

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

3  
4 **MEMBERS PRESENT**

5  
6 Mayor Paul A. Cutler

7  
8 Council Members Ken S. Averett  
9 John T. Higginson  
10 Stephanie Ivie  
11 Lawrence Wright

12  
13 **MEMBERS ABSENT** Tamilyn Fillmore

14  
15 **STAFF PRESENT** Blaine Lutz, Finance Director/Assistant City Manager  
16 Cory Snyder, Community Development Director  
17 Lisa Romney, City Attorney  
18 Marsha L. Morrow, City Recorder  
19 Katie Rust, Recording Secretary

20  
21 **STAFF ABSENT** Steve Thacker, City Manager

22  
23 **VISITORS** Brian McKenzie, County Elections Manager  
24 Bret Milburn, Davis County Commissioner  
25 Interested citizens (see attached sign-in sheet)

26  
27 **PLEDGE OF ALLEGIANCE**

28  
29 **PRAYER OR THOUGHT** Blaine Lutz, Finance Director/Assistant City Manager

30  
31 **OPEN SESSION**

32  
33 Dale McIntyre – Mr. McIntyre is a Centerville resident. Referring to the conversion of the  
34 Fire Agency to a taxing district with ability to directly tax citizens that is under consideration, Mr.  
35 McIntyre reminded those present that this Country has a history of not liking taxation without  
36 representation. He asked who votes on the Fire Agency. He also referred to the vote-by-mail  
37 issue on the agenda, and stated that when this Country was created, voters were required to  
38 own property so that those voting had a substantial stake in what was happening. Mr. McIntyre  
39 said that the vote-by-mail option may increase the number of citizens voting, but he questioned  
40 whether they would be informed votes.

41  
42 Mayor Cutler briefly explained that the Mayor is the City's representative on the South  
43 Davis Metro Fire Agency Board. A majority of Centerville's property tax revenue is currently  
44 needed to pay Fire Agency assessments. Discussions related to creation of a taxing district  
45 have been a multi-year process. If a taxing district is formed, State law dictates that City  
46 property taxes must be reduced by the same amount that the new taxing entity is allowed to tax,  
47 unless the City goes through a Truth-in-Taxation process. The taxing district would have the  
48 same oversight and management as the current Fire Agency, i.e., governed by a Board  
49 consisting of the Mayors. Creation of the district would occur by majority vote of elected  
50 officials.

1           Jim Higbee – Mr. Higbee said he appreciates the vote-by-mail option that was recently  
2 introduced, but he has some reservations. He said he feels it was misleading that the last  
3 election was advertised as mail-in only, when a polling location was offered on Election Day.  
4 He also expressed concern that citizens are not informed if their mail-in vote did not count until  
5 two or three weeks after the Election. Mr. Higbee stated that some municipal elections are  
6 close, and a few votes can make a difference, and he feels County election officials should be  
7 more straight forward. Mr. Higbee said he is opposed to early voting in general, and he hopes  
8 the mail-in option would take the place of early voting. Mr. Higbee also stated he appreciates  
9 Council efforts to come to a good agreement with UDOT to keep the Legacy Trail in good repair.

10  
11           **MINUTES REVIEW AND ACCEPTANCE**  
12

13           The minutes of the March 17, 2015 regular Council meeting, and the March 25, 2015  
14 joint City Council/Planning Commission work session were reviewed. Councilman Higginson  
15 made a **motion** to approve both sets of minutes. Councilman Averett seconded the motion,  
16 which passed by unanimous vote (4-0).  
17

18           **SUMMARY ACTION CALENDAR**  
19

- 20           a. Consider Cooperative Agreement between UDOT and Centerville City Providing for  
21 Maintenance of Connector Trail to the Legacy Parkway Trail System  
22           b. Terminate warranty for Engbersen-Taylor Subdivision  
23           c. Commence warranty for Woods Park PDO  
24

25           Councilman Higginson made a **motion** to approve all three items on the Summary  
26 Action Calendar. Councilman Averett seconded the motion, which passed by unanimous vote  
27 (4-0).  
28

29           **2015 MUNICIPAL ELECTIONS**  
30

31           Marsha Morrow, City Recorder, explained that the timing of the ballot mailings is  
32 governed by State law. She said she feels it would be less confusing for voters if the City  
33 adopts the same voting method as the County. Ms. Morrow stated she recommends that the  
34 City Council choose the vote-by-mail option. Mayor Cutler emphasized that the County had a  
35 higher participation rate with the vote-by-mail option in the last election. Ms. Morrow confirmed  
36 that the vote-by-mail option would eliminate early voting at City Hall.  
37

38           Responding to comments made during the Open Session, Brian McKenzie, County  
39 Elections Manager, explained that the County is required to immediately notify a voter if a vote  
40 is not counted. Mail-in ballots include a request to provide a daytime telephone number. The  
41 County is also required by State statute to release election results at certain times. After the  
42 primary release on Election Day, the County is not permitted to release any election results prior  
43 to the canvass.  
44

45           Mr. McKenzie briefly described a few of the many Legislative changes this year related  
46 to voting regulations. He showed an informative video put together by the County that explains  
47 why the County chose the vote-by-mail option and what takes place in the process. He said he  
48 feels the vote-by-mail option is the answer to getting more citizen involvement in the voting  
49 process. Ballots are required to be in the mail no later than 28 days prior to an election by State  
50 code. The County already has many citizens who have chosen to vote by mail or take  
51 advantage of early voting. The County requests that cities be consistent with voting methods for  
52 the primary and general elections. Mr. McKenzie said County election officials intend to

1 recommend to local Legislators that the initial mail date be reduced to two weeks before an  
2 election.

3  
4 Councilman Wright complimented Mr. McKenzie on the work that has gone into the  
5 process, but stated that he feels the electoral process needs to not be so convenient. He feels  
6 citizens should be required to interact and learn from the candidates with a period of discussion  
7 and dialogue. He would not want people to vote without learning about the issues. Councilman  
8 Wright also stated he feels the 28 days given to voters is not fair to the candidates, since time to  
9 campaign is reduced. He said he feels the City should stick with the traditional route, and  
10 citizens need to be taught that citizenship requires engagement and discussion.

11  
12 Councilwoman Ivie acknowledged that vote-by-mail is probably the way of the future,  
13 and said if the Legislature would help with improving the dates, she would be in favor of it. On a  
14 municipal level, she expressed concern that the vote-by-mail system prefers candidates who  
15 are well funded. Councilwoman Ivie said she is not in favor of the vote-by-mail option at this  
16 time. Councilman Averett agreed that the election process should require action on the part of  
17 the voters. He added that citizens already have the option to sign up to vote by mail if desired.  
18 He said he is not in favor of selecting the vote-by-mail option for the City. Councilman  
19 Higginson admitted that he has voted uninformed, even at the ballot box, and he knows plenty  
20 of others have as well. He expressed the concern that citizens could send in votes for family  
21 members with vote-by-mail. Mr. McKenzie explained that ballot signatures are compared to  
22 voter registration signatures and verified by the County. Mayor Cutler stated that he feels any  
23 option that would increase voter participation is a good thing, but he respects the concerns that  
24 have been voiced.

25  
26 Mr. McKenzie said that the County telephones were ringing off the hook last year with  
27 voters asking where to get more information about candidates/issues before voting. He pointed  
28 out that, with the traditional method, citizens do not have the option to stop and research an  
29 issue after they have stepped up to the voting machine. With vote-by-mail, if voters want to be  
30 informed, they have a ballot in front of them and can get online to get information. Councilman  
31 Wright repeated his opinion that voters need to actually communicate and be engaged in a  
32 dialogue. The dialogue should be in play until Election Day, but is shortened by the 28-day  
33 vote-by-mail period.

34  
35 Councilman Wright made a **motion** to not adopt the vote-by-mail option for the 2015  
36 Municipal Election, and go with the traditional option. Councilman Averett seconded the motion,  
37 which passed by majority vote (3-1), with Councilman Higginson dissenting.

38  
39 Councilman Averett made a **motion** to approve Resolution No. 2015-05 approving and  
40 authorizing the execution of an Interlocal Agreement between Centerville City and Davis County  
41 regarding election services for the 2015 Municipal Elections. Councilwoman Ivie seconded the  
42 motion, which passed by unanimous vote (4-0).

43  
44 **PUBLIC HEARING – ZONING CODE TEXT AMENDMENT – CHAPTER 12-48 SOUTH**  
45 **MAIN STREET CORRIDOR**

46  
47 Patrick Scott with Brighton Homes explained that Brighton Homes initially submitted a  
48 request for Zoning Text Amendment for the property located on Main Street between 300 South  
49 and Porter Lane that included a proposed change in elevation to better incorporate a mixed-use  
50 concept in the project. After receiving input at a public hearing, Brighton Homes chose to look  
51 at different options for the project. The initial application was withdrawn, and a new application  
52 for Zoning Code Text Amendment was submitted. The new request for Zoning Code Text

1 Amendment includes a request to increase the height restriction from 25 feet to a minimum of  
2 28 feet to allow for two-story buildings with pitched roofs. The application also includes a  
3 request to eliminate the commercial component from the development, and to reduce the first  
4 level ceiling height from 10 feet to 9 feet. Mr. Scott stated he feels it is important to recognize  
5 that increasing density is going to be an important part of any redevelopment project. Brighton  
6 Homes does not have a site plan at this time, but they estimate the development could include  
7 approximately 60 town homes with the requested amendment, with the primary intent to sell.  
8

9 Councilman Averett asked if Brighton Homes is anticipating a rental prohibition or cap.  
10 Mr. Scott responded that they have not gotten that far in the planning. Councilman Averett  
11 asked how many and what type of commercial units were part of the initial application. Taylor  
12 Spendlove with Brighton Homes responded that the current Code requires that 50% of a  
13 development along Main Street be commercial. The original proposal requested a total height  
14 allowance of 35 feet to accommodate three-story mixed-use buildings. He stated that  
15 commercial use is difficult to incorporate with a two story building. The Brighton Homes  
16 representatives showed examples of standard homes – two-story homes with total height  
17 greater than 30 feet, and a one-level home with a total height of 27 feet. The current height  
18 restriction of 25 feet along Main Street is what makes commercial difficult to incorporate.  
19

20 Mayor Cutler asked if Brighton Homes would be interested in incorporating commercial  
21 in the development if the total height allowance were increased along Main Street, transitioning  
22 to lower height and density next to the residential neighborhood. Mr. Spendlove explained  
23 some of the factors considered in the process. Nate Pugsley with Brighton Homes stated that  
24 the project would not be viable if the density were reduced too much at the back. He expressed  
25 willingness to continue working with the City to discuss options. Councilman Averett asked how  
26 many commercial units were included in the initial application with the 35-foot height allowance.  
27 Mr. Spendlove responded that they had initially planned for 16 commercial units on Main Street.  
28 Councilman Averett asked what plan Brighton Homes would prefer. Mr. Spendlove responded  
29 that commercial use allows for more density, but as developers they feel the need to create a  
30 project that works with the community. Mr. Scott added that Brighton Homes primarily focuses  
31 on residential development, and their preference would be to have all residential. Mr. Pugsley  
32 repeated that Brighton Homes has pulled back from the original proposal.  
33

34 Cory Snyder, Community Development Director, stated that policy is set through the  
35 legislative process, and consequences follow. It is very difficult to individually build each  
36 property based on what the Council is comfortable with. The application before the Council is a  
37 private market request. Centerville has already set the ideal with the South Main Street Corridor  
38 Plan. The height constraints in the existing standards conflict with current zoning and actual  
39 implementation. Mr. Snyder said he recommended against the 25-foot height allowance when  
40 the Plan was implemented, and he still believes that 25 feet is not feasible. He explained that,  
41 as he remembers it, 25 feet was suggested by the public. Mr. Snyder said he believes the ideal  
42 would be mixed-use with a height allowance of 35 feet. The established pattern along Main  
43 Street in the Traditional and Core areas is commercial, which is hampered by the height  
44 restriction. The Planning Commission recommended approval of the application by majority  
45 vote, and staff has chosen not to make a recommendation. The requested Zoning Code Text  
46 Amendment would apply to the entire Traditional district. Mayor Cutler asked if spot zoning  
47 would be possible. Mr. Snyder responded that policies would need to be altered for spot zoning  
48 to be possible. Councilman Averett commented that he does not think spot zoning is ever a  
49 good idea. Mayor Cutler asked what control tools the Council would have if the application is  
50 approved. Mr. Snyder responded that it would be problematic for the Council to enter into  
51 administration of the Code.

1 Mr. Snyder explained that Centerville ordinances are based on gross density rather than  
2 net acreage. He showed densities of several developments in the City on a map for  
3 comparison. If approved, the Zoning Code Text Amendment would not eliminate the possibility  
4 of mixed-use; it would simply add the ability to develop strictly residential. At 8:43 p.m. Mayor  
5 Cutler opened a public hearing.  
6

7 Karen Buys, Centerville – Ms. Buys said she is in favor of eliminating the commercial  
8 component because of all the empty store fronts on Pages Lane. She feels the commercial  
9 district has shifted from Main Street to Parrish Lane, and South Main Street is not a viable  
10 space for commercial. Ms. Buys stated she has not heard of studies being conducted related to  
11 traffic impact on area schools.  
12

13 Travis Davis, Centerville – Mr. Davis commented that the application to adjust the height  
14 requirement by three feet is made with no clear plan. He said he would first like to see a  
15 specific site plan for what could happen if the zoning is relaxed.  
16

17 Representative Tim Hawkes, Centerville – Representative Hawkes stated he does not  
18 feel the three requests can be disentangled from the density. He said he is worried about what  
19 the additional three feet would mean for the neighborhood and the development that would  
20 follow. He agreed that development is inevitable, but he said he would not want it to come at  
21 the cost of the very things valued most about Centerville. He stated he does not think the City  
22 should radically change the plan without knowing exactly what it would mean for the future.  
23

24 Jennifer Turnblom, Centerville – Ms. Turnblom said she is in favor of a stand-alone  
25 residential provision in the South Main Street Corridor Plan because commercial is no longer  
26 happening on Main Street.  
27

28 Brad Nance, Centerville – Mr. Nance agreed with the comments that have been made.  
29 He said he is in favor of steeper pitched roofs, and he agrees that commercial won't work on  
30 Main Street. He stated that plans can change, and he loves the low density where he chose to  
31 live. He questioned the need for high density for the development to work economically, and  
32 stated that the value of the land is going to be dictated by what can be put on the land. He is in  
33 favor of all residential for the area, but feels it should be lower-density, single family homes that  
34 would increase the value for the whole area. Mr. Nance said he is in favor of lowering the first-  
35 level ceiling height to 9 feet if the density is lowered.  
36

37 Paula Tinnabe, Centerville – Ms. Tinnabe stated that Phil Sessions asked her to  
38 represent him. He is concerned about parking for the neighboring dental office, and asks where  
39 dental patrons will park if the existing parking on the subject property is taken away. She  
40 supplied a photograph of the parking area on the property taken that morning (attached). She  
41 requested that a possible agreement between the City and Mr. Pitt regarding parking be  
42 researched. Ms. Tinnabe added that impact studies need to be done and potential problems  
43 addressed.  
44

45 Justin Cozad, Centerville – Mr. Cozad stated he could not imagine 60 units on 3.8 acres.  
46 He said he believes the place for high density in Centerville is on the west side, not in the  
47 historic area near single-family homes.  
48

49 Robyn Mecham, Centerville – Ms. Mecham stated that the property is only worth what  
50 they can sell it for. She said she got involved in the South Main Street Corridor Plan process at  
51 the beginning, and has spent considerable time with various officials. Ms. Mecham said she  
52 feels good about Brighton Homes as developers. She stated that the property is zoned the way

1 it is because a Planning Commissioner or Council member at the time wanted his property to  
2 remain commercial. She feels it should be residential. The height restriction was changed to 25  
3 feet because the Council listened to the citizens. Ms. Mecham said there is no longer a need  
4 for commercial on Main Street, and the density needs to be lowered and commercial eliminated.  
5 The General Plan describes high density as 9-12 units per acre. She said she does not think  
6 the City understood what was really possible on the property when the Plan was put together.  
7 Ms. Mecham requested the Council to put a moratorium on Main Street development to allow  
8 time to look at the Plan. She said the property does need to be developed, and she would love  
9 to see Brighton Homes be the developer, but at this time it would not be fair to Brighton Homes  
10 because everyone in the room is against the density. Ms. Mecham provided the Council with a  
11 copy of her comments (attached).

12  
13 Dale McIntyre, Centerville – Mr. McIntyre stated that the Centerville Landmarks  
14 Commission is right now creating the Deuel Creek Historic District, which extends from 400 East  
15 and Parrish Lane to 400 South and Main Street, including the subject area. The Historic District  
16 is meant to be representative of Old Centerville, and high-density housing did not exist in Old  
17 Centerville. He expressed the opinion that if the Plan does not work, the City should rework the  
18 Plan.

19  
20 Nancy Smith, Centerville – Ms. Smith referred to a comment made at a previous  
21 meeting that form-based code is not concerned so much with what goes on inside a building.  
22 She stated that the City Planner does his job well, but the citizens do care about what goes on  
23 inside the buildings. They do not want an incompatible use next to where they live and walk to  
24 school. She expressed the opinion that if stand-alone residential is approved, it should be  
25 rezoned residential, because adding stand-alone residential does not take away the mixed-use  
26 component. Ms. Smith said she does not think the Plan is viable on Main Street, she does not  
27 think mixed-use would work on Main Street, and she does not want high density on Main Street.  
28 The asking price of a property is driven by the zone, and maybe the City unintentionally made a  
29 mistake by creating a mixed-use zone. Ms. Smith named cities in Utah that were previously  
30 cited as examples of form-based zoning on Main Street, and said she contacted them and found  
31 that they have zone-based density in their mixed-use on Main Street. They either do not allow  
32 stand-alone residential on Main Street, or only allow it as a conditional use. She feels that  
33 Brighton Homes does a great job, but the City needs to address what any group would be able  
34 to do on Main Street. Ms. Smith suggested that the Council has more than the two options  
35 listed in the Council packet, and asked the Council to be judicious. She provided the Council  
36 with a copy of her research (attached).

37  
38 Robin Carbaugh, Centerville – Ms. Carbaugh asked the City to post some kind of notice  
39 whenever any of the Main Street Corridor is considered by the Council as a courtesy to the  
40 citizens.

41  
42 Rick Bingham, Centerville – Mr. Bingham said he feels the current Plan is ambiguous  
43 and cumbersome in the concept of mixed-use. He thinks both commercial and residential  
44 together on Main Street would be difficult, and the proposed high density would be out of place.  
45 He stated he is in favor of reconsidering the Plan and rezoning to be more reflective of what is  
46 already in place in terms of residential. He said, based on information provided, he does not  
47 see how the Council could make any kind of determination.

48  
49 Melissa Thomas, Centerville – Ms. Thomas lives in a historic home in the subject  
50 neighborhood, and she has seen a dramatic increase in existing homes being turned into rental  
51 units. Some homeowners do a fantastic job of maintaining the properties, but some are not well  
52 maintained. She feels that what is allowed on Main Street is pivotal in determining the type of

1 neighborhood it will be. Centerville feels like home to her, and decisions made about Main  
2 Street will have a big impact. She is in favor of improving the blight on Main Street, but she  
3 wants to maintain the history and the feel of Centerville.  
4

5 Bob Ballesteros, Centerville – Mr. Ballesteros stated he lives in the historic  
6 neighborhood, and suggested homes should be built on the subject property that are in keeping  
7 with the period style of the neighborhood. He mentioned concerns about traffic and parking on  
8 the property, and asked the Council to listen to the people.  
9

10 Scott VanOrman, Centerville – Mr. VanOrman said he values Centerville as a whole,  
11 and loves the family neighborhoods. He has felt in the past that elected officials or Planning  
12 Commissioners have pushed their own agendas against the wishes of citizens. He asked that  
13 the Council not approve the requested amendments, and look at the entire Plan overall. He  
14 would like the property to become a stable environment with homes that encourage long-term  
15 investment in the community.  
16

17 Spencer Dredge, Centerville – Mr. Dredge said he loves Centerville, and the elected  
18 officials are the reason that Centerville is a great place. He stated that this is a complicated  
19 issue, and he expressed confidence in the Council members.  
20

21 Lisa Sommer, Whitaker Museum Director, Centerville – Ms. Sommer commented that  
22 the Landmarks Commission has put together a brochure with a walking tour of the historic  
23 homes in Centerville. Mayor Cutler added that an app for the walking tour is also available.  
24

25 Bret Milburn, Davis County Commissioner, Centerville – Commissioner Milburn  
26 expressed appreciation to the Council and City staff for the time they put into making the City  
27 great. Decisions are not always easy, and it is difficult to make everyone happy. He also  
28 expressed appreciation for those interested in developing the subject property. He said he  
29 hopes the Council will seriously consider the comments that have been made. Decisions made  
30 now will have long-term impacts, and will impact the face and feel of the community. The  
31 historic neighborhood is what Centerville is known for, and he suggested the City should decide  
32 what Centerville should be and firmly put it in place.  
33

34 At 9:41 p.m. Mayor Cutler closed the public hearing, and thanked the citizens in  
35 attendance. Councilman Wright stated he feels it is time to look again at the South Main Street  
36 Corridor Plan so that it reflects what the citizens think it should be. He said he would like to  
37 reject the proposed Text Amendments, and begin the process to change the Plan.  
38

39 Mr. Scott said Brighton Homes appreciates the opportunity to present their case, and  
40 said he knows it is difficult to make everyone happy. Brighton Homes has tried to work within  
41 the Code, although there are elements that make developing the property difficult. He  
42 requested the Council vote to either accept or deny the application rather than table for more  
43 information, which Brighton Homes would most likely not be able to provide until later in the  
44 process.  
45

46 Councilman Wright made a **motion** to deny the Zoning Code Text Amendment as  
47 proposed by the applicant, with the following reasons for the action. Councilwoman Ivie  
48 seconded the motion.

1           Reasons for the action:  
2

- 3           a. The Council finds that the General Plan language promotes a mixture of uses and  
4           desires variety to create the expected visual appeal of the street.  
5           b. The Council finds that there is General Plan policy language that desires the bulking  
6           and massing of buildings to facilitate desirable development.  
7           c. The Council finds that it is desirable to maintain “the existing historical pattern,”  
8           which is primarily that of commercial uses.  
9           d. The Council finds that this commercial historical pattern extends from 100 North to  
10           Porter Lane (400 South).  
11           e. The Council finds that keeping this existing pattern over the long term is needed to  
12           create the expected vibrant local commercial area.  
13           f. The Council finds that the existing commercial pattern has a historical termination  
14           boundary, which is Porter Lane. Any conflicts or other compatibilities are long  
15           established.  
16           g. The Council finds that the purpose of main floor clear space is to create the  
17           traditional storefront appeal that is associated with small town buildings.  
18

19           Councilman Averett said his concern is that the property is in the historic district. He  
20           said the community has a lot of charm, and as elected officials they have stewardship to  
21           preserve culture, heritage, and the past. Centerville is celebrating 100 years since  
22           incorporation, and approving the project as proposed would fly in the face of the historic  
23           character of the community. Councilman Averett encouraged Brighton Homes to stay engaged  
24           on the property and try to come up with a project that is financially rewarding and recognizes  
25           and pays tribute to Centerville’s past. Councilwoman Ivie agreed that it does not feel right to  
26           make things taller and more dense in the historic district. She said she would like to see  
27           something that would fit in better with the Centerville she loves. Councilman Higginson  
28           expressed the hope that Brighton Homes will not walk away, and will work with the  
29           neighborhood to find a solution that fits. He acknowledged that the appropriate density is yet to  
30           be determined.  
31

32           The motion to deny passed by unanimous vote (4-0). Mr. Snyder reminded the Council  
33           that denying the current application does not change the fact that the Plan and the zoning are in  
34           place, and the concerns voiced are still feasible. The Historic District is still in the study phase  
35           with the Landmarks Commission, and it would not regulate commercial areas within the District.  
36

37           Lisa Romney, City Attorney, explained noticing requirements for putting a moratorium on  
38           development in the South Main Street Corridor. Mr. Snyder suggested, if redoing the South  
39           Main Street Corridor Plan is a priority, the Council needs to commit both time and funds to the  
40           process. He said he suspects there would be significant reactions from property owners.  
41           Approximately \$30,000 was expended to originally put the Plan in place, and Mr. Snyder  
42           estimated it might cost half that amount this time.  
43

44           Councilman Wright made a **motion** directing staff to research initiating a moratorium to  
45           take a closer look at the South Main Street Corridor issue, and present to the Council as soon  
46           as possible. Councilwoman Ivie seconded the motion, and stated that she realizes it will cost  
47           money, but things have changed since the current Plan was put in place and the Council needs  
48           to listen to the citizens. Councilman Higginson stated he does not think a moratorium is the  
49           right answer, but he will vote in favor of getting more information. Ms. Romney explained the  
50           maximum time frame for imposing a moratorium is six months under Utah law. Staff will provide  
51           risk management information to the Council in confidential communication.



1 Mr. Pugsley expressed disappointment, and said they felt they had been working in good  
2 faith with the Code that is in place. Putting a new plan in place could take years, and he is not  
3 sure what Brighton Homes will do at this point.  
4

5 The motion passed by unanimous vote (4-0). The Council took a recess from 10:17 p.m.  
6 until 10:40 p.m.  
7

8 **MAYOR'S REPORT**  
9

- 10
- 11 • The Davis County Department of Health recently recognized Centerville for its efforts  
12 to promote walk-ability and clean air.
  - 13 • Mayor Cutler reported that Davis County School District intends to hold a bond  
14 election that will likely include a slight property tax increase. Commissioner Bret  
15 Milburn confirmed the School District is fairly certain the issue will be placed on the  
16 ballot. School District and County issues on the municipal ballot would reduce the  
17 City's election costs through cost sharing.
  - 18 • The Mayor reported on a recent Fire Agency work session. When the Fire Agency  
19 was created, there was an intention to eventually form a taxing district. Capital  
20 needs are not funded by the current levies, and agreement needs to be reached  
21 regarding what investments qualify as capital improvements. Mayor Cutler  
22 presented proposed budgets, and a comparison of current versus proposed budgets  
23 for the cities within the Agency. He said it was suggested that the cities may be  
24 more interested in creating a taxing district if only for capital improvements. The vote  
25 to join a separate district would not have to be unanimous, but Mayor Cutler stated  
26 the Board acknowledges the importance of being in agreement.

27 **CITY COUNCIL LIAISON REPORT**  
28

29 Councilman Averett reported on Citizen Corps Council/Emergency Management  
30 activities. FEMA is currently conducting an emergency management assessment of Davis  
31 County that will culminate in a disaster training event in June. The statewide Great Shakeout  
32 exercise will occur on April 16<sup>th</sup> at 10:15 a.m. The Davis Chamber of Commerce has a new  
33 director, and Chamber membership is up.  
34

35 **CITY MANAGER'S REPORT**  
36

- 37 • The Council scheduled an RDA/ACB meeting for April 15<sup>th</sup> at 7:30 p.m.
- 38 • Mr. Lutz reported on Public Works staff member Mike Carlson's health status, and  
39 expressed appreciation for his dedication to the City.  
40

41 **MISCELLANEOUS BUSINESS**  
42

- 43 • Councilman Wright pointed out a news editorial included in the Council packet that  
44 may be of interest to Council members.
- 45 • Councilwoman Ivie complimented Police Officer Boucher's hard work with the  
46 Department's new K-9 dog.

ADJOURNMENT

At 11:18 p.m. Councilman Higginson made a **motion** to adjourn. Councilman Wright seconded the motion, which passed by unanimous vote (4-0).

  
\_\_\_\_\_  
Marsha L. Morrow, City Recorder

4-21-2015  
\_\_\_\_\_  
Date Approved

  
\_\_\_\_\_  
Katie Rust, Recording Secretary



Picture submitted by Paula Tinnabe of parking area for dental office property taken the morning of 4-7-2015.



Reasons and things that have changed since the Main Street overlay was put in to affect.

1. We needed high density to support the commercial component of the village concept. Now the planning commission, residents and the developer agree that commercial will not work on Main Street. So we need to adjust the density to work better with the surrounding area of low density.
2. We needed more affordable housing to meet federal guidelines, with all the new Developments we don't need more now.
3. A developer that is looking at our Main Street says the he believes our zoning will allow for 14-16 units per acre. (General Plan Section 12-420-2) Defines High Density as 9-12 units per acre. At the time it was zoned I was told that the City didn't know how many it would allow so now we know that it is even more than our high density zone would allow we need to down zone. It was zoned this way to entice more commercial development and now its just enticing high density which is not what we want on our main street.

I really don't think our idea of our Historic corridor is one of very high density housing which is now what it allows for. Our historic corridor will be 6 plexes lining our Main Street.

I believe in the land owners rights; they purchased this ground when it was zoned commercial only they still have that right. I believe it should stay commercial and if they can't sell it under commercial zoning any density even R 1 would be an up grade, to give them other options to sell it. It is not the cities place to help them maximize their profits.

Thanks for you time and consideration

Robyn Mecham  
801-292-7998

City used as an example similar to Centerville

	KANAB	PANQUICH	PARK CITY	MIDVALE	BOUNTIFUL
Do you have Form-Based Code? Aka: <b>Zoned by Building</b>	No	No	No	No	Mix of both Form Based and Zone Based - but <b>MORE</b> Zone Based
Do you use Zone-Based Code? Aka: <b>Zoned by acre</b>	Yes	Yes	Yes	Yes	Mix of both Form Based and Zone Based - but <b>MORE</b> Zone Based
Do you allow "Stand Alone Residential"?	Not in this zone	No	No	Depends on Size of property. Over 1 acre goes to Conditional Use. Multi-family takes residential zone standards	Only at 100 West and 100 East and then only as a Conditional Use
Do you have a Mixed-Use Plan in this corridor?	Yes	Currently not going on	Main Street was built in The 1800's and isn't changing much	YES	YES
Do you allow any residential?	Yes BUT - Apartments are not a permitted use in this zone	No Not in the this Zone	YES BUT - only with comm'l	YES Including single family ↑	
Density	If just residential - density is based per acre	Residential not allowed	Floor Area ratio 4.0 maximum per lot area	Multi-family takes underlying residential zone standards	Based mostly on parking, landscaping requirements