



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

Tamelyn 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 *S. Thacker*
subject: City Manager's Summary of September 20, 2016 Council Meetings
date: September 14, 2016

5:15 Work Session with Youth Council – The City Council will meet with the Youth Council at 5:15 p.m. to become acquainted, review their activity calendar for the coming year, and talk about local government. A more detailed agenda is in the staff report. The Youth Council will provide dinner. Council members should try to be at city hall no later than 5:15.

7:00 Regular City Council Meeting

National Rural Water Association Award – Randy Randall was in Florida this past week to receive an award from this organization. He was recognized for his extensive efforts and innovations that have substantially reduced power usage and the City's electric bill for the water system. He will be recognized in the Council meeting Tuesday night for this achievement.

E.1. Minutes Review -- The minutes to be approved are available in the online meeting packet.

E.2. Agreements re Water Main under I-15 and Railroad Tracks – In 2014 the City Council approved agreements with Union Pacific Railroad and Utah Transit Authority, giving the City permission to install a water main through an abandoned drainage culvert under their tracks. However, that plan did not ultimately prove feasible and the City Engineer has come up with a new plan to bore the water main under the freeway and tracks near the abandoned culvert. This change, however, requires new agreements with both UPR and UTA. This is the last project to be funded by the 2012 Water Revenue Bond issue.

E.3. General Plan Amendments - Trails and Bikeways Master Plan – This matter was discussed in several earlier meetings. Staff have made several revisions to the Trails and Bikeways Map and the Trails and Bikeways Master Plan Map as recommended in the most recent discussion about this matter. In addition to the maps, the General Plan text is being updated to match current practice and intent regarding bike lanes.

E.4. Public Hearing—Zoning Code Amendments re Scope Correction for South Main Street Corridor Overlay – This is a technical correction to an error identified in an earlier meeting. In



summary, when the City Council adopted the comprehensive update of the Zoning Code in June 2016, this action had the inadvertent impact of subjecting more of the South Main Street Corridor to the Public Space Plan requirements than intended. This correction will limit the applicability of the Public Space Plan to only the Traditional Main Street and City Center Subdistricts. The City Attorney recommends the Council make this technical correction before considering changes to the Public Space Plan requirements, which is the subject of the next item on the agenda.

- E.5. Zoning Code Amendments - South Main Street Corridor Overlay—Public Space Plan** – The requirements of the Public Space Plan have been under review by the Planning Commission and City Council since January. In the most recent meeting on this matter, these two bodies met jointly to listen to owners of properties and businesses that would be affected. The City Council is expected to take action on the recommendations forwarded earlier from the Planning Commission about these improvement standards. It appears a majority of the Council is not supportive of those recommendations. Therefore, the City Attorney has prepared three versions of the ordinance to accommodate the various outcomes the Council may consider, including repeal of the Public Space Plan requirements entirely.

A public hearing was held in an earlier Council meeting, in addition to the recent meeting with property and business owners. Therefore, the public hearing requirement has been met and the agenda does not show another public hearing on this matter. The Mayor and Council have the option, however, of allowing more public comment if they desire.

- E.6. General Plan Amendments - West Centerville Neighborhood Plan re Industrial Very-High Zoning** – The Council discussed this matter in an earlier meeting, but agreed to table action to their September 20 meeting. These amendments would remove Industrial Very-High (I-VH) Zoning as a desired land use in this part of the City (i.e. west of I-15 and south of Parrish). Current I-VH zoning would remain in place, however, unless the City Council wishes to also alter the actual zoning, which would require another public process that begins with the Planning Commission.
- E.7. Municipal Code Amendments re Construction Codes** – The State of Utah adopts updated construction codes every three years. These codes are applicable within Utah cities. Therefore, Centerville City needs to update its references to these building codes in its own Municipal Code.
- E.8. Financial Report** – Blaine Lutz has prepared a financial report for the first two months of FY 2017—i.e. the two months ending August 31, 2016. He will not be at the meeting, so the City Manager will handle this matter and answer questions from the Council about the report.
- E.9. Mayor's Report** – Mayor Cutler will report on Fire District matters, the latest UTOPIA/UIA financial reports and further evaluation of the sound quality in the Council Chambers.
- E.10. City Council Liaison Report** – Councilman Bill Ince will report on emergency management activities and the Davis Chamber of Commerce.
- E.11. City Manager's Report** – I will propose a plan for the October 5 public open house about the comprehensive sidewalk inventory/analysis.
- E.12. Miscellaneous Business** – At this time there are no topics 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 October 4, 2016 City Council meetings (subject to change):

- Work Session with Parks & Recreation Committee re Parks Capital Improvement Plan
- Presentation by Shawn Beus, Davis County Economic Development Director
- Rocky Mountain Power Franchise Agreement Extension
- Policy re use of City's public information outlets by non-city parties
- Discuss potential use of RAP tax revenue

ST/mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, SEPTEMBER 20, 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:

5:15 Work Session with Youth City Council

- 7:00 **A. ROLL CALL**
 (See City Manager's Memo for summary of meeting business)
- B. PLEDGE OF ALLEGIANCE**
- C. PRAYER OR THOUGHT**
 Jacob Smith

Award to Centerville City from National Water Association

- 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**
 September 6, 2016 work session and regular meeting; September 7, 2016 joint City Council/Planning Commission meeting

(OVER)

- 7:15 2. Agreements re construction of water main under railroad tracks with Union Pacific Railroad and Utah Transit Authority
- 7:20 3. General Plan Amendments – Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan Map
Consider proposed General Plan amendments to Section 12-450-3 regarding Bicycle and Non-Motorized Vehicle Pathways in the Transportation and Circulation element of the General Plan, and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 regarding Trails in the Community Facilities element of the General Plan – Ordinance No. 2016-21
- 7:30 4. Public Hearing - Zoning Code Amendments - South Main Street Corridor (SMSC) Overlay - Subsection 12.48-180(b) - Scope Correction
Consider the proposed Zoning Code Amendment to the South Main Street Corridor (SMSC) Overlay Zone regarding the Scope of the SMSC Public Space Plan in Section 12.48.180 - Ordinance No. 2016-26
- 7:40 5. Public Hearing - Code Text Amendments for South Main Street Corridor (SMSC) Overlay Ordinance, Chapter 12-48
Consider the Code Text Amendments for the South Main Street Corridor (SMSC) Overlay Ordinance, which includes the City Council directives and changes to the South Main Street Corridor (SMSC) Public Space Plan
- 8:00 6. 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
- 8:10 7. Municipal Code Amendments – Title 10, Chapter 3 – Construction Codes
Consider Centerville Municipal Code Amendments to Title 10, Chapter 3, regarding Construction Codes - Ordinance No. 2016-25
- 8:20 8. Financial Report for first two months of FY 2017
- 8:25 9. Mayor's Report
a. South Davis Metro Fire
b. UTOPIA/UIA financial reports
c. Council chambers sound issues
- 8:35 10. City Council Liaison Report - Councilman Ince - Citizen Corps Council/Emergency Management/Davis Chamber of Commerce
- 8:45 11. City Manager's Report
a. Sidewalk Open House
- 8:55 12. Miscellaneous Business

- 9:00 13. 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.
14. 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

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7:00 **A. ROLL CALL**

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

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Jacob Smith

Award to Centerville City from National Rural Water Association

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
September 6, 2016 work session and regular Council meeting; September 7, 2016 joint City Council/Planning Commission meeting |
| 7:15 | 2. | Agreements re construction of water main under railroad tracks with Union Pacific Railroad and Utah Transit Authority |
| 7:20 | 3. | General Plan Amendments - Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan Map
Consider proposed General Plan amendments to Section 12-450-3 regarding Bicycle and Non-Motorized Vehicle Pathways in the Transportation and Circulation element of the General Plan, and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 regarding Trails in the Community Facilities element of the General Plan – Ordinance No. 2016-21 |
| 7:30 | 4. | Public Hearing - Zoning Code Amendments - South Main Street Corridor (SMSC) Overlay - Subsection 12.48-180(b) - Scope Correction
Consider the proposed Zoning Code Amendment to the South Main Street Corridor (SMSC) Overlay Zone regarding the Scope of the SMSC Public Space Plan in Section 12.48.180 - Ordinance No. 2016-26 |
| 7:40 | 5. | Zoning Code Amendments - South Main Street Corridor (SMSC) Overlay - Chapter 12-48 - Public Space Plan Amendments
Consider Zoning Code amendments to Chapter 12.48 regarding the Public Space Plan for the SMSC Overlay Zone - Consider Ordinance No. 2016-27 |
| 8:00 | 6. | 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 |
| 8:10 | 7. | Municipal Code Amendments - Title 10, Chapter 3 - Construction Codes
Consider Centerville Municipal Code Amendments to Title 10, Chapter 3, regarding Construction Codes - Ordinance No. 2016-25 |
| 8:20 | 8. | Financial Report for first two months of FY 2017 |
| 8:25 | 9. | Mayor's Report
a. South Davis Metro Fire District
b. UIA/UTOPIA Interim Financial Reports
c. Council Chambers sound issue |
| 8:35 | 10. | City Council Liaison Report - Councilman Ince - Citizen Corps Council/Emergency Management and Davis Chamber of Commerce |
| 8:45 | 11. | City Manager's Report
a. Sidewalk Open House |
| 8:55 | 12. | Miscellaneous Business |
| 9:00 | 13. | 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 |

14. 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

Staff Backup Report 9/20/2016

Item No.

Short Title: Work Session with Youth City Council

Initiated By: Mayor and Youth Council Advisor

Scheduled Time: 5:15

SUBJECT

RECOMMENDATION

BACKGROUND

The City Council meets annually with the Youth Council in a work session to become acquainted, review the Youth Council's activity plan and talk about local government. The following agenda was recently reviewed with the City Council:

- Begin work session at 5:15
- First 15 minutes -- eat dinner and chat informally with Youth Council members (City Council members should spread out among the Youth Council members)
- 5 minutes for introductions of entire group
- 10 minutes -- Youth Council Mayor review their activity calendar for the year
- 30 minutes -- Each of the six elected officials takes *up to* 5 minutes to explain the purpose/nature of the organizations they represent as the City Council's liaison. This will give the Youth Council members some understanding of the City's boards and committees in case they want to express an interest in being a Youth Council liaison to any of those entities. They can express that interest later to their Advisor.
- 30 minutes -- Solicit comment from Youth Council members about current City issues, projects, etc. For example, they could be asked about park improvements, bike lanes, etc.
- Adjourn work session about 6:45 p.m.

CENTERVILLE

**Staff Backup Report
9/20/2016**

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- D City Manager Summary of September 20, 2016 City Council meetings

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No.

Short Title: Jacob Smith

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 9/20/2016

Item No.

Short Title: Award to Centerville City from National Rural Water Association

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Recognize Randy Randall, Public Works Director, for receiving an award at the recent national conference of the Rural Water Association. The award recognizes the energy savings Randy has achieved in water system operations.

BACKGROUND

ATTACHMENTS:

Description

- NRWA Award Ceremony
- NRWA Award Ceremony (2)
- NRWA Award Summary
- NRWA Award Press Release

CENTERVILLE

Staff Backup Report 9/20/2016

Item No.

Short Title: Award to Centerville City from National Rural Water Association

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

Recognize Randy Randall, Public Works Director, for receiving an award at the recent national conference of the Rural Water Association. The award recognizes the energy savings Randy has achieved in water system operations.

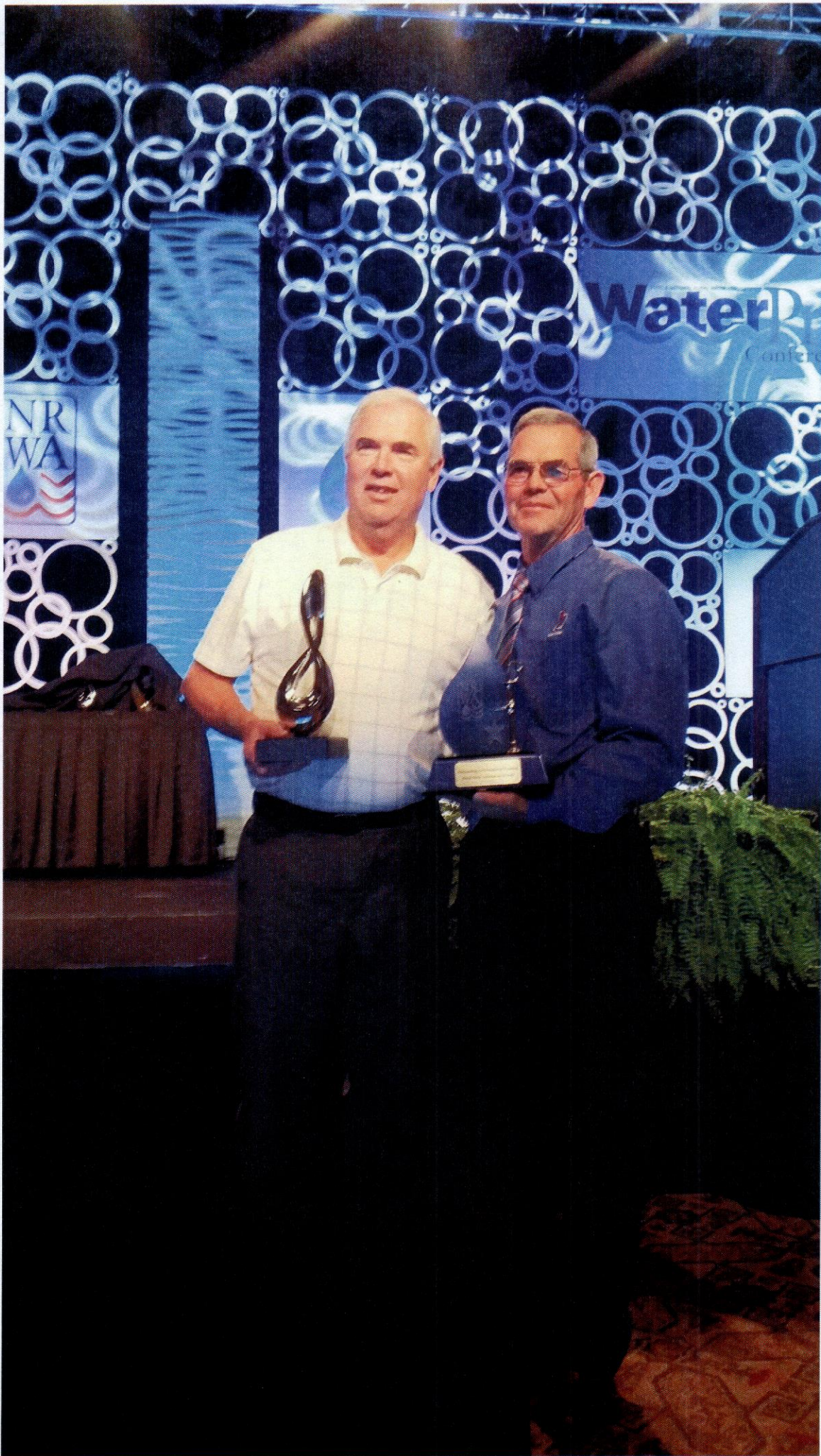
BACKGROUND

ATTACHMENTS:

Description

- ☐ NRWA Award Ceremony
- ☐ NRWA Award Ceremony (2)





Centerville City water system receives top national award for energy efficiency:

Centerville City's Culinary Drinking Water System was recently recognized by the National Rural Water Association for exemplary efforts in energy efficiency. The city has developed and implemented 20 creative strategies to optimize water system energy savings. These practical strategies enable Centerville City to save over 75% which equates to \$250,000 on electrical costs annually, while consistently providing high quality water to its citizens. The city's water system was selected from among 31,000 water systems within the United States, and received this honor on September 13, 2016 at the National Rural Water Association annual conference in Orlando, Florida. Also receiving a top national award was the Rural Water Association of Utah for Outstanding Achievement in Training.



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 1.

Short Title: Minutes Review and Acceptance

Initiated By: City Recorder

Scheduled Time: 7:10

SUBJECT

September 6, 2016 work session and regular Council meeting; September 7, 2016 joint City Council/Planning Commission meeting

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 9-6-2016 work session minutes
- ▢ 9-7-2016 regular CC meeting minutes
- ▢ 9-7-2016 joint CC/PC meeting minutes

PRELIMINARY DRAFT

Minutes of the Centerville City Council **work session** held Tuesday, September 6, 2016 at 5:30 p.m. in the Centerville City Council Chambers, 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
Randy Randall, Public Works Director
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

WORK SESSION – PUBLIC WORKS DEPARTMENT

Randy Randall, Public Works Director, explained and demonstrated how the Centerville City water system works using a model of the system. He emphasized the need (succession planning) for a new position in the Public Works Department for a staff member in addition to himself capable of understanding all aspects of the complex water system. He would be looking for candidates with aptitude for both electrical and hydraulic systems, as well as enthusiasm and personal drive. Mr. Randall and the Council discussed the long-term goal of employing several staff members in the Public Works Department with the necessary knowledge and ability. The Council appeared to be in support of moving forward with the hiring process for the new position.

ADJOURNMENT

Mayor Cutler adjourned the work session at 6:55 p.m.

Marsha L. Morrow, City Recorder

Date Approved

Katie Rust, Recording Secretary

PRELIMINARY DRAFT

Minutes of the Centerville **City Council** meeting held Tuesday, September 6, 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
Blaine Lutz, Finance Director/Assistant City Manager
Lisa Romney, City Attorney
Jacob Smith, Assistant to the City Manager
Cory Snyder, Community Development Director
Paul Child, Centerville Police Chief
Bruce Cox, Parks and Recreation Director
Randy Randall, Public Works Director
Katie Rust, Recording Secretary

VISITORS

Jeff Bassett, South Davis Metro Fire Chief
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Rev. Lyn Briggs, Episcopal Church of the Resurrection

RECOGNITION OF EMERGENCY RESPONDERS

Police Chief Child recognized Utah Highway Patrol Sgt. Chamberlain Neff, Centerville Police and South Davis Metro Fire Agency personnel, and Leah Elam and Cecilia Elam for the roles they played in saving the life of a child on July 12, 2016 at the Pineae Gardens swimming pool.

OPEN SESSION

Blaine Randall – Mr. Randall expressed his love for Centerville. He said he feels there is evidence that the former Police Chief was involved in covering up crimes committed by his brother at his father's request. He described a situation involving a City Public Works employee and stated he feels the City should have a better way for receiving and handling complaints from citizens regarding City employees. Mr. Randall stated that Police Chief Child, City Manager Thacker, and Mayor Cutler have been very responsive when he has contacted them.

Lisa Sommer, Whitaker Museum Director – Ms. Sommer invited the Council members to an evening with Mabel Devore at The Whitaker on September 13th.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the August 16, 2016 work session and regular Council meeting, and the August 25, 2016 joint Trails Committee/City Council meeting were reviewed. Councilwoman Fillmore requested an amendment to the August 16 regular meeting minutes, and made a **motion** to accept the August 16 work session minutes, the August 16 regular Council meeting

minutes as amended, and the August 25 joint meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Approve Recording Secretary Agreement
- b. Approve addition of Police Department Evidence Technician/Emergency Management Assistant Position to the Centerville City Position Pay Grade Schedule – Ordinance No. 2016-23
- c. Approve Amendment No. 1 to Interlocal Cooperation Agreement with Davis County regarding CDBG Program – Resolution No. 2016-23

Councilwoman Ivie made a **motion** to approve item (b) on the Summary Action Calendar, including Ordinance No. 2016-23. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to approve items (a) and (c) on the Summary Action Calendar, including Resolution No. 2016-23. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP

On August 26, 2016, the Council met in a joint work session with the Trails Committee to discuss proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways.

Steve Thacker, City Manager, explained changes to the two maps recommended by staff to improve the accuracy and clarity of the maps. The Council and staff discussed equestrian use of roadways and trails. Bruce Cox, Parks and Recreation Director stated he feels equestrian use is not compatible with paved cycling/pedestrian trails. Space for equestrian use is provided along side the paved Legacy Parkway Trail. Lisa Romney, City Attorney, said she is not aware of any prohibition of equestrian use of City streets. Councilman McEwan made a **motion** to table approval of Ordinance No. 2016-21 pending revised maps from City staff. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT

Blaine Lutz, Finance Director, presented a financial report (unaudited) for the fiscal year ending June 30, 2016, and answered questions from the Council.

ACCESSORY BUILDING SETBACKS AND FLAG LOT ORDINANCE AMENDMENTS

Cory Snyder, Community Development Director, asked for direction from the Council regarding accessory building setbacks and the flag lot ordinance. Discussions of these two topics – and potential code amendments – are among the short-term goals the Council agreed upon in their March goal-setting session. Since these topics are addressed in the Zoning Code, any amendments would have to be considered by the Planning Commission before coming back to the Council for formal approval. Responding to a question from Councilman Ince, Mr. Snyder explained that in the past the zoning process was more involved with asking for direct neighbor input and consent. The process has been generalized to a public notice system with

1 input received at public hearings. Councilwoman Mecham expressed concern with potential
2 impact of flag lots on neighborhood privacy. Councilwoman Fillmore stated she understands
3 the value of having clean and simple ordinances as much as possible, but with the flag lot
4 ordinance she feels the Planning Commission really tackled some of the difficulties that come
5 with flag lots. She said she feels when it came back to the Council it was taken to the most
6 simple and basic level without considering the deeper issues. Councilwoman Fillmore said she
7 is not comfortable with the flag lot ordinance as it is, and would be comfortable with either
8 eliminating flag lots as an option, or really analyzing the difficulties to achieve a detailed
9 ordinance. Mr. Snyder said, from his point of view, the flag lot discussion was initiated as an
10 infill tool, but he questions the validity of using it as an infill tool if setbacks are increased.

11
12 Mayor Cutler said he feels it is a property rights issue – do people have the right to use
13 their property in the way they see fit, or does the Council want to heavily regulate? He said he
14 believes it is a useful tool if the Council agrees with allowing people to make use of larger
15 properties. It is difficult to balance personal property rights with community feel. Councilman
16 Ince stated he is torn between the right of a property owner to develop, and the right of those
17 who have lived next to a property for years to continue to enjoy their property in the fashion they
18 are used to. Councilman McEwan said he believes there has to be some consideration given to
19 the peaceful coexistence in a community. He said he tends to lean toward peaceful coexistence
20 and existing infrastructure. Councilwoman Ivie said she struggles with property rights as well,
21 but feels the Council should keep the existing expectations of neighbors in mind. She said she
22 is in favor of eliminating the flag-lot option at this time.

23
24 Councilwoman Ivie made a **motion** to recommend to the Planning Commission that flag
25 lots be eliminated as an option. Councilwoman Mecham seconded the motion, which passed by
26 unanimous vote (5-0). Councilwoman Fillmore made a **motion** to direct the Planning
27 Commission to revisit accessory building requirements, specifically appropriate setbacks and
28 appropriate heights, and the relationship between the two. Councilwoman Ivie seconded the
29 motion, which passed by unanimous vote (5-0).

30 31 **SIDEWALK ANALYSIS AND RELATED ACTIONS**

32
33 Mr. Thacker referred to the Centerville City Sidewalk Inventory and recommended the
34 Council authorize staff to proceed with the correction of sidewalk faults at the eight locations
35 with vertical faults over three inches, at an estimated cost of \$25,000. The cost estimate
36 includes removal of trees next to the faults in the public right-of-way, as well as removal of trees
37 behind the sidewalk on private property on three lots. Randy Randall, Public Works Director,
38 said he has spoken with one of the three property owners, who indicated he would not remove
39 the tree himself, but would allow the tree to be removed at the City's expense. Councilwoman
40 Fillmore suggested an appeals process would allow property owners to be more involved.
41 Mayor Cutler said he is comfortable proceeding if property owners give permission. Ms.
42 Romney suggested the City move forward with fixing the eight recommended locations, using
43 the experience as a test case scenario – helping the property owners understand the need, and
44 not setting a precedent that the City will always pay, but working on options and taking time to
45 adopt a formal written policy over the next several months. Councilwoman Fillmore suggested
46 involving an arborist to assess age and growth stage of the trees. Mayor Cutler suggested that
47 offering a replacement option might help property owners accept the necessary action.
48 Councilman McEwan suggested allowing property owners to "buy" the affected sidewalk pieces
49 and assume responsibility and liability if they want the trees to remain. Councilwoman Fillmore
50 suggested there should be uniform options for all property owners.

1 Mayor Cutler said he would like to have an open house to fully inform property owners of
2 the risks and needs. Councilman McEwan agreed, and said it should be soon. The Council
3 discussed possible options to present to property owners, and agreed to schedule an open
4 house for Wednesday, October 5th at 6:00 p.m. An arborist will be invited to participate in the
5 open house.

6
7 Councilwoman Ivie made a **motion** to authorize staff to proceed with the correction of
8 sidewalk faults and tree removal at the eight locations with faults over three inches, at an
9 estimated cost of \$25,000 funded from the Transportation Fund. If a property owner does not
10 give permission to remove a tree on private property that has been identified by staff as causing
11 damage, staff will notify the Council. Councilman Ince seconded the motion, which passed by
12 unanimous vote (5-0).

13
14 The Council took a break at 9:04 p.m., returning at 9:11 p.m.

15
16 **MAYOR'S REPORT**

- 17
18 • A joint work session with the Planning Commission regarding the SMSC Public
19 Space Plan will be held on September 7th.
20 • A Volunteer Recognition Dinner will be held on September 26th.
21 • A ribbon cutting ceremony for the pedestrian bridge is scheduled for October 8th.
22 • Mayor Cutler reported that UDOT has indicated a genuine willingness to talk about
23 improving crosswalks on Main Street within established limits. He explained the idea
24 of having a HAWK pedestrian crossing in front of Centerville Junior High instead of
25 the two existing crossings. As a crossing guard at the Junior High, Councilwoman
26 Mecham expressed safety concerns, and said she would not recommend a HAWK
27 crossing. A majority of the Council agreed. UDOT has approved use of crossing
28 flags and curb markers behind the curb at crosswalks on Main Street.
29 Councilwoman Fillmore made a **motion** to authorize up to \$2,000 from the
30 Transportation Fund for crosswalk improvements for the two Centerville Junior High
31 crosswalks and the crosswalk near Don's Meats (55 South Main Street).
32 Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
33 • Mayor Cutler updated the Council on UTA plans for bus stops.
34 • The Mayor presented community information released by the Health Department.
35 • Mayor Cutler informed the Council about the Circles Program offered by the Family
36 Connection Center, a nonprofit group operating locally out of the Bountiful
37 Community Church.
38 • In the past the informal City policy has been to include information from non-profit
39 organizations associated in some way with local government in the utility bill mailer
40 or the City newsletter. Councilman Ince has brought up some concerns. Ms.
41 Romney advised that the City should objectively stick to a set policy, and suggested
42 limiting inclusion to public information from an entity related to the City. Councilman
43 McEwan stated he feels inclusion of CenterPoint Theatre notices in City utility
44 mailers should be recognized financially as an in-kind donation for better
45 transparency. Councilman Ince suggested three levels: (1) a list of charities/groups
46 allowed to include information in a utility mailer up to four times per year; (2) other
47 charities allowed to include information in a utility mailer for a fee; (3) commercial
48 advertising/information included in utility mailer for \$1,000. Councilwoman Mecham
49 stated she would not want to include commercial information in City mailings
50 because of the possible appearance of endorsement. Councilwoman Fillmore said
51 she feels the existing arrangement has worked fine and there is nothing to fix.
52 Councilwoman Ivie agreed with the suggestion that inclusion of CenterPoint inserts

1 in City mailers should be formally recognized as an in-kind donation. Councilman
2 McEwan emphasized the City should be careful about what is endorsed in official
3 communications. Responding to a question from Mr. Thacker regarding a request
4 from the Family Connection Center, Ms. Romney said she does not think the Family
5 Connection Center would qualify as being related to the City. Mayor Cutler said he
6 feels the Family Connection Center insert would be beneficial to include in a City
7 mailer for community awareness. Councilman Ince agreed, and added that the
8 phrase "inclusion of this does not constitute endorsement by the City" could be
9 added to inserts. Councilwoman Fillmore suggested that, if taxpayer money goes to
10 support an organization, or if a Council member sits on an organization's board as a
11 City representative, that organization's information would qualify for inclusion.
12 Council members McEwan and Ivie requested a recommendation from the City
13 Attorney regarding the framework of a written policy regarding information that could
14 be included in the City utility bill, newsletter, and website.

15
16 **CITY MANAGER'S REPORT**

- 17
18 • The Council reviewed proposed agendas for the September 13th RDA/ACB meeting,
19 and the September 20th work session with the Youth City Council.
20 • City Manager Thacker updated the Council on a recent meeting with UDOT
21 regarding eventual replacement of the I-15 interchange at Parrish Lane—i.e.
22 potential ways to improve traffic flow, including conceptual designs for future
23 replacement of the interchange.
24 • A concern has been raised regarding possible vehicle use of the pedestrian bridge.
25 Staff recommends placing signage at the east and west ends of the pedestrian
26 bridge to indicate that usage is limited to bicyclists and pedestrians, and continuing
27 to monitor use before resorting to the expense of installing bollards. A majority of the
28 Council indicated approval for giving staff flexibility.
29

30 **MISCELLANEOUS BUSINESS**

31
32 Jake Smith, Assistant to the City Manager, reported on efforts to improve the reliability
33 and/or quality of video streaming and audio recording of Council meetings.
34

35 **ADJOURNMENT AND CLOSED MEETING**

36
37 At 10:20 p.m. Councilman Ince made a **motion** to adjourn the regular meeting and move
38 to a closed session for the purpose of discussing the character and competency of individuals.
39
40
41
42
43

44 _____
45 Marsha L. Morrow, City Recorder

_____ Date Approved

46
47
48
49
50 _____
Katie Rust, Recording Secretary

PRELIMINARY DRAFT

Minutes of the Centerville City Council and Planning Commission joint **work session** held Wednesday, September 7, 2016 at 7:00 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

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

PLANNING COMMISSIONERS PRESENT

Chair	David P. Hirschi
Commissioners	Cheylynn Hayman
	Logan Johnson
	Scott Kjar
	Becki Wright

COMMISSIONERS ABSENT

Kevin Daly
Gina Hirst

STAFF PRESENT

Steve Thacker, City Manager
Lisa Romney, City Attorney
Cory Snyder, Community Development Director
Katie Rust, Recording Secretary

STAFF ABSENT

Blaine Lutz, Finance Director/Assistant City Manager

PLEDGE OF ALLEGIANCE

PRAYER/THOUGHT

Councilman Ince

SOUTH MAIN STREET CORRIDOR PUBLIC SPACE PLAN

Mayor Cutler welcomed the property owners in attendance and emphasized that specific suggestions regarding the South Main Street Corridor (SMSC) Public Space Plan would be most helpful to the Council and Planning Commission. He explained that staff is researching additional options, including the possibility of a revolving loan fund, and the possibility of incentivizing improvement with grants. Councilwoman Fillmore pointed out that proposed changes would happen over time as major redevelopment occurs. The Public Space Plan adopted in November of last year includes the following elements:

1. Wider sidewalks (6' instead of 4' or 5')
2. Park strip on both sides of Main Street
3. Periodic hardscape materials like pavers or colored concrete in the park strip and the 10' behind the sidewalk
4. Decorative elements like planter boxes, benches
5. Decorative pedestrian lighting
6. Enhanced landscaping for 10' behind the sidewalk: (such as trees, shrubs, pavers/patios, hiding of utility boxes, etc.)

1 Councilman Ince pointed out that the current Plan places the financial obligation of the
2 improvements on the owner/developer, and recognized that asking property owners to maintain
3 elements in front of their property would not be sustainable in the long run. The Planning
4 Commission has recommended the City pay for maintenance of elements in the public space.
5 The current requirements apply to new development and redevelopment expanding a structure
6 by more than 30%, or increasing value by more than 50%. The Mayor opened the meeting to
7 public comment at 7:20 p.m.
8

9 Gary O'Brien – Mr. O'Brien owns the O'Brien Glass property and neighboring properties
10 on Main Street between 300 and 400 South. Mr. O'Brien expressed disappointment that he was
11 not aware of the Plan when it passed last November. He asked if the City has any idea what
12 the required improvements would cost property owners. Mr. Thacker presented cost estimates
13 prepared by Dan Sonntag, the landscape engineer under contract with the City, for two
14 scenarios: (1) one cycle of the A&B design pattern (80 feet); and (2) 80 feet of sidewalk and
15 park strip. A copy of the estimates is attached. Mr. O'Brien pointed out that, in his opinion, only
16 the property owners would be impacted by the Plan. He agreed that something needs to be
17 done, and said he was previously trying to do get something done with a developer. Mr. O'Brien
18 said he knows he will have to pay for the improvements one way or another. He said that, since
19 neighbors of his property are not in favor of town homes, he is not sure what he could build on
20 his property; he is not sure he can sell the property and break even with the current Plan. Mr.
21 O'Brien asked if the City will require others to tear down their buildings to have everything
22 matching. Mayor Cutler responded the City will absolutely not require that. The Plan does not
23 affect property owners who do not redevelop.
24

25 Ann Fadel – Ms. Fadel pointed out that from the sidewalk to the road is public space,
26 and everything behind the sidewalk is private property. She referred to a survey question that
27 asked if citizens would want Main Street improved, and stated that of course citizens want it
28 improved, but the property owners are the ones who would have to pay for it. She commented
29 that the requirements would take some of her front property, and added that space for snow
30 storage needs to be considered. Ms. Fadel said she loves the idea of beautification of
31 Centerville, but Main Street does not need any of the elements of the Plan. She said she loves
32 the idea of uniform pedestrian lighting.
33

34 Spencer Summerhays – Mr. Summerhays said it would be helpful to have clarification
35 regarding whether the City would use eminent domain to get the necessary square footage.
36 Mayor Cutler responded there are no plans to take any property, and no plans for the City to
37 force these improvements. Improvements would happen when redevelopment occurs.
38

39 Ms. Fadel said she would love to improve her property, but she does not get business
40 from people just driving down Main Street. Councilman McEwan said he does not see this Plan
41 surviving in its current form. The question is what it needs to look like. Ms. Fadel said she
42 would love to see benches and garbage cans at bus stops, and she would be willing to pay for a
43 light structure, but she expressed concern over liability.
44

45 K. Knighton – Mr. Knighton said he thinks Main Street looks fine the way it is and should
46 be left alone. Improvements would not attract business to Main Street. He expressed the
47 opinion that property owners already lost out when Walmart went in. Mr. Snyder commented
48 that in the past some property owners in the city participated in an SID to help pay for existing
49 infrastructure.
50

51 Councilman McEwan asked Ms. Romney about liability with the hardscape A/B model.
52 Ms. Romney responded that staff is recommending an offset model with hardscape only in the

1 public right-of-way, which is different from the Planning Commission recommendation. The City
2 is typically responsible to ensure sidewalk is maintained in good condition. Mr. Snyder
3 commented that Main Street is a UDOT owned facility, and discussions of liability would need to
4 include UDOT. The public right-of-way is generally eight feet on both sides of the roadway, but
5 varies some. Councilman McEwan stated he is uncomfortable with the number of unknowns
6 related to maintenance and liability.

7
8 Maureen Huffaker – Ms. Huffaker stated her family owns the Huffaker dental office on
9 Main Street. She pointed out that Centerville is not Park City. She would like to see the City
10 help Main Street businesses be successful, and not place additional burdens on the property
11 owners. She commented that inconsistent sidewalk widths as different property owners make
12 changes would look ridiculous. She referred to undeveloped land behind the dental office and
13 asked if development of the land would trigger the requirements. The loss of front property
14 would result in loss of important parking space.

15
16 Bruce Pitt – Mr. Pitt commented that the loss of parking space would reduce property
17 value.

18
19 Mr. Snyder responded to Ms. Huffaker that multiple options are available. If the land
20 were developed commercially which increased the gross floor area greater than 30%, the
21 property would be subject to the six requirements. Mr. Snyder also reference an earlier request
22 to subdivide the property and develop the back area as residential. Mayor Cutler emphasized
23 the need to look to the future and have standards in place. Ms. Huffaker responded that there
24 were standards in place when they built the building eight years ago. Councilman McEwan
25 commented that bike lanes and on-street parking cannot coexist. Mr. Snyder agreed it is
26 difficult to have both.

27
28 Jeff Cook – Mr. Cook said he has been attending Council and Planning Commission
29 meetings in Centerville for 40 years, and he feels things have gotten dramatically better. He
30 expressed appreciation for excellent City staff, particularly Cory Snyder and the Planning
31 Department staff. He said he helped the Huffaker family with construction of the dental office,
32 which conformed to City regulations when it was built. Mr. Cook expressed the opinion that it
33 would be unfair to change things to the point that the Huffakers could not build as originally
34 planned. He said Centerville is a small enough city that properties should be considered
35 individually, one at a time. He said he would love to beautify Main Street, but not with property
36 owners paying a majority of the cost. If extra land is needed, compensation should be given.
37 He emphasized the need to make sure all properties on Main Street have space for snow
38 removal. Mr. Cook said he feels benches only work in specific areas like bus stops. He said he
39 thinks wider sidewalks would be sufficient for snow removal on the west side on Main Street;
40 park strips may not be necessary. Mr. Cook said the city needs to have something in place that
41 will work in front of all properties, not just some of them.

42
43 Mr. Pitt pointed out that right now his property has a three-foot park strip and four-foot
44 sidewalk. As he understands it, the current Plan would require him to surrender 11-feet. The
45 Council and Planning Commission discussed whether or not water-wise plants could survive in
46 the park strips with the volume of snow removed on Main Street every winter. Mr. Pitt
47 suggested that flower pots hanging from existing infrastructure and the flags along Main Street
48 would create a feeling of continuity. Mr. Cook said he hopes the city can work with existing
49 public space. Mr. Snyder commented that retaining walls will be an issue for several properties
50 on the west side of Main Street if redevelopment occurs. Mr. Cook responded that he will build
51 up his property rather than use retaining walls. Every property has inherent issues to deal with.

1 Mr. Cook expressed confidence that nice things can be accomplished if the city is conservative
2 and does not get carried away.
3

4 Jennifer Turnblom – Ms. Turnblom said she owns property on the east side of Main
5 Street. She said she has a major problem with tall elements in the mow strip that would block
6 driver visibility. She said she does not think wider sidewalks make sense for just a few blocks of
7 the street. She said she has heard people comment that they are moving to Centerville
8 because of the lack of sidewalks. Ms. Turnblom said she feels property owners will do what
9 they can to make their properties look nice. As a property owner, she does not want to be told
10 what improvements to make. She said she would love to see the Christmas lights turned on
11 along Main Street. She said she agrees with removing benches from the Plan, and said she
12 does not know how the city would get approval for removing or replacing existing light poles.
13 She commented that adding new, lower lights to existing poles would be nice. She
14 acknowledged that tree roots pushing up portions of sidewalk is a problem. Requiring specific
15 elements would be too much government regulation. Ms. Turnblom suggested the city put
16 together a list of trees that grow well in Centerville for citizens to refer to. She commented that
17 the east side of the area in question is part of Centerville's historic district, and said she would
18 like to see it stay looking like a historic Main Street. She said she feels tall grasses would
19 worsen the mosquito problem, and would be in the way for viewing the 4th of July parade. She
20 suggested the city consider using a drip system rather than a sprinkler system in the park strips.
21

22 Lynette Ricks – Ms. Ricks said she owns the car wash on Main Street. She said she
23 feels the current plan is anti-business. She would not be able to expand without losing business
24 space. She said she does not mind the hanging pots idea, and does not mind a little
25 landscaping, but she would not want to put in anything that blocks a driver's line of sight. She
26 said she could not widen the sidewalk on her property without impacting her business.
27

28 Mr. Pitt suggested that the current Plan would work if all of Main Street were
29 redeveloped by the same developer. On an individual basis, he feels it is taking away property
30 rights. Property values go down when owners cannot do anything with their property. He said
31 he feels continuity could be achieved all along Main Street without unreasonable requirements.
32 Mr. Pitt said he feels the city should scrap the current Plan and enhance the elements and
33 infrastructure already in place, looking at each property individually. He said he feels the
34 current Plan is flamboyant and will not help the property owners. Commissioner Wright said she
35 likes Mr. Pitt's hanging planter idea. Mayor Cutler confirmed that a majority of the cost of
36 extending the flags and brackets along Main Street in 2015 was donated by citizens. Mr. Pitt
37 suggested the design work for the Plan could have been donated by someone who loves
38 Centerville. He suggested the community would come together and beautify Main Street in little
39 ways if given the opportunity. Mr. Pitt said he is saddened that it takes so long to put together
40 and agree on a plan.
41

42 Mr. Summerhays provided a rough drawing of a suggestion. He commented that people
43 are not going to walk on Main Street to accomplish errands. Looking at safety issues, he
44 suggested flashing crosswalk lights on Main Street at Porter Lane, Center Street, and 200
45 North. He suggested symmetry with park strips both east/west and north/south. Mr.
46 Summerhays said he feels all of Centerville would benefit from a cohesive plan. For funding, he
47 suggested a two-pronged approach: a small city-wide development fee for the public space
48 improvements, with property owners contributing a small portion when development occurs. He
49 added that drought-tolerant low grasses do survive Utah winters.
50

51 Kim Samuelson – Mr. Samuelson said he has property on Main Street. He expressed
52 appreciation for all the work that has been done by the Council and Planning Commission. He

1 said he feels it should be law that those who would be affected by change should be notified.
2 He said he feels it is wrong that the Plan passed last November without the property owners
3 knowing about it. Mr. Samuelson said he does not think it would be fair for the city to take up to
4 18 feet and dictate what can be done. He insisted that practicality should be considered. He
5 said he has been maintaining snow removal on the west side with five-foot sidewalks and no
6 park strip. He stated that the telephone poles are ugly and should be taken out and replaced
7 with cement for uniformity.
8

9 Mr. Cook said he feels Centerville needs more crosswalks on Main Street. Mayor Cutler
10 commented that City Council agendas are available on the City website, and citizens can sign
11 up for email delivery to stay informed. Mr. Snyder clarified that a notice was sent to every
12 property owner about the Public Space Plan. He said he thinks there has been confusion
13 between the notice sent for the Public Space Plan and the process that also resulted in
14 amendments because of the TZRO. Councilman McEwan asked what would happen if the
15 Council were to repeal the Plan and revert to previous regulations. Mr. Snyder responded that
16 edits made as a result of the TZRO would remain - reduced density and changed setbacks, with
17 standard UDOT specs for sidewalk and park strip. Councilwoman Mecham asked if the Public
18 Space Plan was originally tied to density. Mr. Snyder explained that the Main Street study done
19 in 2007 included suggestions for ordinances and street-scape that included the idea of re-
20 development with residential mixed use. The Main Street General Plan adopted in 2008
21 included zoning ordinances regulating setbacks and density, with the intention to adopt a public
22 space plan. The public space plan was not tied to density, but the assumption was that the
23 SMSC would have more residential uses and would need more walkability. Councilwoman
24 Fillmore commented that there are a lot of small towns in Utah with historic main streets without
25 a residential element that have still done some level of beautification to help revitalize.
26

27 Councilman McEwan expressed the opinion that the current plan is overreach,
28 disincentivizing redevelopment. Centerville has multi-generational property ownership on Main
29 Street. Councilman McEwan said he does not think symmetry could be developed with the
30 current Plan structure in this environment. Commissioner Wright suggested Centerville start
31 with hanging flower pots and go to the citizens for further support. Councilman McEwan
32 agreed, and mentioned Cedar City as an example. Councilwoman Mecham commented that
33 east winds should be remembered when talking about hanging flower pots, but she thinks flags
34 would be great. Commissioner Kjar pointed out that flowers have to be watered every day or
35 they die. Councilwoman Fillmore added that a lot of things can beautify a property and cost the
36 property owners less in the long run than having to mow and water lawn. Councilman McEwan
37 said he thinks it is important to trust property owners with the beautification of their own
38 property. Chair Hirschi responded that beautification and upkeep on Main Street has been
39 inconsistent, and he feels it is important to present the idea of making improvements and gently
40 encourage change over time. Councilman McEwan agreed, but pointed out that the current
41 Plan does not include enough incentive for the property owners. Councilman Ince commented
42 that he thinks newness drives the feel of an area.
43

44 Responding to a question from Mr. O'Brien, Mayor Cutler explained that UDOT tries to
45 minimize the number of outlets onto a street. Mr. Snyder agreed that UDOT has a policy to
46 reduce the number of curb cuts. UDOT will reconsider right-of-way if a substantial change or
47 redevelopment occurs.
48

49 Eileen Turnblom – Ms. Turnblom said she is sure Mr. Pitt and Mr. O'Brien could put in
50 nice single-family houses on their properties to have residential and business together for a nice
51 neighborhood.

1 Mayor Cutler said he heard mixed responses regarding wider sidewalks and mixed
2 responses regarding park strips and symmetry on both sides of Main Street. He heard some
3 support for decorative pedestrian lighting, if funding is found.
4

5 Ms. Huffaker asked why the city would need decorative lighting for a business area
6 where the businesses are not open at night. Mayor Cutler responded that safety for pedestrians
7 is one reason, but the bigger reason is to achieve a decorative, cohesive feel. Councilman Ince
8 added that lighting becomes a significant safety issue for pedestrians in the evening.
9

10 Mr. Snyder presented an alternative design option that capitalizes on the existing fabric
11 of the SMSC, with elements to mark the north and south boundaries of the area, and continuity
12 with banner poles on both east and west sides. He suggested more decorative street signs at
13 corners to unify the corridor. Councilwoman Fillmore asked about the suggestion to bury power
14 lines. Mr. Thacker responded that a high-level analysis was done in 2015 that showed the cost
15 would be several million dollars to bury the power lines.
16

17 Council members Mecham and Ivie pointed out that some of the property owners have
18 been on hold waiting for a decision to be made. Councilwoman Ivie said she has listened to the
19 input and heard the property owners say they do not want the Plan. Councilwoman Fillmore
20 commented that, compared to the TZRO, the Public Space Plan is a small property right
21 infringement. Councilman McEwan said he is inclined to repeal and revert, and look at
22 properties on a more individual basis. Mr. Thacker encouraged property owners to keep an
23 open mind regarding property lines and easements, and not limit opportunities by refusing to
24 allow any easements to accommodate improvements. It was explained that a setback is still
25 measured from the property line, not from an easement.
26

27 Mr. Pitt said he has hired someone to make drawings for his property, but he is waiting
28 for the Council's decision to know how to move forward.
29

30 Michael Randall – Mr. Randall said he owns the Main Street Garage. Mr. Randall said
31 he has serious questions about the Plan, but there does not seem to be much he can do to
32 control it.
33

34 Chair Hirschi said that, as citizen planners, the Planning Commission tried to really study
35 the issue and spark interest in making Main Street more beautiful. More could be done in the
36 public space, and he suggested the property owners talk together and put together ideas to
37 present to the Planning Commission and Council. Commissioner Wright pointed out that the
38 Centerville Walmart looks and feels nicer than other Walmarts because a strong Public Space
39 Plan was in place for that area. A plan needs to be in place for the SMSC. Councilwoman
40 Fillmore said that, if decisions are going to be made based on cost, a cost benefit analysis
41 would be helpful. She emphasized that the quality of Main Street speaks to the quality of the
42 entire community, and the Council has received a lot of feedback that citizens would like the
43 appearance of Main Street improved. Ms. O'Brien asked the Council and Planning Commission
44 to remember that simplicity is beautiful.
45

46 Councilman McEwan said he would like to ask staff to prepare for the Council to repeal
47 the ordinance at the next Council meeting, with the assumption that quick action will be taken to
48 implement a simpler plan. He said he is willing to take the risk that development will occur
49 during the transition. Mr. Snyder reminded the Council that a recommendation has been made
50 by the Planning Commission that will require action. Councilwoman Fillmore said she feels it
51 would be easier to modify the existing structure than repeal and start from scratch. A majority of

1 the Council appeared to be in favor of taking action on the Planning Commission
2 recommendation at the next meeting.

3
4 **ADJOURNMENT**

5
6 Mayor Cutler adjourned the meeting at 9:54 p.m.

7
8
9
10
11
12 _____
13 Marsha L. Morrow, City Recorder

_____ Date Approved

14
15
16
17 _____
18 Katie Rust, Recording Secretary

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 2.

Short Title: Agreements re construction of water main under railroad tracks with Union Pacific Railroad and Utah Transit Authority

Initiated By:

Scheduled Time: 7:15

SUBJECT

RECOMMENDATION

Approve the Agreements with UTA and UPR allowing the City to install a water main under I-15 at Chase Lane to improve culinary water service to the area west of I-15.

BACKGROUND

In 2012 the City issued water revenue bonds to finance the construction of several water system projects. The only bond-related project that remains to be constructed is a water main under I-15 at Chase Lane to improve service to the west side, where further development/redevelopment is expected. The original plan was to install this water main within an abandoned drainage culvert under both I-15 and the railroad tracks. In 2014 the City Council approved agreements with both Union Pacific Railroad and Utah Transit Authority (UTA) for permission to go under their tracks via this culvert. However, the option of using the abandoned culvert ultimately became unfeasible. Therefore, the current plan is to bore the water main under the freeway and tracks near this culvert. UPR and UTA are both requiring new agreements because of this change. City staff would like to complete this project by next Spring. The two new agreements are attached.

ATTACHMENTS:

Description

- ☐ UP Supplemental Agreement
- ☐ UTA Crossing Agreement
- ☐ UTA Crossing Agreement-Exhibit A

SUPPLEMENTAL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT is entered into on the ____ day of _____, 20__, between **UNION PACIFIC RAILROAD COMPANY** ("Licensor") and **CENTERVILLE CITY CORP.**, whose address is 250 North Main Street, Centerville, Utah 84014 ("Licensee").

RECITALS:

By instrument dated 09/24/2014, Licensor and Licensee, or their predecessors in interest, entered into an agreement ("Basic Agreement"), identified as Audit No. 273724, at CENTERVILLE, UTAH. The Licensee now desires to increase the size of the pipe from 12.75 inches to 14 inches.

AGREEMENT:

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

Article 1. SUBSTITUTION OF PRINT.

The print dated February 26, 2016, attached hereto as Exhibit 'A', shall be and hereby is substituted for the print dated January 21, 2014, attached to the Basic Agreement, and from and after the effective date herein whenever the term Pipeline is used in the Basic Agreement, or any amendment or supplement thereto (if any), such reference shall be deemed to refer to the Pipeline as shown on Exhibit 'A', hereto attached.

Article 2. ADMINISTRATIVE HANDLING CHARGE.

Upon execution and delivery of this Supplemental Agreement, the Licensee shall pay to the Licensor an administrative handling charge of **One Thousand DOLLARS (\$1,000.00)**.

Article 3. AMENDMENT OF SECTION 13 A OF THE BASIC AGREEMENT.

Effective as of September 01, 2016, Section 13 A of the Basic Agreement is hereby amended to read as follows:

Section 13. TERMINATION.

- A. If the Licensee does not use the right herein granted or the Pipeline for one (3) years, or if the Licensee continues in default in the performance of any covenant or agreement herein contained for a period of thirty (30) days after written notice from the Licensor to the Licensee specifying such default, the Licensor may, at its option, forthwith immediately terminate this Agreement by written notice.

Article 4. EFFECTIVE DATE.

This Supplemental Agreement shall be effective as of September 01, 2016.

Article 5. AGREEMENT SUPPLEMENT.

Nothing in this Supplemental Agreement shall be construed as amending or modifying the Basic Agreement unless specifically provided herein.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement as of the day and year first written.

UNION PACIFIC RAILROAD COMPANY

CENTERVILLE CITY CORP.

By: _____
Valerie Harrill
Asst. Manager

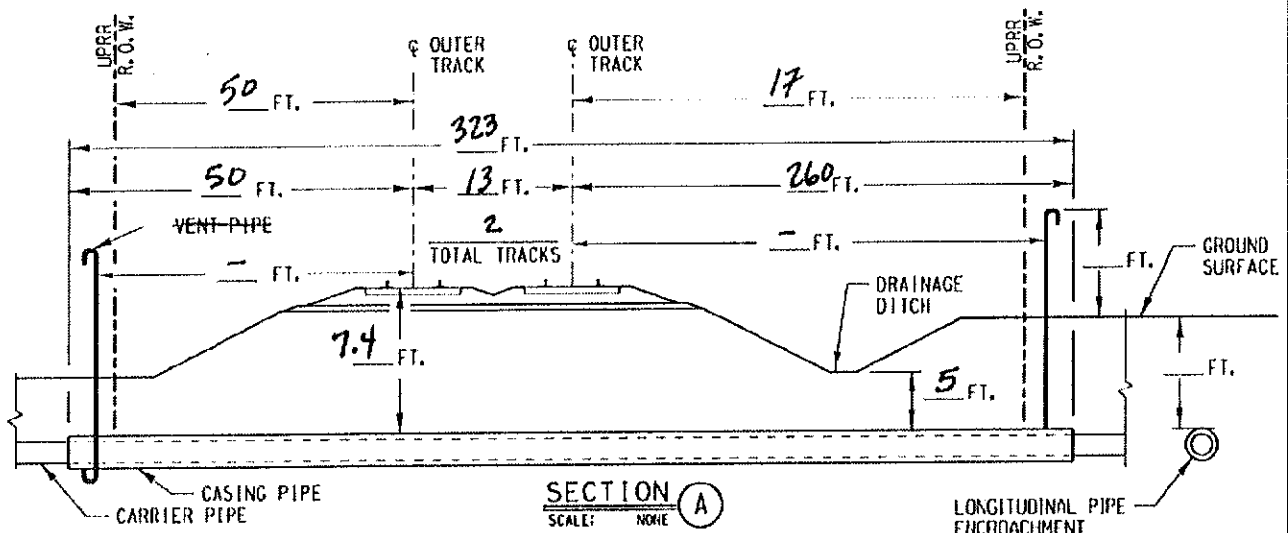
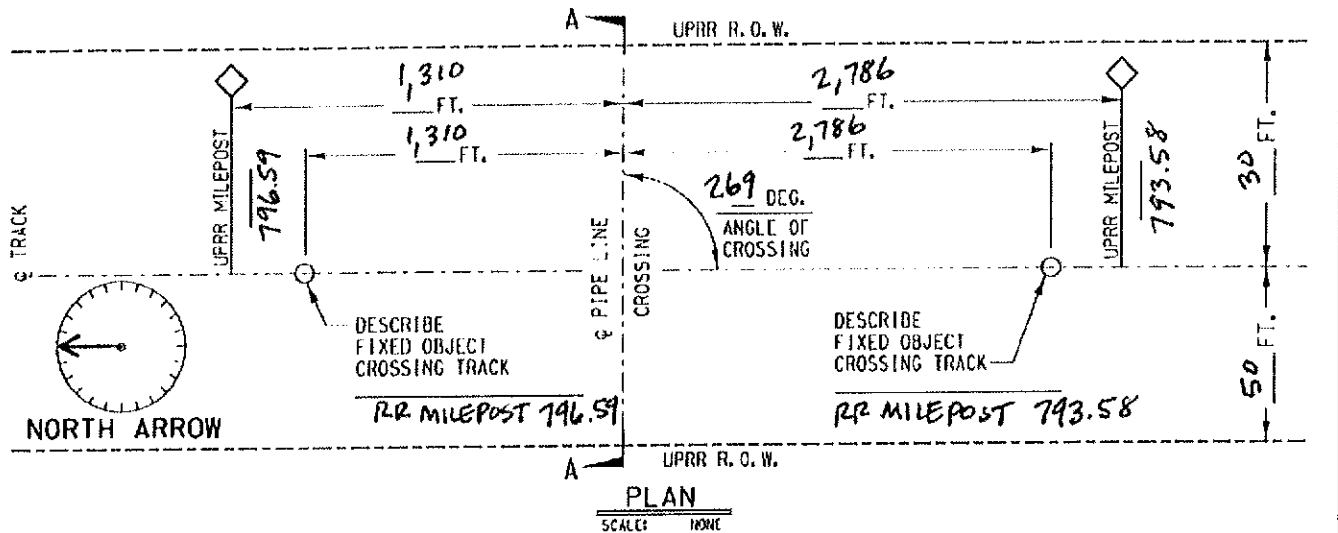
By: _____

Name Printed: _____

Title: _____

NON-FLAMMABLE LIQUID PIPELINE

☒ CROSSING
☐ ENCROACHMENT
☐ BOTH



NOTES:
1) ALL DIMENSIONS MEASURED PERPENDICULAR TO THE CENTERLINE OF TRACK,
2) REFER TO AREMA VOLUME 1, CHAPTER 1, PART 5, SECTION 5.3.

- A) METHOD OF INSTALLATION DRY BORE AND JACK
B) DIST. FROM CENTERLINE OF TRACK TO PIPE ENCROACHMENT _____
C) SIGNS PROVIDED? HOPE
D) CARRIER MATERIAL _____ IF RCP, CLASS V? _____
COMMODITY TO BE CONVEYED WATER
OPERATIONAL PRESSURE 90 PSI. MDDP _____ PSI.
WALL THICKNESS (INCH) / SCHEDULE 1.35 / _____ DIAMETER 14 IN. (OUTSIDE DIA.)
CATHODIC/COATING PROTECTION _____
E) CASING MATERIAL STEEL IF RCP, CLASS V? _____
TOTAL LENGTH CASING PIPE: 323 FT.
WALL THICKNESS 0.375 IN. DIAMETER 18 IN. (INSIDE DIA.)
CATHODIC/COATING PROTECTION _____
CASING PIPE IS _____ AT THE ENDS.
F) DISTANCE FROM CENTERLINE OF TRACK TO NEAR FACE OF BORING AND JACKING PITS WHEN MEASURED AT RIGHT ANGLES 30 AND 260.



BUILDING AMERICA®

EXHIBIT "A"

SUBDIVISION: SALT LAKE
TRACK TYPE: Mainline
M.P.: 794.1 LAT.: 40.929106
E.S.M.: 1313+99 LONG.: -111.89196
NEAREST CITY: CENTERVILLE COUNTY: DAVIS STATE: UT
APPLICANT: CENTERVILLE CITY
FILE NO.: 0284684 DATE: 02/26/16

PIPELINE CROSSING AGREEMENT
(Interlocal Municipal Pipeline Form)

UTA Contract # SO/D/2568/P
Mile Post: N 12.39
Latitude: 40.9290
Longitude: -111.8920
Centerville, Utah

THIS PIPELINE CROSSING AGREEMENT (the "Agreement") is made and entered into as of the _____ day of _____, 2016 (to be dated after the final executing signature by UTA), by and between UTAH TRANSIT AUTHORITY, a public transit district organized pursuant to the laws of the State of Utah (hereinafter "UTA"), and Centerville City Corporation, a municipal corporation organized under the laws of the State of Utah, with a principal address of 250 N Main Street, Centerville, Utah 84014 (hereinafter "Licensee").

RECITALS

WHEREAS, UTA is the owner of a certain railroad corridor known as the Commuter Rail North Line (the "Right of Way") acquired by UTA for the development and expansion of its public transportation system;

WHEREAS, Adjacent to the UTA owned property is railroad corridor owned and operated by the Union Pacific Railroad Company;

WHEREAS, on or about October 02, 2014 the parties entered into that certain Pipeline Crossing Agreement (the "2014 Crossing Agreement") designated as UTA Contract SO/D/2568/P, at or about Milepost N 12.38, Centerville, Utah, pursuant to which UTA granted certain rights to Licensee as further described therein; and

WHEREAS, Licensee was unable to perform the installation of the Pipeline, and did not commence or complete any physical work on the site pursuant to the 2014 Crossing Agreement; and

WHEREAS, Licensee determined it would be best to redesign and install a pipeline at a new location approximately 40 feet north of the original location; and

WHEREAS, UTA and Licensee desire to terminate the 2014 Crossing Agreement and to enter into this Pipeline Crossing Agreement (the "Agreement"); and

WHEREAS, Licensee intends to construct an 18" steel casing containing a 14" HDPE culinary water line (the "Pipeline") via directional bore method at a minimum of 3.5 feet below the lowest point of the surface of the Right of Way which will cross at approximately Mile Post N 12.39 underneath the Right of Way; and

WHEREAS, Licensee desires a license for the construction, operation and maintenance of the Pipeline.

AGREEMENT

NOW THEREFORE, on the stated Recitals, which are incorporated herein by reference, and for and in consideration of the mutual covenants and agreements hereinafter set forth, the

Revised 3-9-2016

mutual benefits to the Parties to be derived herefrom, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, it is hereby agreed as follows:

ARTICLE I INCORPORATED TERMS AND DEFINITIONS

For purposes of this Agreement, the following definitions shall apply:

1.1 "Construct" and "Construction" mean the initial installation of the Pipeline (or any improvements to the Pipeline) in or otherwise materially affecting the Right of Way, as well as any subsequent reconstruction, relocation, restoration or rehabilitation of the Pipeline (or any improvements to the Pipeline) in or otherwise materially affecting the Right of Way.

1.2 "Emergency Access Manager" means the person or office responsible for controlling emergency Construction and Maintenance access to the Right of Way. The Emergency Access Manager as of the execution of this Agreement is (801) 287-5455. UTA may change the designated Emergency Access Manager from time to time by delivery of notice in accordance with Article XVI of this Agreement.

1.3 "Freight Operator" means any entity using the Right of Way, or any portion thereof, to provide common carrier freight operations.

1.4 "Governmental Authority" means any federal, state, municipal, local or other division of government, or any agency thereof, having or asserting jurisdiction with respect to any matter related to this Agreement.

1.5 "Hazardous Materials" mean any materials or substances: (i) which are present in quantities and in forms which require investigation, removal, cleanup, transportation, disposal, response or remedial action (as the terms "response" and "remedial action" are defined in Section 101 of the Comprehensive Environmental Compensation and Liability Act of 1980, as amended, 42 U.S.C. §9601 (23) and (24)) under any applicable federal, state or local environmental law, regulation, ordinance, rule or bylaw, as such are amended from time to time, whether existing as of the date hereof, previously enforced or subsequently amended (each hereafter an "Environmental Law"); or (ii) which are defined as "hazardous wastes," "hazardous substances," "pollutants" or "contaminants" under any Environmental Law.

1.6 "Losses" mean any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs resulting from: ~~(i) loss of or damage to the~~ property of any Party or Third Person; (ii) death or personal injury to the agents of any Party or to any Third Person; or (iii) the cleanup or other requirements regarding any incident involving Hazardous Materials. The term "Losses" shall not include any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs excluded from Licensee's indemnification obligations and assumed by UTA pursuant to Sections 8.1 and 8.2 of this Agreement.

1.7 "Maintain" and "Maintenance" mean the performance of any repair, restoration, rehabilitation, refurbishment, retrofitting, inspection, monitoring, observation, testing, or similar work with respect to the Pipeline (or any improvements to the Pipeline) in or otherwise materially affecting the Right of Way.

1.8 "Master Interlocal Agreement" means that certain Master Interlocal Agreement Regarding Fixed Guideway Systems Located Within Railroad Corridors, effective February 13, 2004, entered by and among UTA and the various municipalities and counties within which UTA's rights of way are situated.

1.9 "Party" and "Parties" mean UTA or Licensee, and UTA and Licensee, respectively.

1.10 "Pipeline" means the 18" steel casing containing a 14" HDPE culinary water line to be installed by Licensee via directional bore method of installation, pursuant to this Agreement and located a minimum of 3.5 feet below the lowest point of the surface of the Right of Way at Mile Post N 12.39 (Latitude 40.9290, Longitude -111.8920) of the Commuter Rail North Line in Centerville, Utah. The term "Pipeline" shall also apply to any and all rearrangements, modifications, reconstruction, relocations, removals and extensions or additions concerning the Pipeline that are authorized and approved by UTA pursuant to this Agreement (unless they are the subject of a separate agreement that does not incorporate the terms hereof).

1.11 "Third Person" means any individual, corporation or legal entity other than UTA and Licensee.

1.12 "Track Improvements" mean any and all tracks, rails, ties, switches, frogs, end of track barricades or bumpers and other barricades or bumpers, derail devices, tie plates, spikes, wires, fastenings and any other appurtenances related thereto, drainage structures, grading, ballast, subgrade stabilization, crossings, tunnels, bridges, trestles, culverts, structures, facilities, leads, spurs, turnouts, tails, sidings, signals, crossing protection devices, communications systems or facilities, catenary systems and wires, poles and all other operating and non-operating appurtenances located within the Right of Way.

1.13 "UTA System" means any light rail, commuter rail, trolley, guided busway, or similar public transportation system constructed by UTA in the Right of Way as contemplated in the Master Interlocal Agreement.

1.14 "Utility" and "Utilities" mean and include all properties, facilities, utilities, crossings, encroachments, lines and similar appurtenances located within the Right of Way by permissive or prescriptive authority including, but not limited to, pipelines, tubelines, water and gas lines or mains, electrical conduits, ditches and other drainage facilities, wires, fiber optics, communication lines, sewer pipes, overhead wiring and supporting structures and appurtenances, and all similar installations.

1.15 "Work Window" means the time period designated by UTA during which Construction, Maintenance and any other work with respect to the Pipeline within the Right of Way is permissible. UTA may, at any time and at UTA's sole discretion, determine that the Work Window shall not be concurrent with any passenger operations within the Right of Way.

ARTICLE II GRANT OF LICENSE AND REAL ESTATE USAGE CHARGE; TERMINATION OF 2014 CROSSING AGREEMENT

2.1 UTA customarily assesses a standard administrative fee reflecting the clerical, administrative and handling expense incurred in connection with the processing of this

Agreement. The standard administrative fee has been waived consistent with the provisions of the Master Interlocal Agreement.

2.2 In consideration of the real estate usage charge to be paid by Licensee, and in further consideration of the covenants and agreements to be kept, observed and performed by Licensee hereunder, UTA hereby grants Licensee a license to Construct, Maintain and operate the Pipeline in the location shown and in conformity with the dimensions and specifications indicated on the attached print dated **February 4, 2016** and approved by UTA dated **March 31, 2016** marked Exhibit "A" (Exhibit "A" is attached hereto and hereby incorporated into and made a part of this Agreement by reference).

2.3 In connection with the 2014 Crossing Agreement, Licensee previously paid UTA an upfront real estate usage charge of **\$980.91** for the License. Licensee also previously paid upfront Special Inspection fees of **\$280.88**. UTA will transfer the real estate usage charge and the special inspection fees from the 2014 Crossing Agreement to this Agreement. **Licensee shall pay additional upfront Flagging cost of \$1,377.68 and Special Inspection cost of \$280.88 (these fees are more clearly described in Section 5.1).**

2.4 This license granted by this Agreement is conditioned on the provision that Licensee shall obtain all necessary permission from and comply with all the requirements of the Union Pacific Railroad Company.

2.5 Upon full execution hereof, the 2014 Crossing Agreement is and shall be terminated in its entirety. Licensee represents and warrants that no physical work was done pursuant to the 2014 Crossing Agreement on the site designated therein.

ARTICLE III ACCESS TO THE RIGHT OF WAY

3.1 Except in the event of an emergency (as provided in Section 3.2 below), Licensee shall request permission from UTA at least ten days (or such shorter period as may be approved by UTA) prior to performing any Construction or Maintenance in or otherwise materially affecting the Right of Way. Licensee's request to access the Right of Way shall be specific as to the time, date and activities for which Licensee seeks permission. The request shall also include a summary of the method and manner in which the Construction or Maintenance will be performed. As part of the application process, UTA may require Licensee (and its contractors or other agents seeking access to the Right of Way) to attend any track access coordination meetings, safety training or other instruction as may be deemed necessary by UTA. Once granted, UTA's permission to enter the Right of Way shall be formalized in writing and delivered to Licensee. After permission has been granted, Licensee shall comply with all conditions, instructions and requirements of such permit and with all instructions or directions given by UTA including, if required, daily telephone notification to the applicable rail dispatch center prior to each entry into the Right of Way. All contact with UTA shall be coordinated through the person designated by UTA from time to time as set forth in Article XVI of this Agreement. Provided that Licensee complies with the provisions of this Section, UTA agrees not to unreasonably withhold, condition, or delay its approval of Licensee's request.

3.2 Licensee shall have the right to enter the Right of Way in the event of an emergency to make repairs necessary to protect against imminent and serious injury or damage to persons or property. Licensee shall take all precautions necessary to ensure that such emergency entry does not compromise the safety of any operations conducted in the Right of Way by UTA

or the Freight Operator. Licensee must notify the Emergency Access Manager of the emergency access and the work being performed prior to entering the Right of Way.

ARTICLE IV CONSTRUCTION AND MAINTENANCE OF THE PIPELINE

4.1 All Construction and Maintenance with respect to the Pipeline shall be performed to the satisfaction of UTA and in accordance with the conceptual, engineering and/or design plans ("Design Plans") previously approved by UTA and attached hereto as Exhibit "A." All Construction and Maintenance with respect to the Pipeline shall be performed in a workmanlike manner, in compliance with all applicable industry standards and in compliance with the requirements of any applicable Governmental Authority. UTA may impose requirements in addition to or more stringent than industry or legal standards if UTA deems such requirements necessary for the safety of operations conducted in the Right of Way. UTA may also require additional fabrication methods, staging requirements or other precautions. All Construction and Maintenance with respect to the Pipeline shall be performed during the designated Work Window. UTA shall have the right, but not the obligation, to observe any and all work performed in or otherwise materially affecting the Right of Way in connection with the Pipeline to ensure that such work is performed in accordance with the requirements set forth in this Agreement. In its Construction or Maintenance of the Pipeline, Licensee shall not make any material deviation from the Design Plans without UTA's prior written approval. Licensee shall submit to UTA plans setting out the method and manner of handling all work to be performed under the Track Improvements including, without limitation, the shoring and cribbing, if any, required to protect the operations of UTA, the Freight Operator or the owner of any adjacent tracks. Licensee shall not proceed with any such work until Licensee's proposed methods have been approved by UTA. The Pipeline shall be placed at the depth acceptable to UTA and shall not interfere with any Track Improvements. The Pipeline shall maintain a side clearance that is as great as reasonably possible but in no event less than eleven (11) feet from the center line of any rail.

4.2 Various Utilities exist on, over and under the surface of the Right of Way. Prior to commencing any Construction or Maintenance with respect to the Pipeline, Licensee shall properly investigate and determine the location of all such Utilities. In addition to the required investigation, Licensee shall have all Utilities in the area of the Pipeline "blue-staked" and clearly marked prior to any excavation. Licensee shall make arrangements for the protection of all Utilities and shall commence no excavation, boring or other penetration in the Right of Way until all such protection has been accomplished.

4.3 Fiber optic cable systems may be buried in the Right of Way. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall be solely responsible for contacting UNION PACIFIC RAILROAD COMPANY during normal business hours (7:00 a.m. to 9:00 p.m. Central Time, Monday through Friday, except holidays) at 1-800-336-9193 (also a 24-hour, 7-day number for emergency calls) and for determining if fiber optic cable is buried near the location of the Pipeline. If so, Licensee will contact the telecommunications company(ies) involved, make arrangements for a cable locator and, if applicable, make arrangements for relocation or other protection of the fiber optic cable. Licensee shall not commence any work until all such protection and/or relocation have been accomplished. Licensee shall be solely responsible for all coordination with Union Pacific and any telecommunications companies. In coordinating the relocation or protection of fiber optic cable, Licensee shall not rely on any statements, engineering drawings or other oral or written representations of UTA or its representatives. In addition to other indemnity provisions in this

Agreement, Licensee shall indemnify, defend and hold the UTA Indemnitees (as defined in Section 8.1 of this Agreement) harmless from and against all Losses arising out of: (a) any damage to or destruction of any telecommunications system proximately caused by any Construction, Maintenance or other work performed by Licensee or its agents relative to the Pipeline; and/or (b) any injury to or death of any person employed by or on behalf of any telecommunications company proximately caused by any Construction, Maintenance or other work performed by Licensee or its agents relative to the Pipeline. Except to the extent that liability is assumed by UTA as set forth in Sections 8.1 and 8.2 of this Agreement, Licensee shall not have or seek recourse against UTA for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using UTA's Right of Way or a customer or user of services of the fiber optic cable on UTA's Right of Way.

4.4 Licensee shall be solely responsible for obtaining any property rights, easements, licenses, rights of way or other permission from Third Persons (collectively "Third Person Property Rights") as may be necessary to Construct, Maintain or operate the Pipeline including, without limitation, any needed permission from the owner of any adjacent railroad corridor. Licensee shall also be solely responsible for obtaining any necessary franchises, permits or other necessary approvals from Governmental Authorities (collectively "Approvals"). Licensee agrees to pay any and all costs and expenses relating to such Third Person Property Rights or Approvals, and to assume any and all liability therefore.

4.5 Except as authorized in this Agreement or as may be immediately required for (and only at the actual time of) performance of any Construction or Maintenance contemplated under this Agreement, and then only in full compliance with all clearance standards and other safety requirements, Licensee shall not place, permit to be placed, erect, pile, store, stack, park, suffer or permit any line, building, platform, fence, gate, vehicle, car, pole, or other structure, obstruction, or material of any kind within the Right of Way.

4.6 Licensee shall Construct, Maintain and operate the Pipeline in compliance with all requirements imposed by any Governmental Authority including, without limitation, the requirements of the Federal Railroad Administration, the Occupational Safety and Health Administration and the Utah Department of Transportation. Licensee shall also Construct, Maintain and operate the Pipeline in compliance with all applicable environmental laws. The Pipeline shall be sleeved. Licensee shall take all suitable precautions to prevent any leakage or other interference with the operation of the Track Improvements or any other UTA or Third Person installations or facilities. If for any reason the Construction of the Pipeline causes interference with the operation of Track Improvements or any other UTA or Third Person installations or facilities existing prior to the Construction of the Pipeline, Licensee shall, upon notification by UTA and at Licensee's sole cost and expense, take such action as is necessary to eliminate the interference.

4.7 If, in connection with the performance of any Construction or Maintenance work, Licensee or its Contractor damages any Track Improvements, Utilities, or any other facilities, Licensee shall repair or replace such facilities with the same or similar materials, if available, as reasonably required by the UTA, consistent with applicable Federal and State laws and regulations and to the satisfaction of the UTA.

4.8 At the request of UTA, Licensee shall install markers identifying the location of the Pipeline and related appurtenances at the Right of Way boundaries (where the Pipeline enters and exits the Right of Way) or other locations where UTA may designate. Markers shall be

installed in a form and size as may be determined by UTA and at the sole cost and expense of Licensee. UTA hereby expressly reserves the right to require Licensee to erect and maintain, at Licensee's sole cost and expense, any and all signs of any character and nature whatsoever (e.g. location of Pipeline, precautionary and/or warning signs, etc.) that UTA deems necessary or advisable in connection with the operation of the Pipeline. Licensee shall install and/or erect any marker or sign that may be required under this Section within thirty (30) days after receiving written instructions from UTA.

4.9 Upon completion of any Construction or Maintenance relating to the Pipeline, Licensee shall restore the surface of the Right of Way to its prior condition including, but not limited to, replacing any soil that was removed and thoroughly compacting it level with the adjacent surface of the ground and restoring any fences or other property that Licensee disturbed or removed from the Right of Way.

4.10 If a contractor is to perform any Construction or Maintenance contemplated in this Agreement, then the Licensee shall cause its contractor to comply with all applicable provisions of this Agreement. Additionally, Licensee shall require its contractor to execute UTA's form Contractor's Right of Entry Agreement (the "Contractor Agreement"). Any and all contractors used by Licensee in the Construction or Maintenance of the Pipeline are subject to the approval of UTA, which approval shall not be unreasonably withheld, conditioned or delayed.

4.11 If Licensee fails to notify UTA a minimum of 10 days before the initial installation of the Pipeline or if Licensee's Contractor fails to obtain a Contractor Agreement, Licensee agrees to pay UTA an additional \$3,000 as a fee for the initial inspection of the Pipeline, together with any other additional fees incurred by UTA to verify that the Pipeline was installed as per the approved plans. Such review and verification could include exposing the line to verify the depth of and materials installed. If the Pipeline was not installed in the approved location, depth, and with the approved materials, as described in the approved plans, Licensee agrees to remove the Pipeline and reinstall it according to the approved plans at Licensee's sole cost and expense.

ARTICLE V CONSTRUCTION OBSERVATION BY UTA - LICENSEE TO BEAR ALL COSTS

5.1 The current cost of flagging is \$688.84/day for an eight (8) hour day and \$921.83/day for a twelve (12) hour day. Flagging is charged in blocks, with a minimum billing of an 8-hour period. The current cost for a special inspector is \$70.22/hour with a two hour minimum charge per inspection/inspector. UTA has determined that two, 8-hour day(s) for Flagging and four, 2-hour day(s) for a Special Inspection will be needed for the construction of this Pipeline. Licensee will pre-pay \$1,658.56 for the additional Flagging and a Special Inspection not previously paid at or before the execution of this agreement. If after the construction of the Pipeline extra days of Flagging or Special Inspection have been collected, Licensee may submit in writing for a refund from UTA. Submission for refund will need to be submitted to UTA within 30 days of the date of completion of the Pipeline. Refunds will only be issued after confirmation from UTA operations that the flagging and special inspection days were not used.

5.2 In the event that UTA, in its sole discretion, determines that any other inspectors (technical or special), monitors, observers, safety personnel, additional flaggers or other persons are required given the nature of the Construction or Maintenance to be performed, UTA may, at

its sole discretion, provide such personnel and Licensee shall, within 30 days, reimburse UTA for the reasonable costs thereby incurred.

ARTICLE VI

LICENSEE TO BEAR ALL COSTS RELATED TO PIPELINE

Except as otherwise set forth in the Master Interlocal Agreement, or in Sections 7.2 and Article 8 of this Agreement, Licensee shall be solely responsible for any and all costs incurred with respect to any Construction, Maintenance or other work related to the Pipeline.

ARTICLE VII

SUBORDINATION OF RIGHTS GRANTED - RELOCATION OF PIPELINE

7.1 The rights granted pursuant to this Agreement shall be subject and subordinate to the prior and continuing right and obligation of UTA to fully use the Right of Way, including the right and power of UTA to construct, maintain, repair, renew, use, operate, modify, or relocate new or existing Track Improvements upon, along, above, or across any or all parts of the Right of Way and other UTA property, all or any of which may be freely done at any time or times by UTA. The grant of license for the Pipeline is made without covenants of title or quiet enjoyment. UTA makes no warranties, either express or implied, regarding the nature, extent or status of its title to the Right of Way or regarding the existence or nonexistence of Third Person rights which may be superior to the license granted pursuant to this Agreement.

7.2 Licensee shall, within 60 days after receipt of written notice from UTA, modify or relocate (or, if agreed between the Parties, allow UTA to modify or relocate) all or any portion of the Pipeline as UTA may reasonably designate. To the extent that the modification or relocation of the Pipeline is necessitated by the construction, reconstruction, modification or relocation of any UTA System, UTA shall be responsible for the costs of such relocation. To the extent that the modification or relocation of the Pipeline is necessitated because the Pipeline is conflicting with or causing interference with any UTA or Third Person Track Improvements or Utilities existing prior to the Construction of the Pipeline, then Licensee shall be responsible for the costs of such relocation. All the terms, conditions and stipulations herein expressed with reference to the Pipeline in the location described herein shall, so far as the Pipeline remains on UTA property, apply to the Pipeline as modified or relocated pursuant to this Section.

7.3 The foregoing grant is also subject to the outstanding superior rights previously conveyed or granted to Third Persons by UTA, or its predecessors in interest, and the right of UTA to renew and extend the same.

ARTICLE VIII

INDEMNITY AND RELEASE

8.1 Licensee agrees to protect, defend, release, indemnify and hold harmless UTA, and any successors, contractors, officers, directors, agents and employees of UTA (the "UTA Indemnitees"), from and against any and all Losses resulting from: (a) negligence on the part of Licensee, or any employees, principals, contractors or agents of Licensee, in conjunction with any Construction, Maintenance or other work performed by or on behalf of Licensee with respect to the Pipeline; (b) negligence on the part of Licensee, or any employees, principals, contractors or agents of Licensee, in the use or operation of the Pipeline; or (c) Licensee's breach of any provision of this Agreement. Notwithstanding the foregoing, Licensee shall not be required to indemnify UTA for, and UTA hereby assumes responsibility for, any losses, damages, claims,

demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs that are proximately caused by the negligence, recklessness or willful misconduct of UTA with respect to the construction, maintenance or operation of any UTA System.

8.2 Licensee acknowledges that the Right of Way may be subject to prospective purchaser agreements and covenants not to sue that UTA has entered with the Utah Department of Environmental Quality and the United States Environmental Protection Agency. Pursuant to such agreements, UTA is required to characterize any excavated soil that appears to contain (or has the potential to contain) Hazardous Materials and to handle and dispose of any such soil in compliance with applicable state and federal laws. Under these agreements, UTA is not required to excavate any soil except as required for construction related to the installation of a UTA System. Accordingly, any excavation that Licensee performs with respect to the Pipeline exposes UTA to potential environmental liability that would not otherwise be present. As consideration for the rights granted to Licensee hereunder, Licensee agrees to assume all potential liability and responsibility for, and to indemnify and hold UTA harmless with respect to, any Losses related to the characterization and removal of any Hazardous Materials discovered during Construction or Maintenance. Licensee agrees to perform any such characterization and removal in full compliance with all applicable state and federal environmental laws. Notwithstanding the foregoing, Licensee shall not be required to indemnify UTA for, and UTA hereby assumes responsibility for, any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs related to any Hazardous Materials discovered as the result of modification or relocation work performed by or on behalf of Licensee in conjunction with the construction, reconstruction, modification or relocation of any UTA System. To the extent that either Party actually causes a release of Hazardous Materials into the Right of Way, such party shall be responsible for the characterization and removal of such Hazardous Materials and shall indemnify the other Party with respect to all losses resulting therefrom.

8.3 Licensee hereby releases UTA from, and agrees not to seek recourse against UTA with respect to, any claims, damages, fees, expenses or other losses proximately caused by Third Persons including, without limitation, Third Persons having licenses or other interests in the Right of Way. Nothing contained herein shall be construed or deemed to be a release of any Third Persons by Licensee.

8.4 The provisions of this Article shall survive the termination of this Agreement.

ARTICLE IX CLAIMS AND LIENS FOR LABOR AND MATERIALS; TAXES

9.1 Licensee shall fully pay for all materials joined or affixed to the Right of Way in connection with the Pipeline, and for all labor performed with respect to the Pipeline. Licensee shall not permit or suffer any mechanic's or materialman's lien of any kind or nature to be enforced against the property for any work done or materials furnished thereon at the instance or request or on behalf of Licensee.

9.2 Licensee shall promptly pay or discharge all taxes, charges and assessments assessed or levied upon, in respect to, or on account of the Pipeline to prevent the same from becoming a charge or lien upon the Right of Way and so that any taxes, charges and assessments levied upon or with respect to such property shall not be increased because of the Pipeline or any improvements, appliances, or fixtures connected therewith.

ARTICLE X TERMINATION

10.1 UTA may terminate this Agreement if: (a) Licensee ceases to use the Pipeline in an active and substantial way for any continuous period of 1 year; (b) Licensee continues in default with respect to any provision of this Agreement for a period of 30 days after UTA delivers written notice to Licensee identifying the nature of Licensee's breach of this Agreement; provided, however that if the nature of Licensee's breach is such that it cannot be cured within such 30-day period, Licensee shall not be deemed in default if Licensee commences to cure the breach within 30 days and thereafter diligently continues to remedy the breach; or (c) Licensee removes the Pipeline from the Right of Way.

10.2 Termination of this Agreement for any reason shall not affect any of the rights, obligations or liabilities that have accrued prior to or concurrent with such termination.

ARTICLE XI INSURANCE

11.1 During the life of this Agreement, Licensee shall, at its sole cost and expense, obtain and maintain the insurance described in Exhibit "B" (Exhibit "B" is attached hereto and hereby incorporated into and made a part of this Agreement by reference). Licensee will also provide to UTA a Certificate of Insurance, identifying UTA Contract Number SO/D/2568/P, issued by its insurance carrier confirming the existence of such insurance and indicating that the policy or policies contain the following endorsement:

"Utah Transit Authority is named as an additional insured with respect to all liabilities arising out of the existence, use or any work performed on or associated with the Pipeline Crossing Agreement SO/D/2568/P in the railroad right of way known as the Commuter Rail North Line at approximately Mile Post N 12.39 in Centerville, Davis County, Utah"

11.2 Failure to maintain insurance as required shall entitle, but not require UTA to terminate the license granted hereby immediately.

11.3 If Licensee is a public entity subject to any applicable statutory governmental immunity laws, the limits of insurance described in Exhibit "B" shall be the limits the Licensee then has in effect or that are required by applicable current or subsequent law, whichever is greater, a portion of which may be self insured with the consent and approval of UTA. Licensee does not waive any of its rights of entitlements to governmental immunity and limitations on liability to Third Persons under the Utah Governmental Immunity Act.

11.4 Licensee hereby acknowledges that it has reviewed the requirements of Exhibit "B", including without limitation the requirement for Railroad Protective Liability Insurance during construction, maintenance, installation, repair or removal of the pipeline which is the subject of this Agreement.

ARTICLE XII REMOVAL OF PIPELINE UPON TERMINATION OF AGREEMENT

Upon termination of this Agreement pursuant to Article X hereof, Licensee shall, if requested in writing by UTA and at Licensee's sole cost and expense, remove the Pipeline from

the Right of Way and shall restore, to the satisfaction of UTA, such portions of the Right of Way to at least as good a condition as such were in at the time that Licensee first entered the Right of Way. If Licensee fails to do the foregoing within a reasonable time, UTA may, at its option, perform such removal and restoration work at the expense of Licensee. Licensee shall reimburse UTA for the costs incurred in any restoration or removal work performed under this Article within 30 days after receipt of the bill therefore. In the event UTA removes the Pipeline pursuant to this Article, UTA shall in no manner be liable to the Licensee for any damage sustained by Licensee for or on account thereof, and such removal and restoration shall in no manner prejudice or impair any other right of action, including the recovery of damages, that UTA may have against the Licensee. The provisions of this Article shall survive the termination of this Agreement.

ARTICLE XIII ASSIGNMENT

Licensee may not assign this Agreement, in whole or in part, or any rights herein granted, without UTA's written consent, which consent shall not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, Licensee may assign this Agreement and its rights hereunder as part of a consolidation with an entity that: (a) is a successor governmental entity to Licensee; (b) is annexed with, merged into or consolidated with Licensee; or (c) that acquires substantially all of the assets of Licensee provided, however, that in any of the above instances such entity seeking an assignment under this Article must, as a condition to such assignment, assume all terms and conditions of this Agreement without limitation.

ARTICLE XIV SUCCESSORS AND ASSIGNS

Subject to the provisions of Article XIII, this Agreement shall be binding upon and inure to the benefit of the Parties hereto, their officers, employees, representatives, successors and assigns.

ARTICLE XV SEVERABILITY

This Agreement is executed by the Parties under current interpretation of any and all applicable federal, state, county, municipal, or other local statutes, ordinances, or laws. Furthermore, each and every separate division hereof shall have independent and severable status from each other division, or combination thereof, for the determination of legality, so that if any separate division herein is determined to be unconstitutional, illegal, violative of trade or commerce, in contravention of public policy, void, invalid or unenforceable for any reason, that separate division shall be treated as a nullity but such holding or determination shall have no effect upon the validity or enforceability of each and every other division, or other combination thereof.

ARTICLE XVI NOTICES

Except as specifically provided elsewhere in this Agreement, all notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, or sent by overnight carrier to the

addresses set forth herein. Addresses for notice may be changed by giving ten (10) days written notice of the change in the manner set forth herein.

If to UTA:

Utah Transit Authority
Attn: Property Management
P.O. Box 30810
Salt Lake City, UT 84130-0810

With a Copy to:

Utah Transit Authority
Attn: General Counsel
P.O. Box 30810
Salt Lake City, UT 84130-0810

If to Licensee:

Centerville City Corporation
Attn: City Manager
250 North Main Street
Centerville, UT 84104

**ARTICLE XVII
NO IMPLIED WAIVER**

The waiver by UTA of the breach by Licensee of any condition, covenant or agreement herein contained shall not impair any future ability of UTA to avail itself of any remedy or right set forth in this Agreement. Neither the right of supervision by UTA, nor the exercise or failure to exercise such right, nor the approval or failure to disapprove, nor the election by UTA to repair or reconstruct all or any part of the work contemplated by this Agreement shall be deemed a waiver of any of the obligations of Licensee contained or set forth in this Agreement.

**ARTICLE XVIII
ENTIRE AGREEMENT - COUNTERPARTS**

This Agreement shall constitute the entire agreement and understanding of the Parties with respect to the subject matter hereof, and shall supersede all offers, negotiations and other agreements with respect thereto. Any amendment to this Agreement must be in writing and executed by an authorized representatives of each Party. This Agreement may be executed in any number of counterparts and by each of the Parties hereto on separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument. Any signature page of this Agreement may be detached from any counterpart and reattached to any other counterpart hereof. The facsimile transmission of a signed original of this Agreement or any counterpart hereof and the retransmission of any signed facsimile transmission hereof shall be the same as delivery of an original.

**ARTICLE XIX
FORUM SELECTION AND CHOICE OF LAW**

This Agreement shall be construed and interpreted under the laws of the State of Utah and the parties agree that any action or proceeding brought concerning this Agreement may be brought only in the courts of Salt Lake County, Utah, and each party hereto hereby consents to the jurisdiction of such courts.

**ARTICLE XX
SPECIAL PROVISIONS**

Special provisions, if any, are included in the attached Exhibit "C" (Exhibit "C" is attached hereto and hereby incorporated into and made a part of this Agreement by reference).

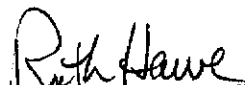
SECTION INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in duplicate as of the date first herein written.

UTAH TRANSIT AUTHORITY

Reviewed and Approved as to Form for UTA

UTA Engineering



UTA Legal

By: _____
Paul Edwards
Senior Program Manager

By: _____
Mailia Lauto'o
Manager, Property Administration

By: _____
Shelley Nielsen
Property Administrator

LICENSEE

By: _____
Paul Cutler/Mayor
Centerville City Corporation

EXHIBIT "A"
DESIGN PLANS

[Insert engineering drawings showing the proposed crossing including proposed construction methods, shoring and cribbing requirements and mile post location]

EXHIBIT "B"
INSURANCE REQUIREMENTS

Licensee shall, at its sole cost and expense, procure and maintain during the life of this Agreement the following insurance coverage:

- A. **Commercial General Liability Insurance:** Policy providing coverage for death, personal injury and property damage with a combined single limit of at least \$2,000,000 each occurrence or claim and an aggregate limit of at least \$4,000,000. The policy shall contain broad form contractual liability insurance covering the indemnity obligations assumed by Licensee in the Agreement. Exclusions for railroads (except where the Pipeline is in all places more than 50 feet from any railroad tracks, bridges, trestles, roadbeds, terminals, underpasses or crossings), and explosion, collapse and underground hazard shall be removed. Coverage provided on a "claims made" form shall provide for at least a two-year extended reporting and discovery period if (a) the coverage changes from a claims made form to an occurrence form, (b) there is a lapse/cancellation of coverage, or (c) the succeeding claims made policy retroactive date is different for the expiring policy.
- a. The policy must also contain the following endorsement, WHICH MUST BE STATED ON THE CERTIFICATE OF INSURANCE: "Contractual Liability Railroads" ISO from CG 24 17 10 01 (or a substitute form providing equivalent coverage) showing "Utah Transit Authority Property" as the Designated Job Site.
- B. **Automobile Liability Insurance:** Policy providing bodily injury, property damage and uninsured vehicles coverage with a combined single limit of at least \$2,000,000 each occurrence or claim. This insurance shall cover all motor vehicles including hired and non-owned, and mobile equipment if excluded from coverage under the commercial general liability insurance.
- C. **Worker's Compensation and Employer's Liability Insurance:** Policy covering Licensee's statutory liability under the laws of the State of Utah. If Licensee is self-insured, evidence of State approval must be provided.
- D. **Railroad Protective Liability Insurance (RRPLI):** During construction and maintenance within 50 feet of an active railroad track, including but not limited to installation, repair or removal of facilities, equipment, services or materials, the Licensee and/or Licensee's Contractor must maintain "Railroad Protective Liability" insurance on behalf of UTA only as named insured, with a limit of not less than \$2,000,000 per occurrence and an aggregate of \$6,000,000.
- a. If the Licensee and/or Licensee's Contractor is not enrolling for this coverage under UTA's blanket RRPLI program, the policy provided must have the definition of "JOB LOCATION" AND "WORK" on the declaration page of the policy shall refer to this Agreement and shall describe all WORK or OPERATIONS performed under this agreement.
- E. **Umbrella or Excess Insurance:** If Licensee utilizes umbrella or excess policies, and these policies must "follow form" and afford no less coverage than the primary policy.

F. Other Insurance Provisions:

- a. Licensee and their insurers shall endorse the required insurance policy(ies) to waive their right of subrogation against UTA. Licensee's insurance shall be primary with respect to any insurance carried by UTA. Licensee will furnish UTA at least 30 days advance written notice of any cancellation or non-renewal of any required coverage that is not replaced.
- b. The required insurance policy(ies) shall be written by a reputable insurance company with a current AM Best's Insurance Guide Rate of A better, or as may otherwise be acceptable to UTA. Such insurance company shall be authorized to transact business in the State of Utah.
- c. The fact that insurance is obtained by Licensee shall not be deemed to release or diminish the liability of Licensee including, without limitation, liability under the indemnity provisions of this Agreement. Damages recoverable by UTA shall not be limited by the amount of the required insurance coverage.

**SUBMITTING REQUESTS FOR
RAILROAD PROTECTIVE LIABILITY INSURANCE
(\$2,000,000 per occurrence/ \$6,000,000 aggregate)**

Application forms for inclusion in Utah Transit Authority's Blanket Railroad Protective Liability Insurance Policy may be obtained from a Property Administrator.

If you have questions regarding railroad protective insurance (i.e. premium quotes, application) please contact David Pitcher at:

Phone: (801) 287-2371
Email: dcpitcher@rideuta.com

Send Checks and Applications to the following address:

Utah Transit Authority
Attn: David Pitcher
P.O. Box 30810
Salt Lake City, UT 84130-0810

Or hand deliver to 669 West 200 South Salt Lake City, UT 84101

EXHIBIT "C"
SPECIAL PROVISIONS

Licensee or Licensee's contractor must first obtain a FrontRunner Track Access Permit from UTA before any access will be allowed on UTA property. The contact person for obtaining a FrontRunner Track Access Permit is Jason Sisson at (801) 381-9541, or such other contact as shall be identified on UTA's website location noted below.

- a) Licensee or Licensee's Contractor shall provide an independent licensed surveyor to survey track elevations daily, prior to start of work and upon completion. Survey of rail to be continuous at start and end of each work day until the bore is completed. The top of rail shall not deflect more than $\frac{1}{4}$ inch vertically or horizontally. Licensee or Licensee's contractor shall also provide an established contingency plan in the event of ground loss and/or the rail deviates $\frac{1}{4}$ inch vertical or horizontal, the contingency plan must be reviewed and approved by UTA prior to commencing the Work. In the event that the top of rail deflects more than $\frac{1}{4}$ inch, operations shall stop immediately and the UTA onsite representative notified. Work shall not continue until UTA's engineer has determined the appropriate action required to protect the safety, integrity and functionality of the railroad elements.
- b) Licensee or Licensee's Contractor to pothole prior to construction to locate and protect in place UTA fiber.

A copy of the permit that will need to be filled out and submitted can be found on UTA's website, under the Track Access Permit tab.

<http://www.rideuta.com/Doing-Business/Property-Management>

Note: Track Access Permits will not be issued without first having an executed Contractor's Right of Entry Agreement, UTA having received proof of insurance as provided in the Right of Entry Agreement, and verification that the Contractor and all of the Contractor's Employees have gone through UTA's Roadway Worker Training.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 3.

Short Title: General Plan Amendments - Bicycle & Non-Motorized Vehicle Pathways and Trails Master Plan Map

Initiated By: Centerville Trails Committee

Scheduled Time: 7:20

SUBJECT

Consider proposed General Plan amendments to Section 12-450-3 regarding Bicycle and Non-Motorized Vehicle Pathways in the Transportation and Circulation element of the General Plan, and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 regarding Trails in the Community Facilities element of the General Plan – Ordinance No. 2016-21

RECOMMENDATION

Approve Ordinance No. 2016-21 amending Section 12-450-3 of the Centerville General Plan regarding Bicycle and Non-Motorized Vehicle Pathways and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 of the General Plan.

BACKGROUND

On June 22, 2016, the Planning Commission reviewed the Trails Committee's proposed amendments to the General Plan regarding bicycle and non-motorized paths and the Centerville Trails Master Plan Map. The Planning Commission recommends approval of the proposed amendments. The Planning Commission's recommendation is set forth in the attached Transmittal Report.

On July 19, 2016, the City Council held a public hearing and reviewed the proposed amendments to the General Plan regarding trails and bikeways. After some discussion and debate, the City Council approved a motion to table approval of the proposed amendments until the Council had a chance to meet with the Trails Committee to discuss the matter. On August 25, 2016, the City Council met in a joint work session with the Trails Committee to discuss the proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways. Staff prepared a new Ordinance No. 2016-21 reflecting the text edits suggested by the City Attorney and adding language in Section 12-450-3 and Section 12-460-2 to reference two maps: (1) the Centerville Trails and Bikeways Map; and (2) the Centerville Trails and Bikeways Master Plan. On September 6, 2016, the City Council considered this matter, but tabled action with direction to Staff to make recommended changes to the maps. The revised Ordinance No. 2016-21 and the revised maps are attached.

ATTACHMENTS:

Description

- ▣ Ordinance No. 2016-21-Bike Paths
- ▣ Ordinance No. 2016-21-Exhibit A
- ▣ Ordinance No. 2016-21 - Exhibit B
- ▣ 9-6-2016 CC preliminarydraft minutes (pg 2)
- ▣ 8-25-2016-Joint CC TC Work Session
- ▣ 7-19-2016 CC Transmittal Report
- ▣ City Engineer Email
- ▣ City Attorney Email on Redlines
- ▣ City Attorney Suggested Redlines
- ▣ 6-22-2016 PC Staff Report
- ▣ 6-22-2016 PC recommendation pgs 2-3

ORDINANCE NO. 2016-21

AN ORDINANCE AMENDING SECTION 12-450-3 OF THE CENTERVILLE GENERAL PLAN REGARDING BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS, AMENDING SECTION 12-460-2 OF THE SAME REGARDING TRAILS, AND ADOPTING THE CENTERVILLE TRAILS AND BIKEWAYS MAP AND THE TRAILS AND BIKEWAYS MASTER PLAN AS REFERENCED IN SECTION 12-460-2 AND SECTION 12-460-2

WHEREAS, the Trails Committee requests and recommends amendments to Section 12-450-3 of the Centerville General Plan regarding bicycle and non-motorized vehicle pathways in the City and amendments and updates to the Centerville Trails Master Plan Map as referenced in Section 12-460-2 of the same; and

WHEREAS, the proposed amendments and revisions to Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding bicycle and non-motorized vehicle pathways and the Centerville Trails Master Plan Map have been reviewed by the Planning Commission and the Planning Commission recommends approval of the proposed amendments; and

WHEREAS, City Council has determined that the proposed amendments to the General Plan 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 provide updated language and maps for City trails and bicycle and non-motorized pathways; and

WHEREAS, the proposed amendments to the General Plan 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 General Plan.

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

Section 1. Amendment. Section 12-450-3 of the Centerville General Plan regarding Bicycle and Non-Motorized Vehicle Pathways is hereby amended to read in its entirety as follows.

12-450-3. Bicycle and Non-Motorized Vehicle Pathways

Centerville should strive to become a bicycle friendly community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

- Provide more biking lanes to increase, improve and enhance bicycling
- Introduce signage and pavement markings to create bike friendly streets
- Provide supportive law enforcement and education programs to assist motorists and bicyclists alike to become knowledgeable of traffic laws and to encourage adherence to such traffic laws

- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current bicycle paths within the City for the following classification of bicycle paths: (1) Bike Paths (Class I) defined as bikeways that provide bicycle travel on a paved right-of-way completely separated from any street or highway; (2) Bicycle Lanes (Class II) defined as bikeways that provide a striped and stenciled lane for one-way bike travel on a street or highway adjacent to motor vehicle travel; and (3) Bicycle Routes and Bike Friendly Streets (Class III) defined as bikeways that provide for shared use with pedestrian or motor vehicle traffic identified only by signing.

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities, and to create safe places to lock bicycles up both at the beginning and end of a trip. The City should consider adopting requirements for new commercial developments to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

The currently available bikeways within the City are shown in the attached Centerville Trails and Bikeways Map. This map may be updated as future trails and bikeways are established. Potential future bicycle paths within the City are set forth in the attached Centerville Trails and Bikeways Master Plan.

Despite attention given to bicycles as an alternative means of regular transportation in recent years, the bicycle today is still used primarily for recreation. Because of the frequent conflicts and problems that result from bicycle sharing street rights-of-way, Centerville City has determined it best to not encourage Class III bikeways, where the bikeway is on the automobile right-of-way with only signs and stripes on the pavement indicating the bikeway. Public funding for bikeways in Centerville City should only be for Class I and II bikeways, where they are physically separated from the automobile rights-of-way. Such a bikeway could be developed as a part of the buffer strip recommended along the Frontage Road, or as part of a linear park along Ricks Creek. The City should actively support the implementation of a Class I or Class II bikeway/pedestrian pathway from the east side the Interstate to the future Legacy Parkway trail system west of Interstate 15. This pathway needs to be properly incorporated into the expanded overpass for Centerville City at Parrish Lane that will be build during the reconstruction of Interstate 15. The overpass should be planned to be sufficiently wide to properly accommodate the bikeway/pathway including appropriate separation or barriers along with other surface improvements.

Section 2. Subsection 12-460-2 of the Centerville General Plan regarding Trails is hereby amended to read in its entirety as follows.

12-460-2. Trails

Trails enhance the quality of life of a community by providing recreational opportunities and alternative modes of transportation while promoting better health. According to one study, 57 percent of prospective homebuyers cited a nearby trail as the most desired amenity when buying a home.

Centerville City values its trails and aims to create and maintain an organized network of urban trails connecting residences, parks, schools, churches, and businesses within the city and providing access to the foothill trails, the Legacy Parkway Trail, and adjacent communities. This section of the General Plan identifies existing trails and general objectives regarding trail development and maintenance ~~(see attached map for locations of trails and trailheads).~~ The currently available trails and trail systems within the City are shown in the attached Centerville Trails and Bikeways Map. This map may be updated as future trails and bikeways are established. Potential future trails and trail systems within the City are set forth in the attached Centerville Trails and Bikeways Master Plan.

- I. Overview of Existing Trails. Four major trail systems are currently available to residents as depicted on the attached Centerville Trails and Bikeways Master Plan map. These major trail systems include:
 - (a) Hillside Trail Network.
 - (b) Regional Trail Network. The Regional Trail Network includes the Legacy Parkway Trail and the Denver and Rio Grand Western (D&RGW) Trail. The D&RGW Trail runs from Roy and ~~will~~ connects with the Legacy Parkway Trail in Centerville. This trail system also connects with the Jordan River Parkway trail system which runs through the Salt Lake Valley.
 - (c) Inner-city pathways. All inner-city pathways should be limited to non-motorized use and prohibit equestrian use.
 - (d) Motorized Trails. In addition to the above mentioned trails for non-motorized use, the "Fire Break Road" and "bowl area" are currently designated for motorized vehicle usage.

* * *

Section 3. Amendment. The Centerville Trails and Bikeways Map as referenced in Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding established Trails and Bikeways within the City is hereby adopted as set forth in **Exhibit A** attached hereto and incorporated herein by reference. The Centerville Trails and Bikeways Master Plan as referenced in Section 12-450-3 and Section 12-460-2 of the Centerville General Plan regarding future proposed Trails and Bikeways within the City is hereby adopted as set forth in **Exhibit B** attached hereto and incorporated herein by reference.

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

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

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

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 20th DAY OF SEPTEMBER, 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.

Exhibit A

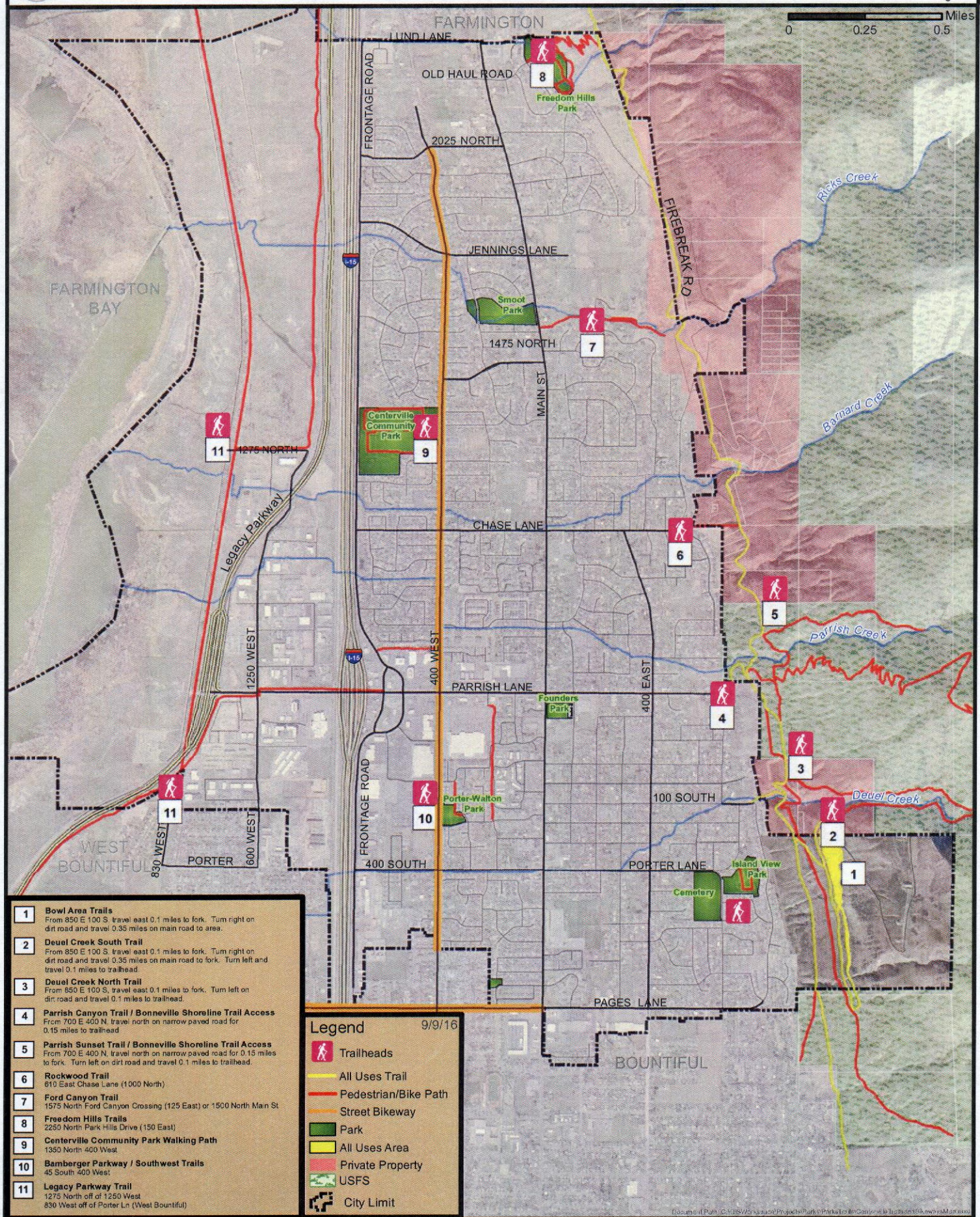
Centerville Trails and Bikeways Map

Exhibit B

Centerville Trails and Bikeways Master Plan



Centerville Trails and Bikeways Map



- 1 Bowl Area Trails**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to area.
- 2 Deuel Creek South Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to fork. Turn left and travel 0.1 miles to trailhead.
- 3 Deuel Creek North Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 4 Parrish Canyon Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to trailhead.
- 5 Parrish Sunset Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 6 Rockwood Trail**
810 East Chase Lane (1000 North)
- 7 Ford Canyon Trail**
1575 North Ford Canyon Crossing (125 East) or 1500 North Main St
- 8 Freedom Hills Trails**
2250 North Park Hills Drive (150 East)
- 9 Centerville Community Park Walking Path**
1350 North 400 West
- 10 Bamberger Parkway / Southwest Trails**
45 South 400 West
- 11 Legacy Parkway Trail**
1275 North off of 1250 West
830 West off of Porter Ln (West Bountiful)

Legend

Trailheads

All Uses Trail

Pedestrian/Bike Path

Street Bikeway

Park

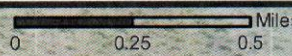
All Uses Area

Private Property

USFS

City Limit

9/9/16



- 1 Bowl Area Trails**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to area.
- 2 Deuel Creek South Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn right on dirt road and travel 0.35 miles on main road to fork. Turn left and travel 0.1 miles to trailhead.
- 3 Deuel Creek North Trail**
From 850 E 100 S, travel east 0.1 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 4 Parrish Canyon Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to trailhead.
- 5 Parrish Sunset Trail / Bonneville Shoreline Trail Access**
From 700 E 400 N, travel north on narrow paved road for 0.15 miles to fork. Turn left on dirt road and travel 0.1 miles to trailhead.
- 6 Rockwood Trail**
610 East Chase Lane (1000 North)
- 7 Ford Canyon Trail**
1575 North Ford Canyon Crossing (125 East) or 1500 North Main St
- 8 Freedom Hills Trails**
2250 North Park Hills Drive (150 East)
- 9 Centerville Community Park Walking Path**
1350 North 400 West
- 10 Bamberger Parkway / Southwest Trails**
45 South 400 West
- 11 Legacy Parkway Trail**
1275 North off of 1250 West
830 West off of Porter Ln (West Bountiful)

Legend
9/13/16

-  Trailheads
-  All Uses Trail
-  Pedestrian/Bike Path
-  Street Bikeway
-  Proposed Street Bikeway
-  Park
-  All Uses Area
-  Private Property
-  USFS
-  City Limit

Download Date | 5/23/15 | URL: <http://dx.doi.org/10.1017/S0022216X14000061> Published online by Cambridge University Press

minutes as amended, and the August 25 joint meeting minutes. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

- a. Approve Recording Secretary Agreement
- b. Approve addition of Police Department Evidence Technician/Emergency Management Assistant Position to the Centerville City Position Pay Grade Schedule – Ordinance No. 2016-23
- c. Approve Amendment No. 1 to Interlocal Cooperation Agreement with Davis County regarding CDBG Program – Resolution No. 2016-23

Councilwoman Ivie made a **motion** to approve item (b) on the Summary Action Calendar, including Ordinance No. 2016-23. Councilman McEwan seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** to approve items (a) and (c) on the Summary Action Calendar, including Resolution No. 2016-23. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP

On August 26, 2016, the Council met in a joint work session with the Trails Committee to discuss proposed General Plan amendments regarding trails and bikeways. As part of that meeting, the groups discussed the City Attorney proposed edits to the language in the General Plan and agreed to these edits as well as another change to make reference to two maps: (1) a map showing the current existing trails and bikeways; and (2) a map showing future proposed trails and bikeways.

Steve Thacker, City Manager, explained changes to the two maps recommended by staff to improve the accuracy and clarity of the maps. The Council and staff discussed equestrian use of roadways and trails. Bruce Cox, Parks and Recreation Director stated he feels equestrian use is not compatible with paved cycling/pedestrian trails. Space for equestrian use is provided along side the paved Legacy Parkway Trail. Lisa Romney, City Attorney, said she is not aware of any prohibition of equestrian use of City streets. Councilman McEwan made a **motion** to table approval of Ordinance No. 2016-21 pending revised maps from City staff. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

FINANCIAL REPORT

Blaine Lutz, Finance Director, presented a financial report (unaudited) for the fiscal year ending June 30, 2016, and answered questions from the Council.

ACCESSORY BUILDING SETBACKS AND FLAG LOT ORDINANCE AMENDMENTS

Cory Snyder, Community Development Director, asked for direction from the Council regarding accessory building setbacks and the flag lot ordinance. Discussions of these two topics – and potential code amendments – are among the short-term goals the Council agreed upon in their March goal-setting session. Since these topics are addressed in the Zoning Code, any amendments would have to be considered by the Planning Commission before coming back to the Council for formal approval. Responding to a question from Councilman Ince, Mr. Snyder explained that in the past the zoning process was more involved with asking for direct neighbor input and consent. The process has been generalized to a public notice system with

PRELIMINARY DRAFT (1)

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

CITY COUNCIL MEMBERS PRESENT

4
5 Paul Cutler, Mayor
6 Tamilyn Fillmore
7 William Ince
8 Stephanie Ivie
9 George McEwan
10 Robyn Mecham
11

TRAILS COMMITTEE MEMBERS PRESENT

12 Denise Cox
13 Mark Dimond, Chair
14 Matt Johnson
15 Mikael Remington
16 Rick Turner, arrived at 8:30 p.m.
17

TRAILS COMMITTEE MEMBERS ABSENT

18 Brandon Federico
19 Mark Oligschlaeger
20

STAFF PRESENT

21 Steve Thacker, City Manager
22 Lisa Romney, City Attorney
23 Bruce Cox, Parks and Recreation Director
24 Connie Larson, Recording Secretary
25

VISITORS

26 Boy Scout Troop 1776
27

PLEDGE OF ALLEGIANCE

28 Boy Scout Troop 1776
29

BICYCLE MASTER PLAN PRESENTATION AND RECOMMENDATION

30 Steve Thacker, City Manager, said the City Council requested to meet with the Trails
31 Committee about General Plan amendments pertaining to the Master Trails Plan text and map.
32 Mark Dimond, Trails Committee Chair, explained the Trails Committee feels Centerville should
33 strive to become a bicycle-friendly community.
34

35 Councilman McEwan asked for the definition of when parking is allowed in a bike lane.
36 Matt Johnson explained if there is a specific bike lane on a shoulder there would be no parking
37 allowed, unless there is room to have parking. If a road is wide enough for a bike lane and parking
38 lanes in the same area, then parking is allowed. When there is a Share the Road sign, parking is
39 allowed in the bike lane if there is a wide shoulder. There are three different classes of bike lanes
40 based on national standards. Class III bike route is not striped; the bikeway provides for shared
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1 use with motor vehicles, indicated with "Shared the Road" signage. Class I is a separate bike path
2 which would be like the Legacy Trail, and Class II is a specific bike lane striped on the street.
3 Mayor Cutler said there have been questions on how the bike lanes were chosen, and the process
4 used to choose bike lanes. There is concern for the safety of cyclists on Parrish Lane, especially
5 merging from the off ramp on east bound Parrish Lane. The Master Plan shows Parrish Lane as a
6 proposed bike lane route from 400 East to the trail head at 1250 West, but the City Council is
7 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 trails
23 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 Meham 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 will write an article
32 on cycling courtesy and the importance of following traffic laws. This could be converted into a
33 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 Meham 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).
45

PRELIMINARY DRAFT (1)

Centerville City Joint Trails Committee/City Council
Minutes of meeting
August 25, 2016

Page 4

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

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

PLANNING COMMISSION TRANSMITTAL REPORT

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

APPLICATION: **GENERAL PLAN AMENDMENT**

APPLICANT REQUEST: AMEND THE FOLLOWING:

- SECTION 12-450-3 - *BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS IN TRANSPORTATION AND CIRCULATION*
- PART 12-460 - *UPDATE THE CENTERVILLE TRAILS MASTER PLAN MAP IN COMMUNITY FACILITIES ELEMENT*

PC RECOMMENDATION: **ACCEPT THE GENERAL PLAN AMENDMENTS
AS SUBMITTED BY THE TRAILS COMMITTEE**

BACKGROUND

The Centerville City Trails Committee has requested an amendment to Section 12-450-3, of the General Plan, concerning bike lanes throughout the City and desired to rewrite this section of the General Plan. In addition, they desire to amend the Centerville Trails Master Plan Map in order to reflect any updates since it was revised back in 2012.

PROPOSED AMENDMENTS

The following is the proposal written by the Trails Committee.

[1st Proposal] 12-450-3. BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS

[delete old and add new language] The goal would be to make every street a safe place to ride and the City a bicycle community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following

- *More biking lanes to increase, improve and enhance bicycling*
- *Introduce signage, pavement markings, or even traffic diverters, to create bike friendly streets*
- *Supportive law enforcement and education programs ensures that motorists and bicyclists alike are adhering to and are knowledgeable on the traffic laws*

- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel: **Bike Paths** (Class I) bikeway that provide bicycle travel on a paved right-of-way completely separated from any street or highway; **Bicycle Lanes** (Class II) bikeway providing a striped and stenciled lane for one-way travel on a street or highway, and **Bicycle Routes and Bike Friendly Streets** (Class III), bikeway provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities. Create safe places to lock bicycles up both at the beginning and end of a trip. Include requirements in new business facility development to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

[2nd Proposal] UPDATE TO CENTERVILLE TRAILS MASTER PLAN MAP IN COMMUNITY FACILITIES, PART 12-460, AS SUBMITTED TO THE CITY

PLANNING COMMISSION RECOMMENDATION

On June 22, 2016, the Planning Commission received the proposed amendment, held a public hearing, and discussed the matter. The Planning Commission then recommended approval to the City Council.

Planning Commission Vote (5-0):

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

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
2. The proposed General Plan Amendments meet the goals and objectives of the General Plan concerning trails within Centerville [Section 12-460-2].
3. The proposed amendments will not have a negative impact on the surrounding community.

4. With the Planning Commission reviewing the amendment and making a recommendation to the City Council, the proposal has met the approval standards for a General Plan Amendment (12-21-070.e).

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

- JUNE 22, 2016 Planning Commission Meeting

Lisa Romney

From: Kevin Campbell <Kevin.Campbell@esieng.com>
Sent: Wednesday, July 13, 2016 12:12 PM
To: Lisa Romney
Cc: Cory Snyder; Randy Randall; Bruce Cox; Steve Thacker
Subject: Trails Committee - Bicycle and non-motorized vehicle pathways

Lisa –

After discussion with Randy and Cory:

- Our first comment is that we should stay away from “traffic diverters” in our public streets mainly due to asphalt maintenance issues, snow removal issues and added costs of maintaining this infrastructure.
- Secondly, we think that the wording of making “every” street a safe place to ride is not practical as most of our streets are minor residential streets which only have 28’ to 29’ of pavement width. There is not enough width to introduce pavement markings or signage. With on-street parking allowed on both sides on most residential streets, there is barely enough room for two cars to pass each other in this situation. We think that bike signage and striping should be looked at only for minor collectors, collectors and arterials. Staff is leery of wording to have “the goal be to make every street a safe place to bike”, followed by the wording of “introducing signage and pavement markers to create bike friendly streets”.

When we rebuild streets we do update the inlet grates to make them bicycle safe. This is something we have done for some time and could possibly be made part of the written plan.

Let us know your thoughts on this Lisa.

Respectfully submitted,

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

Lisa Romney

From: Lisa Romney
Sent: Thursday, July 14, 2016 11:24 AM
To: Brandon Toponce; Cory Snyder
Subject: General Plan Amendments - Bicycle Paths and Trails
Attachments: 12-450-3-(bike paths)-amd.doc; 12-450-3-(bike paths)-lgr redlines.docx

I have prepared the attached ordinance for the upcoming City Council meeting for the proposed General Plan amendments regarding bicycle paths and trails. The attached ordinance uses the language recommended by the Trails Committee and the Planning Commission. In preparing this ordinance, I have a few suggested changes to the proposed language. I have attached a redline version of my suggested changes. These changes are intended to address the following:

1. Reduce language that "ensures" safety or other potential liability or expectation language in the provisions
2. Provide uniform verb tense and sentence structure in list order
3. Clarify bike path classifications and related descriptions

Please review these redline edits and let me know if you have any concerns or changes. I would like to submit these redline edits to the City Council.

Thanks, Lisa

Lisa G. Romney | Centerville City Attorney
250 North Main Street | Centerville, Utah 84014
(801) 335-8842

This email may contain confidential or privileged information. If you believe you have received it in error, please notify the sender immediately and delete this message without copying or disclosing it.

City Attorney Suggested Changes to
Trails Committee and Planning Commission Version
July 15, 2016

12-450-3. Bicycle and Non-Motorized Vehicle Pathways

The goal would be to make every street a safe place to ride and the City a bicycle community. Centerville should strive to become a bicycle friendly community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

- Provide mMore biking lanes to increase, improve and enhance bicycling
- Introduce signage, and pavement markings, ~~or even traffic diverters,~~ to create bike friendly streets
- Provide sSupportive law enforcement and education programs to assist ensures ~~that motorists and bicyclists alike to become~~ are adhering to and are knowledgeable of on the traffic laws and to encourage adherence to such traffic laws
- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel for the following classification of bicycle paths: (1) Bike Paths (Class I): defined as bikeways that provide bicycle travel on a paved right-of-way completely separated from any street or highway; (2) Bicycle Lanes (Class II) defined as bikeways that provide providing a striped and stenciled lane for one-way bike travel on a street or highway adjacent to motor vehicle travel; and (3) Bicycle Routes and Bike Friendly Streets (Class III): defined as bikeways that provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing.

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities, and to create ~~Create~~ safe places to lock bicycles up both at the beginning and end of a trip. The City should consider adopting ~~include~~ requirements for in new commercial business facility developments to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: CENTERVILLE CITY TRAILS COMMITTEE

**APPLICATION: GENERAL PLAN TEXT AMENDMENTS FOR SECTION 12-450-3,
BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS IN
TRANSPORTATION AND CIRCULATION, PART 12-450, AND AN
UPDATE TO CENTERVILLE TRAILS MASTER PLAN MAP IN
COMMUNITY FACILITIES, PART 12-460**

**RECOMMENDATION: ACCEPT THE ZONE TEXT AMENDMENTS AND
RECOMMEND APPROVAL TO THE CITY COUNCIL**

BACKGROUND

The Centerville City Trails Committee has requested an amendment to Section 12-450-3, of the General Plan, concerning bike lanes throughout the City. In addition, they will also be amending the Centerville Trails Master Plan Map in order to reflect any updates since it was revised back in 2012.

ZONE TEXT AMENDMENT REVIEW

PROPOSED AMENDMENT

The following is the proposal written by the Trails Committee:

12-450-3. BICYCLE AND NON-MOTORIZED VEHICLE PATHWAYS

The goal would be to make every street a safe place to ride and the City a bicycle community. Bicycling in the City should promote, increase, improve, and enhance riding in the City as a safe, healthy, and enjoyable means of transportation and recreation. The Trails Committee desires to make the City a supportive environment for cyclists through establishing the following:

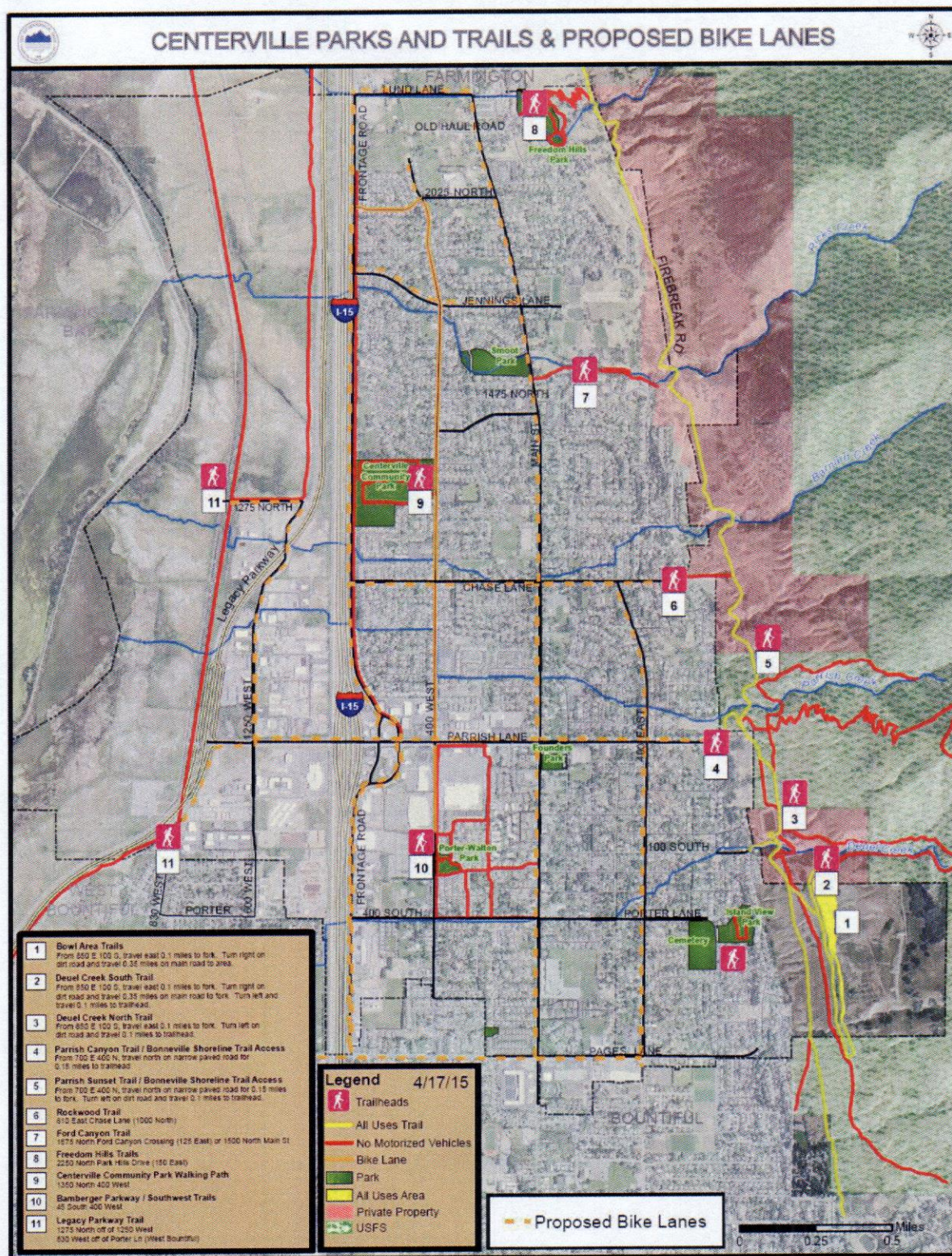
- More biking lanes to increase, improve and enhance bicycling
- Introduce signage, pavement markings, or even traffic diverters, to create bike friendly streets
- Supportive law enforcement and education programs ensures that motorists and bicyclists alike are adhering to and are knowledgeable on the traffic laws
- Create and maintain a bikeways map that is downloadable via the City website that illustrates the current and potential future travel: **Bike Paths** (Class I); bikeway that provide bicycle travel on a paved right-of-way completely separated

from any street or highway, **Bicycle Lanes** (Class II) bikeway providing a striped and stenciled lane for one-way travel on a street or highway, and **Bicycle Routes and Bike Friendly Streets** (Class III); bikeway provides for shared use with pedestrian or motor vehicle traffic and is identified only by signing

Due to the City's unique geography many bicycle events pass through the City. Therefore, it is important to establish links to bicycle paths, lanes and routes with neighboring cities. Create safe places to lock bicycles up both at the beginning and end of a trip. Include requirements in new business facility development to include bicycle racks and bicycle maintenance stands with integrated tools.

In some cases, infrastructure solutions alone cannot solve all of the problems that bicyclists encounter. Infrastructure modifications may not always be necessary to create a supportive environment for bicyclists. Integrating engineering approaches with education, enforcement, and encouragement programs multiplies the benefits to bicyclists.

See Page 3 for the proposed updated Centerville Parks and Trails & Proposed Bike Lanes Map



REVIEW AND ANALYSIS OF THE REQUEST

Factors to be considered, Section 12-21-080(e)

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

- **Staff Response:** Section 12-460-2(2) of the General Plan promotes the use of trails and bikeways through increased signage, maps and trailhead kiosks. In addition, this section also encourages the creation of a Citywide bike lane plan. Therefore, the proposed changes appear to be consistent with the existing goals and objectives of the General Plan.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

- **Staff Response:** The proposed amendments are consistent with what has already been implemented within the City, and the future goals of the Trails Committee. By creating a plan that encourages more enhanced bicycle pathways and safety, these pathways may become harmonious with the overall character of the surrounding community.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- **Staff Response:** Staff does not see any negative affect concerning the proposed amendments. They do however help to increase awareness and the implementation of safe bike travel.

4. What is the adequacy of facilities and services intended to serve the subject property?

- **Staff Response:** As funds become available, the Trails Committee will work with the Centerville Streets Department and/or UDOT, in implementing their master plan of bike pathways throughout the community.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the General Plan amendments and recommend approval to the City Council regarding Section 12-450-3, and the updated Centerville Trails Master Plan Map as found in Section 12-460-2, as both stated in the June 22, 2016 Planning Staff Report.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
2. The proposed General Plan Amendments meet the goals and objectives of the General Plan concerning trails within Centerville [Section 12-460-2].
3. The proposed amendments will not have a negative impact on the surrounding community.

1 following conditions and reasons for action. Vice Chair Johnson seconded the motion, which
2 passed by unanimous vote (5-0).
3

4 Conditions:
5

- 6 1. Prior to the final plat being recorded, the applicant shall record the lot line adjustment
7 at the Davis County Recorder's Office.
- 8 2. After the final plat is deemed complete by the City Engineer and City Attorney, the
9 applicant shall submit to the City Recorder for recordation with the Davis County
10 Recorder's Office.
- 11 3. The final construction drawings shall be reviewed and approved by the City Engineer
12 prior to any building permit being issued.
- 13 4. The applicant shall post a bond prior to recording the final plat in relation to all public
14 improvements; including the new fire hydrant located adjacent to 400 East.
- 15 5. A final approval from Deuel Creek Irrigation shall be submitted prior to recording the
16 final plat.

17
18 Reasons for Action (Findings):
19

- 20 a. The Planning Commission approved the concept of a Small Subdivision Waiver/Flag
21 Lot at the April 27, 2016 meeting.
- 22 b. All previous conditions of approval from the April 27, 2016 Planning Commission
23 meeting have been adequately addressed by the applicant.
- 24 c. Proper fire protection has been approved by the South Davis Metro Fire Marshal and
25 all other applicable easements and utilities have been reviewed and found to be
26 sufficient.
- 27 d. Secondary water rights are required for approval before final plat recordation.

28
29 **PUBLIC HEARING – GENERAL PLAN AMENDMENT, BICYCLE AND NON-**
30 **MOTORIZED VEHICLE PATHWAYS AND TRAILS MASTER PLAN MAP**
31

32 The Centerville City Trails Committee has requested an amendment to Section 12-450-
33 3, of the General Plan, concerning bike lanes throughout the city. In addition, they would like to
34 amend the Centerville Trails Master Plan Map in order to reflect any updates since it was last
35 revised in 2012. Staff explained that the amendment would allow for Class III bike lanes, which
36 are currently discouraged by the General Plan. The Commissioners discussed recent striping
37 on Main Street by UDOT. Commissioner Wright said she plans to contact multiple bike clubs
38 about the possibility of contributing funds toward signs and bike pavement markings. Mr.
39 Snyder explained the different classes of bike lanes. Commissioner Daly said he has
40 reservations with cars and bikes sharing the same lane, but he is fine with the striping situation
41 on 400 West.

- | | | |
|----|-----------|---|
| 42 | | |
| 43 | Class I | Provides bicycle travel on a paved right-of-way completely separated |
| 44 | | from any street or highway |
| 45 | Class II | Provides a striped and stenciled lane for one-way bike travel on a street |
| 46 | | or highway adjacent to auto travel |
| 47 | Class III | Provides for shared use with pedestrian or motor vehicle traffic identified |
| 48 | | only by signing |
| 49 | | |

50 At 7:36 p.m., Vice Chair Johnson opened a public hearing and closed the public hearing
51 seeing that no one wished to comment. Commissioner Daly made a **motion** for the Planning
52 Commission to accept the General Plan amendments and recommend approval to the City

1 Council regarding Section 12-450-3, and the updated Centerville Trails Master Plan Map as
2 found in Section 12-460-2, with the following reasons for the action. Commissioner Kjar
3 seconded the motion, which passed by unanimous vote (5-0).

4
5 Reasons for Action (findings):

- 6
7 1. The proposed amendments meet the requirements found in Section 12-21-080(4)(e).
8 2. The proposed General Plan Amendments meet the goals and objectives of the
9 General Plan concerning trails within Centerville [Section 12-460-2].
10 3. The proposed amendments will not have a negative impact on the surrounding
11 community.
12 4. With the Planning Commission reviewing the amendment and making a
13 recommendation to the City Council, the proposal has met the approval standards for
14 a General Plan amendment [12-21-070(e)].
15

16 **PUBLIC HEARING – CODE TEXT AMENDMENT, SENSITIVE/CONSTRAINED**
17 **LANDS**

18
19 The City Council and Planning Commission recently directed the planning staff to
20 prepare specific edits regarding how “sensitive and constrained lands” are to be applied to gross
21 densities of residential development, as allotted within the Zoning Code. Recently these lands
22 (wetlands, flood channels, steep slopes, etc.) are being viewed negatively when such lands are
23 included in the gross density calculations. Thus, staff has been asked to prepare text edits for
24 the Zoning Code to prohibit the use of the acreage associated with these lands to be used in the
25 gross density calculations in residential development projects. Mr. Snyder explained proposed
26 Zoning Ordinance text edits, including elimination of the word “sensitive” in this context.
27

28 Land, Constrained – Land that comprises or consists of federally regulated wetlands,
29 floodplain channels, river or stream channels, ponds, canyons or ravines or cliffs or other tracts
30 with steep slopes greater than 30%.
31

32 Density, Gross – The number of dwelling units per acre within a subdivision or other
33 development based on the total tract area that is deemed developable.
34

35 Land, Developable – Land that is not deemed constrained, which is capable of being
36 improved, subject to the requirements of this Title.
37

38 Referring to recent development of the Hafoka property, Mr. Snyder advised that the
39 Commissioners not let any one project drive their decisions. He stated that, from his
40 perspective as a planner, constrained open space can be quality open space. Ms. Romney
41 agreed with narrowly defining the term constrained land. The goal is to provide a legally
42 sustainable definition of constrained land for purposes of calculating density. Mr. Snyder
43 cautioned that being subjective about what is “sensitive” could lead to legally dangerous
44 arbitrary decisions. He added that the proposed language would not necessarily have
45 prevented the Hafoka situation.
46

47 Vice Chair Johnson opened a public hearing at 8:01 p.m. and closed the public hearing
48 seeing that no one wished to comment. Responding to a question from the Planning
49 Commission, Mr. Snyder explained that existing and possibly new development regulations
50 could also be used to meet the desired outcome. Allowing the gross density to include these
51 subject lands, but restricting the placement of development on usable lands, encourages
52 clustering of the density, thereby making it cost effective to preserve these areas for accessory

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 4.

Short Title: Public Hearing - Zoning Code Amendments - South Main Street Corridor (SMSC) Overlay - Subsection 12.48.180(b) - Scope Correction

Initiated By: Centerville City, Applicant

Scheduled Time: 7:30

SUBJECT

Consider the proposed Zoning Code Amendment to the South Main Street Corridor (SMSC) Overlay Zone regarding the Scope of the SMSC Public Space Plan in Section 12.48.180 - Ordinance No. 2016-26

RECOMMENDATION

Recommend approval of Ordinance No. 2016-26 amending Subsection 12.48.180(b) of the SMSC Public Space Plan to correct the list of Subdistricts subject to the SMSC Public Space Plan.

BACKGROUND

When the City adopted the comprehensive updates to the Zoning Code pursuant to Ordinance No. 2016-20 (adopted June 21, 2016), an inadvertent correction to the term Residential "Boulevard" Subdistrict changed the intended applicability of the SMSC Public Space Plan. 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, these amendments comply with required standards and findings set forth in CZC 12.21.080 regarding Zoning Code text amendments.

On September 14, 2016, the Planning Commission held a public hearing and reviewed the proposed amendments to the Scope section of the SMSC Public Space Plan. The Planning Commission recommends approval of the proposed amendments as set forth in Ordinance No. 2016-26.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-26-SMSC Correction

ORDINANCE NO. 2016-26

**AN ORDINANCE AMENDING SUBSECTION 12.48.180(B) OF THE
CENTERVILLE ZONING CODE REGARDING THE PUBLIC SPACE
PLAN FOR VARIOUS SUBDISTRICTS WITHIN THE SOUTH MAIN
STREET CORRIDOR (SMSC) OVERLAY ZONE**

WHEREAS, the City Council has previously adopted the South Main Street Corridor (SMSC) Overlay Zone as set forth in Chapter 12.48 of the Centerville Zoning Code; and

WHEREAS, recent amendments to Chapter 12.48 in conjunction with the complete update and recodification of the Centerville Zoning Code, as adopted by Ordinance No. 2016-20, inadvertently changed the intended Subdistricts subject to the Public Space Plan provisions set forth in Section 12.48.180; and

WHEREAS, the Council desires to correct the inadvertent change to the intended Subdistricts subject to the Public Space Plan provisions set forth in Section 12.48.180 as more particularly set forth herein; and

WHEREAS, the City is authorized to enact and amend provisions of the Centerville Zoning Code pursuant to specific statutory authority, including, but not limited to Utah Code §§ 10-9a-501, et seq., and Utah Code § 10-8-84; and

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

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

Section 1. Amendment. Subsection 12.48.180(b) of the Centerville Zoning Code regarding the Public Space Plan for certain Subdistricts in the South Main Street Corridor (SMSC) Overlay Zone is hereby amended to read as follows:

12.48.180. Public Space Plan.

* * *

(b) Purpose and ~~Scope~~ Intent of Public Space Plan. The South Main Street Corridor is designated as the historical, cultural, and civic heart of Centerville City. This is a great asset for the City and provides the necessary foundation for the future revitalization of the corridor. In addition to the preservation and/or redevelopment of land uses along the corridor, the redevelopment and revitalization of the streetscape is needed to reflect the desired relationship between public space and private development. The Public Space Plan and associated illustrations set forth in CZC 12.48.190 shall be utilized when reviewing and approving any development project located within the Traditional Main Street and City Center Subdistricts, ~~except for areas that are located within the Civic and Residential Boulevard Subdistricts~~ of the SMSC Overlay Zone. The Public

Space Plan depicts an A/B Design and Layout Pattern that is to be implemented along street frontage of Main Street. The expected public space design and layout for development approvals shall include and are described as follows.

* * *

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, THIS _____ DAY OF SEPTEMBER, 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 Meham	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 20____.

PUBLISHED OR POSTED this ____ of _____, 20____.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 5.

Short Title: Zoning Code Amendments - South Main Street Corridor (SMSC) Overlay - Chapter 12-48 - Public Space Plan Amendments

Initiated By: City Council

Scheduled Time: 7:40

SUBJECT

Consider Zoning Code amendments to Chapter 12.48 regarding the Public Space Plan for the SMSC Overlay Zone - Consider Ordinance No. 2016-27

RECOMMENDATION

The Council has previously held public meetings and public hearings on this matter. This matter is now ready for further discussion and action by the Council.

BACKGROUND

Earlier this year, the City Council directed Staff to prepare specific edits to the Public Space Plan provisions of the South Main Street Corridor (SMSC) Overlay Zone. Specifically, the City Council directed Staff to prepare amendments to the SMSC Public Space Plan to remove benches, planters, and drought tolerant grasses from the plan and to change the position of the pedestrian lighting within the plan. Over the course of about six months, the Planning Commission researched, reviewed, and obtained public input regarding the proposed Zoning Code amendments to the SMSC Public Space Plan. After much research, deliberation and debate, the Planning Commission completed its work and prepared its recommendation on the proposed SMSC Public Space Plan amendments on July 13, 2016. The Planning Commission recommends the City Council retain the subject elements of the SMSC Public Space Plan as currently adopted and set forth in CZC 12.48.180, and also recommends the Council amend such provisions to provide illustrations and language for Main Street traffic striping to provide for bike lanes on Main Street from Parrish Lane to Pages Lane. The Planning Commission's recommendation and findings are set forth in the attached Transmittal Report. The Planning Commission and the City Council held a joint work session on July 19, 2016, providing the Planning Commission the opportunity to present and discuss its recommendations and findings regarding proposed amendments to the SMSC Public Space Plan to the City Council. The Planning Commission and City Council held another joint work session on September 7, 2016, at which the owners of property and/or businesses on Main Street between Porter Lane and about 150 North were invited and provided an opportunity to comment on the SMSC Public Space Plan and proposed amendments. At the conclusion of the work session on September 7, 2016, some Council members commented on possible amendments to the SMSC Public Space Plan and others commented on possibly repealing all of the SMSC Public Space Plan.

In order to provide the City Council with sufficient flexibility in making this very difficult legislative decision regarding policies governing the SMSC Public Space Plan and providing the public with sufficient notice of a range of possible action by the City Council, three alternative ordinances have been prepared for

consideration by the Council. The Council can adopt one of these options, modify any of these options, or table action on the matter for further information or discussion. These three options are described as follows:

1. **Ordinance No. 2016-27A** - This Ordinance represents the City Council's original directive to Staff on January 19, 2016 to prepare proposed ordinance amendments to the SMSC Public Space Plan to be redirected to the Planning Commission specifically removing benches, planters, and drought tolerant grasses, and changing the position of the lighting. Exhibit A to this Ordinance shows the proposed redline changes to the SMSC Public Space Plan set forth in CZC 12.48.180 and the SMSC Public Space Plan Illustrations set forth in CZC 12.48.190.

2. **Ordinance No. 2016-27B** - This Ordinance represents the Planning Commission's July 13, 2016 recommendation regarding amendments to the SMSC Public Space Plan. Specifically, the Planning Commission recommends the Council retain the subject elements of the SMSC Public Space Plan as currently adopted and set forth in CZC 12.48.180, with the recommendation to amend such provisions to provide illustrations and language for Main Street traffic striping changes and bike lanes for Main Street from Parrish Lane to Pages Lane. Under this Ordinance, Staff is directed to prepare and provide illustrations and language for Main Street striping for travel and bike lanes. If this option is adopted by the Council, it is suggested that such language and illustrations be brought back to the Council for action when ready.

3. **Ordinance No. 2016-27C** - This Ordinance represents discussion from some members of the Council about possibly repealing all of the SMSC Public Space Plan provisions. This Ordinance proposes the repeal of all of CZC 12.48.180 and CZC 12.48.190 regarding the SMSC Public Space Plan. If this option is adopted by the City Council, additional findings and discussion should be provided on the record supporting this action.

Extensive backup materials for the SMSC Public Space Plan amendments have been provided on Novus for previous meetings. Information from such past public meetings shall be included herein as part of the public record. For access to most background information, please refer to background information attached to the August 2, 2016 City Council meeting for the SMSC Amendments.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-27A-Original CC
- ☐ Ordinance No. 2016-27A-Exhibit
- ☐ Ordinance No. 2016-27B-PC Recommendation
- ☐ Ordinance No. 2016-27C-Repealer
- ☐ 7-13-2016 CC Transmittal Report for SMSC Public Space Plan
- ☐ CZC 12.48.180-Current
- ☐ CZC 12.48.190-Current
- ☐ South Main Street With 18' Buffer
- ☐ SMSC Alternative Design-CS
- ☐ SMSC Alternative Design-GM
- ☐ SMSC - Public Comment by Email - for PC Public Hearing

**ORDINANCE NO. 2016-27A
(ORIGINAL COUNCIL DIRECTIVE)**

**AN ORDINANCE AMENDING SECTIONS 12.48.180 AND 12.48.190 OF
THE CENTERVILLE ZONING CODE REGARDING THE PUBLIC
SPACE PLAN AND ILLUSTRATIONS FOR VARIOUS SUBDISTRICTS
WITHIN THE SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY
ZONE**

WHEREAS, the City Council has previously adopted the South Main Street Corridor (SMSC) Overlay Zone as set forth in Chapter 12.48 of the Centerville Zoning Code; and

WHEREAS, in 2015, the City Council amended Chapter 12.48 to add provisions and illustrations regarding the Public Space Plan for various Subdistricts, in addition to other amendments, as adopted in Ordinance No. 2015-25A; and

WHEREAS, in January 2016, a majority of the City Council voted to direct Staff to prepare amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant grasses, and changing the position of the lighting, to be redirected back to the Planning Commission; and

WHEREAS, Staff prepared the suggested amendments to the SMSC Public Space Plan as directed by the Council and the Planning Commission reviewed the proposed amendments; and

WHEREAS, after holding many public hearings and public meetings and studying the proposed amendments to the SMSC Public Space Plan, the Planning Commission prepared its recommendations on the SMSC Public Space Plan amendments on July 13, 2016 and forwarded the same to the City Council; and

WHEREAS, the Planning Commission's recommendations essentially recommend the City Council retain the subject elements of the SMSC Public Space Plan as currently adopted and set forth in Section 12.48.180, with the recommendation to amend such provisions to provide illustrations and language for Main Street traffic striping changes and bike lanes for Main Street from Parrish Lane to Pages Lane; and

WHEREAS, the City Council has held a number of public meetings and hearings regarding the proposed amendments to the SMSC Public Space Plan and providing the public, business owners and the Planning Commission an opportunity to comment on the proposed amendments; and

WHEREAS, based on the public comments and other reasons more particularly set forth in the record, the City Council desires to amend Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan as more particularly provided herein; and

WHEREAS, the City is authorized to enact, amend or repeal provisions of the Centerville Zoning Code pursuant to specific statutory authority, including, but not limited to Utah Code §§ 10-9a-501, et seq., and Utah Code § 10-8-84; and

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

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

Section 1. Amendment. Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan and Public Space Plan Illustrations for certain Subdistricts in the South Main Street Corridor (SMSC) Overlay Zone are hereby amended to read in their entirety as set forth in **Exhibit A**, attached and incorporated herein by reference.

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, THIS 20TH DAY OF SEPTEMBER, 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 _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.

Exhibit A

I. SMSC PUBLIC SPACE PLAN

12-48-180 Public Space Plan

The SMSC Overlay Zone is predominately focused and centered on the built and visual environment framing Main Street, between Parrish Lane and Page Lane. Main Street is owned and maintained by the Utah Department of Transportation (UDOT). However, it is the intention of the SMSC Overlay Zone to contextually influence the physical and visual relationship of private versus public space along the corridor with the Public Space Plan.

a) Public Space Design Sectors

STREET PARK STRIP SECTOR

The Street Park Strip Sector is important in creating a consistent form and function for the Main Street Corridor. This sector is a supplement to the Pedestrian Path Zone. This sector provides expanded pedestrian pathway along with low level landscaping, including utility service structures and other streetscape elements to create a protective environment - buffer zone for the pedestrian from vehicular flow. Together, these two sectors are to unite themselves cohesively with the public spaces of the Building RBR Space/Plaza Sector.

PEDESTRIAN PATH SECTOR

The Pedestrian Path sector is primarily focused on creating a contiguous path for pedestrians to travel along the South Main Street Corridor. The pathway divides the Street Park Strip Sector from the Building RBR Space/Plaza Sector. However, this sector also serves as the transition from private space to public space to unite the corridor in both function and form or visual appeal.

BUILDING RBR SPACE/PLAZA SECTOR

The Building Required Build-to Range (RBR) Space/Plaza sector is vitally important in creating the desired character or visual appeal of the Main Street Corridor. The Land Use Development Pattern is to include a strong pedestrian-oriented building design, with useable green and/or plaza space around the buildings that create physical interaction or visual places in combination with supportive pedestrian activities.

- b) **Public Space Plan for the South Main Street Corridor**— The South Main Street Corridor is designated as the historical, cultural, and civic heart of Centerville City. This is a great asset for the City and provides the necessary foundation for the future revitalization of the corridor. In addition to the preservation and/or redevelopment of land uses along the corridor, the redevelopment and revitalization of the streetscape is needed to reflect the desired relationship between public space and private development. The Public Space Plan and associated illustrations shall be utilized when reviewing and approving any development project, except for areas that are located within the Civic and Residential Districts of the SMSC Overlay Zone. The Public Space Plan depicts an A/B Design and Layout Pattern that is to be implemented along street frontage of Main Street. The expected public space design and layout for development approvals shall include and are described as follows:

1. Priority Street Park Strip Sector Design Elements:

- A. Sector Location – The Street Park Strip Sector is to be measured beginning from back of curb to a width or depth of at least four feet (4'). Primarily, the Street Park Strip sector shall be used for widening the sidewalk system along Main Street to provide greater surface area with a focus towards pedestrian use. All improvements within this sector shall be appropriately maintained by the adjacent contiguous land owner fronting along the Main Street, unless otherwise established by the City.
- B. Street Park Strip Sector Design and Layout Pattern – The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in this Chapter). Generally, this A/B Design

and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings. Nonetheless, if there is no building entry point being installed at a particular location, the desired A/B Pattern shall be installed anyway.

1. Street Park Strip Uses and Materials – Approved Uses and Materials shall consist of patterned concrete and/or pavers, planting beds and plantings, ~~pedestrian street lighting fixtures, combined traffic and pedestrian lighting fixtures, bike racks, and benches~~ (see example illustrations in this Chapter). All elements within this sector shall satisfy applicable clear zone and/or lateral clearance standards of state or local specifications or regulations. The Street Park Strip sector may also utilize and install necessary traffic signals and related signage, as deemed necessary by authorized agencies of the City and State.

2. Decorative Hard Surfacing – When hard surfacing is used in the Street Park Strip Sector, it shall be installed in a manner that meets the desired A/B Pattern of the Public Space Plan (see example illustrations in this Chapter). All hard surfacing shall meet applicable City specifications for material and colorization. Generally within the Street Park Strip sector, all decorative hard surfacing shall be located, using the “A” Pattern element that is associated with the building entry points within the RBR Zone. Typical standardized hard surfacing, meeting City Specifications, may also be installed outside of the A/B Pattern areas or such areas may be planted in lawn or other approved landscaping material, as approved on any final development plan.

3. ~~Pedestrian Street Lighting – Lighting fixtures shall be located and regularly spaced no less than 50 feet and no greater than 80 feet apart along the streetscape, or as authorized by any final development approval. Lighting fixture shall be design shall meet City Specifications and installed in a manner to allow it to break loose in case of a vehicular accident in accordance with City and/or State Specifications. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway, and where deemed necessary for street traffic lighting. All lighting fixtures used for traffic lighting shall use a double mount light fixture with one placed higher for traffic and other placed lower for pedestrian lighting. Lighting fixtures shall be alternately located and/or offset from the street tree spacing, located in the Building RBR sector, to prevent unnecessary conflicts between these two design elements. Additionally, lighting fixtures shall be designed in a manner to incorporate joint use of community banners, and other community identity needs.~~

- 4.3. Planting Beds – Planting Bed locations within the Street Park Strip Sector shall be installed in a manner that meets the desired A/B Design Pattern of the Public Space Plan. Planting bed improvements are to have a compatible or coherent enhanced design appearance along the Main Street frontage and shall consist of the following:

- i. At Grade Planters – For an at grade planting bed, a four-inch high by six-inch (4”x6”) wide curb shall be installed along the sidewalk side of the planter area. Plants shall consist of ~~salt tolerant~~ low level grasses, ~~flowers, shrubs~~, or other appropriate low level perennial plants. Plantings shall consist of a mixture of at least two-types of plantings, with 40% of one type used for in the central portion of bed to present a strong visual element to the planting bed. ~~At-Grade Planters are to be primarily used in the “B” Pattern element of the Public Space Plan.~~

- ~~ii. Metal Box Planter – A Metal Box Planter is one of the two style choices required to implement the “A” Pattern instance of the Public Space Plan. For the choice of a metal box planting bed, an 18” high by 24” wide plant box shall be located along the sidewalk side of the planting bed and shall be installed over a compacted and stabilized crush rock paving material that fills the entire planting bed area. The box shall be anchored using an approved “break away” mounting system. Plants, within the planting box, shall consist of salt tolerant grasses, shrubs, or other perennial plants. Tall ornamental grasses shall be included and used to create a strong vertical element to the planting box.~~
- ~~iii. Bench/Planter Combination – A Bench/Planter Combination is one of the two style choices required to implement the “A” Pattern instance of the Public Space Plan. For the choice of a bench and planter system, a sitting bench flanked by raised plant boxes shall be located along the sidewalk system (see example illustrations in this Chapter). The bench/plant boxes shall be installed over a compacted and stabilized crush rock paving material that fills the entire planting bed underneath. The bench shall be anchored using an approved “break away” mounting system. For the raised boxes, tall ornamental grasses shall be used to create a strong vertical element to the planting box. Other plant materials such as grasses and shrubs, not exceeding 24 inches in height, shall be used in the roadside portion of the planting bed.~~

- C. Major Utility Infrastructure. The delivery of utility needed and desired services for the City are a major functional element along Main Street. Above ground utility structures are to be minimized or reduced where possible. Structures shall co-locate with other utilities to reduce need for additional structures and minimize utility pole clutter.
- D. Utility Structure Landscaping. Where utility structures are physically located and where feasible, the structure is to be incorporated into the landscaping planting beds of the Street Park Strip sector to provide buffers around the structure and to add visual quality and appeal to the streetscape.

2. **Priority Pedestrian Path Sector Design Elements:**

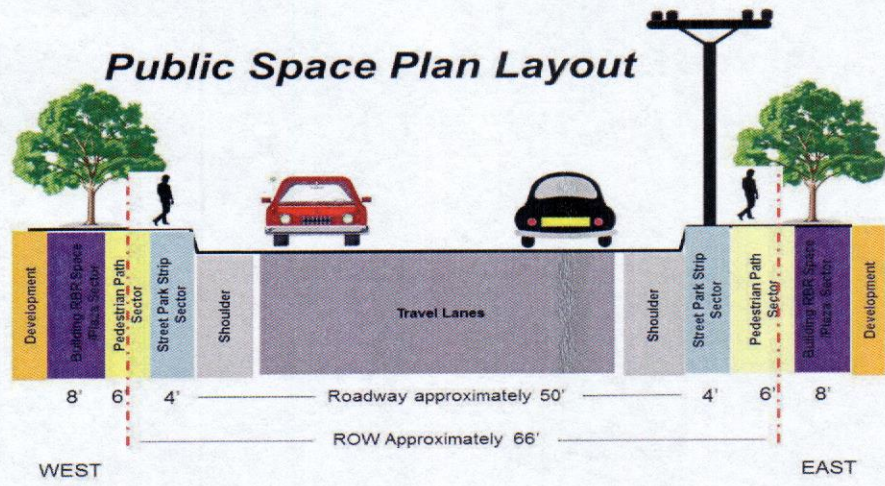
- A. Pedestrian Path Sector Design and Layout Pattern – The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in this Chapter). Generally, this A/B Design and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings. Nonetheless, if there is no building entry point being installed at a particular location, the desired A/B Pattern shall be installed anyway.
- B. Sector Location – The Pedestrian Path Sector is to be measured beginning at least four feet (4') from back of curb and then a width or depth of at least six feet (6'). In some instances along Main Street, it may require a sidewalk easement behind the existing right of way, as part of the required 10 foot public utility easement for land fronting Main Street.
- C. Pedestrian Path Uses and Materials – First and foremost, the Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street and adjoin the Street Park Strip Sector for facilitating pedestrian movement. The sidewalk system shall be installed in a manner that meets the desired A/B Pattern of the Public Space Plan (see example illustrations in this Chapter). All hard surfacing shall meet applicable City Specifications for material and colorization. Generally within the Pedestrian Path sector, all decorative hard surfacing shall be located, using the A/B Pattern elements that are associated with the building entry points within

the RBR Zone. Typical standardized hard surfacing, meeting City Specifications, is to be installed outside of the A/B Pattern areas.

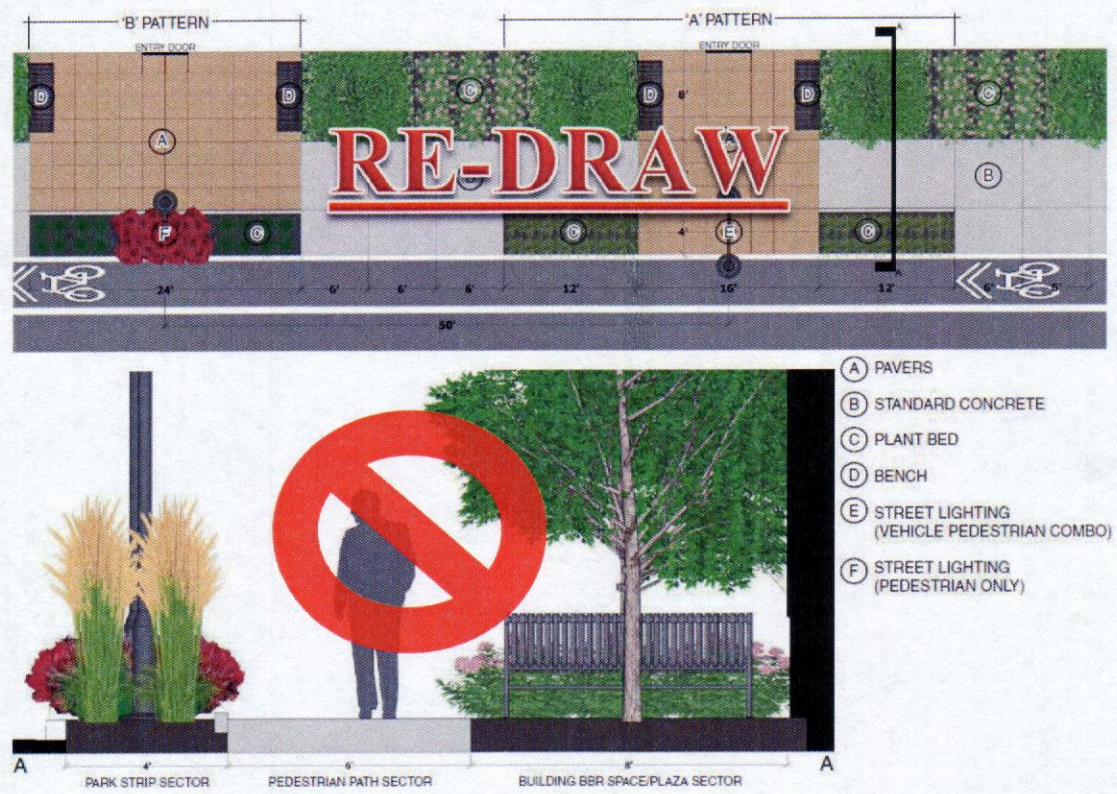
3. Priority Building RBR Space/Plaza Sector Design Elements

- A. Building RBR Space/Plaza Sector Design and Layout Pattern – The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in this Chapter). Generally, this A/B Design and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings.
- B. Sector Location – The Building RBR Space/Plaza Sector is to be measured beginning from back of sidewalk and then a width or depth of at least ten feet (10') as part of the Required Build to Range (RBR) of the land being developed.
- C. Building RBR Space/Plaza Sector Uses and Materials – The use of and/or materials within the Building RBR Space/Plaza Sector is to consist of building entry pathways, grasses or lawn, shrubs or flower plantings, and street trees. In addition at least two (2) pedestrian supportive amenities shall be installed in this sector. Such amenities shall include courts/plazas, benches, bike racks, and any other related amenities to support pedestrian activities, as authorized by any final development approval. The use of decorative hard surfacing shall be installed that the entry points of all buildings using the A/B Pattern elements that are associated with the Street Park Strip and Pedestrian Path sectors. All hard surfacing shall meet applicable City Specifications for material and colorization.
- D. Pedestrian Street Lighting – Lighting fixtures shall be located and regularly spaced no less than 50 feet and no greater than 80 feet apart along the streetscape, or as authorized by any final development approval. Lighting fixture shall be design shall meet City Specifications and installed in a manner to allow it to break loose in case of a vehicular accident in accordance with City and/or State Specifications. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway, and where deemed necessary for street traffic lighting. All lighting fixtures used for traffic lighting shall use a double mount light fixture with one placed higher for traffic and other placed lower for pedestrian lighting. Lighting fixtures shall be alternately located and/or offset from the street tree spacing, located in the Building RBR sector, to prevent unnecessary conflicts between these two design elements. Additionally, lighting fixtures shall be designed in a manner to incorporate joint use of community banners, and other community identity needs.
- D.E. Placement of Street Trees. Street trees shall be placed at the mid-point of the planting bed area, between the sidewalk and building, in a manner to frame the entry door points. Also tree placement shall be off-set from the spacing of pedestrian streets lighting fixtures of the Street Park Strip sector (see example illustrations in this Chapter) Street trees shall consist of small ornamental or columnar species, so as not to interfere with any overhead utility line and/or pedestrian circulation along the Pedestrian Path Sector. Additionally, the trees shall be regularly spaced along the street frontage in this sector, except where additional plaza or other public space is provided as authorized by any final development approval.

c) Main Street Public Space Generalized Cross-Section Illustration.



d) Illustrations for City Center and Traditional District Design and Layout Scheme.



e) Illustrations for City Center and Traditional Street Park Strip Sector Planter Design Options.



**ORDINANCE NO. 2016-27B
(PLANNING COMMISSION RECOMMENDATION)**

**AN ORDINANCE AMENDING SECTIONS 12.48.180 AND 12.48.190 OF
THE CENTERVILLE ZONING CODE REGARDING THE PUBLIC
SPACE PLAN AND ILLUSTRATIONS FOR VARIOUS SUBDISTRICTS
WITHIN THE SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY
ZONE**

WHEREAS, the City Council has previously adopted the South Main Street Corridor (SMSC) Overlay Zone as set forth in Chapter 12.48 of the Centerville Zoning Code; and

WHEREAS, in 2015, the City Council amended Chapter 12.48 to add provisions and illustrations regarding the Public Space Plan for various Subdistricts, in addition to other amendments, as adopted in Ordinance No. 2015-25A; and

WHEREAS, in January 2016, a majority of the City Council voted to direct Staff to prepare amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant grasses, and changing the position of the lighting, to be redirected back to the Planning Commission; and

WHEREAS, Staff prepared the suggested amendments to the SMSC Public Space Plan as directed by the Council and the Planning Commission reviewed the proposed amendments; and

WHEREAS, after holding many public hearings and public meetings and studying the proposed amendments to the SMSC Public Space Plan, the Planning Commission prepared its recommendations on the SMSC Public Space Plan amendments on July 13, 2016 and forwarded the same to the City Council; and

WHEREAS, the Planning Commission's recommendations essentially recommend the City Council retain the subject elements of the SMSC Public Space Plan as currently adopted and set forth in Section 12.48.180, with the recommendation to amend such provisions to provide illustrations and language for Main Street traffic striping changes and bike lanes for Main Street from Parrish Lane to Pages Lane; and

WHEREAS, the City Council has held a number of public meetings and hearings regarding the proposed amendments to the SMSC Public Space Plan and providing the public, business owners and the Planning Commission an opportunity to comment on the proposed amendments; and

WHEREAS, based on the public comments and other reasons more particularly set forth in the record, the City Council desires to amend Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan as more particularly provided herein; and

WHEREAS, the City is authorized to enact, amend or repeal provisions of the Centerville Zoning Code pursuant to specific statutory authority, including, but not limited to Utah Code §§ 10-9a-501, et seq., and Utah Code § 10-8-84; and

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

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

Section 1. Amendment. Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan and Public Space Plan Illustrations for certain Subdistricts in the South Main Street Corridor (SMSC) Overlay Zone are hereby retained as currently adopted and set forth in the Centerville Zoning Code, and Staff is directed to prepare and provide illustrations and language for Main Street Traffic Striping changes, as recommended by the Planning Commission and discussed with UDOT on May 11, 2016, which consists of re-striping Main Street, from Parrish Lane to Pages Lane to provide for the following: (a) reduction of travel lane widths to 11 feet; (b) reduction of center turn lane width to 11 feet; and (c) addition of a shoulder stripe to allow for a formal bike lane for both north and south directions.

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, THIS 20TH DAY OF SEPTEMBER, 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 _____, 20____.

PUBLISHED OR POSTED this ____ of _____, 20____.

**ORDINANCE NO. 2016-27C
(REPEAL OF PUBLIC SPACE PLAN)**

**AN ORDINANCE REPEALING SECTIONS 12.48.180 AND 12.48.190 OF
THE CENTERVILLE ZONING CODE REGARDING THE PUBLIC
SPACE PLAN AND ILLUSTRATIONS FOR VARIOUS SUBDISTRICTS
WITHIN THE SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY
ZONE**

WHEREAS, the City Council has previously adopted the South Main Street Corridor (SMSC) Overlay Zone as set forth in Chapter 12.48 of the Centerville Zoning Code; and

WHEREAS, in 2015, the City Council amended Chapter 12.48 to add provisions and illustrations regarding the Public Space Plan for various Subdistricts, in addition to other amendments, as adopted in Ordinance No. 2015-25A; and

WHEREAS, in January 2016, a majority of the City Council voted to direct Staff to prepare amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant grasses, and changing the position of the lighting, to be redirected back to the Planning Commission; and

WHEREAS, Staff prepared the suggested amendments to the SMSC Public Space Plan as directed by the Council and the Planning Commission reviewed the proposed amendments; and

WHEREAS, after holding many public hearings and public meetings and studying the proposed amendments to the SMSC Public Space Plan, the Planning Commission prepared its recommendations on the SMSC Public Space Plan amendments on July 13, 2016 and forwarded the same to the City Council; and

WHEREAS, the Planning Commission's recommendations essentially recommend the City Council retain the subject elements of the SMSC Public Space Plan as currently adopted and set forth in Section 12.48.180, with the recommendation to amend such provisions to provide illustrations and language for Main Street traffic striping changes and bike lanes for Main Street from Parrish Lane to Pages Lane; and

WHEREAS, the City Council has held a number of public meetings and hearings regarding the proposed amendments to the SMSC Public Space Plan and providing the public, business owners and the Planning Commission an opportunity to comment on the proposed amendments; and

WHEREAS, based on the public comments and other reasons more particularly set forth in the record, the City Council desires to repeal Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan; and

WHEREAS, the City is authorized to enact, amend or repeal provisions of the Centerville Zoning Code pursuant to specific statutory authority, including, but not limited to Utah Code §§ 10-9a-501, et seq., and Utah Code § 10-8-84; and

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

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

Section 1. Repeal. Sections 12.48.180 and 12.48.190 of the Centerville Zoning Code regarding the SMSC Public Space Plan and Public Space Plan Illustrations for certain Subdistricts in the South Main Street Corridor (SMSC) Overlay Zone are hereby repealed.

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, THIS 20TH DAY OF SEPTEMBER, 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	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.

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

PLANNING COMMISSION TRANSMITTAL REPORT

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

APPLICATION: **ZONING CODE TEXT AMENDMENTS**

APPLICANT REQUEST: **AMEND THE SOUTH MAIN STREET CORRIDOR
OVERLAY ZONE/PUBLIC SPACE PLAN, AS
FOLLOWS:**

- *REMOVING BENCHES, PLANTERS, AND DROUGHT
TOLERANT GRASSES*
- *CHANGE IN POSITION OF THE LIGHTING (i.e.
decorative pedestrian street lamps)*

PC RECOMMENDATION: **THE COMMISSION PREPARED A MOTION AND
FINDINGS TO AMEND REGARDING ADDING A
BIKE LANE AND ALSO RETAIN THE SPECIFIC
ELEMENTS AS CURRENTLY ADOPTED IN THE
SMSC PUBLIC SPACE PLAN**

BACKGROUND

Earlier this year, the City Council directed staff to prepare specific edits to the South Main Street Corridor Overlay Zone related to the Corridor's Public Space Plan and have the Planning Commission weigh in on the matter. The following has been copied from the City Council Minutes of January 19, 2016:

**"PROPOSED AMENDMENTS TO THE SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ZONE
REGARDING PUBLIC SPACE PLAN AND MAXIMUM GROSS DENSITY**

Public Space Plan – Councilman McEwan expressed concerned with elements included in the SMSC Public Space Plan that could present a liability to the City. Councilwoman Mecham added she is not sure where liability would lie if a car were to hit a break-away light pole, or a skateboarder were to run into a flower pot. She also stated that maintenance of elements included in the Plan could potentially be very high. Ms. Romney responded that liability typically lies with the owner of a property or improvement. The City is responsible and liable for public improvements in the public right-of-way; private property owners are liable for private improvements on private property. Regarding maintenance of lights, Mr. Snyder stated the City replaces and maintains the decorative lights on Parrish Lane. He mentioned that the sporadic installation of decorative lights that tends to occur with redevelopment can be difficult to connect to a City power source. Mr. Snyder agreed that maintenance and liability of the planter boxes is a valid question. Councilwoman Mecham suggested the Police Department discuss with the Council whether or not the tall grasses in planter boxes would be a potential visibility hazard.

Councilwoman Fillmore commented that skateboarding is an issue with any City-installed horizontal surface. Manufacturers offer benches with an added nub every few feet to discourage skateboarders. Councilman McEwan responded that skateboarders like to show they can jump over the nubs, and added he believes it would be borrowing trouble to mandate a horizontal surface on a busy road with a 40 mph speed limit. He said he feels it is only a question of when an incident would occur. Councilwoman Fillmore commented that through her continuing education, she has seen a lot of research to support that these types of elements increase the safety of a road. Councilman McEwan made a motion directing staff to prepare amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant grasses, to be redirected back to the Planning Commission. Responding to a question about lights, Mr. Snyder commented that most of the newer light poles on Parrish Lane and 400 West are behind the clear zone. Councilwoman Fillmore commented that during the public comment process for the SMSC Overlay Zone last year citizens stated they did not want Main Street to be just like Parrish Lane. As a former Planning Commissioner, Councilman Ince said he does not remember some of the liability issues being raised during Planning Commission discussions of the Public Space Plan. Councilwoman Fillmore said she will be grateful for the Planning Commission's input. Councilman McEwan added to the motion a change in position of the lighting. Councilman Ince seconded the motion. Due to noticing requirements, the earliest the Planning Commission is able to consider the changes is February 24th. Ms. Romney recommended the Council present the changes as amendments to Section 12-48-180 of the Public Space Plan. Councilwoman Fillmore made a motion to amend the motion to add direction to staff to research experiences of other cities with elements framing their main streets to show the concern is valid. The motion to amend failed for lack of a second. The original motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

Maximum Gross Density – Councilman McEwan stated he was not happy with the maximum gross density passed by the previous Council. Councilwoman Ivie said she has had conversations with citizens who have questioned the advisability of using conditional use in any building projects in the future, considering the changes made by the State Legislature limiting the City's ability to deny conditional use. Mr. Snyder commented that conditional use gives flexibility. As an example, he stated that if the Council is comfortable with a maximum of four units, the permitted would be two, and the conditional would be four. The conditional should be the maximum number the Council is comfortable with. Conditional use is allowed unless a negative impact cannot be mitigated. Councilwoman Fillmore cited the Walmart development as a good example of conditional use. The public was able to be involved and express concerns, resulting in an extraordinarily thorough process. Councilwoman Mechem agreed, and said she wants to see Main Street redeveloped and wants to encourage commercial with some incentive to make it viable. She asked if the mixed-use label could be removed, and commercial could be allowed with two or three accessory buildings. Mr. Snyder responded that mixed-use was introduced as a component to encourage redevelopment, but has been watered down to a point that the encouragement is reduced. The mixed-use label could be removed and a new use category created to allow commercial with a few accessory apartments.

Councilman McEwan said he appreciated a comment made by Councilman Averett predicting that any redevelopment would be office space rather than mixed-use. Mr. Snyder responded that office space is a competing use in many places in Centerville, and the saturation for office space is currently pretty high. Farmington Station Park is a heavy influence on retail commercial, and Woods Cross is gaining ground on their retail commercial center. Mr. Snyder said the long-term viability of retail in Centerville is probably not very strong. He acknowledged that demand for office space could increase in the future. He expressed the opinion that the tug of redevelopment is difficult with the current density numbers. If the numbers are reduced further, the expectation could be for small commercial use with a small number of dwelling units as support. He questioned whether tearing down and rebuilding at the street would ever happen without redevelopment incentive.

Councilman McEwan said that, considering the information presented, he does not wish to make a motion for action at this point. He said he can see enough competing forces that he does not know what will happen on Main Street. Councilwoman Fillmore mentioned that data collected by staff regarding demographics and ownership of the corridor was helpful to the previous Council. She agreed that the market has yet to speak regarding where Main Street will land, but said she likes giving property owners, many of whom are local, the option to have value in their land and be incentivized a little to redevelop and diversify their investment. Councilman McEwan expressed his concern that mixed-use is a density driver, and Centerville is not a destination

city, it is a bedroom community. He said he would like to see the conditional use reduced to four units. Councilwoman Fillmore agreed that holding off on making changes is a good idea, and pointed out that the City went from having no caps in the corridor to establishing thoroughly thought-out caps that are at or below the range of the residential neighborhoods behind. Councilwoman Mecham responded that density on Main Street was intensified from commercial. Councilman Ince said he would prefer commercial up front with a couple ADUs above, rather than a row of commercial with dwelling units behind. Mr. Snyder repeated that if redevelopment is not the goal, a new use could be added providing the opportunity to have accessory apartments supplementing commercial. Councilwoman Fillmore commented that density would be increased without the benefit of an improved, beautified core area."

PLANNING COMMISSION'S RECOMMENDATION AND FINDINGS – (as drafted by the Commission)

"I hereby make a motion for the Planning Commission to recommend to the City Council that they retain the subject elements of SMSC Public Space Plan as currently adopted in Section 12-48-180 of the Centerville Zoning Code, including benches, planters, drought tolerant grasses and lighting elements. Furthermore, the Planning Commission recommends that the SMSC Public Space Plan be amended to include the following:

1. *Provide illustration and language for Main Street Traffic Striping changes, as discussed with UDOT on May 11, 2016, which consists of re-striping of Main Street, from Parrish Lane to Pages Lane to provide for the following:*
 - a. *Reduction of travel lane widths to 11 feet*
 - b. *Reduction of center turn lane width to 11 feet*
 - c. *Addition of a shoulder stripe to allow for a formal bike lane for both north and south directions*

Suggested Reasons for Action (Findings):

- a. *The Planning Commission reviewed the changes using the Zone Text Amendment provisions of Section 12-21-080 and finds that preserving the subject elements accomplishes the following:*
 - i. *Preserves and enhances mobility throughout the Main Street Corridor, and "accommodations" for all types of users – see SMSC Plan, Goal 2.*
 - ii. *Enhances and promotes the SMSC as the setting for attractive, convenient, active, safe, and enjoyable destination and place of residence – see SMSC Plan, Goal 3.*
 - iii. *Develops and implements a coordinated standard for streetscape improvements along the entire SMSC. Improvements should include street lighting, landscaping, street furnishings, and signage and other amenities - see SMSC Plan, Objective 3.A.*
 - iv. *Other relevant or related goals and objectives that were considered:*
 - ✓ **Objective 2.D & 7.H** – width of sidewalks
 - ✓ **Objective 7.I** – use of street trees
 - ✓ **Objective 5.G** – use of landscaping and hardscaping
 - ✓ **Objective 2.B** – motorist/pedestrian conflicts and safety, lower speed limits
 - ✓ **Objective 8.A** – continuity of streetscape into the residential district

- b. *The Planning Commission believes that the planter boxes, benches, and light poles are fundamental to the SMSC Public Space Plan and to the walkability of the Main Street corridor because they provide human scale, imageability, and complexity, which are critical components for considering the inclusion of various users of Main Street.*
- c. *The Planning Commission has reviewed the numerous public comments that interested Centerville citizens submitted in response to the SMSC Public Space Plan and finds that those comments overwhelmingly support the Plan and improving the Main Street corridor to make it more walkable. The record of public comments received by the Planning Commission will be submitted to the City Council by Staff.*
- d. *The Planning Commission believes that promoting walkability on Main Street and the proposed Main Street Traffic Striping changes will support our State's active transportation goal to consider the needs of all users—including bike users, pedestrians, and those who use other forms of alternative transportation—in addition to vehicular use.*
- e. *The Planning Commission finds that UDOT is amenable to the SMSC Public Space Plan and the proposed elements with the currently adopted Public Space Plan. During the Planning Commission's meeting with UDOT Representative Darin Fistrup, Mr. Fistrup stated multiple times that "we [UDOT] will work with you" on the goals for Centerville City's plan. Additionally, both Mr. Fistrup and WFRC's Representative, Scott Hess, strongly suggested that all public space elements remain in the public right-of-way, with the possible exception of trees.*
- f. *The Planning Commission believes that it is important to prepare and adopt local master plans and maps to improve the coordination between local and regional Complete Streets Policies.*
- g. *The Planning Commission finds that the Main Street Traffic Striping changes:*
 - a. *Will support the designation of Centerville Main Street as a "Priority Bike Route" on the Centerville City's Trails Master Plan as well as the Davis County Plan, the UDOT Plan, and the WFRC Plan;*
 - b. *Are consistent with the Centerville Trails Committee's Centerville Parks and Trails & Proposed Bike Lanes Map; and*
 - c. *Begins the process of providing active transportation along the Main Street Corridor at no cost to the City.*
- h. *The Planning Commission has carefully considered the City Council's stated concerns regarding potential visibility hazards and believes that plantings and planter box varieties can be flexible elements that maintain safety and visibility in accordance with Centerville Municipal Code 11-01-150(c) and Centerville Zoning Code 12-55-230, which requires that intersections maintain a 50-foot sight triangle. UDOT Representative Mr. Fistrup indicated to the Planning Commission that while UDOT prefers planter boxes that are no taller than 18 inches, UDOT is flexible on planting choices and public elements such as plantings can have some height variation as long as the plantings do not hinder a driver's view of the pedestrian corridor or obscure applicable sight triangles.*
- i. *The Planning Commission has carefully considered the City Council's stated concerns regarding maintenance of SMSC Public Space Plan elements and does not find that maintenance of such elements is likely to cause an undue burden or cost to the City. The Planning Commission directed staff to contact other cities with similar public improvements and none of those cities reported extensive maintenance costs for*

similar elements. The Planning Commission believes that plantings, pavers, and other Plan elements can alleviate maintenance costs by mitigating storm water runoff and recharging groundwater. The Planning Commission also believes that using native or water-wise plantings will reduce maintenance needs while providing beauty and setting a water responsibility example for city residents.

- j. The Planning Commission has carefully considered the City Council's stated concerns regarding potential liability issues caused by certain Plan elements.
 - a. With regard to legal liability, the Planning Commission refers the City Council to the City Attorney's privileged memorandum, dated March 18, 2016.
 - b. With regard to potential safety concerns that elements may pose for drivers or pedestrians, the Planning Commission finds that the SMSC Public Space Plan elements are actually likely to increase safety to drivers and pedestrians, not pose any significant risk of harm to drivers or pedestrians. UDOT Representative Mr. Fistrup indicated to the Planning Commission that furniture in the park strip is not a large concern as long as it is breakaway. Mr. Fistrup also indicated that in the unlikely event a pedestrian was in the pathway of an element and a vehicle, if an element was present, the majority of the energy from the collision would be disbursed through the element breaking free rather than through direct contact with the pedestrian.
 - c. The Planning Commission believes the benefits to be gained from the SMSC Public Space Plan elements and improvements along Main Street, including street furnishings, planters, lighting, etc., outweigh any potential liability risk and maintenance obligations associated with such elements and improvements."

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

Over the past several months, the Planning Commission received the proposed draft edits, held public hearings, reviewed relevant issues during a work session, and discussed the matter extensively. After vetting their questions and opinions with much debate, on July 13, 2016, their conclusion resulted in a recommendation to amend the SMSC Plan to add a bike lane expectation, and to retain the elements identified by the City Council, as contained in their motion listed above.

Planning Commission Vote (5-2):

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

- FEBRUARY 24, 2016 Planning Commission Meeting

- MARCH 09, 2016 Planning Commission Meeting (Parks & Trails Presentations)
- MARCH 23, 2016 Planning Commission Meeting
- APRIL 13, 2016 Planning Commission Meeting
- MAY 11, 2016 Planning Commission Work Session (UDOT & WFRC)
- MAY 11, 2016 Planning Commission Meeting
- MAY 25, 2016 Planning Commission Meeting
- JUNE 08, 2016 Planning Commission Meeting
- JUNE 22, 2016 Planning Commission Meeting
- JULY 13, 2016 Planning Commission Meeting

12.48.180 Public Space Plan

The SMSC Overlay Zone is predominately focused and centered on the built and visual environment framing Main Street, between Parrish Lane and Pages Lane. Main Street is owned and maintained by the Utah Department of Transportation (UDOT). However, it is the intention of the SMSC Overlay Zone to contextually influence the physical and visual relationship of private versus public space along the corridor with the Public Space Plan.

(a) Public Space Design Sectors. The public space areas of the SMSC Overlay Zone are divided into three sectors to be referred to as the Street Park Strip Sector, the Pedestrian Path Sector, and the Building Required Build-to-Range (RBR). These sectors are more particularly described below.

(1) Street Park Strip Sector. The Street Park Strip Sector is important in creating a consistent form and function for the Main Street Corridor. This sector is a supplement to the Pedestrian Path Zone. This sector provides expanded pedestrian pathway along with utility and other streetscape elements to create a protective environment for the pedestrian from vehicular flow. Together, these two sectors are to unite themselves cohesively with the public spaces of the Building RBR Space/Plaza Sector.

(2) Pedestrian Path Sector. The Pedestrian Path sector is primarily focused on creating a contiguous path for pedestrians to travel along the South Main Street Corridor. The pathway divides the Street Park Strip Sector from the Building RBR Space/Plaza Sector. This sector also serves as the transition from private space to public space to unite the corridor in both function and form or visual appeal.

(3) Building Required Build-to Range (RBR) Sector. The Building Required Build-to Range (RBR) Space/Plaza sector is vitally important in creating the desired character or visual appeal of the Main Street Corridor. The Land Use Development Pattern is to include a strong pedestrian-oriented building design, with useable green and/or plaza space around the buildings that create physical interaction or visual places in combination with supportive pedestrian activities.

(b) Purpose and Intent of Public Space Plan. The South Main Street Corridor is designated as the historical, cultural, and civic heart of Centerville City. This is a great asset for the City and provides the necessary foundation for the future revitalization of the corridor. In addition to the preservation and/or redevelopment of land uses along the corridor, the redevelopment and revitalization of the streetscape is needed to reflect the desired relationship between public space and private development. The Public Space Plan and associated illustrations set forth in CZC 12.48.190 shall be utilized when reviewing and approving any development project, except for areas that are located within the Civic and Residential Boulevard Subdistricts of the SMSC Overlay Zone. The Public Space Plan depicts an A/B Design and Layout Pattern that is to be implemented along street frontage of Main Street. The expected public space design and layout for development approvals shall include and are described as follows.

(c) Priority Street Park Strip Sector Design Elements.

(1) Sector Location – The Street Park Strip Sector is to be measured beginning from

back of curb to a width or depth of at least four feet. Primarily, the Street Park Strip Sector shall be used for widening the sidewalk system along Main Street to provide greater surface area with a focus towards pedestrian use. All improvements within this sector shall be appropriately maintained by the adjacent contiguous land owner fronting along the Main Street, unless otherwise established by the City.

- (2) Street Park Strip Sector Design and Layout Pattern – The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in CZC 12.48.190). Generally, this A/B Design and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings. Nonetheless, if there is no building entry point being installed at a particular location, the desired A/B Pattern shall be installed anyway.

(A) Street Park Strip Uses and Materials – Approved Uses and Materials shall consist of patterned concrete and/or pavers, planting beds and plantings, pedestrian street lighting fixtures, combined traffic and pedestrian lighting fixtures, bike racks, and benches (see example illustrations in CZC 12.48.190). All elements within this sector shall satisfy applicable clear zone and/or lateral clearance standards of state or local specifications or regulations. The Street Park Strip sector may also utilize and install necessary traffic signals and related signage, as deemed necessary by authorized agencies of the City and State.

(B) Decorative Hard Surfacing – When hard surfacing is used in the Street Park Strip Sector, it shall be installed in a manner that meets the desired A/B Pattern of the Public Space Plan (see example illustrations in CZC 12.48.190). All hard surfacing shall meet applicable City Standards and Specifications for material and colorization. Generally within the Street Park Strip Sector, all decorative hard surfacing shall be located, using the "A" Pattern element that is associated with the building entry points within the RBR Sector. Typical standardized hard surfacing, meeting City Standards and Specifications, may also be installed outside of the A/B Pattern areas or such areas may be planted in lawn or other approved landscaping material, as approved on any final development plan.

(C) Pedestrian Street Lighting – Lighting fixtures shall be located and regularly spaced no less than 50 feet and no greater than 80 feet apart along the streetscape, or as authorized by any final development approval. Lighting fixture shall be designed to meet City Standards and Specifications and shall be installed in a manner to allow it to break loose in case of a vehicular accident in accordance with City and/or State Specifications. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway, and where deemed necessary for street traffic lighting. All lighting fixtures used for traffic lighting shall use a double mount light fixture with one placed higher for traffic and other placed lower for pedestrian lighting. Lighting fixtures shall be alternately located and/or offset from the street tree spacing, located in the Building RBR Sector, to prevent unnecessary conflicts between these two design elements. Additionally, lighting fixtures shall be designed in

a manner to incorporate joint use of community banners, and other community identity needs.

(D) Planting Beds – Planting Bed locations within the Street Park Strip Sector shall be installed in a manner that meets the desired A/B Design Pattern of the Public Space Plan. Planting bed improvements are to have a compatible or coherent enhanced design appearance along the Main Street frontage and shall consist of the following:

- (i) At Grade Planters – For an at grade planting bed, a four inch high by six inch wide curb shall be installed along the sidewalk side of the planter area. Plants shall consist of salt tolerant grasses, shrubs, or other perennial plants. Plantings shall consist of a mixture of at least two-types of plantings, with 40% of one type used for in the central portion of bed to present a strong visual element to the planting bed. At Grade Planters are to be primarily used in the “B” Pattern element of the Public Space Plan.
- (ii) Metal Box Planter – A Metal Box Planter is one of the two style choices required to implement the “A” Pattern instance of the Public Space Plan. For the choice of a metal box planting bed, an 18 inch high by 24 inch wide plant box shall be located along the sidewalk side of the planting bed and shall be installed over a compacted and stabilized crush rock paving material that fills the entire planting bed area. The box shall be anchored using an approved “break away” mounting system. Plants, within the planting box, shall consist of salt tolerant grasses, shrubs, or other perennial plants. Tall ornamental grasses shall be included and used to create a strong vertical element to the planting box.
- (iii) Bench/Planter Combination – A Bench/Planter Combination is one of the two style choices required to implement the “A” Pattern instance of the Public Space Plan. For the choice of a bench and planter system, a sitting bench flanked by raised plant boxes shall be located along the sidewalk system (see example illustrations in this CZC 12.48.190). The bench/plant boxes shall be installed over a compacted and stabilized crush rock paving material that fills the entire planting bed underneath. The bench shall be anchored using an approved “break away” mounting system. For the raised boxes, tall ornamental grasses shall be used to create a strong vertical element to the planting box. Other plant materials such as grasses and shrubs, not exceeding 24 inches in height, shall be used in the roadside portion of the planting bed.

(3) Major Utility Infrastructure. The delivery of utility needed and desired services for the City are a major functional element along Main Street. Above ground utility structures are to be minimized or reduced where possible. Structures shall co-locate with other utilities to reduce need for additional structures and minimize utility pole clutter.

- (4) Utility Structure Landscaping. Where utility structures are physically located and where feasible, the structure is to be incorporated into the landscaping planting beds of the Street Park Strip sector to provide buffers around the structure and to add visual quality and appeal to the streetscape.

(d) Priority Pedestrian Path Sector Design Elements.

- (1) Pedestrian Path Sector Design and Layout Pattern - The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in CZC 12.48.190). Generally, this A/B Design and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings. Nonetheless, if there is no building entry point being installed at a particular location, the desired A/B Pattern shall be installed anyway.
- (2) Sector Location - The Pedestrian Path Sector is to be measured beginning at least four feet from back of curb and then a width or depth of at least six feet. In some instances along Main Street, it may require a sidewalk easement behind the existing right of way, as part of the required 10 foot public utility easement for land fronting Main Street.
- (3) Pedestrian Path Uses and Materials - First and foremost, the Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street and adjoin the Street Park Strip Sector for facilitating pedestrian movement. The sidewalk system shall be installed in a manner that meets the desired A/B Pattern of the Public Space Plan (see example illustrations in CZC 12.48.190). All hard surfacing shall meet applicable City Standards and Specifications for material and colorization. Generally within the Pedestrian Path sector, all decorative hard surfacing shall be located, using the A/B Pattern elements that are associated with the building entry points within the RBR Sector. Typical standardized hard surfacing, meeting City Standards and Specifications, is to be installed outside of the A/B Pattern areas.

(e) Priority Building RBR Space/Plaza Sector Design Elements.

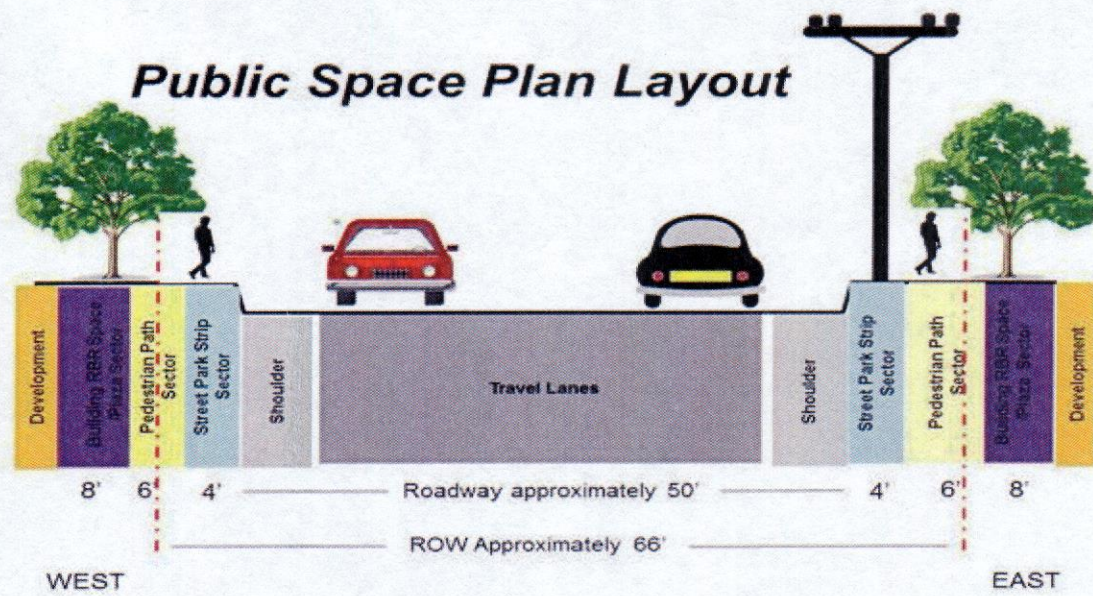
- (1) Building RBR Space/Plaza Sector Design and Layout Pattern - The design and layout pattern shall consist of an alternating A/B layout (see example illustrations in CZC 12.48.190). Generally, this A/B Design and Layout Pattern is to be implemented in 50 foot segments. The spacing of the A/B Design and Layout Pattern may be implemented on a block by block basis dependent upon which property is developed and its relation to established entry points of buildings.
- (2) Sector Location - The Building RBR Space/Plaza Sector is to be measured beginning from back of sidewalk and then a width or depth of at least 10 feet as part of the Required Build to Range (RBR) of the land being developed.
- (3) Building RBR Space/Plaza Sector Uses and Materials - The use of and/or materials within the Building RBR Space/Plaza Sector is to consist of building entry pathways, grasses or lawn, shrubs or flower plantings, and street trees. In addition at least two pedestrian supportive amenities shall be installed in this sector. Such

amenities shall include courts/plazas, benches, bike racks, and any other related amenities to support pedestrian activities, as authorized by any final development approval. The use of decorative hard surfacing shall be installed at the entry points of all buildings using the A/B Pattern elements that are associated with the Street Park Strip and Pedestrian Path sectors. All hard surfacing shall meet applicable City Standards and Specifications for material and colorization.

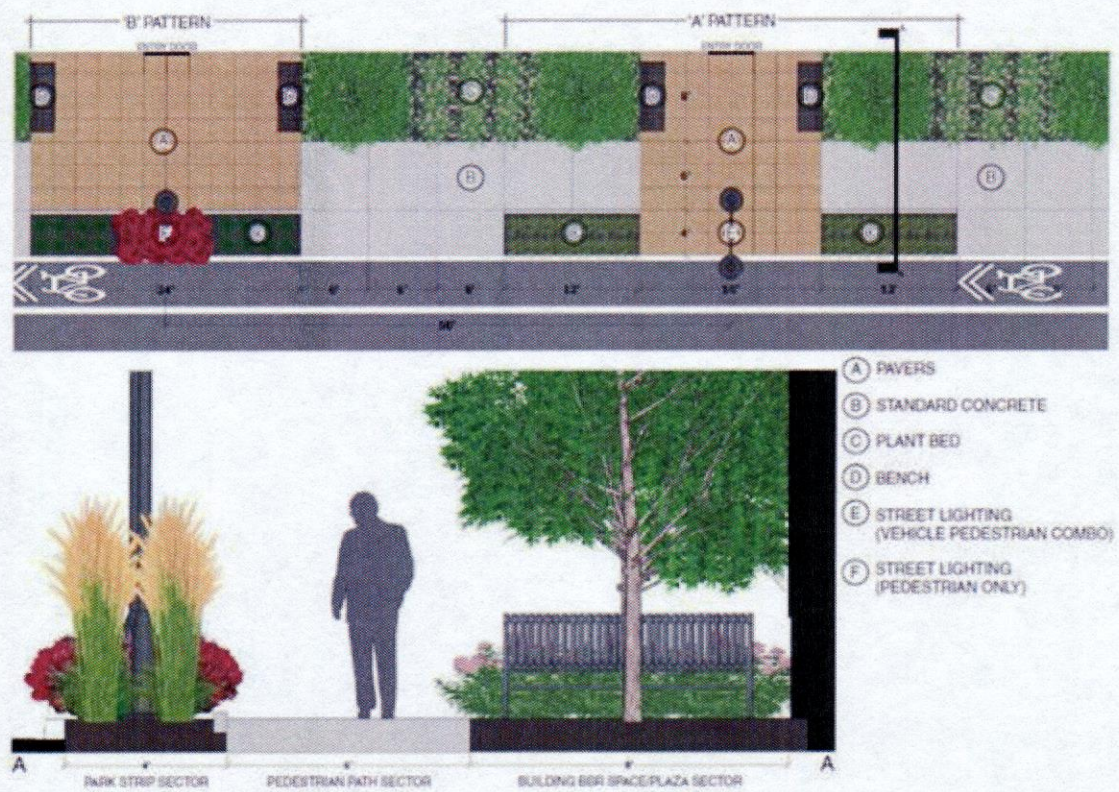
- (4) Placement of Street Trees. Street trees shall be placed at the mid-point of the planting bed area, between the sidewalk and building, in a manner to frame the entry door points. Also tree placement shall be off-set from the spacing of pedestrian street lighting fixtures of the Street Park Strip sector (see example illustrations in CZC 12.48.190). Street trees shall consist of small ornamental or columnar species, so as not to interfere with any overhead utility line and/or pedestrian circulation along the Pedestrian Path Sector. Additionally, the trees shall be regularly spaced along the street frontage in this sector, except where additional plaza or other public space is provided as authorized by any final development approval.

12.48.190 Public Space Plan Illustrations

(a) Public Space Plan Cross-Section Illustration.

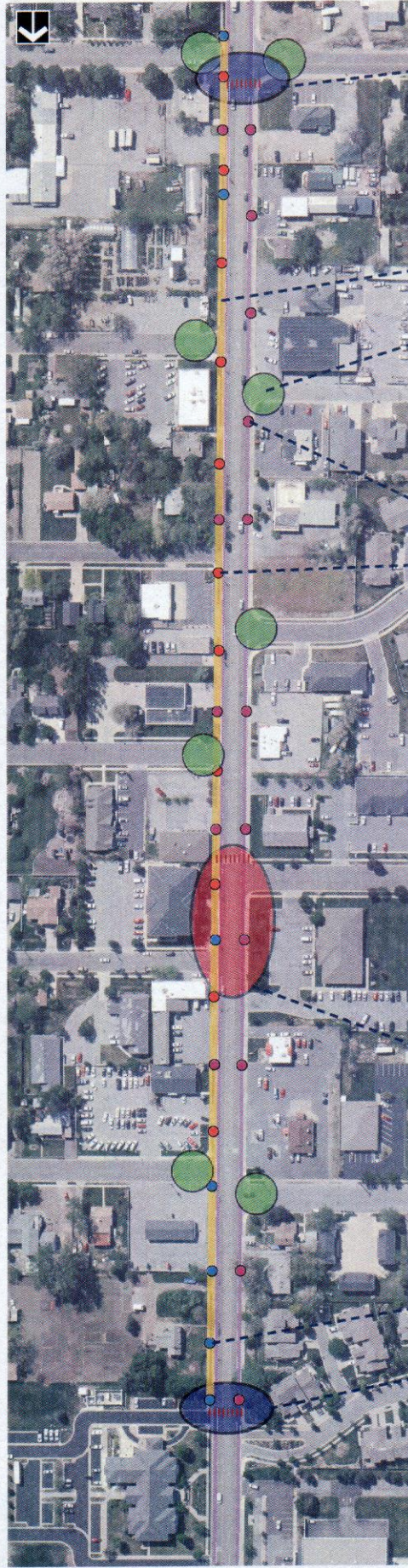


(a) Public Space Design and Layout Scheme.



(a) Public Space Plan Planter Design Options.





NORTH BOUNDARY
IDENTIFIED WITH MODEST VERTICAL ELEMENTS, LOW LANDSCAPE WALLS, NEW PLANTING AND BENCHES.

DRESS UP EXISTING LIGHT POLES WITH LOCAL ART WORK, ORNAMENTAL STEEL COLLARS, OR HARDWOOD PLANKING. ADD BANNER RODS TO EACH.

CENTRAL FEATURE
PLAZA FEEL WITH PAVING, BENCHES AND PLANTING TO CREATE A PLACE TO STOP AND GATHER. LARGER VERTICAL ELEMENTS IDENTIFY THIS CENTRAL AREA. BANNERS SPANNING OVER THE STREET ON CABLES PROVIDE ADDITIONAL EMPHASIS.

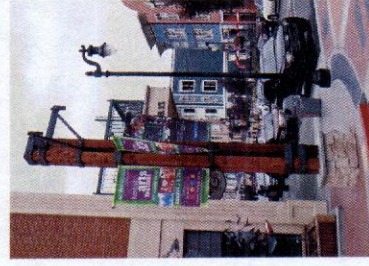
REPLACE EXISTING LIGHT FIXTURES WITH UPDATED LIGHTING. FILL GAPS IN LIGHTS BY ADDING ADDITIONAL FIXTURES. ADD A **SIMPLE POLE WITH A BANNER ROD** TO FILL GAPS BETWEEN POWER POLES. ADD NEW LIGHT POLES OR SIMPLE BANNER POLE TO OPPOSITE SIDE OF STREET.

INTERSECTIONS
RECEIVE BULB-OUTS TO CALM TRAFFIC AND ENHANCE BIKE LANE SAFETY.

SOUTH BOUNDARY
REPEATS THE NORTH BOUNDARY THEME WITH MODEST VERTICAL ELEMENTS LOW LANDSCAPE WALLS NEW PLANTING AND BENCHES.

EAST SIDEWALK IS PAVED TO CURB EDGE AND FEATURES TEXTURED OR EXPOSED AGGREGATE CONCRETE TO ENHANCE SENSE OF PLACE AND CREATE INTEREST. SPECIAL COLOR AND OR JOINT PATTERNS IDENTIFY DRIVEWAYS OR OTHER AREAS OF INTEREST.

UNIQUE STREET SIGN POSTS CAN BE USED TO CREATE A COMMON ELEMENT THROUGHOUT.

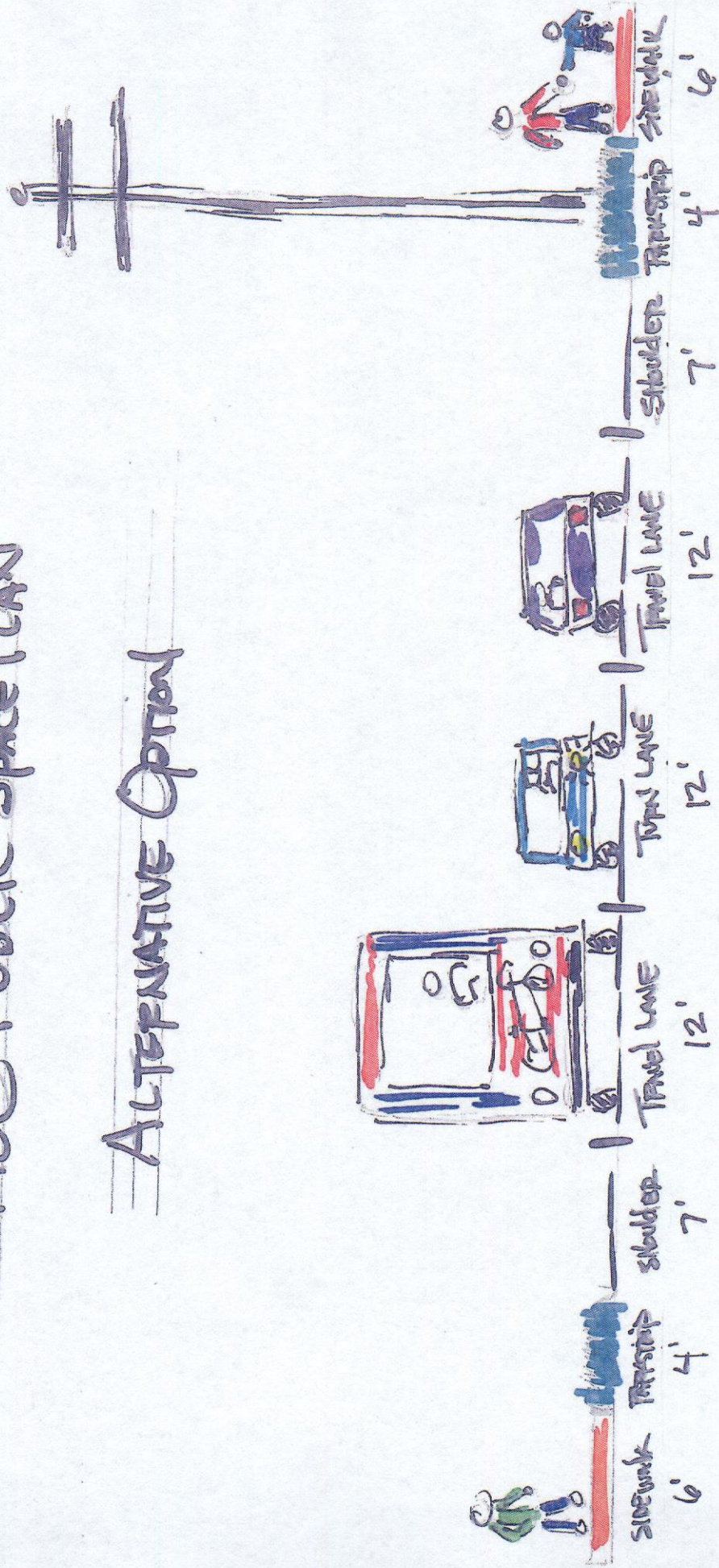


LEGEND

- EXISTING UTILITY POLE WITH COBRA HEAD FIXTURE
- EXISTING UTILITY POLE
- PROPOSED LIGHT POLE OR BANNER POLE
- ENTRY GATEWAY
- CENTRAL PLAZA NODE
- BULB-OUTS AT INTERSECTING STREETS
- REDEVELOPED EAST SIDEWALK
- PROPOSED BIKE LANE
- ENHANCED PEDESTRIAN INTERSECTION

SMSC PUBLIC SPACE PLAN

ALTERNATIVE OPTION



Cory Snyder

From: Spencer Summerhays <ssummerhays@boyercompany.com>
Sent: Wednesday, April 13, 2016 2:06 PM
To: Cheylynn Hayman
Subject: Public Space Plan

Cheylynn,

I was hoping to attend tonight's Planning Commission Meeting regarding the agenda item of the Public Space Plan. Unfortunately I will be out of town and cannot comment in the public hearing. Regardless, I wanted my voice to be heard in some fashion.

In general I am opposed to the staff recommended redline changes to the Public Space Plan as it is now constituted. Given that many of the surrounding residents and their children walk Main Street often (for various reasons including general City beautification, a sense of place, safety related to no school bus services, etc.), I would hope that the spirit and content of the existing plan be preserved. If nothing else, I would like the Public Hearing portion of this agenda item to be kept open so that I, and others, have an opportunity for our voices to be heard.

Thank you and best regards,

Spencer

--

SPENCER SUMMERHAYS
Partner - Project Executive

THE BOYER COMPANY
101 South 200 East, Suite 200
Salt Lake City, UT 84111
www.boyercompany.com
ssummerhays@boyercompany.com

T 801.521.4781
D 801.366.7161
C 801.230.3335

Cory Snyder

From: Megan Wells <megan.wells@gmail.com>
Sent: Wednesday, April 13, 2016 2:41 PM
To: mayor@centervilleut.net; Gina Hirst; Cheylynn Hayman; Logan Johnson; kevindaly78@gmail.com; centerville.becki@gmail.com; Wm Scott Kjar; citycouncil@centervilleut.net
Subject: Public Hearing Tonight, South Main Street Corridor

City Council, Mayor and Planning Commission,

Thank you for your service in keeping our city such a wonderful place to live. We moved here 7 years ago and love the walkability and accessibility of south Centerville. I unfortunately do not walk main street often because it isn't a nice place to walk with young children. I do believe promoting families and long term residents is something Centerville appreciates and considers when making plans. The principles that are in place to beautify and unify main street are exactly what this area needs and I urge you to reconsider before amending/reversing the current plans. I do believe you want to hear the voices of Centerville residents and hope you will take my email into consideration.

Thank you,
Megan Wells

Cory Snyder

From: Rebekah Pierce <bekpierce@gmail.com>
Sent: Wednesday, April 13, 2016 3:07 PM
To: David Hirschi; Gina Hirst; Cheylynn Hayman; Wm Scott Kjar; kevindaly78@gmail.com; centerville.becki@gmail.com
Cc: T Fillmore
Subject: Main Street Plan

Members of the Planning Commission-

My husband and I moved to Centerville in 2006 and were immediately smitten by it's small town feel and the strength of the community. We take for granted the fact that at any given time there are people walking, running, riding bikes or skateboards down our streets. I have even seen a horse or two. I love that I can be in my yard and that I can interact with neighbors and other city residents. Centerville is a friendly city with a lot of great people. In many ways, it has stayed true to it's small town roots.

However, as I have watched various plans debated and discussed for Main Street, it is evident that there seems to be a bias in our city government toward maintaining the status quo of some bygone era. As is often the case, cities grow and expand faster than city ordinances can keep up. Centerville's Main Street area is a great example of this. We have residents, small businesses and some open space. In recent years, there has been a push for smarter development, which is generally a good thing. In this latest round, it is my understanding that the City Council's biggest concern is regarding liability along the streets. Can we officially add "covering our butts" as a small town value that should govern the way we interact in our town?

There is a faction in our city government who would like things to stay the way they are; which ignores the fact that the one constant in life is change. The best thing that we can do as residents is try to manage our growth. Our previous City Council took time and made the effort to try and create a unified vision for Main Street. They have not required that tremendous city funds or resources be committed to changing this; simply that future planning needs to be mindful of an ideal and work towards that. This is the right path for our city.

Please keep the Main Street plan in place. I live on Main Street. Traffic and safety are of utmost importance to me and my family. I watch daily as school children come and go, runners, bikers and any number of other residents pass my house. I support our community and feel that those of us who live on Main Street should be able to enjoy some of the idyllic neighborhoods that so many of our City Council members enjoy. A few trees, negotiable sidewalks, benches, planters..... think about it. I would encourage members of the Planning Commission and the City Council to maintain the path that was set by the previous City Council. I would also like to see the decisions that affect me as a resident of the south side of Main Street made by people who may actually spend some time in my neck of the woods. It seems to me like there are several city officials who are all too happy to try and manage my life and neighborhood, but would riot if I tried to change their neighborhood.

Thank you,
Rebekah Pierce

Cory Snyder

From: Joanne and Brady McGarry <joanneandbrady@yahoo.com>
Sent: Wednesday, April 13, 2016 3:25 PM
To: David Hirschi; Gina Hirst; Cheylynn Hayman; Logan Johnson; wsk@skyproperties.com; kevidaly78@gmail.com; centerville.becki@gmail.com
Cc: Tami Fillmore
Subject: SMSC Public Space Plan

Hi to all,

I'm emailing to express my support of the SMSC Public Space Plan as it currently is. I believe that the plan incorporates principles that are good for our city. Please do not reverse the plan.

Thank you.

Sincerely,

Joanne McGarry

Cory Snyder

From: Paul Cutler <paulcutler@gmail.com>
Sent: Wednesday, April 13, 2016 4:38 PM
To: Cory Snyder; Steve Thacker
Subject: Fwd: South Main Street Public Space Plan

Paul Cutler
801-390-3444

Begin forwarded message:

Resent-From: <paulc@centervilleut.com>
From: Elisa Ray <elisaray@gmail.com>
Date: April 13, 2016 at 4:09:40 PM MDT
To: <mayor@centervilleut.com>, <citycouncil@centervilleut.com>
Subject: South Main Street Public Space Plan

Centerville City Council,

I am very much in favor of the plan Tami Fillmore is supporting to create a beautiful and pedestrian friendly Main Street. Being proactive in city planning is essential to meeting the demands of our growing community. I support the land use plan.

I feel spending resources on flowers and benches along main street is so important to the overall feeling of the city. Small towns such as Price (where I am from) Delta and Huntington Utah all have huge planters full of flowers lining their Main Streets. I have been so impressed with the love and care these small communities put into their communities with their very limited resources. I love walking down Bountiful Main street, while I understand we may never have the village shopping area they have we can at least have an attractive and pleasant Main Street to bike or drive down.

My main concern however is in making sure we create a pedestrian and biking friendly community. Healthy people are happy people. Our access to safe and environmentally clean ways to commute are essential. If we create safe ways for people to walk, and bike we will be a more emotionally stable, joy filled people. Please take the time to listen to this podcast recently produced by Doug Fabrizio: <http://radiowest.kuer.org/post/better-cities-fewer-cars-more-bikes>. Also this article: <http://ajph.aphapublications.org/doi/abs/10.2105/AJPH.93.9.1382>

Thanks for your time,

Elisa Ray
(801) 294-0158

Cory Snyder

From: Alice Roberts <alice.roberts@me.com>
Sent: Wednesday, April 13, 2016 3:49 PM
To: Alice Roberts
Subject: Main Street

I understand you will be discussing a recommendation to the city council tonight about the main street plan. Please recommend to keep the main street plan. Planning for our future means our city is carefully thought out. Failing to plan means we have a hodgepodge plan. I want a city that is beautiful and pedestrian friendly. Lets keep plans in place that aim us in that direction.

Alice Roberts

Cory Snyder

From: Matthew Pierce <MPierce@emcor.net>
Sent: Wednesday, April 13, 2016 6:05 PM
To: ginahirst@hotmail.com; Cheylynn Hayman; Logan Johnson; Wm Scott Kjar; kevindaley78@gmail.com; centerville.becki@gmail.com; David Hirschi
Subject: Concerned about Main Street Plan

Members of the Planning Commission,

I must express grave concern for the recent actions by some members of Centerville's City Council designed to depart from a Main Street Public Space Plan for Centerville's South corridor. I love Centerville and have lived on the south corridor of Main Street for 10 years. I support the existing plan to develop public space along the south corridor and I believe it holds great potential for our city.

Questioning the liability presented by such a plan, without evidence, seems a mixed motive at best. Surely the question of liability has been researched and determined by so many cities and developers that have chosen to move forward with similar plans. One must only walk along showcased public spaces in Bountiful and Farmington to see the difference good planning can have on established areas. Surely the developers in Sugarhouse, South Jordan/ Daybreak, and the recent Church led investment to redevelop the heart of Salt Lake City determined that increased liability was of no significant concern when they created their beautiful public spaces. I think the real but unspoken concern is one of cost.

The enviable public spaces in these examples of smartly developed or redeveloped cities, and countless others across the country, illustrate the value of good planning and investment that improves and showcases the quality of an area. The new City Council Members looking to backtrack on these existing plans have more than demonstrated in their campaign rhetoric a singleminded focus on cost reduction, potentially at the expense of value. Such a focus can cheaply sell the potential of our city and will not decrease the long term cost to the citizens, only the long term quality and value of the public space along Main Street.

Without any evidence that such a plan increases liability I urge you to recommend continuing the previously established course of smart development.

Henry Ford said "If you need a machine and don't buy it, ultimately you'll find that you've paid for it and don't have it." The Main Street plan for the south corridor is an important part of the infrastructure machine that will continue to make Centerville a beautiful and desirable place to live and raise a family. The city needs it to combat the potential chaos posed by the absence of a unified plan. Let's not surrender the potential of Main Street and lose sight of the value of smart long term investment because some are blinded by the specter of cost.

Regards,

Matthew Pierce
Concerned Centerville Citizen
801-403-3897

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message in error, please immediately delete it and all copies of it from your system, destroy any hard copies of it and notify the sender. You must not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient.

Cory Snyder

From: Gina Hirst <ginahirst@hotmail.com>
Sent: Wednesday, April 13, 2016 8:07 PM
To: Cory Snyder
Subject: Fwd: SMSC Public Space Plan

Sent from my iPad

Begin forwarded message:

From: Joanne and Brady McGarry <joanneandbrady@yahoo.com>
Date: April 13, 2016 at 3:24:58 PM MDT
To: "dave@hsblegal.com" <dave@hsblegal.com>, "ginahirst@hotmail.com" <ginahirst@hotmail.com>, "chayman@parrbrown.com" <chayman@parrbrown.com>, "logangj@gmail.com" <logangj@gmail.com>, "wsk@skyproperties.com" <wsk@skyproperties.com>, "kevindaly78@gmail.com" <kevindaly78@gmail.com>, "centerville.becki@gmail.com" <centerville.becki@gmail.com>
Cc: Tami Fillmore <tamilynfgf@yahoo.com>
Subject: SMSC Public Space Plan
Reply-To: Joanne and Brady McGarry <joanneandbrady@yahoo.com>

Hi to all,

I'm emailing to express my support of the SMSC Public Space Plan as it currently is. I believe that the plan incorporates principles that are good for our city. Please do not reverse the plan.

Thank you.

Sincerely,

Joanne McGarry

Cory Snyder

From: Dave Hirschi <dave@hsblegal.com>
Sent: Thursday, April 14, 2016 9:16 AM
To: Cory Snyder
Subject: FW: South Main Street Corridor

FYI

David P. Hirschi
HIRSCHI STEELE & BAER, PLLC
136 E. South Temple Suite 1650, Salt Lake City, Utah 84111 Ph. 801-990-0500 Email: dave@hsblegal.com
A PRACTICE DIVISION OF

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This email should not be relied upon as a formal opinion on any tax related matters.

-----Original Message-----

From: RuthAnn Fisher [<mailto:radfisher@fisherutah.com>]
Sent: Thursday, April 14, 2016 9:12 AM
To: mayor@centervilleut.com; citycouncil@centervilleut.com
Cc: Dave Hirschi <dave@hsblegal.com>; ginahhirst@hotmail.com; chayman@parrbrown.com; logangj@gmail.com; wsk@utahskyproperties.com; kevindaly78@gmail.com; centerville.becki@gmail.com
Subject: South Main Street Corridor

The former city council put a plan in place so that as south main street is redeveloped, it is done so in a thoughtful way. The plan included lighting and planters and benches. The plan as it was put in place by our previous city council directed the development of an incremental plan that would beautify, make more walkable, and improve pedestrian and driver safety in the South Main Street corridor.

I am strongly in favor of the SMSC Public Space Plan as it was previously developed.

RuthAnn Fisher

498 North Main St

Cory Snyder

From: Dave Hirschi <dave@hsblegal.com>
Sent: Friday, April 15, 2016 7:26 AM
To: Cory Snyder
Subject: FW: Mainstreet Plans

FYI

David P. Hirschi
HIRSCHI STEELE & BAER, PLLC
136 E. South Temple Suite 1650, Salt Lake City, Utah 84111
Ph. 801-990-0500 Email: dave@hsblegal.com

A PRACTICE DIVISION OF

HIRSCHI STEELE & BAER  Davis Miles
McGuire Gardner

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This email should not be relied upon as a formal opinion on any tax related matters.

From: CONNIE DAVIES [<mailto:kevinconniedavies@msn.com>]
Sent: Thursday, April 14, 2016 11:23 PM
To: Dave Hirschi <dave@hsblegal.com>; Gina Hirst <ginahhirst@hotmail.com>; Cheylynn Hayman <chayman@parrbrown.com>; Logan Johnson <logangi@gmail.com>; Wm Scott Kjar <wsk@utahskyproperties.com>; Kevin Daly <kevindaly78@gmail.com>; Becki Wright <centerville.becki@gmail.com>
Subject: Mainstreet Plans

Thank you for all your service to make Centerville a great place to live. I love living here and I am so grateful to have a wonderful community to raise my family.

One of the things I enjoy most about Centerville is how easy it is to travel by foot or bike to various businesses and parks. It is actually one of the main reasons I chose to settle my family here in Centerville. I learned about the south mainstreet corridor beautification plans (sorry if that is not the correct project name) this last year and was very excited to see it implemented. I am now deeply saddened to have recently learned that the city council has chosen to no longer follow this plan.

Can you please tell me what needs to be done for this issue to be revisited and the reversal to be removed? I realize I am one community member but I confident that this is beautification project is something the majority of Centerville residents would desire and I am willing to gather evidence to support this belief.

Connie Davies
560 N. 100 E.

kevinconniedavies@msn.com
801-529-8459

Cory Snyder

From: CONNIE DAVIES <kevinconniedavies@msn.com>
Sent: Tuesday, May 03, 2016 3:39 PM
To: David Hirschi; Gina Hirst; Cheylynn Hayman; Logan Johnson; Wm Scott Kjar; Kevin Daly; Becki Wright
Subject: Mainstreet plans

Dear City Planners,

A few weeks ago I learned that the walking friendly plans for Porter's Lane to 200 North were possibly going to be scrapped. I was very concerned about the plans being eliminated and began to doing research to better understand the situation. I am still very concerned about the plans being scrapped and here is my perspective of the situation:

I have heard concern about city liability. Most cities (unless they literally opt out of the option) are protected by sovereign immunity when it comes to liability and potential lawsuits. This means a person cannot sue a city or a city office unless they can prove it is a matter of discrimination, negligence (this is why the sidewalks must be sawed down, to not maintain the sidewalk would be negligence), or arbitration (two parties in a business deal and both are willing to discuss an issue outside of court- this would be if a business had an agreement with a city and the city failed to follow through, or either party tried to change the contract. Even then the city would have to agree to the arbitration or could hold to their sovereign rights.) The city should be protected from any type of liability for planned fixed structures. This is definitely somehow that should be looked into.

I have experience with sovereign immunity. My father's wife tried to sue a city in Texas because she wasn't paying attention and tripped on a handicap ramp in a public park. She had major arm surgery and sued the city in Texas. The city was immune to all of the lawsuit and my stepmother had to pay her own medical bills **AND** the legal bills. If you would like more information I can contact her and see if she is willing to share her experience with you.

There are several studies that support drivers respond more readily to these cues than they do to even pedestrians walking the sidewalks. Drivers were more alert, paid closer attention, and responded quicker when an area was built to show that foot traffic is promoted. Permanent cues include benches, trees, planter boxes that were near driver eye level (whether that be plants inside the planter or the planter itself), chicanes, and roundabouts. I looked into this after our last phone conversation and found many studies when I googled especially when I googled "pedestrian safety" and "traffic calming designs and tactics." The searches will display several studies that show pedestrian safety is at it's highest when drivers see pedestrian cues besides just pedestrians.

There is concern about trees in the parking strips. There are many trees in our community that seem to be doing a great job providing fresh air, shade, and beauty with minimum city damage. I googled "trees that are good for parking strips" and there are many trees that are ideal just for the purpose of parking strips, including their root systems. Salt lake county has an excellent page as to why you would actually want trees in your parking strips. You can view that page here: <http://slco.org/millionTrees/html/rightTree/RightTreeRightPlace1.html> Sandy city also has a great page

about trees in parking strips as well as the Utah State extension website. I personally like them in parking strips as opposed to the buildings because they add buffer between the road and the pedestrians, especially junior high kids.

I was thinking about the coloring of the sidewalk which seems to be another concern. I am not looking for intricate color schemes but wouldn't a color plan in place prevent mismatched sidewalk color patterns like what you pointed out in front of Centerville Elementary? If they had had a color formula (nothing fancy but just a protocol color) then they could use the records to do a better job of matching the existing sidewalk thus making it not so scrappy looking? Can you help me understand this better?

Here are the other points we talked about that I think deserve some consideration:

I just want to reinforce that it is much better for a fast car to hit a planter and the planter hit my son than for that car to directly hit my son as he is walking to and from school. A planter or a bench will greatly slow down a driver by its sheer mass when in comparison to grass. If my son is rough housing or riding his bike, it is much better for him to run into a large planter, tree, or bench than to go into the road. I also feel that someone driving a car will be completely relieved to have only hit a planter as opposed to a store front or a pedestrian.

I hate how Parrish Lane is designed. When I walk to Dick's I feel exposed, unprotected, and self conscious. The sidewalk is huge but totally exposed. In the summer my kids love to walk to Sonic and Dairy Queen and I worry about their safety. There is nothing to buffer my kids on the sidewalk from the cars. I have had numerous incidents where cars have not slowed down as they approach a parking lot even though I am right there walking close to the parking lot entrance. There is nothing blocking their view of me as I walk, and yet often they seem surprised to suddenly see me walking there. It for this reason I don't see a larger sidewalk being a total solution to the problem. I think when drivers view an area as a car dominant area, they quit looking for pedestrians. I wish I was around when they made the plans for Parrish Lane foot traffic. The city councils of the past could have done a large service to us in the present to have considered the foot traffic connection of the neighborhoods to the businesses. This is one reason I am really wanting to think about the future plans of the streets of Centerville.

The discussion of UDOT is a frustrating one for me. I have always felt that 40 miles an hour is really fast for a road that has driveways that empty onto it and a junior high school on it. When I mentioned this to city officials, I was told that UDOT has control of the road and so we have to keep it 40 miles per hour. I put the issue aside until I realized this upcoming year my oldest son will be attending Centerville Junior high and mainstreet is THE ONLY road between my house and the school that has a continuous strip of sidewalk. The ONLY continuous strip! I don't know where someone thought it was a good idea to have homes without sidewalks (to save on shoveling?!!) but now he has to choose between walking on a busy 40 miles per hour road or walking in the streets when he and his friends walk home from school. Now when I address making mainstreet safer and someone says, "We don't want to make plans because UDOT MIGHT not approve" I get very frustrated. I wonder this predicament has happened because there really wasn't a plan in place before that UDOT was able to make that a busy road. I just can't think of a city planner that would look at that predicament for junior high kids and think that it is okay. I don't like discussing things with UDOT with no plan in place. UDOT with free reign is not a good idea for the community.

I'm with you in the idea that the world is moving more towards online shopping and I don't think Mom and Pop shops are sustainable. From what I have learned of the plan it is more standard businesses that are going to be going into these areas, as well as some mixed used housing. I also think Centerville City has many reasons to go to the streets besides mom and pop shops. There are so many programs in place here at

Centerville to encourage people to get out : 4th of July, Ethnic festivals, movie nights, beginnings of a farmers market, Whittaker community gardens, etc... Trying to make as much of the sidewalk as walker friendly, in my mind, fits in with the efforts and vision of the city that is in place.

I know the strip in question is small but with the opening of that vacant land, I really think it deserves some serious thought and planning. I really am thinking about the future generations just as I wish future generations would have thought with Parrish Lane.

I think it would be useful for you and other city council members to understand a little more about where I am coming from. My family moved from Layton to Centerville in 2009. We loved our neighbors in Layton but I hated how difficult it was get around and how disconnected the community felt. We first considered moving just one city over to Kaysville just so we could have a better walking community. The jump of house prices from Layton to East Kaysville is significant. I could have a new large home in Layton with a lot of land or a much smaller much older home in Kaysville BUT I could walk to the library, the movie, schools, and grocery store. For that reason we were going to pay significant money to move to a smaller home in Kaysville When we saw a lovely home open in Centerville with a walkability score of 64 I could not believe my luck. The house was more expensive than the Kaysville homes and on a smaller piece of property BUT I loved loved loved what I had heard about the community in Centerville and I loved how close we could be to SLC.

Thanks for listening. I understand you are a very busy committee and I appreciate your time!

Connie Davies
560 N 100 E. Centerville

Cory Snyder

From: Heidi Peterson <heidi.peterson@juno.com>
Sent: Wednesday, May 04, 2016 4:34 PM
To: Cheylynn Hayman
Subject: Main Street

My kids will be attending CJH and i will be driving that section of mainstreet. I would like it if the pedestrians had a better walking area. Thank you for your consideration.

Heidi Peterson 🍷

The Conservative Investor
Leaked Wall Street Software Turns \$1,500 Savings Into \$2.7 Million Fortune
<http://thirdpartyoffers.juno.com/TGL3141/572a78d7d13fe78d62040st02duc>

Cory Snyder

From: Dave Hirschi <dave@hsblegal.com>
Sent: Friday, May 06, 2016 3:26 PM
To: Cory Snyder
Subject: Fwd: Mainstreet plans

For the record

Sent from my iPad

Begin forwarded message:

From: CONNIE DAVIES <kevinconniedavies@msn.com>
Date: May 6, 2016 at 2:41:22 PM MDT
To: David Hirschi <dave@hsblegal.com>, Gina Hirst <ginahhirst@hotmail.com>, Cheylynn Hayman <chayman@parrbrown.com>, Logan Johnson <logangj@gmail.com>, Wm Scott Kjar <wsk@utahskyproperties.com>, Kevin Daly <kevindaly78@gmail.com>, Becki Wright <centerville.becki@gmail.com>
Subject: RE: Mainstreet plans

Dear City Planners,

Forgive me for sending another letter after such a long first letter but I came across this article and felt it helped express why it is important to plan for pedestrians and not just cars.

http://www.fastcoexist.com/3059330/why-traffic-studies-make-our-cities-worse-for-everyone?utm_content=bufferc325d&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer

Many Thanks,

Connie Davies

From: kevinconniedavies@msn.com
To: dave@hsblegal.com; ginahhirst@hotmail.com; chayman@parrbrown.com; logangj@gmail.com; wsk@utahskyproperties.com; kevindaly78@gmail.com; centerville.becki@gmail.com
Subject: Mainstreet plans
Date: Tue, 3 May 2016 15:39:12 -0600

Dear City Planners,

A few weeks ago I learned that the walking friendly plans for Porter's Lane to 200 North were possibly going to be scraped. I was very concerned about the plans being eliminated and began to doing research to better understand the situation. I am still very concerned about the plans being scraped and here is my perspective of the situation:

I have heard concern about city liability. Most cities (unless they literally opt out of the option) are protected by sovereign immunity when it comes to liability and potential lawsuits. This means a person cannot sue a city or a city office unless they can prove is it a matter of discrimination, negligence (this is why the sidewalks must be sawed down, to not maintain the sidewalk would be negligence), or arbitration (two parties in a business deal and both are willing to discuss an issue outside of court- this would be if a business had an agreement with a city and the city failed to follow through, or either party tried to change the contract. Even then the city would have to agree to the arbitration or could hold to their sovereign rights.) The city should be protected from any type of liability for planned fixed structures. This is definitely somehow that should be looked into.

I have experience with sovereign immunity. My father's wife tried to sue a city in Texas because she wasn't paying attention and tripped on a handicap ramp in a public park. She had major arm surgery and sued the city in Texas. The city was immune to all of the lawsuit and my stepmother had to pay her own medical bills AND the legal bills. If you would like more information I can contact her and see if she is willing to share her experience with you.

There are several studies that support drivers respond more readily to these cues than they do to even pedestrians walking the sidewalks. Drivers were more alert, paid closer attention, and responded quicker when an area was built to show that foot traffic is promoted. Permanent cues include benches, trees, planter boxes that were near driver eye level (whether that be plants inside the planter or the planter itself), chicanes, and roundabouts. I looked into this after our last phone conversation and found many studies when I googled especially when I googled "pedestrian safety" and "traffic calming designs and tactics." The searches will display several studies that show pedestrian safety is at it's highest when drivers see pedestrian cues besides just pedestrians.

There is concern about trees in the parking strips. There are many trees in our community that seem to be doing a great job providing fresh air, shade, and beauty with minimum city damage. I googled "trees that are good for parking strips" and there are many trees that are ideal just for the purpose of parking strips, including their root systems. Salt lake county has an excellent page as to why you would actually want trees in your parking strips. You can view that page here: <http://slco.org/millionTrees/html/rightTree/RightTreeRightPlace1.html> Sandy city also has a great page about trees in parking strips as well as the Utah State extension website. I personally like them in parking strips as opposed to the buildings because they add buffer between the road and the pedestrians, especially junior high kids.

I was thinking about the coloring of the sidewalk which seems to be another concern. I am not looking for intricate color schemes but wouldn't a color plan in place prevent mismatched

sidewalk color patterns like what you pointed out in front of Centerville Elementary? If they had had a color formula (nothing fancy but just a protocol color) then they could use the records to do a better job of matching the existing sidewalk thus making it not so scrappy looking? Can you help me understand this better?

Here are the other points we talked about that I think deserve some consideration:

I just want to reinforce that it is much better for a fast car to hit a planter and the planter hit my son than for that car to directly hit my son as he is walking to and from school. A planter or a bench will greatly slow down a driver by its sheer mass when in comparison to grass. If my son is rough housing or riding his bike, it is much better for him to run into a large planter, tree, or bench than to go into the road. I also feel that someone driving a car will be completely relieved to have only hit a planter as opposed to a store front or a pedestrian.

I hate how Parrish lane is designed. When I walk to Dick's I feel exposed, unprotected, and self conscious. The sidewalk is huge but totally exposed. In the summer my kids love to walk to Sonic and Dairy Queen and I worry about their safety. There is nothing to buffer my kids on the sidewalk from the cars. I have had numerous incidents where cars have not slowed down as they approach a parking lot even though I am right there walking close to the parking lot entrance. There is nothing blocking their view of me as I walk, and yet often they seem surprised to suddenly see me walking there. It for this reason I don't see a larger sidewalk being a total solution to the problem. I think when drivers view an area as a car dominant area, they quit looking for pedestrians. I wish I was around when they made the plans for Parrish Lane foot traffic. The city councils of the past could have done a large service to us in the present to have considered the foot traffic connection of the neighborhoods to the businesses. This is one reason I am really wanting to think about the future plans of the streets of Centerville.

The discussion of UDOT is a frustrating one for me. I have always felt that 40 miles an hour is really fast for a road that has driveways that empty onto it and a junior high school on it. When I mentioned this to city officials, I was told that UDOT has control of the road and so we have to keep it 40 miles per hour. I put the issue aside until I realized this upcoming year my oldest son will be attending Centerville Junior high and mainstreet is THE ONLY road between my house and the school that has a continuous strip of sidewalk. The ONLY continuous strip! I don't know where someone thought it was a good idea to have homes without sidewalks (to save on shoveling?!!) but now he has to choose between walking on a busy 40 miles per hour road or walking in the streets when he and his friends walk home from school. Now when I address making mainstreet safer and someone says, "We don't want to make plans because UDOT MIGHT not approve" I get very frustrated. I wonder this predicament has happened because there really wasn't a plan in place before that UDOT was

able to make that a busy road. I just can't think of a city planner that would look at that predicament for junior high kids and think that it is okay. I don't like discussing things with UDOT with no plan in place. UDOT with free reign is not a good idea for the community.

I'm with you in the idea that the world is moving more towards online shopping and I don't think Mom and Pop shops are sustainable. From what I have learned of the plan it is more standard businesses that are going to be going into these areas, as well as some mixed used housing. I also think Centerville City has many reasons to go to the streets besides mom and pop shops. There are so many programs in place here at Centerville to encourage people to get out : 4th of July, Ethnic festivals, movie nights, beginnings of a farmers market, Whittaker community gardens, etc... Trying to make as much of the sidewalk as walker friendly, in my mind, fits in with the efforts and vision of the city that is in place.

I know the strip in question is small but with the opening of that vacant land, I really think it deserves some serious thought and planning. I really am thinking about the future generations just as I wish future generations would have thought with Parrish Lane.

I think it would be useful for you and other city council members to understand a little more about where I am coming from. My family moved from Layton to Centerville in 2009. We loved our neighbors in Layton but I hated how difficult it was get around and how disconnected the community felt. We first considered moving just one city over to Kaysville just so we could have a better walking community. The jump of house prices from Layton to East Kaysville is significant. I could have a new large home in Layton with a lot of land or a much smaller much older home in Kaysville BUT I could walk to the library, the movie, schools, and grocery store. For that reason we were going to pay significant money to move to a smaller home in Kaysville. When we saw a lovely home open in Centerville with a walkability score of 64 I could not believe my luck. The house was more expensive than the Kaysville homes and on a smaller piece of property BUT I loved loved loved what I had heard about the community in Centerville and I loved how close we could be to SLC.

Thanks for listening. I understand you are a very busy committee and I appreciate your time!

Connie Davies

560 N 100 E. Centerville

Cory Snyder

From: Dave Hirschi <dave@hsblegal.com>
Sent: Monday, May 09, 2016 7:39 AM
To: Cory Snyder
Subject: FW: We Support the Plan

For the record.

David P. Hirschi
HIRSCHI STEELE & BAER, PLLC
136 E. South Temple Suite 1650, Salt Lake City, Utah 84111
Ph. 801-990-0500 Email: dave@hsblegal.com

A PRACTICE DIVISION OF

HIRSCHI STEELE & BAER  Davis Miles
McGuire Gardner

CONFIDENTIALITY NOTICE: This electronic message transmission may contain confidential and/or privileged information for the named recipient(s) only. If you received this email by mistake, please delete the email and notify me immediately. Thank you.

This email should not be relied upon as a formal opinion on any tax related matters.

From: Jolene Keate [<mailto:jkeate@gmail.com>]
Sent: Saturday, May 07, 2016 8:31 PM
To: Dave Hirschi <dave@hsblegal.com>
Subject: We Support the Plan

We understand the City Planners are asking to hear from the Centerville City citizens concerning the plan that is in place to move forward with beautifying our city. We trust and support the plan that is in place. We have had the opportunity to visit my father's homeland of Switzerland. We were in awe of how beautiful the cities were. They were also extremely clean. We felt the citizens of both Switzerland and Germany care about the appearance of their communities. We have wondered why we lack this commitment to care for our own city. We know all of our City Planners have a vision to create an environment that can be praised and welcomed as a people who care. We also desire to have more improvements made to our parks and walking/running trails to encourage others to care for their own health and enjoy the outdoors.

Include both of us as supporters of your vision and plan to improve our wonderful city of Centerville

Jolene and Jeff Keate

Cory Snyder

From: Steve Thacker
Sent: Monday, May 09, 2016 5:12 PM
To: Cory Snyder
Subject: FW: Comment from Centerville Online Contact Form

From: colleentfisher@gmail.com [<mailto:colleentfisher@gmail.com>]
Sent: Friday, May 06, 2016 4:32 PM
To: Mayor; City Council
Subject: Comment from Centerville Online Contact Form

Colleen Fisher filled out the Centerville Contact form. The following is the submitted information and comment(s):

Contact: Elected

First and
Last Name: Colleen Fisher

Address: 569 North 400 Easr

Phone: 801-284-4806

Email: colleentfisher@gmail.com

My family would like to support the proposed plan for making Main Street more pedestrian friendly as well as homier! I love Bountiful's Main Street area and wondered why Centerville doesn't have the equivalent. Sure, we have shopping (revenues) but parking lots can't

Comments: compare with a pleasant looking walking space. To connect Founders' Park to Whitaker Museum and then continue it further would be marvelous. Please do not abandon the plan! I look forward to the additions!

Colleen, Howard, Jake, Ben, Maxx, Megan, Julia, and Grandma Susan

Submitted
On: 2016-05-06 22:32:28

IP Address: 172.56.39.228

Cory Snyder

From: Steve Thacker
Sent: Monday, May 09, 2016 5:15 PM
To: Cory Snyder
Subject: FW: Main Street

From: Jim Hanni [<mailto:jshanni42@gmail.com>]
Sent: Wednesday, April 13, 2016 6:48 PM
To: Mayor; City Council
Subject: Main Street

I am unable to attend the meeting tonight as I have in the past, but I would like to support moving forward with the Main Street project that apparently has already been approved once. I would be disappointed if nothing happens or this is put off for more years. I know you will look at this carefully. Let's be progressive rather than "same old, same old".

Respectively yours

Jim and Sue Hanni
43 W Centerville Commons Way.

Cory Snyder

From: Steve Thacker
Sent: Monday, May 09, 2016 5:14 PM
To: Cory Snyder
Subject: FW: South Main Street Corridor

-----Original Message-----

From: RuthAnn Fisher [<mailto:radfisher@fisherutah.com>]
Sent: Thursday, April 14, 2016 9:12 AM
To: Mayor; City Council
Cc: David Hirschi; Gina Hirst; Cheylynn Hayman; Logan Johnson; Wm Scott Kjar; kevindaly78@gmail.com; centerville.becki@gmail.com
Subject: South Main Street Corridor

The former city council put a plan in place so that as south main street is redeveloped, it is done so in a thoughtful way. The plan included lighting and planters and benches. The plan as it was put in place by our previous city council directed the development of an incremental plan that would beautify, make more walkable, and improve pedestrian and driver safety in the South Main Street corridor.

I am strongly in favor of the SMSC Public Space Plan as it was previously developed.

RuthAnn Fisher

498 North Main St

Cory Snyder

From: Steve Thacker
Sent: Monday, May 09, 2016 5:13 PM
To: Cory Snyder
Subject: FW: Main Street/Public Space Plan

-----Original Message-----

From: Alice Roberts [<mailto:alice.roberts@me.com>]
Sent: Friday, April 15, 2016 1:00 PM
To: City Council; Mayor
Subject: Main Street/Public Space Plan

I was concerned to see that the city council is considering getting rid of the plan to make main street more pedestrian friendly. I support leaving the plan as is. I want to see benches and planters and lighting beautifying our city. I regularly run through the area in question, and I am in favor of supporting zoning regulations that encourage people to be out in our community. Creating a friendly, walkable community means a safer community, and a community we take pride in and feel connected to.

Alice Roberts

Cory Snyder

From: Steve Thacker
Sent: Monday, May 09, 2016 5:12 PM
To: Cory Snyder
Subject: FW: Comment from Centerville Online Contact Form

From: lisaheaton@gmail.com [<mailto:lisaheaton@gmail.com>]
Sent: Friday, May 06, 2016 1:20 PM
To: Steve Thacker
Subject: Comment from Centerville Online Contact Form

Lisa Heaton filled out the Centerville Contact form. The following is the submitted information and comment(s):

Contact: CityManager

First and Last
Name: Lisa Heaton

Address: Recently moved from 433 W. Chase Lane, temporarily at 562 W. 925 N., Centerville

Phone: 801-529-6206

Email: lisaheaton@gmail.com

Dear Mr. Thacker,

I would like to voice my support for the existing development plan for the South Main Corridor, particularly the elements that add to a walkable and beautiful streetscape, such as sidewalk planters, landscaping, etc. Thank you for working for the good of Centerville!

Comments:

Sincerely,

Lisa Heaton

Centerville resident 1984-2004, 2012-present

Submitted
On: 2016-05-06 19:19:55

Cory Snyder

From: Jennifer Djambov <jendjam@yahoo.com>
Sent: Wednesday, May 11, 2016 3:09 PM
To: David Hirschi; Gina Hirst; Cheylynn Hayman; Logan Johnson; Wm Scott Kjar; Kevin Daly; Becki Wright
Subject: pedestrian friendly plan

Dear Centerville City Planers,

I understand that plans to have a pedestrian friendly city are under review this evening. Please know that I am in favor of plans that would provide for pedestrian friendly developments. My elementary and Jr. High students walk along portions of Main street to and from school. Drivers are not always careful and aware of the students as they are walking. Anything we could do to make the children safer would be of high priority to me.

Thank you,

Jennifer Djambov

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 6

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: 8:00

SUBJECT

Consider General Plan Amendments regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I., removing the IVH (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 IVH (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 IVH (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. The Staff Transmittal Report for this matter is attached.

ATTACHMENTS:

Description

- Ordinance No. 2016-24-West Centerville
- 08-16-16-CC Transmittal Report
- 08-16-2016 CC minutes pgs 4-6
- West Centerville IVH Zoning Map
- 07-27-2016 PC Staff Report GP Amend., IVH in West Centerville Neighborhood Plan
- 07-27-2016 PC draft minutes

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 20th DAY OF SEPTEMBER, 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	_____	_____

**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

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

3
4 Councilman McEwan made a **motion** to approve the transfer of approximately 0.74 acres
5 of real property for Fire Station No. 83 located at 125 South Main Street to the South Davis
6 Metro Fire Service Area and authorize Mayor Cutler to sign and execute a special warranty deed
7 transferring the land; Parcel Nos. 02-102-0012 and 02-102-0013. The motion was seconded by
8 Councilman Ince which passed by unanimous vote (5-0).

9
10 **PUBLIC HEARING - GENERAL PLAN AMENDMENTS - WEST**
11 **CENTERVILLE NEIGHBORHOOD PLAN - REMOVING INDUSTRIAL VERY-HIGH**
12 **ZONING DISTRICT - SECTION 12-480-6 - Consider General Plan Amendments**
13 **regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I.,**
14 **removing the I-VH (Industrial Very-High) Zoning District from the extreme southeast area**
15 **of the Centerville Business Park District - Ordinance No. 2016-23**
16

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

34
35 Mr. Snyder reviewed the few current uses located within the I-VH Zone. He said to his
36 knowledge and according to the definition of an I-VH use, none of the businesses are actually
37 performing an I-VH operation at this time. He said Syro Steel has currently put their
38 manufacturing processes on hold and are only warehousing products. However, this does not
39 mean they won't restart their manufacturing processes in the future. He explained a General Plan
40 amendment will not render any of these uses nonconforming, that would come with the Zone
41 Map amendment.

42

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. Z

Short Title: Municipal Code Amendments - Title 10, Chapter 3 - Construction Codes

Initiated By: City Attorney

Scheduled Time: 8:10

SUBJECT

Consider Centerville Municipal Code Amendments to Title 10, Chapter 3, regarding Construction Codes - Ordinance No. 2016-25

RECOMMENDATION

Approve Ordinance No. 2016-25 amending various provisions of Title 10, Chapter 3 of the Centerville Municipal Code regarding Construction Codes

BACKGROUND

The State of Utah has adopted newer editions of the International Construction Codes. The City is required to adopt and enforce such State adopted Construction Codes. Ordinance No. 2016-25 has been prepared to amend various provisions of Title 10, Chapter 3 of the Centerville Municipal Code to adopt the most recent editions of the Construction Codes as adopted by the State of Utah. Staff recommends approval of these code amendments to stay consistent with State law.

ATTACHMENTS:

Description

- ☐ Ordinance No. 2016-25-Construction Codes
- ☐ CMC 10.03-Construction Codes

ORDINANCE NO. 2016-25

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 3 OF THE
CENTERVILLE MUNICIPAL CODE REGARDING BUILDING
CONSTRUCTION CODES**

WHEREAS, the City has previously adopted Title 10 of the Centerville Municipal Code regarding Building Regulations; and

WHEREAS, the City desires to update and amend the existing provisions of Title 10, Chapter 3 regarding Construction Codes to adopt the most recent versions of the Construction Codes as adopted by the State of Utah; and

WHEREAS, the City desires to amend specific provisions of Title 10A as more particularly set forth herein and finds that such amendments to the Building Regulations and updates to the Construction Codes adopted by the City are in the best interest of the public health and safety and will bring Centerville's Construction Codes into compliance with State law requirements.

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

Section 1. Amendment. Title 10, Chapter 3 of the Centerville Municipal Code regarding Construction Codes is hereby amended to read in its entirety as set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

Section 2. Severability Clause. 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 provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 6. Effective Date. This Ordinance shall become effective upon publication or posting, whichever is sooner. The Construction Codes adopted herein shall be effective as of July 1, 2016.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 20th DAY OF SEPTEMBER, 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 _____, 20 ____.

PUBLISHED OR POSTED this ____ of _____, 20 ____.

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

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

3
4 Councilwoman Ivies said some residents have stated they would rather have Syro Steel
5 than more high-density housing in this area. She agreed more research is warranted.

6
7 Councilman McEwan said the City must be conscientious of those already in the
8 community. He said this feels like encroachment on current businesses. He said he would like to
9 see a planning processes that provides a cohesive direction for all of Centerville, not just north
10 Centerville, south Centerville, or West Centerville.

11
12 Mayor Cutler said, it is his opinion, the City Council is responsible to set a vision and
13 establish that vision in the General Plan. He believes it is appropriate to set a long-term goal
14 within the General Plan that there should be a different direction for the West Neighborhood. He
15 agreed there are challenges on how to proceed but believes the General Plan is a good place to
16 start. He agreed I-VH uses are not envisioned for the future of West Centerville. He also agreed
17 that holding off on a Zone Map amendment at this time is appropriate.

18
19 Councilwoman Fillmore said the City Council set a goal to look at the West Centerville
20 Neighborhood. She too agreed that a Zone Map amendment does not need to be immediate, but
21 that the General Plan amendment is acceptable.

22
23 Councilman Ince made a **motion** to table this item until the September 20, 2016 City
24 Council meeting to allow time for further research and discussion. The motion was seconded by
25 Councilman McEwan and passed by unanimous roll-call vote (5-0).

26
27 **MAYOR'S REPORT**

28
29 Mayor Cutler used this time to update the City Council on several items including the
30 South Davis Metro Fire Service Area, the Tour of Utah Stage 5, and the UTOPIA/UIA financial
31 reports.

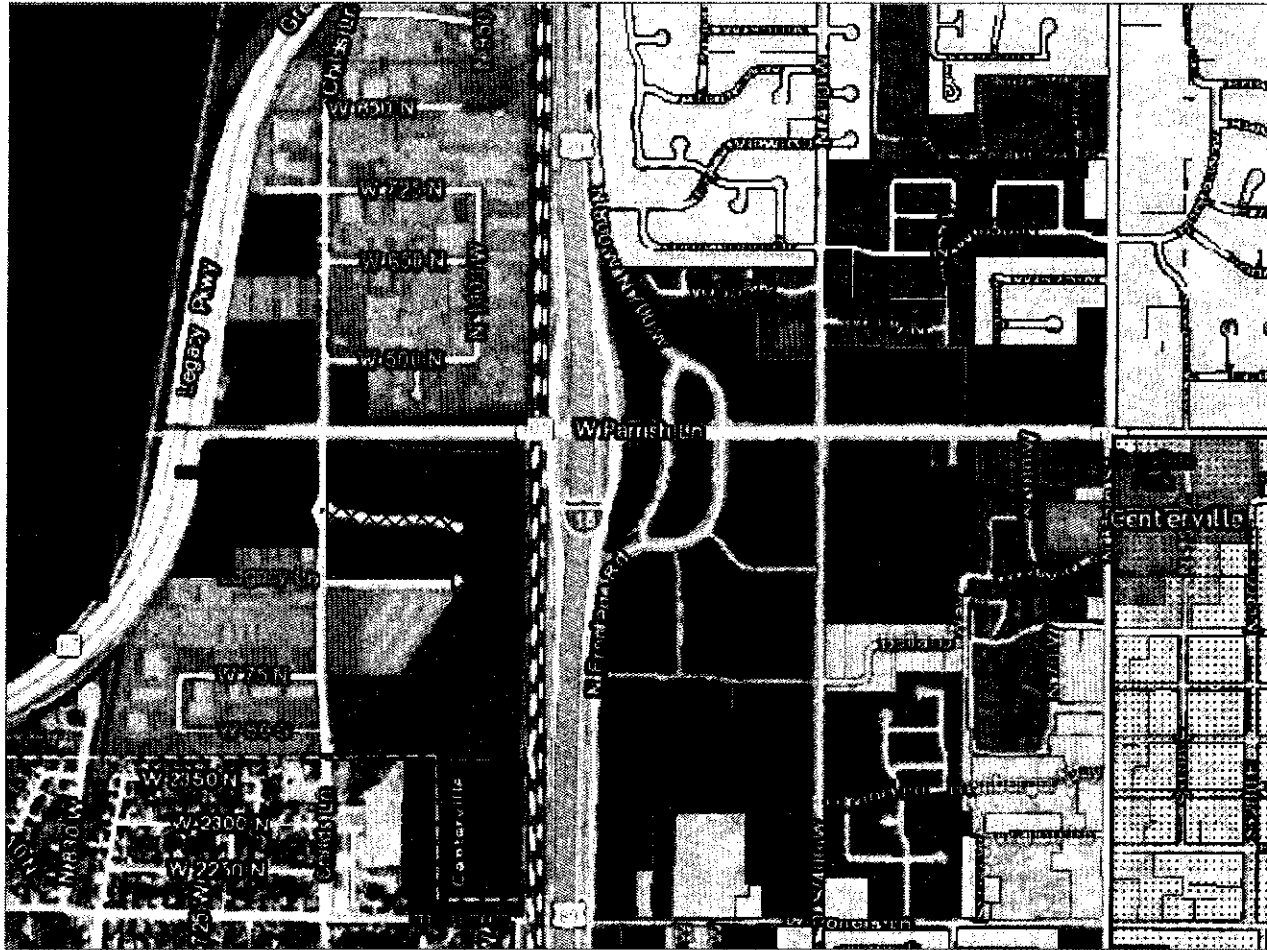
32
33 **CITY COUNCIL LIAISON REPORT – Councilwoman Ivie liaison report of the**
34 **Landmarks Commission and the Whitaker Museum Board**

35
36 Councilwoman Ivie used this time to update the Council on recent meetings and activities
37 of the Landmarks Commission and the Whitaker Museum Board.

38

CentervilleZoningMap

Centerville City Zoning Map



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

**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

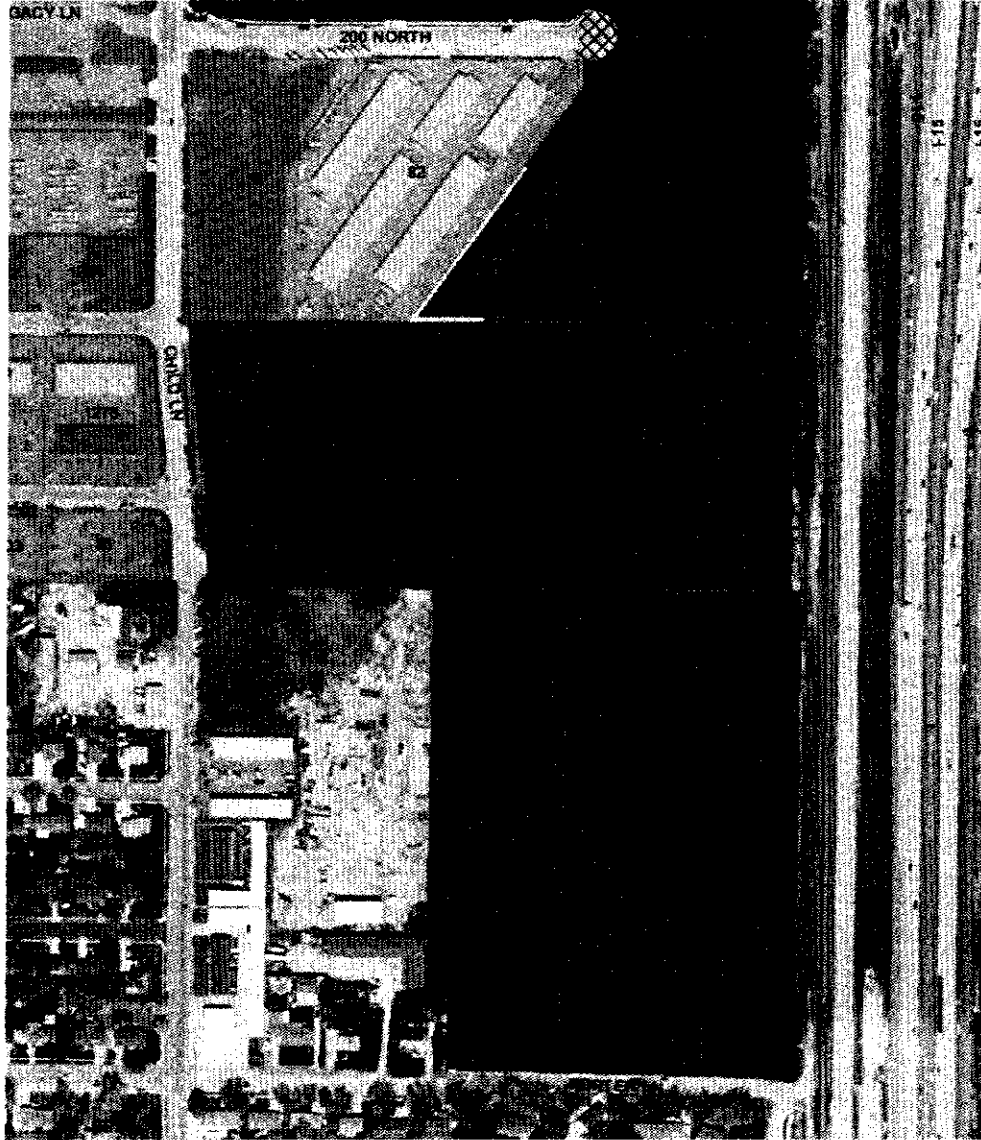
As stated previously, members of the City Council and Planning Commission have both expressed concern in relation to keeping the possibility of heavy industry in the I-VH Zone. If Syro Steel, or other business close and the properties remain zoned as it currently is, another heavy industrial company 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.

DRAFT

PLANNING COMMISSION MINUTES OF MEETING Wednesday, July 27, 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
Becki Wright
Logan Johnson, Vice Chair
Cheylynn Hayman
Scott Kjar

MEMBERS ABSENT

David Hirschi, Chair
Gina Hirst

STAFF PRESENT

Cory Snyder, Community Development Director
Brandon Toponce, Assistant Planner
Lisa Romney, City Attorney
Kathy Streadbeck, Recording Secretary

VISITORS

Interested Citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/PRAAYER Kevin Daly

MINUTES REVIEW AND APPROVAL

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

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

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

18
19 Cory Snyder, Community Development Director, said this is only step one of the process.
20 He explained the General Plan is a policy not an ordinance. Eliminating the I-VH Zone from the
21 General Plan simply shows a desire for future planning; it does not set a zoning map regulation.
22 To ultimately eliminate the I-VH Zone from West Centerville a Zone Map Amendment will need
23 to be completed. At this time, the City has not researched all the pros and cons of an amendment
24 to the Zoning Map and does not have a specific goal in mind. This is a process that requires
25 extensive study and planning. He said it could be argued that a General Plan amendment at this
26 time is premature because there is not a set Zoning Map plan as of yet. However, if the I-VH is
27 eliminated from the General Plan at this time then it would help discourage any future heavy
28 industrial uses from locating in West Centerville until a full zone map planning process is
29 completed or a better vision is foreseen as driven by the market. If the I-VH is eliminated the
30 default zone would fall to Industrial-High (I-H). Mr. Snyder discussed current uses within the I-
31 VH Zone. He explained there are a few businesses located in the I-VH Zone but that only one
32 (Syro Steel), to this knowledge, is conducting business in a manor consistent with the Heavy
33 Industry definition. The other businesses are less intense and their uses could possibly fall under
34 the I-H Zone. In this one instance (Syro Steel), eliminating the I-VH Zone would create a non-
35 conforming use after a Zone Map Amendment is completed. However, all the businesses within
36 the I-VH Zone have the right to use their property according to I-VH definition at this time.

37
38 Vice Chair Johnson opened the public hearing.

39
40 Mark Green said he has owned a business in the I-VH Zone in West Centerville since
41 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. This is unfair. He said it won't matter if the I-VH Zone is stricken from the
5 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. It will take significant money to make his relocation possible and the City is limiting
9 his options. He agreed that his business no longer fits in West Centerville but he does not
10 appreciate being forced out of the City, nor does he appreciate that his property value is being
11 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. This makes it difficult to turn over a business. He
19 agreed it will take big incentives and big money to make any redevelopment worthwhile. He
20 asked the Commission to consider the negative affects this type of decision makes on those that
21 have been here for many years, who have put their blood, sweat, and tears into Centerville, and
22 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 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.
40

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(I.I.),
41 as described:

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

3
4 **Reasons for the Action:**

- 5 1. The proposed amendment meets the requirements found in Section 12.21.070(d) of
6 the Zoning Ordinance in relation to the general procedures.
7 2. The current use of Industrial-Very High was found to be incompatible to the
8 surrounding neighborhoods and to the future goals for the West Centerville
9 Neighborhood Plan [Sections 12.21.070(d)(vi), 12-480-6(1.)]
10 3. The proposed General Plan Amendment meets the approval standards found in
11 Section 12.21.070(e) and 12.21.060(a)(2)(A) of the Zoning Ordinance for a
12 comprehensive decision based on: incompatible development, does not promote the
13 public interest for future uses, does not promote the public interest or general welfare.
14 4. The remaining uses found within the I-VH Zone may continue to operate as is,
15 following the nonconforming standards in Chapter 12.22 of the Zoning Ordinance.
16

17 The motion was seconded by Commissioner Hayman.

18
19 Commissioner Wright said this issue feels a bit like a cart before the horse situation but
20 she also sees the value of providing a vision and a direction for future goals and planning.
21

22 Commissioner Daly agreed. He said it is clear this neighborhood is moving more and
23 more toward mixed residential and commercial uses. It is clear that industrial uses are no longer
24 desired but he too is sensitive to current property owners and their exiting uses. He said it seems
25 the proposed amendment to the General Plan will not negatively impact current property owners
26 and will allow them to continue.
27

28 Commissioner Hayman said she empathizes with the current I-VH property owners. She
29 said she would like to protect property rights and property values. She also sees the value in
30 amending the General Plan in order to provide direction in future planning.
31

32 Vice Chair Johnson called for a vote on the motion. The motion **passed** with 4-1 vote.
33 Vice Chair Johnson opposed.
34

35 Vice Chair Johnson said he understands and agrees with both sides but chooses to error
36 on the side of current property owners.
37

38 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

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

EXHIBIT A

TITLE 10, CHAPTER 3
CONSTRUCTION CODES

10.03 Construction Codes

- [10.03.010 Defined](#)
- [10.03.020 Building Code](#)
- [10.03.030 Residential Code](#)
- [10.03.040 Plumbing Code](#)
- [10.03.050 Mechanical Code](#)
- [10.03.060 Fuel Gas Code](#)
- [10.03.070 Electrical Code](#)
- [10.03.080 Energy Conservation Code](#)
- [10.03.085 Existing Building Code](#)
- [10.03.090 Manufactured Housing Code](#)
- [10.03.100 Abatement Of Dangerous Buildings Code](#)
- [10.03.110 Property Maintenance Code](#)
- [10.03.120 Fire Code](#)
- [10.03.130 Statewide Amendments](#)
- [10.03.140 Local Amendments](#)

10.03.010 Defined

The codes and regulations adopted in this Chapter shall be referred to collectively as the "Construction Codes" for Centerville City.

10.03.020 Building Code Edit

The International Building Code (IBC), ~~2015~~ 2012-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, including Appendix J, is hereby adopted and incorporated herein by reference as the Building Code of Centerville City.

10.03.030 Residential Code Edit

The International Residential Code (IRC), ~~2015~~ 2012-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, including Appendix E (subject to the provisions of Utah Code Ann. § 15A-2-104, as amended), is hereby adopted and incorporated herein by reference as the Residential Code of Centerville City.

10.03.040 Plumbing Code Edit

The International Plumbing Code (IPC), ~~2015~~ 2012-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Plumbing Code of Centerville City.

10.03.050 Mechanical Code Edit

The International Mechanical Code (IMC), ~~2015~~ 2012-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Mechanical Code of Centerville City.

10.03.060 Fuel Gas Code Edit

The International Fuel Gas Code (IFGC), 2015 2012-Edition, issued promulgated by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Fuel Gas Code of Centerville City.

10.03.070 Electrical Code Edit

The National Electrical Code (NEC), 2014 2011-Edition, issued by the National Fire Protection Association, as amended and adopted by the State of Utah, is hereby adopted and incorporated herein by reference as the Electrical Code of Centerville City.

10.03.080 Energy Conservation Code Edit

The International Energy Conservation Code (IECC), 2015 2012-Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Energy Conservation Code of Centerville City.

10.03.085 Existing Building Code Edit

The International Existing Building Code (IEBC), 2015 Edition, issued by the International Code Council, as adopted and amended by the State of Utah, is hereby adopted and incorporated herein by reference as the Existing Building Code of Centerville City.

10.03.090 Manufactured Housing Code Edit

Subject to the provisions of Utah Code Ann. § 15A-2-104, as amended, the following codes and standards are hereby adopted by Centerville City and incorporated herein by reference: the Federal Manufactured Housing Construction and Safety Standards Act (HUD Code), issued by the Department of Housing and Urban Development, as adopted by the State of Utah; Appendix E of the 2015 2012-Edition of the International Residential Code as adopted herein in CMC 10.03.030; the 2005 Edition of the NFPA 225 Model Manufactured Home Installation Standard issued promulgated by the National Fire Protection Association, as adopted by the State of Utah, and applicable provisions of Title 15A of the Utah Code.

10.03.100 Abatement Of Dangerous Buildings Code

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Conference of Building Officials, is hereby adopted and incorporated herein by reference as the Abatement of Dangerous Buildings Code of Centerville City.

10.03.110 Property Maintenance Code

The International Property Maintenance Code, 2006 Edition, as promulgated by the International Conference of Building Officials, is hereby adopted and incorporated herein by reference as the Property Maintenance Code of Centerville City.

10.03.120 Fire Code Edit

The International Fire Code (IFC), 2015 2012-Edition, as issued by the International Code Council, as adopted and amended by the State of Utah, and the National Fire Protection Association (NFPA), NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2011 Edition, as adopted and amended by the State of Utah, and the National Fire Protection Association,

NEPA 1403, Standard on Live Fire Training Evolutions, 2012 Edition, as adopted and amended by the State of Utah, are hereby adopted and incorporated herein by reference as the Fire Code of Centerville City.

10.03.130 Statewide Amendments

The Construction Codes adopted herein shall include all Statewide amendments to such codes as adopted by the State of Utah, and more particularly set forth in Title 15A of the Utah Code.

10.03.140 Local Amendments

The Construction Codes adopted herein shall include all local amendments adopted by Centerville City and approved by the State in accordance with applicable local amendment procedures.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 8.

Short Title: Financial Report for first two months of FY 2017

Initiated By:

Scheduled Time: 8:20

SUBJECT

RECOMMENDATION

Allow City Manager (in the absence of the Finance Director) to note highlights of the financial report for the two-month period ending August 31, 2016, and answer questions from the Council.

BACKGROUND

Blaine Lutz, Finance Director/Assistant City Manager, prepared the attached report.

ATTACHMENTS:

Description

- ☐ Interim Financial Report 8/2016

**General Fund
Unaudited Summary
August 30, 2016**

	This Month	Year to Date	FY 17 Budget	17% % Budget
Revenues				
Property Tax	\$11,153	\$17,415	\$1,057,096	1.65%
RDA Increment	\$0	\$0	\$165,000	0.00%
Fee in Lieu	\$3,385	\$13,245	\$100,000	13.25%
Sales & Use Tax	\$356,767	\$634,326	\$3,977,500	15.95%
Franchise Taxes	\$123,127	\$225,131	\$1,246,000	18.07%
Licenses & Permits	\$11,993	\$43,563	\$360,875	12.07%
Intergovernmental	\$0	\$0	\$48,250	0.00%
Charges for Services	\$86,747	\$200,381	\$1,061,175	18.88%
Fines	\$30,789	\$65,998	\$515,000	12.82%
Miscellaneous	\$3,234	\$5,631	\$43,250	13.02%
Transfers/Contributions	\$16,870	\$17,055	\$2,000	852.75%
Total	\$644,065	\$1,222,745	\$8,576,146	14.26%
Expenditures				
City Council	\$5,305	\$19,864	\$107,948	18.40%
Judicial	\$18,755	\$41,310	\$216,236	19.10%
Executive	\$29,830	\$70,581	\$428,024	16.49%
Attorney	\$16,200	\$32,691	\$171,957	19.01%
Finance	\$84,512	\$106,335	\$549,922	19.34%
Legal Services	\$1,102	\$1,102	\$32,000	3.44%
Emergency Management	\$3,531	\$3,531	\$8,770	40.26%
Fire	\$0	\$218,811	\$875,246	25.00%
Elections	\$0	\$0	\$0	0.00%
Youth Council	\$0	\$0	\$7,000	0.00%
Police	\$217,976	\$438,207	\$2,456,752	17.84%
Liquor Law	\$0	\$1,188	\$19,300	6.16%
School Xing	\$1,978	\$1,978	\$62,050	3.19%
DARE	\$7,579	\$17,837	\$98,348	18.14%
K-9	\$155	\$155	\$2,250	6.89%
Animal Control	\$2,301	\$2,301	\$27,621	8.33%
PW Admin	\$23,315	\$55,020	\$317,331	17.34%
Streets	\$92,187	\$144,469	\$767,412	18.83%
Projects	\$0	\$0	\$5,000	0.00%
GIS	\$7,751	\$16,950	\$109,098	15.54%
Engineering	\$7,600	\$17,994	\$86,500	20.80%
Parks	\$121,383	\$215,369	\$861,443	25.00%
Community Events	\$0	\$0	\$23,650	0.00%
Public Buildings	\$13,899	\$30,193	\$234,276	12.89%
Community Dev.	\$24,583	\$55,234	\$323,555	17.07%
Building Inspection	\$6,115	\$6,115	\$80,600	7.59%
Transfers - Non Dep.	\$30,925	\$30,925	\$315,979	9.79%
UTOPIA -Pledges	\$38,579	\$77,158	\$267,953	28.80%
Total	\$755,561	\$1,605,318	\$8,456,221	18.98%
Use/Contribution to Fund balance (Revenues Over/Under Expenditures)		\$ (382,573)	\$ 119,925	
Fund Balance at Beginning of Year (est.)		\$959,461		
Fund Balance estimate 8/31/2016		\$576,888		

Source: Current Centerville City financial statements. May be subject to change

Capital Projects Unaudited Summary August 30, 2016

	This	Year to	FY 17	17%
	Month	Date	Budget	%
				Budget

Capital Improvement

Storm Drain

Revenues:

Fund Balance				
Impact Fees	\$0	\$4,881	\$25,000	19.52%
Grants	\$0	\$0	\$0	0.00%
Drainage Fees	\$54,122	\$110,260	\$580,871	18.98%
Other	\$97	\$178	\$75	237.33%
Total Revenues	\$54,219	\$115,319	\$605,946	19.03%

Expenditures	\$0	\$0	\$653,852	0.00%
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Fund Balance at Beginning of Year (est.) \$166,706

Fund Balance estimate 8/31/2016 \$282,025

Park

Revenues:

Fund Balance				
Impact Fees	\$2,057	\$16,459	\$50,000	32.92%
Transfer	\$0	\$0	\$0	0.00%
Grants	\$0	\$0	\$0	0.00%
Other	\$0	\$0	\$500	0.00%
Total Revenues	\$2,057	\$16,459	\$50,500	32.59%

Expenditures	\$0	\$0	\$148,519	0.00%
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Fund Balance at Beginning of Year (est.) \$276,729

Fund Balance estimate 8/31/2016 \$293,188

Transportation Projects Fund

Revenues:

Fund Balance				
Sales Tax	\$30,330	\$52,792	\$315,000	16.76%
Class C	\$0	\$0	\$525,000	0.00%
Other	\$0	\$0	\$1,000	0.00%
Transfers	\$0	\$0	\$210,000	0.00%
Total Revenues	\$30,330	\$52,792	\$1,051,000	0.00%

Expenditures	\$5,123	\$5,123	\$1,101,000	0.47%
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Fund Balance at Beginning of Year (est.) \$0

Fund Balance estimate 8/31/2016 \$47,669

UTOPIA Project Fund

Revenues:

Fund Balance				
Transfers - General	\$38,579	\$77,158	\$267,953	28.80%
RDA additional increment	\$0	\$0	\$195,000	0.00%
Other	\$0	\$0	\$0	0.00%
Total Revenues	\$38,579	\$77,158	\$462,953	16.67%

Expenditures

UTOPIA Pledge	\$38,579	\$77,158	\$462,953	16.67%
Total Expenditures	\$38,579	\$77,158	\$462,953	16.67%

Fund Balance at Beginning of Year (est.) \$0

Fund Balance estimate 8/31/2016 \$0

Source: Current Centerville City financial statements. May be subject to change

RDA/Special Revenue Unaudited Summary August 30, 2016
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	This Month	Year to Date	FY 16 Budget	^{17%} % Budget
<u>RDA</u>				
Revenues	\$6,282	\$12,796	\$1,918,000	0.67%
Expenditures	\$56,406	\$71,004	\$1,918,000	3.70%
Fund Balance at Beginning of Year (est.)		\$408,210		
Fund Balance estimate 8/31/2016		\$350,002		
Theater reserve balance	\$450,965			
<u>Recreation</u>				
<u>Revenues</u>				
Recreation	\$0	\$1,220	\$79,000	1.54%
Youth Baseball	\$1,080	\$11,835	\$36,000	32.88%
Concession Sales	\$0	\$2,847	\$20,000	14.24%
Other	\$0	\$41,000	\$41,000	100.00%
Total Revenues	\$1,080	\$56,902	\$176,000	32.33%
<u>Expenditures</u>				
Recreation	\$11,113	\$48,234	\$120,000	40.20%
Concessions	\$493	\$2,116	\$20,000	10.58%
Youth Baseball/Softball	\$0	\$1,875	\$36,000	5.21%
Total Expenditures	\$11,606	\$52,225	\$176,000	29.67%
Revenue Over/Under Expend	\$ (10,526)	\$ 4,677	\$ -	
Balance at Beginning of Year (est.)		\$81,101		
Fund Balance estimate 8/31/2016		\$85,778		
<u>Sales Tax Debt Service (DCAC)</u>				
Revenues	\$0	\$0	\$593,012	0.00%
Expenditures	\$0	\$0	\$593,012	0.00%
Reserved Fund Balance		\$0		
Fund Balance estimate 8/31/2016		\$0		
<u>Whitaker Trust</u>				
Beginning fund balance				
Revenues	\$176	\$30,925	\$61,675	50.14%
Expenditures	\$3,672	\$10,188	\$65,056	15.66%
Fund Balance at Beginning of Year (est.)		\$17,993		
Fund Balance estimate 8/31/2016		\$38,730		
<u>RAP Tax Fund</u>				
RAP tax	\$38,072	\$63,977	\$442,500	14.46%
Parks	\$0	\$0	\$0	0.00%
Whitaker	\$0	\$0	\$8,800	0.00%
DCPA	\$0	\$0	\$0	0.00%
Other	\$0	\$0	\$433,700	0.00%
Total expenditures	\$0	\$0	\$442,500	0.00%
Fund Balance at Beginning of Year		\$0		
Fund Balance estimate 8/31/2016		\$63,977		
<u>Perpetual Care</u>				
Revenues	\$0	\$2,350		
Balance		\$339,600		

Source: Current Centerville City financial statements. May be subject to change

Enterprise Funds Unaudited Summary August 30, 2016

	This Month	Year to Date	FY 15 Budget	17% % Budget
<u>Water</u>				
Revenues:				
Impact/construction Fees	\$1,013	\$19,801	\$275,000	7.20%
Water Sales	\$208,616	\$413,187	\$2,222,000	18.60%
Other	\$1,303	\$3,977	\$61,000	6.52%
Total Revenues	\$210,932	\$436,965	\$2,558,000	17.08%
Expenditures				
Operating/Dep/Debt	\$424,759	\$550,184	\$2,192,167	25.10%
Capital Improvement	\$30,279	\$31,346	\$640,900	4.89%
Total Expenditures	\$455,038	\$581,530	\$2,833,067	20.53%
Current Net Position - beginning of year	\$240,419			
Current Net Position	\$95,854			
<u>Sanitation</u>				
Revenues:				
Collection Fees	\$58,235	\$116,492	\$700,000	16.64%
Recycling fees	\$14,844	\$29,661	\$176,000	16.85%
Green Waste fees	\$9,192	\$18,413	\$106,750	17.25%
Other	\$83	\$690	\$11,000	6.27%
Total Revenues	\$82,354	\$165,256	\$993,750	16.63%
Expenditures:				
Disposal	\$28,499	\$28,499	\$250,000	11.40%
Collection	\$21,038	\$21,038	\$303,000	6.94%
Recycling	\$11,999	\$11,999	\$174,000	6.90%
Green Waste Disposal	\$5,183	\$5,183	\$31,000	16.72%
Other	\$17,094	\$15,575	\$212,000	7.35%
Total Expenditures	\$83,813	\$82,294	\$970,000	8.48%
Current Net Position - beginning of year	\$7,588			
Current Net Position	\$90,550			
<u>Drainage</u>				
Revenues	\$103,455	\$206,896	\$1,246,500	16.60%
Operating Expenditures	\$172,866	\$173,707	\$1,326,625	13.09%
Capital Expenditures	\$0	\$0	\$4,500	0.00%
Total Expenditures	\$172,866	\$173,707	\$1,331,125	13.05%
Current Net Position - beginning of year	\$182,253			
Current Net Position	\$215,442			
<u>Telecommunications</u>				
Revenues:				
Connection Fees	\$22,921	\$44,810	\$210,000	21.34%
Total Revenues	\$22,921	\$44,810	\$210,000	21.34%
Expenditures:				
Utility Service charges	\$21,775	\$57,803	\$199,500	28.97%
Operating service charge	\$1,146	\$2,241	\$10,500	21.34%
Total Expenditures	\$22,921	\$60,044	\$210,000	28.59%
Current Net Position - beginning of year	\$18,234			
Current Net Position	\$3,000			

Source: Current Centerville City financial statements. May be subject to change

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 9.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 8:25

SUBJECT

- a. South Davis Metro Fire District
- b. UIA/UTOPIA Interim Financial Reports
- c. Council Chambers sound issue

RECOMMENDATION

BACKGROUND

- a. Excerpts from the Fire District's most recent monthly reports are attached.
- b. UIA/UTOPIA's most recent financial reports are attached.
- c. Mayor Cutler will report on a recent meeting with a sound engineer about the acoustics in the Council chambers, and the recommended action to improve the quality of sound.

ATTACHMENTS:

Description

- ☐ Fire Agency Report - August 2016
- ☐ UIA/UTOPIA interim financial reports

SOUTH DAVIS METRO FIRE SERVICE AREA

August 31, 2016

FINANCIAL REPORT

	<u>Contents</u>	<u>Page Number</u>
1.	Cash Position	1
2.	Impact Fees Collected	2
3.	Board of Directors Financial Summary	3
4.	Financial Statements Detail	4

South Davis Metro Fire Service Area								
Cash Position by Fund and in Total								
Balances prior to July 2016 are for South Davis Metro Fire Agency								
	Funds							
			Public	Capital	Debt	Debt		St Treas
Month	General	Grant	Training	Reserve	Service	Reserve	Total	Int. Rate
Aug	2,089,441	43,193	27,110	366,230	179,345	269,000	2,974,320	0.9968%
July	1,535,909	43,193	27,956	354,312	134,445	269,000	2,364,816	0.9429%
June	1,595,631	51,331	32,086	338,794	115,875	269,000	2,402,718	0.9093%
May	2,451,016	51,331	29,667	685,357	95,908	269,000	3,582,279	0.8997%
Apr	1,582,765	51,331	29,308	667,234	81,314	269,000	2,680,952	0.8517%
Mar	1,992,791	64,750	31,377	649,233	75,085	269,000	3,082,236	0.8224%
Feb	2,532,986	64,750	30,461	631,237	63,525	269,000	3,591,959	0.7796%
16-Jan	2,441,964	53,298	28,710	605,058	49,672	269,000	3,447,703	0.7460%
Dec	1,980,493	53,298	27,471	595,520	42,490	269,000	2,968,272	0.7244%
Nov	1,962,997	43,047	29,680	577,857	34,810	269,000	2,917,392	0.6824%
Oct	2,496,969	43,047	26,858	439,596	(14,891)	269,000	3,260,579	0.6593%
Sep	1,566,375	43,047	27,227	422,130	(33,496)	269,000	2,294,282	0.6369%
August	2,070,076	43,047	30,422	361,317	224,792	269,000	2,998,653	0.6098%
July	2,210,357	43,047	29,732	343,685	219,591	269,000	3,115,411	0.5791%
June	1,575,733	39,879	29,182	559,135	207,903	269,000	2,680,832	0.5610%
May	1,979,523	39,879	28,687	541,609	200,131	269,000	3,058,829	0.5558%
Apr	1,643,529	39,879	26,855	785,828	169,171	269,000	2,934,262	0.5475%
Mar	1,748,266	39,879	26,583	858,664	168,967	269,000	3,111,358	0.5294%
Feb	2,142,251	39,879	30,185	723,979	155,089	269,000	3,360,383	0.5184%
Jan-15	2,323,799	39,879	30,285	706,482	147,584	269,000	3,517,028	0.5073%
Dec	1,913,763	39,879	29,542	688,917	141,605	269,000	3,082,706	0.5078%
Nov	1,783,921	39,879	28,258	721,355	133,377	269,000	2,975,790	0.5071%
Oct	2,097,865	39,879	25,941	704,070	110,116	269,000	3,246,871	0.4850%
Sep	1,305,145	39,879	29,148	707,771	(36,465)	269,000	2,314,478	0.4767%
Aug	1,874,107	39,879	29,691	698,743	232,777	269,000	3,144,197	0.4699%
July	2,108,885	39,879	29,242	684,890	217,357	269,000	3,349,253	0.4693%
June	1,491,903	23,698	29,335	672,178	203,132	269,000	2,689,246	0.4799%
May	1,820,686	30,971	28,565	1,223,223	194,481	269,000	3,566,927	0.4879%
Apr	2,217,866	30,971	28,391	1,205,793	156,309	269,000	3,908,330	0.4992%
Mar	1,451,650	30,971	27,721	1,188,356	149,354	269,000	3,117,052	0.5023%
Feb	1,909,545	11,966	28,628	1,170,809	135,806	269,000	3,525,754	0.5070%
Jan-14	2,288,411	11,966	27,126	1,177,037	135,669	269,000	3,909,209	0.5074%
Dec	1,997,356	19,971	26,470	735,830	127,300	269,000	3,175,928	0.5103%
Nov	1,827,008	19,971	26,444	768,166	109,582	269,000	3,020,171	0.5150%
Oct	1,500,545	34,971	25,328	730,937	47,884	269,000	2,608,665	0.5143%
Sep	1,389,813	34,971	26,826	893,773	38,844	269,000	2,653,227	0.5125%
Aug	1,702,676	34,971	25,776	879,878	294,743	269,000	3,207,045	0.4962%
Jul	2,069,176	34,971	26,643	862,694	257,162	269,000	3,519,646	0.5115%
Jun	1,330,839	34,971	26,025	849,929	229,257	269,000	2,740,021	0.5046%
May	1,720,150	33,521	25,859	845,327	223,139	269,000	3,116,996	0.4902%
Apr	2,155,452	33,521	25,567	1,009,390	215,946	269,000	3,708,876	0.5295%
Mar	1,422,662	24,255	25,482	1,036,059	192,908	269,000	2,970,365	0.5740%
Feb	1,845,411	23,726	25,465	1,145,025	160,789	269,000	3,469,416	0.6120%
Jan-13	2,113,161	23,726	25,112	1,133,500	158,018	269,000	3,722,517	0.6499%

SOUTH DAVIS METRO FIRE SERVICE AREA							
IMPACT FEES COLLECTED							
DATE BELOW							
Balances prior to July 2016 are for South Davis Fire Agency							
DATE	CENTERVILLE	DAVIS COUNTY	NORTH SALT LAKE	WEST BOUNTIFUL	WOODS CROSS	TOTAL REVENUE	TOTAL FOR THE YEAR
2004-4 Mos.	716.00	-	38,593.68	3,402.00	4,158.00	46,869.68	
2005	44,124.66	-	160,858.93	65,640.10	33,128.24	303,751.93	
2006	67,908.61	-	203,896.39	16,793.12	10,156.80	298,754.92	
2007	39,666.50	263.47	118,685.88	52,937.65	65,296.28	276,849.78	
2008	20,118.60	-	95,684.71	5,275.78	10,142.74	131,221.83	
2009	8,231.81	-	73,623.57	3,507.38	41,737.05	127,099.81	
2010	26,063.64	-	24,968.28	2,337.92	18,292.00	71,661.84	
2011	49,665.03	-	30,643.20	3,896.38	16,894.44	101,099.05	
2012	34,245.82	-	90,356.64	12,653.19	41,196.00	178,451.65	
2013	37,542.04	-	155,267.66	9,633.00	25,231.02	227,673.72	
2014	11,095.04	13,990.00	205,859.07	5,179.00	50,727.58	286,850.69	
2015	60,189.64	-	89,746.71	9,197.20	10,165.38	169,298.93	
2016-6 Mos.	49,518.35	-	58,646.56	5,691.00	5,522.03	119,377.94	
07/31/16	-	-	-	-	-	-	
08/31/16	-	-	-	-	-	-	
09/30/16						-	
10/31/16						-	
11/30/16						-	
12/31/16						-	
01/31/17						-	
02/28/17						-	
03/31/17						-	
04/30/17						-	
05/31/17						-	
06/30/17						-	-
TOTAL	449,085.74	14,253.47	1,346,831.28	196,143.72	332,647.56	2,338,961.77	Down
						2,338,961.77	Across

South Davis Metro Fire Service Area
Board of Directors Financial Summary Fiscal Year 2017
August 31, 2016

17% of the year expired

Line No.	Fund	YTD FY 2017	Annual Budget	Budget	Page No.	Comments
***** General Fund 10*****						
Revenue						
1	Property Taxes-PM Funding	-	692,906.00	0%	7	
2	Intergovernmental Revenue-Cities & Co.	970,766	5,824,598	17%	7	
3	Ambulance & PM Fees-Net	388,234	2,170,000	18%	7	
4	All Other General Fund Revenue	175	8,000	2%	7	
5	Contribution- Private Sources			0%	7	
	Total Revenue	1,359,176	8,695,504	16%	7	
	Use of Fund Balance (Transfer to Capital)	-	300,000			
6	Use of Fund Balance (Depreciation)	-	500,000			
7	Total Revenue & Use of fund Balance	1,359,176	9,495,504			
Expenditures by Division						
8	Operations	1,258,781	7,429,987	17%	8	
9	Logistics	41,701	439,700	9%	9	
10	Communications	49,056	398,492	12%	9	
11	Fire Prevention	0	15,800	0%	9	
12	Training	4,385	65,725	7%	10	
13	Emergency Medical Services	26,699	145,800	18%	10	
14	Transfer to Capital Reserve Fund	33,333	200,000	17%	10	
15	Total Expenditures	1,413,954	8,695,504	16%		
16	Revenues Over/(Under) Expendts Before	(54,778)	800,000	-7%		
15	Transfer to Capital From Fund Balance	-	300,000	0%	10	
16	Depreciation & Loss on Fixed Assets Sold	90,311	500,000	18%	10	
17	Total Fund Expenditures	1,504,265	9,495,504			
18	Net Revenues Over/(Under) Expendts	(145,089)	-	0%		
***** Other Funds *****						

Grant Fund 21						
1	Revenues	-	-	0%	12	
2	Fund Balance Appropriation/(Addition)	-	-	0%	12	
3	Expenditures	-	-	0%	12	
4	Revenues Over/(Under) Expendts	-	-	0%		
Public Training Fund 22						
5	Revenues	2,765	12,500	22%	14	
6	Fund Balance Appropriation/(Addition)	-	-	0%	14	
7	Expenditures	2,157	12,500	17%	14	
8	Revenues Over/(Under) Expendts	608	-	0%		
Capital Reserve Fund 45						
9	Revenues and Transfers	2,067	83,125	2%	16	
10	Fund Balance Appropriation/(Addition)	20,313	121,875	17%	16	
11	Expenditures	5,740	205,000	3%	16	
12	Revenues Over/(Under) Expendts	16,639	-	0%		
SDFD Equity Fund 70						
13	Revenues	-	-	0%	18	
14	Fund Balance Appropriation/(Addition)	23,000	138,000	17%	18	
15	Expenditures	16,307	138,000	12%	18	
16	Revenues Over/(Under) Expendts	6,693	-	0%		
Debt Service Fund 72 & 73						
17	Revenues	639	151,500	0%	22	
18	Fund Balance Appropriation/(Addition)	19,630	117,780	17%	22	
19	Expenditures	21,827	269,280	8%	22	
20	Revenues Over/(Under) Expendts	(1,558)	-	0%		

Finance Committee Report (Unaudited)
 UIA
 July 2016 (8.33% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 693,880	\$ 693,880	\$ 8,694,905	7.98%	\$ 596,763	7.99%
Install	7,270	7,270	-		3,992	
Interest Income	16,664	16,664	39,000	42.73%	142	#DIV/0!
Other Income	-	-	-		-	
Total Revenue	<u>\$ 717,815</u>	<u>\$ 717,815</u>	<u>\$ 8,733,905</u>	8.22%	<u>\$ 600,897</u>	8.05%
Operating Expenses						
Administrative Expense	58,681	\$ 58,681	\$ 396,000	14.82%	4,230	1.37%
Professional Services	1,895	1,895	24,000	7.90%	1,861	7.75%
Network Management	52,206	52,206	724,593	7.20%	33,484	7.54%
Misc. Expense	-	-	-		-	
Total Operating Expenses	<u>112,783</u>	<u>112,783</u>	<u>1,144,593</u>	9.85%	<u>39,575</u>	5.10%
Debt Payments						
IRU Capital Lease Interest	6,000	6,000	96,000	6.25%	6,000	6.25%
Interest Expense	243,950	243,950	2,904,000	8.40%	162,084	6.29%
Principal (1)	-	-	1,645,000	0.00%	-	0.00%
Total Bond Payments	<u>249,950</u>	<u>249,950</u>	<u>4,645,000</u>	5.38%	<u>168,084</u>	4.57%
Total Expenditures	<u>\$ 362,732</u>	<u>\$ 362,732</u>	<u>\$ 5,789,593</u>	6.27%	<u>\$ 207,659</u>	4.66%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	<u>355,083</u>	<u>355,083</u>	<u>2,944,312</u>		<u>393,238</u>	

(1) Annual Principal payment made each October

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

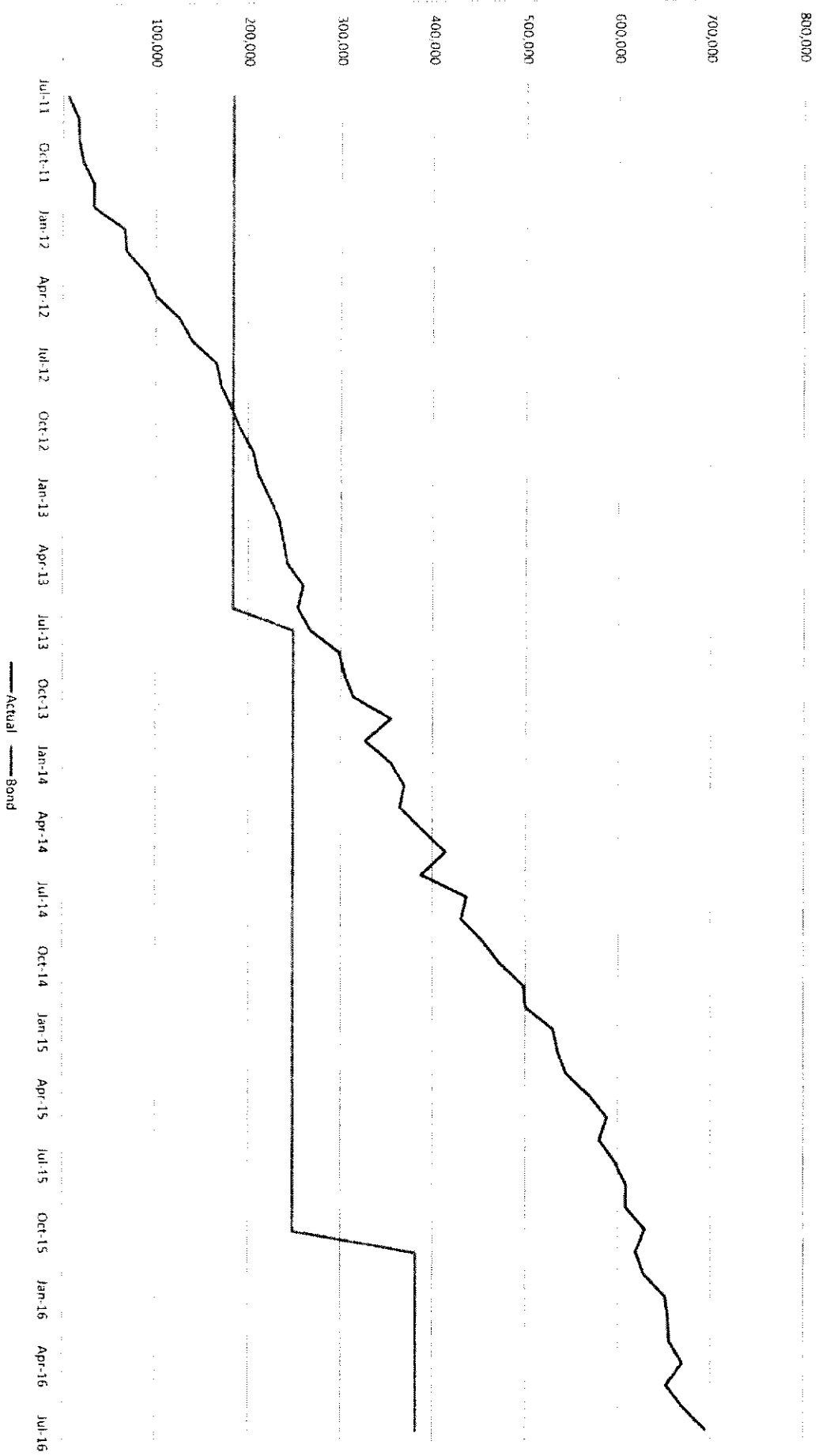
Finance Committee Report (Unaudited)
 UIA
 July 2016 (8.33% of Budget)

	Current Month	Year to Date	FY17 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	\$ 693,880	\$ 693,880	\$ 8,694,905	7.98%	\$ 596,763	7.99%
Install	7,270	7,270	-		3,992	
Interest Income	16,664	16,664	39,000	42.73%	142	#DIV/0!
Other Income	-	-	-		-	
Total Revenue	\$ 717,815	\$ 717,815	\$ 8,733,905	8.22%	\$ 600,897	8.05%
Operating Expenses						
Administrative Expense	58,681	\$ 58,681	\$ 396,000	14.82%	4,230	1.37%
Professional Services	1,895	1,895	24,000	7.90%	1,861	7.75%
Network Management	52,206	52,206	724,593	7.20%	33,484	7.54%
Misc. Expense	-	-	-		-	
Total Operating Expenses	112,783	112,783	1,144,593	9.85%	39,575	5.10%
Debt Payments						
IRU Capital Lease Interest	6,000	6,000	96,000	6.25%	6,000	6.25%
Interest Expense	243,950	243,950	2,904,000	8.40%	162,084	6.29%
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Total Expenditures	\$ 362,732	\$ 362,732	\$ 5,789,593	6.27%	\$ 207,659	4.66%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	355,083	355,083	2,944,312		393,238	

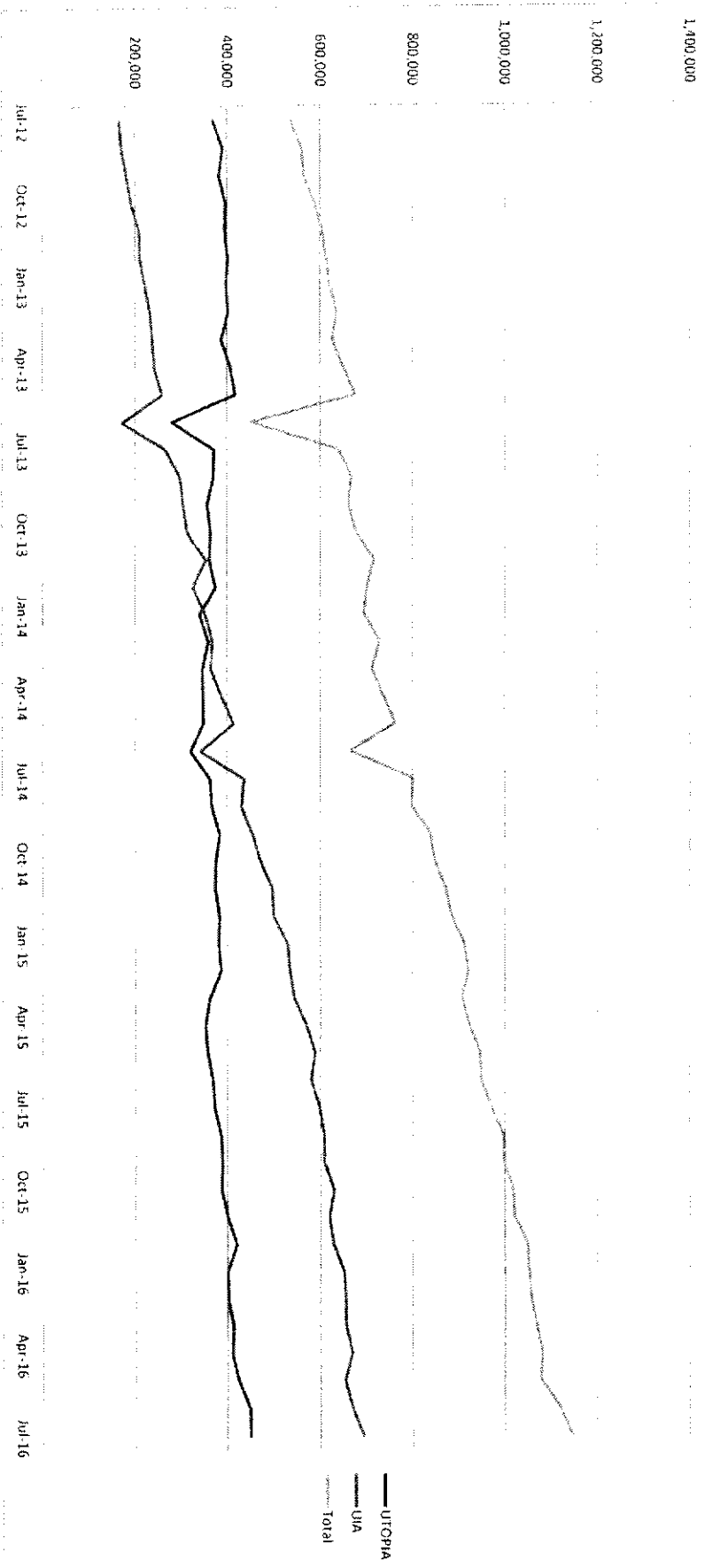
(1) Annual Principal payment made each October

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

UIA Revenue v. Bond Obligation (Monthly Recurring Revenue)



**Recurring Revenue
Combined (UTOPIA and UIA)**



**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 10.

Short Title: City Council Liaison Report - Councilman Ince - Citizen Corps Council/Emergency Management and Davis Chamber of Commerce

Initiated By:

Scheduled Time: 8:35

SUBJECT

RECOMMENDATION

Allow Councilman Bill Ince to report on emergency management activities and any pertinent information from the Davis Chamber of Commerce.

BACKGROUND

Councilman Ince chairs the Citizen Corps Council—the City's volunteer emergency response network—and also represents the City in the Davis Chamber of Commerce.

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 11.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 8:45

SUBJECT

a. Sidewalk Open House

RECOMMENDATION

Review proposed plan for open house and give direction to City Manager regarding any aspects. Also review and approve Executive Summary that would be given to residents at open house.

BACKGROUND

The City Manager drafted a proposed plan (attached) for the public open house on October 5 regarding the comprehensive sidewalk inventory/analysis. He also revised the Executive Summary in the sidewalk report prepared earlier by the City's intern. He proposes this revision (attached) be given to residents attending the open house.

ATTACHMENTS:

Description

- ☐ Proposed Plan for Open House - 2nd Draft
- ☐ Revised Executive Summary of Sidewalk Report

Proposed Plan for October 5 Open House
(Second draft—subject to change)

Objective

Provide residents with a common base of knowledge that will enable a more productive public dialogue in the future when the following will be determined:

- Acceptable uses of areas behind the curbs
- Nature and scope of corrective actions regarding existing sidewalks and trees
- How corrective actions will be funded

This common base of knowledge will include:

- Current right-of-way (ROW) widths and standard roadway cross-sections
- Current uses of ROW
- Type, number and location of current sidewalk defects
- Cost to repair current sidewalk defects
- Impact of trees on use of ROW (relationship to vertical faults; overhead and sight obstructions)

Proposed Open House Stations

- Staff member (Marsha?) direct residents as they enter City Hall, give them a 2-page Executive Summary and comment form; collect comment forms as residents leave
- Standard ROW cross-sections and how space is used (Kevin C.)
- Certified arborist—area needed for trees to thrive; answer various questions about trees
- Sidewalk inventory results and cost to repair defects; tree inventory, including number of overhead and sight obstructions (Jake)
- Impact of trees on sidewalks and underground utilities (Randy)
- Recommended short-term and long-term actions (as stated in the report), including what has been done and is being done to limit the City's liability (Steve)

Stations will have posters containing data from the report, ROW cross-section drawings, photos of major sidewalk damage, root display, etc.

Council Members be available to talk with residents

Involve City Attorney? Others?

Executive Summary

The mission of Centerville City is “to serve the people of Centerville by promoting their peace, health, safety and welfare while planning for the future and preserving the past.” One aspect of the health, safety, and welfare of Centerville residents is the ability to travel safely between houses and neighborhoods. The key to safe neighborhood travel is well maintained sidewalks. This report is an evaluation of the sidewalk conditions in Centerville, as well as the handicap curb ramps, gutters, and trees within the public right of way.

Inventory. The inventory was completed using Collector, a GPS app that allows data entered to be connected to a geocode. During the months of May and June each mile of Centerville sidewalk was walked and checked for defects. There were 9,921 sidewalk defects recorded, including 8,049 trip hazards. 5,600 trees, shrubs, and hedges were recorded as well as 345 sections of faulty curb and gutter. The table below details the trip hazards by vertical fault height.

Height	Total
3/8-1/2 Inch	6,047
1/2-1 Inch	1,575
1-3 Inch	419
>3 Inch	8
Total	8,049

Vertical Faults

The inventory also documented 4,630 trees—as well as shrubs and hedges—in park strips or within seven feet of the house side of sidewalks, and the obstructions caused by this vegetation. The inventory reveals 1,996 violations of the 8-foot overhead clear zone above the sidewalks and 505 violations of the 13-foot clear zone over streets. In addition, it records 164 obstructions of the 50-foot triangle for traffic visibility.

Cost. On average, Centerville has 87 trip hazards per each mile of sidewalk, and 27 cracking defects per mile. Major faults (greater than one inch) are 3.4 times more likely to happen near a park strip tree. The table below shows the total cost estimate to repair the categories shown. This does not include removing trees.

Hazard	Occurrences	Cost
Major Faults	427	\$141,444
Minor Fault Grinding	7,622	\$396,496
Extreme Spalling/Cracking	34	\$13,899
Total	8,083	\$551,839

*Cost of Repair
Does not include cost to remove trees*

The FY 2017 Budget includes only \$18,000 for sidewalk repairs. Sidewalk defects will increase in the next ten years as the current street trees mature. Trees will continue to damage sidewalks in the future, requiring costly repair. There are 427 major sidewalk faults that need immediate removal and replacement.

~~The eight most extreme faults (over three inches) are all within 15 feet of a tree. In order to replace the sidewalk, those trees should be removed as well, at an estimated cost of \$7,200. To remove the trees and replace the sidewalk for the eight extreme faults would cost \$11,460.~~

Current Action. Action has already been taken to mitigate liability from the inventory data collected. All 427 major faults have been painted with bright yellow safety paint. Minor faults (under one inch) will be painted and/or ground down in accordance with criteria yet to be established, and as funding is authorized.

Recommendations.

Short-term Action:

- Remove trees near faults over three inches
- Remove and replace faults over three inches
- Remove and replace all other major faults after first removing trees, if related
- Establish criteria for determining which minor faults to paint and repair
- Paint and begin grinding minor faults based on criteria to be established.
- Initiate public education effort to encourage residents to correct vegetation obstructions.

Long-term Action:

- Define acceptable uses for the right of way, including whether trees will be permitted in the park strip, and if so, under what conditions.
- Maintain paint on unrepaired faults.

- Schedule and fund repairs and replacements for unrepaired faults.
- Incorporate GIS sidewalk database updates into department procedures.
- Determine what to do with areas without sidewalk.
- Determine enforcement approach regarding vegetation obstructions not corrected voluntarily by residents.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016

Item No. 12.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 8:55

SUBJECT

RECOMMENDATION

At this time there are no topics showing under this heading.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 13.

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

Initiated By:

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

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

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No. 14.

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.

BACKGROUND

**CENTERVILLE
CITY COUNCIL
Staff Backup Report
9/20/2016**

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

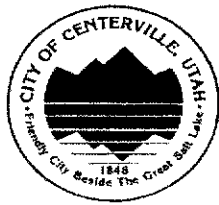
RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Monthly Building Report for August 2016



Steve Thacker
City Manager

B

655 North 1250 West, Centerville, Utah 84014

Monthly Building Report for August 2016

Construction Type	# of Permits		YTD Structures		Average Home Cost		Construction Valuation	
	Month	YTD	# Units	# Bldgs	Month	YTD	Month	YTD
Single Dwellings	1	22	22	22		291,200.00	347,224.00	6,406,389.00
Duplexes / Town Homes	0	19	19	4			-	3,915,224.00
Apartments	0	3	72	3			-	8,063,441.00
Addition/Alteration/Repair	3	24					57,420.00	901,710.00
Power/Mech	6	50					-	4,253.00
Signage	2	10					12,000.00	77,995.00
Commercial/Tenant Finish	2	18					24,250.00	2,828,619.00
Detached Structure/Gar	2	4					37,732.00	67,114.00
Demolition	0	2					-	-
Pool	0	2					-	55,000.00
Miscellaneous	18	67					355,207.00	1,202,355.00
Total Permits Issued:	34	221					833,833.00	26,522,100.00

Building Permit Related Revenues	Monthly		YTD Comparison	
	August 2016	YTD 2016	August 2015	YTD 2015
BUILDING	8,854.64	184,658.43	40,357.56	124,216.24
PLAN CHECK	1,179.69	61,944.52	20,930.20	57,243.07
ELECTRICAL	132.00	1,320.00	-	1,056.00
PLUMBING	-	-	-	-
MECHANICAL	264.00	1,980.00	594.00	2,432.00
GRADING	-	-	-	-
STATE SURCHARGE	92.52	1,852.29	409.51	1,276.51
WATER DEV.	1,013.00	94,237.00	25,335.00	51,177.00
WATER CONNECTION	-	24,959.79	-	16,132.94
WATER METER	235.00	15,820.00	4,075.00	8,800.00
STORM DRAIN	-	4,880.93	-	-
FIRE IMPACT	471.00	54,228.35	21,195.00	39,445.65
PARK IMPACT	2,057.00	228,327.00	92,565.00	170,731.00
DRIVE APPROACH	35.00	1,500.00	175.00	555.00
BOND	1,000.00	47,000.00	7,000.00	26,000.00
SPECIAL IMP D/ST/REC	24.00	36.00	-	12.00
ENGINEERING	500.00	5,348.77	-	500.00
TV INSPECT DRAINS	-	1,056.00	-	-
LANDSCAPING BOND	-	-	-	-
Total Permits Related Revenue:	\$15,857.85	\$730,140.00	\$212,430.27	\$409,577.41