (ORF) and Maintenance Reserve Fund (MRF)
- Approval of CPT funds to be transferred into the ORF and MRF, based on 2014 financial report
- Proposal to amend Operating Lease to authorize a capital projects reserve account
- Lease amendment pertaining to the obligation for paying the building insurance

The City Manager will not be present at the April 7 Council meeting; therefore, Assistant City Manager Blaine Lutz will represent this matter and can report on any other pertinent matters.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 8.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 8:55

SUBJECT

RECOMMENDATION

At this time, no matters are shown under this heading.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 9.

Short Title: Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

At this time, the City Manager is not aware of a need for a closed meeting, but the agenda allows for that possibility.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No. 10.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
4/7/2015**

Item No.

Short Title: Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ Summary of gas tax(s)

Overview of HB362— Transportation Infrastructure Funding

excerpt from a Utah Transportation Coalition overview

Local Option 0.25% General Sales Tax for Transportation

County Option—Counties are authorized to enact a 0.25% general sales tax for transportation. This is the equivalent of 25 cents for every hundred dollars. If every county in the state imposes the local option, it will generate approximately \$124 million in new revenue annually.

Voter Approval—Before imposing the tax, the majority of a county legislative body must vote to put an opinion question on the ballot in a municipal or regular general election. The county shall impose the tax if the majority of voters approve. (These provisions are covered in existing law (59-12-2208) so they are not in the bill.)

Allocation—The referendum and imposition apply to the entire 0.25% but the bill states how those revenues will be allocated.

In areas without transit service, the funds would be allocated as follows:

- 0.10% to cities, towns and unincorporated county areas
- 0.15% to the county

**The bill contemplates three circumstances related to transit funding: (1) where a transit district covers an entire county (UTA on the Wasatch Front), the 0.10% in that county goes to the transit provider; (2) where the transit district covers a portion of a county (UTA in Tooele and Box Elder Counties; Cache Valley Transit District), the 0.10% in the area covered by the transit district goes to the transit provider; and (3) where there is no transit district established but transit service is provided by a political subdivision that qualifies for FTA funding as of May 12, 2015 (Sun Tran, the Basin Transit Authority, the Snyderville Basin Transit District, etc.), the 0.10% within the boundaries of that political subdivision go to the transit provider.*

In areas with transit service, the funds would be allocated as follows:

- 0.10% to the transit provider*
- 0.10% to cities, towns and unincorporated county areas
- 0.05% to the county

Distribution—The funding going to cities, towns and unincorporated county from the 0.10% is distributed by the standard formula for local sales taxes. The formula is 50% population and 50% point of sale. An individual city's share of the 0.10% is based on their share of the total population and point of sale relative to all of the counties in the state that have imposed the tax. Counties that have not imposed the tax will not be part of the distribution formula.

The State Tax Commission will determine the appropriate allocations and distribution of funding based on which counties have imposed the tax and will provide funding directly to the applicable county, city or transit provider.

Uses of Funds—Transit providers can use the funds for capital expenses and service delivery expenses. For example, funds can be used for things like track repair, bus

purchases, service frequency and coverage. Cities, towns and counties can use the funds for broadly defined transportation purposes like roads, transit facilities or services, pedestrian facilities like sidewalks, and active transportation facilities like trails and bike lanes.

Maintenance of Effort—Cities, towns and counties are not allowed to use the funds from this tax to supplant the existing general fund appropriations they have budgeted for transportation as of the date that the local option tax takes effect. This requirement is in place from the date the local option tax takes effect through June 30, 2020, when the requirements "sunset." During this time they are required to report on their compliance through their audit or fiscal reporting.

Fuel Tax Reform from Cents/Gallon (cpg) to Percentage

Conversion of Cents/Gallon (cpg) to Percentage—Effective January 1, 2016, the bill would convert the current 24.5 cpg state motor fuel and special (diesel) taxes to a 12% tax on fuel.

- This will generate the equivalent of a 5 cpg increase in the fuel tax, or approximately \$74 million annually. Revenues

On the Move

Page 3

Spring (April) 2015



will be distributed using the existing B&C road formula, with 70% directed to UDOT and 30% directed to cities and counties. UDOT has indicated they would use the funds primarily for bridges and rural roads.

- As the price of fuel changes the amount of revenue will change. This will help address the decline in the buying power of the cpg tax. Due to inflation, the cpg tax has lost 40% of its buying power since it was last increased in 1997. This has made the 24.5 cpg tax in 1997 worth effectively only 14.7 cpg today.

Applying the Percentage-based Rate—The percentage-based fuel tax would function differently than a regular sales tax; it would utilize the standard methodology for percentage-based fuel taxes around the country.

- Effective January 1 of each year, the 12% rate would be converted to a cpg that will be in effect for that year. That cpg is determined using the previous three fiscal-years' average wholesale (before taxes) price of fuel, multiplied by 12%.
 - o This annual conversion of the percentage back to a cpg is done so that the actual application and calculation of the tax would be consistent with how the federal fuel tax is imposed.
 - o The annual conversion back to a cpg also limits poten-

tial volatility of the actual tax paid because it avoids the daily fluctuations in the price of fuel.

- The Tax Commission will determine and make public no later than November 1 the adjusted cpg that would take effect two months later on January 1. This will give fuel distributors time to update their systems.

Limiting Potential Price Volatility—The percentage rate is fixed at 12% but the wholesale price to which that rate is applied to would be limited in how high (ceiling) or low (floor) it could go.

- Floor—The floor is set at \$2.45 on the wholesale price of fuel. The floor protects against a loss in revenue when wholesale fuel prices fall below \$2.45.
 - o When the Tax Commission sets the initial price effective January 1, 2016 they will calculate the rate based on the wholesale price for the previous fiscal year. If this price is less than \$2.45, they will multiply \$2.45 by 12%.
 - o Setting the floor at \$2.45 with a rate of 12% will generate immediate new revenue because the actual cpg will be 29.4 cpg ($12\% \times \$2.45 = 29.4 \text{ cpg}$).
 - o After the actual average wholesale price exceeds \$2.45, the floor will adjust annually with inflation (via the Consumer Price Index, CPI.)
 - o Because the floor grows with inflation the bill provides a mechanism for revenues to grow consistent

with the price.

- Ceiling—The ceiling is set at \$3.33 on the wholesale price of fuel.
 - o The ceiling does not grow with inflation. It is a “hard cap” on the actual cpg rate.
 - o If the actual wholesale price exceeded \$3.33, the Tax Commission would still multiply $12\% \times \$3.33 = 40 \text{ cpg}$.

Miscellaneous Provisions

- The law removes the requirement that gas stations have a fuel price sticker at the pump.
- The law updates the “hold harmless” provisions of the State fuel tax B&C distribution. This affects nine rural counties and means those counties will receive their fair share of B&C revenues from the state fuel tax.
- The law changes the tax on compressed natural gas (CNG) and liquefied natural gas (LNG) from 8.5 cents to 16.5 cents per gasoline gallon equivalent. This increase is incrementally phased in over three years. This will generate approximately \$500,000 in new revenue annually.
- The law requires UDOT to study the implementation of a road usage charge based on miles driven, including a potential demonstration program. It requires UDOT to make recommendations on the potential use of such a system in Utah.



On the Move

Page 4

Spring (April) 2015

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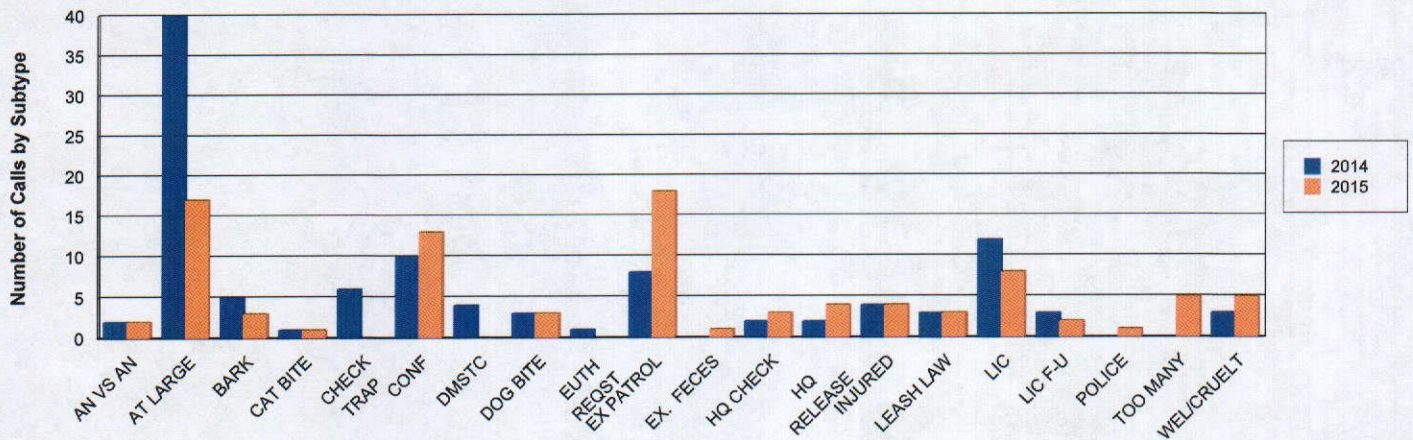
Activity Report for CENTERVILLE

From January 01 to March 31, 2014 compared to 2015

	2014	2015
EUTH REQST	1	0
EX. FECES	0	1
POLICE	0	1
CAT BITE	1	1
AN VS AN	2	2
DMSTC	4	0
HQ CHECK	2	3
LIC F-U	3	2
TOO MANY	0	5
CHECK TRAP	6	0
DOG BITE	3	3
HQ RELEASE	2	4
LEASH LAW	3	3
BARK	5	3
INJURED	4	4
WEL/CRUELTY	3	5
LIC	12	8
CONF	10	13
EX PATROL	8	18
AT LARGE	40	17
Total	109	93

Activity Subtype

Year to Year Comparison



Davis County Animal Care & Control Call Types & Definitions

AGNCY ASST = Agency assist

FIRE – Assist Fire Dept

OTHER – Assist “other” (DWR, Code, etc)

POLICE – Assist Police

BIKE PAT = Bike Patrol

AT LARGE – Animal Loose

EX PATROL – Extra Patrol

ISSUE NOV – Issue a Notice of Violation

LEASH LAW – Leash law Education

LIC – Sell License

DEAD

DMSTDEAD – Dead Domestic Animal

LVSTCKDEAD – Dead Live Stock

WILD – Dead Wildlife

OTHER

EDUCATION – Education Presentation

OWNED

EUTH REQST – Owner requests euthanasia

PRO CUST – Protective Custody

SIGN OVER – Sign Over Animal

WILD

W AT LARGE – Wildlife Loose

W CONF – Wildlife Confined

WINJURED – Wildlife Injured

WSICK – Wildlife Sick

WTRAP – Wildlife in a Trap

INV = Investigation

ABAN - Abandoned Animal

AN VS AN – Animal vs Animal

BITEF – Bite Follow Up

CAT BITE – Cate Bite

COURT – Officer in Court

DOG BITE – Dog Bite

HQ CHECK- Home Quarantine Check

HQ RELEASE – Home Quarantine Release

ISSUE NOV – Issue a Notice of Violation

LIC – Sell a License

LIC F-U – License Follow Up

WEL/CRUELTY – Welfare or Cruelty

NUISANCES

BARK- Dog Barking

CHECK TRAP – Check Trap

DOOR HANG – Leave Door Hangar

EX NOISE – Excessive Noise

EX PATROL – Extra Patrol

TOO MANY – Too Many Animals

FENCE AGG – Fence Aggression

LEASH LAW – Leash Law Education

PD KENNEL – Potential Danger Kennel Check

EX FECES – Excessive Feces

STRAY

AT LARGE – Animal Loose

CONF – Animal Confined for pick-up

INJURED – Injured Animal

LSTCK@LRG – Livestock Loose



GUEST EDITORIAL

Guest Editorial: UTOPIA

APRIL 03, 2015 10:00 PM • WAYNE T. PYLE UTOPIA

For four years, the Utah Telecommunications Open Infrastructure Agency, or UTOPIA has been growing customer base and most importantly, kept expenses in check and consistently grown revenues.

This has resulted in a positive situation where all new build since 2011 has paid for itself through those revenues, and has contributed significant dollars to the shortfall created in those early years. The situation has improved so dramatically that current trends indicate that operational shortfall created in early years will be eliminated within one year. UTOPIA's model is working.

The City of Orem has been a beneficiary of the network at a level as great or greater than any city from the beginning and to this day. It was the first city to have significant numbers of connections and neighborhoods built, and continues to receive the benefit of that build and new connections. Last month, for example, Orem had more new residential connections than any other city in the network.

Orem also has the same influence or voice on UTOPIA's matters as any other individual city, and indeed greater than most, due to its size.

It is an unfortunate situation that despite these facts, Orem's leadership does not support the current direction of UTOPIA's Board of Directors and management. They have chosen to express this dissatisfaction by withholding their budgeted contribution to the currently existing, and as previously noted, shrinking operational shortfall.

While this choice will not deter the stability and progress of UTOPIA, it also unfortunately leaves Orem in a position of choosing to not participate in success. Connections will continue to be made in Orem, and UTOPIA will continue to generate new revenue to improve its situation, but both entities would benefit from the network more quickly if our vision and direction were united.

We at UTOPIA encourage Orem's return to the ideals that for so many years it espoused and supported. Due to the hard work and successful efforts of many people, including UTOPIA's staff, our partners the service providers, and the dauntless city representatives, including Orem's, that have spent years of effort to hold the organization together through dark times, UTOPIA is succeeding. It is working. It seems a shame that after so many hard years moving to accomplishment of the organization's goals, Orem now might choose to not participate when the clouds are clearing.