

CENTERVILLE CITY COUNCIL AGENDA

AMENDED AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON NOVEMBER 1, 2016 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 801-295-3477, 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:

- 5:30 Joint Work Session with Planning Commission to discuss: a) Flag Lot Ordinance; b) General Plan Amendments to Southeast Neighborhood
- 7:00 **A. ROLL CALL**
 (See City Manager's Memo for summary of meeting business)
- B. PLEDGE OF ALLEGIANCE**
- C. PRAYER OR THOUGHT**
 Councilwoman Ivie
- 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 801-295-3477, 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
August 25, 2016 joint City Council/Trails Committee meeting; October 18, 2016 City Council meeting |
| 7:10 | 2. | Summary Action Calendar <ul style="list-style-type: none">a. Assignment Agreement for Legacy Crossing Development Agreement (Lots 2 & 3)b. Commence two-year warranty period for Park Hills Phase 3 Subdivisionc. Terminate warranty period for Pine Hills Subdivision |
| 7:15 | 3. | Public Hearing - Zoning Code Amendment - Reception Center in I-H Zone
Consider proposed Zoning Code Amendment to allow "Reception Center" as a conditional use in the Industrial-High (I-H) Zone and amending Section 12.36.030 regarding Table of Uses for Public and Civic Uses - Ordinance No. 2016-33 |
| 7:25 | 4. | Public Hearing - Zoning Code Amendments - Climate Controlled Storage
Consider proposed Zoning Code Amendments to add a new definition and business use for "Climate Controlled Storage" including amendments to Chapter 12.12-Definitions, and Section 12.48.080-South Main Street Corridor Overlay District Zone, Permitted and Conditional Uses by Specific District - Ordinance No. 2016-32 |
| 7:45 | 5. | General Plan Amendments -West Centerville Neighborhood Plan - Removing Industrial Very-High Zoning District - Section 12-480-6
Consider General Plan Amendments regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District - Ordinance No. 2016-24 |
| 8:00 | 6. | Citizen presentation re General Plan |
| 8:10 | 7. | Davis County Natural Hazard Pre-Disaster Mitigation Plan <ul style="list-style-type: none">a. Public comment on Planb. Consider Resolution No. 2016-26 adopting Plan |
| 8:40 | 8. | Proposal for safety improvements at Jennings Lane/400 West intersection |
| 8:50 | 9. | Approve professional services agreement relating to Island View Park renovation conceptual planning phase |
| 9:00 | 10. | Continue discussion re potential uses of RAP tax revenue |
| 9:30 | 11. | Mayor's Report <ul style="list-style-type: none">a. Proposed Davis County property tax increase |
| 9:40 | 12. | City Manager's Report <ul style="list-style-type: none">a. UDOT meeting re I-15 interchange and Parrish Lane |
| 9:50 | 13. | Miscellaneous Business |
| 9:55 | 14. | 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

15. 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

Marsha L. Morrow, MMC
Centerville City Recorder

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No.

Short Title: AMENDED AGENDA 10/31/2016

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No.

Short Title: Joint Work Session with Planning Commission to discuss: a) Flag Lot Ordinance; b) General Plan Amendments to Southeast Neighborhood

Initiated By:

Scheduled Time: 5:30

SUBJECT

RECOMMENDATION

BACKGROUND

The format of the work session will be a question and answer period, specifically focused on the provisions and language of both the Flag Lot Ordinance and the Southeast Neighborhood Plan. To maximize the productivity of this work session, staff are expecting Planning Commissioners and City Council Members will have read and become familiar with the content of both the Flag Lot Ordinance and the Southeast Neighborhood Plan section of the General Plan--*prior to the work session*. Both of these documents are attached. The question and answer format will follow a thematic outline, presented by staff, for each document to hopefully facilitate the discussion in an efficient manner. The purpose of the question and answer format is to identify policy elements that need to be explained, clarified, or to identify undesired conflicts. If time allows, the group could then give direction to staff how and when to address any desired policy language changes, or future needed amendments that could lead to improving the quality and understanding of the adopted policies.

If these discussions lead to additional work assignments for staff and the Planning Commission, staff would appreciate the City Council giving some guidance on how the priority of these assignments fits in with the other goals identified earlier this year--i.e. review and clarify for staff the relative priority and calendar for addressing the various goals/assignments agreed upon. To assist with this prioritization, the minutes of the City Council/Planning Commission joint goal-setting work session on March 23, 2016 are attached. Note particularly the section on page 4 that sorts the planning related goals into long-term and short-term categories.

ATTACHMENTS:

Description

- Title 15 pgs 34-37 re Flag Lots
- General Plan 12-480 re SE Neighborhood
- 3/23/16 Goal-Setting Work Session Minutes

the lots face. The Planning Commission may recommend to the City Council exceptions to this requirement. Upon a showing of good cause, the City Council may allow exceptions to this requirement.

- (5) Corner lots for residential use should be platted 10 feet wider than interior lots in order to facilitate conformance with the required street setback requirements of the Zoning Ordinance.
- (6) A lot shall not be divided by a City limit line. Each such boundary line should be made a lot line.
- (7) Remnants of property shall not be left in the subdivision which do not conform to lot requirements or are not required or suitable for common open space, private utility, public purpose, or other purpose approved by the City Council.
- (8) Double frontage lots are not permitted unless approved by the City Council after receiving a recommendation from the Planning Commission. Double frontage lots may only be approved when backing on the following streets:³
 - (a) Main Street, both sides.
 - (b) Frontage Road (800 West).
 - (c) Parrish Lane west of Main Street, both sides.
 - (d) Pages Lane west of 400 East, both sides.
 - (e) Porter Lane from Main Street to 400 West, south side only.
 - (f) 400 West from Parrish Lane to 1375 North Street, both sides.

The street frontage adjacent to the rear of approved double frontage lots shall be improved by the subdivider in accordance with the standards set forth in the City's Subdivision Standards.

- (9) Flag Lots are not permitted as part of the conventional subdivision plat review and approval processes. However, flag lot development may be approved by the City, if the following conditions for the creation of a Flag Lot are present:⁴
 - (a) The property involved was and is not part of a previous subdivision plat approval by the City.

³ Amended by Ordinance No. 2006-08, May 16, 2006

⁴ Amended by Ord. No. 2011-07, April 5, 2011

- (b) The property involved qualifies for a “small subdivision waiver” in accordance with Section 15-2-107 of the Subdivision Ordinance.
 - (c) The approving entity finds that there are no adjacent streets stubbed to and could not eventually be constructed to or through the area to provide proper street frontage to the property as part of a conventional subdivision approval.
 - (d) The approving entity finds that integrating the property with adjacent property assemblages would not result in developing a lot layout that could be approved as part of a conventional subdivision plat review and approval.
 - (e) The approving entity finds that the leaving the property in its current condition results in an underutilized area that creates an opportunity for the land to become a nuisance to the area in which it is located.
- (10) Flag Lot Development Regulations. Where permitted within an applicable Zoning District of Centerville City, the creation of a Flag Lot shall comply with the following standards and regulations: ^{6, 7}
- (a) Flag Lot Configuration:
 - (i) Minimum Lot Area: The minimum lot area of the entire flag lot with its associated stem/pole shall be a minimum of 10,800 square feet.
 - (ii) Buildable Area, Minimum: The buildable area of the flag portion of the lot shall be a minimum area of 2,000 square feet having a length/width ratio range between 2:1 and 1:2.
 - (iii) Stem/Pole, Minimum Street Frontage Width: All flag lots shall have a minimum stem/pole width of at least twenty-five feet (25') fronting on a dedicated public street. Such pole/stem shall be held in fee ownership contiguous with the flag area.
 - (iv) Stem/Pole, Minimum Depth: The stem/pole area shall be a minimum depth of at least eighty feet (80') and shall provide a sufficient depth to maintain the traditional lot layout patterns for parcels adjacent to the stem/pole.
 - (v) Flag Lot Layout and Sequential Use: The use of flag lot development shall not exceed a layout of two flag lots and no more than two flag lots can be contiguous to each other. Multiple use of flag lot development shall not be allowed unless there is a minimum separation of one hundred sixty feet (160') between the boundaries of

⁶ Enacted by Ord. No. 2011-07, April 5, 2011

⁷ Amended by Ord. No. 2013-12, August 20, 2013

another flag lot development, as measured from and along the public street line.

(b) Flag Lot Yard Area Requirements:

- (i) Building Locations: All buildings shall be located within the flag portion of the lot. Buildings or similar structures shall not be constructed on the stem/pole portion of the lot.
- (ii) Main and Accessory Building Setbacks: For Main buildings, the flag lot setback distance shall be a minimum of sixteen feet (16') from all perimeter boundary lines. For Accessory buildings, the setback distance shall be a minimum of three feet (3') from any perimeter boundary line.
- (iii) Main Buildings, Maximum Depth: All Main buildings constructed shall not exceed a maximum depth of four hundred feet (400') to any Main building, as measured from the associated stem/pole frontage intersecting a public street to the nearest façade of any Main building.

(c) Stem/Pole Use and Maintenance:

- (i) Driveway Access, Minimum Width: The stem/pole shall have an access drive lane constructed of cement or asphalt pavement width of at least ten feet (10') and shall intersect the public street using a City standard driveway approach. In the case of access lanes constructed to satisfy applicable fire code requirements, such lanes shall provide necessary pavement and shoulders with an unobstructed minimum width of twenty feet (20'), as required by the applicable Fire Code.
- (ii) Stem/Pole, Multiple Use (*sharing*): The stem/pole area of one flag lot may be shared through a recorded agreement acceptable to the City, by one additional adjacent flag; provided the two flag lots sharing the stem shall have a minimum combined area of 21,780 square feet.
- (iii) Stem/Pole Addressing Area – An area fronting the public street shall be designated for the placement of a permanent address sign or marker. The address sign area shall not exceed a maximum of twelve (12) square feet and shall not exceed a maximum height of three feet (3'). The address numbering shall comply with the applicable building and addressing regulations adopted by the City and shall be visible and legible from the public right-of-way and comply with Section 12-55-230, Visual Obstruction Standards.

(d) Utilities and Related Services:

- (i) Utilities and Other Services: All utilities and related services (including easements) shall be provided to the flag lot in accordance with the applicable regulations and ordinances adopted by the City and any requirements recommended by the City Engineer.
- (ii) Fire Access and Protection: Fire hydrants, emergency access, and turn-a-rounds shall be provided in accordance with the applicable Fire Code regulations, any other applicable regulations and ordinances adopted by the City, State, and any requirements recommended by the City Engineer upon consultation with the Fire Marshal and the Police Chief.
- (iii) Storm Water Drainage and Control- Flag Lots shall comply with Section 15-5-105 of the Title or provide an alternative method of storm drainage management system acceptable to the City Engineer and approved by the City.

- (e) Plat Requirement: Any Flag Lot Subdivision shall be recorded using the City's final plat requirements of Section 15-4-103.⁸

15-5-103. STREETS AND RELATED IMPROVEMENTS.

- (1) Subdividers shall locate streets within the subdivision so that the streets connect with existing streets. If the adjoining land is zoned for residential use, streets shall be located so that the adjacent land may be most efficiently subdivided.
- (2) Dedication of half streets is prohibited unless: a full right-of-way is to be obtained; curb, gutter, and sidewalk is constructed on the subdivider's side; and a minimum of 28 feet of asphalt is laid. The balance of street improvements will be provided by the applicable property owner.
- (3) All streets should conform to the width designated by the City's Master Street Plan wherever a subdivision is in an area for which a Master Street Plan has been adopted. For territory where the Master Street Plan does not designate a street, streets shall be provided as required by the Planning Commission and City Council.
- (4) Curbs, gutters, and sidewalks shall be installed on existing and proposed streets by the subdivider in all subdivisions. The City Council may, for good cause, after receiving a recommendation from the Planning Commission, modify or waive the requirement for sidewalks on streets.

⁸ Enacted by Ord. No. 2013-12, August 20, 2013

PART 12-480

NEIGHBORHOOD PLANNING POLICIES**SECTION 12-480-1. GENERAL.**

For planning purposes, Centerville City has been divided into several individual neighborhoods (see map on page 54). These neighborhoods are distinguished by certain common characteristics, and have been reviewed to determine the best land use and community features to be preserved and enhanced. The following are the land use and development policies for Centerville's neighborhoods.

SECTION 12-480-2. NEIGHBORHOOD 1, SOUTHEAST CENTERVILLE.

Neighborhood 1 is that portion of Centerville City that is located east of Main Street and south of Parrish Lane (400 North). The neighborhood is characterized by the original Centerville townsite, with its older homes and gridiron street pattern; by the newer homes built in subsequent years east and south of the original townsite; by the "traditional" downtown along Main Street; and by the newer shopping center at Pages Lane. Much of the land in this neighborhood is built upon, and most of the remaining vacant land is in relatively small tracts.

1. Residential Policies

Southeast Centerville is characterized by the older homes found in the original Centerville townsite and its gridiron street pattern and small blocks, and by the newer homes built in subsequent years around the original townsite. Most of the remaining vacant land in this neighborhood is in relatively small tracts.

a. Old Townsite

The old Centerville townsite may be considered the area bounded by 100 North, 400 South, Main Street, and 400 East. The townsite was originally developed with small stone homes on the large interior blocks. As the homes aged and the population of the City grew, many of the large parcels on the blocks were divided and sold for homes. However, in many cases, the deep interiors of the blocks remained undeveloped. These block interiors soon proved to be attractive for residential development, and, as the area grew older, it seemed that many were also looking toward developing duplexes and small apartments, much as has occurred in older residential areas in Salt Lake City. The citizens of Centerville and of the neighborhood have expressed a desire to maintain the single family nature of the old townsite, to avoid problems with dense development on small lots and to avoid overtaxing the limited and aging City services (water, sewer) that exist here. In 1978, therefore, the old townsite remains.

1. The old Centerville townsite shall be maintained in a low density, single-family residential character.

b. Centerville Elementary Area

The residential area around the Centerville Elementary School has a less distinct character than does the old townsite. A number of duplexes have been built in the area over the years, as have some newer single family homes. The gridiron street pattern of the old townsite was not duplicated fully in this area, leaving some large block interiors that are undeveloped. In 1978, this area as zoned R-2, partly in an effort to recognize the number of duplexes that were in existence in the area, and also to allow for a more efficient development of the block interiors. The boundaries of this area are approximately Parrish Lane, 100 North, Main street, and 400 East.

1. The residential area around the Centerville Elementary School shall allow for low and medium density residential development to accommodate more efficient use of the large interior blocks that are common in this area.
2. Residential development in this area should take into consideration the possible impacts upon the elementary school and from any future commercial or office development on Main Street, and buffer accordingly.

c. Centerville Junior High Area

The area around the Centerville Junior High School is somewhat different in character than the remainder of the neighborhood. The Riviera Townhouses, one of the highest density residential developments in the city, is located just south of the school. Several large properties north and south of the junior high are currently vacant.

Considerable interest has been shown recently to develop much of these remaining properties with projects similar to the Riviera Townhouses. The developed areas north and east of the junior high are all low density single family. The area around the northeast corner of Pages Lane and Main Street is currently designated for commercial development.

1. The areas north and east of the Centerville Jr. High School shall be developed and maintained in low density single family residential development, primarily to be compatible with the residential development already in existence.
2. The area south of the Riviera Townhouses may be considered for medium or low density residential development. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred. No high density will be allowed in this area.

d. Extreme South Main Street Area

The area located south of the Pages Lane commercial center and east of Main Street is often regarded by many people as being part of Bountiful. However, the vacant property just south of the commercial center and north of the twin duplex development on 1200 South is in Centerville City. The nature of the development existing in this area (duplexes) and the proximity of the commercial buildings suggests that this area may appropriately develop with medium or low density residential or even commercial uses.

1. The extreme south Main Street area should be developed with appropriate medium or low density residential development, or with commercial uses. Any development in this area should be carefully designed to be compatible with existing development in the area, and to carefully buffer the rear of the buildings of the Pages Lane commercial center. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred for residential development.

e. Southeast Residential Area

The greatest portion of southeast Centerville has been developed primarily in typical residential suburban style, with single family homes on medium and large lots. These residences are located primarily to the east and south of the old Centerville townsite. Not much vacant land exists in this area. Much of what does remain is on the hillside, where care must be taken in development to avoid erosion and other hillside problems.

1. The southeast residential area shall be developed and maintained in low density single-family residential development. Those areas on hillsides shall be carefully developed with strict adherence to City hillside development regulations.

2. Commercial Policies

Southeast Centerville contains two distinct commercial areas: the Pages Lane commercial center, and the old Main Street commercial area. Each of these commercial areas has its own distinctive characteristics and issues.

- a. Pages Lane Commercial Area

Located on Pages Lane between Main Street and 400 East, this center is typical of suburban neighborhood shopping centers, with a large grocery store, variety of home improvement stores, and a number of small specialized businesses. The center serves a large part of Centerville and the surrounding area, and is a major contributor to the economic base of Centerville City.

1. Some development within the existing commercial center is still occurring. Care should be taken in this new development to avoid overcrowding and parking problems. Also, as far as is practical, new development should be encouraged to be as attractive as possible by reviewing and considering building materials, designs, signs, and compliance with applicable landscaping ordinances and regulations.
 2. Much of the north side of Pages Lane between Main Street and 400 East remains undeveloped. Commercial development has been allowed on this side, however. The Taylor Elementary School is located on the north side of Pages Lane. Any further commercial development on this side of the street shall be designed and developed for minimal impact upon the school. Uses that may have detrimental impact upon the school should not be allowed. Any commercial development permitted should be required to buffer itself from the school and any adjacent residences. Commercial development on the north side of Pages Lane should avoid as much as possible strip development by requirements for wide frontages and preventing frequent curb cuts and high quality overall design.
 3. The northeast corner of the intersection of Pages Lane and Main Street has a high potential to develop commercially. This location can be regarded as one of the major entrances to Centerville City. To present an attractive image, care should be taken in any development proposal on this corner to consider appearance as an entry way into the city.

- b. Main Street Commercial Area

The area on Main Street between 400 North (Parrish Lane) and 400 South (Porter Lane) is generally regarded as the traditional commercial area of Centerville, though in reality it never became a strong focal point. The present structure of commercial development with its numerous individual properties, small frontages, short setbacks, and older buildings tends to work against the possibility of any large scale, unified commercial development.

1. The Main Street commercial area shall be allowed to remain as a convenience and specialty shopping area. To encourage any larger scale commercial development would be detrimental to surrounding residential areas and to the future function ability of Main Street as an arterial road.

2. The Main Street commercial area is old and somewhat deteriorating. Significant commercial viability is not likely to occur unless some type of restoration or revitalization is encouraged. Centerville City should seriously consider the preparation of a revitalization plan for this area.
3. Future commercial development in the Main Street area should conform to performance guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas.
4. To preserve the residential integrity of surrounding areas, future commercial development on Main Street shall not be allowed south of 400 South or north of 400 North, and shall not extend more than one-half block east of Main Street.

3. Community Facilities

a. City Hall & Founders Park Small Master Plan ^{1, 2}

In 1994, Centerville City developed and occupied a new City Hall complex just south of Founders Park on Main Street. This accomplished a goal of the General Plan that had suggested that the City offices should be relocated to Main Street. Since 1994, there has been significant growth and development on Main Street. The new City Hall complex, in conjunction with the new Post Office on the other side of Main Street, has acted to intensify public activity in this part of the community. In response to this increase in activity, in 2000 the City undertook preliminary studies to create a long-range land use plan for the City Hall and Founders Park property. These preliminary studies resulted in the recommendation that the City hire a consultant, James Glascock, to develop an overall plan for the area. After a series of successful workshops and public hearings at both the Planning Commission and City Council, a Master Plan for City Hall/Founders Park was prepared.

It is the City's intent that the City Hall/Founders Park Master Plan should be referred to as an advisory and guidance document for future planning and development of the City Hall and Founders Park property. Future land use and development of the City Hall/Founders Park area should generally follow the policies and guidelines of the City Hall/Founders Park Master Plan as developed by James Glascock and reviewed and approved by the City Council in 2001, or as amended. While the City Hall/Founders Park Master Plan, which envisions the future inclusion of land not owned by the City, does not have a specific time frame for the eventual completion of the entire plan, the City should make adequate precautions to make sure that needed land is acquired to assure the proper completion of the City Hall/Founders Park Master Plan.

¹ Amended by Ord. No. 2001-19, July 17, 2001

² Amended by Ord. No. 2004-10, June 1, 2004

Minutes of the Centerville City Council and Planning Commission joint **work session** held Wednesday, March 23, 2016 at 5:30 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

COUNCIL MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore
	William Ince
	Stephanie Ivie
	George McEwan
	Robyn Mecham

PLANNING COMMISSION PRESENT

Chair	David P. Hirschi
Commissioners	Kevin Daly
	Cheylynn Hayman
	Gina Hirst
	Logan Johnson
	Scott Kjar
	Becki Wright

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Jacob Smith, Assistant to the City Manager
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

GOAL SETTING WORK SESSION

Mayor Cutler commented that the following goals appear to be common between the Council and Planning Commission goal lists: review of the Subdivision Ordinance and open space/sensitive lands; preserve foothills for recreation; West Centerville planning; and the South Main Street Corridor (SMSC). Chair Hirschi remarked that both bodies have spent a great deal of time looking at the SMSC Plan and considering what needs to be done. He stated the Planning Commission considers it a high priority primarily because it will take time to get through all of the information and discussion necessary to present a recommendation to the Council. Regarding sensitive lands, he said the Planning Commission is expecting a report from staff at their meeting later in the evening. He added that City trails/pathways and foothill recreation improvements go hand in hand. The Planning Commission met with the Trails Committee at their last meeting for a presentation. Mayor Cutler added that Davis County is considering using Prop 1 funds to improve the Bonneville Shoreline Trail, and is interested in input from Centerville. The group discussed possible ways to coordinate with the County. Cory Snyder, Community Development Director, said he feels the City should take a comprehensive look at future needs and opportunities for connectivity to trails both on the east and west sides of the city, as well as urban pathways providing circulation within the community.

Regarding County plans for the Bonneville Shoreline Trail, Mr. Snyder pointed out that a significant amount of land in the Centerville foothills is private property. Commissioner Daly commented that some of the most developable land in the foothills is on the south end, and is

1 owned by the City. He said it is his impression citizens do not want the foothill property
2 developed. The City could put concrete plans in place to promote recreation and prevent
3 development. Councilwoman Fillmore said she would love for both the Council and the
4 Planning Commission to have a stronger understanding of the long-term cost of infrastructure.
5

6 Chair Hirschi said he believes the west side is going to become much more vibrant with
7 the pedestrian bridge over the freeway, the Maverik going in on the corner of 1250 West and
8 Parrish Lane with a Legacy Trail connection, and the new housing development. He stated the
9 City needs to be ahead of the curve with planning. Chair Hirschi added that some of the
10 industrial companies on the west side are scaling back operations. Councilwoman Fillmore said
11 she feels one of the weaknesses of the previous discussions was the focus on transportation.
12 She suggested new discussions begin without the same emphasis on transportation. Chair
13 Hirschi said he feels there are a lot of commercial opportunities for the area that make sense.
14 Councilwoman Fillmore suggested involving West Bountiful in a more in-depth way.
15

16 Mayor Cutler said in the past there has been general consensus regarding encouraging
17 business on the west side north of Parrish Lane. The Mayor expressed the opinion, and Mr.
18 Snyder agreed, that extending 1250 West to connect with Farmington will be key to developing
19 the area. The City will want to consider the possibility of an Economic Development Area to
20 help with infrastructure. The Council and Planning Commission seemed to be in agreement that
21 they are not in favor of residential development at the north end of the west side. City Manager
22 Thacker suggested removing the suggestion from the General Plan.
23

24 Regarding the west side south of Parrish Lane, Councilwoman Fillmore said her greatest
25 concern is that a heavy industrial use will expand in a way that conflicts with what is desired.
26 She said she would like to reduce the risk by putting something in place to prevent undesirable
27 expansion. Mr. Snyder suggested that the General Plan could be amended to remove heavy
28 industrial use. Councilwoman Fillmore stated that this should be an expedited action. In
29 addition, she said she feels a cohesive, solid ordinance would put the city in a stronger position
30 for this area rather than waiting for a PDO from a developer. Mayor Cutler said it is his
31 impression the Shorelands Commerce Park will be mainly flex-space or light industrial. Chair
32 Hirschi commented he feels the focus south of Parrish Lane should be a continuation of what is
33 happening now - a mixture of office space, residential, entertainment, and business space, with
34 the possibility of some mixed-use or residential transitioning to the West Bountiful border.
35 Councilwoman Mecham said she would like to see heavy industrial limited. Commissioner
36 Wright pointed out that office space should be encouraged as an important aspect of a
37 community. Councilman McEwan suggested the Planning Commission look at centers of
38 gravity for particular types of industry to be realistic with planning. Mayor Cutler commented
39 that centers of gravity will expand as the Wasatch Front continues to grow. Chair Hirschi
40 pointed out the west side is a positive, desirable location transportation-wise, with two freeway
41 accesses.
42

43 Councilman Ince asked if Centerville has a formal relationship with a group like the
44 Chamber of Commerce trying to bring companies to the city. Mr. Thacker responded the City
45 does not actively recruit businesses. The Mayor stated that Davis County has an Economic
46 Development Department that actively recruits. Mr. Snyder added there is also a private/public
47 partnership, the Davis County Business Alliance, which does a lot of promotion of the Davis
48 County area. He mentioned that established infrastructure and the extension of 1250 West
49 would put the city in a better position to compete in the site-ready market. Councilman Ince
50 pointed out that Centerville is the only city in South Davis County with UTOPIA, which could be
51 a selling point.
52

1 Chair Hirschi stated the Planning Commission would like to streamline administrative
2 decisions and procedures, delegating more decision-making to staff and allowing the Planning
3 Commission more time for proactive planning. Councilman Ince said his goal is to avoid getting
4 stuck again with what happened on the Hafoka property on Porter Lane. He pointed out that the
5 community is divided over what should happen on South Main Street. Councilwoman Mecham
6 agreed, and said she would like to know what uses would be allowed in specific zones so the
7 Council can anticipate and avoid surprises. Mr. Snyder cautioned the Council and Planning
8 Commission against getting caught up with design details, and suggested the issue is whether
9 or not they are comfortable with the multi-family development ordinance.

10
11 At 6:50 p.m. the Planning Commission moved upstairs for their regular meeting, and the
12 Council took a break, returning at 7:10 p.m. The Council discussed the goals rated highest
13 priority by the Council prior to the meeting.

14
15 Accessory building setbacks – Councilwoman Fillmore said she feels the Planning
16 Commission should review accessory building setbacks and recommend revisions to provide a
17 level of protection.

18
19 Flag-lot ordinance – Councilwoman Mecham asked why the City allows two adjoining
20 flag lots, considering the loss of privacy for the entire surrounding neighborhood. Mayor Cutler
21 pointed out that sometimes flag lots are appropriate. Councilwoman Fillmore stated she thinks
22 the City is at risk with the flag-lot ordinance as it is currently written, adding that setbacks and
23 height ratios should be carefully considered. A majority of the Council appeared to be in favor
24 of directing the Planning Commission to review the flag-lot ordinance.

25
26 Accessory Dwelling Units (ADUs) – Councilwoman Mecham said she does not think the
27 City will get a lot of applications for ADUs. Councilwoman Fillmore agreed, but stated she
28 would like citizens to have a legal route to do something she believes will happen anyway.

29
30 Land-use planning for west side – The Council discussed the desire to eliminate heavy-
31 industrial use from the west side. Mayor Cutler suggested property owners should be included
32 if another work session is held regarding the west side.

33
34 RAP Tax revenue usage – Mayor Cutler reported the City has opportunity to use a
35 graduate student to conduct a public outreach effort regarding Island View Park. A majority of
36 the Council seemed supportive. Councilwoman Ivie emphasized that neighbors should be
37 made aware that changes will take time and will not happen immediately. Mr. Thacker
38 suggested the Council's goal with RAP Tax revenue could be: "maintain what we've got, replace
39 what we've lost, and finish what we've started." Councilwoman Mecham asked if it would be
40 possible to solicit donations from park equipment companies. Councilwoman Fillmore
41 suggested the idea could be presented to the Parks Committee to gauge their interest.
42 Councilwoman Mecham suggested waiting until a plan for Island View Park is in place. It was
43 suggested the outreach for park improvement should include the entire city rather than just park
44 neighbors. Mayor Cutler reported the Recreation District is in need of more playing fields. He
45 suggested the Recreation District might be willing to donate funds to help complete new fields at
46 Community Park, or the City could possibly borrow funds from the Recreation District to
47 complete the fields sooner than currently expected. Mr. Thacker added that a loan could be
48 made from the Cemetery Perpetual Care Fund or the Theatre Reserve Fund for the same
49 purpose. Mayor Cutler said he feels the options would be worth exploring, but firm cost
50 estimates will be needed. The entire Council indicated they are in favor of moving forward with
51 the planning stage for both Island View Park and the completion of the Community Park
52 expansion project.



1 UTOPIA – The Council requested a presentation from UTOPIA executives regarding
2 how Centerville could improve marketing efforts.

3
4 South Main Street Corridor (SMSC) Plan – The Council discussed the desired scope of
5 continued SMSC planning. Councilman McEwan expressed the opinion that property owners
6 should have a lot of input. Mayor Cutler suggested the Planning Commission finish their current
7 recommendations by May, to be presented at a joint work session.

8
9 Hillside plans and zoning – The Council discussed private property on the hillside, and
10 appeared to be in agreement that the city is protected against hillside development at this point.

11
12 Cemetery expansion options – Councilwoman Fillmore repeated a comment made by
13 former-Councilman Higginson that every city is dealing with diminishing cemetery space and
14 every city is going to run out someday, even if more space is added. Mayor Cutler and
15 Councilwoman Ivie indicated they are in favor of exploring the possibility of a mausoleum.
16 Referring to the County-owned property on 100 South, Councilwoman Ivie said she believes the
17 land is still necessary as a debris basin. Mr. Thacker responded that the County would be able
18 to maintain the sediment basin with a few residential lots on a portion of the property.
19 Councilman McEwan suggested a public/private partnership with Russon Brothers Mortuary to
20 evaluate the possibility of a mausoleum. Staff was directed to get a cost estimate for a
21 feasibility study for a cemetery on the hillside City-owned property.

22
23 Extension of 1250 West – Councilwoman Mecham said she will encourage the County
24 Transportation Committee to discuss the extension of 1250 West.

25
26 The Council agreed on the following priorities for the Planning Commission:

27
28 Long-term big items

- 29 1- South Main Street Corridor (recommendation by May)
30 2- West side plan (begin by 3rd quarter)
31 3- Hillside recreation – working with County

– More comprehensive urban
pathways plan?

32 – Subdivision Ordinance

– Staff propose a process?

33 Short-term (1-2 meetings to complete)

- 34 1- Remove Very-High Industrial zoning
35 2- Review flag-lot ordinance
36 3- Review accessory building setbacks (complete by end of 2nd quarter)
37 4- Update bike/trail master plan and adopt into General Plan

38 #5 - Open Space/Sensitive Lands

39 Fluoride – A majority of the Council indicated a desire to put the cost of fluoride as a line
40 item on the city utility bill. Mr. Thacker suggested the utility bill change could be made in
41 conjunction with the proposed water rate change. The original decision to fluoridate the water
42 was a County-wide vote. Councilwoman Ivie said she would like to document the feedback
43 received from residents. Some of the Council expressed a desire to write to the County
44 requesting the issue be put back on the ballot.

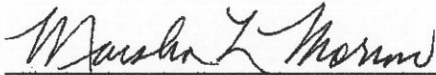
article
instead

- 45
46 • The Council agreed to let the Landmarks Commission make decisions regarding
47 Historic District signage.
48 • The Council agreed on the need to install sound panels in the Council Chambers this
49 year to improve the sound system.
50 • The city did not receive TAP funding from WFRC for sidewalk lighting on Parrish
51 Lane.

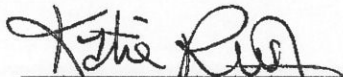
- The Council discussed the Chick-fil-A and Dairy Queen drive-thru situations and agreed there is not much they can do at this point.
- Councilwoman Fillmore suggested the Council have a goal to end Council meetings by 10:00 p.m.

ADJOURNMENT

The work session was adjourned at 8:55 p.m.


Marsha L. Morrow, City Recorder

4-19-2016 (CC) 4-27-2016 (PC)
Date Approved


Katie Rust, Recording Secretary



CENTERVILLE

Staff Backup Report

11/1/2016

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

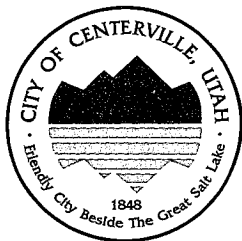
RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▣ City Manager Summary of November 1, 2016 Council Meeting



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

Tamilyn Fillmore

William Ince

Stephanie Ivie

George McEwan

Robyn Mechem

City Manager

Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager *A. Thacker*
subject: City Manager's Summary of November 1, 2016 Council Meeting
date: October 28, 2016

5:30 Work Session with Planning Commission – The City Council and Planning Commission will meet together in a work session at 5:30 p.m. to discuss: a) the current flag lot ordinance and b) General Plan amendments to the Southeast Neighborhood. A few months ago the City Council asked the Planning Commission to consider repealing the flag lot ordinance. The Commission, however, sent back a recommendation to keep this ordinance because they concluded it is a useful tool for infill development. The City Council subsequently held a public hearing on whether to repeal this ordinance. Several residents spoke in favor of keeping some version of flag lot ordinance. The Council tabled action and agreed to meet with the Planning Commission to discuss potential revisions to the current ordinance in lieu of repealing it altogether. That discussion will occur in this work session.

In a recent meeting the City Council also agreed to meet with the Planning Commission to discuss concerns and potential amendments to the Southeast Neighborhood section of the General Plan. Therefore, this topic was added to this work session agenda.

Councilmembers and Planning Commissioners are encouraged to read and be familiar with the content of both the current flag lot ordinance and the pertinent section of the General Plan before coming to the work session. This will allow a more productive session as the Community Development Director facilitates an orderly review of those documents.

Dinner will be available beginning about 5:15 p.m. for work session participants.

Regular Council Meeting

E.1. Minutes Review – The minutes to be approved are accessible via the online meeting documents.

E.2. Summary Action Calendar

- a. **Assignment Agreement** – Lots 2 & 3 (south of the movie theater) of the Legacy Crossing at Parrish Lane mixed-use development have been purchased by another party for potential development. The seller and buyer are required to enter into this Agreement with the City to transfer all rights and obligations of the original Development Agreement to the new owner. This is a common action within several development areas of the City.



- b. **Commence warranty period** – The Park Hills Phase 3 Subdivision is ready to begin its warranty period. However, in this case the City Engineer recommends the normal one-year warranty period be extended to two years for the reason explained in the staff report.
 - c. **Terminate warranty period** – The Pine Hills Subdivision is ready for termination of its warranty period.
- E.3. **Public Hearing - Zoning Code Amendment - Reception Center in I-H Zone** – The Planning Commission recommends approval of this amendment, which would allow a reception center as a conditional use in the Industrial-High (I-H) Zone.
- E.4. **Public Hearing – Zone Code Amendments - Climate Controlled Storage** – The Planning Commission recommends approval of this amendment, which would exempt the Parrish Square Shopping Center from the South Main Street Corridor provisions and allow climate-controlled storage as a conditional use in this shopping center.
- E.5. **General Plan Amendments - Removing I-VH Zoning in West Centerville Neighborhood Plan** – This is a continuation of a matter that was discussed and postponed in several earlier meetings. The Council wanted more time to think about this matter. No new staff work has been done, but all of the relevant documents have been attached again for the Council’s reference, including staff reports and minutes of several earlier meetings.
- E.6. **Davis County Natural Hazard Pre-Disaster Mitigation Plan** – To remain eligible for federal disaster funding, Davis County and its governmental entities (cities, special districts, etc.) have participated in preparing an update of the Natural Hazard Pre-Disaster Mitigation Plan. Now all of those entities need to approve the Plan. DeeEll Fifield, the consultant hired by Davis County to prepare the Plan, will make a presentation of the Plan at the Council meeting. Following his presentation, public comment should be allowed before the Council approves the Plan. Excerpts from the 291-page document are included in the online meeting packet, and the staff report provides a link to the entire document for those who wish to read more.
- E.7. **Jennings Lane/400 West Intersection Improvements** – The Police Chief has made a decision to convert this intersection to a 4-way stop. In addition, City staff recommend the northwest corner be reconstructed to provide more safety for pedestrians and motorists.
- E.8. **Professional Services Agreement - Island View Park Renovation** – The Parks & Recreation Committee has requested the assistance of a landscape architect to help with the development of a schematic plan and cost estimate for the Island View Park renovation project. A schematic plan and cost estimate are needed in order to apply in February 2017 for the next opportunity for federal grant funding. Staff recommend the continued use of landscape architect services from MGB+A for this purpose.
- E.9. **Continue discussion of potential uses of RAP Tax revenues** – Now that the Council has met directly with the three parties requesting use of these funds—i.e. the Parks & Rec Committee, CenterPoint Theatre reps, and the Whitaker Museum Board—they will continue the discussion of how to allocate these funds over the next few years.

- E.10. Mayor's Report** – Mayor Cutler attended a recent Davis County COG meeting where the County made a presentation about their proposed property tax increase. That presentation is available in the online meeting documents.
- E.11. City Manager's Report** – I will brief the Council on the outcome of the recent meeting with UDOT about their study of the Parrish Lane corridor and interchange reconstruction options.
- E.12. Miscellaneous Business** – No topics are shown at this time under this heading.
- E.13. 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.14. Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments.

Potential Agenda Items for November 15, 2016 City Council meetings (subject to change):

- Davis Metro Narcotics Strike Force Interlocal Agreement
- Financial report for period ending October 31
- Liaison Report from John Higginson – Wasatch Integrated Waste

ST/mlm

CENTERVILLE

**Staff Backup Report
11/1/2016**

Item No.

Short Title: Councilwoman Irie

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 1.

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:10

SUBJECT

August 25, 2016 joint City Council/Trails Committee meeting; October 18, 2016 City Council meeting

RECOMMENDATION

The City Council at a previous meeting approved the August 25, 2016 joint City Council/Trails Committee meeting, but the Trails Committee met last night and requested a few corrections. The City Council will need to ratify these changes, which are highlighted in yellow.

BACKGROUND

ATTACHMENTS:

Description

- ☐ 8-25-2016 joint Trails Committee/City Council meeting minutes
- ☐ 10-18-2016 City Council meeting minutes

PRELIMINARY DRAFT (2)

Minutes of the Joint Centerville City Trails Committee/Centerville City Council meeting held Thursday, August 25, 2016 at 8:00 p.m. in the City Hall Multi-Purpose Room (downstairs) at 250 North Main Street, Centerville, Utah.

CITY COUNCIL MEMBERS PRESENT

Paul Cutler, Mayor
Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

TRAILS COMMITTEE MEMBERS PRESENT

Denise Cox
Mark Dimond, Chair
Matt Johnson
Mikael Remington
Rick Turner, arrived at 8:30 p.m.

TRAILS COMMITTEE MEMBERS ABSENT

Brandon Federico
Mark Oligschlaeger

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Bruce Cox, Parks and Recreation Director
Connie Larson, Recording Secretary

VISITORS

Boy Scout Troop 1776

PLEDGE OF ALLEGIANCE

Boy Scout Troop 1776

BICYCLE MASTER PLAN PRESENTATION AND RECOMMENDATION

Steve Thacker, City Manager, said the City Council requested to meet with the Trails Committee about General Plan amendments pertaining to the Master Trails Plan text and map. Mark Dimond, Trails Committee Chair, explained the Trails Committee feels Centerville should strive to become a bicycle-friendly community.

Councilman McEwan asked for the definition of when parking is allowed in a bike lane. Matt Johnson explained if there is a specific bike lane on a shoulder there would be no parking allowed, unless there is room to have parking. If a road is wide enough for a bike lane and parking lanes in the same area, then parking is allowed. When there is a Share the Road sign, parking is allowed in the bike lane if there is a wide shoulder. There are three different classes of bike lanes based on national standards. Class III bike route is not striped is designated as Share the Road; the

1 bikeway provides for shared use with motor vehicles, indicated with “Shared the Road” signage.
2 Class I is a separate bike path which would be like the Legacy Trail, and Class II is a specific bike
3 lane striped on the street. Mayor Cutler said there have been questions on how the bike lanes were
4 chosen, and the process used to choose bike lanes. There is concern for the safety of cyclists on
5 Parrish Lane, especially merging from the off ramp on east bound Parrish Lane. The Master Plan
6 shows Parrish Lane as a proposed bike lane route from 400 East to the trail head at 1250 West, but
7 the City Council is concerned about promoting Parrish Lane as a bike route to the Legacy Trail.
8

9 Mr. Thacker reported he and three other City employees met with UDOT last week to
10 brainstorm about the future rebuilding of the I-15 interchange. UDOT has done traffic counts as a
11 basis for this discussion, documenting current congestion, and there are two interchange design
12 concepts agreed upon for further study. One of the subparts to be studied for both concepts is the
13 possible incorporation of a combination pedestrian/bike pathway on Parrish Lane, separated from
14 the street (i.e. behind the curb). It is conceivable to convert some of the right-of-way behind the
15 curb for this purpose. Mr. Thacker suggested showing Parrish Lane as a proposed bike route to use
16 as leverage in future negotiations with UDOT. Councilwoman Fillmore mentioned Dan Burden,
17 national walkability expert, who suggested in his study of Centerville that the City has an
18 extraordinarily wide right-of-way that could be used to improve walkability. Councilwoman Ivie
19 expressed concern about mothers allowing young children to bike or walk alone on Parrish Lane,
20 as it currently is, with the assumption that it is safe.
21

22 Lisa Romney, City Attorney, suggested preparing two maps. One map for showing **existing**
23 trails and bike lanes. A second map of proposed future bike lanes for inclusion in the General Plan,
24 showing where the City would like to implement bike lanes when possible. Matt Johnson asked
25 how bike routes can be made safer. Chair Dimond explained the pedestrian/bike bridge was just
26 installed, but there is a need to solve the safest route to the bridge now. Mayor Cutler stated the
27 bike lanes on the Frontage Road north of Parrish will be completed next year, and hopefully bike
28 lanes on the Frontage Road south of Parrish will be completed in the future. Chair Dimond stated
29 when there are striped bike lanes, cars will give more room to cyclists. Councilman Ince suggested
30 the street sweepers be asked to give priority to the streets with striped bike lanes, so they are free
31 of debris and cyclists will not be forced to ride in the car lane.
32

33 At 8:30 p.m., Rick Turner arrived at the meeting.
34

35 Councilman McEwan suggested having signs installed on Parrish Lane at 1250 West
36 informing pedestrians to not walk on the south side of the overpass, but to use the pedestrian
37 walkway on the north side of Parrish. Mayor Cutler agreed and asked the Trails Committee to
38 follow up on this suggestion.
39

40 Lisa Romney, City Attorney, explained these General Plan amendments were not noticed
41 as an action item for this work session, but it will be on the September 6th City Council agenda for
42 action. Mike Smith will be asked to make a separate map of the proposed trails for bikes and
43 pedestrians. Councilman Ince asked what it would cost to stripe Bamberger Way with bike lanes
44 to direct cyclists to 400 West and then to Parrish Lane. Mr. Thacker explained the parking issues
45 on Bamberger Way should be evaluated first before bike lanes are considered.
46

1 The City Council agreed to create a map of the current trails for cyclists and pedestrians on
2 the City website and in the City newsletter, and to have the proposed plan for trails and bike lanes
3 in the General Plan.

4
5 **JOINT TRAILS COMMITTEE/CITY COUNCIL DISCUSSION AND**
6 **RECOMMENDATION FOR LANE STRIPING ON MAIN STREET SOUTH OF**
7 **PARRISH**
8

9 Steve Thacker, City Manager, displayed a drawing of how Main Street south of Parrish
10 Lane could be striped, based on a recommendation from the City Engineer. UDOT said everything
11 will be redone in 2018 after they overlay the road. They do not want to change the median this
12 year, but are willing to narrow the median in 2018 for bike or travel lanes. There is 42-44 feet of
13 asphalt, which means there can be an 11-foot travel lane in each direction for vehicles, leaving 4
14 to 5 feet of asphalt on each side beyond the shoulder stripe, and the gutter would be beyond that.

15
16 Mr. Thacker is negotiating with the Utah Transit Authority (UTA) to include a bus stop on
17 1250 West at the trail head. This would mean extending the right-turn pocket lane to allow the bus
18 to leave the travel lane to pick-up passengers. UTA is supportive of this plan, and would pay for
19 some of the trailhead amenities. The first bus stop is currently by the roundabout on 1250 West,
20 and then the bus travels through West Bountiful. This bus route has two runs in the morning, and
21 two runs in the evening. Since this area will be a bus stop, he has proposed to Maverik a closed
22 roof pavilion at the stop, which is \$7,000 less than a trellis covering. Councilwoman Mecham said
23 there is a \$600,000 grant available for sidewalks on major roads that are within one mile of schools.
24 Mr. Thacker said at this time, all of the major roads near schools have sidewalks.

25
26 Councilman Ince said there are people he has talked to who are upset with cyclists who
27 have their own idea of interpreting the traffic laws. He asked what can be done to train and
28 encourage cyclists to follow the traffic laws. Chair Dimond replied it is usually ignorance on the
29 cyclist's part, and it is difficult to educate a community on bike etiquette. Many group bike rides
30 are sponsored by local bike shops. Bike shops could be asked to remind bikers of the laws before
31 their ride begins. In the October newsletter, Chair Dimond and Matt Johnson Mark Oligschlaeger
32 will write an article on cycling courtesy and the importance of following traffic laws. This could
33 be converted into a handout that can be given to bike stores.

34
35 **EXCUSE CITY COUNCIL TO PROCEED WITH TRAILS MEETING**
36

37 At 9:15 p.m., the City Council, Steve Thacker and Lisa Romney were excused from the
38 meeting. Councilwoman Robyn Mecham remained at the meeting as the Committee's liaison.

39
40 **MINUTES REVIEW AND APPROVAL**
41

42 Minutes of the June 23, 2016 Trails Committee meeting were reviewed. Chair Mark
43 Dimond made a **motion** to approve the minutes as written. Matt Johnson seconded the motion,
44 which was passed by unanimous vote (5-0).

**PLAN AND MAKE ASSIGNMENTS FOR PEDESTRIAN BRIDGE OPENING
EVENT**

The Trails Committee chose October 8th at 10 a.m. for the opening event for the pedestrian bridge. Local businesses and UDOT will be invited to attend this event. The opening events will be held on the west side at 1250 West, and parking will be on 1250 West north of Parrish. The Police Department will be asked to close 1250 West during this time, and to give a demonstration on bicycle safety. Instead of releasing balloons, homing pigeons could be used. Steve Chingren, a Centerville resident, has homing pigeons and other birds that he trains for bird shows at Hogle Zoo. Rick Turner will contact Mr. Chingren about using his pigeons for this event. The City website, The Davis Clipper, and the utility bill will be used to advertise this event.

TRAILS RELATED VOLUNTEER PROJECTS REPORT

Denise Cox was contacted by a Boy Scout who would like to install trail markers on the Bonneville Shoreline Trail made of fiberglass for his Eagle Scout project. Councilwoman Mecham reported a Boy Scout is working with Police Chief Paul Child on installing crossing flags on Main Street at the cross walks. Maintaining the Rockwood Trail would be a good Eagle Scout project.

FOLLOW UP TO BIKE TRACK IDEA

This item will be discussed at a future date.

NEXT MEETING

The next Trails Committee meeting will be held on Thursday, September 15, 2016 at 8:00 p.m. at City Hall.

ADJOURN

At 10:00 p.m., Chair Dimond made a **motion** to adjourn. Matt Johnson seconded the motion, which was passed by unanimous vote (5-0).

Mark Dimond, Chair

Date Approved

Connie Larson, Recording Secretary

Minutes of the Centerville **City Council** meeting held Tuesday, October 18, 2016 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor Paul A. Cutler

Council Members Tamilyn Fillmore
William Ince
Stephanie Ivie
George McEwan
Robyn Mecham

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Jacob Smith, Assistant to the City Manager
Cory Snyder, Community Development Director
Dave Walker, Drainage Utility Supervisor
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT

Pastor Loren Pankratz, The Bridge Community

OPEN SESSION

Dave Bell – Mr. Bell said he owns a business and residential property in Centerville. He provided the Council with Google Maps images of his commercial property, Dave's Auto Service, his nearby residential property, and surrounding properties (attached). Mr. Bell said he is hoping to purchase the residential property next to his property. He informed the Council of his desire to be open about his intentions to develop his residential property, and asked the Council to consider what they would be willing to allow. Mr. Bell said he would like to avoid the conflict that has occurred with some of the recent development in the city.

Dale McIntyre – Mr. McIntyre stated it is his understanding that neither the Planning Commission nor the City Council is to consider development plans from an applicant when considering a request for rezone, yet development plans are included in the staff report for a rezone request on the agenda. He asked why staff includes the development plans in the documentation if the Council is not to consider them in the decision. Mr. McIntyre provided the Council with a copy of his comments (attached).

Lisa Romney, City Attorney, clarified that the Council is not prohibited from looking at documentation provided by the applicant. Staff advises the Council against allowing the expectation of specific development to influence the rezone decision because the proposed development is not guaranteed (i.e., plans can change, property can be sold). Cory Snyder, Community Development Director, stated that applicants have a right to petition and provide any plans they desire. Applicants often like to show what they envision for a property when requesting a rezone. The plans are provided to the Council at the applicant's request.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the October 4, 2016 work session and regular Council meeting were reviewed. Councilwoman Mecham requested two amendments to the regular Council meeting minutes. Councilman McEwan made a **motion** to accept the October 4, 2016 work session minutes, and the October 4, 2016 Council meeting minutes as amended. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Award bid for a 2017 GMC 4WD Sierra 2500 HD Double cab, with a shell and ladder racks from Young Automotive Group in the amount of \$34,086.70 for the Public Works Director
- b. Approve Amendment to the Youth City Council Charter to increase the maximum number of Youth City Council members from 20 to 25 members – Resolution No. 2016-25

City Manager Thacker responded to a question from Councilman McEwan about the City vehicle rotation schedule. Referring to item (b) on the Summary Action Calendar, Councilwoman Ivie said she agrees with increasing the number of members on the Youth Council, but said she knows some cities accept all applicants, but do not send all members to the annual conference. Councilwoman Ivie suggested there would be enough service opportunities for everyone desiring to serve. Mayor Cutler responded it is difficult to manage a large group when it reaches a certain point, and difficult to administer a larger group with the given budget. Mr. Thacker commented that the Youth Council currently has more than 20 members. The proposed change would bring the numbers into compliance. Councilwoman Fillmore made a **motion** to accept both items on the Summary Action Calendar, including Resolution No. 2016-25. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

RECONSIDERATION OF ZONING MAP AMENDMENT – BALLING TOWNHOMES – 323 EAST PAGES LANE

On October 4, 2016, the City Council reviewed and held a public hearing regarding the proposed rezone of property located at 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H). At that time, the Council voted by majority (3-2) to reject and deny the rezone. The applicant has requested the Council reconsider its previous action on Ordinance No. 2016-31 and consider adoption of the ordinance rezoning the subject property to Residential-Medium (R-M), rather than the previously requested R-H. Councilwoman Mecham made a **motion** to reconsider Ordinance No. 2016-31 regarding the proposed Zone Map Amendment (rezone) for property located at approximately 323 East Pages Lane. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

Scott Balling, applicant, stated he is confident his plans can be accommodated in the R-M Zone. He said he feels R-M is compatible with the area. Councilman McEwan asked staff if the development project as proposed would be possible with the R-M Zoning. Mr. Snyder responded that, as proposed, the project would not qualify. Density calculations would need to be met, and the proposed six units would require a conditional use permit. With the conditional use permit, the Planning Commission would determine if any mitigation measures are necessary.

The Mayor opened a courtesy public hearing at 7:36 p.m., and closed the public hearing seeing that no one wished to comment. Councilman McEwan made a **motion** to adopt

Ordinance No. 2016-31A, changing all references to Residential-High (R-H) to Residential-Medium (R-M). Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – MUNICIPAL CODE AND ZONING CODE AMENDMENTS – PROHIBITING FLAG-LOT DEVELOPMENT

On September 4, 2016, the Council directed staff and the Planning Commission to consider code amendments to repeal provisions of City ordinances regarding flag lots and to prohibit the use of flag lots within the city. On September 29, 2016, the Planning Commission reviewed and held a public hearing on the proposed amendments to prohibit flag lot development. After due consideration and discussion, the Planning Commission voted to reject the proposed amendments. Mr. Snyder stated that flag lots create uncomfortableness in every city. He said he believes that, if the Council chooses to repeal the flag-lot option at this time, the issue will be brought before the Council again in the future. The option has been repealed in the past, and brought back to the Council by citizens looking to use the flag-lot tool. He said he feels the flag-lot option is a good last-resort tool with a disciplined ordinance. Mr. Snyder said the Planning Commission would have preferred the Council to express specific concerns and let the Commission try to fix the areas of concern.

Mayor Cutler opened a public hearing at 7:47 p.m.

Kendall Skinner – Mr. Skinner said he recently acquired property in Centerville for agricultural use to teach his children how to work. The property was advertised as approved for flag-lot development. Mr. Skinner said he would like to keep the flexibility for the future. He asked why the Council would want to do away with the ordinance completely. Councilwoman Mecham responded that citizens have expressed concern about the rights of neighboring property owners who do not want something built in their backyards that would shadow the neighboring properties.

Scott Balling – Mr. Balling stated that as a city is built-out there are remnant parcels that are hard to deal with. The flag-lot tool provides options. He said he feels the ordinance should be stiff so flag lots are only a last-resort option, but the option should be there.

Kim Samuelson – Mr. Samuelson said he has a vested interest in the issue because he has a larger lot that could possibly be considered flag lot worthy. He said he would hate to see the Council close the door on that option. He asked that the Council let people do what they think is best, with some guidance. Mr. Samuelson said the “last resort” idea bothers him because property owners may want to do something different than the ordinance would allow. He said it is sad for those who purchased property expecting that nothing would change, but he feels property owners should be allowed to do what they can with their own property.

Kathy Streadbeck – Ms. Streadbeck said she is representing her father, who lives in Centerville and has a vested interest in the flag-lot option. She provided a copy of her father’s comments (attached). Ms. Streadbeck said her father feels removing flag lots as an option would be shutting the door on his right to develop. He feels the time to listen to and mitigate concerns of neighbors was when the ordinance was put in place. Now that the option is in place, the weight should be on the side of property owner rights. She stated the flag-lot ordinance is in line with the community desire for single-family development. Ms. Streadbeck pointed out that taking away the flag-lot option would open the door to PDOs and higher-density development. She said she hopes the Council members will all read the minutes of the Planning Commission meeting and take the Planning Commission recommendation into consideration.

1 John Streadbeck – Mr. Streadbeck echoed his wife's comments, and pointed out that,
2 for the most part, flag lots are few. He agreed that flag lots are uncomfortable for everyone
3 around, but it should be the most uncomfortable for those who do not own the property. He said
4 he feels it should always be difficult to take away property rights. Property owners should have
5 the right to do what was allowed at the time the property was purchased. He asked the Council
6 to err on the side of property owners keeping the rights in place when they purchased, not the
7 rights of those with a view of the property.

8
9 Mayor Cutler closed the public hearing at 8:00 p.m. The Mayor said he feels the Council
10 should consider keeping the flag-lot ordinance to provide options for property owners. Flag lots
11 are a useful tool long-term. Mayor Cutler said he would like to hear concrete examples of flag
12 lots that are problematic in Centerville. Councilwoman Fillmore responded there are many
13 examples of flag lots that are problematic and poorly done. She stated she is very open to infill
14 options, and she was in support of an ADU ordinance and the level of control it could provide.
15 Councilwoman Fillmore said that, as a member of the Planning Commission when flag lots were
16 last considered, she spoke against flag lots in general because of her many concerns. She said
17 one of her concerns involves the road/driveway used by the back property owner impacting the
18 front property owner. She said the Planning Commission was sensitive to the concerns
19 expressed when they drafted the ordinance. However, an altered version was adopted by the
20 Council. Councilwoman Fillmore said she is open to having a very nuanced, intricate ordinance
21 for flag lots. She said she feels Centerville has a fantastic Planning Commission, and she is
22 comfortable sending a list of concerns to the Planning Commission for them to address.

23
24 Councilwoman Mecham stated she is very concerned about the height of structures on
25 flag lots, especially in the older part of Centerville with primarily small homes. She said she
26 would want the height addressed, perhaps as an average of neighboring structure heights.
27 Councilwoman Mecham suggested the flag-lot option could be available with involvement of the
28 Board of Adjustments. Councilman Ince read aloud findings (e) and (f) from the Planning
29 Commission's motion:

- 30
31 e. The Planning Commission finds that the allowance of flag lots, with the regulations
32 that are in place, can create compatible building orientation and placement on
33 properties that can temper and mitigate any visual and sometimes physical impacts
34 that are not the expected norm to the typical residential development patterns of
35 today (or if deemed necessary be adjusted).
36 f. The Planning Commission finds that the flag-lot regulations can adequately to
37 appropriately address building height relationships to adjacent properties, application
38 of front side and rear yard setbacks, use of accessory structures, utility service
39 laterals, fire suppression access and turnarounds, stem or pole use and
40 maintenance (or if deemed necessary be adjusted).

41
42 Councilman Ince said he could not find where those issues are addressed in the ordinance. Mr.
43 Snyder explained that the Planning Commission was expressing a preference to adjust the
44 existing ordinance rather than repeal the ordinance entirely. Councilwoman Fillmore agreed
45 with Councilman Ince that the findings make it sound like those issues are addressed in the
46 ordinance, and that she would argue they are not. Councilman McEwan asked Mr. Snyder what
47 reasons other councils have used to repeal flag-lot ordinances. Mr. Snyder responded they are
48 the same difficulties the City Council is struggling with now - safety issues, and the shock value
49 of a structure going up in space that has been empty for a long time. Mr. Snyder said he feels
50 the existing flag-lot ordinance is really good, and staff and the Planning Commission are willing
51 to wrestle with concerns and bring back recommendations.

52

1 Councilwoman Fillmore gave an example of flag-lot use in her neighborhood where she
2 thinks a small subdivision would have been less chaotic. Councilwoman Ivie stated she has
3 little kids, and the idea of a driveway going through a property to access a flag lot sounds
4 dangerous. Mr. Snyder responded that fencing and buffering could be looked at to mitigate the
5 concern.

6
7 Councilwoman Fillmore made a **motion** to send the ordinance to the Planning
8 Commission for recommendations on how to address the Council's concerns. The motion died
9 for lack of a second. A majority of the Council indicated they would like to meet in a work
10 session to receive education from staff. Councilman Ince asked if, in the meantime, a TZRO
11 could be placed on flag-lot development. Ms. Romney responded a TZRO is a limited tool that
12 would be problematic from a legal perspective for a change in policy direction. Councilwoman
13 Fillmore suggested including the Planning Commission at the work session. Councilman
14 McEwan said he is sensitive to the fact that once a right is granted, it seems like a bad thing to
15 take it away. He said that when something is done that is incongruous to a neighborhood, just
16 like a living organism, the neighborhood will react. The question is whether the long-lasting
17 impact would change the character of the neighborhood. Councilman McEwan said if flag lots
18 can be fit into a specific template that will allow control, balancing the community with the
19 property owner, he would be fine with it. He said he is not in favor of allowing properties to
20 become blighted. He said he understands a lot of citizens bought their properties and homes
21 with certain expectations about their surroundings. Councilman Ince said he would prefer not to
22 take the option away, but would like to better understand protections to surrounding properties.

23
24 Councilman Ince made a **motion** to table this issue and schedule a work session with
25 the Planning Commission on November 1st, prior to the regular Council meeting, for an
26 explanation of elements of the current flag-lot ordinance. Councilwoman Fillmore seconded the
27 motion, which passed by unanimous vote (5-0).

28
29 Bruce Pitt – Mr. Pitt stated he has lived in a flag-lot situation that was a wonderful
30 experience. He encouraged the Council to not throw the ordinance away completely, and to be
31 careful with property rights.

32
33 **DISCUSSION REGARDING UPDATING THE GENERAL PLAN – REQUESTED BY**
34 **COUNCIL MEMBERS IVIE AND MECHAM**

35
36 Councilwoman Ivie referred to the rezone request discussed at the last Council meeting,
37 stating there were many questions about what the General Plan does and does not allow,
38 particularly in the southeast neighborhood. She proposed the Council tackle the southeast
39 neighborhood portion, with the idea that the Council continue from there to the southwest as
40 quickly as possible. Councilwoman Ivie said she was pleased to hear the Planning Commission
41 is willing to dig in and fix something, and she thinks this is a good issue to send to them
42 posthaste. Mr. Snyder explained the process for updating the General Plan, which would take a
43 minimum of two and a half months. Public notice must be given regarding the intention to
44 change the General Plan. An update of a Neighborhood Plan typically involves public outreach
45 with the neighborhood. A lot of pre-marketing is usually involved to build up interest. Prior to
46 the public outreach, the city would identify the elements of the Plan under consideration. An ad
47 hoc committee could be formed to identify themes and begin making revisions. Mr. Snyder said
48 he believes the update will be a longer process if density is a driving issue.

49
50 Councilwoman Mecham asked if a work session would be appropriate. Councilwoman
51 Fillmore said she feels a work session is a good idea for a first step because she feels part of
52 this is a misunderstanding of what the General Plan is supposed to do for the city. She said
53 that, although one of the standards for land-use consideration is whether or not something is

1 consistent with the General Plan, the standard is very subjective and flexible. The General Plan
2 stays very general, and the Council has flexibility as the Legislative body. Mr. Snyder added
3 that, in making a Legislative decision, the Council looks to the General Plan for guidance, but is
4 not handcuffed unless the direction is extremely specific. The purpose of the ordinance is to tie
5 conditional use permits and site plans to the General Plan. There is wisdom in not being too
6 specific in the General Plan. Ms. Romney added a State statute states that the General Plan is
7 an advisory guide for land-use decisions, the impact of which shall be determined by ordinance.
8

9 Councilman McEwan said he would like to avoid General Plan “fatigue” in the community
10 by specifically stating what portion is being considered. The Council discussed adding
11 discussion of the General Plan update to the joint work session with the Planning Commission
12 on November 1st if time allows. Councilwoman Ivie made a **motion** directing staff to initiate
13 public notice that a work session will be held on November 1, 2016 to discuss the Neighborhood
14 One (southeast neighborhood) portion of the General Plan. Councilman Ince seconded the
15 motion. In deference to staff work load, a desire to review Council goals for 2016, and not
16 wanting to create public expectation that decisions will be made quickly, Councilwoman Fillmore
17 said she would be more comfortable with giving notice after the work session. Mr. Snyder
18 commented that the holiday season and other 2016 goals will cause delay. Councilman
19 McEwan said he would prefer residents with strong feelings on the issue to start voicing those
20 concerns earlier rather than later. The motion to initiate public notice passed by majority vote
21 (4-1), with Councilwoman Fillmore dissenting.
22

23 **STAFF REPORT REGARDING STREET SWEEPING FREQUENCY, PRIORITIES,**
24 **ETC.**
25

26 Dave Walker, Drainage Utility Supervisor, explained how street sweeping frequency and
27 priorities are determined, and answered questions from the Council.
28

29 The Council took a break at 9:31 p.m., returning at 9:46 p.m.
30

31 **FINANCIAL REPORT**
32

33 Mr. Thacker presented a financial report for the three-month period ending September
34 30, 2016, and answered questions from the Council.
35

36 **MAYOR’S REPORT**
37

- 38 • Mayor Cutler reported on a recent “Lunch with the Mayor” event for elementary
39 students.
- 40 • City Manager Steve Thacker has been selected as BYU Alumni of the Year from the
41 School of Public Management. The Council and Mayor gave Mr. Thacker their
42 enthusiastic congratulations.
43

44 **CITY COUNCIL LIAISON REPORT**
45

46 Councilwoman Mecham updated the Council regarding the Davis County Transportation
47 Committee. She complimented the Trails Committee for their organization of the recent
48 pedestrian bridge ribbon-cutting event.
49

50 **CITY MANAGER’S REPORT**
51

- 52 • Mr. Thacker updated the Council regarding various Federal funding applications.

- City Manager Thacker updated the Council regarding a delay in the sidewalk replacement project. Work will most likely begin at the first eight locations in early 2017. Staff is considering options to minimize liability in the meantime.

CITY ATTORNEY TRAINING – ROLE OF PLANNING COMMISSION

Ms. Romney provided training regarding the role of the Planning Commission, the relationship between the City Council and Planning Commission, and the legal framework for administrative decisions.

MISCELLANEOUS BUSINESS

Councilman McEwan added to his previous report on the Mosquito Abatement District, explaining limitations faced by the District this time of year.

APPOINTMENT

Mayor Cutler recommended Melissa Smith for reappointment to the Parks and Recreation Committee. Councilman Ince made a **motion** to reappoint Melissa Smith to the Park and Recreation Committee. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:31 p.m. Councilman McEwan made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 2.

Short Title: Summary Action Calendar

Initiated By:

Scheduled Time: 7:10

SUBJECT

- a. Assignment Agreement for Legacy Crossing Development Agreement (Lots 2 & 3)
- b. Commence two-year warranty period for Park Hills Phase 3 Subdivision
- c. Terminate warranty period for Pine Hills Subdivision

RECOMMENDATION

- a. Approve Assignment Agreement for Legacy Crossing Development Agreement, assigning rights and obligations for Lots 2 & 3.
- b. Approve commencement of a *two-year* warranty for the Park Hills Phase 3 Subdivision.
- c. Approve termination of the warranty period for the Pine Hills Subdivision and release of remaining funds, most of which is being used to pay for replacement of the sidewalk, as explained below in the Background section.

BACKGROUND

- a. The City previously entered into the Development Agreement for the Legacy Crossing at Parrish Lane, which agreement is dated September 21, 2010. The Development Agreement has been recorded against all property within the Legacy Crossing project and all property and property owners within the project are subject to the terms and conditions of the Development Agreement. Pursuant to Section 60 of the Development Agreement, the Developer or any subsequent developer or property owner is prohibited from assigning any of its obligations under the Development Agreement or any rights or interest therein without the prior written consent of the City. In addition, any future assignee is required to consent in writing to be bound by the terms of the Development Agreement. Each buyer or transferee is required to sign an assignment and assumption agreement agreeing to be bound by the terms and conditions of the Development Agreement. JF Legacy Land, LLC purchased Lot 2 and Lot 3 of the Legacy Crossing at Parrish Lane Subdivision. In accordance with the terms of Section 60 of the Development Agreement, JF Legacy Land, LLC, has submitted for approval the proposed Assignment Agreement. Staff recommends approval of the Assignment Agreement for Lots 2 and 3 of the Legacy Crossing project.
- b. When the concrete sidewalk for Lot 1 was installed by the developer, the contractor compacted the existing granular material rather than importing road base. Because of this, the City Engineer recommends the warranty period be extended from the normal one year to two years, as allowed by State law when there are

justifiable reasons for imposing a warranty period longer than one year.

c. The developer for Pine Hills Subdivision installed the sidewalk and drive approach at the wrong elevation. Therefore, it needed to be removed and replaced. The owner, Joani Evans, agreed to allow the City's contractor to remove and replace the sidewalk and drive approach and her cash bond be used to pay for this work. The replacement work has been done.

ATTACHMENTS:

Description

- ▣ Legacy Crossing-Assignment Agreement-Lots 2&3
- ▣ Email from City Engineer

WHEN RECORDED, RETURN TO:

**CENTERVILLE CITY
ATTN: CITY RECORDER
250 NORTH MAIN STREET
CENTERVILLE, UTAH 84014**

AFFECTS PARCELS: 06-336-0002 AND 06-336-0003

**ASSIGNMENT AND ASSUMPTION AGREEMENT
(Lot 2 and Lot 3)**

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT ("Agreement") is made as of the ____ day of _____, 2016 ("Assignment Date"), by and between PARRISH LAND HOLDINGS, LLC, a Utah limited liability company ("Assignor"), and JF LEGACY LAND, LLC, a Utah limited liability company ("Assignee"), and CENTERVILLE CITY, a Utah municipal corporation ("City"), collectively, the "Parties" and individually, each a "Party". Capitalized terms used but not otherwise defined herein shall have the meanings set forth in the Development Agreement (as defined below).

RECITALS

A. WHEREAS, Assignor is a party to that certain Legacy Crossing At Parrish Lane Development Agreement & Exhibits, dated July 26, 2010 and recorded on September 28, 2010 as Entry No. 2555652 in the Davis County Recorder's Office, as the same has been or may be amended from time to time (the "Development Agreement").

B. WHEREAS, Assignee has purchased and Assignor has sold that certain real property known as Lot 2 and Lot 3 of the Legacy Crossing at Parrish Lane Subdivision and referred to as "Phase 2" and "Phase 3" in the Development Agreement (the "Phases 2-3 Property"), which Phases 2-3 Property is more particularly described in Exhibit "A" attached hereto.

C. WHEREAS, Assignor desires to assign all of its obligations, right, title, and interest related to the Phases 2-3 Property in, under, and to the Development Agreement (collectively, the "Phases 2-3 Rights and Obligations") to Assignee, and Assignee desires to accept such assignment and agrees to perform all of the obligations of Assignor under the Development Agreement with respect to the Phases 2-3 Property upon the terms and conditions hereinafter set forth.

D. WHEREAS, pursuant to Section 60 of the Development Agreement, Assignor may assign the Phases 2-3 Rights and Obligations to Assignee by providing written notice to the City of Centerville (the "City"), so long as the assignment and assumption agreement is in a form reasonably acceptable to the City.

AGREEMENT

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants contained herein, and for other good and valuable consideration, the receipt, adequacy and legal sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

1. Assignment. Effective as of the Assignment Date and subject to the terms and conditions of this Agreement, Assignor hereby assigns, conveys, and transfers to Assignee all of the Assignor's right, title, interest, obligations, and duties related to the Phases 2-3 Rights and Obligations in, under, and to the Development Agreement (the "Assignment").

2. Acceptance and Assumption. Subject to the terms and conditions of this Agreement, Assignee hereby accepts the Assignment and assumes and agrees to observe and perform all of the duties, obligations, terms, provisions and covenants, and to pay and discharge all of the liabilities of Assignor to be observed, performed, paid, or discharged in connection with the Phases 2-3 Rights and Obligations. Assignee hereby indemnifies and agrees to defend and hold Assignor harmless from and against any and all loss, cost, damage, liability, or claim arising out of or related to the performance of Assignee related to the Phases 2-3 Development Obligations from and after the date of this Agreement. The foregoing indemnity obligations shall survive the completion of the Assignment contemplated hereby.

3. Representations of Assignor. Except as may be set forth in this Agreement, Assignor represents and warrants that (a) it possesses all rights and authority necessary to assign the Phases 2-3 Rights and Obligations to Assignee, and (b) except as set forth herein, there has been no assignment or other transfer of any part or all of any interest of any or all of Assignor's interests related to the Phases 2-3 Rights and Obligations.

4. Further Actions. Each of the Parties hereto covenants and agrees, at its own expense, to execute and deliver, at the request of the other Party hereto, such further instruments of transfer and assignment and to take such other action as such other Party may reasonably request to more effectively consummate the assignments and assumptions contemplated by this Agreement.

5. City Consent. By executing the Agreement below, the City hereby constitutes this Agreement as sufficient written notice under Section 60 of the Development Agreement, and the City approves the substance and form of this Assignment as included in this Agreement.

6. Miscellaneous.

(a) Successors and Assigns. This Agreement shall be binding upon, and shall inure to the benefit of, the Parties hereto and their respective successors and assigns.

(b) Severability. If any part of any provision of this Agreement is invalid or unenforceable under applicable law, the provision shall be ineffective only to the extent of such invalidity or unenforceability without in any way affecting the remaining parts of the provision or this Agreement.

(c) Recording. Upon its full execution, this Agreement shall be promptly recorded in the Davis County Recorder's Office.

(d) Amendment. No supplement, modification, waiver, or termination of this Agreement or any provisions hereof shall be binding unless executed in writing by all Parties hereto. No waiver of any of the provisions of this Agreement shall constitute a waiver of any other provisions (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

(e) Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

(f) Governing Law. This Agreement shall be governed by and construed under the laws of the State of Utah, without respect to the provisions concerning the conflict of laws.

(g) Attorneys' Fees. In the event of any suit, action, or proceeding brought by any Party for a breach of any term hereof, or to enforce any provision hereof, the prevailing Party shall be entitled to reasonable attorneys' fees in addition to court costs and other expenses of litigation in said action or proceeding. For purposes of this Agreement, "prevailing party" includes, without limitation, a party who agrees to dismiss an action or proceeding upon the other's payment of the sums allegedly due or performance of the covenants allegedly breached, or who obtains substantially the relief sought.

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, each of Assignor and Assignee has caused this Agreement to be executed in its name and on its behalf by its duly authorized representative as of the date first set forth above.

ASSIGNOR:

PARRISH LAND HOLDINGS, LLC

By: _____
Name: _____
Title: _____

ASSIGNEE:

JF LEGACY LAND, LLC

By: _____
Name: _____
Title: _____

CITY CONSENT:

CENTERVILLE CITY

By: _____
Name: _____
Title: _____

ATTEST:

Marsha L. Morrow, City Recorder

PARRISH LAND HOLDINGS ACKNOWLEDGMENT

STATE OF _____)

:ss.

COUNTY OF _____)

On the ____ day of _____, 2016, personally appeared before me _____, who being by me duly sworn did say that s/he is the managing member of **PARRISH LAND HOLDINGS, LLC**, a Utah limited liability company, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization and duly acknowledged to me that said limited liability company executed the same.

Notary Public

My Commission Expires:

Residing at:

JF LEGACY LAND ACKNOWLEDGMENT

STATE OF _____)

:ss.

COUNTY OF _____)

On the ____ day of _____, 2016, personally appeared before me _____, who being by me duly sworn did say that s/he is the managing member of **JF LEGACY LAND, LLC**, a Utah limited liability company, and that the foregoing instrument was signed on behalf of said limited liability company by authority of its Articles of Organization and duly acknowledged to me that said limited liability company executed the same.

Notary Public

My Commission Expires:

Residing at:

Exhibit "A"

Legal Description of the Phases 2-3 Property

Lots 2 and 3, LEGACY CROSSING AT PARRISH LANE, according to the Official Plat thereof as recorded in the Office of the Davis County Recorder, State of Utah.

Marsha Morrow

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Thursday, October 20, 2016 1:51 PM
To: Steve Thacker
Cc: Lisa Romney; Marsha Morrow; daren.burnett@L-3com.com; kara.eliz@gmail.com
Subject: Park Hills Phase 3 Subdivision - Bond Reduction #2 (Begin Warranty)
Attachments: Bond Reduction #2 (Begin Warranty)_10-20-16.pdf

Steve,

The attached bond reduction #2 (Begin Warranty) is recommended. A two year warranty is recommended for this subdivision due to developer not using road-base beneath the concrete sidewalk on Lot 1.

Let's discuss further with Lisa if 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
11/1/2016**

Item No. 3.

Short Title: Public Hearing - Zoning Code Amendment - Reception Center in I-H Zone

Initiated By: Jaden Malan, Newmark Grubb Acres, Agent

Scheduled Time: 7:15

SUBJECT

Consider proposed Zoning Code Amendment to allow "Reception Center" as a conditional use in the Industrial-High (I-H) Zone and amending Section 12.36.030 regarding Table of Uses for Public and Civic Uses - Ordinance No. 2016-33

RECOMMENDATION

Approve Ordinance No. 2016-33 amending Section 12.36.030 of the Centerville Zoning Code regarding Table of Uses for Public and Civic Uses to allow "Reception Center" as a conditional use in the Industrial-High (I-H) Zone.

BACKGROUND

On October 12, 2016, the Planning Commission reviewed and recommended approval of the proposed amendment to the Centerville Zoning Code to allow "Reception Center" as a conditional use in the Industrial-High (I-H) Zone. The Staff Transmittal Report for this application is attached as well as background information.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-33-Reception Center
- ☐ 10-12-2016 CC Staff Transmittal Report - Reception Center to I-H Zone
- ☐ 10-12-2016 PC Staff Report Reception Center to I-H Zone
- ☐ 10-12-2016 PC preliminary draft minutes (pgs 4-6)
- ☐ Reception Center Information Provided by Applicant

ORDINANCE NO. 2016-33

AN ORDINANCE AMENDING SECTION 12.36.030 OF THE CENTERVILLE ZONING CODE TO ALLOW RECEPTION CENTER AS A CONDITIONAL USE IN THE INDUSTRIAL-HIGH (I-H) ZONE

WHEREAS, an applicant requested amendments to the Zoning Code to allow reception center as a permitted use in the Industrial-High (I-H) Zone; and

WHEREAS, the proposed amendments to the Zoning Code to allow reception center as a permitted use in Industrial-High (I-H) Zone were reviewed and revised by the Planning Commission with a positive recommendation to allow such use as a conditional use in the Industrial-High (I-H) Zone; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code to allow reception center as a conditional use in the Industrial-High (I-H) Zone are in the best interest of the City and the public to encourage local businesses and services within the area; and

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

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

Section 1. Amendment. Section 12.36.030 of the Centerville Zoning Code regarding Table of Uses for Public and Civil Uses is hereby amended to allow reception center as a conditional use in the Industrial-High (I-H) Zone as more particularly provided as follows:

12.36.030 Table of Uses for Public and Civic Uses

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

Public and Civic Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
Reception Center	N	N	N	N	N	N	C	P	P	N	C	P	N	CN	N

* * *

Section 2. 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 3. 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 4. 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, ON THIS 1st DAY OF NOVEMBER, 2016.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A. Cutler

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

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 _____, 2016.

PUBLISHED OR POSTED this ____ of _____, 2016.

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

PLANNING COMMISSION TRANSMITTAL REPORT

APPLICANT: LUZ ESTRADA
ARCOIRIS RECEPTION CENTER
240 NORTH REDWOOD ROAD
NORTH SALT LAKE CITY, UTAH 84054
(salondefiestarcoiris@yahoo.com)

AGENT: JADEN MALAN
NEWMARK GRUBB ACRES
376 EAST 400 SOUTH #120
SALT LAKE CITY, UTAH 84111
(jmalan@ngacres.com)

APPLICATION: ZONING ORDINANCE TEXT AMENDMENT

APPLICANT REQUEST: AMEND THE ZONING CODE TO ALLOW
“RECEPTION CENTER” IN THE I-H (INDUSTRIAL-
HIGH) ZONE

PC RECOMMENDATION: PLANNING COMMISSION RECOMMENDS
APPROVAL WITH A MODIFICATION

BACKGROUND

Arcoiris Reception Center (see attachments) is proposing to amend Centerville City Ordinances to allow “Reception Center” use in the Industrial-High (I-H) Zone. The purpose is to expand their business to a selected site in Centerville located at approximately 1343 West 75 North (see map).

**PROPOSED ZONING ORDINANCE
TEXT EDITS – as drafted by Planning Staff**

- ✓ Chapter 12.36-Table Of Uses Allowed: [add] “Reception Center” to I-H Zone Matrix as a permitted use.



SUMMARY OF PLANNING COMMISSION'S ACTIONS, MOTION, AND VOTE

On October 12, 2016, the Planning Commission reviewed the matter, held a public hearing, debated, and then voted to recommend APPROVAL of the proposed Zoning Ordinance Amendments, with a modification, regarding "Reception Center" as follows:

- ✓ Chapter 12.36-Table Of Uses Allowed: [add] "Reception Center" to I-H Zone matrix as a **permitted conditional** use.

Suggested Reasons for Action (findings):

- a. Section 12.430.1, *Need for Commercial and Industrial Development Policies* states that "...To assist in the provision of revenues for high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES..."
- b. Section 12.480.6 – "Goal ...1 Enhance the Centerville City Business Park District."
- c. Section 12.480.6 – "Goal 1...Preserving the economic viability of a now aging development area is critical to the success of the neighborhood."
- d. The Planning Commission finds that "Reception Centers" are also made available in similar and greater intensive districts.
- e. The Planning Commission finds that the conditional use approval process can help mitigate unique attributes of "Reception Centers.")

Planning Commission Vote (6-0):

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst	X		
Johnson	X		
Daley	X		
Hayman	X		
Wright	X		

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- OCTOBER 12, 2016 Planning Commission Meeting

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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: **LUZ ESTRADA**
 ARCOIRIS RECEPTION CENTER
 240 NORTH REDWOOD ROAD
 NORTH SALT LAKE CITY, UTAH 84054
 (salondefiestarcoiris@yahoo.com)

AGENT: **JADEN MALAN**
 NEWMARK GRUBB ACRES
 376 EAST 400 SOUTH #120
 SALT LAKE CITY, UTAH 84111
 (jmalan@ngacres.com)

APPLICATION: **ZONING ORDINANCE TEXT AMENDMENT**

APPLICANT REQUEST: **AMEND THE ZONING CODE TO ALLOW “RECEPTION CENTER” IN THE I-H (IDUSTRIAL-HIGH) ZONE**

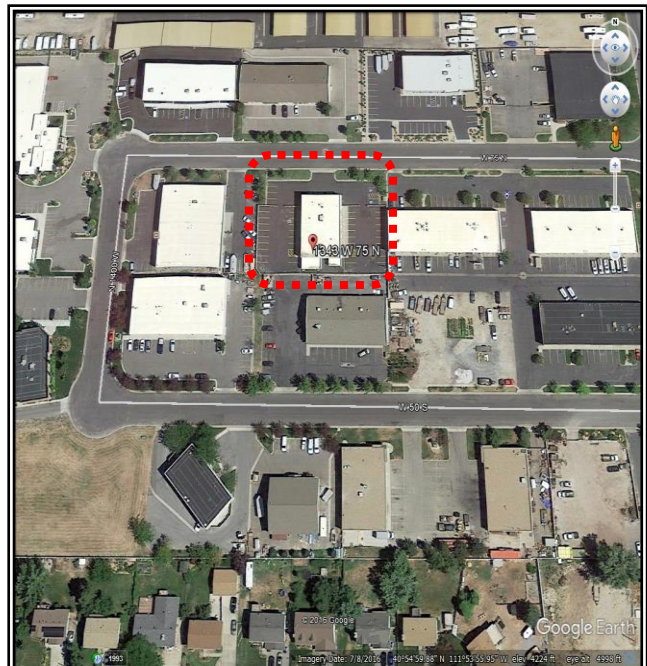
RECOMMENDATION: **CONSIDER THE PROPOSED CHANGES**

BACKGROUND

Arcoiris Reception Center (see attachments) is proposing to amend Centerville City Ordinances to allow “Reception Center” use in the Industrial-High (I-H) Zone. The purpose is to expand their business to a selected site in Centerville located at approximately 1343 West 75 North (see map).

**PROPOSED ZONING ORDINANCE
TEXT EDITS – as drafted by Planning Staff**

- ✓ Chapter 12.36-Table Of Uses Allowed:
[add] “Reception Center” to I-H Zone
Matrix as a permitted use.



ZONE TEXT AMENDMENT**Factors to be Considered**

The Planning Commission should consider the change as being unrelated to a specific property and determine if the allowable uses are appropriate in all areas within a specified zoning district. In the review of a Zoning Code Text Amendment, the Commission is to consider three (3) factors when making a recommendation and a final decision for a Zoning Ordinance amendment. These required factors are located in Section 12.21.080(e) of Centerville City's Zoning Ordinance. The proposed changes, if approved, would apply to any property located in an I-H Zone. Nonetheless, Factors 2 & 3 are related more specific to map amendments rather than text changes. Thus, staff's review and conclusions are limited to the General Plan guidance, as provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
 - ✓ **Section 12.430.1, Need for Commercial and Industrial Development Policies** – "...To assist in the provision of revenues for high quality local services, and to provide needed personal and business services..."
 - ✓ **Section 12.430.3.2, West Centerville** – "...best use of land...is for well-planned highway commercial, light industrial, and manufacturing uses..."
 - ✓ **Section 12.480.6** – "Goal 1...Enhance the Centerville City Business Park District."
 - ✓ **Section 12.480.6** – "Goal 1...Preserving the economic viability of a now aging development area is critical to the success of the neighborhood."
 - ✓ **Section 12.480.6** – "Objective 1.H...Limit land uses of the Business Park to light manufacturing, office, professional service, and specialty retail type uses."

Staff's Conclusion – From review of the General Plan, it is staff's position that the proposed amendment to allow "Reception Centers" helps to preserve the economic vitality of an aging area (see the 2-year vacancy claim found in the petition). However, a "Reception Center" use is more closely related to a personal service use and less specific to professional service, specialty retail, or manufacturing uses. The Commission will need to determine if there is a need to create economic vitality outweighs the need to remain steadfast to professional services and manufacturing. It staff's position that there are many office and professional service uses already in place in the West Centerville Area. Thus, allowing other quality services for the community would not have a negative effect in the area.

ADDITIONAL CONSIDERATIONS

Permitted versus Conditional – Although there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process, staff believes that in the case of "Reception Centers," the CUP process would mitigate concerns with "hours of operation" and "occupancy" activities regarding late evening events above and beyond the standard Noise Ordinance restrictions. Nonetheless, staff acknowledges that other zoning districts already list this type of use as "permitted" in the Public Facility-High (PF-H) and Commercial Very-High (C-VH) and "conditional" in the Commercial-High (C-H) Zones.

SUGGESTED MOTION AND FINDINGS

OPTION #1 (If Recommending Approval is Desired) *“I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Amendments regarding “Reception Center” as follows:*

- ✓ Chapter 12.36-Table Of Uses Allowed: **[add]** “Reception Center” to I-H Zone matrix as a permitted use.

Suggested Reasons for Action (findings):

- a. Section 12.430.1, Need for Commercial and Industrial Development Policies states that *“...To assist in the provision of revenues for high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES...”*
- b. Section 12.480.6 – *“Goal ...1 Enhance the Centerville City Business Park District.”*
- c. Section 12.480.6 – *“Goal 1...Preserving the economic viability of a now aging development area is critical to the success of the neighborhood.”*
- d. *The Planning Commission finds that “Reception Centers” are also made available in similar and greater intensive districts.*
- e. *The Planning Commission finds that there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process.*
- f. *The Planning Commission finds that the determination of locations for uses should be done primarily as a permitted use to avoid unnecessary conflicts or misunderstandings.*

OPTION #2 (If Recommending Denial is Desired) *I hereby make a motion to recommend DENIAL of the proposed Zoning Ordinance Amendments regarding “Reception Center” with the following findings:*

- a. West Centerville Neighborhood Plan, Section 12.480.6 – *“Objective 1.H...Limits land uses of the Business Park to light manufacturing, office, professional service, and specialty retail type uses.”*
- b. *The Planning Commission finds that a Reception Center use is more closely related to a personal service use and less specific to professional service, specialty retail, or manufacturing uses.*
- c. *The Planning Commission must consider the change as being unrelated to a specific property and determine if the allowable uses are appropriate in all areas within a specified zoning district.*

Commissioner Wright second the amendment to the motion. The amendment to the motion passed with a unanimous roll-call vote (4-0). Commissioner Wright commented that this action was a perfect solution to the concern the Commission had of allowing Climate Controlled Storage in all C-H Zones, which was more than what the Commission wanted. She agreed that Parrish Square relates more with Parrish Lane than Main Street.

Commissioner Hirst said she agreed the change of taking it out of the South Main Street Corridor Overlay, but felt the Climate Controlled Storage would be strange for that area. Commissioner Daly explained the prior discussions by the Planning Commission, which led them to the consideration before them tonight. He said in his opinion it was a good fit for a way to make use of an otherwise difficult situation. Commissioner Wright stated that Climate Controlled Storage is different from the regular storage, as the hours of operation would only be during regular business hours or extended business hours. That would eliminate people coming during all hours of the day and night. It would also help eliminate some of the illegal activities that take place in the back of the building, that the neighbors have complained about, since the access would be from the back. Commissioner Hirst also asked if there would be any access from the front. Mr. Tate explained his intent would be access from the back only, as a courtesy to the other tenant. He explained it would also alleviate parking problems. Chair Hirschi stated that in the earlier Planning Commission deliberations, that there is quite a bit of demand for this kind of storage, but they did not want to open it up to all C-H Zones.

Chair Hirschi called for a vote on the main motion. The main motion passed by unanimous roll-call vote (4-0).

At 7:44 p.m., Commission Johnson rejoined the meeting.

PUBLIC HEARING – CODE TEXT AMENDMENT RECEPTION CENTER I-H ZONE - Consider the proposed Zoning Code Text Amendment for Chapter 12.36-Table of Uses Allowed, to allow “Reception Center” in the I-H (Industrial-High) Zone - Jaden Malan, Newmark Grubb Acres, Agent

Cory Snyder, Community Development Director, explained that that applicant has an interest in leasing a building for a Reception Center (see attachments) in the south Industrial Park located in the Industrial-High (I-H) Zone (approximately 1343 West 75 North. Mr. Snyder said a Reception Center, currently not listed in the Table of Uses (Chapter 12.36) in the I-H Zone; therefore, this would be a use change in the I-H Zone by adding that use in that district. Mr. Snyder explained the Proposed Zoning Ordinance Text Edits as drafted in the Staff report:

Chapter 12.36-Table Of Uses Allowed: [add] “Reception Center” to I-H Zone Matrix as a permitted use.

Mr. Snyder reported in making the decision the Planning Commission should consider the change as being unrelated to a specific property and determine if the allowable uses are appropriate in all areas within a specified zoning district. He explained the three (3) factors (as written in staff report) that the Planning Commission should consider when making a recommendation and final decision for a Zoning Ordinance amendment. He said these required factors are located in Section 12.21.080(e) of Centerville City’s Zoning Ordinance. The proposed changes, if approved, would apply to any property located in an I-H Zone. Factors 2 & 3 are more related to specific map amendments, rather than text changes.

Mr. Snyder stated that staff’s position from reviewing the General Plan is that the proposed amendment to allow “Reception Centers” helps to preserve the economic vitality of an

1 aging area. However, a "Reception Center" use is more closely related to a personal service
2 use and less specific to professional service, specialty retail, or manufacturing uses. He said the
3 Commission would need to determine if the need to create economic vitality outweighs the need
4 to remain steadfast to professional services and manufacturing. It staff's position that there are
5 many office and professional service uses already in place in the West Centerville
6 Neighborhood Plan, which was adopted a long time ago. Thus, allowing other quality services
7 for the community would not have a negative effect in the area.

8
9 Mr. Snyder explained the additional considerations with permitted use versus conditional
10 use. The debate is ongoing on land uses listed as a permitted use, rather than using the more
11 subjective criteria of the CUP process. Staff believes that in the case of "Reception Centers,"
12 the CUP process would mitigate concerns with "hours of operation" and "occupancy" activities
13 regarding late evening events beyond the standard Noise Ordinance restrictions. Staff
14 acknowledges that other zoning districts already list this type of use as "permitted" in the Public
15 Facility-High (PF-H) and Commercial Very-High (C-VH) and "conditional" in the Commercial-
16 High (C-H) Zones. Mr. Snyder said staff has given the Planning Commission two options; 1) to
17 recommend approval, with findings; or 2) deny the ordinance amendments, with findings.

18
19 Commissioner Daly questioned whether the screening on each side of the building was
20 required in this case. Mr. Snyder replied when areas used for outside storage of materials, the
21 screening is required. Commissioner Daly said his concern is that people may not know that
22 there is parking in the back and would park on the street, in front of neighbor's parking lots, etc.
23 Mr. Snyder said this should be part of the debate as to whether this would be an appropriate
24 place for this kind of use. He further stated, if the Planning Commission approved this
25 amendment, there would still be other steps of approval to consider the other details and if the
26 standards were met. Commissioner further questioned if the Planning Commission is to
27 consider this amendment as a permitted use or conditional use. Mr. Snyder explained the CUP
28 process would mitigate some of the concerns, such as hours or operation, but some of the other
29 zoning districts already list this type of use as a "permitted use."

30
31 Jaden Malan, Applicant, stated he is a real estate agent with Newmark Grubb Acres, a
32 commercial real estate company. He represents Luz Estrada who has been in business for
33 about 8 years. Her business is currently located on Redwood Road and Cutler Street, in a
34 similar area with office users, warehouse users and retail. He said Ms. Estrada is looking to
35 expand and would like to use the site in Centerville. They like the building, which would be a
36 good fit for her business. He explained the parking currently shown on the site is where the
37 parking for the Reception Center would be. The parking area has recently been repaved and
38 repainted. Mr. Malan said the building has been vacant for 2 years. He could not see the
39 building used for manufacturing because as it is right now, it would have to be converted back to
40 a warehouse. It is away from residential and would be a good fit for a Reception Center. Mr.
41 Mahan explained that most of the events held are private events held at off-business hours, so it
42 would not cause problems with daytime traffic. Commissioner Wright asked about the hours of
43 operation. Ms. Estrada (the owner) said most of her parties start and 5 p.m. and go until around
44 midnight or 1:00 a.m.

45
46 At 8:06 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to
47 comment, he closed the public hearing.

48
49 Commissioner Johnson expressed concern regarding problems if there were an
50 emergency in that location. Commissioner Daly said he had no major concerns with the hours
51 of operation, since the theater is in the area. He thought it made sense to have it a conditional
52 rather than a permitted use, since in the commercial-high its conditional use. A CUP would give

1 them more authority to mitigate and concerns. Chair Hirschi questioned if it would be legal, to
2 change it to conditional use, as it had been advertised as a permitted use. Would they have to
3 renotice, if they made the change to a conditional use? City Attorney Lisa Romney explained
4 the Planning Commission could make that recommendation to the City Council, since it is an
5 amendment to the Zoning Code and not an applicant initiated rezone. Chair Hirschi said he
6 would tend to agree with Commissioner Daly's recommendation to make it a conditional use. He
7 said they would have a better feel of what the affect would be on the neighborhood, and if
8 circumstances would warrant it to be conditioned. Commissioner Johnson agreed, since this
9 was not dealing with a density issue. Commissioner Wright said she would agree with it being
10 conditional, so as to be able to deal with any issues that might be associated with this type of
11 business.

12
13 Commissioner Johnson made a **motion** to recommend approval to the City Council of
14 the proposed Zoning Ordinance Amendments regarding "Reception Center" as follows:

15
16 Chapter 12.36-Table Of Uses Allowed: [add] "Reception Center" to I-H Zone matrix as a
17 conditional use with suggested findings a – d in the Staff report, strike e & d and add a new
18 finding e.

19
20 *Suggested Reasons for Action (findings):*

- 21 a. *Section 12.430.1, Need for Commercial and Industrial Development Policies states*
22 *that "...To assist in the provision of revenues for high quality local services, and TO*
23 *PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES..."*
24 b. *Section 12-480-6 – "Goal ...1 Enhance the Centerville City Business Park District."*
25 c. *Section 12-480-6 – "Goal 1...Preserving the economic viability of a now aging*
26 *development area is critical to the success of the neighborhood."*
27 d. *The Planning Commission finds that "Reception Centers" are also made available in*
28 *similar and greater intensive districts.*
29 e. *The Planning Commission finds that the conditional use approval process can help*
30 *mitigate unique attributes of "Reception Centers."*

31
32 Commissioner Daly seconded the motion which passed by unanimous roll call vote (6-
33 0).

34
35 Mr. Snyder asked to address the applicant. He informed the applicant to contact the City
36 Recorder to schedule it for the City Council. He reminded the applicant that the Planning
37 Commission changed the use to a conditional use rather than a permitted use and that is what
38 the Council will consider.

39
40 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

41 Mr. Snyder reminded the Commissioners that he would be out of the country for the next
42 meeting.

43 Upcoming projects (November 9, 2016 meeting):

- 44 1. Ray Conceptual Subdivision, Legacy Crossing Storage Final Site Plan

45
46 City Attorney Lisa Romney reminded the Commissioners that she would be gone for the
47 next two meetings. Chair Hirschi said he would be not be in attendance at the November
48 meeting.

49

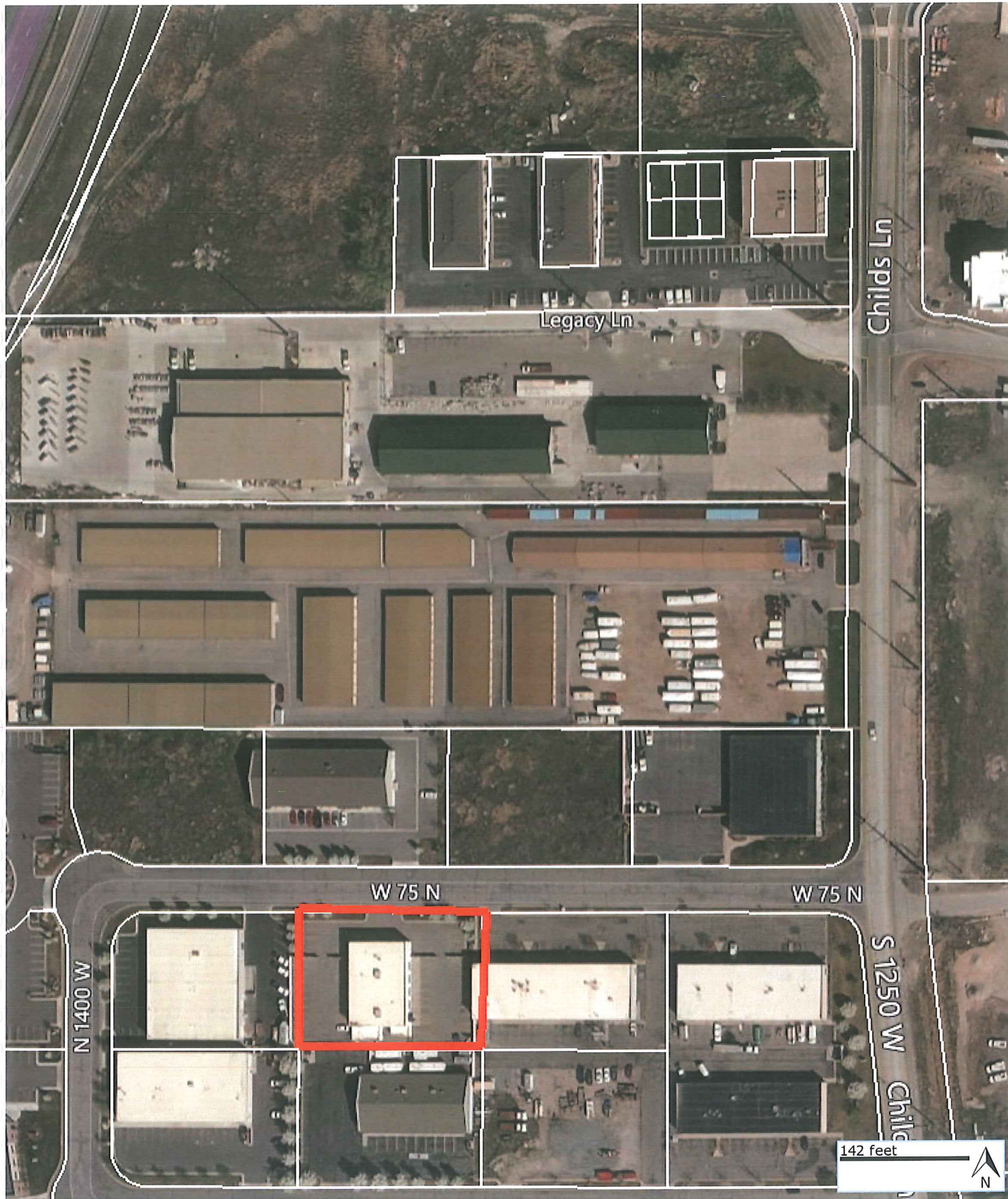
Arcoiris Reception Center

Purpose: Arcoiris Reception Center is requesting a Text Amendment to allow reception center use in the I-H Zone.

Summary: Arcoiris Reception Center is proposing to amend Centerville City Ordinances to allow reception center use in I-H Zone for the purpose of expanding their business to the selected site located at approximately 1343 West 75 North, in Centerville.

The selected site is a 7,046 SF office flex building located in an industrial and office business park currently zoned I-H. The building sits on a 0.70 acre parcel that allows for abundant parking as it currently has a paved parking lot containing 48 striped stalls, which more than adequate for Arcoiris' needs. The current layout of the building is mostly open and ideal for a reception center. The building is currently vacant and has been for the last two years. A title company last occupied the space to use as a call center and a few private offices.

Arcoiris Reception Center has been at their current location for the last eight years located in a similar industrial office park setting at 240 North Redwood Road, in North Salt Lake. Arcoiris Reception Center will significantly enhance the diversity in the community as they have established a great reputation among the Hispanic community to hold events such as private parties and quinceanera. The events are held on weekends and off business hours so they do not disturb any of the businesses at the neighboring buildings. Arcoiris' use will also help to offset daytime traffic in the area.



Legacy Ln

Childs Ln

W 75 N

W 75 N

S 1250 W Childs

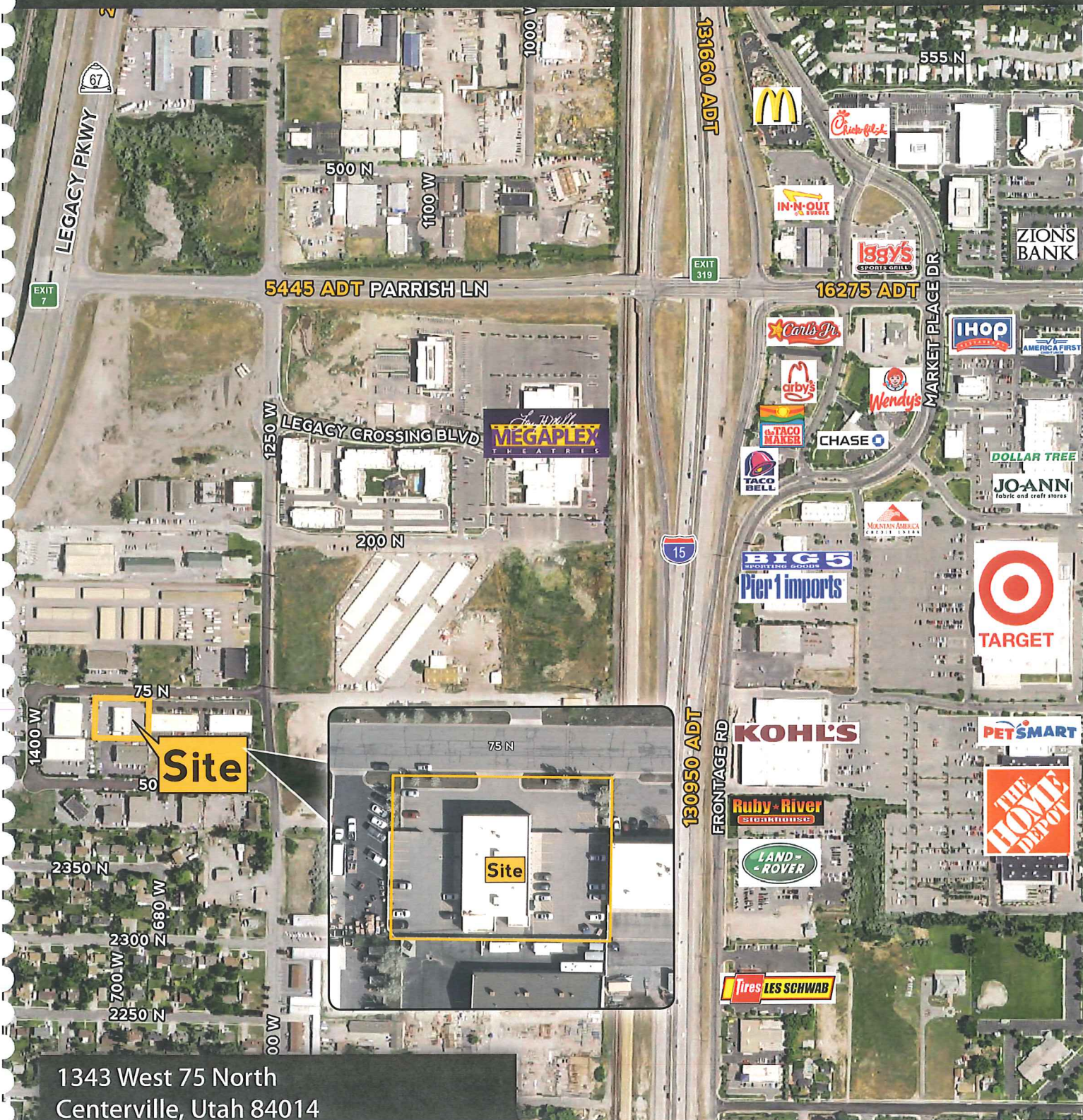
N 1400 W

142 feet





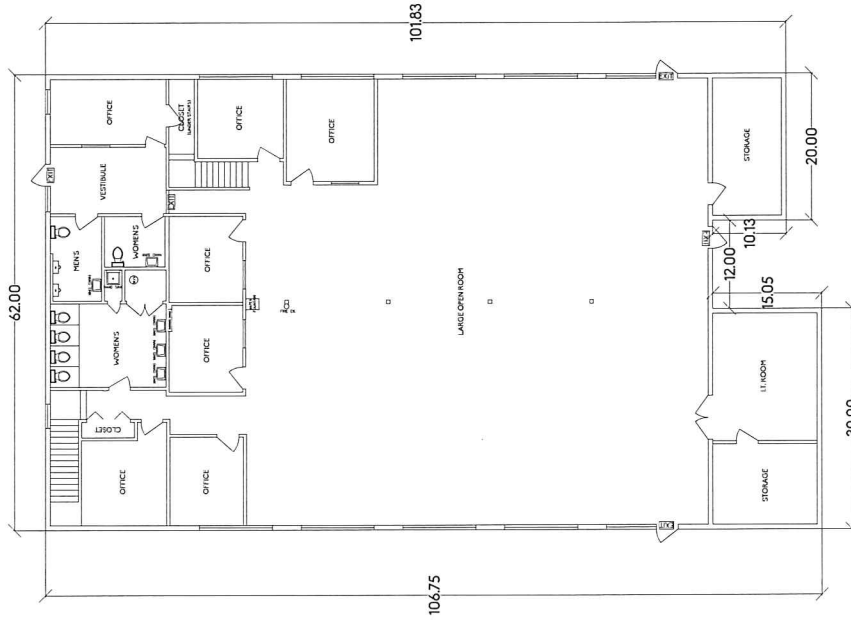
1343 WEST 75 NORTH, CENTERVILLE, UTAH 84014



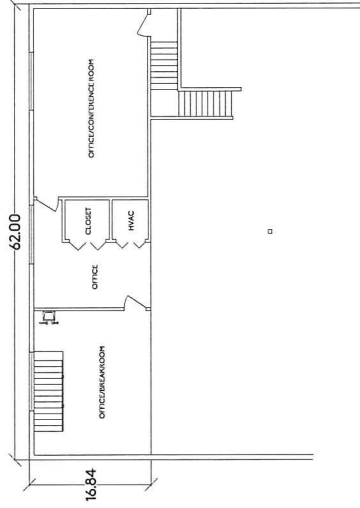
1343 West 75 North
Centerville, Utah 84014

FLEX OFFICE SPACE 343 WEST 75 NORTH, CENTERVILLE, UT 84014 FOOTPRINT CONTAINS 6,340 SQ/FT

MAIN LEVEL
 CONTAINS 6,340 SQ/FT



UPPER LEVEL
 CONTAINS 1044 SQ/FT



Michael L. Wangemann, PLS
 Date of Plot or Map: _____
 PLS# 6431155-2201

SHEET TITLE
 INTERIOR FLOOR PLAN

PREPARED FOR: DNCRE
 ATTN: DELL NICHOLS
 PO BOX 1233
 CENTERVILLE, UT 84014
 LOCATION: B343 W 75 N, CENTERVILLE, UT 84014

REV	DATE	DESCRIPTION
1	10/30/2005	SCALE 1/2" = 1'
2		DRAWN MLW
3		CHECKED MLW
4		
5		

UTAH LAND SURVEYING, LLC
 A PROFESSIONAL LICENSED LAND SURVEYING COMPANY
 2302 WEST 2100 SOUTH
 SYRACUSE, UT 84075
 PHONE 801.725.8395
 FAX 801.820.7775
 www.utahlandsurveying.com



JOB NUMBER
 1008-15

SHEET
 1 OF 1



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 4.

Short Title: Public Hearing - Zoning Code Amendments - Climate Controlled Storage

Initiated By: Steve Tate, Applicant

Scheduled Time: 7:25

SUBJECT

Consider proposed Zoning Code Amendments to add a new definition and business use for "Climate Controlled Storage" including amendments to Chapter 12.12-Definitions, and Section 12.48.080-South Main Street Corridor Overlay District Zone, Permitted and Conditional Uses by Specific District - Ordinance No. 2016-32

RECOMMENDATION

Approve Ordinance No. 2016-32 amending Section 12.12.040 of the Centerville Zoning Code adding a definition of climate controlled storage and amending Section 12.48.080 of the South Main Street Corridor Overlay to exempt the Parrish Square Shopping Center from the South Main Street Corridor provisions and allow climate controlled storage as a conditional use.

BACKGROUND

On October 12, 2016, the Planning Commission reviewed and recommended approval of the proposed amendments to the Centerville Zoning Code regarding climate controlled storage. The Staff Transmittal Report for this application is attached as well as background information.

ATTACHMENTS:

Description

- ❑ 10-12-16 CC Transmittal Report Climate Controlled Storage
- ❑ Ordinance No. 2016-32-Climate Controlled Storage
- ❑ 10-12-2016 PC Staff Report Climate Controlled Storage
- ❑ 10-12-2016 PC preliminary draft minutes (pgs 1-4 re PC recommendation)
- ❑ 9-14-2016 PC Staff Report
- ❑ 9-14-2016 PC minutes (pgs 13-16)
- ❑ 8-10-2016 PC Staff Report
- ❑ 8-10-2016 PC minutes (pgs 6-9)

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

PLANNING COMMISSION TRANSMITTAL REPORT

APPLICANT: **STEVE TATE
PARRISH SQUARE, LLC
P.O. BOX 1153
CENTERVILLE, UTAH 84014
(steve@tateproperties.com)**

APPLICATION: **ZONING ORDINANCE TEXT AMENDMENT**

APPLICANT REQUEST: **AMEND THE ZONING CODE TO ALLOW “STORAGE,
CLIMATE CONTROLLED” IN THE C-H
(COMMERCIAL-HIGH) ZONE**

PC RECOMMENDATION: **RECOMMENDED APPROVAL TO THE CITY
COUNCIL OF THE ZONE MAP AMENDMENT**

BACKGROUND

The applicant, Mr. Steve Tate, desires to amend the City’s Zoning Ordinance to add “Climate Controlled Storage” to the Zoning Code Definitions and Table of Uses to allow this use in the C-H (Commercial-High) Zone. Mr. Tate owns the Parrish Square “strip mall” center just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “Climate Controlled Storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance, therefore, his petition is to create a definition, list the use on the Table of Uses, and allow such use to be located in the C-H Zone.

On August 10, 2016, the Planning Commission directed staff to re-evaluate the matter and consider options such as an “overlay district, new zoning district, etc.” to allow for the possibility of allowing this specific use within the area of the Parrish Square Shopping Center.

On September 14, 2016, the Planning Commission discussed various Zoning Ordinance options for considering “Climate Controlled Storage” and directed staff to prepare the South Main Street Overlay District option and any accompanying changes related to this proposed use.

On October 12, 2016, the Planning Commission reviewed the language prepared by staff, held a hearing, and discussed the matters related to the proposed changes. This report presents to the City Council the changes as prepared and recommended by the Commission.

SUMMARY OF PLANNING COMMISSION'S ACTIONS, MOTION, AND VOTE

On October 12, 2016, the Planning Commission reviewed the matter, held a public hearing, debated, and then voted to approve the petition to amend the Zoning Ordinance (i.e. changes are highlighted with red text), as follows:

SECTION 12.12.040-DEFINITIONS:

[new] **Storage, Climate Controlled -** *a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.*

[Existing] **Section 12.48.080 Permitted And Conditional Uses By Specific Subdistrict**

1. *North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:*
 - a. *Permitted Uses:*
 - i. *Permitted Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone*
 - ii. *Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development*
 - b. *Conditional Uses:*
 - i. *Conditional Uses, as Shown in CZC 12.36-Table of Uses for the respective underlying zone*
 - c. *Maximum Gross Density:*
 - i. *Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development*
 - ii. *Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development*
 - iii. *Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development*
 - d. **[additions]** **Area Exemptions/Alterations:**
 - i. **Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:**
 1. **The area shall be subject to the Development Standards and Regulations of General Applicably of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones**
 2. **The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards**
 3. **The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone**

4. Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

Suggested Reasons for Action (findings):

- a. *The Planning Commission finds that Section 12.430.1, Need for Commercial and Industrial Development Policies states that “...To assist in the provision of revenues for high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES...”*
- b. *The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.*
- c. *The Planning Commission finds that this type of storage likely is needed for the local market area, but should be limited in its scope and allowance to maintain the primary services needed for the community.*
- d. *The Planning Commission finds that the recent re-investment of Dick’s Market and will continue to be a strong shopping center in the foreseeable future.*
- e. *The Planning Commission finds that the box and strip-center style of the Parrish Square Area will likely continue to be the dominant form for this commercial/shopping center of Centerville.*

Planning Commission Vote (6-0):

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst	X		
Johnson	X		
Daley	X		
Hayman	X		
Wright	X		

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- AUGUST 10, 2016 Planning Commission Meeting
- SEPTEMBER 14, 2016 Planning Commission Meeting
- OCTOBER 12, 2016 Planning Commission Meeting

ORDINANCE NO. 2016-32

AN ORDINANCE AMENDING SECTION 12.12.040 OF THE CENTERVILLE ZONING CODE ADDING THE DEFINITION OF CLIMATE CONTROLLED STORAGE AND AMENDING SECTION 12.48.080 OF THE SAME REGARDING AREA EXEMPTIONS FROM THE SOUTH MAIN STREET CORRIDOR OVERLAY ZONE FOR THE PARRISH SQUARE SHOPPING CENTER

WHEREAS, an applicant requested amendments to the Zoning Code to allow climate controlled storage in the Parrish Square Shopping Center; and

WHEREAS, the proposed amendments to the Zoning Code to allow climate controlled storage in the Parrish Square Shopping Center were reviewed and revised by the Planning Commission with a positive recommendation regarding the same; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code adding a definition of climate controlled storage and amending provisions of the South Main Street Corridor Overlay to exempt the Parrish Square Shopping Center from the South Main Street Corridor provisions and allow climate controlled storage as a conditional use are consistent with the goals, objectives and policies of the Centerville General Plan and are in the best interest of the City and the public to encourage local businesses and services within the area; and

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

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

Section 1. Amendment. Section 12.12.040 of the Centerville Zoning Code regarding Definitions is hereby amended to enact the following definition.

12.12.040 Definitions

As used in this Title, the words and phrases defined in this Section shall have the following meanings unless the context clearly indicates a contrary meaning. Words not included herein but defined in the Construction Codes or the Utah Land Use Development and Management Act shall be construed as defined therein.

* * *

Storage, Climate Controlled: A type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased

to the general public for the purpose of storing non-hazardous personal property of households and businesses, and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.

* * *

Section 2. Amendment. Section 12.48.080 of the Centerville Zoning Code regarding Permitted and Conditional Uses by Specific Subdistrict is hereby amended to add a new provision to Subsection (a) regarding uses in the North Gateway Mixed-Use Subdistrict to read as follows:

12.48.080 Permitted And Conditional Uses By Specific Subdistrict

- (a) North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:
 - (1) Permitted Uses:
 - (A) Permitted Uses, as shown in CZC 12.36 (Table of Uses) for the respective underlying zone
 - (B) Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development
 - (2) Conditional Uses:
 - (A) Conditional Uses, as Shown in CZC 12.36 (Table of Uses) for the respective underlying zone
 - (3) Maximum Gross Density:
 - (A) Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development
 - (B) Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development
 - (C) Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development
 - (4) Area Exemptions/Alterations:
 - (A) Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:

- (i) The area shall be subject to the Development Standards and Regulations of General Applicably of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones
- (ii) The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards
- (iii) The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone
- (iv) Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

Section 3. 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 4. 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 5. 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, ON THIS 1st DAY OF NOVEMBER, 2016.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By:_____
Mayor Paul A. Cutler

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

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 _____, 2016.

PUBLISHED OR POSTED this ____ of _____, 2016.

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

**STAFF REPORT
AGENDA: ITEM 1**

APPLICANT:	STEVE TATE PARRISH SQUARE, LLC P.O. BOX 1153 CENTERVILLE, UTAH 84014 (steve@tateproperties.com)
APPLICATION:	ZONING ORDINANCE TEXT AMENDMENT
APPLICANT REQUEST:	AMEND THE ZONING CODE TO ALLOW “STORAGE, CLIMATE CONTROLLED” IN THE C-H (COMMERCIAL- HIGH) ZONE
RECOMMENDATION:	CONSIDER THE PROPOSED OPTIONS IDENTIFIED PREVIOUSLY BY THE PLANNING COMMISSION

BACKGROUND

The applicant, Mr. Steve Tate, desires to amend the City’s Zoning Ordinance to add “Climate Controlled Storage” to the Zoning Code Definitions and Table of Uses to allow this use in the C-H (Commercial-High) Zone. Mr. Tate owns the Parrish Square “strip mall” center just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “Climate Controlled Storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance, therefore, his petition is to create a definition, list the use on the Table of Uses, and allow such use to be located in the C-H Zone.

On August 10, 2016, the Planning Commission directed staff to re-evaluate the matter and consider options such as an “overlay district, new zoning district, etc.” to allow for the possibility of allowing this specific use within the area of the Parrish Square Shopping Center.

On September 14, 2016, the Planning Commission discussed various Zoning Ordinance options for considering “Climate Controlled Storage” and directed staff to prepare the South Main Street Overlay District option and any accompanying changes related to this proposed use. This report will address the proposed changes, as directed by the Commission.

PROPOSED EDITS AS DIRECTED BY THE PLANNING COMMISSION**SECTION 12.12.040-DEFINITIONS:**

[new] Storage, Climate Controlled - a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.

[Existing] Section 12.48.080 Permitted And Conditional Uses By Specific Subdistrict

1. North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:

a. Permitted Uses:

- i. Permitted Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone
- ii. Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development

b. Conditional Uses:

- i. Conditional Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone

c. Maximum Gross Density:

- i. Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development
- ii. Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development
- iii. Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development

d. [additions] Area Exemptions/Alterations:

- i. Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:

1. The area shall be subject to the Development Standards and Regulations of General Applicability of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones
2. The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards
3. The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone
4. Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

ZONE TEXT AMENDMENT**Factors to be Considered**

The Planning Commission is to consider three (3) factors when making a recommendation and a final decision for a Zoning Ordinance amendment. These required factors are located in Section 12.21.-080(e) of Centerville City's Zoning Ordinance. Nonetheless, Factors 2 & 3 are related more specific to map amendments rather than text changes. Thus, staff's review and conclusions are limited to the General Plan guidance, as provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
 - ✓ **Section 12.430.1, Need for Commercial and Industrial Development Policies** – "...To assist in the provision of revenues for high quality local services, and to provide needed personal and business services..."
 - ✓ **Section 12.430.2, Pages Lane Commercial Area (e.g. Zoned C-H)** – "...future growth should be as attractive and functional as possible."
 - ✓ **Section 12.430.2, Parrish Lane Commercial Corridor (e.g. areas of C-H exist)** – "...has been strong and the area will continue to be the dominant commercial center of Centerville."
 - ✓ **Section 12.430.3.1 South Frontage Road (e.g. small area located on south end)** – "As existing heavy commercial and industrial uses...are discontinued or moved, such should be replaced with more attractive, commercial and retail-oriented businesses."

Staff Conclusion:

Pros: This amendment capitalizes on the existing South Main Street Overlay District using the North Gateway Area separating the Parrish Square Area from the other C-H Districts. Therefore, the Parrish Square Shopping Area could be used differently and apart from the other C-H Zoning Districts to accomplish the desires of the applicant.

Cons: The South Main Street Overlay is primarily focused on allowing additional uses to incentivize re-development of buildings and uses to create a "gateway identity" for the Main Street Corridor. This re-development has a long horizon and hopes that new buildings and site layouts change over time. Adding a secondary or "filler use" could act as a delay to the desired future anticipated by the overlay plan and promote keeping the area in an "as is" condition. Additionally, exempting the Parrish Square Area reduces any of the expected "North Gateway" elements to the two (2) south corners of the Parrish/Main Intersection.

PLANNING COMMISSION ACTION FOR THE PROPOSED EDITS

(Suggested Motion) *"I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Amendments regarding "Climate Controlled Storage" as written in red and highlighted below:*

SECTION 12.12.040-DEFINITIONS:

[new] Storage, Climate Controlled - a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each

of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.

[Existing] Section 12.48.080 Permitted And Conditional Uses By Specific Subdistrict

2. North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:
 - a. Permitted Uses:
 - i. Permitted Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone
 - ii. Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development
 - b. Conditional Uses:
 - i. Conditional Uses, as Shown in CZC 12.36-Table of Uses for the respective underlying zone
 - c. Maximum Gross Density:
 - i. Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development
 - ii. Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development
 - iii. Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development

e. [additions] Area Exemptions/Alterations:

- i. Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:
 1. The area shall be subject to the Development Standards and Regulations of General Applicably of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones
 2. The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards
 3. The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone
 4. Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

Suggested Reasons for Action (findings):

- a. The Planning Commission finds that Section 12.430.1, Need for Commercial and Industrial Development Policies states that “...To assist in the provision of revenues for

high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES...”

- b. The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.*
- c. The Planning Commission finds that this type of storage likely is needed for the local market area, but should be limited in its scope and allowance to maintain the primary services needed for the community.*
- d. The Planning Commission finds that the recent re-investment of Dick’s Market and will continue to be a strong shopping center in the foreseeable future.*
- e. The Planning Commission finds that the box and strip-center style of the Parrish Square Area will likely continue to be the dominant form for this commercial/shopping center of Centerville.*

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, October 12, 2016
7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Kevin Daly
David Hirschi, Chair
Gina Hirst
Logan Johnson, Vice Chair
Becki Wright

MEMBERS ABSENT

Cheylynn Hayman

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Marsha L. Morrow, City Recorder

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Commissioner Daly

MINUTES REVIEW AND APPROVAL

The minutes of the September 28, 2016 Planning Commission meeting were reviewed and amended. Commissioner Wright made a **motion** to approve the September 28, 2016 Planning Commission meeting minutes as amended. Commissioner Daly seconded the motion, which passed by (4-1) vote. Commissioner Hirst abstained, as she was not present at the meeting.

PUBLIC HEARING – CODE TEXT AMENDMENT CLIMATE-CONTROLLED STORAGE - Consider the proposed Zoning Code Text Amendments to add a new business use of “Storage, Climate Controlled” including, but not limited to Chapter 12.12-Definitions, and Section 12.48.080-South Main Street Corridor Overlay District Zone, Permitted and Conditional Uses by Specific District, Steve Tate, Applicant

Commissioner Johnson recused himself from this item because he has significant professional interest in this topic.

Cory Snyder, Community Development Director, explained that at their September 14 meeting, the Commission directed staff to prepare the South Main Street Overlay District option and the North Gateway District of that corridor plan. Staff has provide the Commission with a Definition of “Climate Controlled Storage,” (Chapter 12.12), and Chapter 12.36, Table of Uses to allow this use in the C-H (Commercial-High) Zone. Mr. Snyder explained the subdistricts in the North Gateway, which are C-H Zone and C-M Zone. The Parrish Square is in the C-H Zone, therefore, all the uses in the C-H Zone will continued, even though the overlay is in place. The Staff report addresses the proposed changes as follows:

SECTION 12.12.040-DEFINITIONS:

[New] Storage, Climate Controlled - a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.

[Existing] Section 12-48-080 Permitted And Conditional Uses By Specific Subdistrict

1. North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:

a. Permitted Uses:

i. Permitted Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone

ii. Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development

b. Conditional Uses:

i. Conditional Uses, as shown in CZC 12.36-Table of Uses for the respective underlying zone

c. Maximum Gross Density:

i. Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development

ii. Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development

iii. Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development

d. [additions] Area Exemptions/Alterations:

i. Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:

1. The area shall be subject to the Development Standards and Regulations of General Applicability of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones

2. The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards

3. The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone

4. Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

Mr. Snyder explained the three (3) factors the Planning Commission would need to consider when making a recommendation and final decision for a Zoning Ordinance text amendment and the pros and cons for such amendment as written in the staff report and draft findings, as written in the Staff Report. Chair Hirschi said in reviewing this issue, he thought of the unintended consequences of rolling this area out of the South Main Street Corridor

Guidelines, but did not find a lot, and Cory touched on some of the issues. He questioned what could be built in its place if a developer were to come in, tear everything down in the Parrish Square, and start over. Cory replied that every use that is allowed in the C-H Zone, but not residential. As the amendment is written, it removes the residential component. The amendment will return the Parrish Lane Gateway back to its original zone prior to being added to the South Main Street Corridor Plan, except for the addition of the Climate Controlled Storage just specific to the Parrish Square. Chair Hirschi asked why the corner lot was included in the zone. Mr. Snyder explained during the discussions with the consultant the City hired, the Parrish intersection became the focal point (the North Gateway). He explained the issues discussed in making the decision.

Commissioner Wright asked for clarification on the conditional uses allowed on the South Main Street Corridor that would not be allowed on Parrish Square. Mr. Snyder explained the C-H Zone has its own list, which would not include residential but add the Climate Controlled Storage as a use only in Parrish Square. Commissioner Wright also asked for clarification on the differences between the Parrish Lane Design Standards and the South Main Street Design Standards. Mr. Snyder said that Parrish Lane is focused on primarily on any large project on Parrish Lane associated with or visually connected to Parrish Lane, i.e. trying to upgrade color, lights, architecture issues, etc., rather than just cookie cutter style. South Main Street is not a traditional bulk area. It is now a form based, concentrating, in addition to uses, on moving buildings to the front of the street, setting multiple story expectations and how the buildings would be treated in materials. Form base in principle is less worried about regulating uses and more worried about the design.

Steve Tate, Applicant, thanked the Commission for their discussion on what they want to do at Parrish Square. He said he has tried multiple times to rent out the space with no success. He feels the Climate Controlled Storage is the only business that would be successful in the corner space. He said taking it out the South Main Street Corridor would help them as a developer and property owner in the city as they consider future planning. He said having to move the buildings to the front of the street would be economically impossible to do. Mr. Tate briefly explained what his long-term planning would be if he could do what he wanted with that property.

At 7:29 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to comment, Chair Hirschi closed the public hearing.

Commissioner Hirst asked for how long the space they are discussing had been empty. Mr. Tate responded only 30-60 days. Cross Fit was there but left to go across the freeway. He said the original owner of Parrish Square put in Cross Fit when he purchased the shopping center. Prior to that, it had been vacant for about 15 years. They have tried marketing the space in the last 8 months with no response.

Commissioner Hirschi made a **motion** to recommend approval to the City Council of the proposed Zoning Ordinance Amendments regarding "Climate Controlled Storage" as written in red and highlighted in the Staff Report, for the suggested reasons for actions a – e in the Staff Report. Commissioner Daly seconded the motion.

Commissioner Daly made an amendment to the motion to add Finding f. as follows:

f. The Planning Commission finds that the Parrish Square Shopping Center is more closed related to Parrish Lane than it is to Main Street.

Commissioner Wright second the amendment to the motion. The amendment to the motion passed with a unanimous roll-call vote (4-0). Commissioner Wright commented that this action was a perfect solution to the concern the Commission had of allowing Climate Controlled Storage in all C-H Zones, which was more than what the Commission wanted. She agreed that Parrish Square relates more with Parrish Lane than Main Street.

Commissioner Hirst said she agreed the change of taking it out of the South Main Street Corridor Overlay, but felt the Climate Controlled Storage would be strange for that area. Commissioner Daly explained the prior discussions by the Planning Commission, which led them to the consideration before them tonight. He said in his opinion it was a good fit for a way to make use of an otherwise difficult situation. Commissioner Wright stated that Climate Controlled Storage is different from the regular storage, as the hours of operation would only be during regular business hours or extended business hours. That would eliminate people coming during all hours of the day and night. It would also help eliminate some of the illegal activities that take place in the back of the building, that the neighbors have complained about, since the access would be from the back. Commissioner Hirst also asked if there would be any access from the front. Mr. Tate explained his intent would be access from the back only, as a courtesy to the other tenant. He explained it would also alleviate parking problems. Chair Hirschi stated that in the earlier Planning Commission deliberations, that there is quite a bit of demand for this kind of storage, but they did not want to open it up to all C-H Zones.

Chair Hirschi called for a vote on the main motion. The main motion passed by unanimous roll-call vote (4-0).

At 7:44 p.m., Commission Johnson rejoined the meeting.

PUBLIC HEARING – CODE TEXT AMENDMENT RECEPTION CENTER I-H ZONE - Consider the proposed Zoning Code Text Amendment for Chapter 12.36-Table of Uses Allowed, to allow “Reception Center” in the I-H (Industrial-High) Zone - Jaden Malan, Newmark Grubb Acres, Agent

Cory Snyder, Community Development Director, explained that that applicant has an interest in leasing a building for a Reception Center (see attachments) in the south Industrial Park located in the Industrial-High (I-H) Zone (approximately 1343 West 75 North. Mr. Snyder said a Reception Center, currently not listed in the Table of Uses (Chapter 12.36) in the I-H Zone; therefore, this would be a use change in the I-H Zone by adding that use in that district. Mr. Snyder explained the Proposed Zoning Ordinance Text Edits as drafted in the Staff report:

Chapter 12.36-Table Of Uses Allowed: [add] “Reception Center” to I-H Zone Matrix as a permitted use.

Mr. Snyder reported in making the decision the Planning Commission should consider the change as being unrelated to a specific property and determine if the allowable uses are appropriate in all areas within a specified zoning district. He explained the three (3) factors (as written in staff report) that the Planning Commission should consider when making a recommendation and final decision for a Zoning Ordinance amendment. He said these required factors are located in Section 12.21.080(e) of Centerville City’s Zoning Ordinance. The proposed changes, if approved, would apply to any property located in an I-H Zone. Factors 2 & 3 are more related to specific map amendments, rather than text changes.

Mr. Snyder stated that staff’s position from reviewing the General Plan is that the proposed amendment to allow “Reception Centers” helps to preserve the economic vitality of an

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

**STAFF REPORT
AGENDA: ITEM 3**

APPLICANT: **STEVE TATE
PARRISH SQUARE, LLC
P.O. BOX 1153
CENTERVILLE, UTAH 84014
(steve@tateproperties.com)**

APPLICATION: **ZONING ORDINANCE TEXT AMENDMENT**

APPLICANT REQUEST: **AMEND THE ZONING CODE TO ALLOW “STORAGE,
CLIMATE CONTROLLED” IN THE C-H (COMMERCIAL-
HIGH) ZONE**

RECOMMENDATION: **CONSIDER THE PROPOSED OPTIONS IDENTIFIED
PREVIOUSLY BY THE PLANNING COMMISSION**

BACKGROUND

The applicant, Mr. Steve Tate, desires to amend the City’s Zoning Ordinance to add a “climate controlled storage” to the Zoning Code Definitions and Table of Uses to allow this use in the C-H (Commercial-High) Zone. Mr. Tate owns the Parrish Square “strip mall” center just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “climate controlled storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance. Therefore, his petition is to create a definition, list the use on the Table of Uses, and allow such use to be located in the C-H Zone.

On August 10, 2016, the Planning Commission directed staff to re-evaluate the matter and consider options such as an “overlay district, new zoning district, etc.” to allow for the possibility of allowing this specific use within the area of the Parrish Square Shopping Center. This report will address the options that staff has identified.

PROPOSED ZONING OPTIONS FOR COMMISSION TO CONSIDER

OPTION #1 “ALL C-H ZONES ALLOWANCE” – Consider allowing “climate controlled storage” in all of the Commercial-High Zones. However, limit the allowable square feet to a maximum of 10,000 square feet to mitigate the over proliferation of this as previously discussed

by the Commission. The amendments would consist of adding the use to the C-H Zone, but restricting the size in the use Table 12.35, such as the example below:

Commercial Uses	Zones														
	A- L	A- M	R- L	R- M	R- H	PF- L	PF- M	PF- H	PF- VH	C- M	C-H	C- VH	I- M	I- H	I- VH
Storage, Climate Controlled	N	N	N	N	N	N	N	N	N	N	P (Maximum Size 10,000 square feet)	P	P	P	P

Pros: A fairly simple amendment that eliminates the concern with targeting a specific location or area. Additionally, the purpose of the C-H Zone is to allow building sizes ranging from 10,000 to 50,000 square feet (see Section 12.30.020.d.2).

Cons: This option would allow the subject use in all C-H Zoning Districts. Additionally, the subject use would be the only listed use limited to the lower end of the allowable building size range.

OPTION #2 “USE THE ZONING OVERLAY ALLOWANCE” – The subject area and use desired by the applicant is located in the “Parrish Square Shopping Center.” As the Commission is aware, this area is zoned C-H. Furthermore, the shopping center is also located in the North Gateway Area of the South Main Street Corridor Plan. This corridor plan is already an “Overlay Zone.” Therefore, the Commission could consider amending this overlay area to allow for the proposed use. The amendments would likely entail something like the following:

[Existing] Section 12.48.080 Permitted And Conditional Uses By Specific Subdistrict

1. *North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:*
 - a. *Permitted Uses:*
 - i. *Permitted Uses, as shown in CZC 12.36 (Table of Uses) for the respective underlying zone*
 - ii. *Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development*
 - b. *Conditional Uses:*
 - i. *Conditional Uses, as Shown in CZC 12.36 (Table of Uses) for the respective underlying zone*
 - c. *Maximum Gross Density:*

- i. *Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development*
- ii. *Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development*
- iii. *Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development*

d. [additions] Area Exemptions/Alterations:

- i. **Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:**
 - 1. **The area shall be subject to the Development Standards and Regulations of General Applicability of the Commercial-High (C-H) Zone, as listed in CZC 12.34 (Commercial Zones)**
 - 2. **The area shall also be subject to the Design Standards, as listed in CZC 12.63 (Parrish Lane Gateway Design Standards)**
 - 3. **The Permitted and Conditional Uses, as shown in CZC 12.36 (Table of Uses) for the C-H Zone**
 - 4. **Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center**

Pros: This amendment capitalizes on the existing South Main Street Overlay District using the North Gateway Area as a distinctly different than other C-H Districts. Therefore, the Parrish Square Shopping Area could be used differently and apart from the other C-H Zoning Districts to accomplish the desires of the applicant.

Cons: The Main Street Overlay is primarily focused on allowing additional uses to incentivize re-development of buildings and uses to create a “gateway identity” for the Main Street Corridor. This re-development has a long horizon and hopes that new buildings and site layouts change over time. Adding a secondary or “filler use” could act as a delay to the desired future anticipated by the overlay plan and promote keeping the area in an “as is” condition.

OPTION #3 “ESTABLISH A NEW ZONE” – As was previously discussed by the Commission, consider creating a new Zoning District just for the Parrish Square Shopping Area. A custom or new zone example for the Commission to review is the Florentine Villa Special District (FVSD) Zone. The FVSD Zone was a custom zone created for the Ivory Development known as Florentine Villas. This area was originally part of the old failed Centerville Village Plan Area Plan that includes the area of Walmart, County Library, and Porter-Walton Park. This is probably the most intensive option to consider and would take a lot of effort to write up a new zoning district and all the associated language and regulations. A new zone would entail creating and writing up the following:

- Purpose
- Scope
- Definitions
- Uses Allowed
- Development Standards
- General Applicable Regulations
- Regulations for Specific Uses (Optional)
- Special Regulations

Staff's concern is that the existing commercial areas are listed in a sequential use based on intensity, consisting of Medium, High, and Very-High. Is the Parrish Square Shopping Center and its existing uses something really different than one of these classifications? Is there something at this location that calls for a new and specific district unlike or substantially unique from the commercial zones of the City? Staff believes that undertaking such a task for the limited purposed of "climate controlled storage" is largely unwarranted if this is the focus for making any amendments.

PLANNING COMMISSION DISCUSSION AND DIRECTIVE

The Planning Commission ought to discuss the proposed options and determine if one of the listed options seems viable. Afterwards, the Commission should provide any additional suggestions and ideas. Staff would then prepare the specific language and related text edits at a following meeting for the Commission to review, hold a hearing, and forward an official recommendation to the City Council.

[IMPORTANT] COMMISSION ACTION FOR ORIGINAL PETITION & PROPOSED EDITS

If the above listed options seem unacceptable or an alternative to either the Commission and/or applicant, then the Commission will need to forward a recommendation regarding the original petition received from the applicant. The original proposals to approve or deny were as follows:

OPTION A (If Recommending Approval is Desired) *"I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Amendments regarding "Climate Controlled Storage" as follows:*

Section 12.12.040-Definitions:

[new] **Storage, Climate Controlled** - *a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.*

Chapter 12.36-Table of Uses Allowed:

[add] To **Commercial Uses Section:** **"Storage, Climate Controlled"**

- **C-H Zone Matrix : Conditional Use (C)**
- **C-VH Zone Matrix : Conditional Use (C)**

Suggested Reasons for Action (findings):

- a. The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.
- b. The Planning Commission finds that Section 12.430.1, Need for Commercial and Industrial Development Policies states that “...To assist in the provision of revenues for high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES...”
- c. The Planning Commission finds that this type of storage likely has a limited need for our local commercial area, but may be more convenient for residents storing excess personal property.
- d. The Planning Commission finds that typically uses from a specific zone are also made available in a similar but greater intensive district.
- e. In reviewing the Table of Land Uses, the Planning Commission finds that storage type uses are already allowed in the more intensive Industrial Zoning Districts. Therefore, the Commission desires to allow the proposed use in the Commercial Very-High District.
- f. The Planning Commission finds that there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process.
- g. The Planning Commission finds that in the case of Mr. Tate’s specific commercial site, the CUP process would mitigate concerns with “hours of operation” and “loading and unloading” activities resulting from the north dock area that is located adjacent to residential uses.
- h. The Planning Commission finds that the scenario above is predominately similar in all of the C-H and C-VH Zone locations.

OPTION B (If Recommending Denial is Desired) “I hereby make a motion to recommend Denial of the proposed Zoning Ordinance Amendments regarding “Climate Controlled Storage” with the following findings:

- a. The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.
- b. The Planning Commission finds that Section 12.430.1, Need for Commercial and Industrial Development Policies states that “...**TO ASSIST IN THE PROVISION OF REVENUES FOR HIGH QUALITY LOCAL SERVICES**, and to provide needed personal and business services...”
- c. The Planning Commission finds that this type of storage likely has a limited need for our local commercial area, but may be only convenient for residents storing excess personal property.
- d. The Planning Commission finds that there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process.

- e. *The Planning Commission finds that in the case of Mr. Tate's specific commercial site, there would be concerns with "hours of operation" and "loading and unloading" activities resulting from the north dock area that is located adjacent to residential uses.*
- f. *The Planning Commission finds that the scenario above is predominately similar in all of the other C-H and C-VH Zone locations.*

Chair Hirschi asked for a vote on the main motion as amended. The motion passed by unanimous roll-call vote (5-0).

PUBLIC HEARING – CODE TEXT AMENDMENT, CLIMATE CONTROLLED STORAGE - Consider the proposed Zoning Code Text Amendment to add a new business use of “Storage, Climate Controlled” to various sections of the code, in response to the application submitted - Steve Tate, Applicant.

Commissioner Johnson recused himself from this item because he has significant professional interest in this topic.

Cory Snyder, Community Development Director, reported this was brought before the Planning Commission in a prior meeting. The request is to add “climate controlled storage” to utilize some space that he feels is currently underutilized or vacant. Mr. Tate has interest in the Parrish Square shopping area just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “climate controlled storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance. Therefore, his petition is to create a definition, list the use in the Table of Uses, and allow such use to be located in the C-H Zone.

Mr. Snyder stated there was some discussion at the August 10, 2016 Planning Commission meeting and the Commission directed staff to re-evaluate the matter and consider options such as an “overlay district, new zoning district, etc.” to allow for the possibility of allowing this specific use within the area of the Parrish Square Shopping Center. Staff have identified the following three options for the Planning Commission to consider:

- 1) **OPTION #1 “ALL C-H ZONES ALLOWANCE”** – Consider allowing “climate controlled storage” in all of the Commercial-High Zones. However, limit the allowable square feet to a maximum of 10,000 square feet to mitigate the over proliferation of this, as previously discussed by the Commission. The amendments would consist of adding the use to the C-H Zone, but restricting the size in the use Table 12.35, shown in the staff report.

Mr. Snyder explained the pros and cons of this option. He said this would eliminate targeting specific location areas. Additionally, the purpose of the C-H Zone is to allow building sizes ranging from 10,000 to 50,000 square feet (see Section 12.30.020.d.2). However, this option allows the subject use in all C-H Zoning Districts. The subject use would be the only listed use to the lower end of the allowable building size range.

- 2) **OPTION #2 “USE THE ZONING OVERLAY ALLOWANCE”** – The subject area and use desired by the applicant is located in the “Parrish Square Shopping Center,” which is already located in an overlay district. It is in the South Main Street Corridor. The South Main Street Corridor has the underlying zone uses and adds other uses that are

not in other areas of the city, such as C-M cannot have single-family in all other C-M districts. But in the SMSC there is C-M plus single-family. So the overlay already exists in its framework. However, some alterations and additions would have to be added, as explained in the example amendment in the staff report.

Mr. Snyder explained the pros and cons of this option. This amendment capitalizes on the existing South Main Street Overlay District using the North Gateway Area as distinctly differently than other C-H Districts. The Parrish Square Shopping Area could be used differently and apart from the other C-H Zoning Districts to accomplish the desires of the applicant. He stated the Main Street Overlay is primarily focused on allowing additional uses to incentivize re-development of buildings and uses to create a “gateway identify” for the Main Street Corridor. Adding a secondary or “filler use” could act as a delay to the desire future anticipated by the overlay plan and promote keeping the area in an “as is” condition.

3) **OPTION #3 “ESTABLISH A NEW ZONE”** – This would be the most intensive and complex option. As was previously discussed by the Commission, consider creating a new Zoning District just for the Parrish Square Shopping Area. This would take a lot of effort to write up a new zoning district and all the associated language and regulations. A new zone would entail creating and writing up the following:

- Purpose
- Scope
- Definitions
- Uses Allowed
- Development Standards
- General Applicable Regulations
- Regulations for Specific Uses (Optional)
- Special Regulations

Staff’s concern is that the existing commercial areas are listed in a sequential use based on intensity, consisting of Medium, High, and Very-High. Is the Parrish Square Shopping Center and its existing uses something really different than one of these classifications? Is there something at this location that calls for a new and specific district unlike or substantially unique from the commercial zones of the city? Staff believes that undertaking such a task for the limited purposed “climate controlled storage” is largely unwarranted if this is the focus for making any amendments.

Mr. Snyder said the Planning Commission should discuss the proposed options and determine if one of the listed options seems viable. The Commission could also provide any additional suggestions and ideas. Staff would then prepare the specific language and related text edits and bring back at a following meeting for the Commission to review, hold a hearing, and forward an official recommendation to the City Council.

1 Commissioner Kjar said that from his experience this kind of 'climate controlled storage'
2 is something that is on the horizon and is not something new. He has seen more and more of it in
3 the industry. He thinks this is something that the Planning Commission needs to look at and
4 consider. He understands the difficulty in finding tenants for this kind of space. Commissioner
5 Kjar said he would prefer Option No. 1 creating a zoning use that can be used everywhere but
6 there is a square foot limitation.

7
8 Steve Tate, applicant, said he has reviewed the three options and appreciates all the time
9 and effort that Cory has put into it. He questioned if a radius restriction could be added to
10 Option 1, but was informed that this could not be an option. Mr. Tate said he has continued to
11 try and lease this space without success, but knows they could solve their dilemma if they were
12 able to add the climate controlled storage. He said his concern with Option 2 about being
13 removed from the South Main Street Corridor Overlay, with those requirements to pull buildings
14 out to the street, would be catastrophic to them as a developer if they were subjected to those
15 requirements for redevelopment.

16
17 Commissioner Daly asked the applicant the amount of square footage he was dealing
18 with. Mr. Tate responded he has two corner units. One is the dance studio which is
19 approximately 4,400 square feet. The other corner, the one he is dealing with, is about 4,200
20 square feet with the 36 inches of frontage, which is the door. If this request moved forward and
21 he lost the dance studio in the future, his intent would be to have the same use for that corner.
22 They can be accessed in the back with loading docks. It would be key card access. The doors are
23 the same size in the back, but he would consider expanding that so as to get a power jack through
24 the door.

25
26 Chair Hirschi opened the public hearing. See no one wishing to comment, he closed the
27 public hearing.

28
29 Chair Hirschi stated their task is to look at the alternatives and any other alternatives they
30 might come up with and give direction to staff to prepare some specific language for their
31 consideration at another meeting. Chair Hirschi said he liked Option No. 2 for two reasons: 1) it
32 avoids the issue of opening it up to all commercial-high zones, and he would like to avoid the
33 proliferation issue; and 2) it can accomplish more than one thing the way it is structured. He
34 does not anticipate Parrish Square changing anytime soon, but if it did change from a
35 development perspective to make it look nicer, it would be prohibitive if it would have to follow
36 all of the requirements of the SMSC in order to get that kind of redevelopment. Therefore, he
37 would favor Option 2 and direct staff to bring back an ordinance to consider that would support
38 that.

39
40 Commissioner Daly said he agreed with Chair Hirschi. He said if they were to go with
41 Option 1, he would recommend a change to limit the square footage on C-VH as well to

eliminate the possibility of the Walmart and Target areas falling into that possibility in the future. He said Option 2 solves that problem without creating additional problems.

Chair Hirschi made a **motion** to direct staff to further explore Option No. 2 and bring back a specific ordinance by the first meeting in October. The motion was seconded by Commissioner Daly and passed by unanimous roll-call vote (4-0). Commissioner Johnson rejoined the discussion following the vote.

PUBLIC HEARING – CODE TEXT AMENDMENT, SOUTH MAIN STREET CORRIDOR (SMSC) – Scope Correction - Consider the proposed Zoning Code Text Amendment to the South Main Street Corridor (SMSC) Overlay Zone Public Space Plan in Section 12.48.180 - Centerville City, Applicant.

City Attorney Lisa Romney explained to the Planning Commissioners that when the City readopted the entire Zoning Code there was an unintentional change, an inadvertent correction to the term Residential "Boulevard" Subdistrict changed the intended applicability of the SMSC Public Space Plan. She said adding the term "Boulevard" to the Residential Subdistricts reference unintentionally made the SMSC Public Space Plan applicable to the North Gateway Mixed-Use Subdistrict and the Pages Lane Mixed-Use Subdistrict. This proposed amendment to Subsection 12.48.180(b) is to specifically list the Subdistricts subject to the SMSC Public Space Plan; i.e. the Traditional Main Street and City Center Subdistricts. As these amendments are to correct an inadvertent change to the applicability of the SMSC Public Space Plan, it is being brought back to the Planning Commission approval and recommendation to the City Council.

Chair Hirschi opened the public hearing. Seeing no one wishing to comment, he closed the public hearing.

Commissioner Kjar made a **motion** to recommend approval of Ordinance No. 2016-26 regarding the Zoning Code text amendments as shown in the staff report. Commissioner Hayman seconded the motion and passed by unanimous roll-call vote (5-0).

Ms. Romney informed the Commissioners that this was scheduled for the September 20 Council meeting. The Council will also be addressing the SMSC Public Space Plan. She has prepared three different ordinances because they are looking at several different options. Ms. Romney explained the different ordinances for the Council's consideration.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. Items scheduled to September 28, 2016:

- Sal Barnum 100 ft. cell tower at approximately 1100 West Porter Lane
- Code Text Amendment, Flag Lot Ordinance

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

**STAFF REPORT
AGENDA: ITEM 3**

APPLICANT: STEVE TATE
 PARRISH SQUARE, LLC
 P.O. BOX 1153
 CENTERVILLE, UTAH 84014
 (steve@tateproperties.com)

APPLICATION: ZONING ORDINANCE TEXT AMENDMENT

APPLICANT REQUEST: AMEND THE ZONING CODE TO ALLOW “CLIMATE CONTROLLED STORAGE” IN THE C-H (COMMERCIAL-HIGH) ZONE

RECOMMENDATION: CONSIDER THE PROPOSED CHANGES

BACKGROUND

The applicant, Mr. Steve Tate, desires to amend the City’s Zoning Ordinance to add a “climate controlled storage” to the Zoning Code Definitions and Table of Uses to allow this use in the C-H (Commercial-High) Zone. Mr. Tate owns the Parrish Square “strip mall” center just west of Dicks’ Market (where Auto Zone and TonyBurgers are located). Mr. Tate has a building suite (previously a gym) where he would like to establish a “climate controlled storage” type use. Currently, this type of use is not listed in Centerville’s Zoning Ordinance. Therefore, his petition is to create a definition, list the use on the Table of Uses, and allow such use to be located in the C-H Zone.

PROPOSED ZONING ORDINANCE TEXT EDITS – as drafted by Planning Staff

SECTION 12-12-040-DEFINITIONS:

[new] **Storage, Climate Controlled** - *a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.*

CHAPTER 12-36-TABLE OF USES ALLOWED:

[add] To Commercial Uses Section: *Storage, Climate Controlled* to C-H Zone Matrix either *Permitted (P)* or *Conditional Use (C)*.

ZONE TEXT AMENDMENT**Factors to be Considered**

The Planning Commission is to consider three (3) factors when making a recommendation and a final decision for a Zoning Ordinance amendment. These required factors are located in Section 12-21-080(e) of Centerville City's Zoning Ordinance. Nonetheless, Factors 2 & 3 are related more specific to map amendments rather than text changes. Thus, staff's review and conclusions are limited to the General Plan guidance, as provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
 - ✓ **Section 12-430-1, Need for Commercial and Industrial Development Policies** – "...To assist in the provision of revenues for high quality local services, and to provide needed personal and business services..."
 - ✓ **Section 12-430-2, Pages Lane Commercial Area (e.g. Zoned C-H)** – "...future growth should be as attractive and functional as possible."
 - ✓ **Section 12-430-2., Parrish Lane Commercial Corridor (e.g. areas of C-H exist)** – "...has been strong and the area will continue to be the dominant commercial center of Centerville."
 - ✓ **Section 12-430-3.1 South Frontage Road (e.g. small area located on south end)** – "As existing heavy commercial and industrial uses...are discontinued or moved, such should be replaced with more attractive, commercial and retail-oriented businesses."

Staff's Conclusion – From review of the General Plan, it is staff's position that the proposed amendments are too specific and the General Plan policies are broader in scope. It is staff's position that "Climate Controlled Storage" is an ancillary use to the primary desire of the City to establish strong commercial services. Staff also believes that this type of storage likely has a limited need for our local commercial area, but may be more convenient for residents storing excess personal property. Therefore, the Commission should determine if additional primary commercial services are needed or can this proposed secondary use to serve both residents and businesses be made available within the land use pattern for C-H (Commercial-High) District.

ADDITIONAL CONSIDERATIONS

Allowance in Other Similar Zoning Districts – The amendment request is limited to allowing "Climate Controlled Storage" in the C-H Zone. Typically, uses from a specific zone are also made available in a similar but greater intensive district. In reviewing the Table of Land uses, storage type uses are already allowed in the more intensive Industrial Zoning Districts. If there is a potential to allow this use in a C-H Zone, the Commission ought to also consider the possibility of allowing the proposed use in the C-VH (Commercial Very-High) District.

Permitted versus Conditional – Although there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process, staff believes that in the case of Mr. Tate’s specific commercial site, the CUP process would mitigate concerns with “hours of operation” and “loading and unloading” activities resulting from the north dock area that is located adjacent to residential uses. Staff believes that this use development scenario is predominately similar in all of the C-H Zone locations. Therefore, the Commission should consider allowing “Climate Controlled Storage,” at minimum as a “Conditional Use” for C-H and then evaluate if the use can be a “Permitted Use” or “Conditional” in the C-VH Zone.

SUGGESTED MOTION AND FINDINGS

OPTION #1 (If Recommending Approval is Desired) *“I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Amendments regarding “Climate Controlled Storage” as follows:*

Section 12-12-040-Definitions:

[new] **Storage, Climate Controlled** - *a type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased to the general public for the purpose of storing non-hazardous personal property of households and businesses and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.*

Chapter 12-36-Table of Uses Allowed:

[add] **To Commercial Uses Section: “Storage, Climate Controlled”**

- **C-H Zone Matrix :** ***Conditional Use (C)***
- **C-VH Zone Matrix :** ***Conditional Use (C)***

Suggested Reasons for Action (findings):

- a. *The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.*
- b. *The Planning Commission finds that Section 12-430-1, Need for Commercial and Industrial Development Policies states that “...To assist in the provision of revenues for high quality local services, and TO PROVIDE NEEDED PERSONAL AND BUSINESS SERVICES...”*
- c. *The Planning Commission finds that this type of storage likely has a limited need for our local commercial area, but may be more convenient for residents storing excess personal property.*
- d. *The Planning Commission finds that typically uses from a specific zone are also made available in a similar but greater intensive district.*
- e. *In reviewing the Table of Land Uses, the Planning Commission finds that storage type uses are already allowed in the more intensive Industrial Zoning Districts. Therefore, the Commission desires to allow the proposed use in the Commercial Very-High District.*

- f. *The Planning Commission finds that there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process.*
- g. *The Planning Commission finds that in the case of Mr. Tate's specific commercial site, the CUP process would mitigate concerns with "hours of operation" and "loading and unloading" activities resulting from the north dock area that is located adjacent to residential uses.*
- h. *The Planning Commission finds that the scenario above is predominately similar in all of the C-H and C-VH Zone locations.*

OPTION #2 (If Recommending Denial is Desired) *"I hereby make a motion to recommend Denial of the proposed Zoning Ordinance Amendments regarding "Climate Controlled Storage" with the following findings:*

- a. *The Planning Commission finds that the proposed amendments are too specific and the General Plan policies are broader in scope.*
- b. *The Planning Commission finds that Section 12-430-1, Need for Commercial and Industrial Development Policies states that "...TO ASSIST IN THE PROVISION OF REVENUES FOR HIGH QUALITY LOCAL SERVICES, and to provide needed personal and business services..."*
- c. *The Planning Commission finds that this type of storage likely has a limited need for our local commercial area, but may be only convenient for residents storing excess personal property.*
- d. *The Planning Commission finds that there is on-going debate whether land uses should simply just be listed as a permitted use rather than using the more subjective criteria of the CUP process.*
- e. *The Planning Commission finds that in the case of Mr. Tate's specific commercial site, there would be concerns with "hours of operation" and "loading and unloading" activities resulting from the north dock area that is located adjacent to residential uses.*
- f. *The Planning Commission finds that the scenario above is predominately similar in all of the other C-H and C-VH Zone locations.*

b.7-foot easement along the south property line

c.7-foot easement on the west property line

All easements shall be accepted by the City Council and recorded at the Davis County Recorder's Office.

8. The applicant shall address the overhead telephone line with the proper utility company for relocation, burial or allowing the line to stay in place.

9. The location of the fire hydrant shall receive final approval from the City Engineer and the South Davis Metro Fire.

10. A final site plan shall be submitted following all applicable standards found in Section 12.21.110(e) of the Zoning Ordinance.

11. The applicant shall receive the approval of a conditional use permit for the density of 4 units; which includes the use of a single family dwelling.

Reasons for the Action:

a) The conceptual site plan submittal has adequately shown how the property may be developed [Section 12.21.110(d)(2)].

b) The development appears to satisfy the goals and objectives found within the Centerville City General Plan [Section 12-480-2(1)(b)].

c) The proposed conceptual site plan, with the directives given, appears to be capable of meeting applicable Development Standards for the R-M Zone.

d) A conditional use permit is required for a single-family development, and a multi-family use over 4 units per acre.

The motion was seconded by Commissioner Johnson and passed by unanimous roll-call vote (6-0).

PUBLIC HEARING | CODE TEXT AMENDMENT | ALLOW CLIMATE CONTROLLED STORAGE IN VARIOUS ZONES - Consider the proposed Code Text Amendment regarding Section 12-12-040-Definitions, by adding "Climate Controlled Storage" and Chapter 12-36-Tables of Uses Allowed, by allowing "Climate Controlled Storage" in various zones; including C-H (Commercial-High) Zoning District. Steve Tate, Applicant.

Commissioner Johnson recused himself from this item because he has significant professional interest in this topic.

Cory Snyder, Community Development Director, reported the applicant desires to amend the City Zoning Ordinance to add a "climate controlled storage" to the Zoning Code Definitions and Table of Uses to allow this use in the Commercial-High (C-H) Zone. Currently, this type of use is not listed in Centerville's Zoning Ordinance. This is a petition to create a new use. Staff feels it is necessary to define this use differently than other storage uses. This use, if approved,

1 would be allowed across the city in all C-H Zones. If there is a potential to allow this proposed
2 use in the C-H Zone, the Commission ought to consider the possibility of allowing this use in the
3 Commercial-Very High (C-VH) Zone as well. Mr. Snyder explained staff remains neutral on this
4 new use because it could be viewed as both positive and negative with the same findings. He
5 reminded the Commission that the General Plan policies are a broad scope and said the proposed
6 amendments may be too specific. He explained there is a demand for such storage units and that
7 these types of facilities are rapidly growing across the county. However, he indicated it is not
8 clear this is something that Centerville wants. He also explained, at a minimum, the proposed
9 new use should be considered as a conditional use, not as a permitted use.

10
11 Chair Hirschi questioned if there is a way to allow this use under specific circumstances
12 and not as a broad use over all commercial zones.

13
14 Steve Tate, applicant, said his family purchased the Parrish Lane shopping square about
15 two years ago and he has personally lived in the area for the past eighteen years. He said, over
16 the past 18 years, he has watched this shopping square go from vibrant to run-down. He is now
17 looking for ways to utilize the space in a way that will help revitalize this shopping square. He
18 explained these types of shopping squares were poorly designed in a U-shape making the corner
19 spaces large with very little frontage. He said his corner units have only 36-inches of frontage,
20 which is the front door. He said the market states that the best types of uses for these odd spaces
21 are CrossFit gyms and climate controlled storage. He said his previous tenant was a CrossFit
22 gym but he lost that use to a new retail development. He said research shows that climate
23 controlled storage is the best option for these spaces. His plans include rear access to these units
24 with limited key card access during business hours only. He said the rear of this shopping square
25 is large and could easily accommodate traffic and parking. He believes this rear access will also
26 help police this area which is often used for questionable activities. He also believes the rear
27 access will help diminish traffic and parking problems that currently exist in the front of the
28 shopping square. Mr. Tate agrees the proposed use should be specific and limited and not used as
29 a broad commercial use. He said the language could include only those spaces with the limited
30 36-inch frontage. He is accepting of a strict definition and use requirements. He discussed the
31 high demand that exists for climate controlled storage units and explained there are a few
32 popping up in neighboring cities. He said he has even spoken with current tenants of his
33 shopping square who have already shown an interest in utilizing the proposed storage.

34
35 Chari Hirschi opened the public hearing.

36
37 Logan Johnson agreed there is great pressure within the real estate market for this type of
38 use especially on the east side of I-15. He said he does not believe that the conditional use
39 process is the best option for this type of use scenario based on past experience.

40
41 Seeing no others wishing to speak, Chair Hirschi closed the public hearing.

1 Commissioner Daly agreed there is a demand for this type of storage and he is nervous
2 because of it. He expressed concern with allowing this use across all commercial zones. He
3 discussed the Pages Lane commercial area. He said he would not want to allow a climate control
4 storage use on Pages Lane. He said that area is in need of redevelopment but it is not intended for
5 storage units. He said if this use is allowed across all commercial zones then this type of use
6 could pop up in several unwanted places. However, he did agree this is a good use for this
7 particular property owner and his situation.

8
9 Several members of the Commission agreed a broad use of a climate controlled storage
10 definition may not be the best option. They expressed concern with a big box store that
11 potentially goes dark which could use a broad application of this definition. Some Commission
12 members agreed a climate controlled storage definition should be strictly limited. The
13 Commission discussed several ideas for allowing this use on a very specific and strict basis
14 including licensing, frontage requirements, size restrictions, overlay zone, etc. A majority of the
15 Commission agreed this is a good use for some commercial spaces and this could help revitalize
16 some limited areas.

17
18 Mr. Snyder said the concern with Pages Lane is valid because it is not likely that area will
19 redevelop as a retail use. He said there is a goal to change the zoning of the Pages Lane
20 commercial district but its timing is unknown. If a climate controlled storage allowance was
21 granted it is possible the use may be utilized before a new zone was established on Pages Lane.
22 He said although a strict definition seems appropriate, it is difficult to allow spot uses because it
23 is unfair to similar property owners, which becomes a legal issue. He said an overlay zone may
24 be possible but would require research and several meetings for discussion. He explained the
25 difficulties associated with climate controlled storage, the currently non-conforming Parrish
26 Lane shopping square and the Parrish Lane Design Guidelines. He is unsure if the applicant is
27 willing to wait for a lengthy process, which may or may not yield the desired outcome.

28
29 Lisa Romney, City Attorney, said a text amendment is zone wide and by law should
30 provide all similarly situated properties the same rights.

31
32 Chair Hirschi said this is a difficult issue. He does not want to see Centerville turn into
33 the storage capital of Davis County but he agreed there is high demand for storage and this
34 seems a reasonable option for this particular situation. He mentioned Draper City created a
35 specific zone for climate controlled storage. He said he would like to explore an overlay option,
36 perhaps with relation to those commercial uses that do not conform to the Parrish Lane Design
37 Guidelines.

38
39 Mr. Tate said he would like to see where these discussions might lead. He said he is
40 willing to wait out the process if there is a possibility this use may be allowed. He said he already
41 has many contract restrictions with each of his tenants. He said he would be willing to limit this

1 use according to unit space as needed per tenant contracts. Mr. Tate agreed the Pages Lane area
2 will not redevelop as a retail site. He said he works within the retail marketing realm and there is
3 currently no interest in Pages Lane as a retail site. He is hopeful the City will find a new zone or
4 use that will help revitalize the Pages Lane area.

5
6 Chair Hirschi made a **motion** to table this matter with a directive to Staff to investigate
7 the possibility of an overlay zone for those areas within the Commercial-High Zone along
8 Parrish Lane that are nonconforming with the Pages Lane Design Guidelines and to also
9 investigate the possibility of a new zoning district. The motion was seconded by Commissioner
10 Wright and passed by unanimous roll-call vote (5-0).

11
12 Commissioner Johnson rejoined the meeting.

13
14 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 15 1. The next regularly scheduled Planning Commission meeting will be held on
16 Wednesday, August 24, 2016.
- 17 2. Possible Upcoming Agenda Items:
- 18 • West Centerville Neighborhood Plan, General Plan & Zone Map Amendment for
 - 19 I-VH Zone
 - 20 • Youngblood Storage, Conceptual Site Plan
 - 21 • Legacy Crossing Storage, CUP & Final Site Plan
 - 22 • Bartile Storage Sheds, Final Site Plan

23
24 The meeting was adjourned at 9:20 p.m.

25
26
27 _____
28 David Hirschi, Chair

Date Approved

29
30
31 _____
32 Kathleen Streadbeck, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 5.

Short Title: General Plan Amendments -West Centerville Neighborhood Plan - Removing Industrial Very-High Zoning District - Section 12-480-6

Initiated By: Centerville City, Applicant

Scheduled Time: 7:45

SUBJECT

Consider General Plan Amendments regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District - Ordinance No. 2016-24

RECOMMENDATION

Approve Ordinance No. 2016-24 amending Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District based on the findings recommended by the Planning Commission as set forth in the Staff Report.

BACKGROUND

On July 27, 2016, the Planning Commission reviewed and recommended approval of proposed General Plan amendments to Section 12-480-6, Goal 1, Objective 1.I., of the West Centerville Neighborhood Plan removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District. On August 16, 2016, the City Council reviewed and held a public hearing on this matter. After closing the public hearing, the City Council tabled action on this matter until the September 20, 2016 meeting. On September 20, 2016, the Council tabled action on this matter to the first meeting in November. The Staff Transmittal Report for this matter is attached.

ATTACHMENTS:

Description

- ▣ Ordinance No. 2016-24-West Centerville
- ▣ West Centerville I-VH Zoning Map
- ▣ 9-20-2016 CC minutes (page 8)
- ▣ 08-16-16-CC Transmittal Report
- ▣ 08-16-2016 CC minutes pgs 4-6
- ▣ 07-27-2016 PC Staff Report GP Amend., I-VH in West Centerville Neighborhood Plan
- ▣ 07-27-2016 PC minutes (pgs 1-5)

ORDINANCE NO. 2016-24

AN ORDINANCE AMENDING GOAL 1, OBJECTIVE 1.I. OF SECTION 12-480-6 OF THE CENTERVILLE CITY GENERAL PLAN TO REMOVE THE INDUSTRIAL VERY-HIGH ZONING DISTRICT IN THE EXTREME SOUTHEAST AREA OF THE CENTERVILLE BUSINESS PARK DISTRICT OF THE WEST CENTERVILLE NEIGHBORHOOD PLAN

WHEREAS, the City Council has previously enacted Section 12-480-6 of the Centerville City General Plan providing a comprehensive guide to future physical land use patterns and desired goals and objectives for the development of the West Centerville Neighborhood (“West Centerville Neighborhood Plan”); and

WHEREAS, the West Centerville Neighborhood Plan provides specific goals and objectives for the development of the extreme southeast area of the Centerville Business Park District of the West Centerville Neighborhood Plan as set forth in Goal 1, Objective 1.I. of Section 12-480-6; and

WHEREAS, the City Council desires to amend the objectives and provisions of the West Centerville Neighborhood Plan to remove the Industrial Very-High Zoning District in the extreme southeast area of the Centerville Business Park District as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed amendments to the West Centerville Neighborhood Plan are in the best interest of the public; and

WHEREAS, the City is authorized to enact and amend provisions of the Centerville City General Plan pursuant to specific statutory authority, including, but not limited to *Utah Code Ann.* §§ 10-9a-401, *et seq.*, as amended, and *Utah Code Ann.* § 10-8-84, as amended; and

WHEREAS, all required notice and public hearings have been held before the Planning Commission and City Council regarding these proposed amendments to the City General Plan.

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

Section 1. Amendment. Goal 1, Objective 1.I of Section 12-480-6 of the West Centerville Neighborhood Plan regarding Industrial Very-High Zoning District in the extreme southeast area of the Centerville Business Park District is hereby amended to read in its entirety as follows:

- 1.I. ~~Remove~~ ~~Reconfigure~~ the Industrial Very-High Zoning District in ~~the~~ extreme southeast area ~~from this area of the Centerville Business Park District. -and amend Section 12-36 Table of Land Uses (Zoning Ordinance) to allow the existing heavy industry uses, subject to a conditional use permit review.~~

Section 2. Findings. The amendments to the General Plan as set forth herein are based on the following findings:

a. The proposed General Plan amendments meet the requirements found in Section 12-21-070(d) of the Zoning Code in relation to the general procedures.

b. The current use of Industrial-Very High was found to be incompatible to the surrounding neighborhoods and to the future goals for the West Centerville Neighborhood Plan [Sections 12-21-070(d)(vi), 12-480-6(1.)]

c. The proposed General Plan amendments meet the approval standards found in Section 12-21-070(e) and 12-21-060(a)(2)(A) of the Zoning Code for a comprehensive decision based on: incompatible development, does not promote the public interest for future uses, does not promote the public interest or general welfare.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, 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 4. Effective Date. This Ordinance shall become effective 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 1st DAY OF NOVEMBER, 2016.

CENTERVILLE CITY

By: _____
Mayor Paul A. Cutler

ATTEST:

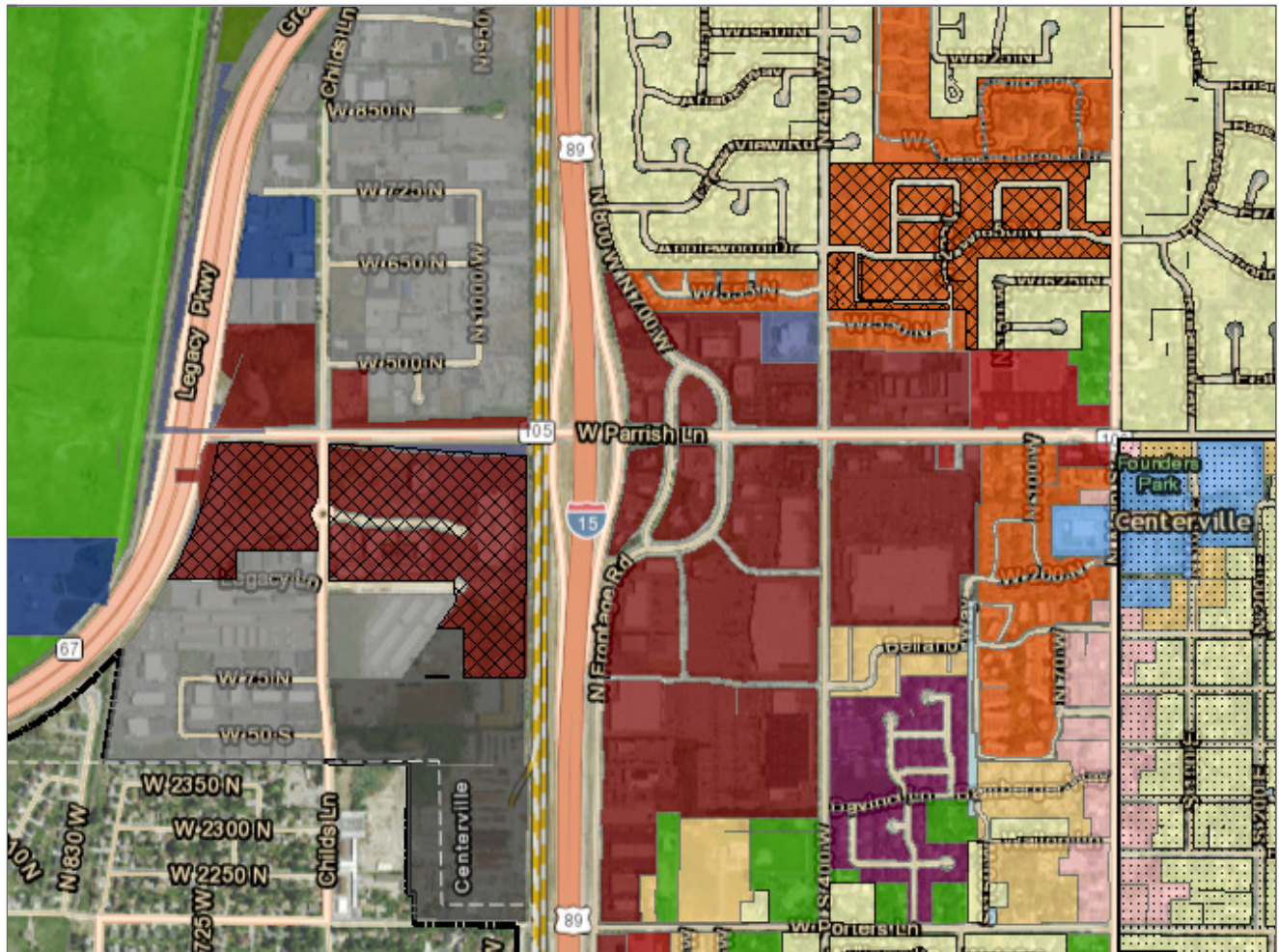
Marsha L. Morrow, City Recorder

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

CentervilleZoningMap

Centerville City Zoning Map



USDA FSA, Microsoft | Esri, HERE, iPC | Esri, HERE, DeLorme, iPC

1 A majority of the Council appeared to agree that further discussion of Main Street could
2 be one of the Council's goals for next year.

3
4 **GENERAL PLAN AMENDMENTS – WEST CENTERVILLE NEIGHBORHOOD PLAN –**
5 **REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT – SECTION 12-480-6**
6

7 Councilman McEwan made a **motion** to table this issue to the first meeting in January
8 2017. Councilwoman Mecham seconded the motion. Councilman Ince said he is ready to vote
9 now, and he thinks 2017 is too far out. Councilman Ince made a **motion to amend** the motion
10 to table to the first meeting in November 2016. Councilman McEwan seconded the motion to
11 amend, which passed by majority vote (4-1), with Councilwoman Fillmore dissenting. The
12 amended motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.
13

14 **MUNICIPAL CODE AMENDMENTS – TITLE 10, CHAPTER 3 – CONSTRUCTION**
15 **CODES – ORDINANCE NO. 2016-25**
16

17 The State of Utah has adopted newer editions of the International Construction Codes.
18 The City is required to adopt and enforce such State adopted Construction Codes. Councilman
19 McEwan made a **motion** to adopt Ordinance No. 2016-25, Centerville Municipal Code
20 Amendments to Title 10, Chapter 3, regarding Construction Codes. Councilman Ince seconded
21 the motion, which passed by majority vote (4-1), with Councilwoman Ivie dissenting.
22

23 **FINANCIAL REPORT**
24

25 Mr. Thacker presented a financial report for the first two months of FY 2017, and
26 answered questions from the Council. The Council discussed the possibility of setting specific
27 guidelines for putting together the invitation list for the annual volunteer dinner next year.
28

29 **MAYOR'S REPORT**
30

- 31
- 32 • Mayor Cutler informed the Council of a serious accident involving a cyclist that
33 occurred on the Frontage Road. Council members expressed a desire to be
34 informed of any significant emergency response incident that occurs in the
35 community.
 - 36 • UIA/UTOPIA Interim Financial Reports are included in the staff report on
37 NovusAgenda.
 - 38 • Mayor Cutler updated the Council on the Council Chambers sound issue, and the
39 City Hall lobby project.

40 **CITY COUNCIL LIAISON REPORT**
41

42 Councilman Ince updated the Council on Citizen Corps Council/Emergency
43 Management activities. He admitted he is struggling to understand his role as liaison to the
44 Davis Chamber of Commerce. Steve Thacker and Mayor Cutler responded that a Council
45 liaison is appointed because the City pays a membership fee. There is no set expectation.
46

47 **CITY MANAGER'S REPORT**
48

- 49
- 50 • City Manager Thacker presented suggestions for the sidewalk open house
51 scheduled for October 5th. The arborist invited to attend is not available that night.
52 The Council agreed that an arborist could be involved later in the process.

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

PLANNING COMMISSION TRANSMITTAL REPORT

**APPLICANT: CENTERVILLE CITY COUNCIL
 C/O PAUL CUTLER, MAYOR
 250 NORTH MAIN STREET
 CENTERVILLE, UTAH 84014**

**APPLICATION: GENERAL PLAN TEXT AMENDMENTS FOR SECTION 12-
 480-6(1.I.) REMOVE THE INDUSTRIAL-VERY HIGH ZONE
 FROM THE WEST CENTERVILLE NEIGHBORHOOD PLAN**

**PC RECOMMENDATION: AFFIRM – TO REMOVE THE INDUSTRIAL-VERY
 HIGH ZONE FROM THE WEST CENTERVILLE
 NEIGHBORHOOD PLAN**

BACKGROUND

The Planning Commission and City Council have been concerned with uses allowed within the Industrial-Very High Zone not being in harmony with the future of the West Centerville Neighborhood. At the March 23, 2016 Planning Commission/City Council Work Session, the idea of eliminating this zone was reviewed. According to the meeting minutes, Councilwoman Fillmore stated that her greatest concern is that a heavy industrial use will expand in a way that conflicts with what is desired. She suggested putting something in place that prevented undesirable expansions and believed that a solid Ordinance would be beneficial in the future. Chair Hirschi commented that a focus south of Parrish Lane should be a continuation of what is happening now, which is a mixture of office space, residential, entertainment and business space. He also suggested the possibility of some mixed-use or residential transitioning into West Bountiful. Mr. Hirschi finally pointed out the west side is a positive, desirable location transportation wise, with two freeway accesses.

Mr. Snyder suggested if the Planning Commission and City Council desired this change, that the General Plan should be amended to remove heavy industrial uses. It was then decided by the group that this would be a goal for 2016 and be addressed by City staff.

SUMMARY OF PLANNING COMMISSION'S ACTIONS, MOTION, AND VOTE

On July 27, 2016, the Planning Commission received a report on the proposed amendment, held a public hearing, and debated the matter. Overall, it appears that the Commission was comfortable with moving forward with eliminating the goal regarding the future allowance of Heavy Industrial uses. However, many Commissioners expressed concerns about the timing of actually rezoning such properties in an upcoming meeting of the Commission. The Commission acknowledged that such debate about rezoning would be held separately in a

near future meeting. Therefore, the Commission recommended to amend the General regarding Section 12-480-6(1.I.) and re-write it as follows:

“12-480-6(1.I.) Remove the Industrial-Very High Zoning District in the extreme southeast area from this area of the Centerville Business Park District.”

SUGGESTED REASONS FOR THE ACTION:

1. *The proposed amendment meets the requirements found in Section 12-21-070(d) of the Zoning Ordinance in relation to the general procedures.*
2. *The current use of Industrial-Very High was found to be incompatible to the surrounding neighborhoods and to the future goals for the West Centerville Neighborhood Plan [Sections 12-21-070(d)(vi), 12-480-6(1.)]*
3. *The proposed General Plan Amendment meets the approval standards found in Section 12-21-070(e) and 12-21-060(a)(2)(A) of the Zoning Ordinance for a comprehensive decision based on: incompatible development, does not promote the public interest for future uses, does not promote the public interest or general welfare.*
4. *The remaining uses found within the I-VH Zone may continue to operate as is, following the nonconforming standards in Chapter 12-22 of the Zoning Ordinance.*

Planning Commission Vote (4-1):

Commissioner	Yes	No	Not Present
Hirschi (Chair)			X
Hirst			X
Johnson		X	
Kjar	X		
Daley	X		
Hayman	X		
Wright	X		

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- JULY 27, 2016 Planning Commission Meeting

proceeds from the reversal would have to be used for fire agency purposes. However, she said a reversionary clause could be added to the agreements if the Council feels it is necessary.

Councilman McEwan made a **motion** to approve the transfer of approximately 0.74 acres of real property for Fire Station No. 83 located at 125 South Main Street to the South Davis Metro Fire Service Area and authorize Mayor Cutler to sign and execute a special warranty deed transferring the land; Parcel Nos. 02-102-0012 and 02-102-0013. The motion was seconded by Councilman Ince which passed by unanimous vote (5-0).

PUBLIC HEARING - GENERAL PLAN AMENDMENTS - WEST CENTERVILLE NEIGHBORHOOD PLAN - REMOVING INDUSTRIAL VERY-HIGH ZONING DISTRICT - SECTION 12-480-6 - Consider General Plan Amendments regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area of the Centerville Business Park District - Ordinance No. 2016-23

Cory Snyder, Community Development Director, reported the Planning Commission and City Council have been concerned with uses allowed within the Industrial-Very High (I-VH) Zone not being in harmony with the future of the West Centerville Neighborhood and set a goal to revisit the West Neighborhood Plan. The Commission has recommended approval of a General Plan Amendment to eliminate I-VH from the West Centerville Neighborhood. Mr. Snyder explained this is only step one of the process. Step two would include a Zone Map amendment. The Commission was only comfortable approving the General Plan amendment. They were not comfortable amending the zoning map until a better plan for the future is established. The General Plan is a policy not an ordinance and eliminating the I-VH Zone from the General Plan simply shows a desire for future planning; it does not set a zoning map regulation. Mr. Snyder provided the history of the I-VH Zone and how it was amended in 2008 to allow Syro Steel to continue their use in a way that would eliminate some of the concerns related to their manufacturing process. In addition, the 2008 amendments provided for commercial uses and brought about the current mixture of uses on the west side, thus changing the essence of the neighborhood. He said it is now the Council's job to review the proposed General Plan amendment and decide if the Commission should move forward with a Zone Map amendment.

Mr. Snyder reviewed the few current uses located within the I-VH Zone. He said to his knowledge and according to the definition of an I-VH use, none of the businesses are actually performing an I-VH operation at this time. He said Syro Steel has currently put their manufacturing processes on hold and are only warehousing products. However, this does not mean they won't restart their manufacturing processes in the future. He explained a General Plan amendment will not render any of these uses nonconforming, that would come with the Zone Map amendment.

1 Mayor Cutler opened the public hearing.

2
3 Bob Mason, Masco Property, said he is one of those businesses owners located in the I-
4 VH Zone. He said he started his business in east Centerville in the 1970's but was later pushed to
5 the west side due to a City rezone. He agreed the future of West Centerville does not include
6 industrial uses but said he does not want his ability to do business limited. He said there is no
7 plan or vision for the future of this area and he believes it is premature for the City to make
8 changes until that plan is established. He said if there is no vision then the zone should be left
9 alone. He said the market should dictate the change, not the City. He said Syro Steel may only be
10 warehousing at this time but if a change in use is on the horizon it may push them to restart their
11 manufacturing processes in order to maintain their rights. He said he is okay with a General Plan
12 amendment but is strongly opposed to a Zone Map amendment. He said he has been told the
13 Zone Map amendment will not happen, but he is skeptical. He believes the whole process would
14 be better received if a full plan was established. He said a zone change will only limit property
15 rights. He said once a plan is established then the City could look for a developer that is
16 interested which in turn would bring about the zoning change. He said the City is trying to make
17 a change in hopes of a new vision, which he believes is not the best approach.

18
19 John Marsh, Bountiful resident, discussed air quality issues with regard to industrial uses.
20 He said citizens rely on the permit and zoning process to ensure air quality. He said he is not in
21 favor of high industrial uses within city boundaries.

22
23 Seeing no one else wishing to comment, Mayor Cutler closed the public hearing.

24
25 Lisa Romney, City Attorney, read the definition for Industrial-High and Industrial Very-
26 High and reviewed both the permitted and conditional uses in each zone. She explained the
27 General Plan is a visionary document and will not change the zoning designation. This means
28 those uses that currently exists within the I-VH Zone can continue within a conforming status
29 with a General Plan amendment. If and when a Zone Map amendment is completed, then the I-
30 VH uses would become nonconforming, thus changing the right.

31
32 Councilwoman Fillmore said this General Plan amendment will provide a vision for
33 future ordinances. She said considering the neighbors in the West Neighborhood area and
34 concerns that have been voiced with regard to density, industrial uses, and possible residential
35 expansion this seems like an easy first step.

36
37 Councilwoman Fillmore made a **motion** to approve Ordinance No. 2016-23 amending
38 the General Plan to eliminate the I-VH Zone. The **motion died** for lack of a second.

39
40 Councilman Ince said he is not sure how he feels about this amendment and he would
41 like some more time to research the issue and call the effected property owners. He said it seems
42 dramatically unfair to ask these long standing current businesses to move out. He said he is

uncomfortable with the idea of taking away their current rights and he is not ready to vote on this issue.

Councilwoman Ivies said some residents have stated they would rather have Syro Steel than more high-density housing in this area. She agreed more research is warranted.

Councilman McEwan said the City must be conscientious of those already in the community. He said this feels like encroachment on current businesses. He said he would like to see a planning processes that provides a cohesive direction for all of Centerville, not just north Centerville, south Centerville, or West Centerville.

Mayor Cutler said, it is his opinion, the City Council is responsible to set a vision and establish that vision in the General Plan. He believes it is appropriate to set a long-term goal within the General Plan that there should be a different direction for the West Neighborhood. He agreed there are challenges on how to proceed but believes the General Plan is a good place to start. He agreed I-VH uses are not envisioned for the future of West Centerville. He also agreed that holding off on a Zone Map amendment at this time is appropriate.

Councilwoman Fillmore said the City Council set a goal to look at the West Centerville Neighborhood. She too agreed that a Zone Map amendment does not need to be immediate, but that the General Plan amendment is acceptable.

Councilman Ince made a **motion** to table this item until the September 20, 2016 City Council meeting to allow time for further research and discussion. The motion was seconded by Councilman McEwan and passed by unanimous roll-call vote (5-0).

MAYOR'S REPORT

Mayor Cutler used this time to update the City Council on several items including the South Davis Metro Fire Service Area, the Tour of Utah Stage 5, and the UTOPIA/UIA financial reports.

CITY COUNCIL LIAISON REPORT – Councilwoman Ivie liaison report of the Landmarks Commission and the Whitaker Museum Board

Councilwoman Ivie used this time to update the Council on recent meetings and activities of the Landmarks Commission and the Whitaker Museum Board.

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

**STAFF REPORT
AGENDA: ITEM 1**

APPLICANT: CENTERVILLE CITY

APPLICATION: GENERAL PLAN TEXT AMENDMENTS FOR SECTION 12-480-6(1.I.) REMOVE THE INDUSTRIAL-VERY HIGH ZONE FROM THE WEST CENTERVILLE NEIGHBORHOOD PLAN

RECOMMENDATION: ACCEPT THE GENERAL PLAN AMENDMENTS AND RECOMMEND APPROVAL TO THE CITY COUNCIL

BACKGROUND

The Planning Commission and City Council have been concerned with uses allowed within the Industrial-Very High Zone not being in harmony with the future of the West Centerville Neighborhood. At the March 23, 2016 Planning Commission/City Council Work Session, the idea of eliminating this zone was reviewed. According to the meeting minutes, Councilwoman Fillmore stated that her greatest concern is that a heavy industrial use will expand in a way that conflicts with what is desired. She suggested putting something in place that prevented undesirable expansions and believed that a solid Ordinance would be beneficial in the future. Chair Hirschi commented that a focus south of Parrish Lane should be a continuation of what is happening now, which is a mixture of office space, residential, entertainment and business space. He also suggested the possibility of some mixed-use or residential transitioning into West Bountiful. Mr. Hirschi finally pointed out the west side is a positive, desirable location transportation wise, with two freeway accesses.

Mr. Snyder suggested if the Planning Commission and City Council desired this change, that the General Plan should be amended to remove heavy industrial uses. It was then decided by the group that this would be a goal for 2016 and be addressed by City staff.

CURRENT POLICIES

General Plan Section 12-430-3

...the best use of the land west of Interstate 15 in Centerville is for well-planned highway commercial, manufacturing, light industrial uses and permanent open space in addition to the existing heavier industrial and manufacturing uses already existing in the area.

General Plan 12-480-6(1.I)

Reconfigure the Industrial-Very High Zoning District in extreme southeast area and amend Chapter 12-36 Table of Land Uses (Zoning Ordinance), to allow the existing heavy industry uses, subject to a conditional use permit review.

Zoning Ordinance Table of Uses Allowed, Chapter 12-36

All uses allowed within the Commercial-High (C-H) Zone are also allowed within the Commercial-Very High, except for personal instruction services. Yet, only within the C-VH Zone is the use of heavy industry allowed with a conditional use permit.

Definitions, Chapter 12-12

Heavy Industry: An establishment engaged in basic processing and manufacturing of materials or products predominantly from extracted or raw materials; or use engaged in manufacturing processes utilizing flammable or explosive materials; or manufacturing processes which potentially involve hazardous or commonly recognized offensive conditions. Typical uses include chemical manufacturing and warehousing, dry ice manufacturing, fat rendering plants, fertilizer manufacturing, fireworks and explosives manufacturing and warehousing, petroleum refineries, pulp processing and paper products manufacturing, radioactive materials manufacture or use, slaughterhouses, steel works and tanneries.

GENERAL PLAN AMENDMENT REVIEW**Procedures for a General Plan Text Amendment, Section 12-21-070(d)(C)****Proposed Amendment to 12-480-6(1.I.), West Centerville Neighborhood**

12-480-6(1.I.) ~~Reconfigure~~ Remove the Industrial-Very High Zoning District in the extreme southeast area ~~and amend Section 12-36 Table of Land Uses (Zoning Ordinance) to allow the existing heavy industry uses, subject to a conditional use permit review.~~ from this area of the Centerville Business Park District.

Purpose

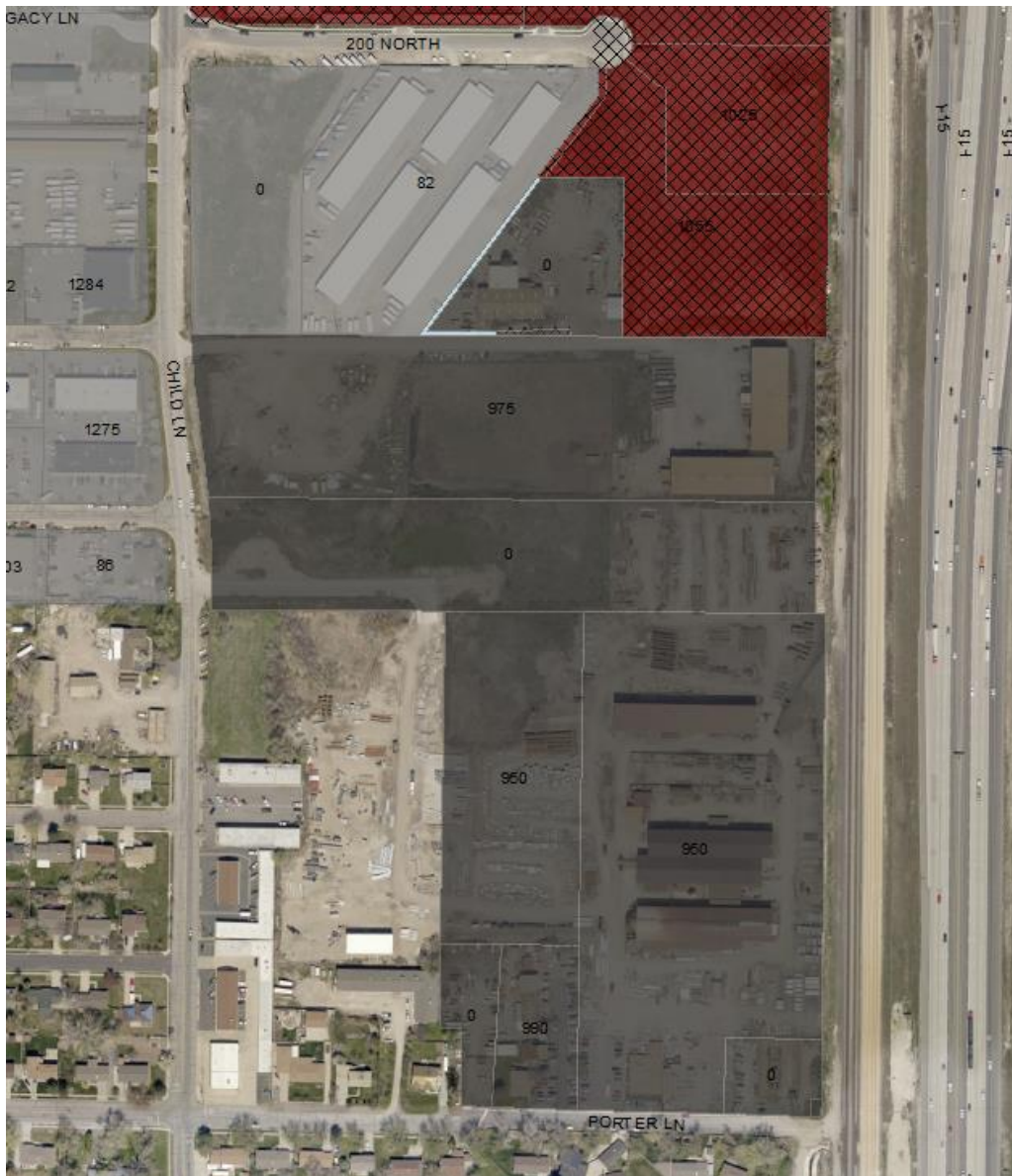
As stated previously, members of the City Council and Planning Commission have both expressed concern in relation to keeping the possibility of heavy industry in the I-VH Zone. If Syro Steel, or other business close and the properties remain zoned as it currently is, another heavy industrial company could utilize one of the sites. In reviewing the definition of heavy industry, these uses no longer seem suitable and appropriate for the West Centerville Neighborhood. Surrounding the area zoned for I-VH, the uses are lighter industrial, commercial and residential. The uses allowed in a I-VH Zone appear to be of a more dangerous nature and perhaps in need of additional buffering from other uses. In addition, if an accident occurred at the site of a business engaged in heavy industry, the effects could be long reaching, and have the potential of affecting many citizens. Therefore, staff agrees the use of heavy industry is no longer acceptable or feasible within Centerville.

Impacts

Staff reviewed the negative impacts if the use and zoning remained. Yet, there is also a negative impact for Syro Steel if the zoning is eliminated. This would render the property as even more non-conforming then it currently is. Syro would still be able to operate their business as long as they desire, and they would fall under the Nonconforming Chapter 12-22 in the Zoning Ordinance. This section controls expansion of nonconforming conditions while recognizing the interests of affected property owners. However, if Syro Steel desired to expand past the

allowable percentage or build a new facility in the same location, they would not be able to do so. The other parcels of land, which also appear to be nonconforming in some way, would also be affected if their current uses or future uses fall within the definition of heavy industry. Although in looking at each site not associated with Syro Steel, the current uses are not found to be heavy industry in nature.

Map of the affected area (I-VH Zone identified in dark grey)



Approval Standards for a General Plan Text Amendment, Section 12-21-070(e)

An amendment to the General Plan is considered legislative and must be reviewed and a decision rendered by the City Council. This comes after the Planning Commission has reviewed the proposal and made a recommendation to the City Council. By amending the General Plan to remove heavy industry and the I-VH Zone, staff believes the future interest, safety and welfare of the citizens of Centerville and West Bountiful will be addressed. It will also help to make the necessary steps to enhance the perceived value of the West Centerville Neighborhood and the adjoining West Bountiful neighborhoods. This amendment will encourage future development that it is more compatible with existing and desired surrounding development. In other words, this change to the General Plan is the first step of Centerville City to encourage appropriate future use and development in the West Centerville Neighborhood.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the General Plan Amendment and recommend approval to the City Council regarding Section 12-480-6(1.I.), as described:

12-480-6(1.I.) *Remove the Industrial-Very High Zoning District in the extreme southeast area from this area of the Centerville Business Park District.*

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendment meets the requirements found in Section 12-21-070(d) of the Zoning Ordinance in relation to the general procedures.
2. The current use of Industrial-Very High was found to be incompatible to the surrounding neighborhoods and to the future goals for the West Centerville Neighborhood Plan [Sections 12-21-070(d)(vi), 12-480-6(1.)]
3. The proposed General Plan Amendment meets the approval standards found in Section 12-21-070(e) and 12-21-060(a)(2)(A) of the Zoning Ordinance for a comprehensive decision based on: incompatible development, does not promote the public interest for future uses, does not promote the public interest or general welfare.
4. The remaining uses found within the I-VH Zone may continue to operate as is, following the nonconforming standards in Chapter 12-22 of the Zoning Ordinance.

1
2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, July 27, 2016**

4 **7:00 p.m.**

5
6 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
7 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

8
9 **MEMBERS PRESENT**

10 Kevin Daly

11 Becki Wright

12 Logan Johnson, Vice Chair

13 Cheylynn Hayman

14 Scott Kjar

15
16 **MEMBERS ABSENT**

17 David Hirschi, Chair

18 Gina Hirst

19
20 **STAFF PRESENT**

21 Cory Snyder, Community Development Director

22 Brandon Toponce, Assistant Planner

23 Lisa Romney, City Attorney

24 Kathy Streadbeck, Recording Secretary

25
26 **VISITORS**

27 Interested Citizens

28
29 **PLEDGE OF ALLEGIANCE**

30
31 **OPENING COMMENT/PRAYER**

Kevin Daly

32
33 **MINUTES REVIEW AND APPROVAL**

34
35 The minutes of the Planning Commission meeting held July 13, 2016 were reviewed and
36 amended. Commissioner Daly made a **motion** to approve the minutes as amended. The motion
37 was seconded by Commissioner Wright and passed by unanimous roll-call vote (5-0).

38
39 **PUBLIC HEARING | GENERAL PLAN AMENDMENT FOR THE WEST**
40 **CENTERVILLE NEIGHBORHOOD PLAN - Consider the General Plan Amendment**
41 **regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I.,**
42 **reconsidering whether the I-VH (Industrial-Very High) Zoning District should continue in**
43 **the future for this neighborhood. Centerville City, Applicant.**
44

Brandon Toponce, Assistant Planner, reported the Planning Commission and City Council have been concerned that the intensity of uses allowed within the Industrial-Very High (I-VH) Zone are no longer in harmony with the future of the West Centerville Neighborhood. At a previous work session (March 23, 2016) the Commission and Council discussed the idea of eliminating the I-VH Zone. During the work session concerns were raised that the I-VH uses conflict with future desires and that a continued mixture of office space, residential, entertainment, and business space may be best for West Centerville. Mr. Toponce reviewed the current policies for the West Centerville Neighborhood and the definition for the I-VH Zone. He also reviewed current existing uses and businesses within the I-VH Zone and how they may be affected by a change to the ordinance. He also reviewed possible impacts to the current surrounding mixed-uses if I-VH is maintained. Given the recent development of commercial and residential in West Centerville, staff agrees the I-VH Zone may no longer be feasible. The elimination of the I-VH Zone may help enhance the perceived value of the West Centerville and West Bountiful neighborhoods. It will also encourage future development that is more compatible with existing and desired future development. Mr. Toponce reviewed the proposed amendment to the General Plan eliminating the I-VH Zone from the southeast area of the Centerville Business Park District.

Cory Snyder, Community Development Director, said this is only step one of the process. He explained the General Plan is a policy not an ordinance. Eliminating the I-VH Zone from the General Plan simply shows a desire for future planning; it does not set a zoning map regulation. To ultimately eliminate the I-VH Zone from West Centerville a Zone Map Amendment will need to be completed. At this time, the City has not researched all the pros and cons of an amendment to the Zoning Map and does not have a specific goal in mind. This is a process that requires extensive study and planning. He said it could be argued that a General Plan amendment at this time is premature because there is not a set Zoning Map plan as of yet. However, if the I-VH is eliminated from the General Plan at this time then it would help discourage any future heavy industrial uses from locating in West Centerville until a full zone map planning process is completed or a better vision is foreseen as driven by the market. If the I-VH is eliminated the default zone could fall to Industrial-High (I-H). Mr. Snyder discussed current uses within the I-VH Zone. He explained there are a few businesses located in the I-VH Zone but that only one (Syro Steel), to this knowledge, is conducting business in a manner consistent with the Heavy Industry definition. The other businesses are less intense and their uses could possibly fall under the I-H Zone. In this one instance (Syro Steel), eliminating the I-VH Zone would create a non-conforming use after a Zone Map Amendment is completed. However, all the businesses within the I-VH Zone have the right to use their property according to I-VH definition at this time.

Vice Chair Johnson opened the public hearing.

Mark Green said he has owned a business in the I-VH Zone in West Centerville since 1978. He said this is the fifth time the City has asked him to leave. He said his company has

1 supplied all the water pipes and road materials for the City over the years and he does not
2 appreciate being pushed out. He said I-VH should not be eliminated. He said the City talks about
3 negative impacts of the I-VH Zone, but he said it is him that has been negatively impacted by
4 current development. He said this is unfair and it won't matter if the I-VH Zone is stricken from
5 the books because it is clear that industrial uses are not wanted and there is no industrial business
6 that would relocate to Centerville given recent developments, i.e., residential and commercial
7 uses. He said the City has put him in a position where he cannot get a reasonable return on his
8 property. He felt it will take significant money to make his relocation possible and the City is
9 limiting his options. He agreed that his business no longer fits in West Centerville but he does
10 not appreciate being forced out of the City, nor does he appreciate that his property value is
11 being diminished. He said if Centerville wants him to go, then the City will need to think big and
12 encourage big money to move in.

13
14 Richard Rowe said his small business also resides in the I-VH Zone. He said his business
15 has served him well and he had hoped it would also provide him retirement once sold or
16 redeveloped, but if the I-VH Zone is eliminated then so is his retirement. He agreed that it
17 doesn't matter what the zoning designation is because Centerville has already made it clear to
18 industrial companies that they are not wanted. He said this makes it difficult to turn over a
19 business. He agreed it will take big incentives and big money to make any redevelopment
20 worthwhile. He asked the Commission to consider the negative effects this type of decision
21 makes on those that have been here for many years, who have put their blood, sweat, and tears
22 into Centerville, and not just those that might come in the future.

23
24 Bob Mason questioned what types of zones could replace the I-VH if eliminated. He said
25 the City claims there is not a plan for the West Centerville Zoning Map and yet it is listed as an
26 agenda item for the Planning Commission to discuss in a couple weeks. He said if there is not a
27 plan then the General Plan should not be amended at this time and if a zone map amendment
28 truly takes time to study then it should not already be listed on a future agenda.

29
30 Seeing no one else wishing to speak, Vice Chair Johnson closed the public hearing.

31
32 Mr. Snyder said a possible Zone Map Amendment discussion is already listed on a future
33 Commission agenda in order to meet noticing requirements. This was simply in anticipation that
34 the Council may direct the Commission to discuss this issue further after tonight's General Plan
35 decision moves forward to the City Council for final approval. The agenda item may or may not
36 move forward but the posting of the future agenda item will allow the beginning of the zone map
37 amendment process if needed. He reminded the Commission and the public that a Zone Map
38 Amendment will include additional public hearings and encouraged additional public comments
39 at those times.

1 Vice Chair Johnson clarified that tonight's decision is regarding the General Plan, a
2 future visionary policy. He said eliminating the I-VH from the General Plan simply shows that
3 Centerville no longer envisions I-VH in the future for this area. Mr. Snyder agreed. He said the
4 assumption is that the I-H Zone would replace the I-VH Zone until a map amendment process
5 can be completed. The City has yet to know what the best vision and subsequent zoning for this
6 area of the City would be. After research and discussions, it may be found that I-H is also not the
7 best vision for this area, this is the beauty of the process.

8
9 Lisa Romney, City Attorney, asked how the Syro Steel use is currently nonconforming.
10 Cory Snyder stated that they are not currently nonconforming. Ms. Romney then explained that
11 Syro Steel is a conditional use as a "heavy industrial" use in the Industrial Very-High Zone under
12 the current Table of Uses. So, even if Syro closed, another user could take over the use or apply
13 for a new condition use under current zoning. She also reminded the Commission that this is a
14 two-step process. Right now, the Planning Commission is only reviewing the proposed General
15 Plan amendment to eliminate language regarding Industrial Very-High uses and zoning in West
16 Centerville. Even if the General Plan amendment is adopted by the City, a separate application
17 would have to be processed and considered for any Zoning Map amendment to change the actual
18 zoning of the subject properties.

19
20 Commissioner Hayman agreed that West Centerville has changed in such a way that it is
21 clear that I-VH is no longer compatible nor desired. She questioned if the General Plan could be
22 amended at this time to clarify this vision but the Zone Map amendment put on hold until there is
23 a better understanding of what may be best in the future. She said this would allow current
24 property owners to continue as desired and perhaps give the City time to see where the market
25 may lead. Mr. Snyder said it is likely the Council will direct staff and the Commission to
26 continue on with the zone map amendment, but that process could lead to no changes.

27
28 Commissioner Kjar agreed it is clear that heavy industrial uses are no longer desired in
29 West Centerville and agreed it is not likely any industrial business would choose to locate here
30 even if allowed. In this regard, he questioned if it is even necessary to amend the General Plan at
31 this time. However, he also understands that amending the General Plan will help facilitate
32 possible future goals. He said he is sensitive to current property owners and wants to make sure
33 that any change is not prejudiced.

34
35 Lisa Romney, City Attorney, suggested that amendments should also be made to Section
36 12-430-3 of the General Plan. Cory Snyder responded that Section 12-430-3 is only addressing
37 existing conditions and that in his opinion no amendments are needed to this section.

38
39 Vice Chair Johnson made a **motion** for the Planning Commission to accept the General
40 Plan Amendment and recommend approval to the City Council regarding Section 12-480-6(1.I.),
41 as described:

12-480-6(1.I.) Remove the Industrial-Very High Zoning District in the extreme southeast area from this area of the Centerville Business Park District.

Reasons for the Action:

1. The proposed amendment meets the requirements found in Section 12.21.070(d) of the Zoning Ordinance in relation to the general procedures.
2. The current use of Industrial-Very High was found to be incompatible to the surrounding neighborhoods and to the future goals for the West Centerville Neighborhood Plan [Sections 12.21.070(d)(vi), 12-480-6(1.)]
3. The proposed General Plan Amendment meets the approval standards found in Section 12.21.070(e) and 12.21.060(a)(2)(A) of the Zoning Ordinance for a comprehensive decision based on: incompatible development, does not promote the public interest for future uses, does not promote the public interest or general welfare.
4. The remaining uses found within the I-VH Zone may continue to operate as is, following the nonconforming standards in Chapter 12.22 of the Zoning Ordinance.

The motion was seconded by Commissioner Hayman.

Commissioner Wright said this issue feels a bit like a “cart before the horse” situation but she also sees the value of providing a vision and a direction for future goals and planning.

Commissioner Daly agreed. He said it is clear this neighborhood is moving more and more toward mixed residential and commercial uses. It is clear that industrial uses are no longer desired but he too is sensitive to current property owners and their exiting uses. He said it seems the proposed amendment to the General Plan will not negatively impact current property owners and will allow them to continue.

Commissioner Hayman said she empathizes with the current I-VH property owners. She said she would like to protect property rights and property values. She also sees the value in amending the General Plan in order to provide direction in future planning.

Vice Chair Johnson called for a vote on the motion. The motion **passed** with 4-1 vote. Vice Chair Johnson opposed.

Vice Chair Johnson said he understands and agrees with both sides but chooses to err on the side of current property owners.

COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

1. The next regularly scheduled Planning Commission meeting will be held on Wednesday, August 10, 2016.
2. Upcoming Agenda Items:

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 6.

Short Title: Citizen presentation re General Plan

Initiated By: Councilmembers Mecham and Ince

Scheduled Time: 8:00

SUBJECT

RECOMMENDATION

BACKGROUND

Councilmembers Robyn Mecham and Bill Ince have asked that two residents--Marti Money and Heather Strasser--be given 10 minutes to express some concerns about the City's General Plan. This has been inserted as the new item #6 because Cory Snyder, Community Development Director, will be at the meeting for items #3, 4 and 5, and has been asked to remain to hear this new item.

ATTACHMENTS:

Description

- ▣ Zone Right - slide presentation



Zone Centerville Right to Preserve Quality of Life

Marti Money and Heather Strasser
1 November 2016



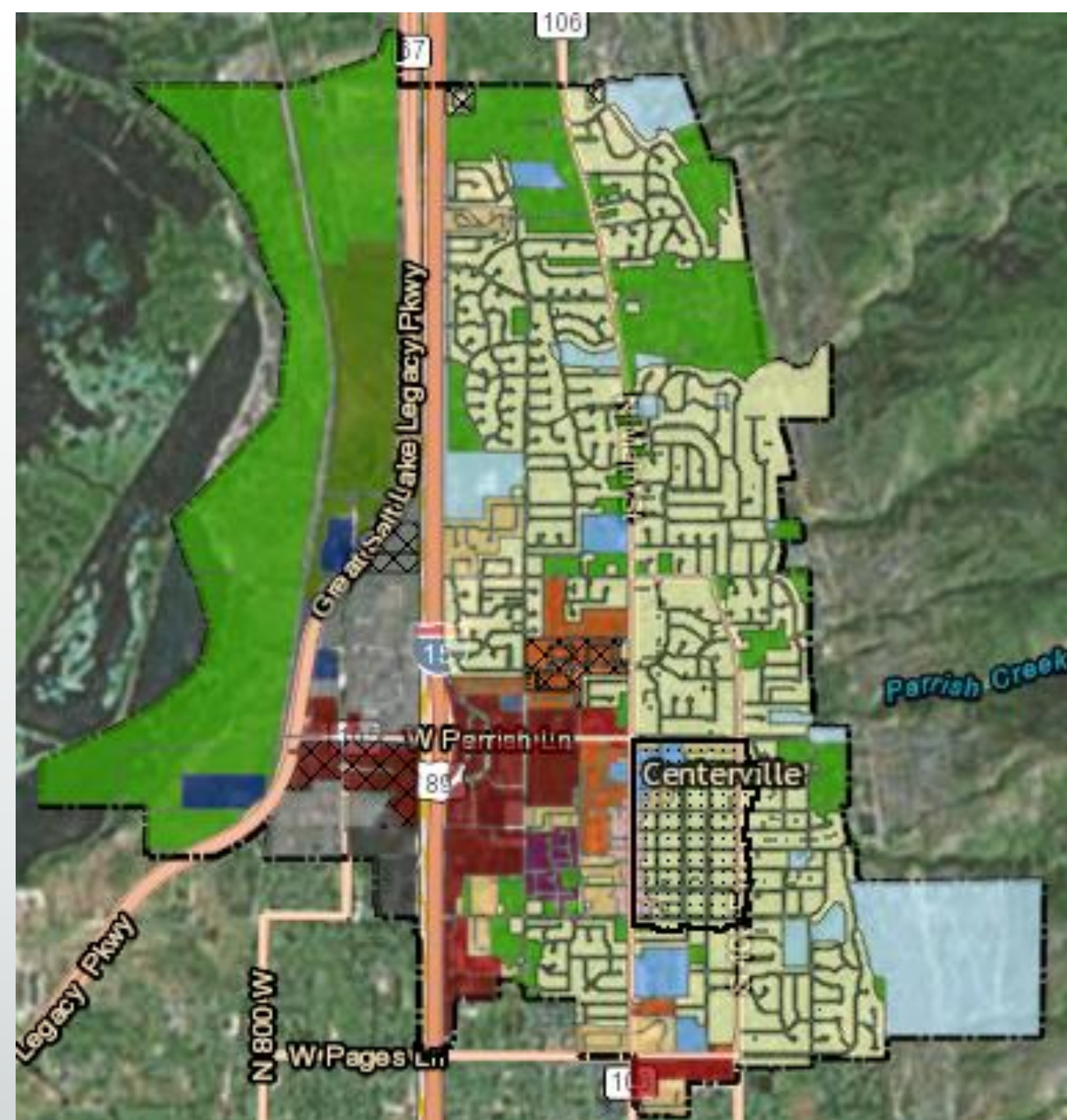
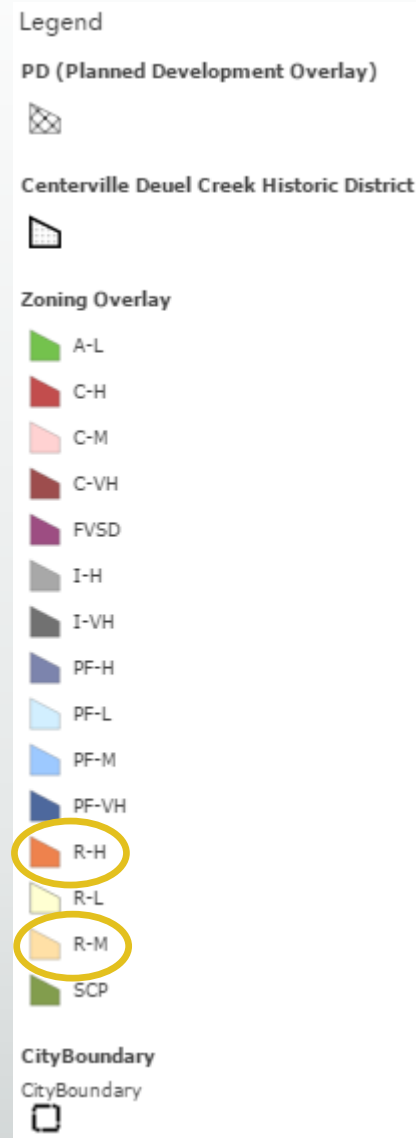
“The citizens of Centerville desire to achieve a quality of life that is consistent with the development of low density residential development.”

--Centerville City General Plan, Part 12-420 Residential Development

Centerville's Residents by Housing Type

- An estimated 1,400 units of multi-unit (R-M and R-H) housing is currently developed in Centerville
- Approx 1,100 of those units are located south from Chase Lane to Pages Lane and east from Frontage Road to 400 East
 - Cedar Springs, Shaela Park, Country Cottages, Parrish Lane Townhomes, Riviera Townhomes, Courtyard Townhomes, Porter-Walton Townhomes, Florentine Villas, Cook and Park Place Apartments, Pineae Gardens, Pheasantbrook, Florentine Villas
- Where is the density in North Centerville (North of Chase Ln)?
 - Greenfields
 - Chase Lane Village

Centerville Zoning Map



General Plan Statements

SECTION 12-420-2. RESIDENTIAL DEVELOPMENT POLICIES.¹

The following policies are adopted specifically for the achievement of the citizens' desires for residential development in Centerville.

1. The density classifications for Centerville's residential areas shall be as follows:

<u>Dwelling Units/Acre</u>	<u>Class</u>
0-4	Low
5-8	Medium
9-12	High

2. Residential development in Centerville is primarily low density single-family. This character of development should continue as far as is feasible and practical. Medium or high density residential development that is allowed in appropriate locations within the City should provide usable open spaces, landscaping, and other associated amenities which will assure consistency with the residential quality desired in Centerville. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred.

- Primarily low density
- How can “Medium or high density...provide usable open spaces, landscaping and other associated amenities” if there 12 units on an acre? There is no room!

General Plan Statements

Supporting Low and Medium Density

a. Porter Lane

As one of the original roads in the area, Porter Lane has had farms, homes and residences on large lots for many years. Residents living along this street have expressed a desire to maintain this residential style.

1. Residential development along Porter Lane from Main Street west to approximately 500 West between Porter Lane and the southern City boundary line should be low-density single family residential. The area from approximately 500 West to the commercial area on the Frontage Road between Porter Lane and the southern City boundary line may be appropriately developed in low or medium density residential. If developed as medium density residential, the use of Planned Unit Developments is desirable and preferred to adequately buffer such developments from both commercial and single-family developments in the area. Ample access from both 400 West and Porter Lane, preferably

The old Centerville townsite may be considered the area bounded by 100 North, 400 South, Main Street, and 400 East. The townsite was originally developed with small stone homes on the large interior blocks. As the homes aged and the population of the City grew, many of the large parcels on the blocks were divided and sold for homes. However, in many cases, the deep interiors of the blocks remained undeveloped. These block interiors soon proved to be attractive for residential development, and, as the area grew older, it seemed that many were also looking toward developing duplexes and small apartments, much as has occurred in older residential areas in Salt Lake City. The citizens of Centerville and of the neighborhood have expressed a desire to maintain the single family nature of the old townsite, to avoid problems with dense development on small lots and to avoid overtaxing the limited and aging City services (water, sewer) that exist here. In 1978, therefore, the old townsite remains.

1. The residential area around the Centerville Elementary School shall allow for low and medium density residential development to accommodate more efficient use of the large interior blocks that are common in this area.

1. The areas north and east of the Centerville Jr. High School shall be developed and maintained in low density single family residential development, primarily to be compatible with the residential development already in existence.

SECTION 12-480-5. NEIGHBORHOOD 4, NORTHWEST.⁹

Overview

The Northwest Neighborhood is located between Lund Lane, Main Street, Parrish Lane, and I-15. Most of the Northwest Neighborhood has already been developed, and consists of a variety of uses, including: single-family residential, multi-family residential of various densities and types,

- a. To maintain compatibility with the style of development presently existing in this area, all future residential development in northeast Centerville should be low density single family.

1. The southeast residential area shall be developed and maintained in low density single-family residential development. Those areas on hillsides shall be carefully developed with strict adherence to City hillside development regulations.

2. The area south of the Riviera Townhouses may be considered for medium or low density residential development. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred. No high density will be allowed in this area.

1. The extreme south Main Street area should be developed with appropriate medium or low density residential development, or with commercial uses. Any development in this area should be carefully designed to be compatible with existing development in the area, and to carefully buffer the rear of the buildings of the Pages Lane commercial center. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred for residential development.

The Northwest Neighborhood is located between Lund Lane, Main Street, Parrish Lane, and I-15. Most of the Northwest Neighborhood has already been developed, and consists of a variety of uses, including: single-family residential, multi-family residential of various densities and types,

What's Wrong With This Picture?

- Despite clear statements of the general plan, the language isn't strong enough when new projects are proposed.
- High density projects are still getting recommended by staff and approved by our city leaders.
- Why then does residential high density continue as part of the General Plan and Zoning Ordinances of Centerville?

It's Time for a Change

- Centerville is a small community in a limited, narrow corridor
- Our community is wearied by the never-ending battle against high density
- High density represents transience, strain on schools, stress on social networks of churches and community activities, strain on emergency services (disaster prep, fire, police, and medical response), increased traffic
- South Centerville continues to have the lion's share of highly-dense projects

Zone Centerville Right Recommendations



1. Eliminate high density residential zoning from the General Plan and Zoning Code text
 2. The City Council **"SHALL"** strengthen the language of the General Plan to preserve the quality of life outlined therein
 3. Time is of the essence!
- (Think: West of I-15, old Dick's Market property, recent Balling rezone request)

*"Developers come and go, but housing stays for generations.
Let's work together to Zone Centerville Right."*

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 7.

Short Title: Davis County Natural Hazard Pre-Disaster Mitigation Plan

Initiated By: Police Chief Paul Child

Scheduled Time: 8:10

SUBJECT

- a. Public comment on Plan
- b. Consider Resolution No. 2016-26 adopting Plan

RECOMMENDATION

Allow DeeEll Fifield, a consultant hired by Davis County, to make a slide presentation summarizing the process and content of the 2016 Davis County Natural Hazard Pre-Disaster Mitigation Plan. Then allow public comment about the Plan. Following public comment, if any, adopt Resolution No. 2016-26 approving the Plan.

BACKGROUND

Federal law requires local governments to adopt Natural Hazard Pre-Disaster Mitigation (PDM) Plans to be eligible for federal funding for mitigation projects and post-disaster recovery. The governmental entities in Davis County cooperated several years ago to prepare and adopt the 2009 PDM Plan. These entities have been working together in the past couple of years--under the leadership of Davis County--to update that Plan. Centerville's representative on the Planning Committee was Police Chief/Emergency Manager Paul Child.

The "Plan Mission" is stated, in part, as follows: ". . . to substantially and permanently reduce the County's vulnerability to natural hazards. The Plan is intended to promote sound public policy and protect or reduce the vulnerability of the citizens, critical facilities, infrastructure, private property and the natural environment within the County."

The Plan document is 291 pages in length. Only selected pages have been attached, which in the judgment of the City Manager will be of greatest interest to the City Council. The entire document, however, can be viewed on the City's website via this link:

<http://www.centervilleut.net/emergency.predisastermitigation.html>. The attached selected pages include the Table of Contents, a graphical illustration of the types and impacts of natural disasters in Davis County over the past 50 years, Executive Summary, Centerville's mitigation activities from 2009-2015, and a Centerville section that includes specific community hazards and related mitigation objectives/projects for the period 2016-2022.

DeeEll Fifield is a former employee of the Utah Division of Emergency Management and was hired by Davis County to prepare the updated Plan, with participation from each covered entity.

ATTACHMENTS:

Description

- ▣ Resolution No. 2016-26
- ▣ Davis County Pre-Disaster Mitigation Plan Excerpts (revised)

RESOLUTION NO. 2016-26

A RESOLUTION OF THE CENTERVILLE CITY COUNCIL, ADOPTING THE NATURAL HAZARD PRE-DISASTER MITIGATION PLAN AS REQUIRED BY THE FEDERAL DISASTER MITIGATION AND COST REDUCTION ACT OF 2000.

CENTERVILLE CITY
250 No. Main Street, Centerville, UT 84014

WHEREAS, President William J. Clinton signed H.R. 707, the Disaster Mitigation and Cost Reduction Act of 2000, into law on October 30, 2000; and,

WHEREAS, the Disaster Mitigation Act of 2000 requires all jurisdictions to be covered by a Pre-Disaster Hazard Mitigation Plan to be eligible for Federal Emergency Management Agency post-disaster funds; and,

WHEREAS, the *Natural Hazard Pre-Disaster Mitigation Plan* has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and,

WHEREAS, Centerville City is within Davis County and participated in the update of the multi-jurisdictional plan, the *Natural Hazard Pre-Disaster Mitigation Plan*; and,

WHEREAS, Centerville City is a local unit of government that has afforded its citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and,

WHEREAS, Centerville City is concerned about mitigating potential losses and has determined that it would be in the best interest of the community to adopt the *Natural Hazard Pre-Disaster Mitigation Plan*;

NOW THEREFORE, BE IT RESOLVED by the Centerville City Council that Centerville City supports the *Natural Hazard Pre-Disaster Mitigation Plan* as this jurisdiction's Multi-Hazard Mitigation Plan.

ADOPTED this 1st day of November, 2016 at the meeting of the Centerville City Council.

Paul A. Cutler, Mayor

ATTEST:

Marsha L. Morrow, City Recorder

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: _____

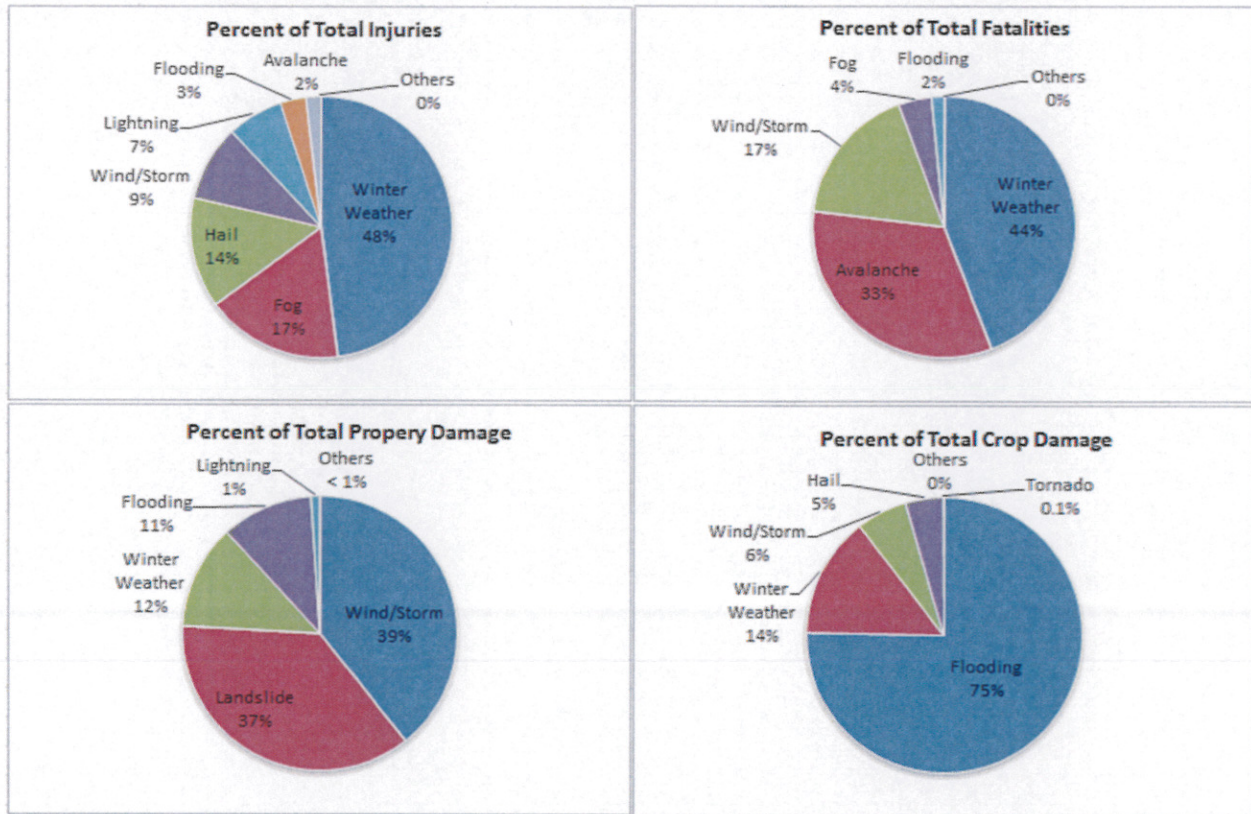
EFFECTIVE DATE: ____ day of _____, 20____.

Davis County Natural Hazard Pre-Disaster Mitigation Plan

Produced by Davis County, and Respective Cities and Special Service Districts

Assistance and Guidance Provided by
Utah Division of Emergency Management
2016

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Major Disaster Event Averages 1962-2011, Davis County, Percentages (HVRI 2011)

Executive Summary

Plan Mission

The Davis County developed this PDM Plan in partnership with the jurisdictions it serves to substantially and permanently reduce the County's vulnerability to natural hazards. The Plan is intended to promote sound public policy and protect or reduce the vulnerability of the citizens, critical facilities, infrastructure, private property and the natural environment within the County. This can be achieved by increasing public awareness, documenting resources for risk reduction and loss-prevention and identifying activities to guide the development of a less vulnerable and more sustainable community.

Plan Update

This Plan represents an update of the PDM Plan that was approved by the cities, counties, the State and by FEMA in 2009. All of the demographic data, maps, vulnerability assessments and mitigation strategies have been revised to reflect the constant growth throughout Davis County. Development pressures in hazard areas will continue to increase the risk to residents. The entire plan was reviewed and analyzed by the planning team throughout the planning process and again at the final draft stage before submittal to the state and FEMA.

Plan Organization

The Plan was developed and organized within the rules and regulations established under 44 Code of Federal Regulations (CFR), Section 201.6. The Plan contains a discussion on the purpose and methodology used to develop the Plan, a profile on communities within Davis County, as well as a hazard identification study and a vulnerability analysis of eight hazards. To assist in the explanation of the above-identified contents there are several appendices included which provide more detail on specific subjects. This is intended to improve the ability of communities within Davis County to respond to emergencies and disasters. It will also document valuable local knowledge on the most efficient and effective ways to reduce loss.

Plan Funding

The Plan has been funded and developed under the PDM Program provided by the Federal Emergency Management Agency (FEMA) and the Utah Department of Public Safety, Division of Emergency Management (DEM).

Plan Participation

Plan participation was completed as a result of a collaborative effort between Davis County, DEM, city and county emergency managers, fire departments, sheriff's office, public works departments, planning commissions, assessor's office, city and county geographic information systems (GIS) departments, special service districts, school district, elected officials, public employees and citizens of the cities in Davis County.

Interviews were conducted with stakeholders from the communities and workshops were conducted during the Plan development phase. Additionally, through public hearings, workshops and draft Plan displays, ample opportunity was provided for public participation. Any comments, questions and discussions resulting from these activities were given strong consideration in the development of this Plan.

Hazards Identification

The PDM Plan addresses earthquake, flood, landslide, problem soils, wildfire, dam failure, and severe weather. The hazard identification study recognized the following natural hazards as being the most prevalent and posing the most potential risk to Davis County. It is recognized that dam failure is not a natural hazard. However, the impact from a catastrophic dam failure would likely be so severe that it warrants inclusion into the Plan.

- Earthquake
- Flood
- Drought
- Landslide
- Wildfire
- Dam Failure
- Severe Weather

Acknowledgements

Davis County would like to extend their appreciation to the following agencies, which assisted in the development of this Plan.

- | | |
|---|---|
| • Utah Division of Emergency Management | • Wasatch Front Regional Council (WFRC) |
| • Federal Emergency Management Agency | • Associations of Governments |
| • National Weather Service | • Davis County and municipalities |
| • National Climate Data Center | • Bountiful |
| • Utah Army Corps of Engineers | • Centerville |
| • Utah Geologic Survey | • Clearfield |
| • Utah Division of Forestry, Fire and State Lands | • Clinton |
| • Utah Department of Agriculture | • Farmington |
| • Utah Avalanche Center | • Fruit Heights |
| • Utah Automated Geographic Resource Center | • Kaysville |
| • University of Utah | • Layton |
| • University of Utah Seismic Station | • North Salt Lake |
| • Utah State University | • South Weber |
| | • Sunset |
| | • Syracuse |

Davis County Natural Hazard Pre-Disaster Mitigation Plan

- West Bountiful
- West Point
- Woods Cross
- Davis County elected officials
- Davis County Emergency Manager Sgt. Ellis Bruch, Davis County Sheriff's Office
- DeeEll Fifield, Consultant
- Davis County agencies including;
- Public Works
- Local Emergency Planning Committee (LEPC)
- Fire Departments
- Davis School District
- Special Service Districts
- Weber Basin Water Conservancy District



Background Information

Centerville City is located between Farmington and Bountiful, east of Interstate 15. The city has an estimated population of **16,819 (2014)**. It is located adjacent to the easternmost part of the [Great Salt Lake](#). Centerville was populated by a mix of pioneers from widely scattered places and different cultures. These pioneers came together for a common cause, and they generally discovered that the talents, skills, and determination needed for survival were found among themselves.

Centerville operates under a “Six-Member Council” form of government, with an elected Mayor and five Council Members.

The day-to-day operations and the majority of executive duties are delegated to a City Manager, who works closely with the Mayor to ensure all city operations are well-run. City operations include a full time Police, Fire, and Public Works Departments. Emergency management and pre-disaster mitigation responsibilities are coordinated by the Centerville City Police Chief.

Specific Community Hazards

- **Earthquake.** Centerville proximity to the mountains and the Wasatch Fault puts it at high risk of earthquake damage.
- **Wildland Fire.** Much of Centerville City is located in the foothills, increasing the risk for wildland fires.
- **Dam failure.** The secondary water system throughout the community has small storage reservoirs.
- **Flooding.** Centerville is located along the Wasatch Front Mountain Range. During the 1983 declared flooding disaster, City facilities, trails, and homes sustained significant damage.

Critical Facilities and Infrastructure

FACILITY	HAZARD/RISK	MITIGATION
Culinary water storage tanks and secondary water reservoirs	The city has culinary water storage tanks and secondary water storage reservoirs that may experience water contamination, flooding, and failure due to earthquake	Enhance security, and upgrade water distribution system

City Buildings and Facilities

FACILITY	HAZARD/RISK	MITIGATION
City Offices/EOC	Loss of vital city records; communication vehicles; day to day functions. Loss of operability for EOC	Provide for city office/EOC survivability following an earthquake
Public Works Building	Loss/damage to response equipment	N/A

Stormwater Infrastructure

Stormwater detention basins	Flooding: excessive rainfall overflowing banks	Downstream protection of property
-----------------------------	---	--------------------------------------

Main Arterial Roads

	HAZARD/RISK	MITIGATION
Main Street	Destruction, evacuation and response concerns	State Road
Frontage Road	Destruction, evacuation and response concerns	Maintain
400 East	Destruction, evacuation and response concerns	Maintain
Parrish Lane	Destruction, evacuation and response concerns	Maintain (partially State Road)
Pages Lane	Destruction, evacuation and response concerns	Maintain
Interstate 15	Destruction, evacuation and response concerns	State Road
Legacy Highway	Destruction, evacuation and response concerns	State Road

Mitigation Strategies Implemented since the 2009 Plan.

Centerville City has participated in the following mitigation activities:

Flooding

- A partnership project agreement with the City, UDOT, and the County resulted in improvements to critical drainage systems. Larger aqueducts/pipelines were installed in the Lone Pine and Deuel Creek drainages, including, a larger drainage pipe under I-15 at Porter Lane. Working with Davis County and West Bountiful, the open canal through West Bountiful was also repaired and enlarged.
- A community volunteer event was conducted to thin out growth in the Ricks Creek Canyon drainage.
- Working with Davis County, made improvements to the storm drain system by clearing open ditches on Porter Lane.
- Increased enforcement of illegal discharge and dumping in curb & gutters and drainage systems.

- Increased the size of a drainage pipe under the Lower Pipeline Road which will allow water to flow better into Farmington Bay and decreasing the potential for back up of water which could flood parts of the Industrial Park.
- Completed a \$2 million cement dam in Centerville Canyon which has created a very large debris basin, significantly reducing the potential for a flood/debris flow coming out of that canyon. The City funded 15% of the cost. Each of the canyons above Centerville now have debris basins in place, providing very effective mitigation from the impact of a large debris flow and flooding. This project was completed in 2011. As a result, 181 homes were removed the special flood hazard list by FEMA.

Earthquake

- The City co-sponsored a community Disaster Preparedness Fair in 2014. Vendors and emergency preparedness specialists distributed information to participants on preparedness, response, and recovery from earthquakes.
- Eight City employees attended a Davis County Community Specific IEMC training in FEMA's EMI in 2015. The exercise scenario was based on a 6.5 magnitude earthquake.
- The City conducted Community-wide functional exercises in 2010 and 2013 focused on Earthquake response.
- The City conducts two "Rapid Damage Assessment and Communication" drills each year.
- Each year the City participates in the Great Utah "ShakeOut" Earthquake Exercise and encourages all residents to also participate.
- The City conducted an earthquake hazard assessment for all city buildings. Items needing to be better secured were identified, and steps were taken to secure them.
- Several improvements have been made to the communications infrastructure of the city, including the installation of a robust fiber optic system which each business and residence can take advantage of. This system will provide resilient access to internet, phone, and cable services. The fiber optic lines are encased in a hazard resistant underground conduit. In addition to the UCAN 800 Mhz police/EMS/FD communication radio all of Centerville Police Vehicles are equipped with a VHF radio which adds additional communication capacity.
- The City has purchased an additional portable 20 KW generator which can be used to power a building or a city well.
- A new water well was drilled and installed that has a natural gas/propane powered 180 KW generator. This well was installed and engineered to withstand a major earthquake.
- The City Water Department created a "Communication Loss Plan" which would enable the water system to work properly even if all the computer systems fail. They have also installed back-up water pumps in the wells which require less power to operate.
- Replaced 4000 feet of old cast iron water pipe with new ductile pipe which is more resilient and will have a better chance of surviving an earthquake.
- The City developed a redundant and effective VHF/UHF radio community communication network and regularly tests this system.
- The Police Department has a rapid damage assessment plan which is exercised by the Police Department during each of the "ShakeOut" exercises.
- All employees meet once a year for emergency preparedness training and employee incentives are provided for completing preparedness activities in their homes, such as; securing their water heaters, assembling 72 hour kits, conducting fire drills, etc. All Police Department Officers has been given a "go bag" with survival supplies enabling them to be deployed for long periods utilizing the supplies.

Severe Wind Events

- The City experiences strong easterly canyon winds on a recurring basis and closely monitors National Weather Service broadcasts on its recently installed weather alert radio in the Police Department.
- Prior to the 2011 severe wind incident, the City issued a phone message to each household advising of the storm and providing emergency preparedness recommendations to mitigate high wind impacts. The City Emergency Operations Center was activated and proactive measures were taken to reduce the likelihood of injury and damage. Due to the efforts of preparation, the City was able to

maintain good communications with community leaders and other government agencies. Prior to the storm, contact was made with a construction company building a very large apartment complex and warned to take measures to secure loose plywood sheets, reinforce walls and other parts of the structure that was vulnerable to damage by high wind.

- The City utilizes WebEOC and has conducted several training sessions for city employees.
- The City building code requires high-wind rated shingles on homes.

Slope Failure:

- In 2011, a debris basin was completed at the entrance to Centerville Canyon. All of the canyons above the City are now protected by debris basins. In the event of a canyon slope failure resulting in a debris flow, these basins will protect life and property in the community below.
- City ordinance does not allow for development on the steep foothills above the City.

Wildland Fire

- The City recently completed development of Freedom Hills Park on the north end of the city adjacent to Farmington City. The park is designed to accommodate fire-fighting helicopters with a designated Helispot/Helibase which is situated away from powerlines. A fire hydrant was installed nearby. Additionally, helicopters will not be flying over any homes.
- The City Public Works Department has an ongoing maintenance program on the "Firebreak" road above Centerville. This road is subject to constant degradation due to use and erosion.
- Centerville is currently working with South Davis Metro Fire to develop a Wildland Fire / Urban Interface Plan. In 2015, members of the community met with the fire chief and other fire professionals to prepare for and mitigate the effects of a wildfire.
- Centerville City has restricted the use of fireworks by ordinance for the past several years in areas prone to grass fires. The city uses a variety of methods to inform home owners and residents of the restrictions and the Police Department enforces the law.
- Improvements have been made to the "Lower Pipeline" Road which is an interface area between grasslands and development.
- In a cooperative effort between Centerville City, Davis County and South Davis Sewer District the firebreak road received substantial repair work and improvements to keep the road from eroding away into the creek at Rick's Creek.

Wildland Fire

Problem Identification: A significant portion of Centerville City is along the foothills creating an urban / wildland interface.

OBJECTIVE (Priority MEDIUM): Fuels mitigation to prevent wildfires from impacting the city.

Action 1: Centerville City and South Davis Metro Fire (SDMF) will work with homeowners to remove fuels and create defensible spaces and maintain fire break roads.

Time Frame: Ongoing

Funding: Federal, State and Local

Estimated Cost: Unknown

Staff: City Administration, Public Works, Engineering, SDMF, etc.

Jurisdiction: Centerville City and SDMF

Action 2: Centerville City and South Davis Metro Fire (SDMF) will create a public service campaign to inform residents about fuels reduction, fire breaks, defensible spaces and other mitigation tactics.

Time Frame: Estimated Fall of 2017.

Funding: Federal, State and Local

Estimated Cost: Unknown

Staff: City Administration, Public Works, Engineering, SDMF, etc.

Jurisdiction: Centerville City and SDMF

Action 3: Participate in the development of a Community Wildfire Protection Plan (CWFP)

Time Frame: Documentation of man hours and community service will be done annually.

Funding: Federal, State, Local, citizen in-kind participation.

Estimated Cost: Unknown

Staff: City Administration, Public Works, Centerville community involvement, State workers, South Davis Metro Fire (SDMF)

Jurisdiction: Centerville City and SDMF

Action 4: Continue to repair and improve access for firefighting apparatus on the firebreak road.

Time Frame: 2017-2020

Funding: State and City funds

Estimated Cost: Unknown

Staff: City Administration and South Davis Metro Fire (SDMF)

Jurisdiction: Centerville City and SDMF

Communications

Problem Identification: There are several areas of the city where communications is difficult. In the past, radios have been provided to area leaders for use in communicating during an emergency incident. The city is continually working toward improving emergency communications by identifying those areas, and providing for communications needs.

OBJECTIVE (Priority HIGH): Improve communications between the EOC and District IC's, mitigate the impacts of and be prepared for emergency situations and be able to identify hazards.

Action 1: Provide radios to area leaders that have been identified.

Time Frame: Annually

Funding: Federal and Local

Estimated Cost: \$2,000 annually

Jurisdiction: Centerville City

Action 2: Conduct regular communication drills and exercises to identify potential problems.

Time Frame: Semi-annual

Funding: Local

Estimated Cost: Dependent on the activity

Jurisdiction: Centerville

Earthquake

Problem Identification: Critical facilities do not meet seismic standards.

OBJECTIVE (Priority MEDIUM): Retrofit waterlines and fire station to meet seismic standards.

Action 1: Centerville has developed a 45-year master plan to upgrade the entire city water system. Work is currently in progress to make improvements in the system to keep up with this plan and to add redundancy to the system and better fire flow

Time Frame: 2016-2021

Funding: City funds

Estimated Cost: Approximately \$500,000 per year

Staff: City Administration, Public Works, Engineer, etc.

Jurisdictions: Centerville City

Action 2: The Centerville Fire Station is not seismically safe following an earthquake. South Davis Metro Fire (SDMF) has plans to replace the fire station in Centerville

Time Frame: 2017-2021

Funding: SDMF funds/State/Federal grant

Estimated Cost: \$3 – 4 million

Staff: City Administration, South Davis Metro Fire, etc.

Jurisdictions: Centerville City and SDMF

Action 3: The City performs continuous maintenance and repair to keep the culinary water system in good working order for both fire flow and earthquake resistance.

Time Frame: 2016-2021

Funding: City funds

Estimated Cost: \$150,000/year

Staff: City Administration, Public Works, Engineer, etc.

Jurisdictions: Centerville City

Flooding

Problem Identification: Centerville is traversed by several creeks which may be subject to flooding in severe storm events and spring runoff. Significant funding towards a debris flow basin in Deuel Creek area has greatly reduced flood vulnerability in this area. Ongoing work on upsizing water culverts is taking place under Frontage Road extending under the Freeway and also in the area of Barnard Creek.

OBJECTIVE #1: (Priority HIGH): Maintain existing drainage system throughout city to reduce flood threat.

Action: Continue pro-active maintenance program for existing storm drains and sub-drains.

Time Frame: Annually

Funding: City

Estimated Cost: \$600,000 annually

Staff: City Administration, Public Works, Engineering, etc.

Jurisdiction: Centerville City

Objective #2: (Priority Medium): Upgrade/replace drainage systems.

Action 1: Centerville City has just recently doubled the drainage fees in order to pay for replacement and upgrades to city drainage systems.

Time Frame: Annually

Funding: City

Estimated Cost: \$600,000 annually

Staff: City Administration, Public Works, Engineer, etc.

Jurisdictions: Centerville City

Action 2: The City is coordinating with Davis County public works to install a culvert along Porter Lane where an open creek now exists.

Time Frame: 2017-2020

Funding: City/County

Estimated Cost: \$1 million

Staff: City Administration, Public Works, Engineer, Davis County, etc.

Jurisdictions: Centerville City and Davis County

Multi-Hazards

Problem Identification: The City Emergency Operations Plan (EOP) is overdue for an update and revision.

OBJECTIVE (Priority HIGH): Improve communications, mitigate the impacts of and be prepared for emergency situations and hazards.

Action 1: Update the Emergency Operations Plan (EOP)

Time Frame: 2017

Funding: Federal and Local

Estimated Cost: Unknown

Staff: City Administration, Public Works, Engineer, etc.

Jurisdictions: Centerville City

Action 2: Enhance IT Network and Server Security

Time Frame: Unknown, depending on funding

Funding: Local and State

Estimated Cost: Unknown

Staff: City Administration, Public Works

Jurisdictions: Centerville City

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 8.

Short Title: Proposal for safety improvements at Jennings Lane/400 West intersection

Initiated By: City staff

Scheduled Time: 8:40

SUBJECT

RECOMMENDATION

Consider funding additional safety improvements recommended for the Jennings Lane/400 West intersection.

BACKGROUND

The attached email--sent to a number of residents concerned about this intersection--explains the analysis of traffic data and the review of site conditions at this intersection. It also explains the recommended solution that is to be presented to the City Council on November 1--i.e. reconstruction of the northwest corner and conversion to a 4-way stop.

Several aerial photos are also attached and will be referred to at the meeting. The City Code gives the Police Chief the authority to make decisions about traffic regulations, including the decision to convert this intersection to a 4-way stop. However, the City Engineer and Public Works Director also expressed strong opinions that the northwest corner should be reconstructed to enhance safety and reduce the City's liability.

The Council's approval is being sought to authorize funding for this work. The City Engineer is soliciting a cost proposal that he hopes to have before the Council meeting.

ATTACHMENTS:

Description

- ☐ Police Chief Email
- ☐ Aerial photos of intersection
- ☐ Northeast Corner Cost Estimate

Steve Thacker

From: Paul Child
Sent: Thursday, October 27, 2016 11:45 AM
To: Teriko Barker; Keith Pasker; Mike Nielsen; K Andersen; A Coombs; Karen Mendenhall; Jessica Chamberlain; Tauna Connors; Crissy Esau; Jolene Johnson; b smith
Cc: Steve Thacker; Randy Randall
Subject: Jennings and 400 West Intersection

Concerned Citizens,

Thank you all for your emails and comments related to the intersection of Jennings Lane and 400 West. This intersection has been the subject of much discussion and evaluation for some time now.

Last spring and into the summer I began to receive requests for a four-way stop at this intersection. After going back to this intersection and recognizing the problems with "sight distance" and other factors, I felt that these requests deserved careful evaluation. Over an eight week period I had traffic counting tubes placed at all four legs of this intersection to better understand the amount of traffic going through there and the disbursement of that traffic. I have to admit I was surprised to find that all four legs receive approximately the same amount of traffic volume. After completing this initial evaluation the City Manager authorized a traffic study conducted by A-Trans Transportation Engineering. The results of this traffic study recommended a four-way stop controlled intersection at this location, mainly because of the sight distance issue.

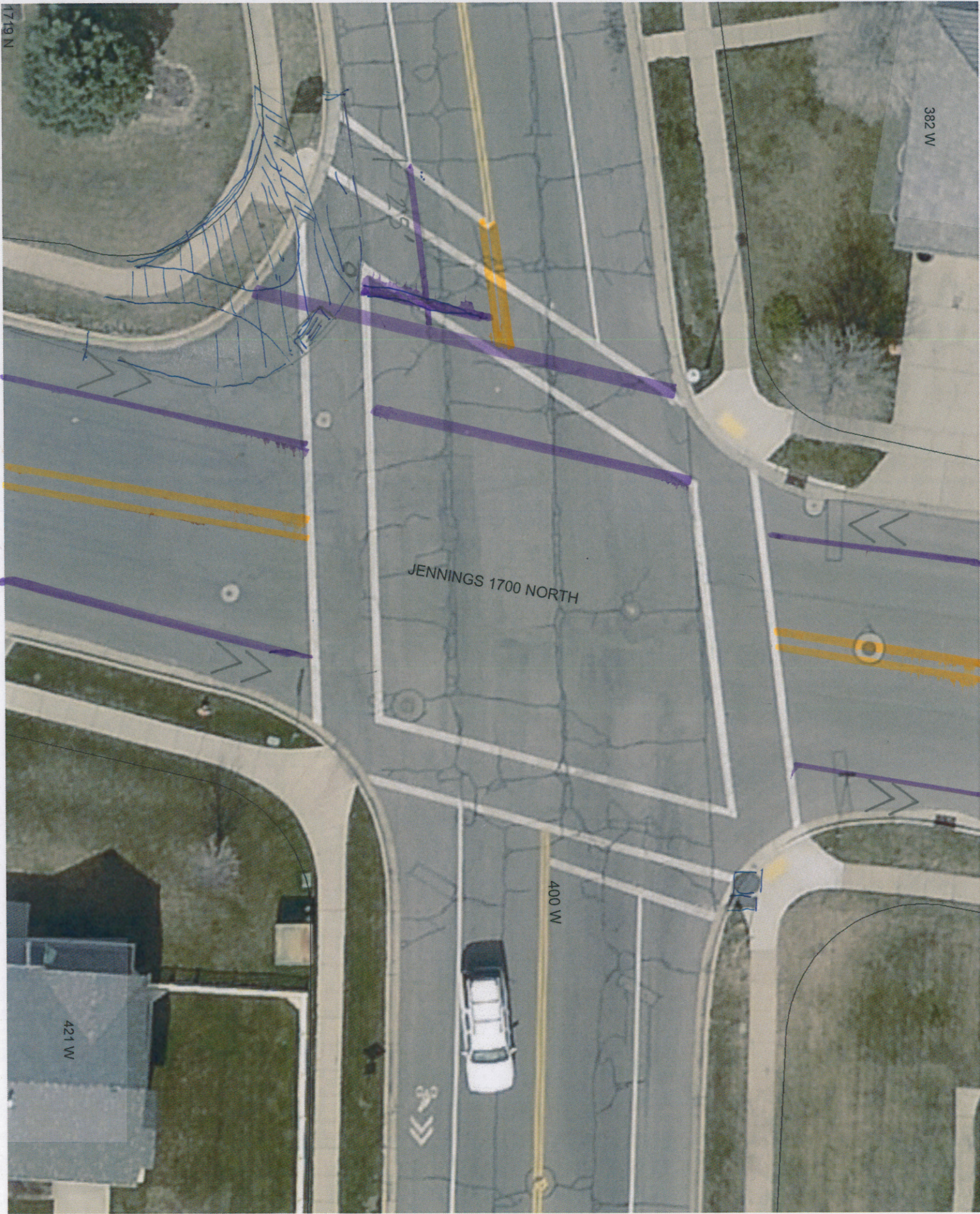
Subsequent to this traffic study our own Public Works Director and our City Engineer looked at this intersection. They strongly recommend that the intersection undergo some re-configuration to bring it into AASHTO standards compliance. The Public Works Director also recommended that we not put in a four-way stop but instead re-configure the intersection to make it safer while allowing uninterrupted flow of east-west traffic.

The City Manager, Public Works Director, City Engineer and I met this morning to discuss this issue. This intersection presents several complicated safety issues, including that it is part of the Student Neighborhood Access Program, or SNAP plan, for children walking to and from school at Reading Elementary. Because this is part of the SNAP we need to re-stripe the crossings to comply with the standards set in the Manual of Uniform Traffic Control Devices, or MUTCD.

During our meeting this morning we agreed to present to the City Council next Tuesday a recommendation to re-configure the intersection improving safety. This is something that I support. I am also recommending a four-way stop controlled intersection for Jennings and 400 West. Based on the concerns raised by the Public Works Director and City Engineer I can see the wisdom of making both of these changes at the same time. The Public Works Director and City Engineer estimate that the cost to perform these changes will be minimal are well worth the benefit. They both feel the work can be placed on a fast track with the hope of completing it very soon. This proposal will be brought to the City Council next Tuesday, and I will be in attendance for that meeting.

Thank You,

Chief Paul Child
Centerville Police Dept.
250 N. Main St.
Centerville Ut. 84014
801-292-8441



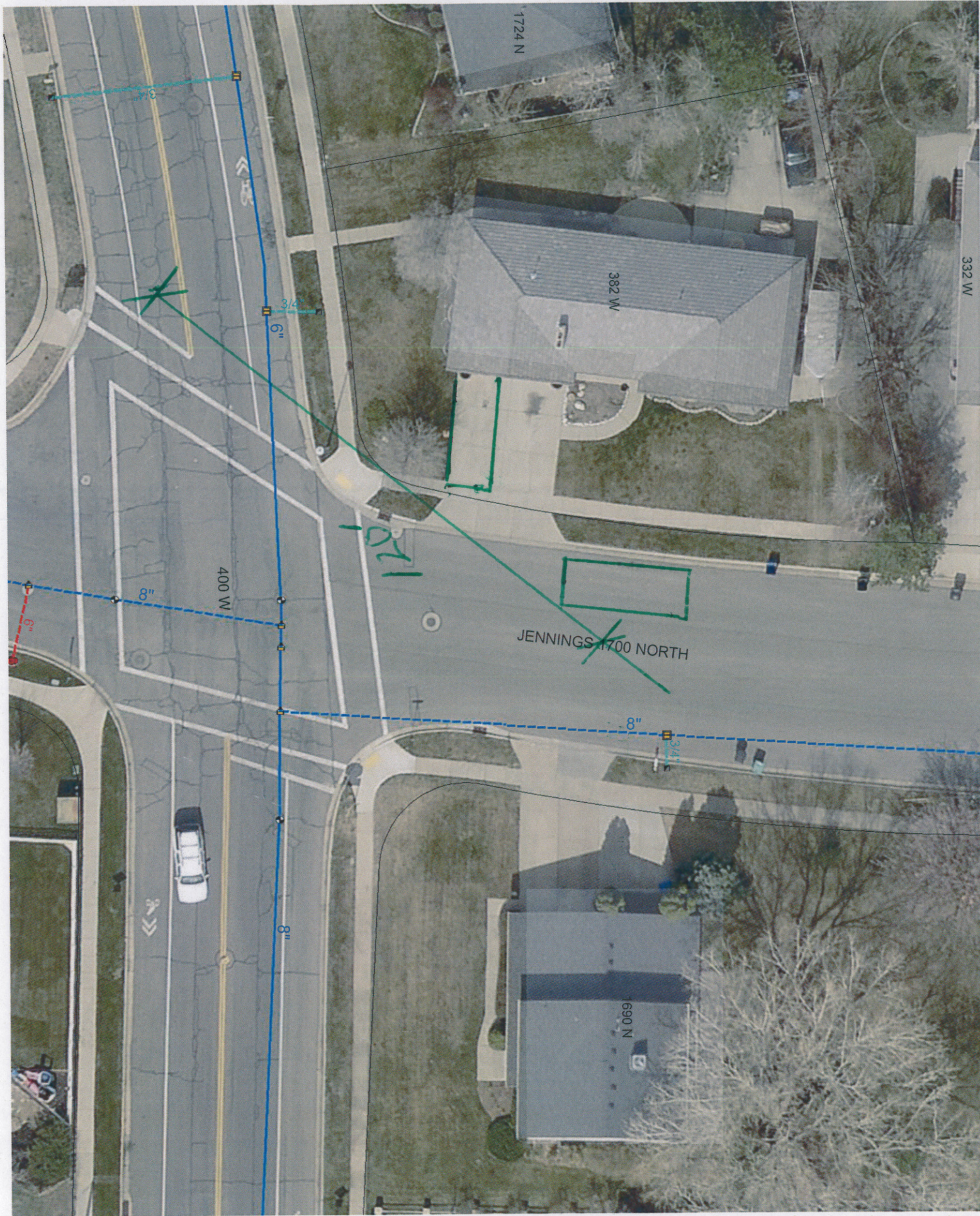
1719 N

382 W

JENNINGS 1700 NORTH

400 W

421 W







Steve Thacker

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Monday, October 31, 2016 4:22 PM
To: Steve Thacker
Cc: Randy Randall; Paul Child
Subject: Jennings Ln. 400 West - NW corner improvements

Steve,

Here is a cost estimate for the proposed improvements using JMR current unit prices with City:

1. Sawcut asphalt – 75 LF x \$6.00 / LF = \$450
 2. Remove existing asphalt – 350 SF x \$1.80 / SF = \$630
 3. Remove existing sidewalk and ped ramp – 200 SF x \$1.80 / SF = \$360
 4. Remove existing curb and gutter – 60 LF x \$7.00 / LF = \$420
 5. New sidewalk – 250 SF x \$5.50 / SF = \$1,375
 6. New ped ramp – 1 Each x \$500 / Each = \$500
 7. New curb and gutter – 75 LF x \$26 / SF = \$1,950
 8. Repair landscaping – 400 SF x \$4.00 / SF = \$1,600
 9. Restripe crosswalks – Lump Sum = \$500
 10. Contingency, engineering and testing – 15% = \$1,200
- Total Estimate** **\$8.985**

I let me know if additional information is needed on this estimate

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
11/1/2016**

Item No. 9.

Short Title: Approve professional services agreement relating to Island View Park renovation conceptual planning phase

Initiated By: Parks & Recreation Committee and City Staff

Scheduled Time: 8:50

SUBJECT

RECOMMENDATION

Allow Lynn Keddington--Chair of the Parks & Recreation Committee--to explain the process his committee is leading to develop a concept plan for the renovation of Island View Park, and their request for assistance from a landscape architect. Approve agreement for landscape architect services with MGB+A--in the amount of \$5900--for preparation of a schematic site plan and cost estimate.

BACKGROUND

The renovation of Island View Park is one of the projects on the Parks Capital Improvement Plan. The Parks & Rec Committee has already undertaken a community survey about this park and created a Focus Group of 20-25 residents to continue participating in the development of a concept plan. The Committee's goal is to have a schematic plan and cost estimate ready by February 2017 to submit with an application for a federal grant from the Land, Water & Conservation Fund. If successful, the funding would become available a year later and the City would then have two years to complete the project.

To prepare a schematic plan and reliable cost estimate of the quality needed for a successful grant application, the Committee would like the assistance of a landscape architect. Staff recommend the services of MGB+A, a company that was selected about two years ago through a competitive process and has since provided landscape architect services for several City projects. Staff have been pleased with the quality of service and believe their fees are reasonable. Dan Sonntag, the MGB+A employee who has been providing the recent services, will be present at the meeting in case the Council would like him to show samples of work done for other cities similar in nature to what he would be contracted to do for Centerville.

The MGB+A proposal/agreement is attached. The scope of work--or "Project Approach" as labeled in the proposal--has been revised as the result of a review by the City Manager, Parks & Rec Director, and Mr. Keddington (Committee Chair). The City Attorney has reviewed the agreement provisions and verified that these contain the revisions the City requested in the earlier agreement approved about two years ago. The total proposed fee for this scope of work is \$5900.

ATTACHMENTS:

Description

- MGB+A Proposal and Agreement



October 28, 2016

Steve Thacker
City Manager
250 North Main Street
Centerville City

SUBJECT: Island View Park Concept Development Plans

Dear Steve,

Thank you for the opportunity to propose design services for the Centerville Island View Park plans.

We have outlined the necessary tasks, scope descriptions, and estimated fees associated with providing the professional services described herein. We welcome the opportunity to refine any aspect of our scope or estimated fees to more closely align with the goals of your team and the needs of this project.

Please contact us if you have any questions or need additional information. Thanks again for your consideration.

The following is our proposed approach to complete this project:

PROJECT APPROACH:

1. SITE VISIT + INVENTORY

MGB+A (hereinafter referred to as Consultant) will review city provided base information, visit the existing Island View Park, and prepare an inventory of existing conditions noting the following:

- 1.1 Existing uses
- 1.2 Existing facilities location, condition, and measurements as required. Items may include but are not limited to the following: parking lots, restrooms, pavilions, playground equipment, sport courts, grass fields, lighting and other utilities, etc.
- 1.3 Analysis of adjacent uses and boundary conditions
- 1.4 Analysis of opportunities and constraints for possible future uses.
- 1.5 Review of community input survey of Island View Park.

2. VISIONING + PROGRAMMING 1ST FOCUS GROUP MEETING

- 2.1 Consultant will prepare a scaled base map (aerial imagery) of the site.
- 2.2 Participate in a planning meeting with the focus group to review site challenges and discuss desired solutions for a new park schematic design. Consultant will be prepared with space requirements and general cost estimates for possible

features. During the meeting consultant will sketch and summarize Ideas that are discussed.

Product(s):

- Approved Base Map Including Aerial Mapping with Inventory & Analysis.
- Visioning + Programming Prioritized Design Program Elements and initial concept options developed (2-3 concepts).

3. CONCEPT DEVELOPMENT + 2ND FOCUS GROUP MEETING

- 3.1 Review 2-3 concepts with Focus Group and Parks & Rec Committee.
- 3.2 Consultant will modify the concept plans into one final schematic site plan and cost estimate suitable for Presentation to City Council.

Product(s):

- Preferred concept master plan

4. CITY COUNCIL WORK MEETING + FINAL PLAN DEVELOPMENT

- 4.1 Consultant will participate in a working meeting with city council to present concept and cost estimate.
- 4.2 Refine plan per city council input. Generate final plan and cost estimate suitable for inclusion in the grant application.

Product(s):

- Final Schematic Design Option + Cost Estimate. Plan will be color rendered with supporting notes and images.

CLIENT'S RESPONSIBILITIES:

1. The Client shall furnish base information for the site that may include existing topographic, boundary survey, utility locations, GIS mapping, aerial imagery, community input survey data, and other information necessary for the project. The Consultant will utilize the base information provided by the Client to prepare the work products outlined in the scope of services.
2. The Client shall furnish Consultant with any updated or revised base information in a timely manner.

Scope Fees

<i>Task</i>	<i>Fee</i>
Site Visit + Inventory	\$600
Visioning + Programming + Focus Group Meeting #1	\$900
Concept Development + Focus Group Meeting #2	\$2,400
Final Plan Development + City Council Meeting	\$1,800
Expenses (printing, travel)	\$200

Total Fee **\$5,900**

TIME OF PERFORMANCE:

1. Consultant is prepared to initiate the services described herein immediately upon Client's authorization and notice to proceed. A more definitive schedule can be established with the Client at the outset of the project as needed.

ADDITIONAL SERVICES:

1. Consultant, at the direction of the Client, may perform additional services related to the project including but not limited to preparation of site sections, grading plans, preliminary development plans and zoning applications, project signage design, marketing graphics, 3D modeling, and other services not otherwise defined in the scope of services. These and other additional services will be performed by Consultant as mutually agreed to by the Client and Consultant prior to performance of the services.
2. Reimbursable expenses will be billed to the client as outlined below.

HOURLY RATES:

The hourly rate for performing design services typically conforms to the following table.

Principal/Partners	\$150.00 per hour
Senior Associates.....	\$100.00 per hour
Associates.....	\$90.00 per hour
Landscape Architects	\$80.00 per hour
Staff	\$70.00 per hour
Clerical	\$50.00 per hour

REIMBURSABLE EXPENSES:

Reimbursable expenses will be billed according to the following rates.

Automobile Travel.....	\$0.60 per mile
Airfare/Hotel/Car Rental	Cost plus 10%
Black & White Copies / Prints - 8 " x 11"	\$0.10 per copy
Black & White Copies / Prints - 11" x 17".....	\$1.00 per copy

Color Copies / Prints - 8 " x 11"	\$0.20 per copy
Color Copies / Prints - 11" x 17"	\$2.00 per copy
Black & White Plotter Bond	\$2.00 per square foot
Color Plotter Bond.....	\$5.00 per square foot
Plotter Vellum / Mylar	\$7.00 per square foot
Outside Reproduction	Cost plus 10%
Sub Consultants.....	Cost plus 10%

AGREEMENT FOR LANDSCAPE ARCHITECT'S SERVICES

This Agreement is entered by MGB+A, Inc. The Grassli Group ("MGB+A"), a Utah corporation engaged in the profession of landscape architecture and Centerville City ("Owner"). The purpose of this Agreement is to memorialize the parties' understandings with respect to the Work to be performed by MGB+A for and on behalf of Owner.

1. The Work. MGB+A shall complete the landscape architecture services described in the Contract Documents. MGB+A shall perform those services as an independent contractor.
2. The Project – Parties' Representatives. The Project is generally described as follows: See attached Scope of Work described as the Island View Park Concept Development Plans. Each party shall designate, in writing, the identity and contact information for the person(s) authorized to act as its representative. Each designated representative has the authority to bind its respective party. The Owner's designated representative shall be the City Manager.
3. Contract Documents. The Contract Documents consist of the following documents: this Agreement for Landscape Architect's Services and the Scope of Work. The Contract Documents are complimentary; what is required by one document is binding as if required by all. The Contract Documents represent the entire and integrated agreement between the Owner and MGB+A and supersede all prior negotiations, representations or agreements, whether written or oral. The Contract Documents may be amended, modified, or supplemented only by written agreement signed by each of the parties. MGB+A's services and work product shall be limited to those expressly set forth in the Contract Documents; and MGB+A has no obligation or responsibility other than as set forth therein.
4. Contract Price, Payment Provisions & Reimbursable Expenses. Owner shall promptly pay MGB+A the amounts described in the Scope of Work; prorated on a monthly basis as reflected in the invoices of MGB+A. Each invoice will reflect the work performed during that month by MGB+A. Each statement shall be paid by Owner within thirty (30) days of the date of the invoice. All amounts not paid when due shall bear interest at the rate of 10% per annum, compounded monthly. Owner shall reimburse MGB+A for all project-related expenditures made by MGB+A, its employees or its consultants, including without limitation: transportation, subsistence and lodging when traveling in connection with the project, mileage charges, messenger and delivery services, field office expenses, fees paid for securing approval of authorities having jurisdiction over the project, document reproduction, postage and handling of drawings, specifications and reports. The parties expressly understand that MGB+A's services are based on the information provided by Owner to MGB+A; and in the event any fact or event differs from that information, MGB+A's services, schedule and compensation shall be adjusted accordingly.
5. Construction Estimates. MGB+A's opinions, if any, of probable construction costs, quantities or times are subject to change and are contingent upon persons and factors over which it has no control. Any and all opinions and estimates are subject to change at any time due to unforeseen conditions, change orders, fluctuations in the cost of supplies, material or labor, and any other conditions.
6. Additional Services. Except as otherwise provided in the Contract Documents, if services are required beyond those described in the Contract Documents, MGB+A's services will be billed to and paid by Owner on a time and materials basis at MGB+A's then-prevailing rates.
7. Documents. Nothing herein shall preclude Owner from retaining copies of the Contract Documents and related materials for record purposes. Any record documents produced as part of the project will be based, in part, upon information provided by Owner or its contractor(s). MGB+A shall not be responsible for any variations between its drawings and the actual construction. MGB+A's services and work product shall not be used or relied upon by any person or entity other than Owner and its contractor, or for any purpose other than the project described in the Contract Documents.
8. Information Provided by Owner. MGB+A is entitled to rely on the accuracy and completeness of any services or information supplied by, through or on behalf of Owner; and MGB+A has no obligation to verify the accuracy of such information. Owner waives any and all claims against MGB+A arising out of any deficiency or inaccuracy of services or information provided by Owner; and Owner agrees to hold harmless, indemnify and defend MGB+A therefrom.
9. Site Conditions. MGB+A's work, services and compensation contemplate: (a) the absence of hazardous materials on, in or under the project site or nearby properties and (b) site conditions, including sub-surface conditions and facilities, as represented in information provided by, through or on behalf of Owner or those conditions reasonably anticipated for a site of this nature and location. Should such materials or conditions be discovered or should actual conditions vary materially from those represented or anticipated, either party shall have an absolute and unconditional right to terminate or suspend this agreement. Owner waives, and to the fullest extent allowed by law shall hold harmless, indemnify and defend MGB+A from and against any and all claims arising out of or related to: (a) the detection, generation, presence, escape, release, discharge, movement, seepage, stabilization, abatement, handling, removal, transportation, storage or disposal of hazardous materials, or (b) any material variation or change in represented or anticipated conditions.
10. Construction Services. MGB+A's construction observation or monitoring services, if any, or unless specified otherwise, are neither exhaustive nor continuous and consist solely of periodic visits to the project site to determine whether construction is progressing in general conformance with the plans and specifications. MGB+A is not responsible for the timeliness, means, methods or sequences of construction nor for the safety of workers or others at or near the project site. MGB+A does not guaranty the performance of any contractor, subcontractor, supplier or others providing labor, material or services for the project, nor is it responsible for their acts, errors or omissions. Unless expressly agreed otherwise, MGB+A's compensation for any such services contemplates one construction contract being let and construction completion within the specified time period. Should more than one construction contract be let or said period for construction be exceeded through no fault of MGB+A, MGB+A's compensation shall be equitably adjusted. Should MGB+A not be retained to provide construction observation, monitoring, or similar services, Owner

waives and agrees to hold harmless, indemnify and defend MGB+A from and against any and all claims against for any and all variations or defects in construction, workmanship or materials.

11. Owner's Duty to Notify. Owner and its contractors and agents shall provide prompt written notice to MGB+A whenever the Owner observes or otherwise becomes aware of any defect in the services being performed under this Agreement. The purpose of the notice is to allow the MGB+A an opportunity to provide quality landscape architecture services and to assist in the correction of any problem encountered with the project.

12. Access to Property. Owner shall provide MGB+A with access to the project property as may be required for MGB+A to perform its responsibilities under this Agreement.

13. Termination. Either party may terminate this Agreement upon thirty (30) days written notice by certified mail, return receipt requested, measured from the date the notice is postmarked. If terminated by Owner, Owner shall pay MGB+A for all services and work performed through the date notice is actually received by MGB+A as reflected on the return receipt.

14. Dispute Resolution – Mediation. Any dispute arising out of this Agreement shall be submitted to mediation prior to the initiation of litigation. Mediation shall be held within thirty (30) days after a demand for mediation is made and delivered by certified mail, return receipt requested, measured from the date the notice is postmarked. Unless otherwise agreed in writing by the parties, mediation shall be governed by the construction industry mediation rules of the American Arbitration Association. In the event the parties fail to resolve their disputes through the mediation process, the exclusive forum for litigation of this Agreement shall be in the state or federal courts located in Salt Lake County, Utah. This Agreement shall be governed by the laws of the State of Utah, without regard to its choice of law rules. A prevailing party shall be entitled to an award of its reasonable costs and attorney's fees.

15. Limitation of Liability – Standard of Care. The parties recognize the need to equitably allocate the relative risks and benefits of the project, and unless otherwise agreed in writing, and to the fullest extent allowed by law, MGB+A's liability to Owner under this Agreement shall be limited to the amount of the total compensation to which MGB+A is entitled hereunder. MGB+A's services shall be provided consistent with and limited to the standard of care applicable to landscape architecture services with the professional skill and care ordinarily provided by professionals practicing in the State of Utah under the same or similar circumstances.

16. Limitations Periods. The statutory period of limitations of actions against MGB+A by Owner shall commence the earlier of the date the project is terminated by either party, the date of substantial completion of the project, or the date Owner takes occupancy of the project.

17. Waiver. A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of any other provision of this Agreement.

18. Computation of Times. When any period of time is referred by a number of days, any computation shall exclude the first and include the last day of such period. If the last day of any such period falls on a Saturday or Sunday or on a day made a legal holiday by the law of the applicable jurisdiction, such day will be omitted from the computation.

19. Time of the Essence. Time is of the essence of all work, services, performances and payments required under this Agreement.

20. Successors and Assigns. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

21. Severability. In the event any provision of this Agreement is invalid or unenforceable, the remaining provisions shall remain valid and enforceable. Waiver of a breach of any provision is not a waiver of a subsequent breach of the same or any other provision.

22. Force Majeure. A party shall not be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is due to causes beyond its reasonable control, including but not limited to acts of God, war, strikes or labor disputes, embargoes, government orders or any other force majeure event.

23. Third Party Rights. MGB+A's services are intended for the sole use and benefit of Owner, and shall not create any third party rights. This Agreement shall not be construed to create any right or cause of action in favor of any third party against either MGB+A or Owner.

MGB+A:

Jay A. Bollwinkel, President

Date: 10/17/2016

OWNER:

Its: _____

Date: _____

BRIGHAM YOUNG
HISTORY PARK

Land Planning
Landscape Architecture

SALT LAKE CITY REGIONAL
ATHLETIC COMPLEX



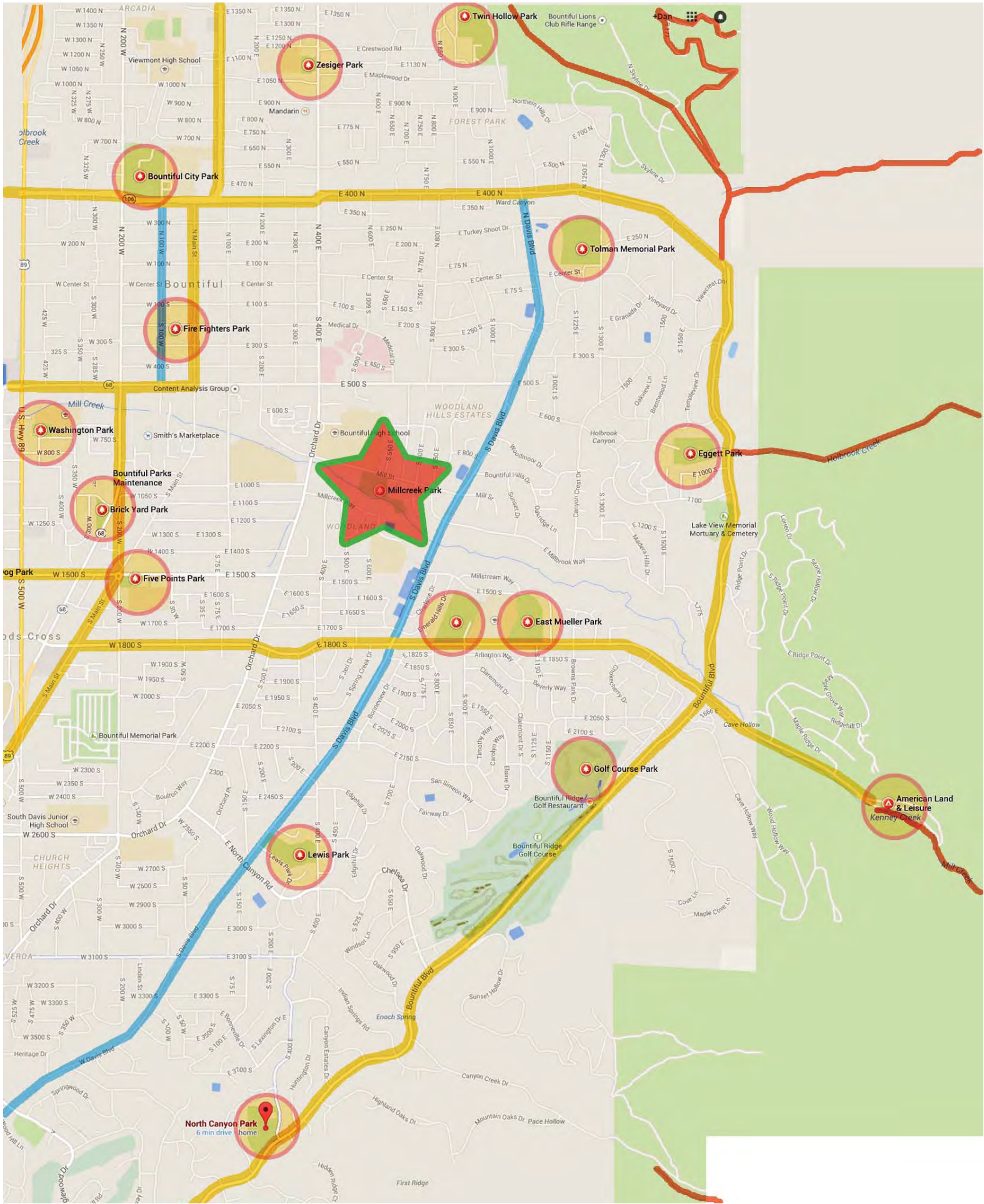
Salt Lake City, Utah
180 Acres

Client. Salt Lake City
Corporation

Scope. Master
Plan, Construction
Documents, and
Construction Services

Completion. Ongoing

There is a growing need for soccer fields as soccer becomes more and more popular along the Wasatch Front. Many local super league teams travel great distances to participate in regional tournaments. Salt Lake City wanted to address this need by providing a regional tournament-quality soccer complex to the community that could be used as a “home field” for local teams. MGB+A provided a multidisciplinary team to first study the site and mitigate existing poorly functioning wetlands to provide 18 multi use soccer fields with four softball and four baseball fields to follow. The site is environmentally friendly providing recirculating irrigation ponds that accept all storm water runoff from athletic fields and parking lots. The project also contains 40 acres of dedicated natural habitat improved for migratory birds and other species.



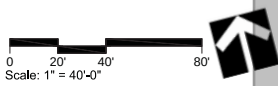
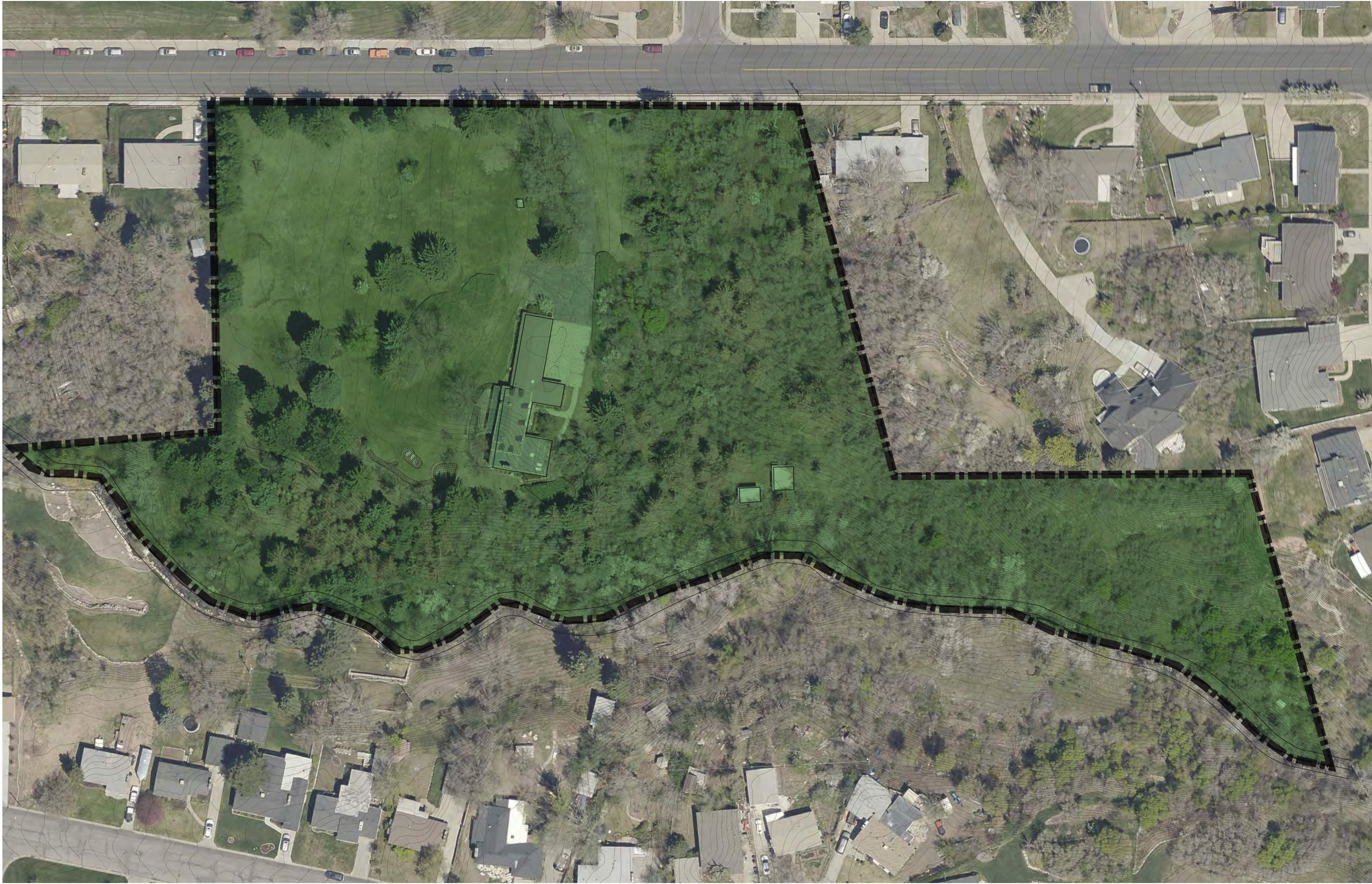
Existing Bountiful Parks

Millcreek Park Site

Bike Routes

Trails





BASEMAP
COMMUNITY INPUT EVENT

MILLCREEK PARK - BOUNTIFUL

MAINTAINED
LANDSCAPE



SCRUB OAK FOREST

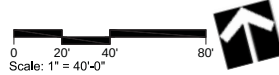


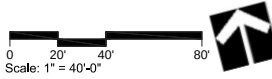
MILLCREEK RIPARIAN CORRIDOR



CONIFER FOREST



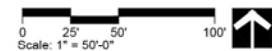






PRELIMINARY CONCEPT PLANS

MILLCREEK PARK - BOUNTIFUL



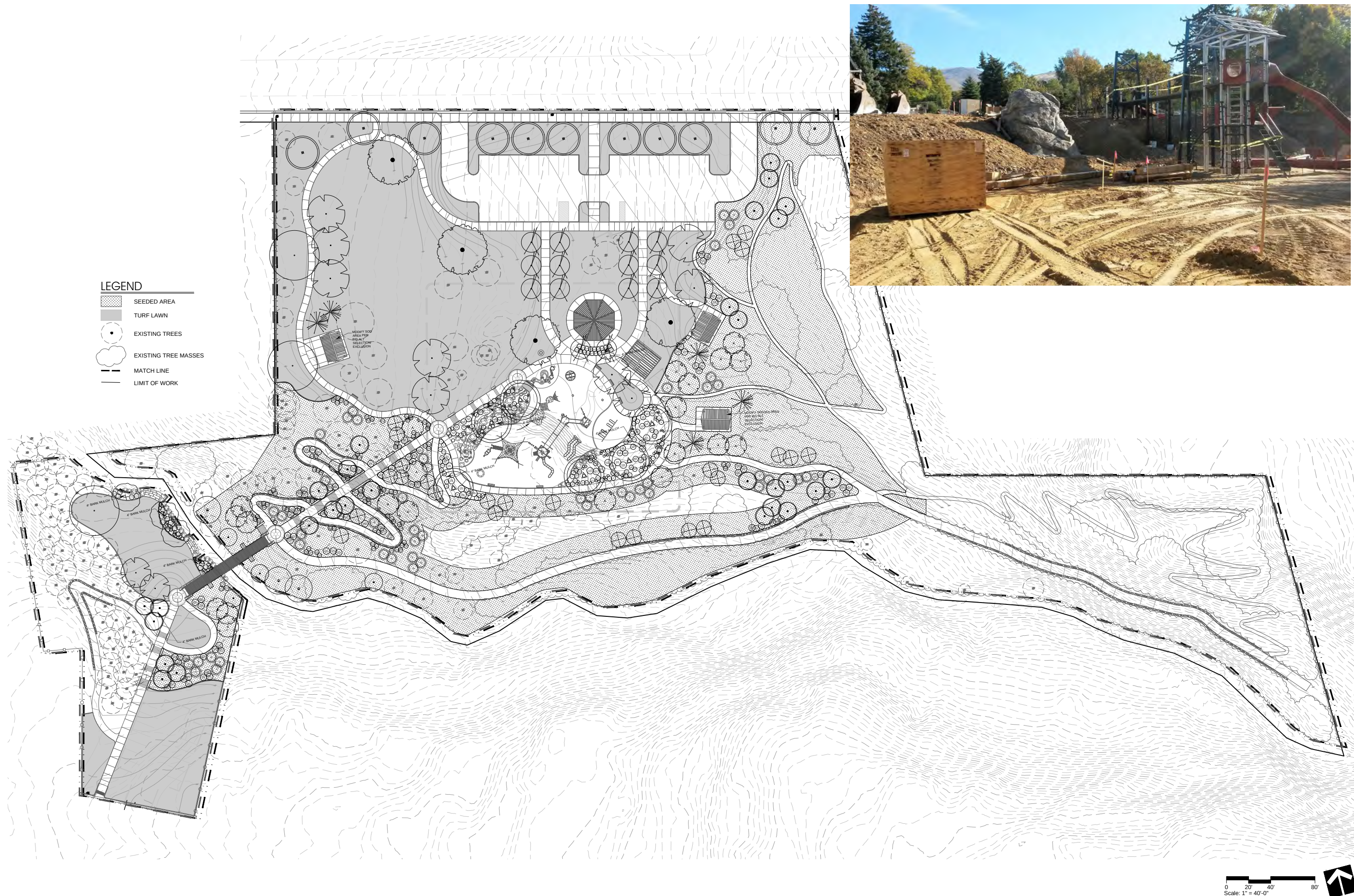
MILLCREEK PARK

...
BOUNTIFUL, UTAH

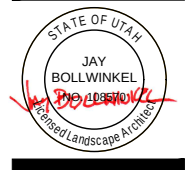
Project #:	15-106
Drawn:	Checked:
Date:	Status:

Sheet Name:
**LAYOUT
OVERVIEW**

Sheet Number:
LL100



Urban Designers
Land Planners
Landscape Architects
145 West 200 South
Salt Lake City, Utah 84101
Tel (801) 364-9696
Fax (801) 364-9719
www.grassligroup.com



CREEKSIDE PARK

BID SET 05-13-2016
600 EAST MILLSTREET
BOUNTIFUL, UTAH

Project #:	15-106
Drawn:	DS
Checked:	
Date:	
Status:	

Sheet Name:
PLANTING
OVERVIEW

Sheet Number:
LP100

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 10.

Short Title: Continue discussion re potential uses of RAP tax revenue

Initiated By:

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

As time permits, continue the discussion of potential uses of RAP Tax revenue.

BACKGROUND

The City Council has now met directly with all parties that have expressed a desire to use RAP Tax funds-- i.e. the Parks & Rec Committee, CenterPoint Theatre reps, and the Whitaker Museum Board. As reference documents for the Council's continuing discussion, the following are attached:

- Memo from City Attorney about permitted uses of RAP Tax revenues
- Parks Capital Improvement Plan
- Comparison of Proposed Park Expenditures (for Community Park Expansion) with Projected Revenues
- Minutes of RDA/ACB meeting with CenterPoint Theatre reps
- Whitaker Museum Capital Improvement Plan

ATTACHMENTS:

Description

- ☐ Memo on RAP Tax Uses
- ☐ Parks Capital Improvement Plan
- ☐ Comparison of Proposed Park Expenditures with Projected Revenues
- ☐ Minutes of RDA/ACB meeting with CenterPoint Theatre reps
- ☐ Whitiaker Capital Improvement Plan



CENTERVILLE CITY ATTORNEY'S OFFICE

250 North Main Street
Centerville, Utah 84014
801.335.8842

MEMORANDUM

Privileged and Confidential under Attorney/Client Privilege

TO: Steve Thacker, City Manager
FROM: Lisa G. Romney, City Attorney
DATE: January 30, 2015
RE: Permitted Use of RAP Tax Revenue

Pursuant to Title 59, Chapter 12, Part 14 of the Utah Code ("RAP Tax Act"), the City is authorized to submit an opinion question to its residents regarding the imposition of a local sales and use tax of 0.10% on qualified transactions within the City to fund cultural, recreational or zoological facilities and botanical, cultural and zoological organizations ("RAP Tax"). The election on the proposed RAP Tax shall be held at a regular general election or a municipal general election and shall follow the procedures outlined in Title 11, Chapter 14, regarding the Local Government Bonding Act. As requested, the following provides a brief explanation of the permitted uses for RAP Tax funds should the matter be submitted to and approved by the voters at the 2015 municipal general election to be held on November 3, 2015.

Pursuant to *Utah Code Ann.* § 59-12-1402, the City is authorized to expend the revenues collected from the RAP Tax to: (1) to finance cultural facilities, recreational facilities, and zoological facilities within the City (or within the geographic area of entities that are parties to an interlocal agreement within the City); (2) to finance ongoing operating expenses of recreational facilities within the City (or within the geographic area of entities that are parties to an interlocal agreement with the City); (3) to finance ongoing operating expenses of

botanical organizations, cultural organizations, and zoological organizations within the City (or within the geographic area of entities that are parties to an interlocal agreement with the City); and (4) as stated in the opinion question submitted to the voters.¹

The following definitions are provided by statutes for probable City RAP tax purposes:

- ⇒ “Cultural facility” means any publicly owned or operated museum, theater, art center, music hall, or other cultural or arts facility.
- ⇒ “Recreational facility” means a publicly owned or operated park, campground, marina, dock, golf course, playground, athletic field, gymnasium, swimming pool, trail system, or other facility used for recreational purposes.
- ⇒ “Cultural organization” means a private nonprofit organization or institution having its primary purpose the advancement and preservation of: natural history, art, music, theater, dance, or cultural arts, including literature, a motion picture, or storytelling. With some exceptions, a cultural organization generally does not include an agency of the state or a political subdivision of the state.

¹ *Utah Code Ann.* § 59-12-1403 also provides that “revenues collected from the [RAP] tax shall be used for one or more organizations or facilities defined in Section 59-12-702.”

9/13/2016

Parks Capital Improvement Plan All dollar amounts are rough estimates only.

HIGH TO LOW PRIORITY				Impact Fee Eligible
1	Community Park Expansion	phase 2: Parking and Path (.26 miles)	\$ 600,540	\$ 600,540
2	"	phase 3: Sports Fields	\$ 455,520	\$ 455,520
3	"	Small Bowery/restrooms	\$ 100,000	\$ 100,000
4	Porter-Walton Park	Swingset + Toddler Seat	\$ 3,000	
5	Community Park	Additional Lighting in Parking Lots	\$ 25,000	
6	Community Park Expansion	Additional Playground	\$ 50,000	\$ 50,000
7	Community Park	Ballfield Lights/Scoreboards	\$ 160,000	
8	*Island View Park	Replace Playgrounds	\$ 100,000	
9	"	Concept plan/Design Grading	\$ 100,000	
10	"	Renovate Tennis Courts	\$ 150,000	
11	"	Renovate/Rebuild Lower Level Restrooms	\$ 55,000	
12	"	Remove Handball/Build Pickleball courts	\$ 150,000	
13	"	New Restroom/Pavilion on Upper Level	\$ 60,000	
14	All Parks and Urban Trails	Maintenance of Asphalt surfaces (10 yrs.)	\$ 240,000	
15	Replace/repair of existing amenities; Playgrounds, pavilions, paths, courts.		\$ 300,000	
16	Parrish Creek Pond	Develop nature park	\$ 150,000	\$ 150,000
17	Location To Be Determined	Splash Pad/interactive water feature	\$ 500,000	
18	Additional Park Amenities	2 Tennis Courts	\$ 300,000	
19	Location To Be Determined	2 Basketball Courts	\$ 150,000	
20	Location To Be Determined	4 Pickleball Courts	\$ 150,000	
21	Trail Improvements	Legacy/D&RG Trailhead w/restrooms	\$ 100,000	
22	Frontage Road	West Side Landscaping	\$ 400,000	
23	Future Park(s) Location TBD	Purchase of Property (7.21 acres)	\$ 680,000	\$ 205,000
24		Phase 1: Concept Planning and Design	\$ 20,000	\$ 6,000
25		Phase 2: Grading	\$ 60,000	\$ 18,000
26		Phase 3: Drainage and Utilities	\$ 36,000	\$ 12,000
27		Phase 4: Irrigation and seed	\$ 600,000	\$ 180,000
28		Phase 5: Parking and Path	\$ 150,000	\$ 45,000
29	Additional Park Amenities	Pavillion/Restroom Playground	\$ 300,000	\$ 190,000
30	**City Hall/Founders Park Expansion	Purchase & Improve .98 acres	\$ 700,000	\$ 700,000
Total Improvements			\$ 6,845,060	\$ 2,712,060

* Island View Park Complete Rebuild estimate at \$ 141,400 per acre
4.6 acres

**Make funding available for opportunity \$ 650,440

POTENTIAL FUNDING SOURCES

- 1 Future Park Impact Fees/Developer Contributions
- 2 Grants
- 3 General Fund
- 4 RAP Tax
- 5 Recreation District
- 6 Dedicated Property Tax
- 7 Private Donations

***None of the cost estimates have been adjusted for inflation in future years.

COMPARISON OF PROPOSED PARK EXPENDITURES WITH PROJECTED REVENUES

Available Funding - (FY2017 & 2018)

FY 2016 RAP Tax (April – June)	89,000
FY 2017 Rap Tax (estimate)	375,000
Park Impact Fees thru FY 2017 (est.)	<u>300,000</u>
(\$290,000 balance as of 7/31/16)	764,000
FY 2016 Infield Project (RAP Tax)	(11,267)
FY 2017 Museum Projects (RAP Tax)	(8,000) 3300
Fall 2016 Crack Seal (RAP Tax)(est.)	<u>(8,000)</u>
	736,733
FY 2018 RAP Tax (est.)	390,000
FY 2018 Impact Fees (est.)	<u>10,000</u>
	1,136,733

Other Potential Funding Sources:

- Interfund Loan
- Grants
- Donations

Potential Park Uses of Available Funding (FY 2017 & 2018)

FY 2017 SS/Overlays (not IVP)	59,330	
Com. Park Expansion Phase 2	<u>600,540</u>	
		659,870
FY 2018 SS:	24,433	
Com. Park Expansion Phase 3:	<u>455,520</u>	
		<u>479,953</u>
		1,139,823

Other Potential Uses:

- Playground equipment replacement
- Performing Arts Center
- Whitaker Museum Facilities

1 Minutes of the Redevelopment Agency of Centerville City/Davis Center for the Performing Arts
2 Administrative Control Board meeting held Tuesday, September 13, 2016 at 5:15 p.m. in the
3 Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

4
5 **MEMBERS PRESENT**

6 Paul Cutler, RDA of Centerville City Chair, ACB Chair, Centerville Mayor
7 Tamilyn Fillmore, RDA of Centerville City, ACB Board member
8 William Ince, RDA of Centerville City, ACB Board member
9 Stephanie Ivie, RDA of Centerville City, ACB Board member
10 John Marc Knight, ACB Board Member, Bountiful City Council
11 George McEwan, RDA of Centerville City
12 Robyn Mecham, RDA of Centerville City

13
14 **MEMBERS ABSENT**

15 John Pitt, ACB Board Member, Bountiful City Council

16
17 **STAFF PRESENT**

18 Steve Thacker, RDA Executive Director
19 Blaine Lutz, Centerville Finance Director
20 Lisa Romney, Centerville City Attorney
21 Jansen Davis, CPT Executive Director
22 Kristy Woodward, CPT Chief Financial Officer
23 Katie Rust, Recording Secretary

24
25 **VISITORS**

26 Jason Burningham, CPT Board Member
27 Cathleen Gilbert, CPT Board Member
28 Gary Hill, Bountiful City Manager
29 Randy Lewis, Bountiful Mayor
30 John Redd, CPT Board President
31 Ron Russell, CPT Board Member

32
33 **DISCUSSION OF POTENTIAL USE OF CENTERVILLE AND BOUNTIFUL RAP TAX**
34 **REVENUE TO BENEFIT CPT/PERFORMING ARTS CENTER**

35
36 Jansen Davis, CenterPoint Legacy Theatre (CPT) Executive Director, reported on the
37 mission of CPT, patron demographics, and programs sponsored and operated by CPT. He
38 expressed appreciation for the opportunity to partner with the RDA and ACB. Mr. Davis
39 acknowledged that CPT is the resident company responsible for taking care of the beautiful
40 Davis Center for the Performing Arts, and stated there is no other comparable organization with
41 a similar facility. The CPT Board is excited for the future, and wanting to establish a way to
42 ensure that CPT is intact for a long time. With the previous RAP Tax arrangement, the Davis
43 Center for the Performing Arts received 90% of RAP Tax revenues from Centerville and
44 Bountiful. On behalf of the CPT Board, Mr. Davis proposed that, with passage of the new RAP
45 Tax, the theatre receive 10% of RAP Tax revenues from Centerville and Bountiful to help CPT
46 maintain the facility in the manner that would be expected by the community. He recognized
47 that 90% was an imbalance, and said he feels 10% would represent a rebalancing of RAP Tax
48 revenues.

49
50 John Redd, CPT Board President, shared an experience that emphasized the positive
51 impact of CPT's children's theater program. He stressed the Board's desire to be good
52 stewards of the facility, and added that the requested RAP Tax revenues would help with that
53 goal. Ron Russell, CPT Board member, described the history of the Davis Center for the
54 Performing Arts and RAP Tax in Bountiful and Centerville. He expressed the opinion that the

1 Theatre is an integral part of keeping businesses in the area vibrant. Production proceeds are
2 not enough to maintain the building in the manner the community would expect and want. Mr.
3 Russell expressed the hope that the existing partnership will continue to be adequately funded.
4

5 Gary Hill, Bountiful City Manager, explained the application process established by the
6 Bountiful City Council to allocate the 11% of Bountiful RAP Tax revenues made available to not-
7 for-profit organizations. The application deadline has passed, but Mr. Hill suggested it might be
8 possible for the deadline to be extended for an application from CPT or the RDA. Priority is
9 given to funding for project costs over operating costs.
10

11 At 5:53 p.m. the representatives from Bountiful left the meeting to attend their own
12 Council meeting.
13

14 The RDA and ACB members discussed whether the application to Bountiful should be
15 submitted by CPT, the RDA, or the two organizations jointly. The original RAP Tax agreement
16 channeled revenues directly to the RDA. The RDA owns the facility, but CPT is responsible for
17 maintenance. Jason Burningham, CPT Board member, expressed the hope that Bountiful will
18 realize most of the applications they receive will not be from organizations in which they have
19 already invested. Tami Fillmore said she thinks from Bountiful's perspective it would make
20 more sense to support the theatre company rather than the facility, since the facility is owned by
21 Centerville. Chair Cutler commented he would be comfortable with CPT taking the lead on the
22 application, with a letter of support from the RDA. George McEwan stressed the importance of
23 being careful with the landlord/tenant relationship. He said he has concerns regarding which
24 organization will apply and receive the funds, as well as the policy of using public funding going
25 forward for the facility. He agreed with the RDA including a letter of support with an application
26 prepared and submitted by CPT. Bill Ince added that, if City staff helps with the application, an
27 understanding should be reached regarding how much staff time would be fair. Mr. Davis
28 responded that very little City staff time will be needed for CPT in the future. It was agreed that
29 CPT will be the applicant, with a letter of support from the RDA. Mr. Davis said the requested
30 10% from both Bountiful and Centerville would cover approximately one-third of the annual
31 maintenance budget (around \$60,000).
32

33 Mr. Thacker pointed out that the Lease Agreement includes a requirement that CPT put
34 together a long-term comprehensive maintenance plan, which the City/RDA staff agreed to help
35 prepare. The process was begun previously but not completed, and he suggested the RDA and
36 CPT should get back to it at some point. The RDA reviewed balances and funds transferred by
37 CPT to the various reserve funds:
38

- 39 • \$17,337.05 was transferred to the Maintenance Reserve Fund, for a balance of
40 \$178,111.54.
- 41 • The Operating Reserve Fund, which currently has a balance of \$110,393.20, did not
42 receive a transfer from 2015 operations.
- 43 • The Capital Projects Reserve Fund currently has a zero balance with no significant
44 capital project planned.
- 45 • The Theatre Reserve Fund has a balance of approximately \$444,000.
46

47 George McEwan commented that, without having set any priorities for RAP Tax
48 revenues, it is difficult to make a specific commitment. Blaine Lutz and Jake Smith will work on
49 drafting a comprehensive maintenance plan. CPT will work on an application to Bountiful for
50 RAP Tax funding. With CPT submitting the application, the funds would probably be sent
51 directly to CPT. The Council is scheduled to meet with the Parks Department on October 4th to
52 discuss possible allocation of RAP Tax revenues. Bill Ince suggested that, if RAP Tax revenues
53 from Bountiful and Centerville are used for CPT, residents of the two cities should receive

discounted ticket prices. Mr. Redd responded that the ticket price is already discounted – the discount is available to everyone. Mr. Davis added that the CPT Board is currently working through an evaluation of ticket prices.

APPROVE TRANSFER TO MAINTENANCE RESERVE FUND

Bill Ince made a **motion** for the ACB to recommend the RDA approve the allocation of \$17,337.05 to the Maintenance Reserve Fund. Stephanie Ivie seconded the motion, which passed by unanimous vote of the ACB (4-0).

Chair Cutler made a **motion** for the RDA to approve allocation of \$17,337.05 to the Maintenance Reserve Fund. Tami Fillmore seconded the motion, which passed by unanimous vote of the RDA (6-0).

APPROVAL OF LEASE AMENDMENTS

The RDA Board has authorized RDA funding to pay property insurance premiums for the performing arts center building. This was done with the intent to amend the Operating Lease, which requires CPT pay the cost for both general liability and property insurance. Amendment No. 9 to the Operating Lease has been drafted for this purpose.

Chair Cutler made a **motion** for the ACB to recommend RDA approval of Amendment No. 9 to the Operating Lease regarding property insurance. Tami Fillmore seconded the motion, which passed by unanimous vote of the ACB (4-0).

Chair Cutler made a **motion** for the RDA to approve Amendment No. 9 to the Operating Lease. George McEwan seconded the motion, which passed by unanimous vote of the RDA (6-0).

George McEwan made a **motion** to table approval of Amendment No. 10 to a future RDA meeting to allow time for CPT Board review. Stephanie Ivie seconded the motion, which passed by unanimous vote of the RDA (6-0).

ADJOURNMENT

At 6:57 p.m. Stephanie Ivie made a **motion** to adjourn the meeting. Bill Ince seconded the motion, which passed by unanimous vote (6-0).

Steve Thacker, RDA Executive Director

Date Approved

Katie Rust, Recording Secretary

The Whitaker Museum Capital Improvement Plan

Three year plan includes # 1 through 4

High to Low Priority

1 Whitaker Exterior Park - Phase 1: Safety & Handicap Accessibility 1a. Master Site Plan (hardscape and landscape) Driveway egress-ingress, hard surface parking (20/30 parking stalls) exterior lighting (driveway, parking, sidewalk) Repair concrete crack at entryway, handicap ramp	\$300,000 -500,000 \$ 16,000
2 Physical Facility/Functional - Phase 1: Operations Functional kitchen sink/faucet, sensor lighting on building exterior, laptop for handicap patrons to view virtual tour, production of virtual tour.	
3 Preservation & Restoration - Phase 1: Interior restoration of Carriage House Repairing (ceiling, lighting, heating, bathroom, including desk, chair, patron table) carriage house for functional director's office and community research	\$ 24,000
4 Preservation & Restoration - Phase 2: Preservation of Archives/Artifacts a. Digitize Archives and locked file cabinets, protective glass box for 115 year old Whitaker silk wedding dress, appraisals of collections b. Shelving in basement and attic to store artifacts, school house rehabilitation windows, doors, floor, shingles (without proper preservation items are deteriorating in the schoolhouse) c. Grand Room (wood exterior door refinished, period screen door, threshold completed) Hallway (alcove completed and large photo display) Paint interior windows d. Barn (storage for wagon, etc.)	\$ 30,800 (a-c) \$60,00-500,000(d)
5 Preservation & Restoration - Phase 3: Exterior Restoration Carriage House Exterior façade of carriage doors , move gas meter, driveway to carriage house	\$ 9,000
6 Whitaker Exterior Park - Phase 2: Landscaping Master landscape plan, north, west, south flower bed planting/ drip system Sprinkler system/entire yard, landscape around utilities, level north lawn, partial remove of ground cover under trees/plant grass, tree replacement	\$ 15,000
7 Physical Facility/Utilitarian - Phase 1: Preventative Complete rock foundation on new addition, re-plaster east wall of parlor, re-finish flooring in original building, re-point chimney/seal, seal wood-shake shingles, front rain-gutters	\$ 16,500
8 Physical Facility/Functional - Phase 2: Operations Functional fireplace, barrel vault ceiling, outdoor picnic table. Period brass plate outlet covers (incl. electrical plugs) Metal exterior calendar display of events, bathroom light fixture, donation box, area rug, plant Identification plaques, time period furniture, drinking fountain (outdoor hand pump)	\$ 16,600
9 One Time Essential Professional Signs (parking at city hall, do not touch, watch your step, etc.) Storytelling Banner, kitchen exterior door (time period) Hooks on the building to hold Story Telling sign, display cabinet (house temporary exhibits) Relocate flagpole (purchase flag) Restore T. Whitaker self-portrait, convert kitchen stove to electrical	\$ 18,725

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 11.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 9:30

SUBJECT

- a. Proposed Davis County property tax increase

RECOMMENDATION

BACKGROUND

- a. The attached slides about the County's proposed property tax increase were shown at a recent Council of Governments meeting. Some of the slides explain how the Truth-in-Taxation law affects property taxes.

Here is a link to a presentation by Curtis Koch
<https://www.youtube.com/watch?v=rSgJ8aBtnVM>

ATTACHMENTS:

Description

- ▣ County (COG) tax presentation



Davis

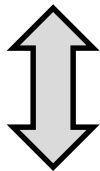
C O U N T Y

How Property Taxes Work in Utah

Property Tax Utilization



=



Prior year's
revenue from
property tax.

- Property Rights Recordation
- Criminal Prosecution
- 911 Service
- Correctional Facility
- Accounting Services
- Human Resources
- Paramedic Services
- Justice Court
- Animal Care & Control
- Election Management
- Senior Services
- Flood Prevention
- Land Survey
- Health & Human Services
- Criminal Defense
- Treasury Services
- Property Assessment
- Law Enforcement
- Information Technology
- Marriage Licensing
- Children's Justice Center
- Economic Development
- Tax Administration

Start by assuming that Davis County has only four properties of equal value and the base property tax revenue needed to cover services is \$1,000.



\$100,000



\$100,000



\$100,000



\$100,000



**Total Base Property
Tax: \$1,000**

Total Property Value		Calculate the Tax Rate		Taxes for Each Property			
Prop. 1 -	\$ 100,000	Total Prop. Tax Base →	\$1,000	Prop. 1 -	\$ 100,000	x .00250	\$ 250
Prop. 2 -	\$ 100,000		÷	Prop. 2 -	\$ 100,000	x .00250	\$ 250
Prop. 3 -	\$ 100,000	Total Property Value →	\$400,000	Prop. 3 -	\$ 100,000	x .00250	\$ 250
Prop. 4 -	\$ 100,000		=	Prop. 4 -	\$ 100,000	x .00250	\$ 250
Total	\$ 400,000	Tax Rate →	.00250	Total Tax Revenue			\$1,000

What if all four houses double in value to \$200,000? Does the tax revenue double?

No.



\$200,000



\$200,000



\$200,000



\$200,000



**Total Base Property
Tax: \$1,000**

Total Property Value		Calcualte the Tax Rate		Taxes for Each Property			
Prop. 1 -	\$ 200,000	Total Prop. Tax Base →	\$1,000	Prop. 1 -	\$ 200,000	x .00125	\$ 250
Prop. 2 -	\$ 200,000		÷	Prop. 2 -	\$ 200,000	x .00125	\$ 250
Prop. 3 -	\$ 200,000	Total Property Value →	\$800,000	Prop. 3 -	\$ 200,000	x .00125	\$ 250
Prop. 4 -	\$ 200,000		=	Prop. 4 -	\$ 200,000	x .00125	\$ 250
Total	\$ 800,000	Tax Rate →	.00125	Total Tax Revenue			\$1,000

But all home values are different. What happens then?



\$120,000



\$250,000



\$170,000



\$310,000

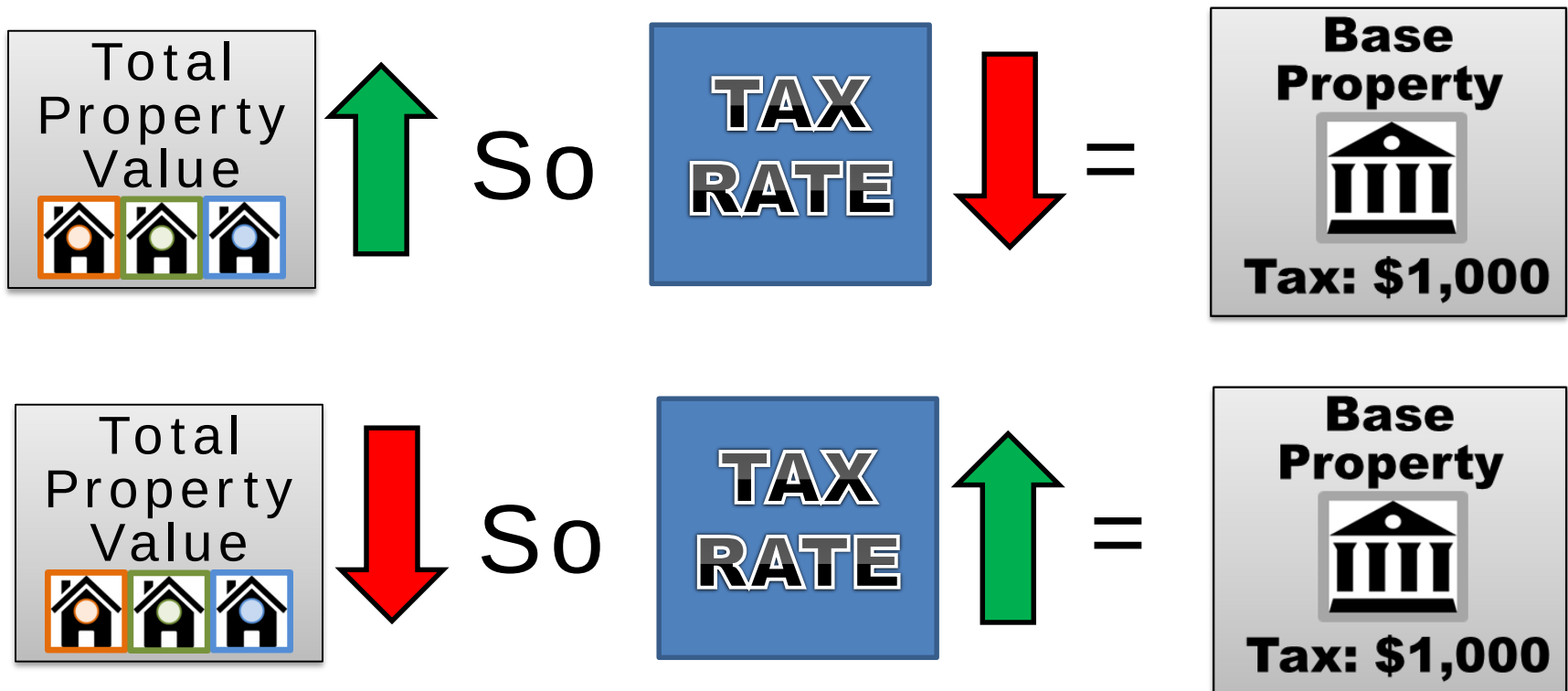


**Total Base Property
Tax: \$1,000**

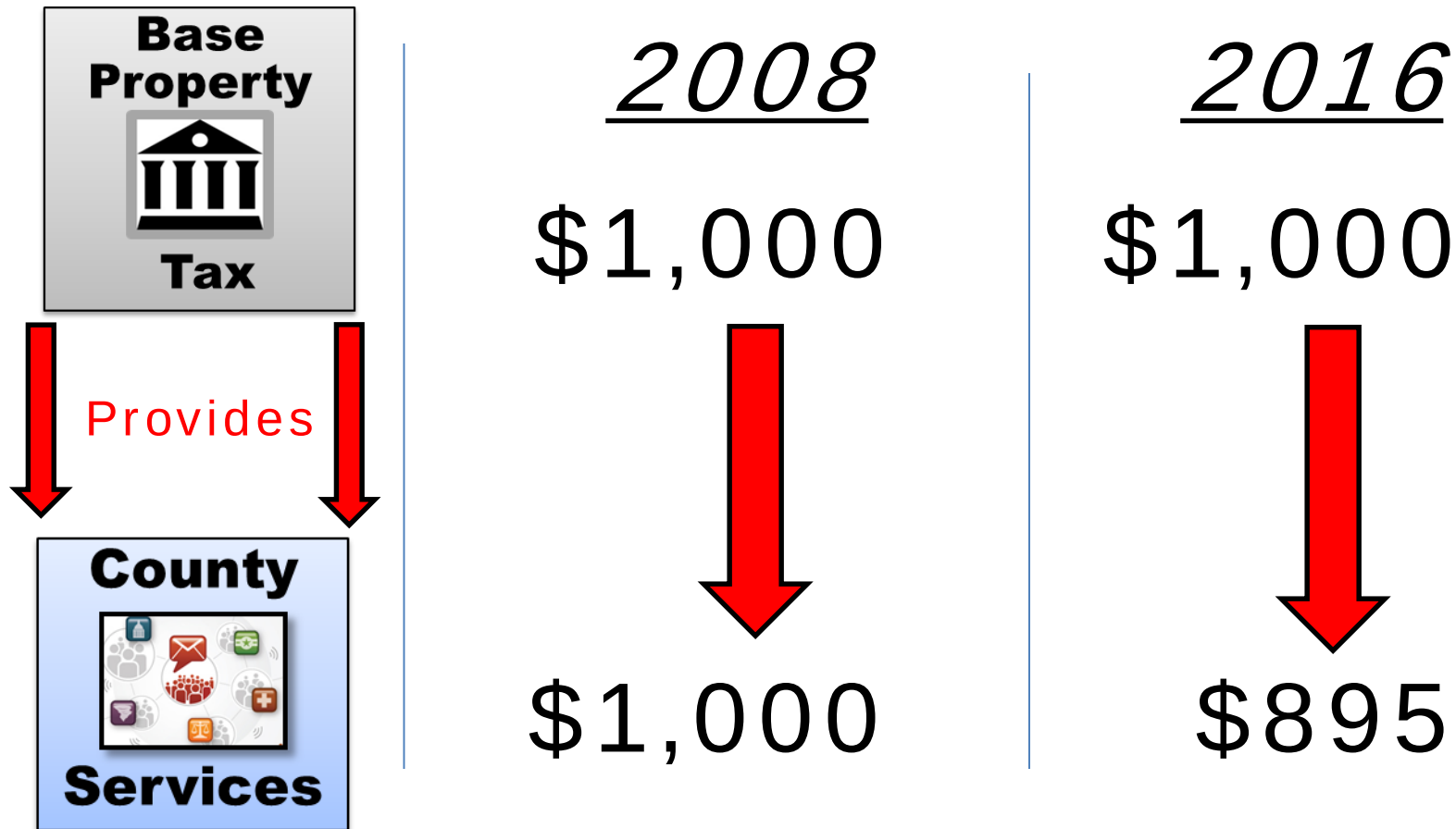
Total Property Value		Calculate the Tax Rate	Taxes for Each Property			
Prop. 1 -	\$ 120,000	Total Prop. Tax Base →	\$1,000	Prop. 1 -	\$ 120,000 x .00118	\$ 141
Prop. 2 -	\$ 250,000		÷	Prop. 2 -	\$ 250,000 x .00118	\$ 294
Prop. 3 -	\$ 170,000	Total Property Value →	\$850,000	Prop. 3 -	\$ 170,000 x .00118	\$ 200
Prop. 4 -	\$ 310,000		=	Prop. 4 -	\$ 310,000 x .00118	\$ 365
Total	\$ 850,000	Tax Rate →	.00118	Total Tax Revenue		\$1,000

Regardless of the total property value in the County, does the base tax revenue remain the same?

Yes.

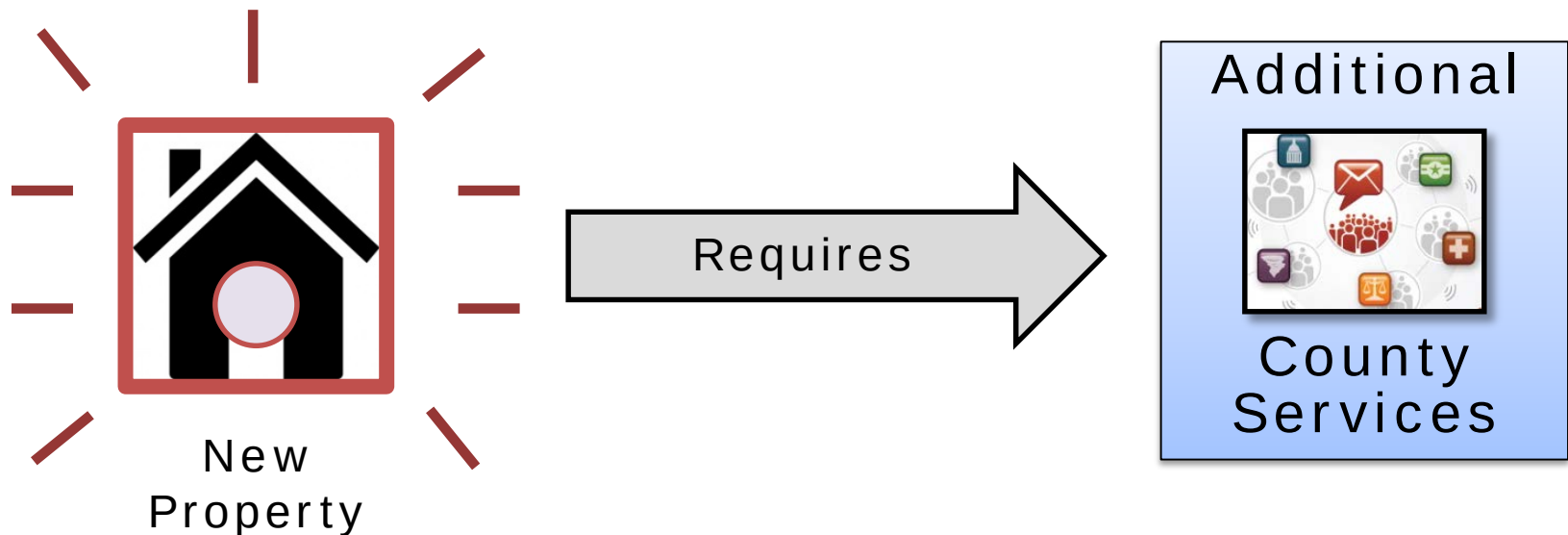


How does **inflation** affect the base tax revenue?



Over time, the County can provide fewer services for the same base tax revenue generated year over year.

What about all the new homes that are built each year, doesn't the County get new tax revenue for them? **Yes, this is called new growth.**



New growth requires the County to cover additional services required by the new property. It is not intended to offset inflation.



Davis

C O U N T Y

2017 Proposed Tax Increase

Proposed Tax Increases

Davis County

- Not to Exceed \$7.2 million
- An increase of 23.37% of the County property tax increment
- An annual increase of \$56.91 for a home with a value of \$260,000

Davis Co. Library

- Not to Exceed \$1.25 million
- An increase of 20.18% of the Library property tax increment
- An annual increase of \$9.87 for a home with a value of \$260,000

Public Open Houses:

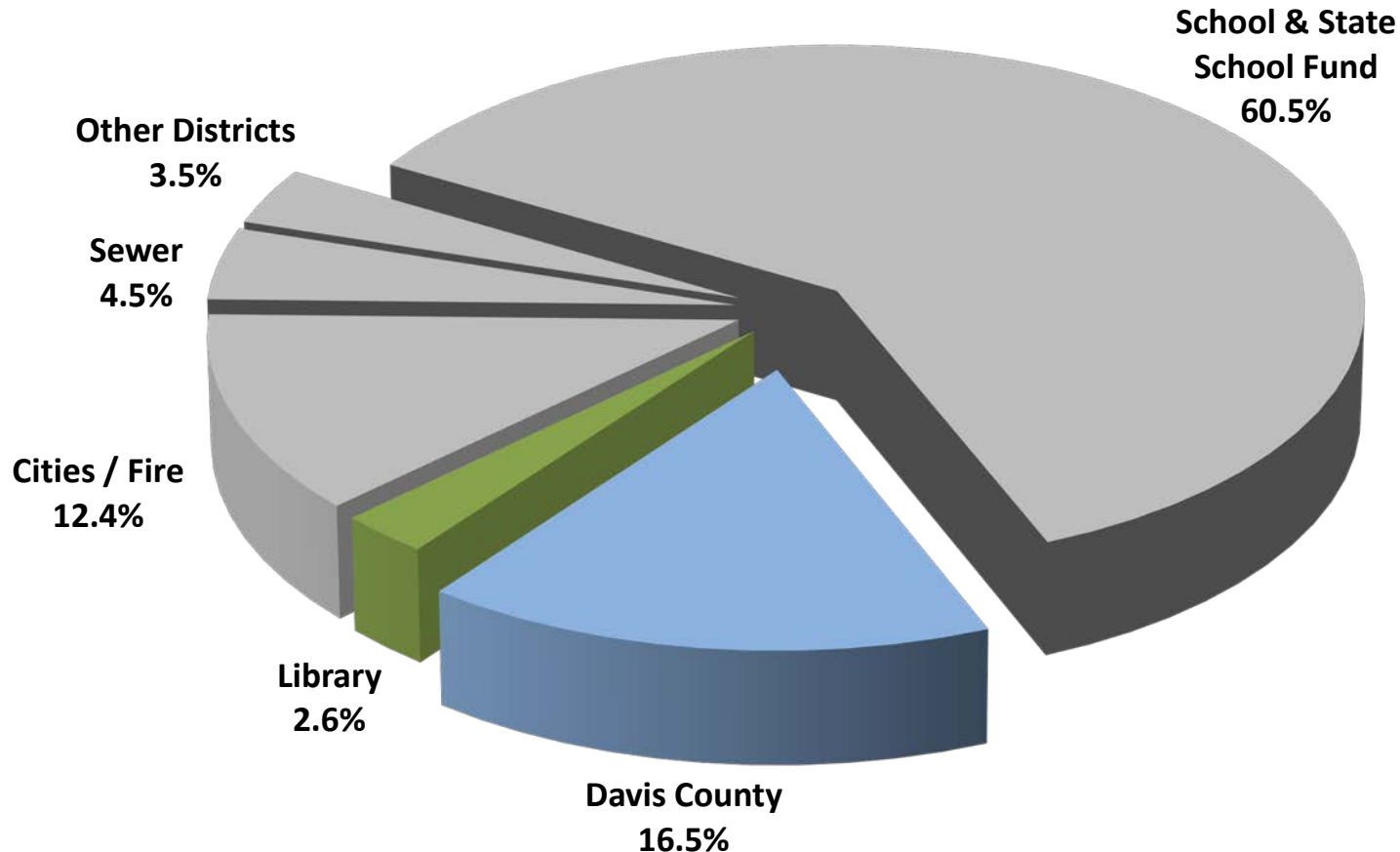
- **Tuesday, November 29th** from 6:00 pm to 9:00 pm at **Davis County Admin. Building**
- **Wednesday, November 30th** from 6:00 pm to 9:00 pm at **Clearfield Library**
- **Thursday, December 1st** from 6:00pm to 9:00 pm at **Bountiful City Hall**

Public Hearing:

Davis Co. Library – Tuesday, December 6th, 6:00 pm – Davis Conference Center

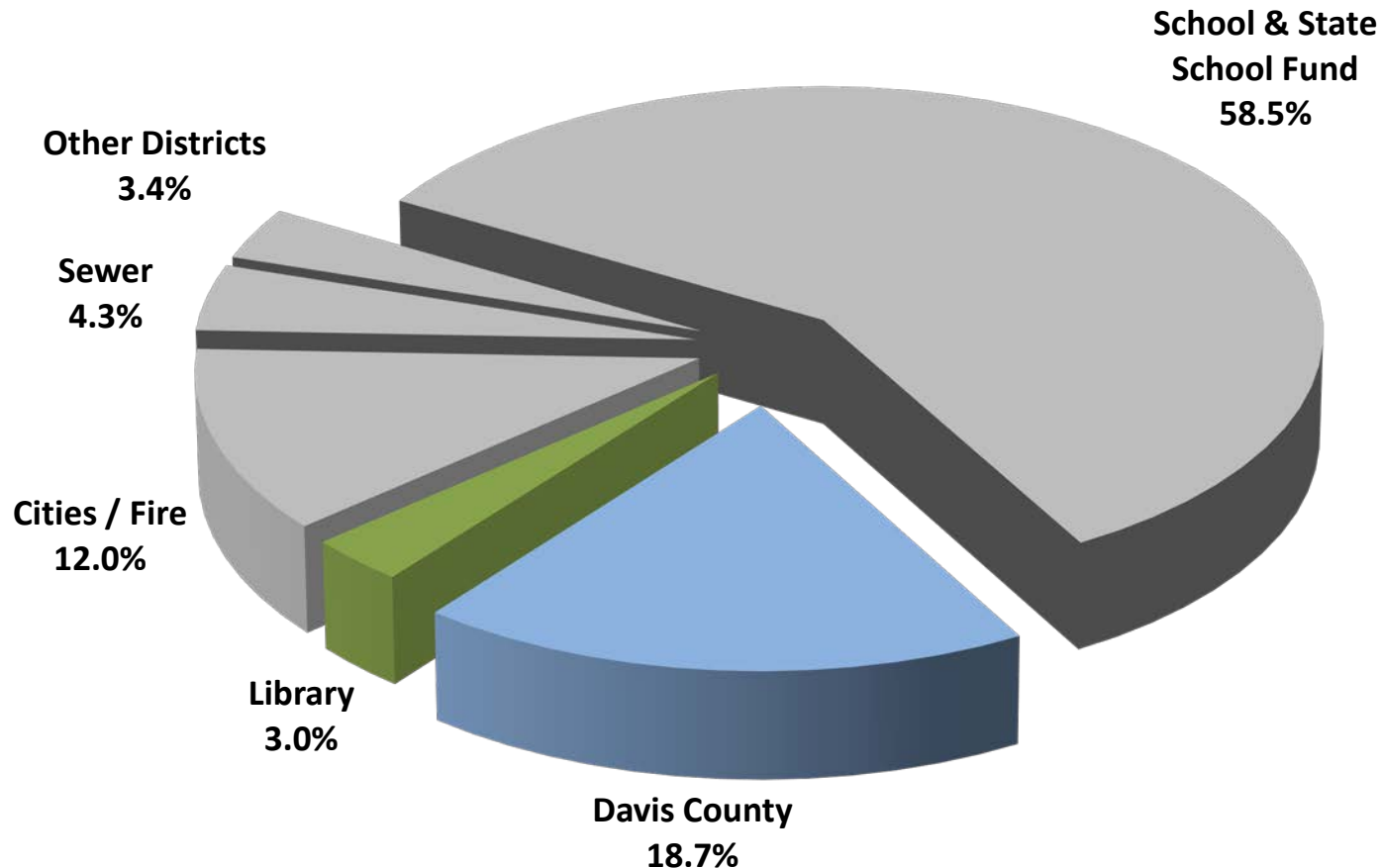
Davis County – Tuesday, December 6th, 7:00 pm – Davis Conference Center

Proposed Tax Increases



- The proposed increase of 23.37% is only applied to the 16.5% of County property tax .
- The proposed increase of 20.18% is only applied to the 2.6% of Library property tax

Impact of Proposed Tax Increase

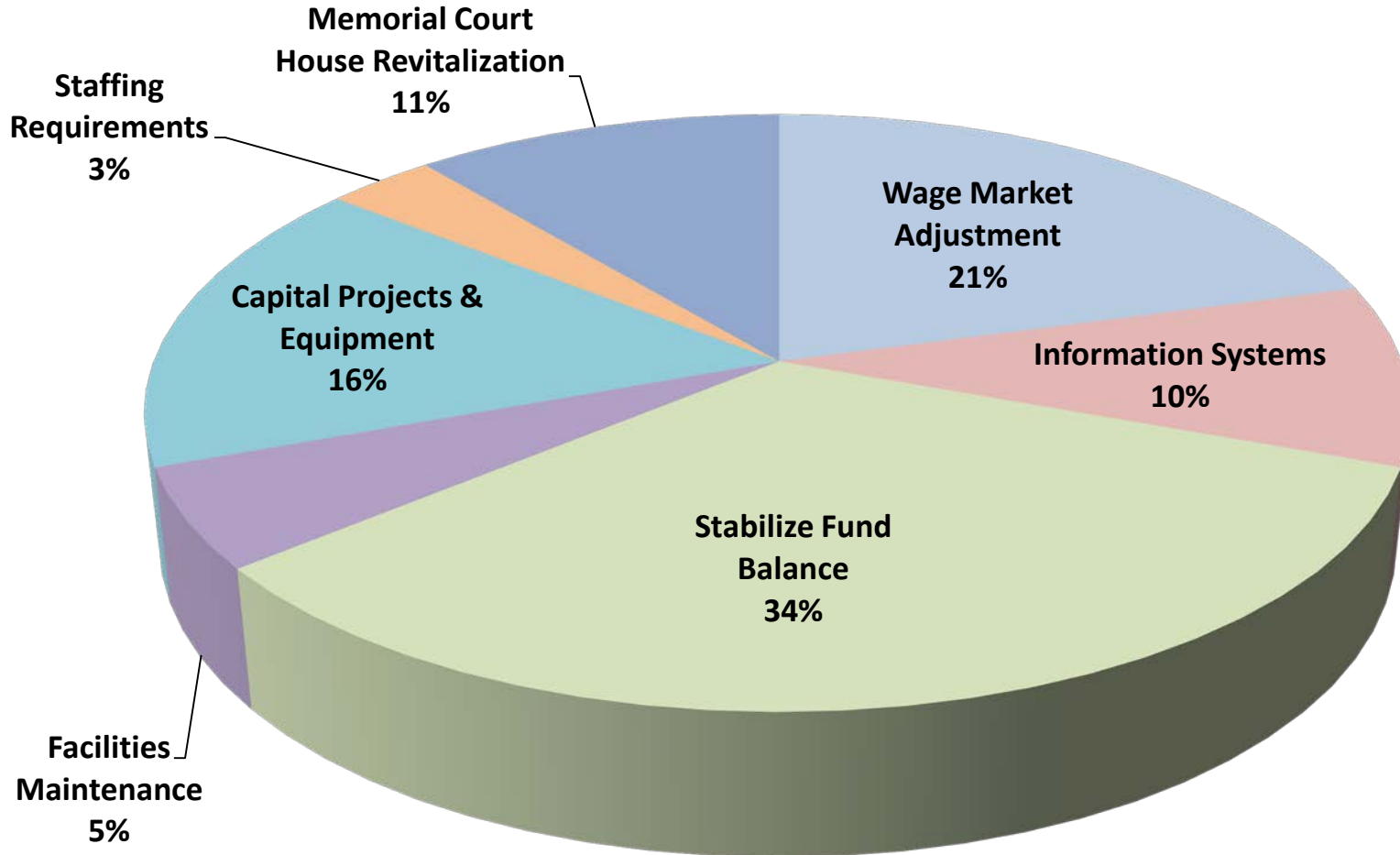


- The County portion of the total property tax goes to 18.7% from 16.5%.
- The Library portion of the total property tax goes to 3% from 2.6% .

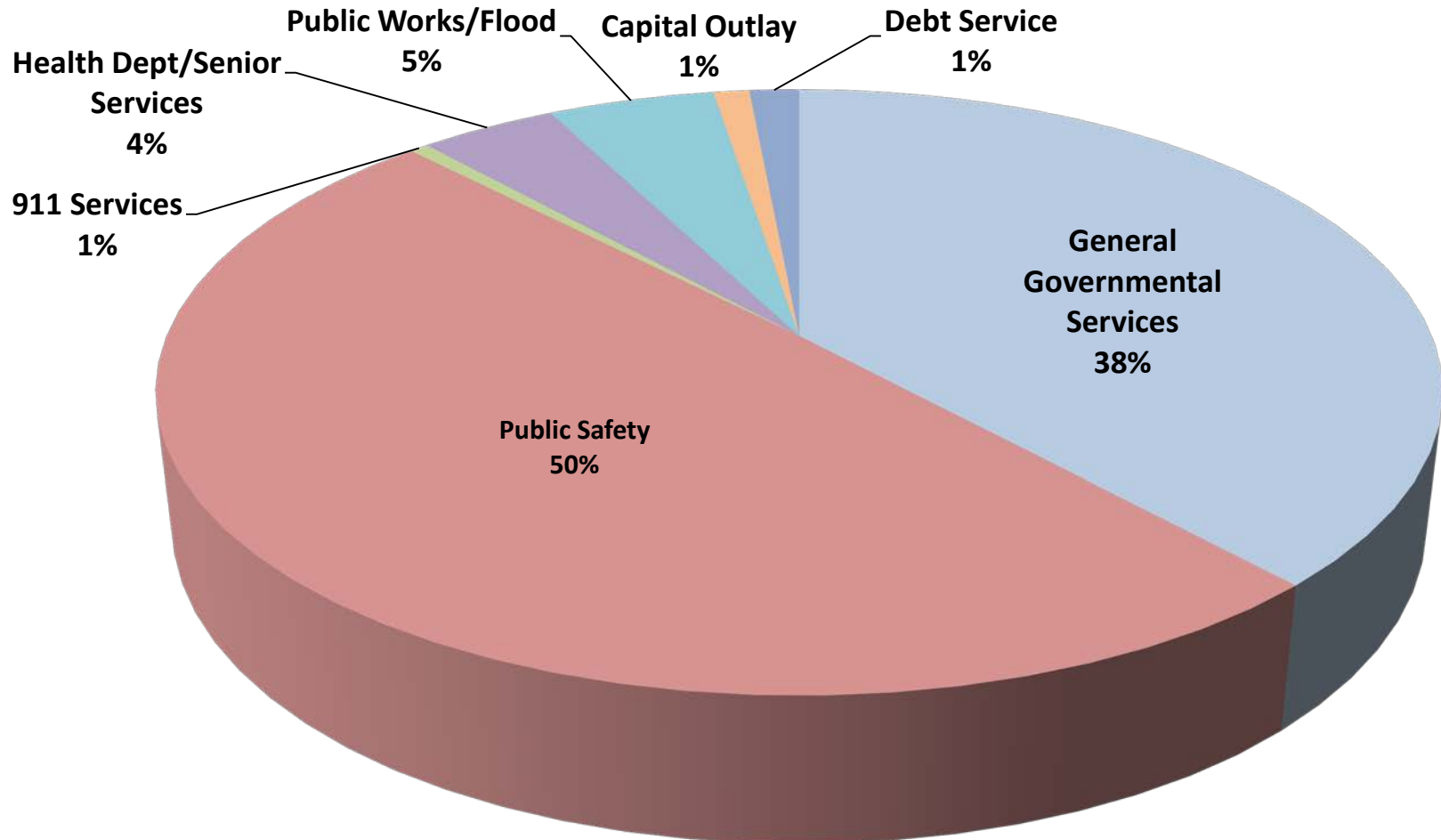
Why Does Davis County Need a Tax Increase?

- Last tax increase was in 2007, ten years ago.
- Tax base revenue has lost approx. \$4.5 million to inflation since the 2007 tax increase.
- Over the last 4 years, the County has spent down reserve balances and deferred expenses in operations, personnel costs, and capital improvements.
- In 2016, the County had an independent firm conduct a salary survey. In order to become competitive in the labor market, market adjustments are needed.
- Additional investments need to be made in the areas of flood control, information systems, facility maintenance and capital projects.

Where will the \$7.2 Million Increase Go?



How Does the County Currently Spend My Tax Dollars?



How Do I Know That Davis County Is Operating Efficiently?

2014 Expenditures per Capita ¹	
Davis County	\$ 332.90
2nd Class* Average	\$ 412.18
State of Utah Average	\$ 685.20

2014 Revenues per Capita ¹	
Davis County	\$ 323.70
2nd Class* Average	\$ 409.58
State of Utah Average	\$ 681.90

Davis County is the lowest in per capita expenditures and revenues for all counties in the state of Utah.

5 Year Average Expenditures ²

- Davis County expenditures have only increased by 2.84% over the last 5 years (2011-2015). This is an average increase of .73% annually.
- Full time equivalent (FTE) employees have decreased from 885 in 2011 to 844 in 2015

Sources: 1-2016 Utah Associations of Counties Fact Book 2- Davis County Comprehensive Annual Financial Reports 2011-2015

*2nd Class Counties in the State include: Davis, Weber, Washington and Utah

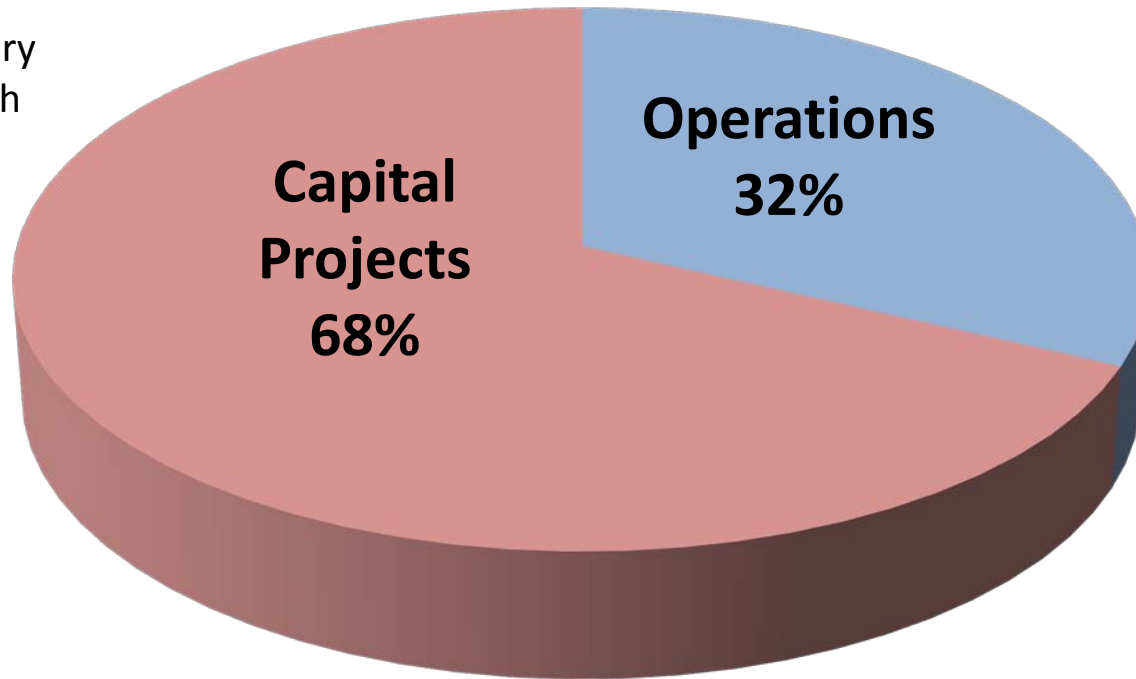
Why Does Davis County Library Need a Tax Increase?

- Last tax increase was in 2000, 16 years ago.
- Tax base revenue has lost approx. \$1.9 million to inflation since the 2000 tax increase.
- Significant investments in aging infrastructure are needed in order to meet the needs of Davis County citizens.
- Current funding levels will not meet operational or capital improvement needs in upcoming years, requiring reduction in services.

Where will the \$1.25 Million Increase Go?

Capital Projects

- Rebuild South Branch Library
- Expand Syracuse Library
- Remodel North Branch



Operations

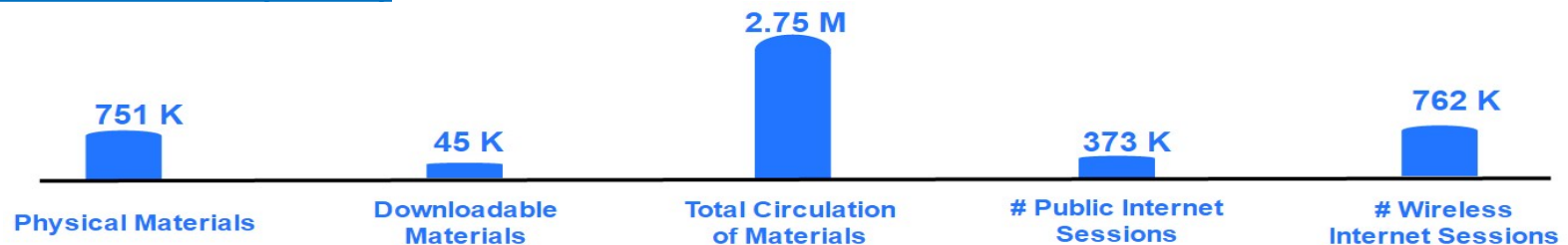
- Meet operational needs
- Expand Library services
- Sustain current buildings and grounds

How Do I Know That Davis County Library Is Operating Effectively?

2015 Total Operating and Capital Expenditures per Capita ¹		2015 Total Operating and Capital Revenues per Capita ¹	
Davis County Library	\$ 40.16	Davis County Library	\$ 33.01
Weber County Library	\$ 83.24	Weber County Library	\$ 84.63
Salt Lake City Library	\$ 81.26	Salt Lake City Library	\$ 89.02
Salt Lake County Library	\$ 43.51	Salt Lake County Library	\$ 49.26

The use of available operational revenue to offset operational expenditures is only one of several methods used to gauge the overall successful management of a library system. Consequently, library systems should not be measured against one another as each serves a unique community with specialized needs. As indicated in the chart above, the ratio of revenues to expenditures does provide a strong indicator that the Davis County Library is delivering quality library services for its citizens in a cost effective manner.

Snapshot - Davis County Library



Sources: 1 - 2015 statistics displayed are taken from the Utah State Library website (<https://heritage.utah.gov/library/utah-public-library-statistics>).

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 12.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:40

SUBJECT

- a. UDOT meeting re I-15 interchange and Parrish Lane

RECOMMENDATION

BACKGROUND

- a. Several City staff recently attended another lengthy session at the UDOT Region One office in Ogden to discuss the potential design of a new interchange at Parrish Lane. The meeting also included review of additional analysis done of the Parrish Lane corridor and potential actions to mitigate the congestion. The City Manager will brief the Council on these matters. The attachment shows the two final interchange options studied more in-depth, which were subject of the recent meeting.

ATTACHMENTS:

Description

- Parrish Lane interchange study options

Parrish Lane & I-15

I-15; Interchange Study in Davis & Weber Counties **PIN 14651**

DRAFT

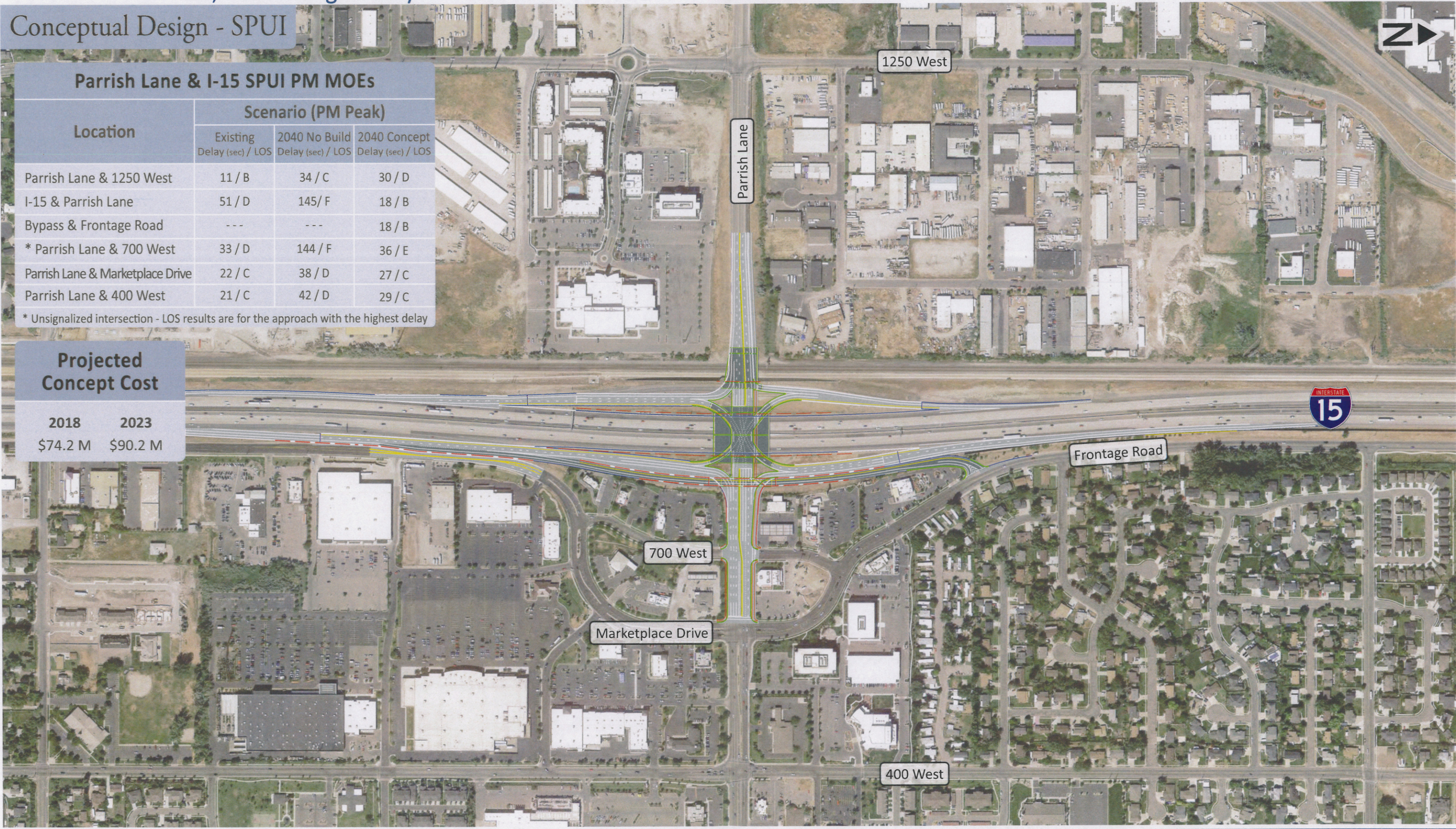
October 27, 2016

Conceptual Design - SPUI

Parrish Lane & I-15 SPUI PM MOEs			
Location	Scenario (PM Peak)		
	Existing Delay (sec) / LOS	2040 No Build Delay (sec) / LOS	2040 Concept Delay (sec) / LOS
Parrish Lane & 1250 West	11 / B	34 / C	30 / D
I-15 & Parrish Lane	51 / D	145 / F	18 / B
Bypass & Frontage Road	---	---	18 / B
* Parrish Lane & 700 West	33 / D	144 / F	36 / E
Parrish Lane & Marketplace Drive	22 / C	38 / D	27 / C
Parrish Lane & 400 West	21 / C	42 / D	29 / C

* Unsignalized intersection - LOS results are for the approach with the highest delay

Projected Concept Cost	
2018	2023
\$74.2 M	\$90.2 M



Parrish Lane & I-15

I-15; Interchange Study in Davis & Weber Counties **PIN 14651**

DRAFT

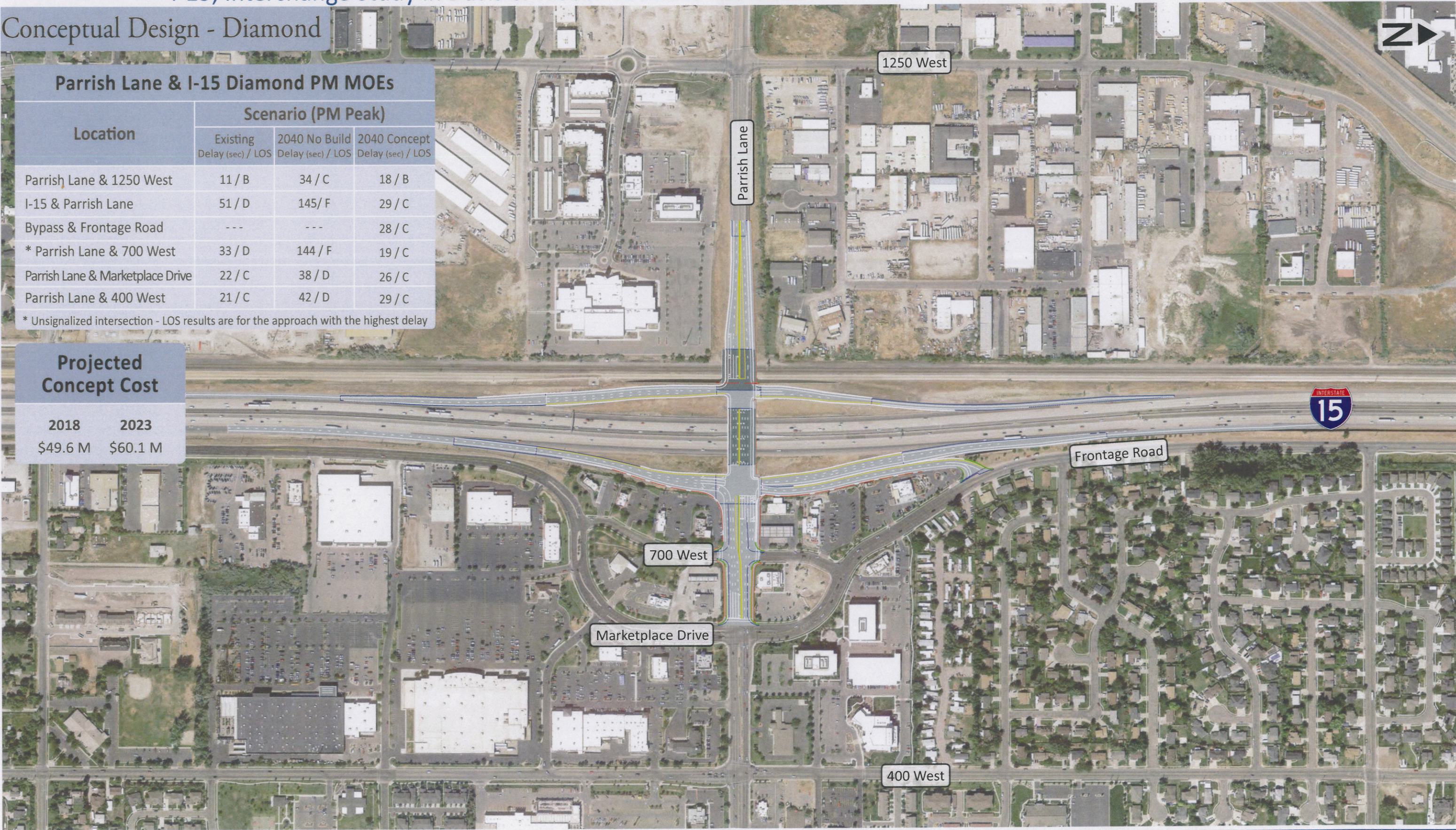
October 27, 2016

Conceptual Design - Diamond

Parrish Lane & I-15 Diamond PM MOEs			
Location	Scenario (PM Peak)		
	Existing Delay (sec) / LOS	2040 No Build Delay (sec) / LOS	2040 Concept Delay (sec) / LOS
Parrish Lane & 1250 West	11 / B	34 / C	18 / B
I-15 & Parrish Lane	51 / D	145 / F	29 / C
Bypass & Frontage Road	---	---	28 / C
* Parrish Lane & 700 West	33 / D	144 / F	19 / C
Parrish Lane & Marketplace Drive	22 / C	38 / D	26 / C
Parrish Lane & 400 West	21 / C	42 / D	29 / C

* Unsignalized intersection - LOS results are for the approach with the highest delay

Projected Concept Cost	
2018	2023
\$49.6 M	\$60.1 M



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 13.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 9:50

SUBJECT

RECOMMENDATION

No topics are currently identified under this heading on the agenda.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 14.

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: 9:55

SUBJECT

RECOMMENDATION

At this time staff are not aware of a need for a closed meeting, but the agenda allows for that possibility.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

Item No. 15.

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

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees, including reappointment of Lynn Keddington to the Parks & Recreation Committee.

BACKGROUND

Lynn Keddington's term expired August 20, but staff missed this one in their monitoring. Lynn has served just one 3-year term.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
11/1/2016**

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

- ☐ Google Fiber - SL Trib
- ☐ Google Fiber - NY Times

Google Fiber pulling back, but not in Salt Lake City or Provo

By TONY SEMERAD The Salt Lake Tribune

Published: October 27, 2016 03:57PM

Updated: October 26, 2016 05:21PM

Google's parent company is scaling back its plans to bring high-speed internet to several U.S. cities, but a spokesman said Wednesday the moves won't affect operations in Salt Lake City or Provo.

In a blog post late Tuesday, the head of Access, the Alphabet division that includes Google Fiber, announced the company would halt operations in "potential Fiber cities" and lay off employees in offices across the country.

Access CEO Craig Barratt also said he was stepping down. His resignation came amid reports the five-year initiative to deliver gigabit-speed fiber-optic access in select cities had failed to meet financial and subscriber-recruitment goals.

Barratt's blog post said Access would change its "business and product strategy," hinting at a shift to wireless technologies as the company seeks to lower costs and speed up deployments.

Barrett said Google Fiber will continue service in cities where it is already operating, including Atlanta; Austin, Texas; Charlotte, N.C.; Kansas City, Mo.; Kansas City, Kan.; Nashville, Tenn.; Provo; and Salt Lake City.

"Google Fiber isn't leaving Salt Lake City or Provo," a company spokesman in Utah's capital said. "We're still thrilled to be your neighbor and continue to offer superfast Internet to residents."

Google Fiber acquired Provo's existing high-speed network, dubbed iProvo, in 2013 and has been running it since. In August, after more than two years of talks, study and network construction, the company launched its gigabit service — with optional TV and phone service — over a 112-block area of central Salt Lake City.

The Mountain View, Calif.-based technology company has since opened sign-ups in southern portions of Sugar House and says it will extend that to northern Sugar House neighborhoods before year's end.

But Access is "going to pause" operations in eight U.S. cities where the company had been holding exploratory talks with local leaders, Barratt said. That includes Dallas; Jacksonville and Tampa, Fla.; Los Angeles; Oklahoma City; Phoenix; Portland, Ore.; and San Jose, Calif.

Industry reports said Access would lay off up to 9 percent of workers in those cities.

Barratt, who will stay on in an advisory role to Alphabet CEO Larry Page, said Access was refining its plans to "focus on new technology and deployment methods to make superfast internet more abundant than it is today."

tsemerad@sltrib.com

Twitter: @TonySemerad



(Francisco Kjolseth | The Salt Lake Tribune) Salt Lake City sees the beginnings of Google Fiber's scorching-fast gigabit service during a grand opening-type event at their offices in Trolley Square, referred to as Fiber Space, on Wednesday, Aug. 23, 2016.

TECHNOLOGY

Google Curbs Expansion of Fiber Optic Network, Cutting Jobs

By DAISUKE WAKABAYASHI OCT. 25, 2016

SAN FRANCISCO — Alphabet, the parent company of Google, is signaling a strategy shift for one of its most ambitious and costly efforts: bringing blazing-fast web connections to homes across America.

The company said on Tuesday that it was curbing the expansion of its high-speed fiber optic internet network and reducing staff in the unit responsible for the work. Alphabet did not provide an exact number for the jobs that will be cut.

Craig Barratt, chief executive of Access, the Alphabet division containing Google Fiber, also said he planned to step down because the company was shifting to new technologies and methods of deploying high-speed internet. No replacement was announced. Mr. Barratt, an Alphabet senior vice president, said he would remain an adviser to the company.

When Google introduced Fiber in 2010, it was heralded as a sign of the company's ambitions to compete against cable and telecommunications operators who have controlled the market for internet access. But after years of costly investments to dig up roads and lay fiber optic cable, Google started considering alternatives, including wireless and fiber partnerships, that did not necessarily require the company to build a full network.

The company's fiber optic internet and television are currently available in eight metro areas, including Atlanta, Nashville and Salt Lake City.

In June, Google Fiber announced that it was acquiring Webpass, a company that beams high-speed internet into apartment buildings using a fiber-connected antenna. This and other wireless technologies provide a quicker and less expensive way to expand access to faster web speeds.

Google Fiber is one of the units that make up Alphabet's "other bets" — businesses outside Google's core web search and internet services business. When Google moved to a holding company structure and branded the parent entity Alphabet last year, it broke out the losses from the other bets to ease investors' concerns that the profits from Google's core businesses were being squandered on science projects that were not viable moneymakers.

The new structure — which makes Alphabet units like Access responsible for their own profits and losses — has instilled financial discipline across the company. It has also contributed to the termination of ambitious undertakings like Project Ara, Google's attempt to build a modular smartphone, as well as the departures of executives who bristled under the new cost controls.

The company does not disclose financial results for Access. But its other-bets businesses reported revenue of \$185 million in the second quarter of this year and an operating loss of \$859 million. The Fiber business accounted for the bulk of \$280 million in quarterly capital expenditures — money spent on things like equipment, the company said.

Alphabet has not disclosed the number of Google Fiber subscribers in cities where the service is available. In the markets where it operates, Google Fiber costs \$70 a month for the fastest internet connection and an additional \$60 a month for its TV service, but Google has to pay to connect homes to the network even if they do not subscribe.

Access said it would continue to operate in markets where it already offers fiber optic service or has started construction, but it planned to halt discussions with cities where it was considering expansion. On its website, Google Fiber identified eight "potential fiber" cities, including Dallas, Los Angeles and Phoenix.

Because Google runs most of its business on the internet, analysts have suggested that its entry into the costly world of fiber optic internet was an attempt to motivate existing internet providers to accelerate the introduction of faster web connections.

A version of this article appears in print on October 26, 2016, on page B4 of the New York edition with the headline: Google Curbs Growth of High-Speed Fiber Optic Network, Cutting Jobs.

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