CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON DECEMBER 1, 2015 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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

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

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

5:30 RDA/ACB meeting

7:00 **A. ROLL CALL**

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

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Councilman Lawrence Wright

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

E. BUSINESS

7:10	1.	Minutes Review and Acceptance October 29, 2015 Council work session; November 17, 2015 Canvass meeting and regular Council meeting
7:15	2.	Dee Hansen - Report regarding South Davis Sewer District
7:30	3.	Appointment to South Davis Sewer District Board Reappoint Dee Hansen as Centerville's representative on the South Davis Sewer District Board of Trustees -- Consider Resolution No. 2015-18
7:35	4.	Public Hearing - Porter Walton Townhomes Subdivision - Final Plat Consider Final Subdivision Plat for the Porter Walton Townhomes Subdivision located at approximately 564 West Porter Lane - Taylor Spendlove, Brighton Homes Utah, LLC - Applicant
7:45	5.	Report from Whitaker Museum Board Chair re projects funded by CLG Grants
7:55	6.	Discussion of proposal to create Deuel Creek Historic District
8:25	7.	Discussion on Accessory Dwelling Units
8:55	8.	Mayor's Report a. Review first 6 months of Fire Agency 2016 Tentative Budget
9:05	9.	City Council Liaison Report Councilman John Higginson will report on the Wasatch Integrated Waste Management District and the Mosquito Abatement District
9:15	10.	City Manager's Report a. 1250 West/Parrish Lane Traffic Signal Project
9:20	11.	Miscellaneous Business a. Council request for discussion re use of City's newsletter and utility bill insert
9:40	12.	Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended
9:40	13.	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
12/1/2015

Item No.

Short Title: RDA/ACB meeting

Initiated By:

Scheduled Time: 5:30

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report
12/1/2015

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- City Manager Summary of December 1, 2015 Council meetings

CENTERVILLE CITY

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

Incorporated in 1915

Mayor
Paul A. Cutler

City Council
Ken S. Averett
Tamilyn Fillmore
John T. Higginson
Stephanie Ivie
Lawrence Wright

City Manager
Steve H. Thacker

interoffice MEMORANDUM

[redacted]

to: Mayor Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager
subject: City Manager's Summary of December 1, 2015 Council Meetings
date: November 25, 2015

5:30 **RDA/ACB Meeting** – The Centerville Redevelopment Agency (RDA) Board and the Administrative Control Board (ACB) of the Davis Center for the Performing Arts will meet at 5:30 p.m. prior to the regular council meeting. The Lease and Operating Agreement pertaining to the use of the performing arts center by CenterPoint Legacy Theatre (CPT) requires that CPT submit their annual budget for the following year to the RDA/ACB for review. The RDA/ACB has specific authority to approve the facilities maintenance portion of CPT's budget, and may comment on the other portions of the proposed budget. CPT must then adopt their final budget by December 20 each year.

The other item on the RDA/ACB meeting agenda is the approval of several Lease Agreement amendments which accomplish the following: 1) creation of a Capital Projects Reserve Fund (CRF) and 2) revising the deadline for submittal of CPT's annual audit report—making the deadline May 31 instead of April 30 each year. The RDA/ACB discussed the need for these amendments in a meeting earlier this year and directed staff to draft such amendments. The CRF would be the fourth reserve fund created pertaining to the performing arts center. The other three—created by the original Lease Agreement—are the Operations Reserve Fund and the Maintenance Reserve Fund under the control of CPT, and the Theatre Reserve Fund under the control of the RDA. **Dinner will be available about 5:15 p.m.**

7:00 **Regular City Council Meeting**

E.1. **Minutes Review** – The minutes to be approved are enclosed, including the October 29 work session minutes, which were revised to include more detail as requested by the City Council.

E.2. **Report from Dee Hansen re Sewer District (SDSD)** – Dee Hansen is Centerville City's representative on the Board of Trustees of the South Davis Sewer District. He has asked for some time to report on the finances and operations of the District, including a potential "food waste to energy" project which the Board is currently evaluating.

MAKING Life BETTER
Centerville City

E.3. **Reappointment of Sewer Board Representative** – Mayor Cutler recommends Dee Hansen be reappointed as Centerville's representative on the Sewer District Board. His current four-year term ends January 1, 2016. The City Council may reappoint Mr. Hansen for another term; may appoint the Mayor or a Councilmember to fill that position; or may advertise the opening for a 30-day period and hold a public hearing before selecting someone else.

E.4. **Public Hearing – Porter Walton Townhomes Subdivision Final Plat** – This townhome project on Porter Lane received site plan and conditional use approval from the Planning Commission several months ago. The project includes 46 townhomes and an existing home. Approval of the Subdivision Final Plat would divide the townhome portion for sale as 46 individually-owned units. The Planning Commission recommends approval of the Final Plat.

E.5. **Report from Museum Board Chair re Projects** – Spencer Packer, Chair of the Whitaker Museum Board, has asked for some time to report on the completion of a number of projects funded with CLG grants, City funds, and donations. These projects have made significant improvements to the Whitaker Home and grounds.

E.6. **Deuel Creek Historic District** – For the past few years, the Landmarks Commission has been studying the possibility of creating a historic district in the Old Townsite portion of Centerville—an area bounded by Main Street, Parrish Lane, 400 East and Porter Lane (both sides). Recently the Planning Commission discussed the recommendations of the Landmarks Commission and now recommends the City Council approve the proposal. The City Council will first discuss the proposal at the December 1 meeting, then continue the matter to December 15 when a public hearing will be held before taking action. The proposal is incentive-based and would not force any property owner to do more than is required by the standards of the current residential zone. The goal is to encourage new construction and remodeling in this area to be done in a manner that compliments the historic nature of the existing architecture. The proposed incentives are in the form of reduced building setbacks and reduced building permit fees.

E.7. **Discussion re Accessory Dwelling Unit Ordinance** – Earlier this year, the City Council discussed a proposed ordinance that would allow accessory dwelling units (ADUs) in single-family residential areas. That discussion was put on hold, however, when the Council's attention was focused on amending the South Main Street Corridor Overlay Zone. The Council is now taking up this matter again. They will discuss the proposed ordinance at the December 1 meeting, then continue the matter to December 15 when a public hearing will be held before taking action.

E.8. **Mayor's Report** – Mayor Cutler will brief the Council on the Tentative Budget for the South Davis Fire Agency. The intent is for the Fire Agency Board to approve a six-month budget for the period January 1 –June 30, 2016; then later the new Local Fire Service Area/District would adopt a budget for the fiscal year beginning July 1, 2016. The six-month Tentative Budget will be attached to NovusAgenda after some corrections are made.

E.9. **City Council Liaison Report** – Councilman Higginson will report on the Waste District and Mosquito Abatement District. He represents Centerville on the boards of those two special districts.

E.10. **City Manager's Report** – I will update the Council on the status of the traffic signal installation project at 1250 West Parrish Lane.

E.11. **Miscellaneous Business** – Councilmembers Wright and Ivie have asked for some time to review/discuss the use of the City's newsletter and utility bill insert by non-city organizations. This matter has been postponed several times due to long meetings.

E.12. **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.13. **Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments to City boards/committees.

Potential Agenda Items for December 15, 2015 City Council meeting (subject to change):

- City Council Picture
- Presentation to winners of Youth Coloring Contest
- Approve City Council 2016 Meeting Schedule
- Amendments to recording secretaries contracts
- Public Hearings
    - Zoning Code Text Amendment, Chapter 12-60, Accessory Dwelling Units (ADUs)
    - Zoning Code Text Amendment Section 12-62-062, Deuel Creek Historic District
    - Zone Map Amendment re Deuel Creek Historic District
- Award bid for fencing on pedestrian bridge and along Parrish Lane (City Council & RDA agendas)
- Financial Report for period ending November 30, 2015
- Open & Public Meetings Training
- Amendment of Legacy Trails Subdivision Plat
- RDA meeting

mlm

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No.

Short Title: Councilman Lawrence Wright

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 1.

Short Title: Minutes Review and Acceptance

Initiated By:

Scheduled Time: 7:10

SUBJECT

October 29, 2015 Council work session; November 17, 2015 Canvass meeting and regular Council meeting

RECOMMENDATION

BACKGROUND

Per the Council's request, Kathy Streadbeck added more detail to the October 29 work session minutes. These additions are highlighted.

ATTACHMENTS:

Description

- October 29, 2015 special work session (revised)
- November 17, 2015 Canvass minutes
- November 17, 2015 Council meeting minutes

Minutes of the Centerville City Council Special Work Session Thursday, October 29, 2015 at 7:00 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul Cutler
Council Members	Ken Averett
	Tamilyn Fillmore
	John Higginson
	Stephanie Ivie
	Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager
	Corvin Snyder, Community Development Director,
	Lisa Romney, City Attorney
	Kathy Streadbeck, Recording Secretary

VISITORS

Interested Citizens

SOUTH MAIN STREET CORRIDOR OVERLAY ZONE – Discuss proposed edits to the South Main Street Corridor Overlay Zone

Steve Thacker, City Manager, updated the Council on the recent work and discussions regarding the South Main Street Corridor Plan (SMSC). Staff has recently researched the right-of-way for Main Street. Main Street is 50 feet in width from back of curb to back of curb and is placed in the middle of a 66-foot right-of-way. Staff is optimistic the proposed SMSC Public Space Plan may be possible without the off-set as originally discussed. Staff believes with a minimal use of an additional two (2) feet of public utility easement on either side of Main Street, the City may be able to create a 10-foot public corridor plan for both sides of Main Street. Staff meets with UDOT on Tuesday, November 3rd to discuss possible options for this public corridor. Staff has also included a landscape architect in these discussions.

The Council discussed mixed-use and the pros and cons of removing mixed-use from the SMSC all together. Councilman Wright suggested eliminating the mixed-use option all together. He said mixed-use has not proven to be a useful tool for redevelopment. He suggested eliminating all residential uses on Main Street and going back to commercial only. This would also reduce density which is the number one concern of residents. The Council~~~~ discussed live-work units, floor area ratio, horizontal mixed-use, and vertical mixed-use. Concern was raised over the ratio between commercial and residential uses. ~~-~~The Council does not want to see the primary commercial uses overtaken by residential uses.~~either component unduly limited by the other.~~ Staff suggested calling out a 50% first floor commercial minimum with the mixed-use

option. Councilwoman ~~members~~ Fillmore expressed concern with live-work units and how they may be interpreted. She is concerned the proposed amendments weaken the ordinance and could possibly allow a home office for the required primary commercial use. She is not opposed to home office uses but believes they need to be secondary to the required commercial use and not counted as the primary commercial use.~~Concern was raised that the mixed-use definition could be viewed as a home office situation.~~ It was suggested that definitions be made clear that a home office is not intended for the commercial portion of mixed-use. The Council discussed the possibility of separate entrances for each use (commercial and residential) and clarification on what type of residential uses are appropriate on Main Street. Councilwoman Fillmore suggested calling for ground floor entrances to each individual unit. She believes this will provide more of a townhome feel rather than an apartment feel.~~It was discussed that the public's main concerns are with density and the possibility of apartments.~~ Staff said clarification on appropriate residential product types can be called out. Staff said separate entrances could be problematic with the vertical mixed-use option.

The Council discussed density caps including units per building and units per acre. The Council raised concern with the conditional use option for additional units. Councilwoman Fillmore said ~~They discussed~~ that 6-8 units per building feels more like an apartment rather than a townhome. The Council was more comfortable with a maximum density of no more than 4-units per building with no conditional use option (Traditional and City Center Districts). The Council also agreed the term multiple-family should be removed from the ordinance. Council members debated the difference in the overall number of units possible, in the area as a whole, with regard to 4-units vs. 8-units an acre and how this may impact the city. Councilwoman Fillmore said the difference between 4-units an acre and 8-units an acre is not that significant. The total number of units possible within this area wouldn't even double given other limitations of the ordinances. Councilman Wright and Councilwoman Ivie disagreed. Councilman Wright said a lower set maximum is the best way to control density which in turn will control traffic and congestion. Councilwoman Ivie said anything over 4-units an acre is too dense. ~~Some Council members felt the difference was significant and others did not.~~ Concerns were expressed regarding the "exception" clause that would allow at least two dwelling units per parcel. Council members discussed the probability of a property owner subdividing their property in an effort to get more units. Councilwoman Fillmore said ~~It was also discussed that~~ this is ~~may~~ not ~~be~~ likely because of the cost to build, marketability and the limitations that setbacks and easements impose on a property. She ~~It was~~ also mentioned that property owners should not feel they have to combine their property with another in order to make redevelopment possible. Councilman Averett ~~Some Council members~~ expressed concern that too many limitations will hinder redevelopment all together. Staff suggested the term "legal" be added to clarify that only "legal lots" can be considered for development.

The Council discussed restaurant uses. Staff clarified the difference between restaurant, general and restaurant, eatery. The Council discussed options to allow restaurants without the

mixed-use component. Councilwoman Ivie expressed concern with a restaurant use mixed with a residential use. She said there are impacts from a restaurant use that would negatively affect a residential use attached to it, i.e., smell, deliveries, noise, etc. ~~Some Council members were not comfortable allowing a restaurant and a residential unit in the same building.~~ Staff discussed the intensity of a general restaurant use and how it may impact the area. ~~The~~ Mayor Cutler discussed some of the currently existing restaurant businesses on Main Street stating it is important to provide these businesses options for redevelopment as well.

The Council discussed the North Gateway District. Once again the Council agreed that no more than 4-units per building maximum is appropriate with no conditional use option. The Council agreed this is a limited area and agreed with the Planning Commission's recommendations for this area of Main Street. Councilwoman Fillmore discussed the surrounding residential uses specifically east of the North Gateway District. She said this is currently zoned Residential-Medium and the Council may want to consider reducing this area to Residential-Low.

The Council discussed the Pages Lane District. Staff explained the Planning Commission's recommendation of a graduated density. The Council questioned if it may be best to return this area to commercial only until there is a better direction of what may be desired in the future. A majority of the Council agreed the mixed-use option for Pages Lane may not be the best fit and that this area is prime for commercial if the right application were made. The Council agreed ~~debated that~~ this area has great potential for mixed-use, residential, and commercial. In an interest to keep density at a minimum, as desired by the community, the Council agreed commercial only may be the best option for now.

The Council discussed building setback and building height for the SMSC. The Council debated aesthetics (pitched roof), how buildings frame the street, and how buildings may shadow homes behind them. Councilman Wright said he is concerned with the shadow a 35-foot building may impose on a neighboring residence. Councilman Higginson said a 25-foot flat building and a 35-foot pitched building create the same shadow. Councilwoman Ivie said taller buildings closer to Main Street will create the feeling of a "luge." Councilwoman Fillmore said ~~It was discussed that~~ all residential zones currently allow a 35-foot building height and it may seem unfair to limit commercial building heights in the SMSC. She said if the concern is shadow then perhaps a graduated setback to building height may be appropriate. The Council debated the possibility of allowing an increased building height proportionate to the rear and/or front setback. The Council also debated the option of allowing a greater building height only with a pitched roof. Some Council members were comfortable increasing the building height to 35 feet. The Council had mixed feelings on ~~debated~~ whether it is the community's desire to keep building heights at a minimum. Councilman Wright and Councilwoman Ivie said the community has been clear that building heights should be kept to a minimum. The Council also discussed setbacks stating they are comfortable with the currently proposed 10-15 foot setback.

The meeting was adjourned at 9:21 p.m.

_____ _____

Paul Cutler, Mayor Date Approved

_____

Kathleen Streadbeck, Recording Secretary

Minutes of the special meeting of the Centerville City Council, acting as the Board of Canvassers, held Tuesday, November 17, 2015 at 6:30 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Tamilyn Fillmore
	Stephanie Ivie
	Lawrence Wright
MEMBERS ABSENT	Ken S. Averett
	John T. Higginson
STAFF PRESENT	Steve Thacker, City Manager
	Marsha L. Morrow, City Recorder
	Katie Rust, Recording Secretary

CANVASS OF 2015 GENERAL ELECTION RESULTS

The Council, acting as the Board of Canvassers, reviewed the results of the 2015 General Election. Mayor Cutler requested staff give a report at a future meeting regarding the vote-by-mail option utilized in other cities compared to Centerville's voter participation at the polling locations.

RAP Tax

Councilwoman Ivie made a **motion** declaring the RAP Tax approved, with 2,001 votes in favor (59.11%) and 1,384 votes against (40.89%). Councilman Wright seconded the motion, which passed by unanimous vote (3-0).

City Council

Robyn T. Mecham	1,990 votes	20.64%
William (Bill) Ince	1,773 votes	18.39%
George McEwan	1,651 votes	17.13%
Becki Wright	1,640 votes	17.01%
John Higginson	1,426 votes	14.79%
Ken S. Averett	1,160 votes	12.03%

Councilman Wright made a **motion** to approve the November 3, 2015 election canvass, declaring Robyn T. Mecham, William (Bill) Ince, and George McEwan Council members elect. Councilwoman Ivie seconded the motion. The Council reviewed the ballot numbers, and Ms. Morrow explained reasons that a ballot might not be counted. The motion passed unanimously (3-0).

ADJOURNMENT

The meeting was adjourned at 6:49 p.m.

_____ _____
Marsha L. Morrow, City Recorder Date Approved

_____
Katie Rust, Recording Secretary

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

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Ken S. Averett
	Tamilyn Fillmore
	John T. Higginson (arrived at 9:00 p.m.)
	Stephanie Ivie
	Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager
	Lisa Romney, City Attorney
	Cory Snyder, Community Development Director
	Bruce Cox, Parks and Recreation Director
	Chief Paul Child, Police Department
	Jacob Smith, Management Assistant
	Katie Rust, Recording Secretary
STAFF ABSENT	Blaine Lutz, Finance Director/Assistant City Manager
VISITORS	Chad Wilson, Department of Wildlife Resources
	Jeff Bassett, South Davis Metro Fire Chief
	Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilman Wright

OPEN SESSION

Dale McIntyre, Centerville – Mr. McIntyre asked why two agendas (i.e. the agenda and the Summary Memo) are prepared and printed for each Council meeting, and pointed out that the two meeting agendas available to the public do not have the same business items. He expressed concern regarding the number of issues before the Council so closely following the election of a new City Council, and said it leads him to wonder if there is an attempt to push things through before the new Council has a say. He thanked the City Recorder, Marsha Morrow, for her helpfulness to him, and for the work she does behind-the-scenes.

Lee Skabelund, Centerville – Mr. Skabelund referred to the County-owned catchment basin on 100 South, and stated that since the previous Council meeting, he has obtained further information confirming the need for the property to remain a catchment basin. He said he took a survey of property owners in the surrounding streets and found a great deal of support for leaving the property unchanged.

Rick Bingham, Centerville – Mr. Bingham expressed appreciation to Councilmen Averett and Higginson for their service on the City Council, and expressed appreciation to all the candidates who ran in the 2015 election.

PUBLIC HEARING – URBAN DEER CONTROL PLAN AND MUNICIPAL CODE AMENDMENTS

As a result of significant public input about problems relating to deer residing in the city, the City Council in an earlier meeting directed staff to prepare a plan for reducing the number of deer. Bruce Cox, Parks and Recreation Director, gave a brief review of the urban deer situation in Centerville, and explained the Urban Deer Control Plan, which is based on State regulations on this subject and in consultation with the Utah Division of Wildlife Resources (DWR). Centerville is within the thirty-mile radius of a site where chronic deer wasting disease (CWD) has been identified, making it unacceptable according to the DWR to relocate the deer. The Urban Deer Control Plan anticipates the use of a bolt gun or firearms for the euthanizing of deer in locations and situations approved by the City Police Department. As part of this program, Section 13-03-060 must be amended to allow an exception for the lawful use of a firearm within the City in connection with authorized and approved activities under the Urban Deer Control Program. Centerville residents interested in helping implement the plan can contact the Police Department.

DWR representative Chad Wilson explained how the trap and euthanizing process would work. He responded to a question from Councilman Wright stating that a teenager probably could get caught in one of the traps, but they should be able to get themselves out. Police Chief Child explained that the option to use frangible rounds by shotgun was added to the Plan in the interest of safety. Mr. Wilson stated the goal is to trap as early as possible before mountain deer are pushed down by snow. Bucks cannot be trapped after November 1st. Mr. Wilson said there is no way to tell the difference for sure between urban deer and mountain deer, but there are some clues, such as the sharpness of the hooves. The timeframe – August 1st to December 31st – is the best control. Mr. Wilson stated the City would probably have a high success rate even starting in December. The deer are easier to catch when temperatures reach below freezing. Mayor Cutler asked if there is a way to minimize the suffering of the deer. Mr. Wilson responded that a shot to the head should be pretty quick. Councilman Wright said he feels the Plan has been well thought through, and reflects a desire to not cause the animals any suffering. Mayor Cutler added that the hunters interested in participating who have contacted him have expressed a desire to keep the venison.

Mr. Wilson explained that the DWR does not have the man power to deal with deer problems in all cities. The pilot deer control program was implemented with the hope of helping cities take care of the problem on their own. Councilman Wright asked Mr. Wilson if he would recommend the city follow up with something that might sterilize some of the deer to minimize population. Mr. Wilson responded that success rates of sterilization have not been favorable. Ongoing maintenance will be necessary to maintain the desired level. Councilwoman Fillmore commented that Centerville has always had deer, but the population has grown exponentially in recent years. She asked what would happen if the city did nothing. Mr. Wilson responded that predictions are difficult, but it is known that deer like to return to where they were born to give birth, continuing and increasing the population. The focus would be on trapping female deer for that reason. Councilwoman Ivie said she knows there is concern regarding whether it is humane to kill the deer, and asked Mr. Wilson for feedback regarding the success of Bountiful's relocation attempts as a contrast. Mr. Wilson responded that Bountiful released 99 deer, 48 of which were marked with a transmitter, in Duchesne County (Big Wash). As of October 19th, 21 of the marked deer were dead. Bountiful also released 94 deer in Raft Rivers. As of the same date, 21 of the 52 marked with transmitters were dead.

At 7:30 p.m. Mayor Cutler opened a public hearing.

Drew Johnston, Centerville – Mr. Johnston stated that Centerville is a natural habitat for deer, and to try to kill all the deer would be a losing battle. He said there is no way to know if the deer are resident or mountain deer, and pointed out that deer coexist in urban environments all the time without problems. The loss of a bush or a garden is a small price to pay for the charm of having the deer. Citizens can choose to plant vegetation that does not attract deer. Mr. Johnston said he can only see two possible reasons that people would have a problem with urban deer: loss of gardens and traffic safety. He said he has not heard anything about traffic safety. Mr. Johnston stated he feels it is disingenuous to call it an Urban Deer Control Plan. He said he believes more people would say no if they understood it means killing deer.

Winslow Young, Centerville – Mr. Young said deer are in his yard 24 hours a day, and his family loves them and finds them delightful. He acknowledged that there are some plants he cannot grow, but he has a fence around his large garden that keeps the deer out. Mr. Young expressed concern about the plan to euthanize, and asked what happens to the body of the deer. He said he cannot imagine anything more traumatic for a child than seeing a deer euthanized. He asked if the deer will only be shot inside the traps, and if the city will accept liability for any damage caused if they are shot outside the traps. He said he is happy in the knowledge that the deer will not continue to grow exponentially in population, and said his vote would be to leave them alone.

Christy Best, Centerville – Ms. Best stated that when she left home to come to the meeting there were seven deer in her yard. The deer destroy her grass, as well as other plants, and she is appalled by the leavings in her yard. She described safety hazards she has observed involving deer, and said she knows the resident deer by sight because they are her neighbors. Ms. Best said she is sad that the only option available is to kill the deer because she has a relationship with them, but the deer population is a danger and a health issue.

Dianne Whitten, Centerville – Ms. Whitten said she does not want to see the deer killed or removed from Centerville. Her big concern is that the Council is basing whether or not to have deer removed from Centerville on the opinions of the people who responded to the survey. She said most people who are happy do not contact the city. If 98.6% of the people who responded to the survey complained, then 58 people out of the entire city complained, and she does not feel it is right to base what is done on those complaints. Ms. Whitten stated if the Council really wants to know what the citizens want, they need to conduct an official survey. She said she loves the deer, and would hate to see Centerville become a city rather than a community.

Dale McIntyre, Centerville – Mr. McIntyre said that if he has heard the comments correctly, he can rid the deer from his yard by no longer growing tomatoes, squash, and berries, all of which he keeps because he is a bee keeper. He said he does not agree that those who responded to the survey with complaints are the only ones in the city who want to get rid of the deer, and compared the idea to eliminating the police force because only a small portion of the community are victims of crime. Mr. McIntyre insisted that the 64 people who responded to the survey are not the only citizens who do not want the deer in their yards.

Aaron Albiston, Centerville – Mr. Albiston said he is a hunter sportsman and a long-time resident of Centerville. He sacrificed his own time and resources to help transplant deer out of Bountiful in the last two years, and feels it has been a success. He said Utah is trying to grow deer, not get rid of them. Centerville is a migratory zone for deer. Mr. Albiston asked that the city not trap deer when the mountain deer are coming down from the high country. He expressed the opinion that deer are not a problem. The deer will go where they can find water

and food. Coyotes and mountain lions are driving them away from the mountains. He asked the Council to please not transport or kill the deer, and said they are what make Centerville Centerville. He agreed that chronic wasting disease is a problem, but pointed out that deer are migratory and can easily cross over the city boundary into Bountiful, where transplanting is allowed. Mr. Albiston said he spoke today with the DWR biologist in charge of the Bountiful transplants, who said there is a possibility the disease was a one-shot situation. A study is being done to see if any other moose, elk, or deer in the region were affected. Depending on the study results, the 30-mile limit may be lifted, making transplanting a possibility in Centerville. He said that hunting is a driving factor for the Utah economy. He said he believes the "resident deer" migrate up and down the Wasatch Front day in and day out. To eliminate them would be to kill our own economy.

Sandy Winn, Centerville – Ms. Winn said she is a long-time resident of Centerville. In the last five years deer have become a big problem. In the past she has had big, beautiful gardens and fruit trees and could grow everything she needed, but in the last three-four years all of her plants have been eaten by deer. Even the deer-resistant plants get eaten. She said she has done everything she could find to try to prevent the problem, but nothing has worked. Ms. Winn stated she knows they are urbanized deer – she knows and recognizes them. They are not deer coming down from the mountains. The deer are comfortable and aren't going away. As a resident of Centerville, she feels she lives in a city where she should be able to grow a garden and her children should be able to play outside, not on a ranch where deer should be allowed to roam free.

Neil Lish, Centerville – Mr. Lish said he is a long-time resident of Centerville. He commented that a spray is available that keeps deer away. He said he is more in favor of leaving the deer alone.

Gayle Christensen, Centerville – Mr. Christensen said he has lived in Centerville for 60 years and planted a garden each year. This year he planted 100 tomato plants, but returned from a vacation in June to find that all of the plants had been eaten down to two inches above the ground. He said this is the first time he has had a problem with deer. Mr. Christensen said he is not the only one – the deer seem to make a trek around his neighborhood. The deer have jumped over his seven-foot fence, and he said he does not know what the solution is.

Robert Hollist, Centerville – Mr. Hollist said he put chicken wire around his tomato plants this year, and everything inside the wire was protected. He asked what he would have to do to be able to trap the deer on his property if the Council does not pass the Urban Deer Control Plan, and was answered that trapping must be implemented by the city. He suggested the Council raise the residential fence limit from 6-feet to 8-feet.

Perry Trujillo, Centerville – Mr. Trujillo said he is an avid sportsman and was heavily involved with the Bountiful deer transplant last year. Referring to Mr. Wilson's report regarding the Bountiful deer transplant, he clarified that the survival rate was roughly 60%. He said he has not seen as many deer in the south end of the City where he lives this year as he has in the last few years, and asked if the problem is mostly in the north end. Mayor Cutler drew his attention to a map of the City showing the locations of the resident deer herds. Mr. Trujillo stated that mature deer are seldom caught in the traps. The sportsmen will be killing does and fawns, and he said he thinks it will be difficult to find people willing to do that in front of residents. He said when they were trapping in Bountiful the residents would protest the trapping of small deer, insisting they should trap larger deer, and he predicted that Centerville would

experience even greater backlash by killing the deer. He stated that summer is the best time to kill resident deer.

Rick Bingham, Centerville – Mr. Bingham said he loves the deer, and suggested the city is overreacting to a small number of complaints. He asked if there is any other solution. Mr. Bingham commented that several people have confessed during the public hearing that they have violated City statute in attracting deer to their property. He said he is a long-time resident, and there have always been deer in Centerville. He suggested an archery predation hunt to reduce the population, but said the Urban Deer Control Plan feels like an overreaction and an unjustified cost to the City and the State. Mr. Bingham said he is in favor of leaving the deer alone and finding another solution.

Doug Hancey, Centerville – Mr. Hancey stated he feels he has a right to make a living raising vegetables. He pointed out that deer are nocturnal. The deer population has increased, and he encouraged the Council to do something. He stated he represents the people who are tired of trying to keep the deer out of their yards.

Blaine Roskelley, Centerville – Mr. Roskelley stated he has a neutral position regarding the deer. He said he grew up in the Vietnam era when politicians were saying the Vietnam War was inhumane. He asked how any war is humane. He asked how euthanasia is humane.

Rhett Wilkinson – Mr. Wilkinson stated he agrees that approving the Urban Deer Control Plan right away seems hasty. He looked at the map, and stated it appears that a majority of the City does not have a deer problem. He asked about the need to change a section of the City Code to implement the Plan.

Lee Skabelund, Centerville – Mr. Skabelund said he lived in many rural areas surrounded by wildlife during his career with the Forest Service. By observation he can tell that Centerville now has more deer per acre than those rural areas ever had. He agreed that it is not a problem to those living outside the areas of concentration, and suggested the problem could be approached by zone. Mr. Skabelund described control measures he has tried, and said it is unrealistic to say the city will get rid of all the deer. He suggested a height of 10-feet is necessary for a deer fence. Properties on the east side will always have deer. The deer used to come in town and leave, but he can now tell the difference between resident deer and mountain deer. He expressed the opinion that all herds need to be managed. There is not one single solution, but the goal is to mitigate damage to a reasonable degree. The deer are a traffic safety hazard. Mr. Skabelund stated he is in favor of the use of bolt guns for mitigating the problem, and suggested the city get back to fact and objectivity.

Bill Rigby, Centerville – Mr. Rigby said he tries to farm, but deer are a problem. Something needs to be done to at least thin the herd. The deer are born in the city and stay in the city. He said he would appreciate any help given by the City.

David Youngberg, Centerville – Mr. Youngberg said he has wondered about the survey. He expressed interest in the comment regarding the DWR biologist and the new study, and asked when the study will be finalized to a point that Centerville would know if the deer can be relocated.

Marion Jenson, Centerville – Speaking to the economic impact, Ms. Jenson said she harvested far fewer apples this year because of the deer.

Bill Lawson, Centerville – Mr. Lawson said he visited with Assistant City Manager Blaine Lutz about the deer problem about three years ago. He said he respects wildlife, but the deer problem has become beyond manageable. The deer live year-round in his neighborhood and eat everything. He was told he was the only one to complain three years ago. In three years the problem has snowballed to the point that a lot of citizens are complaining. Mr. Lawson said he has tried everything to reduce the problem with no long-term effects, and is in favor of relieving the problem and eliminating the damage that is being done.

Kyle Green, Centerville – Mr. Green said he thinks if the deer were migrating a lot, the map would reflect clear paths of movement, but it does not. The map shows clusters. People do not like rats or mice in their yards and set traps all the time. It is the natural order of things. He said his family planted 500 tomato plants this year, but did not get enough produce to bottle because of the deer. More than 20 deer are in his orchard at night. Mr. Green stated it is a localized problem. He likes the deer, but the resident deer have become a problem. The Plan would focus on eliminating small pockets of deer, not removing all deer from the city. He added that he saw three deer on his way to the meeting, and listed streets in the city where deer can always be found.

Joshua Rechis, Centerville – Mr. Rechis said the deer are not a problem for his family.

Rhett Wilkinson – Mr. Wilkinson added to his earlier comments stating he is torn on the matter, and asked if there are ways to scare the deer off that the City could invest in.

Alan Winn, Centerville – Mr. Winn asked if being born in the city is what makes a deer urban. Several deer are born in his neighbor's backyard every year. He said he feels he has a right to grow a garden, but he can't because the deer keep taking it out. He has tried many different methods to solve the problem. Mr. Winn stated that if people want to see deer they can go to the mountains or to a zoo, but he only has one yard, and would like to be able to plant trees and have a garden.

Bryan Flandro, Centerville – Mr. Flandro said he is not concerned about the trapping of deer, but more the fact that the City seems to be in a rush to do it this year. At this point in the year the City would run the risk of trapping deer who have wandered into town because of the weather. He suggested the City find a way to scare the deer away in the short-term until the results of the DWR study are available, and start a control program next year.

Luanne Bowler, Centerville – Ms. Bowler said there are deer in her yard all the time. She lost half of her peach harvest, and the deer are constantly taking her tomatoes. She said she knows the migration path from the tracks the deer leave. Many deer have been hit by vehicles in front of her house, which is traumatic for children to see. Ms. Bowler said it is scary to go out at night in the winter because there are so many deer moving east and west.

Dale McIntyre, Centerville – Mr. McIntyre added to his previous comments stating that Utah holds annual deer hunts to manage the herd for the benefit of the herd. He suggested the City let hunters cull out the urban herd where it needs to be culled out to reduce the problem.

Mayor Cutler closed the public hearing at 8:33 p.m.

City staff and Mr. Wilson responded to questions asked during the public hearing. Chief Child explained that the Plan is designed to be selective as to location of traps, responding to property owner requests and utilizing open areas such as the debris basin on 100 South 700 East. Property owners would need to sign a waiver, and Chief Child would study the area and determine whether trapping and disposal can happen. Mr. Wilson added that the Plan requires everything to be cleaned off the site by the volunteers participating. The deer would be shot in the traps. Regarding the maturity of the deer, Mr. Wilson stated the primary targets would be does and fawns. Councilman Wright asked Mr. Wilson if he recommends including the possibility of relocating the deer in the Plan, considering the possibility that the 30-mile radius will be lifted. Mr. Wilson responded that the 30-mile radius includes all of Centerville and part of Bountiful. He has not heard anything about the 30-mile radius being lifted. The DWR is

sampling CWD on all harvests. If the sample size is reached and all results are negative, maybe the radius could be lifted. The hope is to complete the sampling this year, and have results by spring. The DWR does not provide manpower for relocation efforts. The cost of transporting falls on either the volunteers or the City. Cost estimates for relocation may be available from the DWR next summer.

Councilman Averett asked if the drought has enhanced the deer problem. Mr. Wilson responded affirmatively. Deer populations have grown, and the need for water drives them down to the city and many decide not to leave. It would be unrealistic to try to completely eliminate all deer from the city. Mr. Wilson stated that the earlier in the year the plan is started the better, but it is more difficult to catch deer in a trap when the weather is warm. Centerville could consider archery or other methods in August and September, and maybe October. In the instance of a harsh winter, the DWR would suspend trapping activities. Mr. Wilson responded to a question from Councilman Averett stating that Highland City did a harvest program with archers. They harvested 70 deer in the first year, with ongoing maintenance in subsequent years. Councilman Averett asked if a trapped deer at night would be a disruption or traumatizing for the neighbors. Mr. Wilson responded that the deer tend to bed down for the night and not get upset until daylight. The traps are checked first thing in the morning.

Councilman Wright referred to the comment made during the public hearing regarding predators driving deer down into the city. He asked if having resident deer increases the potential for predators to come into the city and endanger people. Mr. Wilson responded that predators follow prey. He is not aware of a cougar attack occurring in Utah, but small children and animals would be the most likely to be attacked. Mayor Cutler explained that the proposed ordinance change on the agenda would make shooting legal within the city limits when done in conjunction with the Urban Deer Control Program, if the Council chooses to move forward with the Plan. Mr. Wilson responded to the public comments that suggested scaring the deer stating that scare methods seem to work for a short period of time, but the deer always come back. The DWR has not found an effective long-term method of scaring them away.

Mayor Cutler explained that an invitation to comment on the deer issue was included in a utility bill insert, and on the City website and social media. Councilman Wright said he thinks the City has made an effort to engage the public in providing comment, and he does not see a need for an active survey. Councilman Wright added that the Council now needs to listen to the citizens who are engaged in the political process because they are the citizens that care.

Councilman Averett expressed interest in the archery option rather than trapping and euthanizing with firearms. Chief Child responded that he would need to do research and get information from cities that have used the archery option. Councilman Averett asked if it is possible, with the proposed Plan, to ensure that the process is screened from public view. Chief Child responded that Centerville is an urban area, with very little land not surrounded by homes, particularly on the south end. He said he is not sure how to prevent residents from looking out their windows. Councilman Averett said he was thinking more of people driving or walking by in the public right-of-way.

Mayor Cutler asked if the City would need to apply for a new COR if the 30-mile radius was lifted, or the Council wanted to add archery. Mr. Wilson stated that the COR is valid for three years, and only specifies season dates and number of deer. The City could change the Plan if desired. If the DWR places a freeze on trapping activity due to extreme winter weather, the COR would be suspended for the remainder of the season. Councilman Averett expressed frustration that euthanasia is the only option available to the city. He said he would prefer

relocating the deer. Councilman Averett emphasized that he feels the program should only be put into practice by request from a property owner. He commented that almost half of the comments during the public hearing were not in favor of the Plan. Staff confirmed that implementation of the Plan involves property owners submitting an application to the Police Department. Responding to the question of who submits an application for the catch basin, Chief Child agreed that the catch basin property is an option because it is not surrounded by homes, but he would be fine if the Council wants to proceed solely on an application basis. Mayor Cutler responded that, for the safety of the community, if a number of residents around the property have requested mitigation, the catch basin would be a safer environment than a backyard. Chief Child added that it would be a safer property for archery as well.

Councilman Wright stressed that the deer situation is not a single-resident problem. He said he feels the Council ought to address the problem, and he would like to see the relocation option added to the Plan because he has a feeling it will be possible when the DWR study is completed. He said he would like the ordinance to be flexible, leaving options open for the next Council. Mr. Wilson responded the Council could include the desire to relocate the deer when authorized by the DWR. Ms. Romney stated it was her understanding the option could not be included because it was not available. Councilwoman Fillmore said she would hesitate to add relocation without more research. Mayor Cutler suggested the Plan include the intention to reconsider the archery and relocation options in 2016, in conjunction with advice from the DWR.

Councilman Higginson arrived in the Council chambers at 9:00 p.m., and said he had been listening in the hall not wanting to interrupt the discussion. Councilwoman Fillmore made a **motion** to adopt the Urban Deer Control Plan for removal of resident deer within the city, adding the intention to reconsider the archery and relocation options in 2016, in conjunction with advice from the DWR. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

Ms. Romney explained the proposed amendments to Section 13-03-060 of the Municipal Code. Councilman Wright made a **motion** to adopt Ordinance No. 2015-28 regarding the discharge of firearms within the city to add an exception for authorized and approved activities under the City's Urban Deer Control Program. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). Councilwoman Fillmore made a **motion** directing staff to communicate with Davis County regarding the possibility of using the catch basin property on 100 South as a location to trap resident deer. Councilwoman Ivie seconded the motion, which passed by majority vote (4-1), with Councilman Averett dissenting. Mayor Cutler thanked members of the public who attended and spoke on both sides of the issue.

The Council took a break from 9:07 p.m. to 9:17 p.m.

CREATION OF SOUTH DAVIS METRO FIRE SERVICE AREA – RESOLUTION NO. 2015-17

Mayor Cutler reported that the County and three cities in South Davis County have approved creation of an independent fire district. The Bountiful City Council will address the issue at their next meeting. Councilman Wright made a **motion** to table discussion of Resolution No. 2015-17 to the next Council meeting to have a chance to review the accompanying documents. Councilwoman Ivie seconded the motion. Mayor Cutler commented that creation of a fire district has been discussed for some time, and will continue to be discussed. City Manager Thacker explained that the intent has been to create a fire service district with the power to levy a property tax to fund capital needs of fire operations and, to the

extent necessary, pay debt service that cannot be paid by impact fees. The Resolution is also written to allow for the use of the property tax levy to fund additional staffing if the cities desire. In the initial year, each city will reduce property tax rates by the same amount as the Fire District levy, or 0.00001, for a neutral impact to citizens. In the second year the Fire Board would consider raising the levy to fund capital needs. The action establishing the tax levy would be an action of the Fire District Board in June of 2016, effective in July. Mayor Cutler said the dollar amount of the levy in 2016 for an average home in Centerville will be $1.44. It is anticipated the levy would increase to $12-$13 per home in 2017. The Fire Board has agreed to start with a small levy that only covers capital needs at this time. Fire Chief Bassett stated that the Centerville station and a ladder truck are priorities for the service area. Councilwoman Ivie asked if the Council will have the opportunity to review the Bylaws before they are adopted. Chief Bassett responded the Bylaws will be sent to each Council for review, but will be approved by the Board of Directors. The Board of Directors will remain the same with the creation of a district. Chief Bassett expressed willingness to attend a work session or meet individually with Council members to discuss the Bylaws.

Councilman Wright withdrew his motion to table, and made a **motion** to approve Resolution No. 2015-17 creating the South Davis Metro Fire Service Area. Councilwoman Ivie seconded the motion. Councilman Averett disclosed that his son is a firefighter with the South Davis Metro Fire Agency. The motion passed by unanimous vote (5-0). Chief Bassett expressed confidence that Bountiful City will approve the resolution, thanked the Council for their support, and acknowledged the work that has been done by Mayor Cutler, City Manager Thacker, and City Attorney Romney.

RAP TAX – REAUTHORIZATION AND MUNICIPAL CODE AMENDMENTS – ORDINANCE NO. 2015-29

On November 3, 2015, a majority of the City's registered voters voted in favor of reauthorizing the RAP Tax. Based on such election results, the City Council may impose the RAP Tax by a majority vote of its members and shall by ordinance provide for the distribution of the revenues collected from the RAP Tax. Ordinance No. 2015-29 has been prepared for this purpose, and includes a broad definition of what the funds may be used for, in accordance with State law, with the intent that future city councils will decide the specific projects or purposes for which the funds will be used. The current Council has expressed the intent that most of the funds will be used for the repair, replacement and construction of park facilities. Councilman Wright asked about the use of RAP Tax funds for the Whitaker Museum. Ms. Romney explained the distinction between recreational facilities and cultural facilities set by the State, and their eligibility for RAP Tax funding. She said it is her interpretation that RAP Tax funds could be used for the Museum facility, but not ongoing operations, and expressed willingness to look into the legal issues further. Councilman Wright agreed that it would be helpful for Ms. Romney to do further research.

Councilman Higginson made a **motion** to adopt Ordinance No. 2015-29 reauthorizing a one-tenth of one percent (0.10%) local sales and use tax on taxable transactions within the city to fund recreation, arts and parks (RAP Tax) and enacting Title 5, Chapter 11 of the Centerville Municipal Code providing for the imposition, collection and distribution of the RAP Tax. Councilman Averett seconded the motion, which passed by majority vote (4-1), with Councilman Wright dissenting.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the October 29, 2015 work session, and the November 4, 2015 work session and regular Council meeting were reviewed. Mayor Cutler and Councilwoman Fillmore requested changes to the October 29 work session minutes. Councilman Wright made a **motion** to table the minutes of the October 29th work session and direct staff to identify which Council members made individual comments. The motion was seconded by Councilwoman Ivie and passed by unanimous vote (5-0). Councilman Wright made a **motion** to approve the minutes of the November 4, 2015 work session, which was seconded by Councilwoman Ivie and passed by unanimous vote (5-0). Mr. Thacker and Council members Ivie and Fillmore requested changes to the November 4 Council meeting minutes. Councilwoman Fillmore made a **motion** to approve the November 4, 2015 Council meeting minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ZONE – RECONSIDERATION OF ORDINANCE NO. 2015-25

On November 4, 2015, the City Council approved Ordinance No. 2015-25 by a 3-2 vote amending various sections of the SMSC Overlay Zone. As part of the action to approve Ordinance No. 2015-25, the Council directed staff to bring back visuals and new proposed text amendments for the Public Space Plan portion of the SMSC Overlay Zone to address UDOT requirements within the lateral offset and clear zones for Main Street and to address input from the City Council. In order to make the additional amendments to the SMSC Overlay Zone, staff recommends the City Council reconsider its previous action regarding Ordinance No. 2015-25. Councilwoman Fillmore made a **motion** to reconsider the Public Space Plan portion (Section 5) of Ordinance No. 2015-25. Councilman Averett seconded the motion, which passed by unanimous vote (5-0). Councilman Wright said he feels, with the approval of the election canvass, that the Council should honor the will of the people and allow the new Council to deal with the issue. Councilman Higginson responded he does not believe it is the will of the people that the current Council not do any more work. Councilwoman Fillmore agreed that the new Council will be fully capable of revisiting any portion of the Plan they wish, but it is the City's responsibility to put the most complete Public Space Plan possible in place for protection. It was one of this Council's goals for 2015 to put the Public Space Plan in place. Councilman Wright said he has a feeling there is another agenda in pushing this forward. Councilwoman Fillmore said there is no ulterior motive, and she does not know when any specific application will be submitted. Mayor Cutler commented that the Council hired a landscape architect and directed staff to come back with answers. He expressed a desire to listen to the prepared presentation. Councilman Averett stated that he was elected for a four year term, not for 3 years and 10 months, and said he is going to continue doing the people's work until the end of the year.

Cory Snyder, Community Development Director, explained that the Public Space Plan included in the staff report provides a framework without specific design details. City specifications have not been set. Mr. Snyder stated the proposal prepared by the landscape architect, Dan Sonntag, includes the potential for a lot of hard surfacing, which would probably double the usable space for parade watching – an aspect discussed by the Council at the November 4th meeting. Mr. Snyder said the prepared ordinance differs from Mr. Sonntag's proposal by including the possibility of lawn in addition to hard scape in the park strips outside of the AB pattern for more flexibility.

Mr. Sonntag briefly reviewed the presentation he gave to the Council at the November 4, 2015 work session, and presented a Pedestrian Plan with a repeating AB pattern to enhance the Corridor as it redevelops. Councilwoman Ivie asked if the pavers proposed for the B pattern

meet the current park strip ordinance requirements. Mr. Snyder responded that removable pavers would be debatable. He said he suspects the Public Works Director would consider the labor cost of replacing pavers to be greater than the cost of replacing gravel or lawn. Councilwoman Ivie pointed out that the Public Works argument in favor of pervious materials in the park strip has to do with preventing run-off into the street. Councilwoman Fillmore commented that the AB pattern would provide a lot of permeable ground. Mr. Sonntag added that a lot of material options are available.

Councilwoman Fillmore commented that the "C" section is in line with comments from the Council regarding allowing flexibility for building owners. Mr. Snyder stated that the current Plan is symmetrical, with four-foot park strips, and encourages landscaping around utility poles. The front setback is a flexible performance standard. The proposed Plan does not necessarily meet all UDOT standards. Mr. Snyder stated the proposed Plan would be a test of what UDOT will allow. He said he still thinks the Main Street Plan was a long-shot in its original form. Some of the form has been changed, and it is unclear how things will play out. He said the long-term viability of either Plan is unclear. Councilwoman Fillmore said it is better to have a higher level of protection in place that can be changed if needed, than to regret a lighter level of protection down the road. Mayor Cutler stated that, although the proposed Plan is beautiful and nicely done, he feels it is quite intensive and would be a fairly significant burden in terms of cost. Councilwoman Fillmore responded that, in her opinion, it is not out of the ordinary to design a downtown core neighborhood that defines the city and its quality. She suggested moving forward with the proposed Plan, with specifications to be worked out later.

Mr. Snyder stated that the proposed Ordinance is written to specifically apply to the Traditional and City Center Districts. Councilwoman Fillmore said she feels it would be safer to put the Plan in place for the entire Corridor and state exemptions for other districts. She said the big remaining question is whether the Council prefers to specify colored concrete and pavers, or simply specify a texture difference. Councilwoman Fillmore made a **motion** to replace the Public Space Plan section of Ordinance No. 2015-25 with the Plan presented in the staff report, including visuals provided by the landscape architect, with the change that the Plan applies to the entire corridor minus the Residential and Civic Districts. Councilman Averett seconded the motion. Mayor Cutler said he is in favor of having requirements and beautifying the area, but would prefer to allow more flexibility in the space between the back of sidewalk and the buildings. Councilwoman Ivie said she is not sure she likes the AB pattern, considering the Council is already looking at exceptions. She said she would prefer green space in the park strips. Councilman Wright stated that beautification is a good thing, but questioned whether it is the Council's purpose to get into the details. Councilwoman Fillmore agreed, but stated the alternative is to leave a plan in place that is too sparse and would leave the Corridor vulnerable. Councilman Wright said the proposed Plan does not make sense as a parade route. Councilwoman Fillmore responded that the two Districts are a small portion of the parade route, and added that the vertical plant height could be restricted. Staff discussed how setbacks are measured. The motion passed by majority vote (3-2), with Council members Averett, Fillmore and Higginson in favor, and Council members Ivie and Wright against.

REVIEW AND DISCUSS POSSIBLE REZONE OF PROPERTY NEAR MAIN STREET FROM R-M TO R-L

At the November 4, 2015 Council meeting staff was directed to place discussion of the potential rezone of various properties near Main Street from R-M to R-L on the November 17th agenda. City Manager Thacker summarized rezoning actions affecting the Centerville Elementary area prior to 2003 up to December 2, 2003. A copy of his summary is attached. Staff stated the zoning map that has been on the City website is inaccurate. An accurate zoning map was presented. Councilwoman Fillmore asked if the Council wants to consider rezoning the various properties near Main Street from R-M to R-L, considering six months was just spent trying to limit density along Main Street in response to citizen concern. She said it seems reasonable considering public comments regarding the impact of density on nearby R-L neighborhoods. Councilman Averett said it is hard to understand why the areas would have anything other than single-family homes, and the zoning needs to be changed to be consistent. Councilman Averett made a **motion** directing staff to start the process to rezone the R-M

properties near 100 East and 100 North, and on Parrish Lane between 100 East and 400 East, to R-L. Councilwoman Fillmore seconded the motion. Responding to a question from Councilman Wright, Mr. Snyder stated that property taxes are set by the County. Appraisals are done on potential future development. Councilman Wright pointed out that the Council would be considering taking away potential property value. Mr. Snyder clarified that zoning only guarantees what is in place today; it does not guarantee speculative value. Although a property may have potential value, that value is only applicable at the time development right is secured. Based on a Conservation of Uses provision included in the Zoning ordinance approved in December 2003, ten property owners (with two units already on their lots) exercised the right to register their properties and preserve the right to have two units within the R-L Zone.

Councilwoman Ivie pointed out that the areas of R-M in question border areas of higher intensity, and asked Mr. Snyder about buffering between public space and R-L. Mr. Snyder responded that a buffering requirement is only specified for the City's northwest quadrant. However, it is a general planning principle that it is undesirable to have a high-intensity zone neighboring a low-intensity zone. Referring to Main Street, Mr. Snyder stated that traditional buffering for C-M is R-H, with R-M and R-L following in incremental steps down. The east side of Main Street goes directly from C-M to R-L. He said R-M could be considered an appropriate buffer between the civic buildings and the R-L. Councilman Higginson asked, and Mr. Snyder responded, that the R-M properties could potentially have eight units per acre. Councilman Higginson stated he heard from the citizens that residents in the area do not want that density. He said he is not vindictive, but it seems hypocritical to him that some of the citizens most vocally against density are not willing to address density on these properties as well. Councilwoman Fillmore said she heard a lot of input regarding land-use planning. She would like the inconsistency explored, and does not see further exploration as vindictive. She said she feels it is a worthwhile discussion to send to the Planning Commission. Councilman Higginson asked Council members Wright and Ivie how they feel about the potential for eight units per acre on the parcels in question. Councilman Wright responded he feels the next Council should be allowed to consider the issue. Councilwoman Ivie responded that Main Street is different because pressure of redevelopment was felt. She said she does not see redevelopment as a pressing issue on the properties in question. She said she does not want eight units per acre on those properties, but acknowledged that those homeowners deal with the light from City parking lots every day and night, and she is reluctant to reconsider the zoning with no redevelopment pressure.

The motion passed by majority vote (3-2), with Council members Averett, Fillmore, and Higginson in favor, and Council members Ivie and Wright dissenting.

MAYOR'S REPORT

- Mr. Snyder expressed a preference for separating accessory buildings from the proposed ADU Ordinance. A public hearing regarding ADUs will be held on December 15th.
- The Planning Commission will receive a presentation regarding the proposed Historic District on November 18th.
- UTOPIA financial statements are included in the staff report. Mayor Cutler said he hopes to have more information for the Council next month.
- Mayor Cutler said he has encouraged the owners of the O'Brien and Pitt properties to speak with Council members individually about potential use of their properties. The Mayor suggested it would be beneficial for Council members to view a facility similar to the one proposed by Brighton Homes. Councilman Averett said he feels it

would be best done on an individual basis, not coordinated by the City. Councilman Wright said he feels ample opportunity needs to be given for the public to learn more about the proposed facility. The Mayor suggested it would be best for the Council to first determine if they are willing to consider that use.

FINANICIAL REPORT

The Council chose to table the financial report.

CITY MANAGER'S REPORT

- Notice may be given in December regarding the public bid process for the County property on 100 South.
- Mr. Thacker reported that signal warrants are not met for either the 400 West/Bellano Way intersection or the 400 West/Porter Lane intersection. The 400 West/Bellano Way intersection comes closer to meeting the warrants on a Saturday than either of the intersections at any other time. The consultant recommended that the traffic impact at the 400 West/Porter Lane intersection by the Brighton development will be quite small, and could justify the developer paying 6%-7.8% of the cost of a traffic signal. Mr. Thacker said staff concluded that only the additional four units of conditional use density per acre should be taken into account, and not the permitted base density of four units per acre, which brings the recommendation to 3%-4% ($5,000).
- The Employee Christmas Party will be held on December 2nd at the Megaplex Theatre.

MISCELLANEOUS BUSINESS

- Councilman Wright made a **motion** to not respond to the Utah Transit Authority (UTA) 2016 Tentative Budget. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).
- The Council was given the South Davis Sewer District 2016 Tentative Budget.
- Discussion regarding use of the City's newsletter and utility bill insert was tabled to the next meeting.

APPOINTMENT

The Mayor recommended the Council appoint Mark Oligschlaeger to the Trails Committee. Councilman Higginson made a **motion** to appoint Mark Oligschlaeger to the Trails Committee. Councilwoman Fillmore seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 12:00 a.m. Councilman Wright made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

_____ _____

Marsha L. Morrow, City Recorder Date Approved

_____

Katie Rust, Recording Secretary

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 2.

Short Title: Dee Hansen - Report regarding South Davis Sewer District

Initiated By: Dee Hansen

Scheduled Time: 7:15

SUBJECT

RECOMMENDATION

BACKGROUND

Dee Hansen is Centerville City's representative on the South Davis Sewer District Board. He has asked for some time to update the City Council on the finances and operations of the Sewer District, including a potential "food waste to energy project" the Board is currently evaluating.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 3.

Short Title: Appointment to South Davis Sewer District Board

Initiated By: Dal Wayment, General Manager, South Davis Sewer District

Scheduled Time: 7:30

SUBJECT

Reappoint Dee Hansen as Centerville's representative on the South Davis Sewer District Board of Trustees -- Consider Resolution No. 2015-18

RECOMMENDATION

Approve Resolution No. 2015-18 reappointing Dee Hansen as the City's representative on the Board of Trustees of the South Davis Sewer District.

BACKGROUND

Dee Hansen's current term as the City's representative on the Board of Trustees of the South Davis Sewer District expires on the first Monday of January 2016. The enclosed letter from the District General Manager explains the options of either reappointing Mr. Hansen or appointing someone else. Mr. Hansen has expressed his interest in being reappointed. Mayor Cutler recommends the reappointment. If the City Council chooses to appoint someone other than Mr. Hansen, the Mayor or a member of the City Council, a public notice of the opening is required, followed by a 30-day period and a public hearing before an appointment can be made.

ATTACHMENTS:

Description

- Resolution No. 2015-18
- Letter from South Davis Sewer District

RESOLUTION NO. 2015-18

A RESOLUTION APPOINTING DEE C. HANSEN AS A MEMBER OF THE BOARD OF TRUSTEES OF THE SOUTH DAVIS SEWER DISTRICT REPRESENTING CENTERVILLE CITY.

WHEREAS, the City is entitled to appoint a member of the Board of Trustees of the South Davis Sewer District for the purpose of representing the City on said Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH.

Section 1. Appointment. The governing body of Centerville City hereby appoints Dee C. Hansen to the South Davis Sewer District Board of Trustees to serve for a term commencing January 4, 2016 and concluding on January 4, 2020. Mr. Hansen shall make reports to the governing body regarding activities of the South Davis Sewer District as requested by the governing body.

Section 2. Effective Date. This Resolution shall become effective immediately upon its passage and the appointment herein set forth shall be deemed to be effective January 4, 2016.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, on this 1st day of DECEMBER, 2015.

CENTERVILLE CITY

BY: _____
Mayor

ATTEST:

_____
City Recorder

South Davis Sewer District

Mailing Address:
PO Box 140111 • Salt Lake City, Utah 84114-0111

Office Location:
1800 West 1200 North • West Bountiful, Utah 84087

Phone (801) 295-3469 • *Fax* (801) 295-3486

1 October 2015

RECEIVED
OCT 02 2015
CENTERVILLE CITY CORP.

The Honorable Paul A. Cutler
Mayor of Centerville City
250 North Main
Centerville, Utah 84014-1820

RE: Appointment - Board of Trustees

Dear Mayor Cutler:

The appointment of Dee C. Hansen as Centerville City's representative on the Board of Trustees of the South Davis Sewer District expires the first Monday of January, 2016.

In performing his duties on the Board, Dee Hansen has been a capable and conscientious representative for the interests of Centerville City. He has given freely of his time and efforts in performing the duties and responsibilities associated with this appointment.

Under the State Laws governing the District, it will be necessary for your City Council to either re-appoint Dee Hansen or to appoint a replacement. The new term of office will be for four years expiring the first Monday of January, 2020.

In making an appointment, the City Council has three options:

1. The City Council can reappoint the incumbent. There are no requirements for public notice or public hearings.

2. The City Council may appoint the Mayor or a Member of the City Council. This does not require a public notice or a public hearing.

3. The City Council may appoint any other qualified person. This requires a 30 day public notice process and a public hearing. The requirements for appointing someone other than an incumbent or a Member of the Appointing Authority are found in the Utah Code, Section 17B-1-304, a copy of which is attached.

This appointment should be made by a motion/resolution of your City Council. The District should be provided with a copy of the motion/resolution with a letter from your City Council stating the action taken.

Thank you for your assistance in this matter. If you have any questions please feel free to call.

Very sincerely,

Dal D. Wayment, P.E.
General Manager

DDW/sm

cc: Steve Thacker, City Manager
Dee Hansen

att.

Effective 5/13/2014

17B-1-304 Appointment procedures for appointed members.

(1) The appointing authority may, by resolution, appoint persons to serve as members of a local district board by following the procedures established by this section.

(2)

(a) In any calendar year when appointment of a new local district board member is required, the appointing authority shall prepare a notice of vacancy that contains:

(i) the positions that are vacant that shall be filled by appointment;

(ii) the qualifications required to be appointed to those positions;

(iii) the procedures for appointment that the governing body will follow in making those appointments; and

(iv) the person to be contacted and any deadlines that a person shall meet who wishes to be considered for appointment to those positions.

(b) The appointing authority shall:

(i) post the notice of vacancy in four public places within the local district at least one month before the deadline for accepting nominees for appointment; and

(ii)

(A) publish the notice of vacancy:

(I) in a daily newspaper of general circulation within the local district for five consecutive days before the deadline for accepting nominees for appointment; or

(II) in a local weekly newspaper circulated within the local district in the week before the deadline for accepting nominees for appointment; and

(B) in accordance with Section 45-1-101 for five days before the deadline for accepting nominees for appointment.

(c) The appointing authority may bill the local district for the cost of preparing, printing, and publishing the notice.

(3)

(a) Not sooner than two months after the appointing authority is notified of the vacancy, the appointing authority shall select a person to fill the vacancy from the applicants who meet the qualifications established by law.

(b) The appointing authority shall:

(i) comply with Title 52, Chapter 4, Open and Public Meetings Act, in making the appointment;

(ii) allow any interested persons to be heard; and

(iii) adopt a resolution appointing a person to the local district board.

(c) If no candidate for appointment to fill the vacancy receives a majority vote of the appointing authority, the appointing authority shall select the appointee from the two top candidates by lot.

(4) Persons appointed to serve as members of the local district board serve four-year terms, but may be removed for cause at any time after a hearing by two-thirds vote of the appointing body.

(5)

(a) At the end of each board member's term, the position is considered vacant and the appointing authority may either reappoint the old board member or appoint a new member after following the appointment procedures established in this section.

(b) Notwithstanding Subsection (5)(a), a board member may continue to serve until a successor is duly elected or appointed and qualified in accordance with Subsection 17B-1-303(2)(b).

(6) Notwithstanding any other provision of this section, if the appointing authority appoints one of its own members and that member meets all applicable statutory board member qualifications, the appointing authority need not comply with Subsection (2) or (3).

Amended by Chapter 377, 2014 General Session

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 4.

Short Title: Public Hearing - Porter Walton Townhomes Subdivision - Final Plat

Initiated By:

Scheduled Time: 7:35

SUBJECT

Consider Final Subdivision Plat for the Porter Walton Townhomes Subdivision located at approximately 564 West Porter Lane - Taylor Spendlove, Brighton Homes Utah, LLC - Applicant

RECOMMENDATION

Approve the Final Subdivision Plat for the Porter Walton Townhomes Subdivision located at approximately 564 West Porter Lane, subject to the conditions and based on the findings set forth in the Staff Report.

BACKGROUND

On October 28, 2015, the Planning Commission reviewed and recommended for approval the proposed Final Subdivision Plat for the Porter Walton Townhomes Subdivision located at approximately 564 West Porter Lane. The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- CC Staff Report-Porter Walton Townhomes Final Subdivison
- Final Subdivision Plat-Porter Walton Townhomes
- PC Staff Report-Porter Walton Final Plat
- October 28, 2015 PC minutes re PC recommendation for final plat approval

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT

PROPERTY OWNER:	**BRIGHTON DEVELOPMENT UTAH LLC** **NATHAN W. PUGSLEY** **215 N. REDWOOD RD SUITE #8** **NORTH SALT LAKE, UT 84054**
APPLICANT:	**TAYLOR SPENDLOVE** **BRIGHTON HOMES UTAH LLC** **215 NORTH REDWOOD ROAD #8** **NORTH SALT LAKE, UT 84054** **(TAYLOR@BRIGHTONHOMES-UTAH.COM)**
PROPERTY:	**564 WEST PORTER LANE**
ACREAGE:	**6.1 ACRES**
ZONING:	**RESIDENTIAL-MEDIUM (R-M)**
LOT COUNT:	**47 PLANNED RESIDENTIAL DWELLING SITES**
APPLICATION:	**FINAL SUBDIVISION APPROVAL**
PC RECOMMENDATION:	**APPROVE THE FINAL SUBDIVISION PLANS AND PLAT**

BACKGROUND

On October 28, 2015, the Planning Commission recommended to the City Council approval of the Final Subdivision Plans and Plat for the Porter Walton Townhomes project located at 564 West Porter Lane. The developers are dividing the property into 47 residential units for individual ownership. These units consist of 46 townhomes and 1 single-family home. The property has already received previous site plan approvals and a conditional use permit approval in relation to density. The developer is currently working on the public infrastructure for the entire site. Brighton Homes is now ready for final review and approval of the subdivision by the City Council.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends approval of the Final Subdivision Plans and Plat, located at approximately 564 West Porter Lane, subject to the following:

1. The final plat shall be submitted to the City Council for approval and shall be recorded at the Davis County Recorder's Office prior to the sale of any individual units.

2. The applicant shall address all corrections and edits as stated by the City Engineer and City Attorney prior to the printing of the final linen plat.
3. The applicant shall address all corrections and edits to the CC&Rs as stated by the City Attorney.
4. All applicable development fees shall be paid prior to the recording of the final plat.
5. The applicant shall enter into an improvements agreement and related bonding for remaining public improvements prior to recording the plat.
6. The applicant shall meet all applicable conditions as approved by the Planning Commission and set forth within the final site plan approval and the conditional use permit including but not limited to the continuation of traffic monitoring and a determination by the City Engineer of any applicable impact fees to be paid by the applicant.

Suggested Reasons for the Action (Findings):

a) The final subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
b) The Porter Walton Townhomes Development is in harmony with the provisions of the Residential-Medium Zone [Chapter 12-32].
c) The Porter Walton Townhomes Development is in harmony with the final site plan and conditional use permit as approved by the Planning Commission [July 22, 2015].
d) The City Council is the authorized body to grant approval for a final subdivision plat [Section 15-4-107].
e) With the directives listed, the acceptance is consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

Planning Commission Vote (6-0):

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

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

✓ *Conceptual Subdivision* - August 26, 2015 Regular Meeting of the Planning Commission
✓ *Preliminary Subdivision* - September 23, 2015 Regular Meeting of the Planning Commission

✓ *Final Subdivision* - October 28, 2015 Regular Meeting of the Planning Commission

Reeve & Associates, Inc. - Solutions You Can Build On

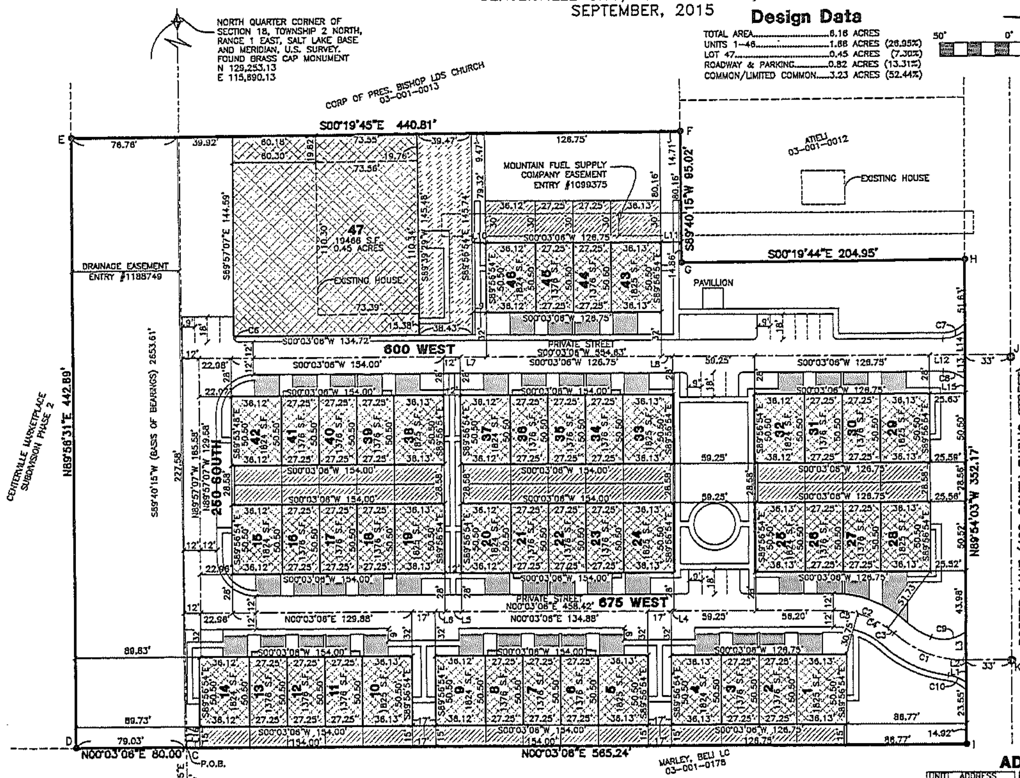
PORTER WALTON TOWNHOMES P.U.D.
A PLANNED UNIT DEVELOPMENT

PART OF THE NORTHWEST QUARTER OF SECTION 18 AND THE SOUTHWEST QUARTER OF SECTION 7, T.2N., R.1E., S.L.B.&M., U.S. SURVEY
CENTERVILLE CITY, DAVIS COUNTY, UTAH
SEPTEMBER, 2015

Design Data

TOTAL AREA.......................6.16 ACRES
UNITS 1-46.......................1.66 ACRES (26.95%)
LOT 47...........................0.45 ACRES (7.30%)
ROADWAY & PARKING................0.82 ACRES (13.31%)
COMMON/LIMITED COMMON............3.23 ACRES (52.44%)

Scale: 1" = 50'



NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. CALCULATED FROM FOUND WITNESS CORNER

WITNESS CORNER MONUMENT FOUND REBAR W/ ALUMINUM CAP
N 129,238.01
E 112,925.23

DEVELOPER:
BRIGHTON HOMES
TAYLOR SPENDLOVE
215 N. REDWOOD RD.
SUITE 8
NORTH SALT LAKE, UT. 84054
801-397-9755
taylor@brightonhomes-utah.com

LEGEND

- = SECTION CORNER
- = FOUND CENTERLINE MONUMENT
- = SET 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- = BOUNDARY LINE
- = ADJOINING PROPERTY
- = ROAD CENTERLINE
- = EASEMENTS
- = SECTION LINE
- = LIMITED COMMON AREA (YARDS)
- = LIMITED COMMON AREA (DRIVEWAYS) PUBLIC UTILITY EASEMENT
- = COMMON AREA/PUBLIC UTILITY EASEMENT
- = UNITS

LINE TABLE

LINE	BEARING	DISTANCE
L1	S89°54'03"E	22.49'
L2	S00°05'57"W	1.76'
L3	S89°54'03"E	20.54'
L4	N00°03'08"E	2.12'
L5	N00°03'08"E	12.00'
L6	N00°03'08"E	7.13'
L7	S00°03'08"W	19.21'
L8	S00°03'08"W	8.04'
L9	N00°03'08"E	10.00'
L10	N00°03'08"E	10.00'
L11	N00°19'45"W	14.71'
L12	S00°03'08"W	25.65'
L13	S89°54'03"E	17.64'
L14	S89°54'03"E	17.46'
L15	N89°54'03"W	10.38'
L16	S00°03'08"W	9.71'
L17	S00°03'08"W	0.98'

ADDRESS TABLE

UNIT	ADDRESS	UNIT	ADDRESS	UNIT	ADDRESS
1	376 S.	21	315 S.	41	274 S.
2	364 S.	22	325 S.	42	266 S. 626 W.
3	358 S.	23	331 S.	43	337 S.
4	348 S.	24	341 S.	44	327 S.
5	336 S.	25	367 S.	45	323 S.
6	326 S.	26	375 S.	46	315 S.
7	318 S.	27	381 S.	47	281 S.
8	312 S.	28	391 S.		
9	304 S.	29	388 S.		
10	286 S.	30	380 S.		
11	280 S.	31	372 S.		
12	274 S.	32	364 S.		
13	266 S.	33	338 S.		
14	254 S.	34	330 S.		
15	265 S. 650 W.	35	324 S.		
16	273 S.	36	316 S.		
17	277 S.	37	308 S.		
18	287 S.	38	298 S.		
19	295 S.	39	288 S.		
20	309 S.	40	280 S.		

GENERAL NOTES

1. ALL AREA NOT DEPICTED AS PART OF A RESIDENTIAL LOT OR PRIVATE STREETS ARE DESIGNATED AS COMMON AREA/PUBLIC UTILITY EASEMENT.
2. IRRIGATION WATER, SANITARY SEWER, STORM DRAIN LINES, STREET IMPROVEMENTS, AND DETENTION BASIN WITHIN THE PUD ARE TO BE PRIVATE AND MAINTAINED BY THE H.O.A. CENTERVILLE CITY SHALL OWN AND MAINTAIN WATER LINES AND METERS.
3. ALL TIES TO RESIDENTIAL LOTS ARE PERPENDICULAR TO BOUNDARY LINES AND CENTER LINES, UNLESS OTHERWISE NOTED.

NOTE

"UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUBLIC UTILITY EASEMENT. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUBLIC UTILITY EASEMENT AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUBLIC UTILITY EASEMENT OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUBLIC UTILITY EASEMENT."

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS BETWEEN THE NORTH QUARTER CORNER AND THE WITNESS MONUMENT TO THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS: S89°40'15"W

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO CREATE A P.U.D. SUBDIVISION WITH THE DESCRIBED PROPERTY. ALL BOUNDARY CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES".
THE RECORD BEARINGS HAVE BEEN ROTATED TO MATCH THE BASIS OF BEARINGS AS SHOWN HEREON. THE SOUTHERLY BOUNDARY LINE FOLLOWS THE NORTHERLY RIGHT-OF-WAY LINE OF PORTER LANE AS ESTABLISHED BY SHAELA PARK SUBDIVISION AND FOUND CENTERLINE MONUMENTS. THE NORTHERLY BOUNDARY FOLLOWS THE SOUTHERLY BOUNDARY OF CENTERVILLE MARKETPLACE SUBDIVISION. THE EASTERLY BOUNDARY FOLLOWS ROTATED TITLE LINES WHICH HAVE BEEN MOVED SLIGHTLY TO MATCH OCCUPATION LINES AND THE ESTABLISHED BOUNDARY OF THE LDS CHURCH PARCEL.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT 831.04 FEET N89°40'15"E ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID NORTHWEST CORNER BEING 111.17 FEET S89°56'06"E FROM A FOUND WITNESS CORNER TO SAID SECTION CORNER; AND RUNNING THENCE N00°03'08"E 80.00 FEET TO THE SOUTHWEST CORNER OF THE CENTERVILLE MARKETPLACE SUBDIVISION PHASE 2; THENCE N89°58'35"E ALONG THE SOUTHERLY BOUNDARY OF SAID PLAT 442.89 FEET; THENCE S00°19'45"E 440.81 FEET; THENCE S89°40'15"W 95.02 FEET; THENCE S00°19'44"E 204.95 FEET A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF PORTERS LANE; THENCE N89°54'03"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 352.17 FEET; THENCE N00°03'08"E 565.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 267921 SQUARE FEET OR 6.151 ACRES AND 47 LOTS

DAVIS COUNTY COORDINATE TABLE

POINT	NORTHING	EASTING	DESCRIPTION
A	129238.010	112925.230	WIT CORNER MON
B	129237.884	113036.398	NW CORNER SEC 18
C	129242.658	113867.423	P.O.B.
D	129322.658	113867.495	PROPERTY CORNER
E	129323.098	114310.387	PROPERTY CORNER
F	128882.301	114312.920	PROPERTY CORNER
G	128881.755	114217.903	PROPERTY CORNER
H	128676.808	114219.079	PROPERTY CORNER
I	128677.415	113866.913	PROPERTY CORNER
J	128643.925	114149.963	CL MON
K	128644.308	113927.818	CL MON

CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	75.00'	55.38'	54.13'	20.02'	S21°15'04"W	42°18'14"
C2	65.00'	48.05'	46.98'	25.18'	S21°13'38"W	42°21'05"
C3	65.00'	5.86'	5.86'	2.93'	S39°49'07"W	5°10'07"
C4	65.00'	24.49'	24.35'	12.39'	S26°26'24"W	21°35'19"
C5	65.00'	17.69'	17.64'	8.90'	S07°50'55"W	15°35'38"
C6	3.00'	4.44'	4.04'	2.73'	N42°24'15"E	84°42'19"
C7	24.82'	16.98'	16.63'	8.83'	N19°08'31"W	39°09'30"
C8	25.00'	17.12'	16.78'	8.91'	S19°40'26"W	39°14'40"
C9	25.00'	26.93'	25.65'	14.94'	S08°47'03"E	61°43'36"
C10	25.00'	14.18'	13.99'	7.29'	N23°39'08"E	32°29'44"

VICINITY MAP
NOT TO SCALE

PROJECT SITE

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUNZ, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF PORTER WALTON TOWNHOMES P.U.D. IN CENTERVILLE CITY, DAVIS COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE DAVIS COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF CENTERVILLE CITY, DAVIS COUNTY CONCERNING SURVEY REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS ____ DAY OF ____________, 20____

150228 — UTAH LICENSE NUMBER — ROBERT D. KUNZ

REGISTERED LAND SURVEYOR 150228-2201 ROBERT D. KUNZ STATE OF UTAH

OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO PRIVATE UNITS AND PRIVATE STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT PORTER WALTON TOWNHOMES P.U.D., AND DO HEREBY DEDICATE AND RESERVE UNTO THEMSELVES, THEIR HEIRS, THEIR GRANTEES AND ASSIGNS, A RIGHT-OF-WAY TO BE USED IN COMMON WITH ALL OTHERS WITHIN SAID SUBDIVISION (AND THOSE ADJOINING SUBDIVISIONS THAT MAY BE SUBDIVIDED BY THE UNDERSIGNED OWNERS, THEIR SUCCESSORS, OR ASSIGNS) ON, OVER AND ACROSS ALL THOSE PORTIONS OR PARTS OF SAID TRACT OF LAND DESIGNATED ON SAID PLAT AS PRIVATE STREETS AS ACCESS TO THE INDIVIDUAL PRIVATE UNITS, TO BE MAINTAINED BY A LOT OWNERS ASSOCIATION WHOSE MEMBERSHIP CONSISTS OF SAID OWNERS, THEIR GRANTEES, SUCCESSOR, OR ASSIGNS. AREAS DESIGNATED AS "COMMON AREA" SHALL BE DEDICATED AS A PUBLIC UTILITY, DRAINAGE AND SLOPE EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, DRAINAGE FACILITIES AND SLOPE AREAS TO THE HOMEOWNERS ASSOCIATION AND PUBLIC UTILITY COMPANIES.

SIGNED THIS_____DAY OF__________, 20____

ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF ________)

ON THE ________ DAY OF ____________, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ____________ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS ____________ OF SAID CORPORATION AND THAT HE SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES — NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF ________)

ON THE ________ DAY OF ____________, 20____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ____________ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS ____________ OF SAID CORPORATION AND THAT HE SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES — NOTARY PUBLIC

PROJECT INFORMATION

Surveyor: R. KUNZ — Project Name: PORTER WALTON PUD
Designer: E. ROCHE — Number: 8440-02 — Scale: 1"=50'
Begin Date: 06-26-15 — Revision: 9-29-15 — Checked:

DAVIS COUNTY RECORDER

ENTRY NO.________ FEE PAID ________ FILED FOR RECORD AND RECORDED, ________ AT ________ IN BOOK ________ OF THE OFFICIAL RECORDS, PAGE ________

RECORDED FOR:

DAVIS COUNTY RECORDER ________DEPUTY.

CENTERVILLE CITY PLANNING COMMISSION

RECOMMENDED THIS ______ DAY OF __________, 20___ BY THE CENTERVILLE CITY PLANNING COMMISSION.

CHAIRMAN, CENTERVILLE CITY PLANNING COMMISSION

CENTERVILLE CITY ENGINEER

RECOMMENDED BY THE CENTERVILLE CITY ENGINEER THIS _____ DAY OF __________, 20____

CENTERVILLE CITY ENGINEER

CENTERVILLE CITY COUNCIL

PRESENTED TO THE CENTERVILLE CITY COUNCIL THIS ______ DAY OF __________, 20____ AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED AND ACCEPTED.

ATTEST: ____________

CENTERVILLE CITY MAYOR — CITY RECORDER

CENTERVILLE CITY ATTORNEY

RECOMMENDED BY THE CENTERVILLE CITY ATTORNEY THIS ______ DAY OF __________, 20___.

CENTERVILLE CITY ATTORNEY

Reeve & Associates, Inc.
920 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com

Reeve & Associates, Inc. - Solutions You Can Build On

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT
AGENDA: ITEM 2

PROPERTY OWNER:	**BRIGHTON DEVELOPMENT UTAH LLC** **NATHAN W. PUGSLEY** **215 N. REDWOOD RD SUITE #8** **NORTH SALT LAKE, UT 84054**
APPLICANT:	**TAYLOR SPENDLOVE** **BRIGHTON HOMES UTAH LLC** **215 NORTH REDWOOD ROAD #8** **NORTH SALT LAKE, UT 84054** **(TAYLOR@BRIGHTONHOMES-UTAH.COM)**
PROPERTY:	**564 WEST PORTER LANE**
ACREAGE:	**6.1 ACRES**
ZONING:	**RESIDENTIAL-MEDIUM (R-M)**
LOT COUNT:	**47 PLANNED RESIDENTIAL DWELLING SITES**
APPLICATION:	**FINAL SUBDIVISION APPROVAL**
RECOMMENDATION:	**ACCEPT THE FINAL SUBDIVISION PLAT AND RECOMMEND APPROVAL TO THE CITY COUNCIL**

BACKGROUND

On September 23, 2015, the Planning Commission approved the preliminary plat for the Porter Walton Townhomes project located at 564 West Porter Lane. The developers are dividing the property into 47 residential units for individual ownership. These units consist of 46 townhomes and 1 single-family home. The property has already received previous site plan approvals and a conditional use permit approval in relation to density. The developer is currently working on the public infrastructure for the entire site. The Commission has also approved the conceptual and preliminary subdivision plat for the development. Brighton Homes is now ready for a review by the Planning Commission for the final plat and for a recommendation of approval to the City Council.

PREVIOUS PRELIMINARY PLAT APPROVAL

1. The applicant shall prepare and submit an application for final subdivision plat and associated construction drawings, as outlined in Chapter 15-3, Final Plat of the Municipal Code.
   - **Staff Response:** Brighton Homes submitted a complete application on September 30, 2015 that met all the applicable requirements found in Chapter 15-3 of the Municipal Code.

2. The layout and design of the final plans and plat submittal must be consistent with the related City approved final site plan and conditional use permit.
   - **Staff Response:** The plans are consistent with what has already been approved with the final site plan, conditional use permit and the conceptual and preliminary subdivision plans.

3. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City's Engineer and Attorney.
   - **Staff Response:** The City Engineer and City Attorney have reviewed the submitted plans and are requesting some minor corrections take place prior to printing the linen plat. However, with these corrections being mainly typographical, staff believes this should not affect any decision rendered by the Planning Commission. To see a list of these comments please see the emails from the City Attorney and City Engineer in the back up information for this report.

4. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.
   - **Staff Response:** All addressing has been indicated on the final plat. Each unit has individual addressing and the private streets have also been addressed to match the streets directly to the south.

5. The applicant shall provide an updated title report (within 30 days) for review and acceptance of any final paper and/or linen plat, at a time deemed appropriate by the City's Attorney and/or Recorder.
   - **Staff Response:** Brighton Homes submitted a title report to City staff and is currently being reviewed by the City Attorney. In addition to the title report, the CC&Rs have also been submitted to the attorney for a final review prior to being recorded with the linen plat.

FINAL SUBDIVISION REVIEW CHAPTER 15-4

The final proposed plat has been created with all the necessary required information as found within Section 15-4-103 of the Subdivision Ordinance. All necessary signature blocks, and plat notes have been added to the paper plat for the preparation of recording. As mentioned previously the final plat matches the approved final site plan, the conditional use permit and the preliminary plans that were previously reviewed by the Planning Commission. It appears that all applicable Zoning Ordinance requirements for development in the R-M Zone have

been satisfied. Finally, the general requirements for all subdivisions pertaining to layout, lot size, utility improvements and drainage have been depicted and are in harmony with the Subdivision Ordinance Requirements [Section 15-5-101 through 106].

The applicant will need to enter into an improvements agreement and related bonding for remaining public improvements. They will also need to make sure all applicable development fees are paid prior to recording the plat. The applicant is responsible in meeting all previous conditions of approval that remain in effect, such as traffic mitigation and the HOA's obligation to provide snow removal, trash removal and road maintenance.

PLANNING STAFF RECOMMENDATION

Suggested Motion for the Final Subdivision Acceptance: I hereby make a motion for the Planning Commission to accept the Final Subdivision Plat and recommend approval to the City Council for the proposed Porter Walton Townhomes Development, located at approximately 564 West Porter Lane, subject to the following:

1. The final plat shall be submitted to the City Council for approval and shall be recorded at the Davis County Recorder's Office prior to the sale of any individual units.
2. The applicant shall address all corrections and edits as stated by the City Engineer and City Attorney prior to the printing of the final linen plat.
3. The applicant shall address all corrections and edits to the CC&Rs as stated by the City Attorney.
4. All applicable development fees shall be paid prior to the recording of the final plat.
5. The applicant shall enter into an improvements agreement and related bonding for remaining public improvements prior to recording the plat.
6. The applicant shall meet all applicable conditions as approved by the Planning Commission and set forth within the final site plan approval and the conditional use permit.

Suggested Reasons for the Action (Findings):

a) The final subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
b) The Porter Walton Townhomes Development is in harmony with the provisions of the Residential-Medium Zone [Chapter 12-32].
c) The Porter Walton Townhomes Development is in harmony with the final site plan and conditional use permit as approved by the Planning Commission [July 22, 2015].
d) The City Council is the authorized body to grant approval for a final subdivision plat [Section 15-4-107].
e) With the directives listed, the acceptance is consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

MOTION – Conditional Use Permit

Commissioner Hirst made a **motion** for the Planning Commission to approve a Conditional Use Permit associated with the final site plan for the Maverik Convenience Store to be located at the southwest corner of 1250 West and Parrish Lane, with the following conditions for approval:

1. This CUP is for Gasoline Service Station associated with the Maverik Convenience Store Site Plan.
2. The installation of the Parrish Lane access and traffic mitigation measures as deemed required with the associated subdivision development for the Legacy Trails development.

***Reasons for the Action*:**

a. The Planning Commission finds that the proposed use is consistent with the goals and objectives of the General Plan.
b. The Planning Commission finds that the implementation of the Legacy Trail System access spur along Parrish Lane is a strong visual addition that would be greatly enhanced by the possible trailhead/bike rest stop area being considered by the City and Maverik.
c. The Planning Commission finds that proposed use is part of an overall master planned development that included the proposed use.
d. The Planning Commission finds that access drives and common integrated lanes in and through the development create a cohesive and functional development area.
e. The Planning Commission finds that traffic capacity and mitigation measures were previously identified and plans to mitigate such concerns have already been implemented with approval and development of the original subdivision for the Legacy Trail development.

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

PORTER WALTON TOWNHOMES PLANNED UNIT DEVELOPMENT | 564 WEST PORTER LANE - Consider proposed Final Subdivision Plat for the Porter Walton Townhomes Planned Residential Unit Development, on property located at 564 West Porter Lane, for the purpose of platting the approved multi-family project. Taylor Spendlove, Brighton Homes, Applicant.

Brandon Toponce, Assistant Planner, reported the Planning Commission previously approved a conceptual subdivision plat, a preliminary subdivision plat and a conditional use permit for this project and the applicant is now ready for final subdivision plat approval. The developer is currently working on the public infrastructure for the entire site. The applicant has met the conditions set during previous approvals and the final subdivision plat is consistent with

previous approvals. The applicant has completed the plat notes, survey notes, and addressing as required. The applicant has also provided the title report and CC&Rs. All notes and documents are currently under review by City staff. The applicant will be required to comply with all conditions that remain in effect including bonds, fees, and the development agreement.

Chair Hirschi questioned if the traffic mitigation fee should be called out as a condition? He also asked when the monitoring of the traffic will be completed.

Taylor Spendlove, applicant, said development of the infrastructure is moving along and that the curbing and pavement should be complete in the next few weeks. He too asked when the traffic study would be completed. He said they are willing to pay their portion of the impact fee for traffic and would like to get this done soon. He said they are not able to record the plat and sale lots until this is complete and are anxious to move forward. He said they already have a waiting list for lot purchases.

Cory Snyder, Community Development Director, said the traffic study is underway, but he is unsure when it will be completed. He said the final subdivision plat is ultimately approved by the City Council. He suggested the Commission allow the Council to discuss the time frame for the traffic study.

Commissioner Hirschi made a **motion** for the Planning Commission to accept the Final Subdivision Plat and recommend approval to the City Council for the proposed Porter Walton Townhomes Development, located at approximately 564 West Porter Lane, subject to the following:

1. The final plat shall be submitted to the City Council for approval and shall be recorded at the Davis County Recorder's Office prior to the sale of any individual units.
2. The applicant shall address all corrections and edits as stated by the City Engineer and City Attorney prior to the printing of the final linen plat.
3. The applicant shall address all corrections and edits to the CC&Rs as stated by the City Attorney.
4. All applicable development fees shall be paid prior to the recording of the final plat.
5. The applicant shall enter into an improvements agreement and related bonding for remaining public improvements prior to recording the plat.
6. The applicant shall meet all applicable conditions as approved by the Planning Commission and set forth within the final site plan approval and the conditional use permit including but not limited to the continuation of traffic monitoring and a determination by the City Engineer of any applicable impact fees to be paid by the applicant.

Reasons for the Action:

a) The final subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
b) The Porter Walton Townhomes Development is in harmony with the provisions of the Residential-Medium Zone [Chapter 12-32].
c) The Porter Walton Townhomes Development is in harmony with the final site plan and conditional use permit as approved by the Planning Commission [July 22, 2015].
d) The City Council is the authorized body to grant approval for a final subdivision plat [Section 15-4-107].
e) With the directives listed, the acceptance is consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

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

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next regularly scheduled Planning Commission meeting will be Wednesday, November 18, 2015.
2. Upcoming Agenda Items:
   - Rasband Residential Building Lot, Conceptual Site Plan
   - Deuel Creek Historic District

The meeting was adjourned at 8:20 p.m.

David Hirschi, Chair

11-18-15
Date Approved

Kathleen Streadbeck, Recording Secretary

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 5.

Short Title: Report from Whitaker Museum Board Chair re projects funded by CLG Grants

Initiated By: Spencer Packer, Whitaker Museum Board Chair

Scheduled Time: 7:45

SUBJECT

RECOMMENDATION

BACKGROUND

Spencer Packer, Chair of the Whitaker Museum Board, has asked for some time on the agenda to report on the completion of projects funded by the CLG grants, City funds, and donations. A summary being prepared by the Museum Director, Lisa Sommer, will be provided at the Council meeting.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 6.

Short Title: Discussion of proposal to create Deuel Creek Historic District

Initiated By: Landmarks Commission

Scheduled Time: 7:55

SUBJECT

RECOMMENDATION

Allow staff to explain the proposal to create the Deuel Creek Historic District and answer questions from the City Council. After receiving any pertinent direction from the Council about the proposed ordinance, continue the matter to December 15 when a public hearing will be held before the Council takes action.

BACKGROUND

The Landmarks Commission has been working on this matter for several years, beginning with a survey of the historic nature of the homes in the area bounded by Main Street, Parrish Lane, 400 East and Porter Lane (both sides). After extensive public outreach efforts, the Commission recommended to the Planning Commission the creation of the Deuel Creek Historic District with the boundaries described above, including an ordinance that would encourage new construction and remodeling in this area that would compliment the historic nature of the existing architecture. The desired design standards would not be mandatory. Property owners would be encouraged to follow the desired standards through the use of incentives--reduced building setbacks and reduced building permit fees. However, property owners could choose instead to build according to the standards of the underlying residential zone.

At their November 18 meeting, the Planning Commission recommended approval of the zoning code text amendment and forwarded that recommendation to the City Council. Anticipating this action, the City Council--at their November 17 meeting--directed staff to schedule the matter for an initial discussion by the Council at their December 1 meeting, followed by a public hearing in the December 15 Council meeting. This allowed the public hearing to be advertised in the utility bill at the end of November. Following the Council's initial discussion on December 1, staff will post the proposed ordinance on the City website--which will be mentioned in the utility bill insert.

The creation of the Deuel Creek Historic District involves approval of Zoning Code text amendments and approval of an overlay zone for the Zoning Map. The Planning Commission has forwarded only the Zoning Code text amendments at this time to the City Council. The Commission, however, will hold a public hearing at their December 9 meeting for the Zoning Map overlay zone--after the required 10-day notice has been mailed to all of the property owners within the boundaries of the proposed District. This timing will allow the City Council to take action on both the text amendments and the Zoning Map overlay in their December 15 meeting--assuming the Planning Commission recommends approval of the overlay zone at their December 9 meeting.

ATTACHMENTS:

Description

- Staff Report re Deuel Creek Historic District
- PC Staff Report re Deuel Creek Historic District
- November 18, 2015 Planning Commission minutes re PC approval

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT

APPLICANT: **CENTERVILLE CITY LANDMARKS COMMISSION**

APPLICATION: **ZONING CODE TEXT AMENDMENT TO CREATE THE DEUEL CREEK HISTORIC DISTRICT, SECTION 12-61-062, AND CREATE CHAPTER 12-49**

RECOMMENDATION: **APPROVE THE ZONE TEXT AMENDMENT**

BACKGROUND

Over the past few years, the Landmarks Commission has been working toward creating the Deuel Creek Historic District. This local historic district is located along the east side of Main Street from Porter Lane to Parrish Lane, the south side of Parrish Lane from Main Street to 400 East, the west side of 400 East from Parrish Lane to Porter Lane and both sides of Porter Lane from 400 East to Main Street. The Landmarks commission chose the original town site for its high concentration of historic homes and walk ability. The district is only recognized by Centerville City and has been created to represent the desires of the community. The Landmarks Commission held three work sessions with the public and took their comments into consideration as the final document was drafted. The creation of the district by involving the public follows the goals and objectives for historic sites found in Section 12-480-8(3) of the General Plan.

Creating a new Ordinance is the first step in implementing the new district. After the Ordinance has been approved, the Landmarks Commission will propose a change to the zoning map to create an overlay district. This overlay zone will not affect the underlying zoning and will still allow a property owner to utilize their property as they see fit.

REVIEW AND ANALYSIS OF THE REQUEST

The creation of the district by involving the public follows the goals and objectives for historic sites found in Section 12-480-8(3) of the General Plan. The proposed ordinance encourages citizens to construct new development, or remodel existing structures in a way that compliments the historic harmony and integrity of the neighborhood. The Landmarks Commission desires to create the Deuel Creek Historic District, with the related Ordinance, to reduce adverse effects of demolition and out of context development. With a positive program in place, the historic fabric of the original Centerville town site may be preserved and help educate citizens on the history of our community.

PLANNING COMMISSION REVIEW

On Wednesday November 18, 2015, the Planning Commission accepted the proposed zone text amendment and recommended approval to the City Council.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed zoning text amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives.
5. The Landmarks Commission believes the proposed district and subsequent created documents will be beneficial to the neighborhood.

Planning Commission Vote (6-0):

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

PROPOSED ZONE TEXT AMENDMENT

SECTION 12-61-060(g)

(g) Deuel Creek Historic District. The City hereby creates the Deuel Creek Historic District consisting of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street. Refer to Section 12-49, Deuel Creek Historic District, for further standards and detail.

CHAPTER 12-49, DEUEL CREEK HISTORIC DISTRICT

12-49-010. Purpose.

The purpose of creating the Deuel Creek Historic District, voluntary overlay, is to preserve the integrity and characteristics of the original townsite, while educating the community concerning Centerville's past.

12-49-020. Scope.

The Deuel Creek Historic District shall consist of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South),

north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street.

12-49-030. Permitted and Conditional Uses.

All permitted and conditional uses as allowed within the respective underlying zones stated within Chapter 12-36 of this Title shall still apply within the Deuel Creek Historic District.

12-49-040. General Requirements of Applicability.

Development standards as pertaining to the individual underlying zone as stated within this Title, the Centerville City Code, or other laws and standards as set forth by the governing body, shall apply to all real property found within the Deuel Creek Historic District except to the extent such provisions are altered within this Chapter.

12-49-050. Property Classification.

1) Historic Landmark Register. Highest recognition of an historic resource found within the Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Chapter in relation to additions, alterations and demolition criteria.

2) Contributing Property. Any structure constructed 50 years in the past found within the Deuel Creek Historic District that contributes to the historic character of the district. This shall include all properties listed on the significant Historic Sites List as defined in Section 12-61-040 of this Chapter.

3) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district: structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past and future development on vacant ground.

12-49-060. Property Owner Obligation.

The Historic Preservation Program within Centerville is considered voluntary. Nothing in this section shall be construed to prevent a property owner of record within the Deuel Creek Historic District from developing his or her property as allowed by the underlying Ordinances found in this Title. Properties as listed on the Historic Landmark Register shall be subject to Section 12-61-100 of this Title in relation to modifications and alterations, which shall be satisfied to participate in the incentives found in 12-49-100.

12-49-070. Procedures.

Review. The Zoning Administrator, or designee, shall contact the applicant to ensure they are aware of the Deuel Creek Historic District Standards and Incentives as part of the review process for an exterior building permit.

12-49-080. Property Development Standards

These standards have been created to enhance the district area and generate continuity between contributing properties, non-contributing properties and new development. The standards are desirable, yet they are not mandatory. Property owners who do not wish to follow these guidelines shall not receive any incentives as stated within Section 12-61-062(i) of this Title, and shall be subject to all applicable Zoning Standards, fees and governing laws found within this Title for standard development.

(a) Contributing Properties:

A. Owner of a property considered Contributing as stated in Section 12-49-050 of this Title, desiring to participate in the Incentive Program shall be subject to the approval standards found in Section 12-61-100(e) of this Title and may also participate within the incentive program as stated herein.
B. This review shall take place at the time of building permit review with final incentive approval being made by the Zoning Administrator.

(b) Non-Contributing Properties and/or New Development:

1) Owner of a property considered Non-Contributing as stated in Section 12-49-050(c) of this Title, desiring to participate in the Incentive Program shall choose at least four of the following:

i. Design Standards:

- Façade material consisting of 80% of one of the following: brick, rock, wood, cement fiberboard. The remaining 20% shall consist of like material that is consistent with contributing properties
- Detached Garage *or*
- Garage setback from the front facing building line of the main structure at 18 feet
- Construction of a two-car garage, instead of 3-car garage or larger
- Front porch of at least 25 square feet
- Gable accents consistent with those found within the district
- A driveway curb cut no larger than 18 feet and driveway at its widest point at 20 feet
- Traditional exterior details (such as pillars, shutters, ornamental designs, etc.)
- Bay window
- Dormer windows
- Historic paint colors
- Other architectural features as found throughout the district (this criteria must include a photograph of the inspirational feature)

12-49-090. Incentive Criteria.

Incentive Criteria. These incentives shall apply to all property owners of record that have met the above Property Development Standards for those properties designated under Property Classification as found within Section 12-49-050 of this Title. Property owners who choose not to participate in the development standards shall not receive these

incentives and shall be subject to all required Zoning Regulations and Standards as set forth in this Title and all other applicable standards and fees as set forth by the City.

(a) All Incentives are for exterior projects only, such as:
    1) New development
    2) Alterations/additions
    3) General exterior repairs or rehabilitation that requires a building permit
(b) All incentives shall be reviewed and approved by the Zoning Administrator
(c) A certificate shall be given to the property owner stating that the property has been allowed incentives based on the approved standards as stated in Section 12-49-080 of this Title and be placed with the building permit
(d) These incentives shall only be for those properties found within the Deuel Creek Historic District as specified in Section 12-49-020 of this Title
(e) These incentives shall only apply to properties within the Deuel Creek District from the date this section was approved by the City Council and shall not be retroactive
(f) No incentives shall be given to property owners that have not completed all the required obligations as stated within this Section

12-49-100. Incentives.

(a) Setback reduction. Setback shall be measured from the building line and a property or designated right-of-way line. Actual setback shall be determined by the property owner prior to approval of any setback reductions. Setback standards in relation to decks and patios shall still apply and follow standards found in Section 12-55-130(g) of this Title, except for approved front porches as indicated in this section.

    1) Front Yard Setback: 20 Feet
    2) Front Yard Setback from Porch: 15 Feet
    3) Side Yard Setback (each side yard): 7 Feet
    4) Street Side Setback: 18Feet
    5) Rear Yard Setback: 18 Feet

(b) Building Fee Reduction. All applicants who meet the above criteria found in this section shall be allowed a 25% reduction on the building permit review charges. This reduction shall only be allowed within the Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.

CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
11/18/2015

Item No. 2.

Short Title: Public Hearing - Zoning Code Text Amendment, Section 12-61-062-Deuel Creek Historic District

Initiated By: Centerville City, Applicant

Scheduled Time: 7:30

SUBJECT

Consider proposed Zoning Code Text Amendment for Section 12-61-062-Deuel Creek Historic District; which purpose is to help promote preservation of the original town site

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- 11-18-2015 PC Staff Report Zoning Code Text Amendment Deuel Creek Historic District

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT
AGENDA: ITEM 2

APPLICANT: CENTERVILLE CITY LANDMARKS COMMISSION

APPLICATION: ZONING CODE TEXT AMENDMENT TO CREATE THE DEUEL CREEK HISTORIC DISTRICT

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

BACKGROUND

Reconnaissance Level Survey

In the summer of 2011, Korral Broschinsky, Historic Preservation Consultant, completed a reconnaissance level survey, which evaluated the historic fabric of the community. As part of her recommendation, she suggested Centerville City create an historic district in the central region of the City. A map created by Mrs. Broschinsky indicates a large concentration of homes 50 years and older within the area East of Main Street from Parrish Lane to Porter Lane.

Selecting a Location

The Landmarks Commission reviewed the recommendation of Mrs. Broschinsky and conducted a site visit through the central core of the City. After finding the area rich in history, they concluded the creation of a historic district would be an appropriate way to celebrate the history of the original town site. The Commission visited the subject at several meetings to address the geographic boundaries, by looking at the specific concentration of historic homes and an area that would be convenient for walking. The area chosen was the east side of Main Street from Parrish Lane to Porter Lane, the south side of Parrish Lane from Main Street to 400 East, the west side of 400 East from Parrish Lane to Porter Lane and both sides of Porter Lane from 400 East to Main Street. The name of the district was chosen as the Deuel Creek Historic District, which is reminiscent of the first settlement along the Deuel Creek.

Type of District Chosen

There are many types of historic districts ranging from national to local and from restrictive to celebratory. A nationally registered district offers tax incentives to those structures that are found eligible and that follow the Secretary of the Interiors Standards for Rehabilitation. A property owner is still allowed the right to choose what they believe is best for their property. Often a

local jurisdiction will then place additional guidelines and restrictions on the district in order to have more control over design and development.

The Landmarks Commission believed the public might have a misconception of a National District and be concerned that federal regulations could be implemented. Therefore, they believed a local district would be more fitting for the community. The proposed district would only be recognized by Centerville and not subject to any state or national guidelines. This informal style allows the community to create an individual incentive program and gives the neighborhood a chance to become more involved in shaping the future of their community.

Additional Research

After the proposed area was chosen and the type of district selected, the Landmarks Commission wanted to find similarities and differences among the physical characteristics of the built environment. In the summer of 2014, the Community Development Department had Alex Shirley, an intern with the University of Utah, create a report documenting similarities within the district. Alex addressed architectural features, setback, height, detached garages and more. This information helped the Commission establish a consistent pattern among the properties and to address possible design standards.

Public Comment

The Landmarks Commission held three separate meetings to receive input from those living within the proposed district area. The first meeting was an introduction to the idea of a district, and to hear specific concerns from the neighborhood. At the second meeting, the citizens and the Commission worked together to create a vision of what would fit the needs of the community. The final meeting was conducted to display the proposed Ordinance amendments for the implementation of the district.

The Landmarks Commission has worked diligently to come up with a proposal that will help the City to celebrate the historic core of the community, while at the same time addressing the needs of the citizens living within the district boundaries. The document presented to the citizens focused on the following:

- The district is being created to celebrate the historic fabric of Centerville and to help educate the public on the importance of preservation
- The Deuel Creek Historic District will be designated as a local district only
- Incentives are only given to those who comply with the voluntary guidelines
- The Ordinance was drafted in response to public comment and the comments of the Landmarks Commission
- Development guidelines were based on research that compared the built environment within the proposed district area

Creating a new Ordinance is the first step in implementing the new district. After the Ordinance has been approved, the Landmarks Commission will propose a change to the zoning map to create an overlay district. This overlay zone will not affect the underlying zoning and will allow a property owner to utilize their property as they see fit. However, in order for the program to work, worthwhile incentives have been proposed. These incentives would allow for reduced

setbacks and a reduction in the building permit fee of 25%. The Landmarks Commission is hopeful that by creating the district, it will encourage future preservation projects within the neighborhood such as:

- Kiosk located near the church well site sharing the history of the community and spotlighting people and buildings within the Deuel Creek District
- Neighborhood members come up with a slogan and logo
- District neighborhood activities

ZONE TEXT AMENDMENT, SECTION 12-21-080

With the introduction to the historic district, an addition to the Zoning Ordinance is proposed. This section was created in response to the desires of the Landmarks Commission and the concerns of the citizens who attended the work sessions. Originally, the Landmarks Commission believed the additions would fit within Section 12-61, Historic Buildings and Sites. However, the City Attorney, Lisa Romney, suggested that since it is considered an overlay district, it should be placed in its own section. The Planning Commission may discuss this alternative and create a new Section found in Article 4, of the Zoning Ordinance under Special Purpose and Overlay Zones. The possible new section may be called out as Section 12-49, if the Commission so desires. The following reference wouldl then be placed in Section 12-61-060(g):

> **(g) Deuel Creek Historic District.** The City hereby creates the Deuel Creek Historic District consisting of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street. Refer to Section 12-49, Deuel Creek Historic District, for further standards and detail.

The following proposed Ordinance is drafted as an example of the new Chapter 12-49 however, if the Commission believes it should remain in Chapter 12-61, the numbering may be altered to reflect this change.

PROPOSED ORDINANCE

12-49 - Deuel Creek Historic District

12-49-010. Purpose.

The purpose of creating the Deuel Creek Historic District, voluntary overlay, is to preserve the integrity and characteristics of the original town site, while educating the community concerning Centerville's past.

12-49-020. Scope.

The Deuel Creek Historic District shall consist of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East,

west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street.

12-49-030. Permitted and Conditional Uses.

All permitted and conditional uses as allowed within the respective underlying zones stated within Chapter 12-36 of this Title shall still apply within the Deuel Creek Historic District.

12-49-040. General Requirements of Applicabilty.

Development standards as pertaining to the individual underlying zone as stated within this Title, the Centerville City Code, or other laws and standards as set forth by the governing body, shall apply to all real property found within the Deuel Creek Historic District Except to the extent such provisions are altered within this Chapter.

12-49-050. Property Classification.

1) Historic Landmark Register. Highest recognition of an historic resource found within the Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Chapter in relation to additions, alterations and demolition criteria.

2) Contributing Property. Any structure constructed 50 years in the past found within the Deuel Creek Historic District that contributes to the historic character of the district. This shall include all properties listed on the significant Historic Sites List as defined in Section 12-61-040 of this Chapter.

3) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district: structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past and future development on vacant ground.

12-49-060. Property Owner Obligation.

The Historic Preservation Program within Centerville is considered voluntary. Nothing in this section shall be construed to prevent a property owner of record within the Deuel Creek Historic District from developing his or her property as allowed by the underlying Ordinances found in this Title. Properties as listed on the Historic Landmark Register shall be subject to Section 12-61-100 of this Title in relation to modifications and alterations.

12-49-070. Procedures.

(a) Building Permit. All properties located within the Deuel Creek Historic District shall be notified concerning the standards for construction within the Deuel Creek Historic District as stated with the Building Permit.

(b) Review. The Zoning Administrator, or designee, shall contact the applicant to ensure they are aware of the Deuel Creek Historic District Standards and Incentives as part of the review process for an exterior building permit.

12-49-080. Property Development Standards

These standards have been created to enhance the district area and generate continuity between contributing properties, non-contributing properties and new development. The standards are desirable, yet they are not mandatory. Property owners who do not wish to follow these guidelines shall not receive any incentives as stated within Section 12-61-

062(i) of this Title, and shall be subject to all applicable Zoning Standards, fees and governing laws found within this Title for standard development.

(a) Contributing Properties:

A. Owner of a property considered Contributing as stated in Section 12-61-062 (e)(2) of this Title, desiring to participate in the Incentive Program shall be subject to the approval standards found in Section 12-61-100(e) of this Title and may also participate within the incentive program as stated herein.

B. This review shall take place at the time of building permit review with final incentive approval being made by the Zoning Administrator.

(b) Non-Contributing Properties and/or New Development:

1) Owner of a property considered Non-Contributing as stated in Section 12-61-062(e)(3) of this Title, desiring to participate in the Incentive Program shall choose at least four of the following:

i. Design Standards:

- Façade material consisting of 80% of one of the following: brick, rock, wood, cement fiberboard. The remaining 20% shall consist of like material that is consistent with contributing properties
- Detached Garage *or*
- Garage setback from the front facing building line of the main structure at 18 feet
- Construction of a two-car garage, instead of 3-car garage or larger
- Front porch of at least 25 square feet
- Gable accents consistent with those found within the district
- A driveway curb cut no larger than 18 feet and driveway at its widest point at 20 feet
- Traditional exterior details (such as pillars, shutters, ornamental designs, etc.)
- Bay window
- Dormer windows
- Historic paint colors
- Other architectural features as found throughout the district (this criteria must include a photograph of the inspirational feature)

12-49-090. Incentive Criteria.

Incentive Criteria. These incentives shall apply to all property owners of record that have met the above Property Development Standards for those properties designated under Property Classification as found within Section 12-61-062(e) of this Title. Property owners who choose not to participate in the development standards shall not receive these incentives and shall be subject to all required Zoning Regulations and Standards as set forth in this Title and all other applicable standards and fees as set forth by the City.

(a) All Incentives are for exterior projects only, such as:
   1) New development
   2) Alterations/additions
   3) General exterior repairs or rehabilitation that requires a building permit

(b) All incentives shall be reviewed and approved by the Zoning Administrator

(c) A certificate shall be given to the property owner stating that the property has been allowed incentives based on the approved standards as stated in Section 12-61-062(h) of this Title and be placed with the building permit

(d) These incentives shall only be for those properties found within the Deuel Creek Historic District as specified in Section 12-61-062(b) of this Title

(e) These incentives shall only apply to properties within the Deuel Creek District from the date this section was approved by the City Council and shall not be retroactive

(f) No incentives shall be given to property owners that have not completed all the required obligations as stated within this Section

12-49-100. Incentives.

(a) Setback reduction. Setback shall be measured from the building line and a property or designated right-of-way line. Actual setback shall be determined by the property owner prior to approval of any setback reductions. Setback standards in relation to decks and patios shall still apply and follow standards found in Section 12-55-130(g) of this Title, except for approved front porches as indicated in this section.

   1) Front Yard Setback: 20 Feet
   2) Front Yard Setback from Porch: 15 Feet
   3) Side Yard Setback (each side yard): 7 Feet
   4) Street Side Setback: 18Feet
   5) Rear Yard Setback: 18 Feet

(b) Building Fee Reduction. All applicants who meet the above criteria found in this section shall be allowed up to a 25% reduction on the total cost of the building

permit. This reduction shall only be allowed within the Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.

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:** As mentioned previously, Section 12-480-8(3), encourages the creation of historic districts. The objectives state this process is to be completed with input from property owners in order to create guiding principles of what the community desires. The Landmarks Commission has used this input and the goals and objectives found in the general plan to create an Ordinance for the district.

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

   - **Staff Response:** The citizens who participated believed that each property owner should have a choice and not be obligated to follow strict regulations for each home. Yet, they were also concerned that historic homes could be demolished. Finally, they believed that instead of restrictions, incentives might be more beneficial.

     The document clearly indicates the program is voluntary and that all uses currently allowed by Ordinance would still apply. If a property owner wishes to participate, a list of requirements have been created along with incentives. The requirements are derived from a study Alex Shirley conducted while an intern for the Community Development Department. Alex looked at architectural similarities throughout the proposed district area. The similarities were then gathered in a document that was used by staff and the Landmarks Commission to create the voluntary design standards. These standards reflect the overall characteristics of the area and ensure this harmony may be continued.

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

   - ***Staff's Response***: The Landmarks Commission desires to create the Deuel Creek Historic District and the related Ordinance to reduce adverse effects. Historic properties within Centerville may be considered fragile and in need of protection. If no program of preservation is in place, the historic fabric of the original Centerville town site could be lost. Yet, by encouraging citizens to help preserve

the area, education concerning the history of Centerville may become more important.

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

   - ***Staff Response***: The area is located within an already developed neighborhood with adequate facilities and services. Any future development would be reviewed by City staff to ensure that proper public utilities have been set forth and other zoning concerns have been satisfied.

CONCLUSION

The Landmarks Commission believes the proposed Zoning Code Text Amendment has been created in a way that would be considered positive for historic preservation. In addition, it appears the proposal is also in harmony with all applicable goals and objectives found within the General Plan.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the Zoning Code Text Amendment for Section 12-61-062 and the creation of Section 12-49, Deuel Creek Historic District, as depicted within the Staff Report dated November 18, 2015 and to recommend approval to the City Council.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed zoning text amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives.
5. The Landmarks Commission believes the proposed district and subsequent created documents will be beneficial to the neighborhood.

Conditions:

1. All fees shall be paid; including all related development fees.
2. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Ordinance.
3. A final site plan shall be approved prior to the issuance of a building permit
4. All utilities shall be indicated on the final site plan.
5. Building sketches shall be provided as part of the final site plan application identifying the total building height.
6. The closest fire hydrant shall be indicated on the final plan.
7. The following engineering concerns shall be addressed and reviewed by the City Engineer:
   - A 4-foot park-strip shall be indicated with a 1-foot sidewalk easement
   - The existing drive approach shall be removed.
   - If a new bridge is created approval by Davis County shall be obtained
   - A fixture count must be completed to determine the size of the culinary water line
   - The existence of a basement shall be determined
   - A bond shall be posted for all public improvements
8. Applicant shall prepare and submit legal descriptions for the perimeter public utility easements and sidewalk easement to be submitted to the City with final site plan application with a copy sent to the City Engineer and City Attorney for preparation of required easements for the property.

***Reasons for the Action*:**

1. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
2. The applicant has submitted a full application [Section 12-21-110(d)(1)].
3. Proposed utility easements are required on all developed lots [Section 12-21-110(e)(2)(iii)(d), 15-5-106(8)].
4. A final site plan application shall be required for submittal [Section 12-21-110(e)].

The motion was seconded by Commissioner Johnson and passed by unanimous vote (5-0).

PUBLIC HEARING | CODE TEXT AMENDMENT, SECTION 12-61-062 – DEUEL CREEK HISTORIC DISTRICT - Consider proposed Zoning Code Text Amendment for Section 12-61-062–Deuel Creek Historic District; which purpose is to help promote preservation of the original town site. Centerville City, Applicant

Cory Snyder, Community Development Director, reported the Landmark Commission has been working on this proposed amendment for some time. He explained the Landmark

Commission's primary duty is to preserve the built environment. They do this by promoting and nominating historic structures for local and national registrations and by providing incentives for preservation. The proposed amendment recognizes a local neighborhood to be celebrated by Centerville and provides incentives if those structures are preserved. The proposed amendments are for a local district only and is strictly volunteer.

Brandon Toponce, Assistant Planner, reviewed the process the Landmark Commission went through in order to create the proposed historical district overlay zone, including work by a consultant and intern and work done by the Landmark Commission. He reviewed the proposed boundary for the Deuel Creek Historic District Overlay Zone. This area has a large concentration of homes 50 years and older and is rich in history. In addition, the Landmark Commission felt it was important to keep the District walkable; this is why the area does not extend across Main Street. He explained the Landmark Commission held three public hearings to receive input and suggestions from the public.

Mr. Toponce reviewed the details of the proposed text amendment to establish the Deuel Creek Historic District Overlay. The proposed amendments are for a local celebratory district and is completely voluntary. The proposed district would only be recognized by Centerville and not subject to any state or national guidelines. This informal style allows the community to create an individual incentive program and gives the neighborhood a chance to become more involved in shaping the future of their community. Mr. Toponce reviewed the proposed property classifications, the proposed development standards, the proposed review and building permit process, and the incentives program. He also explained that the reference numbers throughout the proposed document will be corrected as needed.

Mr. Toponce said the Landmarks Commission believes the proposed Zoning Code Text Amendment has been created in a way that will be considered positive for historic preservation. In addition, it appears the proposal is in harmony with all applicable goals and objectives found within the General Plan.

Commissioner Merrill asked how much participation came from residents during the public meetings. He also asked if there are any additional monetary incentives for historic preservation, i.e., tax reduction or grant possibilities. Mr. Toponce said the public meetings got a fair turnout of residents who were willing to share ideas and provide support. In addition, a letter was sent to every resident within the proposed boundary informing them of the proposed amendment. Mr. Toponce explained that some tax incentive or grant options may be provided if a home owner chooses to register on the national level and follow national guidelines. The proposed amendments are local to Centerville and do not include tax or grant incentives.

Commissioner Hayman said the incentive for a reduction in building permit fee says "up to" a 25% reduction. She questioned if there is a scale? She said she is inclined to remove the

words "up to" and provide a flat 25% reduction. Staff and the Commission agreed a flat rate reduction is best thus eliminating a need for interpretation.

Chair Hirschi questioned if the proposed amendment run with the land requiring a future property owner to keep the integrity of the historic property. He said a property owner could get a significant break on building permit fees and then turn around and sale the property for a greater profit. Mr. Snyder said a time frame could be added requiring a property owner to reside for a specific amount of time before the incentive payout is allowed.

Lisa Romney said a clarification needs to be made that the 25% reduction is off the building permit fee only and not off all building fees. She also suggested the Procedures statements [Section 12-49-070 (a) and (b)] be combined for clarity. Mr. Snyder clarified the 25% reduction is for the building permit review fee only and does not include any reduction from applicable impact fees.

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

Commissioner Merrill made a **motion** for the Planning Commission to accept the Zoning Code Text Amendment for Section 12-61-062 and the creation of Section 12-49, Deuel Creek Historic District, as depicted within the Staff Report dated November 18, 2015 and with changes as discussed this evening and to recommend approval to the City Council.

Reasons for the Action:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed zoning text amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives.
5. The Landmarks Commission believes the proposed district and subsequent created documents will be beneficial to the neighborhood.

The motion was seconded by Commissioner Hirst and passed by unanimous roll-call vote (5-0).

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 7.

Short Title: Discussion on Accessory Dwelling Units

Initiated By: City Council and Planning Commission

Scheduled Time: 8:25

SUBJECT

RECOMMENDATION

Continue discussion of the proposed ordinance allowing accessory dwelling units in residential areas, including issues identified earlier by the City Council for additional staff research and/or council discussion. Then continue the matter to the December 15 Council meeting when a public hearing will be held on the proposed ordinance.

BACKGROUND

In 2014 the City Council asked the Planning Commission to consider the possibility of amending the zoning code to allow accessory dwelling units (ADUs) in single-family residential areas. After a public outreach effort, on March 25, 2015 the Planning Commission forwarded a recommended ordinance to the City Council. After some discussion about this ordinance, the City Council agreed to suspend further consideration until after they completed revisions to the South Main Street Corridor (SMSC) Overlay Zone. In their November 17 meeting--during which they adopted amendments to the SMSC Overlay Zone--the City Council agreed to discuss the ADU ordinance again on December 1 and advertise a public hearing for their December 15 meeting. The utility bill insert at the end of November will advertise this public hearing and refer readers to the City website to review the proposed ordinance.

ATTACHMENTS:

Description

- 03-26-15 Staff Transmittal Report
- Ordinance No. 2015-08
- Exhibit A-Chapter 12-60-(PC Recommendation)
- 03-25-15 PC Staff Report
- 03-25-2015 PC minutes re recommendation on ADUs
- 02-25-2015 PC Minutes re discussion on ADUs
- 01-28-2015 PC minutes re discussion on ADUs
- May 5, 2015 CC minutes re ADUs
- July 7, 2015 CC minutes re ADUs

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF TRANSMITTAL REPORT

DATE: **MARCH 26, 2015**

APPLICANT: **CENTERVILLE CITY PLANNING COMMISSION**
C/O DAVID HIRSCHI, CHAIR
250 NORTH MAIN STREET
CENTERVILLE, UTAH 84014

APPLICATION: **ZONING CODE TEXT AMENDMENTS**

APPLICANT REQUEST: **AMEND CENTERVILLE CITY ZONING ORDINANCES TO ALLOW FOR THE DEVELOPMENT AND USE OF ACCESSORY DWELLING UNITS (*ADUs*)**

PC RECOMMENDATION: **RECOMMEND APPROVAL OF THE ZONING CODE TEXT AMENDMENTS**

BACKGROUND

Over the past several months of 2014 and early 2015, the Planning Commission held a few public discussion meetings to assess the possibility of allowing accessory dwelling units as part of the housing options within the City. The Commission hosted both general feedback and roundtable discussion meetings, where dates and times were posted on the City's website and in the City newsletters and/or utility billings.

Generally, these meetings indicated that allowing such housing type might be appropriate, provided sufficient use regulations could be developed. However, there were some concerns about allowing detached ADUs, or units constructed separately from the primary dwelling. Additionally, the Commission also questioned whether some aesthetic design standards were actually needful. Due to consensus that allowing ADUs might be appropriate, the Commission asked staff to prepare a draft Ordinance to review and discuss. Consequently on March 25, 2015, the Planning Commission recommended APPROVAL of a new ordinance that allows for the possibility of ADUs in the Agricultural-Low and Residential-Low Zoning Districts.

Nonetheless, two (2) Commissioners did cast dissenting votes. However, each Commissioner dissenting explained that their vote was not centered on opposing ADUs, but rather on a desire to allow a larger percentage or size for ADUS, specifically desiring allowing a range greater than the proposed 25% and possibly up to 50% of the floor area of a home.

PLANNING COMMISSION RECOMMENDATION

On March 25, 2015, the Planning Commission forwarded to the City a **recommendation of *APPROVAL*** of the proposed text amendments for allowing ADUs, as follows:

1. *Amend Title 12–Zoning by adding Chapter 12-60-Accessory Dwelling Units, as submitted, or modified by the Planning Commission.*
2. *Amend 12-12-Definitions regarding ADUs, as submitted to the Commission.*
3. *Amend 12-36-Table of Uses to allow ADUs as a conditional use in the A-L and R-L Zones, as submitted to the Commission.*

Suggested Reasons for Action (findings):

a. *The Planning Commission finds that the proposed Ordinance is consistent with the City's Moderate Income Housing Element concerning the use of ADUs.*
b. *The Planning Commission finds that the proposed Ordinance includes several compatibly elements to maintain expected neighborhood characteristics.*
c. *The Planning Commission finds that the proposed Ordinance also includes parameters, restrictions or limitations to prevent or mitigate impacts to adjacent properties.*

Planning Commission Vote (4-2):

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

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

✓ *January 28, 2015*
✓ *February 25, 2015*

ORDINANCE NO. 2015-08

AN ORDINANCE AMENDING SECTION 12-12-040 OF THE CENTERVILLE ZONING ORDINANCE REGARDING THE DEFINITION OF ACCESSORY DWELLING UNITS, AMENDING TABLE 12-36 OF THE SAME REGARDING TABLE OF USES TO ALLOW ACCESSORY DWELLING UNITS AS CONDITIONAL USE IN AGRICULTURAL-LOW (A-L) AND RESIDENTIAL-LOW (R-L) ZONES, AND ENACTING CHAPTER 12-60 OF THE SAME REGARDING ACCESSORY DWELLING UNITS

WHEREAS, the City Council directed Staff along with the Planning Commission to research and prepare possible ordinance amendments regarding accessory dwelling units within the City in accordance with the goals and objectives of the City's moderate income housing plan adopted in the Centerville General Plan; and

WHEREAS, as directed by the City Council, the Planning Commission held a number of public meetings and roundtable discussions to engage the public in the discussion of allowing accessory dwelling units as part of the housing options within the City; and

WHEREAS, based on such meetings and discussions and direction from the Planning Commission, Staff prepared a draft ordinance regarding accessory dwelling units for review and consideration by the Planning Commission; and

WHEREAS, the Planning Commission, after a number of public hearings on the matter, reviewed the proposed ordinance amendments regarding accessory dwelling units and recommends approval of the Zoning Ordinance amendments as more particularly provided herein; and

WHEREAS, City Council has determined that the proposed revisions to the Zoning Ordinance regarding accessory dwelling units, as more particularly set forth herein, are consistent with the goals, objectives and policies of the Centerville General Plan, are harmonious with the character of existing development within the City, will not adversely affect properties within the City, are in the best interest of the City and the public health, safety and welfare, and will provide additional housing options within the City; and

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

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

Section 1. **Amendment.** Section 12-12-040 of the Centerville Zoning Ordinance regarding Definitions is hereby amended to amend the definition of accessory dwelling units as more particularly set forth as follows:

12-12-040. Definitions.

As used in this Title, the words and phrases defined in this section shall have the following meanings unless the context clearly indicates a contrary meaning. Words not included herein but defined in the building code shall be construed as defined therein.

* * *

Accessory Dwelling Unit (ADU)~~Apartment~~: A habitable living area located within or as accessory to a detached single family dwelling and which has its own kitchen, living/sleeping areas, and sanitation facilities which meets the requirements of Chapter 12-60 of this Title.

* * *

Dwelling, Single-Family with Accessory Dwelling Unit: A building having only one (1) dwelling unit and one (1) accessory dwelling unit.

* * *

Section 2. Amendment. Table 12-36 of the Centerville Zoning Ordinance regarding the Table of Uses is hereby amended to add accessory dwelling units as conditional use in the A-L and R-L Zones, as more particularly set forth as follows:

	Zones														
Residential Uses	**A-L**	**A-M**	**R-L**	**R-M**	**R-H**	**PF-L**	**PF-M**	**PF-H**	**PF-VH**	**C-M**	**C-H**	**C-VH**	**I-M**	**I-H**	**I-VH**
Dwelling, single-family with accessory dwelling unit (ADU) ~~apartment~~	C~~N~~	N	C~~N~~	N	N	N	N	N	N	N	N	N	N	N	N

Section 3. Enactment. Chapter 12-60 of the Centerville Zoning Ordinance adopting provisions regarding Accessory Dwelling Units is hereby enacted to read in its entirety as more particularly set forth in **Exhibit A,** attached hereto and incorporated herein by this 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, THIS _____ DAY OF MAY, 2015.

ATTEST: **CENTERVILLE CITY**

_____ By:_____
Marsha L. Morrow, City Recorder Mayor Paul A. Cutler

Voting by the City Council:

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

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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

_____ DATE: _____
MARSHA L. MORROW, City Recorder

RECORDED this ____ day of _____, 20___.

PUBLISHED OR POSTED this ____ of _____, 20___

Exhibit A

Chapter 12-60 of the Centerville Zoning Ordinance
Accessory Dwelling Units

[New Section] Chapter 12-60-Accessory Dwelling Units

[Add] 12-60-010. Purpose
12-60-020. Scope
12-60-030. Definitions
12-60-040. Use Allowed
12-60-050. Limitations, Termination, and Exemptions
12-60-060. General Development Standards
12-60-070. Design Standards
12-60-080. Occupancy Requirements
12-60-090. Other Applicable Regulations and Codes
12-60-100. Conditional Use Required

[Add] **12-60-010. Purpose**

The purpose of this Chapter is to establish the use and development regulations for the allowance of accessory dwelling units (ADUs) within the City. These regulations are intended to provide opportunity for secondary separated living quarters (i.e. dwelling unit) for the elderly to be taken care of by family members, or permit alternative housing options for newly married couples or the return of adult children, or even perhaps for those who are on a fixed income to supplement a mortgage payment. Provided however, that the ADU is to be clearly and distinctly an accessory use to the approved primary building use located on the property and must not disrupt the residential environment and character of single-family neighborhoods.

[Add] **12-60-020. Scope**

The requirements of this Chapter shall apply to any ADU created or established within the City. Such requirements shall not be construed to prohibit or limit other applicable provisions of this Title, the Centerville City Code, or other laws.

[Add] **12-60-030. Definitions**

Certain words and phrases in this Chapter, including uses, are defined in this Chapter and in Chapter 12-12 of this Title.

[Add] **12-60-040. Use Allowed**

(a) *Permitted*. ADUs are to be allowed in residential zones as set forth on the Table of Uses Allowed in Chapter 12-36 of this Title. Permitted and conditional uses are indicated by "P" or "C," respectively. Uses not permitted are indicated by "N."

[Add] **12-60-050. Limitations, Termination, and Exemptions**

(a) *Use in Combination*. An ADU shall be established as a secondary accessory dwelling unit in both use and size and shall only be established in combination with a primary single-family dwelling unit.

(b) *Owner Occupancy Required*. An ADU shall only be established for single-family dwellings that are occupied by an owner in accordance with the "Owner Occupancy" requirements of subsection 12-60-080.

(c) *Number allowed*. Only one (1) ADU is allowed for a:

(1) Lot, parcel, or tract of land; and

(2) Main building or structure of a primary single-family dwelling.

(d) *Location or Placement*. The ADU may be integrated within or a part of the primary use structure; or may be separated or detached from the primary structure provided its building or structure is located entirely within the yard area that is present behind (*rear portion*) the primary building of the lot or parcel.

(e) *Separate Dwelling Units*. Any portion of a single-family dwelling that has been sectioned off, mechanically, physically, or by other means, so that any occupant in the single family dwelling does not have full and free access to the separated portion of the dwelling and such separated area contains living quarters which provide sleeping, sanitary, and fixed kitchen facilities, or any separate accessory building or structure containing the same, shall be subject to the provisions of this Chapter, regardless of the relationship of the occupants.

(f) *Termination of ADU use*. The approval permit for an ADU shall become null and void if the occupancy requirements of this Chapter are not satisfied, or the owner declares termination through writing or through neglect or any other action violates the provisions of this Chapter. Upon such termination of ADU use, the owner shall remove one or more features that make up an ADU including but not limited to living, sleeping, or kitchen facilities-including electrical, gas, or plumbing, as deemed acceptable to the City to render the ADU removed or unusable.

(g) *Exemptions*. The following exemptions shall apply to the use of ADUs:

1) Accessory dwelling units shall not be included in the gross density calculations for single-family zoning districts (i.e. A-L and R-L Zones).
2) Except as provided in this Chapter regarding establishing a separate dwelling unit, the provisions of this Chapter do not apply if a single family dwelling is wholly occupied by a family, as defined in Chapter 12-12-Definitions, or other laws.

[Add] **12-60-060. General Development Standards**

The development standards set forth in this section shall apply to any ADU that is created or established within the City. The purposes of these development standards are to ensure that the ADU is clearly and distinctly an accessory use to the approved primary building use located on the property.

(a) *Creation*. An ADU shall only be established through the following methods:

(1) Converting existing living area, attic, basement, other area of a main dwelling. The conversion of the primary dwelling's garage space is prohibited without providing the required parking stalls in another appropriately City approved location.

(2) Adding floor area to the main building.

(3) Integration of an ADU into the design plan for new construction of a single family dwelling.

(4) Constructing or converting a detached accessory building (e.g. guest house) for use as an ADU.

(b) *Habitable Space and Size*. ADUs shall meet the following parameters for habitable space:

(1) Every ADU shall have a minimum habitable space of 200 square feet for each person occupying the ADU, or as amended by applicable state and local construction codes.

(2) The maximum area or size of the ADU dwelling shall not exceed 25% of the gross floor area of the primary dwelling unit (*for all types, conversion, additions, integrated or detached*) or 800 square feet, whichever is less.

(3) The primary dwelling unit shall maintain at least 900 square feet of habitable space separate from the ADU, if it is constructed or converted within the primary or main building.

(c) *Setbacks*. ADUs shall meet the following:

(1) An ADU created within or attached to the primary or main building of a single-family dwelling shall meet the applicable front, side, and rear yard setbacks for "main buildings" as listed in the development standards of its respective residential zone.

(2) Detached ADUs shall be setback as follows:

i. A minimum of 60 feet from the front lot line of a lot or parcel, or six (6) feet behind the primary or main building of the lot or parcel.

ii. A minimum of six (6) feet from any perimeter side or rear line of the lot or parcel.

1. *Exception*. For conversion of an existing accessory structure on a lot or parcel, the minimum six (6) foot setback may be reduced to the standard accessory building three (3) foot setback, provided there is sufficient emergency ingress/egress from all habitable space areas within the structure and the structure meets the applicable building and fire regulations.

(d) *Heights*. ADUs shall meet the following:

(1) An ADU created within or attached to the primary or main building of a single-family dwelling shall meet the applicable height requirement for primary or main buildings as listed in the development standards of its respective residential zone.

(2) Detached ADUs shall be limited to a height of 20 feet, as measured by the average of all four (4) sides of the building's elevation using the mid-point between the lowest eave and the highest ridge line.

(e) *Parking*. At least one (1) additional parking space shall be provided for an ADU, provided however that the existing parking requirements for the primary dwelling are in place or restored if missing. The ADU parking space may be located in tandem with other required parking spaces. All required parking spaces must be located behind the front yard setback line of the lot.

(f) *Yard Space*. Every ADU shall be provided yard space using one (1) of the following methods:

(1) *Common Space*. The ADU and primary or main building may equally share yard areas for use by all occupants.

(2) *Private Space*. At least 200 square feet (*25% if the maximum allowed ADU size*) of yard area shall be provided for exclusive use by the ADU, regardless of its size.

(g) Bulk Rear Yard Area Limitation. For detached ADUs, the combined building foot print coverage of the required rear yard area (*i.e. rear yard setback area*) for all accessory buildings, including the ADU, shall not exceed 20%.

12-60-070. Design Standards

The design standards set forth in this section are to apply to any ADU that is created or established within the City. The purposes of these design standards are to ensure ADU compatibility with the general pattern, character, and livability of Centerville's typical low density single-family neighborhoods.

(a) *Exterior Finish Materials*. The exterior finish materials should be compatible with, or visually appear to be harmonious with the type, size, and colors, as the finish materials utilized on the primary or main building of the lot or parcel.

(b) *Location of Entrances*. Only one (1) entrance may be located on the wall facade that can be viewed from the public street directly adjacent to the same lot or parcel in which the ADU is located. All other entrances must be located on wall facades facing interior to the lot.
   (1) *Ground Entrance Restrictions*. Ground entrances are prohibited on a wall facade facing a perimeter lot line, unless such wall façade is at least 6 feet from a perimeter lot line.
   (2) *Upper Story Entrance Restrictions*. Upper story entrances (*e.g. access from balconies and decks*) having no other ground entrance are prohibited on a wall façade facing a perimeter lot line unless such wall façade is located 20 feet from the perimeter lot line.

(c) *Roof Pitch*. The roof pitch should be the compatible or visually appear to be harmonious with the roof pitch style of the primary or main building of the lot or parcel in which the ADU is located.

(d) *Windows*. Windows should be compatible or visually appear to be harmonious in proportion (i.e. width to height) and orientation (i.e. horizontal or vertical) to windows used for the main or primary building.

(e) Eaves. Building eaves for ADUs should meet one of the following designs:
   (1) The eaves are to project from the walls the same distance as the eaves on the primary or main building.
   (2) The eaves are to project from the walls at least one (1) foot on all elevations.
   (3) If the primary or main building style has no eaves, then eaves are not required for the ADU.

(f) *Exceptions*. If there is a conflict between these design standards and the adopted construction codes of the City, then the applicable construction code shall govern that particular design element.

[Add] **12-60-080. Occupancy Requirements**

The occupancy requirements set forth in this section shall apply to any ADU that is created or established within the City. The purposes of these occupancy requirements are to accommodate secondary separated living quarters (*i.e. dwelling unit*) with reasonable limitations on their use and to minimize the impact on neighboring properties and to the

desired setting of the City's single-family neighborhoods.

(a) *Definitions and Terms*. The following definitions or terms are applicable to the creation and use of ADUs;
   (1) *Owner*. An owner is defined as a person having at least 50% or greater interest in the property.
   (2) *Full-time Residency*. Full-time residency means the owner must live in a dwelling for at least six (6) months of each calendar year.
   (3) *Owner Occupancy Covenant.* A signed and notarized owner-occupancy agreement that is recorded on the property title for sanctioning an ADU.
   (4) *Temporary Owner Absence Waiver*. An approval granting a waiver of the occupancy requirement due to specific short term or temporary absences.

(b) *Full Time Owner Residency*. Either the primary dwelling or the ADU is to be occupied by a full time resident property owner, as shown on the Davis County Tax Assessment rolls.

(c) *Owner Occupancy Covenant.* ADU owners must sign and record an "owner occupancy covenant" with the City and have it recorded with the Davis County Recorder prior to receiving an ADU permit. The covenant shall at minimum establish the following:
   (1) That he/she/ they are owner(s) of the property located in Centerville, Utah
   (2) That he/she/they applied and received approval to construct or use an accessory dwelling pursuant to Centerville City ordinances.
   (3) That the owner(s) of the property will restrict the use of the principal dwelling and ADU in compliance with Centerville City ordinances.
   (4) That an owner with at least a 50% interest in the property will occupy either the primary dwelling or ADU for six months of each calendar year, except where a "temporary owner absence waiver" is granted by Centerville City ordinances.
   (5) That if the owner(s) of property are unable or unwilling to fulfill the requirements for use of an ADU, then the owners agree to remove one or more features that make it an ADU, including but not limited to living areas, sleeping areas, or kitchen facilities-including electrical, gas, or plumbing and further agree to terminate, in writing, the ADU permit and approval.
   (6) That the covenant shall run with the land and be binding upon the owners, heirs, and assigns, and upon any parties acquiring any right, title, or interest in the property.
   (7) That the owners and their heirs, successors, and assigns will inform all

prospective purchasers of the property of the terms and conditions of the covenant.

(d) *Temporary Owner Absence Waiver*. The owner(s) shall comply with the Full-time Owner Residency Requirements or shall terminate, in writing, the ADU permit, as deemed acceptable to the City. Nonetheless, an owner may receive a waiver of the occupancy requirement upon submitting in writing evidence showing good cause such as:

(1) Temporary job dislocation,
(2) Sabbatical leave,
(3) Educational pursuits, or
(4) Illness

A waiver of the occupancy requirement may be granted, by the City's Zoning Administrator, up to a maximum of three (3) years. Thereafter, if not re-occupied, then ADU permit shall be deemed null and void and one or more features shall be removed immediately, upon notice from Centerville City, or the property will subject to applicable enforcement measures.

[Add] **12-60-090. Other Applicable Regulations and Codes**

The creation and use of ADUs are subject to other pertinent codes, restrictions, and regulations that address applicable life, safety, and welfare concerns. Any ADU shall comply with the following:

(a) *Construction and Fire Codes*. An ADU shall be subject to all related regulations regarding the construction and fire codes, as adopted by the City and State.

(b) *Utilities and Charges*. An ADU shall provide the necessary utilities and services such as, but not limited to, sewer, water, gas, electricity, and garbage collection. All City provided utilities shall be in the property owner(s) name and the owner shall be responsible for the payment of such services.

(c) *Development and Impact Fees*. *[Planning Commission believes that there should be flexibility in this matter and recommends that the City consider the following:*

- *Waiver or exemption when there would be no increase in demand or capacity previously paid in conjunction with the primary residence*
- *Waiver or exemption when the area of the home being converted was already covered by previous paid fees*
- *Consider applicable fees when a capacity or demand is created with any detached ADU or other similar situation]*

(d) *Addressing*. An ADU will not be given a new distinct address by the City. Such ADUs may refer mail to be delivered separately by the same address as the primary building using with a subsidiary numerical or alphabetical reference (*e.g. 1390 West #A*), as approved by the local postmaster and/or emergency service agencies.

[Add] **12-60-100. Conditional Use Permit Required**

The creation and use of ADUs are subject to the issuance of a conditional use permit pursuant to the requirements of Section 12-21-100 of this Title and the standards and requirements of this Chapter.

Related Zoning Ordinance Amendments

Chapter 12-12-Definitions;

[Edit] Dwelling, Single-family, with Accessory ~~Apartment~~ ***Dwelling Unit (ADU)*** – A ***lot, parcel, or tract of land*** ~~building~~ having only one (1) ***primary*** dwelling unit and one (1) accessory dwelling unit.

Chapter 12-36-Table of Uses;

[Edit] [Residential Uses] Dwelling, Single-family, with Accessory ~~Apartment~~ ***Dwelling Unit (ADU)*** – Strike ~~***"N"***~~ and list as a conditional use ***"C"*** in both the A-L and R-L Zones.

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT
AGENDA: ITEM 3

APPLICANT:	**CENTERVILLE CITY PLANNING COMMISSION C/O DAVID HIRSCHI, CHAIR 250 NORTH MAIN STREET CENTERVILLE, UTAH 84014**
APPLICATION:	**ZONING CODE TEXT AMENDMENTS**
APPLICANT REQUEST:	**AMEND CENTERVILLE CITY ZONING ORDINANCES TO ALLOW FOR THE DEVELOPMENT AND USE OF ACCESSORY DWELLING UNITS (*ADUs*)**
RECOMMENDATION:	**CONSIDER RECOMMENDING APPROVAL OF THE ZONING CODE TEXT AMENDMENTS TO THE CITY COUNCIL**

BACKGROUND

Over the past months of 2014, the Planning Commission has held some public discussion meetings to assess the possibility of allowing accessory dwelling units as part of the housing options within the City. The Commission hosted both general feedback and a roundtable discussion meeting, where dates and times were posted on the City's website and in the City newsletters and/or utility billings.

Generally, these meetings indicated that allowing such a housing type might be appropriate, provided sufficient use regulations could be developed. However, there were some concerns regarding allowing detached ADUs, or units constructed separately from the primary dwelling. Additionally, the Commission also questioned whether some aesthetic design standards were actually needful. Due to consensus that allowing ADUs might be appropriate, the Commission asked staff to prepare a draft Ordinance to review and discuss.

DRAFT ADU ORDINANCE SUMMARY

The draft Ordinance is compiled using typical standards found throughout many Utah cities. However, such provisions have been modified or altered to reflect Centerville's Zoning Ordinance style; as well as elements that attempt to reflect the characteristics of using ADUs in Centerville City. Each section contains a brief description of the issues described in the

Ordinance section. Additionally, staff has performed several edits as discussed in the previous meetings held by the Commission.

Purpose – General Ordinance language describing the "why" of the Ordinance.

Scope – General Ordinance language setting the "who" of the Ordinance.

Definitions – General Ordinance language referencing the use of terms and locations for further understanding.

Use Allowed – General Ordinance language describing the allowance and zoning districts regarding ADUs. Ordinance currently only proposes ADU use in (A-L) and (R-L) Zones.

Limitations, Termination, and Exemptions – Specific Ordinance language addressing the parameters for ADU use. ADU use fundamentals such as occupancy, density, location, measurement, termination, and exceptions are identified.

General Development Standards – Specific Ordinance language setting terms and conditions of ADU use with regards to ensuring that the dwelling is subordinate to the primary home. The regulations address establishment, space and size, setbacks, heights, parking, etc.

Design Standards (**Optional Consideration**) – Specific Ordinance language addressing visual aesthetics for additions or detached structures. Elements identified include use of exterior materials, entrance locations, roof pitch, window treatment, etc.

Occupancy Requirements – Specific Ordinance language establishing an owner occupancy requirement and/or when a termination is warranted. The regulations also allow a temporary leave of absence before any cessation is required. A written recorded agreement with specific terms and conditions is required as part of establishing an ADU.

Other Applicable Regulations and Codes – General Ordinance language referencing other applicable codes and requirements such as building and fire codes.

Conditional Use Required – General Ordinance language indicating the requirement to obtain a conditional use permit to allow an ADU use.

ZONE TEXT AMENDMENT REVIEW PROCESS

Factors to be Considered

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

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

- ✓ *[Moderate Income Housing Plan Statement]* Goal 6-D – "*Consider Adopting Basic or Flexible Design Standards for Small-Lot or Underutilized Land Parcels Within Existing Developed Areas of the City* "

    - City Objective 6-D.4 – "*Consider Adopting an 'Accessory Dwelling' Ordinance with design standards. Such allowances may also be considered 'conditional uses' in single family zones…"*
    - *City Objective 6-D.5 – "Consider adopting additional design and layout standards with any objectives mentioned above to ensure compatibility with the surrounding context and appearance of the neighborhood."*

Staff's Conclusion – The objective is to consider the use of ADUs. Additionally, the concept of also including design standards was to be considered. Thus, staff concludes that the proposed Ordinance is consistent with the City's Moderate Income Housing Element concerning both the use of ADUs and of implementing design standards.

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

    Staff Response: The proposed Ordinance includes several compatibly elements to maintain neighborhood characteristics, such as:
    - ADUs are to be clearly and distinctly subordinate to the primary use
    - Owner Occupancy Requirements
    - Location & Size Limitations
    - Design Expectations

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

    - ***Staff's Response***: The proposed Ordinance also includes parameters, restrictions or limitations to prevent or mitigate impacts to adjacent properties. Such elements provide self-contained on-site needs to minimize off-site conflicts with adjoining properties. Additionally, an ADU use is deemed a conditional use (*CUP*). A CUP allows the approving authority (i.e. Planning Commission) to review each case to assess the potential impacts and set conditions to mitigate concerns or potential problems. The listed parameters, restrictions or limitations include:
        - Size & Location
        - Minimum and Maximum Habitable Space Area for ADU
        - Provision of Parking Spaces for Both House and ADU
        - Provision of Yard Areas for Both House and ADU
        - Design Standards (*optional considerations*)
            - Exterior Finishes
            - Location of Entrances
            - Roof Pitch & Eave Expectations

ADDITIONAL CONSIDERATIONS – IMPACT FEES

As part of any development proposal, from single-family subdivisions to large commercial development, the City has adopted "impact fees." Impact fees are charged to cover the costs of expanding or sizing utility service infrastructure. Such fees cover items such as water lines and meters, storm drains, fire service, and even for providing parks. Since ADUs may create added demands for some services, it may not always be the case for other such services. The concept of ADUs are to capitalize an opportunity to use existing single-family style developments and associated infrastructure to keep costs down, but increase the opportunity to find housing options. Charging a full service impact fee to an ADU may be a dis-incentive and may not be a flawless balance between the actual impact and the end user of an ADU. The Commission and Council need to consider this as part of any decision to allow ADUs in the City.

PLANNING STAFF RECOMMENDATION

Staff Suggested Action #1 – **REOPEN** the Public Hearing to allow for comment regarding the other sections mentioned (i.e. Definitions & Table of Uses) mentioned in the draft regulations and then close the public hearing and discuss the matter.

Staff Suggested Action #2 - I hereby make a motion for the Planning Commission to ***RECOMMEND APPROVAL*** of the proposed text amendments for allowance of Accessory Dwelling Units (ADUs), as follows:

1. *Amend Title 12–Zoning by adding Chapter 12-60-Accessory Dwelling Units, as submitted, or modified by the Planning Commission.*
2. *Amend 12-12-Definitions regarding ADUs, as submitted to the Commission.*
3. *Amend 12-36-Table of Uses to allow ADUs as a conditional use in the A-L and R-L Zones, as submitted to the Commission.*

Suggested Reasons for Action (findings):

a. *The Planning Commission finds that the proposed Ordinance is consistent with the City's Moderate Income Housing Element concerning the use of ADUs.*
b. *The Planning Commission finds that the proposed Ordinance includes several compatibly elements to maintain expected neighborhood characteristics.*
c. *The Planning Commission finds that the proposed Ordinance also includes parameters, restrictions or limitations to prevent or mitigate impacts to adjacent properties.*

1. The acceptance of this conceptual site plan is not intended to permit actual development of property and such review does not create a vested right (e.g. City authorization) to develop.
2. The acceptance of this conceptual site plan is intended to represent how the property could be developed so that the applicant can receive feedback from the Planning Commission.
3. The acceptance of this conceptual site plan does NOT indicate that the proposed plan meets the current relevant City Codes and Ordinances. Furthermore, several significant steps would need to happen to make the current proposed layout even feasible, such as, but not limited to, the following:
   - Lot Frontage Width Regulations – Obtain an amendment to the Subdivision Ordinance to allow flag lots to be used in the multi-family zoning districts, or amend the "lot frontage width" requirements for the residential zones.
   - Site Plan Amendment – Obtain a site plan amendment for the commercial use and address the applicable Zoning Ordinance requirements, including but not limited to, parking, landscaping, and buffers.
   - Subdivision of Land - Secure a subdivision approval to facilitate establishment of a zone boundary opportunity between the area of the Traditional Main Street District and the area for the duplex to be zoned multi-family.
   - Rezone of Duplex Site – If the subdivision and site plan amendments are secured, obtain a rezone for the duplex site to a multi-family zoning district (e.g. R-M Zone).
4. The acceptance of this conceptual site plan does NOT indicate the City's commitment or the future probability of making the current proposed layout even feasible.

The motion was seconded by Commissioner Randall and passed by unanimous roll-call vote (5-0).

Commissioner Hirst recused herself as she is a personal acquaintance of both the applicant and the property owner.

PUBLIC HEARING | ZONING CODE TEXT AMENDMENTS, CHAPTER 12-60 - ACCESSORY DWELLING UNITS (ADUs) - [Continuation from February 25, 2015 Meeting] - Consider proposed zoning code text amendments for Chapter 12-60-Accessory Dwelling Units, Chapter 12-12-Definitions and Table 12-36-Tables of Uses for the new Accessory Dwelling Units (ADUs) Ordinance. Centerville City, Applicant

Cory Snyder, Community Development Director, reviewed the proposed Accessory Dwelling Unit (ADU) ordinance draft. The Planning Commission has been working toward the proposed draft for the past year. After much research, meetings, public input, and discussion it

was evident such a housing type might be appropriate, provided sufficient use regulations could be developed. The proposed draft Ordinance was compiled using typical standards found throughout many Utah cities. The draft ordinance also includes modifications to reflect Centerville's Zoning Ordinance style and characteristics. Mr. Snyder reviewed each section of the proposed Ordinance and responded to questions from the Commission. The Commission reviewed the draft ordinance making non-substantive changes. The Commission discussed impact fees and agreed with the proposed language.

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

Commissioner Ince said he does not agree with the maximum floor area of 25% (Section 12-60-060[b][2]). He said if he were to rent his basement it would be closer to 35%. He said for many homes that calculation could jump as high as 50% for a basement. He believes 25% is too restrictive. Commissioner Kjar agreed that 25% may be too limiting. He said if he were to rent his basement and keep to this restriction it would require significant remodeling and cost.

Chair Hirschi said over this past year it has been determined there is value in allowing ADUs, but cautiously. He believes the 25% is cautious and appropriate. He said this number will help ensure that Centerville does not become a city of duplexes, which is possible with a 50% allowance. Commissioner Randall said 25% is plenty if you consider a separate structure may be used as an ADU. Mr. Snyder agreed that 50% is too great and no longer considered accessory, but rather creates two (2) primary dwellings or a duplex.

Commission Merrill made a **motion** for the Planning Commission to recommend approval of the proposed text amendments for allowance of Accessory Dwelling Units (ADUs), as follows:

1. Amend Title 12–Zoning by adding Chapter 12-60-Accessory Dwelling Units, as submitted, or modified by the Planning Commission.
2. Amend 12-12-Definitions regarding ADUs, as submitted to the Commission.
3. Amend 12-36-Table of Uses to allow ADUs as a conditional use in the A-L and R-L Zones, as submitted to the Commission.

Reasons for Action (findings):

a. The Planning Commission finds that the proposed Ordinance is consistent with the City's Moderate Income Housing Element concerning the use of ADUs.
b. The Planning Commission finds that the proposed Ordinance includes several compatibly elements to maintain expected neighborhood characteristics.

c. The Planning Commission finds that the proposed Ordinance also includes parameters, restrictions or limitations to prevent or mitigate impacts to adjacent properties.

The motion was seconded by Commissioner Hirst and passed by roll-call vote (4-2).

Commissioner Kjar and Commissioner Ince opposed. Commissioner Kjar said he agrees with the concept of ADUs and believes they should be allowed. He is uncomfortable with the 25% limitation. He said 50% may be too great, but perhaps somewhere in between is appropriate. Commissioner Ince agreed. He too believes ADUs are appropriate but believes a greater percentage may be best.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, April 8, 2015.
2. Upcoming Agenda Items
   - Maverick Convenience Store, conceptual site plan

The meeting was adjourned at 8:28 p.m.

_____ _____

David Hirschi, Chair Date Approved

_____

Kathleen Streadbeck, Recording Secretary

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, February 25, 2015
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
David P. Hirschi, Chair
Gina Hirst
William Ince (arrived at 7:07 p.m.)
Logan Johnson
Scott Kjar (arrived at 7:04 p.m.)
Kevin Merrill
Debra Randall

STAFF PRESENT
Corvin Snyder, Community Development Director
Lisa Romney, City Attorney
Katie Rust, Recording Secretary

VISITORS
Interested citizens (see attached sign-in sheet)

OPENING COMMENT/PRAYER Commissioner Randall

PLEDGE OF ALLEGIANCE

MINUTES REVIEW AND APPROVAL

The minutes of the February 11, 2015 Planning Commission meeting were reviewed. Chair Hirschi and Commissioners Merrill and Kjar requested amendments. Commissioner Kjar made a **motion** to approve the minutes as amended. Chair Hirschi seconded the motion, which passed by unanimous vote (7-0).

PUBLIC HEARINGS | ZONING CODE TEXT AMENDMENT, CHAPTER 12-60 – ACCESSORY DWELLING UNITS (ADUs)

During 2014 the Planning Commission held some public discussion meetings to assess the possibility of allowing accessory dwelling units as part of the housing options within the city. Generally, these meetings indicated that allowing such a housing type might be appropriate, provided sufficient use regulations could be developed. However, there were some concerns regarding allowing detached ADUs, or units constructed separately from the primary dwelling. The Commission also questioned whether some aesthetic design standards were actually needful. Staff was asked to prepare a draft Ordinance to review and discuss.

At 7:14 p.m. Chair Hirschi made a **motion** to reopen the public hearing to receive a letter from Linda Harrison into the public record for consideration, and for further public comment. Commissioner Johnson seconded the motion, which passed by unanimous vote (7-0).

Dale Engberson – Mr. Engberson owns a home and property in Centerville that he thinks would work well with the addition of an ADU. He said he thinks the draft Ordinance is well

written. Mr. Engberson referred to the size limit of 200 square feet per resident and the maximum limit of 800 square feet per ADU, which equals a proposed maximum ADU occupancy of four residents. The State has an occupancy limit of 200 square feet per person, but Mr. Snyder stated that he is not aware of occupancy levels being enforced in the State of Utah during his career. Mr. Engberson said he assumes inspections would be required to make sure everything is up to code. He added that he thinks it would be a good idea for the City to maintain a list of ADU occupants for emergency situations. He also suggested that the City provide an instructive packet for ADU property owners that could include ways to screen potential occupants. Mr. Engberson mentioned the limitations imposed by required setbacks. He suggested that it would be fair to charge a percentage of some of the impact fees rather than the full amount.

At 7:24 p.m. Chair Hirschi closed the public hearing. Chair Hirschi said he knows there are some citizens who could benefit from the Ordinance, but he is not sensing a huge amount of support or need right now. Mr. Snyder reported that three or four citizens call him regularly in support, and he regularly hears from one citizen against. Mr. Snyder said he personally believes that an ADU ordinance would be low-key in Centerville to begin with, but the General Plan states that the option should be considered. Commissioner Randall said she believes there are quite a few ADUs already in operation.

Mr. Snyder mentioned several concerns brought to him by Commissioner Merrill, including placement of ADUs, and the question of whether or not the City should address existing ADUs. Chair Hirschi referred to the issue of "free access" on page two, item (e) of the draft Ordinance. Mr. Snyder responded that access is a distinguishing factor between a duplex and an ADU. An ADU is intended to be subsequent to the main residence, with a proposed size allowance of 25% of the main residence, which would avoid a duplex situation. The Commission discussed the proposed requirement of owner occupancy of at least six months of the year. Mr. Snyder explained that a provision is included for "sabbatical leave" if the City is given notice.

As written, the draft Ordinance restricts detached ADUs to the backyard of a residential property. Through the conditional use permit process the Commission will have an opportunity to check the location of any detached ADU and analyze potential impact on neighboring properties. Mr. Snyder responded to a question from Chair Hirschi that he is not aware of any study related to ADU impact fees. Chair Hirschi brought up a potential scenario involving homeowners who pay impact fees when they purchase a home, raise a family, and years later decide to rent out a portion of their home, with the rental situation causing less impact on the community than the family did when the home was purchased and the family was young. He asked if the homeowners would be required to pay impact fees again if they decide to rent out a portion of the home. Commissioner Randall stated that charging impact fees twice in that situation would not seem right. Chair Hirschi suggested that one solution might be to assess a different impact fee for a detached dwelling than for a converted portion of an existing home. Impact fees are determined, in part, by the number of fixtures in a dwelling. The Planning Commission indicated that some type of tiering might be preferable for ADU impact fees, depending on potential added impact. Chair Hirschi asked staff for further education regarding how flexible the City can be with impact fees. Lisa Romney, City Attorney, responded that impact fees are intended to pay a fair share for services in a community, not to increase level of service. She commented that the City does not charge impact fees based on family size or number of residents, and stated that the final decision should be defensible with analysis. Chair Hirschi agreed that the City needs to be clear and consistent. Ms. Romney added that the City

includes an exception in all of its impact fee ordinances that allows residents to provide proof of lesser impact and apply for a reduction.

Chair Hirschi commented that some of the City's residential roads are narrow, and additional need for parking might exacerbate an already difficult parking situation, especially in winter months. Mr. Snyder stated that the draft Ordinance allows a maximum of 800 square feet, with four occupants and one required parking spot. City Code requires two parking spaces for a primary residence, and the Commission could recommend requiring two parking spaces for ADUs as well.

Commissioner Ince asked how strictly the City enforces exact setbacks and design requirements. Mr. Snyder responded that enforcement of design require is disciplined approach. Enforcement of behavior is on a complaint basis. Chair Hirschi added that through the conditional use process the Commission will have the ability to look closely at individual situations. He stated that the provision regarding location of entrances was confusing. Mr. Snyder responded that character of the neighborhood and privacy are factors considered in determining location of entrances. Mr. Snyder confirmed that the draft Ordinance requires at least six feet between a main residence and a detached ADU for emergency personnel access.

Commissioner Johnson referred to the letter sent by Linda Harrison that cites Orem as a negative example of ADU occurrence, and asked Mr. Snyder if he knows the difference in the number of single family units in Orem compared to Centerville. Mr. Snyder responded that he imagines Orem has significantly more single family homes than Centerville. Commissioner Johnson said he felt the letter centered around the topic of expectations, and asked how the Planning Commission should balance people's expectations with the needs of the City. Mr. Snyder stated that Centerville was originally organized with the idea of varying single-family lot sizes. In 2003 the City instituted completely different parameters based on gross density. Cities change through time and zoning, creating differences in expectations. Chair Hirschi added that the demographics in Centerville have changed significantly. Commissioner Merrill commented that the city has changed since he bought his first home 40 years ago, but he still loves Centerville. He feels the city still has a small-town feel, but provides what people need and want within the city. Commissioner Merrill stated he has embraced the change that has taken place, and he thinks the younger generation in the community will want to stay. Commissioner Johnson stated that he would personally tend to disregard expectations that things remain the same, and asked how much the expectations should affect decisions made by the Commission.

Commissioner Randall commented that if all the properties on her block built detached ADUs in the backyard, there would be a big impact on the neighborhood. She said she is fine with existing structures being converted to ADUs, but the detached concept makes her nervous. She would not want the neighborhood to become a different place. Chair Hirschi added that there are parts of the city where separate structures would be possible, but many neighborhoods in the city where it would not be possible. Commissioner Randall agreed that it would increase what some citizens are able to do with their property. Commissioner Hirst stated she agrees with some of the concerns voiced in Ms. Harrison's letter, but at the same time, Centerville is not Orem City. Commissioner Hirst said she cannot imagine that many homeowners will be interested in adding ADUs, and she does not think the City will see an entire block of properties add detached structures. Commissioner Merrill seconded what Commissioner Hirst said, and added that he does not anticipate a clamor to add ADUs.

Commissioner Ince asked about enforcement against existing ADUs. Mr. Snyder repeated that the City enforces on a complaint basis. If a report were to come in on a pending ordinance, he would not take action until a decision is made. The proposed draft Ordinance may not make all existing ADU situations legal. Some would benefit from the draft Ordinance, some would not. Commissioner Ince said he has an issue with things seeming to be arbitrary in government, and stated that the 25% and 800 square feet limitations seem to him to be arbitrary. He suggested there should be some latitude or tolerance for different circumstances. Mr. Snyder stated that the 25% and 800 square foot limit is consistent with other communities with ADU ordinances. ADUs are a limited use opportunity. Mr. Snyder clarified that an owner could live in either the primary residence or the ADU to satisfy the occupancy requirement. Chair Hirschi suggested clarifying the definition of "the dwelling" on page 6 Section (a)(2) of the draft Ordinance.

Commissioner Randall made a **motion** to table the issue, which was seconded by Commissioner Merrill. Mr. Snyder asked the Commission for direction regarding design standards. Chair Hirschi stated that he personally thinks design standards make a lot of sense because appearance reflects the character of a neighborhood. Commissioners Merrill, Kjar, and Randall indicated support for leaving design standards in the Ordinance. Chair Hirschi voiced support for requiring that exterior finishes must be compatible with the primary residence, and that entrances remain non-intrusive. Chair Hirschi suggested changing the word "must" to "should" with regards to matching windows on the main home. Commissioner Ince suggested requiring that exteriors be "complimentary" to the main home. Mr. Snyder agreed to continue working on the design standards portion of the Ordinance.

The motion to table passed by unanimous vote (7-0). Commissioner Ince asked what constitutes the definition of a family in a residential situation. Mr. Snyder responded that State law states that family/guardianship situations constitute family, as well as four unrelated individuals sharing a dwelling. The City Codes include related individuals, plus two additional individuals in the definition of a family.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission will meet next on March 11, 2015, beginning with a work session before the regular Planning Commission meeting. The Planning Commission will also participate in a planning priorities work session with the City Council on March 17, 2015

ADJOURNMENT

At 8:59 p.m. Chair Hirschi made a **motion** to adjourn. Commissioner Johnson seconded the motion, which passed by unanimous vote (7-0).

David P. Hirschi, Chair

3-11-2015
Date Approved

Katie Rust, Recording Secretary

FAYETTEVILLE CITY NC CORPORATE SEAL

CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, February 25, 2015
7:00 p.m.

NAME (PLEASE PRINT)	ADDRESS**
Laura Jamuckson	114 Bradley Dr. Cent
Dan + Robin Neville	415 South Main C'ville
Dale Enghorsen	696 E Center St
Caden Campbell	1410 N 50 W Oak crest circle
Spencer McKee	1443 North Sun crest Circle
Cutter	
Charlie Dickes	1361 N. Main Centerville UT.
Oliver Josef Dickes	1361 N. Main Centerville Utah.
Wilfred Adams	
Gary Hatch	345 W 1400 N
Scott Lange	383 W 1400 N
Bruce Cox	364 W - 1375 N.
Lee Skabelund	

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.

3. It appears all applicable development standards for development within an R-L Zone have be satisfied [Table 12-32-1].
4. It appears all general requirements for all subdivisions have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a preliminary subdivision application have been satisfied [Chapter 15-3].

The motion was seconded by Chair Hirschi and passed by unanimous vote (6-0).

PUBLIC HEARING | ZONING CODE TEXT AMENDMENT, CHAPTER 12-60 – ACCESSORY DWELLING UNITS (ADUs) - Consider a proposed zoning code text amendment to Chapter 12-60-Accessory Dwelling Units (ADUs), by adding new regulations to this chapter. Centerville City, Applicant.

Mr. Snyder, Community Development Director, reported the Planning Commission has held some public discussion meetings to assess the possibility of allowing accessory dwelling units (ADUs) as part of the housing options within the city. Generally, these meetings indicated that allowing such housing type might be appropriate, provided sufficient use regulations could be developed. Concerns discussed have included allowing detached ADUs (units constructed separately from the primary dwelling) and aesthetic design standards.

Staff has prepared a draft ordinance using typical standards found throughout many Utah cities. Some provisions have been modified or altered to reflect Centerville's Zoning Ordinance style; as well as elements that attempt to reflect the characteristics of using ADUs in Centerville City. Mr. Snyder reviewed each section of the draft ordinance with the Commission including termination, design, parking, exemptions, occupancy, etc. Staff believes the proposed draft is consistent with the City's Moderate Income Housing Element concerning both the use of ADUs and of implementing design standards. The proposed draft includes compatibly elements to maintain neighborhood characteristics including ADUs as subordinate to the primary use, owner occupancy requirements, location and size limitations, and design expectations. The proposed draft also includes parameters, restrictions or limitations to prevent or mitigate impacts to adjacent properties. Such elements provide self-contained on-site needs to minimize off-site conflicts with adjoining properties. Additionally, an ADU use is deemed a conditional use (*CUP*). A CUP allows the approving authority (i.e. Planning Commission) to review each case to assess the potential impacts and set conditions to mitigate concerns or potential problems.

Mr. Snyder explained as part of any development proposal, from single-family subdivisions to large commercial development, the City has adopted "impact fees." Impact fees are charged to cover the costs of expanding or sizing utility service infrastructure. Such fees

cover items such as water lines and meters, storm drains, fire service, and even for providing parks. Since ADUs may create added demands for some services, it may not always be the case for other such services. The concept of ADUs are to capitalize an opportunity to use existing single-family style developments and associated infrastructure to keep costs down but increase the opportunity to find housing options. Charging a full service impact fee to an ADU may be a dis-incentive and may not be a flawless balance between the actual impact and the end user of an ADU. The Commission and Council need to consider this as part of any decision to allow ADUs in the City.

Commissioner Randall said her biggest concern is parking. This is often the reason a neighbor will report an illegal ADU. She questioned if one additional parking space was adequate for an ADU. Mr. Snyder said the Commission could increase the required parking to 2 spaces, but staff believes it may not be necessary for a maximum 800 square feet dwelling.

Chair Hirschi opened the public hearing.

Dale Engberson said he has read the proposed ADU draft and is accepting of the document. He likes that the parking is behind the setback and believes this will help with alleviate parking concerns. He likes that the draft requires ADUs to have their own meters but that both meters must be in the property owner's name. He believes if ADUs are done right they are a benefit to the community.

Stephanie Ivie, City Councilwoman, said she is glad to see the ADU issue come to this point. She agrees ADUs should be legal with set parameters. She is concerned the proposed draft may be a bit more restrictive than she would like. She does appreciate the owner occupancy requirement.

Lee Skabelund said legalizing ADUs has been a long time coming. He said ADUs can work out nicely for a community and provide cohesiveness when done right. He said ADUs provide housing options for citizens who do not want to leave their large homes but need supplemental income to keep it and citizens who would like a smaller more reasonable place to live or elderly who do not want to live in a facility. He said ADUs need to have their own parking and entrance and separate heating, bathroom, kitchen and fire protection. He said ADUs increase diversity which keeps a community healthy.

Chair Hirschi made a **motion** for the Planning Commission to ***TABLE*** this matter and the public hearing until the Planning Commission meeting to be held on February 25, 2015. The motion was seconded by Commissioner Hirst and passed by unanimous vote (6-0).

SUMMARY ACTION CALENDAR

a. Award bid for re-roofing City Hall
b. Award bid for the 2015 Street Overlay Project
c. Accept Public Utility Easements for Island Parcel lot split

Lisa Romney, City Attorney, explained item (c) on the Summary Action Calendar. Councilman Wright made a **motion** to approve all three items on the Summary Action Calendar. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

MUNICIPAL CODE AMENDMENT – REPEAL SECTION 2-03-110 – CAMPAIGN FINANCE STATEMENT

The Council discussed campaign finance requirements with Ms. Romney. Ms. Romney recommended the Council adopt State law in place of the outdated City Ordinance. State law currently requires financial disclosure after a primary election, and no later than seven days prior to a general election. Councilwoman Fillmore stated she understands the benefits of adopting the State Code for uniformity, but stated that the question of financial disclosure prior to a primary election is a valid point. She suggested that those wanting to see the requirement in the State Code for State elections could lobby at the State level.

Councilman Wright made a **motion** directing staff to draft an ordinance that adopts State law regarding campaign finance with the addition of a municipal reporting requirement prior to primary elections. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONING CODE TEXT AMENDMENT, CHAPTER 12-60, ACCESSORY DWELLING UNITS (ADUs)

On March 25, 2015, the Planning Commission reviewed and recommended approval of proposed amendments to the Centerville Zoning Ordinance regarding Accessory Dwelling Units (ADUs) by majority vote. Cory Snyder, Community Development Director, briefly explained the proposed amendments. The size and occupancy component is based on the International Building Code occupancy limit of 200 square feet per resident. The owner occupancy component would allow the homeowner to occupy either the primary residence or the ADU. The Council discussed whether ADUs should be a conditional use, with Planning Commission review, or a permitted use. Impact fees are an unresolved matter. Mr. Snyder explained Planning Commission recommendations, and Ms. Romney recommended the Council direct staff to review impact fee studies before making changes.

Mayor Cutler opened a public hearing at 8:27 p.m.

Nancy Smith – Ms. Smith asked if ADUs could also be allowed on single-family dwellings in Residential-Medium Zones, rather than restricting to Agricultural and Residential-Low Zones.

Kyle Green – Regarding impact fees, Mr. Green stated that increased use of services would be offset by increased utility fees. He also suggested that all parking should take place off the street to maintain the appearance of single-family neighborhoods.

William Ince – As a member of the Planning Commission, Commissioner Ince voted against the 25% size restriction because he believes more flexibility should be given – i.e. allowing more than 25% of floor area to be used for an ADU.

Lee Skabelund – Mr. Skabelund stated he is in favor of ADUs. He said he feels the 25% limit is too restrictive. He agreed that off-street parking should be provided. He is not in favor of impact fees, because increased use is paid for with increased utility fees. Mr. Skabelund cautioned against micromanaging, and added that there is no better landlord than an owner-occupant.

At 8:39 p.m. the Mayor closed the public hearing.

Steve Thacker, City Manager, stated that the different impact fees should be considered separately, giving thought to the rationale behind each impact fee. Responding to Ms. Smith's comment, Mr. Snyder stated that Residential-Medium Zones are already multi-family zones. ADUs are meant for single-family neighborhoods. The 25% size restriction is the controlling unit for occupancy and parking. Councilman Averett stated that parking is the biggest issue. Mr. Snyder added that the proposed ordinance is not intended to put all existing units in compliance. Councilwoman Fillmore suggested the size restrictions could be different for attached units and detached units. Mr. Snyder responded that different size allowances would add complications. The Mayor invited two additional public comments.

Kyle Green – Mr. Green mentioned that in Logan up to three unrelated individuals are allowed to live in the same unit. He said he believes parking restrictions would be the easiest way to mitigate the occupancy issue.

Nancy Smith – Ms. Smith asked if an ADU would be allowed on a duplex or a fourplex property.

The Council and staff discussed impact fees. Councilman Wright made a **motion** to table the issue and schedule a work session for staff to make a report and recommendation within the next two months. Councilwoman Ivie seconded the motion, and requested an additional public hearing following the work session. The motion passed by unanimous vote (5-0). Mayor Cutler expressed appreciation for the time spent by the Planning Commission on this issue.

At 9:06 p.m. the Council took a break, returning at 9:11 p.m.

FY 2016 BUDGET

Mr. Thacker presented the City Manager's Proposed Budget for FY 2016. Councilman Wright made a **motion** to adopt the Proposed Budget as the FY 2016 Tentative Budget, and allow the Mayor and City Manager to recommend a meeting schedule and public hearing date at the May 19th meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

RDA MEETING

At 9:20 p.m. Councilman Wright made a **motion** to adjourn to a meeting of the Redevelopment Agency of Centerville. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; John T. Higginson, Vice Chair; Directors Averett, Fillmore, Ivie, and Wright; Steve Thacker, Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

Travis Davis – Mr. Davis thanked the Council for taking the time to listen to the public. He said it is not a good idea to lower the acreage requirement for a PDO. He stated that residential works better than anything else on Main Street. He asked that the Council maintain the density cap at 1-4 units per acre if they do decide in favor of the PDO, possibly allowing 5-6 units per acre if they are going to incent. Mr. Davis expressed the opinion that the SMSC Plan needs to be completely reworked, or at least put a density cap in place that would maintain the integrity of the community.

Robyn Mecham – Ms. Mecham agreed with Mr. Snyder that a PDO is a bonus to density, and would be going the wrong direction. A vote for reducing the acreage for PDO would be going against 99% of the residents who have stated they do not want higher density. She said it would also be sending the wrong message to builders, because residents do not want higher density.

At 9:30 p.m. Mayor Cutler closed the public hearing. Councilman Wright made a **motion** to reject Ordinance No. 2015-15 reducing the minimum acreage required for planned developments. Councilwoman Ivie seconded the motion. Councilwoman Fillmore said that, at face value, reducing the acreage requirement for a PDO city-wide is fine, because a PDO is a good tool to ensure a quality product. However, in the Main Street Corridor it could be problematic and she has reservations. Councilwoman Fillmore stated she would vote against taking action to reduce at this time because it has been mixed up in the SMSC issue. The motion to reject Ordinance No. 2015-15 passed by unanimous vote (5-0).

At 9:33 p.m. the Council took a break, returning at 9:41 p.m.

CONTINUE PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT, CHAPTER 12-60, ACCESSORY DWELLING UNITS (ADUs)

Jake Smith, Management Assistant, reported on the varied impact fee policies regarding ADUs in other cities. Mr. Snyder recommended separating any ADU impact fee from the ordinance with a reference to the City Fee Schedule. He commented that an ADU is intended to be secondary to the primary dwelling unit. Councilwoman Fillmore stated that her greatest concern about the proposed ordinance is the setbacks and how they affect neighboring properties. She said she would want the ordinance to clarify that a detached ADU must be built within the remaining buildable area of the lot. The Council and staff discussed setbacks and ADU size, and it was suggested that setbacks could vary based on the square feet of the structure.

At 9:56 p.m. Mayor Cutler opened a public hearing regarding ADUs.

Spencer Summerhays – Mr. Summerhays showed photographs of a large accessory structure that has been constructed on the property adjacent to his backyard. He stated that the definition of ADU is ambiguous regarding whether an accessory dwelling unit can be part of a larger accessory building, and expressed the opinion that the two should not be mingled. He said the ordinance needs clarification regarding size and height of structure. The ordinance is close to what it needs to be, but there are still pieces that remain to be figured out. He asked the Council to be careful with setbacks in terms of relationships with other buildings.

Mr. Snyder clarified that the ordinance allows an existing accessory building to be converted to an ADU. Councilman Wright said it sounds like the accessory building ordinance is a companion to the ADU ordinance. Councilwoman Fillmore agreed that the ordinances are related, and suggested the Council discuss general concerns to direct back to Planning staff or the Planning Commission. Mr. Summerhays recommended the Council ensure that an ADU,

whether stand-alone or part of another structure, meet some measure of size restriction in relationship to nearby structures. He suggested increasing setback with increasing height.

Mark Briggs – Mr. Briggs said one of his neighbors built an ADU on top of their garage, which does not work in his type of neighborhood. The deck of the ADU can look down on everyone's backyard taking away privacy. He suggested the Council restrict the height of ADUs to be level with the existing primary dwelling.

William Ince, Planning Commission – Commissioner Ince strongly encouraged the Council to reconsider the restriction that an ADU cannot exceed 25% of the size of the primary dwelling. He said he suspects most citizens who take advantage of the ADU ordinance will convert their basement, which could easily exceed 25% of the primary living area. Commissioner Ince stated he supports the 25% restriction for a separate structure, but equal size allowance for upstairs and downstairs makes sense to him. He recommended the Council send the ordinance back to the Planning Commission for further consideration.

At 10:14 p.m. the Mayor closed the public hearing. Councilman Wright stated he is in favor of ADUs. The Council needs to look at balancing one person's property rights against another's. He said the Council needs to look at the accessory building ordinance again, and pointed out that changes can be made as issues arise. Councilwoman Fillmore and Mayor Cutler expressed a desire to refer the ordinance back to the Planning Commission with clear guidance. Councilman Wright suggested eliminating the 25% size restriction. Mayor Cutler expressed the concern that equal size opens up the possibility for duplex situations. Councilman Wright stated he is resistant to sending the ordinance back to the Planning Commission. Councilwoman Fillmore said she feels there should be more clear distinction between ADUs in an existing home versus a separate structure, and said she would like to see a dual-track ordinance. Mr. Snyder cautioned the Council that it is more difficult to decrease than to increase size allowance, and said he feels it would be a mistake to try to accommodate individual scenarios with an ordinance that would apply city-wide. He added that the size restriction is related to density – 800 square feet can accommodate up to four residents, with an additional resident allowed with each additional 200 square feet.

Mr. Snyder explained the complications involved in calculating building height. Councilwoman Fillmore agreed with Mr. Summerhays' suggestion that the relation to other buildings needs to be considered. She said the basement ADU issue could be solved easily if the two types of ADUs are separated in the ordinance. Mr. Snyder said the separate structure issues could probably be solved with the accessory building ordinance. Mayor Cutler and Council members Higginson, Ivie, and Fillmore indicated support for separating the two types of ADUs in the ordinance. Councilman Averett stated that he does not personally like ADUs, and has been asked by some of his constituents to not support ADUs. He said it is a density issue that deteriorates a single-family neighborhood, and he will not vote in favor of ADUs. Councilman Wright said he understands Councilman Averett's point of view, but pointed out that ADUs can be appropriate, and can be an opportunity to provide accommodations for an aging population.

Councilwoman Fillmore made a **motion** to separate the ADU use in existing structures from detached ADU structures, table the ADU use in existing structures to another Council meeting, and direct Planning staff and the Planning Commission to revisit separate accessory buildings when they have time on their schedule. Councilwoman Ivie seconded the motion. Councilman Wright made a **substitute motion** to table discussion of the proposed ordinance to a Council meeting in August, and ask staff to make a recommendation that reconciles some of the issues. Mr. Snyder pointed out that the Council has made the Main Street issue a priority. Councilman Wright amended his substitute motion to table discussion of the property ordinance

until the TZRO on the SMSC is lifted or expires. Councilwoman Ivie seconded the substitute motion, which passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

MAYOR'S REPORT

- Mayor Cutler reported that the Chair of the UIA called a special meeting to discuss starting the process of issuing the remaining authorized UIA bonds for the purpose of continuing construction. The Mayor said he sent a letter stating he thinks they should wait until the Macquarie situation is ended and a new executive director is hired. It has been recommended that the bonds be issued in two traunches. He reported that a vigorous discussion occurred regarding whether assessments should continue to be levied for a couple more months to provide a financial buffer and avoid assessments in the future. Mayor Cutler said he argued that assessments should end if cash flow is positive. He expressed a desire for Centerville to be current with the assessments. The Council discussed UTOPIA's construction goals moving forward. Mayor Cutler expressed the opinion that Centerville may have been able to influence ending the Macquarie situation sooner if the City were current with assessments. Councilman Higginson stated that Centerville agreed to be a partner, and UTOPIA needs to be whole at some point. He added now that UTOPIA is cash flow positive it should never go back to levying an assessment. Councilman Higginson said he believes a lot of Centerville residents really don't know about UTOPIA. Mayor Cutler said he would like to have a flier included in the utility bill notifying residents what is available (without advocating any specific service provider).

CITY COUNCIL LIAISON REPORT

Councilwoman Ivie reported that the Landmarks Commission is scheduled to host a social in September, and is eagerly waiting time on the Council agenda to discuss the historic district. She reported on the success of the historic home tour held on June 6th. She also reported that the June community hike scheduled by the Trails Committee was postponed to July 8th.

CITY MANAGER'S REPORT

Mr. Lutz explained the calculation of property tax valuation, and explained his frustration with the values determined by the County. Mayor Cutler suggested he meet with the County Assessor and County Clerk.

MISCELLANEOUS BUSINESS

Councilman Wright made a **motion** to approve commencement of the warranty period for The Pasture commercial project, effective July 7, 2015. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

RDA MEETING

At 11:08 p.m. Councilman Wight made a **motion** to move to a meeting of the Redevelopment Agency of Centerville. Councilman Higginson seconded the motion, which passed by unanimous vote (4-0). In attendance were: Paul A. Cutler, Chair; John T. Higginson, Vice Chair; Directors Averett, Fillmore, Ivie, and Wright; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; Jacob Smith, Management Assistant; and Katie Rust, Recording Secretary.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 8.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 8:55

SUBJECT

a. Review first 6 months of Fire Agency 2016 Tentative Budget

RECOMMENDATION

BACKGROUND

a. Staff is waiting for a corrected version of the Fire Agency's Tentative Budget for 2016 and will attach such to NovusAgenda when available.

ATTACHMENTS:

Description

- Updated 2016 Budget SDMFA

SOUTH DAVIS METRO FIRE AGENCY

GENERAL ENTERPRISE FUND 10 BUDGET

YEAR 2016

Ln #	Acct #	Account Title	2015 Budget	2016-2017 Budget	2016 Budget Half Year	Budget Difference Increase (Decrease)	% Change +Increase -Decrease	Comments
		REVENUE						
1	3110	Davis County Paramedic Funding	668,705	675,392	-	6,687	1%	
2	3381	Bountiful City	1,989,937	2,021,169	1,027,948	31,232	2%	
3	3382	Centerville City	849,790	858,713	436,734	8,923	1%	
4	3383	Davis County	419,532	416,067	211,608	(3,465)	-1%	
5	3384	North Salt Lake City	1,219,509	1,252,381	636,950	32,872	3%	
6	3385	West Bountiful City	459,764	497,704	253,128	37,939	8%	
7	3386	Woods Cross City	561,871	568,632	289,201	6,761	1%	
8	3410	Ambl/PM Fees - Accrual Basis	2,000,000	2,240,000	1,120,000	240,000	12%	
9	3411	Contractual Write Offs	-			-		
10	3412	Contracted Billing & Collection	(115,000)	(125,000)	(62,500)	(10,000)	9%	
11	3412	Misc Revenue	3,000	3,000	1,500	-	0%	
12	3500	Plan review	5,000	-	-	(5,000)	-100%	
		Use of Fund Balance (equity account)			337,696			
		Total Revenue	8,062,109	8,408,058	4,252,265	345,949	4%	TOTAL REVENUE
		EXPENDITURES						
	41	OPERATION						
1	110	FTE Salaries & Wages	3,944,749	4,117,084	2,058,542	172,335	4%	
2	111	PTE Salaries & Wages	405,459	405,459	202,730	-	0%	
3	112	Overtime Pay	125,426	195,692	97,846	70,266	56%	
4	130	FICA	342,386	360,945	180,472	18,559	5%	
5	131	Retirement	705,614	708,203	354,102	2,589	0%	
6	132	Group Health & Life Insurance	838,000	855,000	427,500	17,000	2%	
7	133	LTD Insurance	619	619	309	-	0%	
8	134	Worker Comp Insurance	109,113	120,000	60,000	10,887	10%	Approx 10,000 is prepaid
9	135	Educational Benefit	5,000	5,000	2,500	-	0%	
10	136	Employee Assistance Program	3,840	3,840	1,920	-	0%	
11	140	PTE Accident Insurance	-	-	-	-		
12	145	Paid Absence Accrual	55,000	55,000	27,500	-	0%	
13	210	Books, Subscriptions, Dues	7,500	7,500	3,750	-	0%	
14	215	Misc Fringe Benefits	-	-	-	-		
15	220	Public Notices	300	600	300	300	100%	
16	230	Travel Training Schools	4,000	4,000	2,000	-	0%	
17	231	Board Meeting Expense	7,200	7,200	3,600	-	0%	
18	240	Office Supplies	8,000	8,000	4,000	-	0%	
19	250	Office Equipment Maintenance	1,000	1,000	500	-	0%	
20	310	Financial Audit	9,500	9,500	9,500	-	0%	
21	311	Professional Services	41,750	41,750	34,000	-	0%	
22	312	Legal Services	25,000	25,000	12,500	-	0%	
23	313	Support AR Billing & Accounting Software	4,500	4,500	2,250	-	0%	
24	314	Medical Exams	13,000	13,000	6,500	-	0%	
25	315	Physical Ability Testing Standard	3,000	-	-	(3,000)	-100%	
26	510	Liability Insurance	73,000	73,000	36,500	-	0%	Normally prepay
27	610	Misc. Supplies	5,000	8,000	4,000	3,000	60%	
28	615	Clothing Allowance	53,600	54,900	27,450	1,300	2%	
29	620	Misc Services	8,400	10,000	5,000	1,600	19%	
31	625	Honor Guard	5,000	5,000	2,500	-	0%	
32	630	Health Wellness	-	-	-	-		
33	635	Office Furniture	-	-	-	-		
34	640	Medicaid Payment		40,000	20,000	-	100%	
		Total Administration	6,804,956	7,139,792	3,587,771	294,836	4%	
	42	LOGISTICS						
1	231	Travel & Training from Grants	-	-	-	-		
2	250	Vehicle Fuel	96,000	96,000	48,000	-	0%	
3	251	Vehicles & Tire Maint. & Repairs	100,000	100,000	50,000	-	0%	
4	252	Equipment Maint. & Repairs	27,000	32,000	16,000	5,000	19%	
5	253	Hazmat Equipment Maint. & Repair	3,000	3,000	1,500	-	0%	
6	254	Tech Rescue Equipment Maint. & Repair	1,800	1,000	500	(800)	-44%	
7	260	Buildings Maintenance & Repair	26,000	30,000	15,000	4,000	15%	
8	261	Grounds Maintenance	5,000	10,000	5,000	5,000	100%	
9	270	Electric Power	41,000	41,000	20,500	-	0%	
10	271	Gas Heat	25,000	25,000	12,500	-	0%	
11	272	Water & Sewer	7,000	7,000	3,500	-	0%	
12	274	Centerville Drainage Tax	400	400	200	-	0%	
13	450	Special Dept Supplies	36,000	50,000	25,000	14,000	39%	
14	453	Hazmat Special Dept Supplies	-	-	-	-		
15	610	Misc. Supplies	6,000	10,000	5,000	4,000	67%	
16	730	Building Improvements	-	-	-	-	100%	
17	740	Equipment Over $5000	10,000	-	20,000	(10,000)	-100%	
18	741	Equipment Under $5000	36,000	40,000	20,000	4,000	11%	
19	742	Hazmat Equipment Over $5000	13,415	-	-	(13,415)	-100%	
20	743	Hazmat Equipment Under $5000	6,000	11,000	5,500	5,000	83%	
21	744	Tech Equipment Under $5000	7,500	9,003	4,650	1,503	20%	
22	745	Tech Equipment Over $5000	-	-	-	-		
		Total Logistics	447,115	465,403	252,850	18,288	4%	
	43	COMMUNICATIONS						
1	210	Books, Subscriptions, Dues	-			-		
2	251	Communication Eq Maint. & Repair	8,000	8,000	4,000	-	0%	
3	252	Computer Supplies & Maint.	7,000	7,000	3,500	-	0%	
4	280	Phone Service	34,000	34,000	17,000	-	0%	
5	281	Cell Phone & Pager Service	33,000	33,000	16,500	-	0%	
6	282	UCAN	27,000	27,000	13,500	-	0%	
7	283	Mobile Command	15,100	15,000	7,500	(100)	-1%	
8	310	Dispatch Service	165,938	165,938	82,969	-	0%	
9	311	Computer Support	48,000	48,000	24,000	-	0%	
10	480	Software Purchases	16,000	10,000	5,000	(6,000)	-38%	
11	740	Equipment Over $5000	20,000	10,000	10,000	(10,000)	-50%	
12	741	Equipment Under $5000	27,000	27,000	13,500	-	0%	
		Total Communications	401,038	384,938	197,469	(16,100)	-4%	

SOUTH DAVIS METRO FIRE AGENCY
GENERAL ENTERPRISE FUND 10 BUDGET
YEAR 2016

Ln #	Acct #	Account Title	2015 Budget	2016-2017 Budget	2016 Budget Half Year	Budget Difference Increase (Decrease)	% Change +Increase -Decrease	Comments
	44	FIRE PREVENTION						
1	210	Books, Subscriptions, Dues	-	-	-	-		
2	230	Travel Training Schools	-	-	-	-		
3	240	Office Supplies	450	450	-	-	0%	
4	241	Public Ed Supplies	7,300	7,300	3,650	-	0%	
5	610	Misc. Supplies	2,000	2,600	1,300	600	30%	
6	615	Special Events Supplies	1,500	1,500	750	-	0%	
7	620	Plan review	5,000	-	-	(5,000)	-100%	
		Total Fire Prevention	16,250	11,850	5,700	(4,400)	-27%	
	45	TRAINING						
1	210	Books, Subscriptions, Dues	9,150	13,215	9,965	4,065	44%	
2	215	Recert Fees	2,500	2,700	1,450	200	8%	
3	230	Travel Training Schools	29,000	34,560	21,510	5,560	19%	
4	231	Training Materials	15,800	16,300	9,150	500	3%	
5	740	Equipment Over $5000	-	-	-	-		
6	741	Equipment Under $5000	1,500	1,500	1,500	-	0%	
		Total Training	57,950	68,275	43,575	10,325	18%	
	46	EMERGENCY MEDICAL SERVICES						
1	210	Books, Subscriptions, Dues	-	-	-	-		
2	241	Forms & Printing	2,000	1,000	500	(1,000)	-50%	
3	250	Equipment Maint & Repairs	8,000	9,000	4,500	1,000	13%	
4	310	Physician Consultant	10,000	10,000	5,000	-	0%	
5	610	Misc. Supplies	1,000	1,000	500	-	0%	
6	621	Medical Supplies	89,000	100,000	50,000	11,000	12%	
7	740	Equipment Over $5000	9,000	8,000	-	(1,000)	-11%	
8	741	Equipment Under $5000	15,800	8,800	4,400	(7,000)	-44%	
		Total Emergency Medical Services	134,800	137,800	64,900	3,000	2%	
		TRANSFERS 2014 FUNDS						
1	850	Transfer to Capital Reserve Fund 45	200,000	200,000	100,000	-	0%	
		Total Expenditures	8,062,109	8,408,058	4,252,265	345,949	4%	TOTAL EXPENSE
	70	OTHER NON CASH TRANSACTIONS						
1	650	Depreciation (use of fund balance)	350,000	350,000	175,000	-	0%	
2	655	(Gain)Loss Fixed Assets Sold	-	-	-	-		
3	660	Capital Building Savings	-	-	-	-		
4	665	Building repairs	-	-	-	-		
5	670	Capital Equipment	-	-	-	-		
		Total Non-Cash Expenses	350,000	350,000	175,000	-	0%	
		Total Expenditures and Other Non-Cash Transactions	8,412,109	8,758,058	4,427,265	345,949	4%	
	Net Expenditures Funded by Cities & County		5,500,404	5,614,666	3,194,765	114,262	2%	
6	850	Transfer general fund to Capital Reserve Fund 45 from fund balance			300,000	-		
		Revenue w/o member contributions	2,561,705	2,793,392	1,396,696			
		Expenses	8,412,109	8,758,058	4,427,265			
			(5,850,404)	(5,964,666)	(3,030,569)			
		Minus depreciation	350,000	350,000	175,000			
		Minus transfer from reserve funds	-	-				
		Member contribution	(5,500,404)	(5,614,666)	(2,855,569)			
		under (over) PY contribution	(277,030)	(114,262)		2.08%		

	2015 CONTR	2016 CONTR	2015 INCREASE	% Increase	2015 RATE	2016 RATE	2016 CONTR Half Year	Quarterly payment 6 month budget
Bountiful City	1,989,936.95	2,021,169	31,231.89	1.57%	36.18%	36.00%	1,027,948	513,974
Centerville City	849,790.36	858,713	8,922.93	1.05%	15.45%	15.29%	436,734	218,367
Davis County	419,532.36	416,067	(3,465.43)	-0.83%	7.63%	7.41%	211,608	105,804
North Salt Lake City	1,219,509.27	1,252,381	32,871.90	2.70%	22.17%	22.31%	636,950	318,475
West Bountiful City	459,764.37	497,704	37,939.19	8.25%	8.36%	8.86%	253,128	126,564
Woods Cross City	561,870.72	568,632	6,761.08	1.20%	10.22%	10.13%	289,201	144,601
	5,500,404	5,614,666	114,262	2.08%	100%	100.00%	2,855,569	1,427,784

SOUTH DAVIS METRO FIRE AGENCY

GRANT ENTERPRISE FUND - 21

YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUES							
1	33100	Grant-Per Capita	-	-	-	-	-	-	-
2	33100	Grant-EMS Competitive	8,303	16,181	-	-	-	-	-
3	33110	Grant-Homeland Security	1,450	11,000	-	14,118	14,118	-	-
4	33120	Grant-Fires Grant	-	-	-	-	-	-	-
5	33130	Grant-Wildlands	15,000	8,006	-	-	-	-	-
6	39400	Sales of Fixed Assets	-	-	-	-	-	-	-
6	38700	Transfer from General Fund	-	-	-	-	-	-	-
7	38800	Transfer from Cap Res Fund	-	-	-	-	-	-	-
8	38900	Fund Balance Appropriations	-	-	-	-	-	-	-
9		Total Revenue	24,753	35,187	-	14,118	14,118	-	-
10		**EXPENDITURES**							
		EMS Grant							
14	21-41-740	Equipment Over $5000	6,645	15,279	-	-	-	-	-
15	21-41-741	Equipment Under $5000	5,413	-	-	-	-	-	-
16	21-41-852	Transfer Various Cost from Gen. Fd.	-	-	-	-	-	-	-
17		**Total EMS Grant**	12,058	15,279	-	-	-	-	-
18		HLS Grant							
22	21-42-740	Equipment Over $5000	-	11,000	-	-	-	-	-
23	21-42-741	Equipment Under $5000	1,460	-	-	10,950	14,118	-	-
24	21-42-860	Fixed Assets to Bal. Sheet		-	-	-	-	-	-
25		**Total HLS Grant**	1,460	11,000	-	10,950	14,118	-	-
26		Fires Grant							
31	21-43-740	Equipment Over $5000	-	8,006	-	-	-	-	-
32		Total Fires Grant	-	8,006	-	-	-	-	-
33		Wildlands Grant							
38	21-44-740	Equipment Over $5000	15,000	-	-	-	-	-	-
39	21-44-741	Equipment Under $5000	-	-	-	-	-	-	-
40		**Total Wildlands Grant**	15,000	-	-	-	-	-	-
41							-		
42		**Total Expenditures**	28,518	34,285	-	10,950	14,118	-	-
43		Fund Bal. Increase/(Decrease)	(3,765)	902	-	3,168	-	-	-

SOUTH DAVIS METRO FIRE AGENCY

PUBLIC TRAINING ENTERPRISE FUND - 22

YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUE							
1	36100	Interest Earned	102	71	150	93	124	150	75
2	36300	Profit from Sales of 1st Aid Kits	31	-	700	-	-	700	350
3	36640	CERT Fees	1,480	2,710	500	6,050	8,067	2,550	1,275
4	36650	CPR Fees	5,013	3,385	4,500	4,050	5,400	4,500	2,250
5	36660	EMT Fees	-	-	-	-	-	-	-
6	36900	Misc. Revenue	-	-	-	-	-	-	-
7		**Total Revenue**	6,626	6,166	5,850	10,193	13,591	7,900	3,950
8		**EXPENDITURES**							
9	110	Instructors-SDMFA	768	-	1,500	-	-	1,000	500
10	111	Instructors-Outside	-	-	100	-	-	600	300
11	210	Books	218	279	300	139	185	300	150
12	220	Public Notices & Advertising	-	-	50	-	-	-	-
13	240	Office Supplies	-	128	150	-	-	-	-
14	611	CPR Misc. Supplies	2,206	2,295	2,500	1,886	2,515	2,500	1250
15	612	CERT Manuals	643	705	500	640	853	1,000	500
16	613	CERT Misc Supplies	193	127	200	182	243	200	100
17	614	Participants Supplies	130	544	250	7,153	9,537	2,000	1000
18	615	Fees	-	-	-	-	-	-	-
19	620	Misc. Services	-	193	300	50	67	300	150
20	741	Equipment Under $500	-	-	-	-	-	-	-
21		**Total Expenditures**	4,159	4,271	5,850	10,050	13,400	7,900	3,950
22		Fund Bal. Increase/(Decrease)	2,467	1,895	0	143	191	0	0

SOUTH DAVIS METRO FIRE AGENCY

CAPITAL EQUIPMENT ENTERPRISE FUND - 45

YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUE							
1	36100	Interest Earned	10,112	8,200	8,000	8,168	10,891	10,000	5,000
2	36400	Sale of Fixed Assets	6,100	11,769	-	125,500	167,333	-	-
3	36900	Misc Revenue	377	130	400	-	-	400	200
4	38300	Contribution-Chevron Oil	5,000	-	-	-	-	-	-
5	38310	Contribution-Holly Oil	-	-	-	-	-	-	-
6	38700	Transfer from General Fund 10	-	-	-	-	-	-	300,000
7	38700	Transfer from General Fund 10	200,000	625,000	200,000	450,000	500,000	200,000	100,000
8		**Total Revenue**	221,589	645,099	208,400	583,668	678,224	210,400	405,200
9		**EXPENDITURES**							
10	730	Improvements	-	3,125	-	-	-	-	
11	740	Equipment Over $5000	426,571	850,000	730,000	851,120	851,120	419,000	363,890
12	860	Fixed Assets to Balance Sheet	-	-	-	-	-	-	-
13		**Total Expenditures**	426,571	853,125	730,000	851,120	851,120	419,000	363,890
14									
15		Fund Bal. Increase/(Decrease)	(204,982)	(208,026)	(521,600)	(267,452)	(172,896)	(208,600)	41,310

SOUTH DAVIS METRO FIRE AGENCY
ORIGINAL ASSETS ENTERPRISE FUND - 70
YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUE							
1	36100	Interest Earned	-	-	-	-	-	-	-
2	36400	Sale of Fixed Assets-ST 85	-	-	-	-	-	-	-
3	36950	Proceeds from Written off A.R.	-	-	-	-	-	-	-
4		Transfer from Dedt Service Fund 73	-	-	-	-	-	-	-
5		**Total Revenue**	-	-	-	-	-	-	-
6		**EXPENDITURES**							
7	650	Depreciation Expense	126,636	138,000	138,000	94,977	126,636	138,000	69,000
8	655	Fixed Asset Sale Net Book Value	-	-	-	-	-	-	-
9	721	Building-Station 82	-	-	-	-	-	-	-
10	850	Amort Bond Issuance Costs	-	-	-	-	-	-	-
11	855	Transfer to Debt Reserve Fund	-	-	-	-	-	-	-
12		**Total Expenditures**	126,636	138,000	138,000	94,977	126,636	138,000	69,000
13		Net Income/(Loss)	(126,636)	(138,000)	(138,000)	(94,977)	(126,636)	(138,000)	(69,000)

SOUTH DAVIS METRO FIRE AGENCY

BOND ENTERPRISE FUND - 72

YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUE							
1	36100	Interest Earned	-	-	-	-	-	-	-
2	36400	Sale of Fixed Assets-ST 85	-	-	-	-	-	-	-
3	36950	Proceeds from Written off A.R.	-	-	-	-	-	-	-
4		Transfer from Dedt Service Fund 73	123,000	128,000	133,000	133,000	133,000	138,000	-
5		**Total Revenue**	123,000	128,000	133,000	133,000	133,000	138,000	-
6		**EXPENDITURES**							
7	650	Depreciation Expense	-	-	-	-	-	-	-
8	655	Fixed Asset Sale Net Book Value	-	-	-	-	-	-	-
9	721	Building-Station 82	-	-	-	-	-	-	-
10	850	Amort Bond Issuance Costs	-	-	-	-	-	-	-
11	855	Transfer to Debt Reserve Fund	-	-	-	-	-	-	-
12		**Total Expenditures**	-	-	-	-	-	-	-
13		Net Income/(Loss)	123,000	128,000	133,000	133,000	133,333	138,000	-

SOUTH DAVIS METRO FIRE AGENCY

DEBT SERVICE FUND - 73

YEAR 2016

Ln No.	Acct No.	Account Title	2013 Actual	2014 Actual	2015 Budget	Actual to 9/30/2015	2015 Estimated	2016 Budget	2016 Budget 6-month
		REVENUE							
1	32200	Building Impact Fees	219,454	260,000	150,000	79,024	105,365	150,000	75,000
2	36100	Interest Earned	2,067	-	1,500	1,875	2,500	1,500	750
		Total Revenue	221,521	260,000	151,500	80,899	107,865	151,500	75,750
		EXPENDITURES							
3	810	Bond Payment transferred to fund 72	123,000	128,000	133,000	133,000	133,000	138,000	-
4	820	Bond Interest	151,040	141,400	136,280	102,210	136,280	131,280	65,640
5	850	Transfer to SDFD Equity Fund 70	-	-	-		-	-	-
6	850	Transfer to Debt Reserve Fund 74	-	-	-	-	-	-	-
		Total Expenditures	274,040	269,400	269,280	235,210	269,280	269,280	65,640
7		Fund Bal. Increase/(Decrease)	(52,519)	(9,400)	(117,780)	(154,311)	(161,415)	(117,780)	10,110

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 9.

Short Title: City Council Liaison Report

Initiated By:

Scheduled Time: 9:05

SUBJECT

Councilman John Higginson will report on the Wasatch Integrated Waste Management District and the Mosquito Abatement District

RECOMMENDATION

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 10.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:15

SUBJECT

a. 1250 West/Parrish Lane Traffic Signal Project

RECOMMENDATION

BACKGROUND

a. The City Manager will update the Council on the status of this project.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 11.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 9:20

SUBJECT

a. Council request for discussion re use of City's newsletter and utility bill insert

RECOMMENDATION

BACKGROUND

a. This matter has been repeatedly postponed due to the lack of time. Council Members Ivie and Wright asked that this matter be discussed by the City Council. Their concern apparently relates to the use of these communication tools by non-City entities.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 12.

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: 9:40

SUBJECT

RECOMMENDATION

At this time, staff are not aware of a need for a closed meeting; however, the agenda allows for that possibility.

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No. 13.

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

Initiated By:

Scheduled Time: 9:40

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
12/1/2015

Item No.

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

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND