



435 North Main Street
La Verkin, Utah 84745
(435) 635-2581 (435) 635-2104 Fax
www.laverkin.org

La Verkin City Council Meeting Agenda
Wednesday, August 21, 2024, 6:00 p.m.
GYM, 111 S. Main, La Verkin, Utah

A. Meeting Called to Order: Invocation by Invitation; Pledge of Allegiance

B. Presentation:

1. Yoppify Water app.

C. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes: August 7, 2024, regular meeting
4. Checks and Invoices: \$ \$91,356.33

D. Business:

1. Discussion and possible action for final approval of Holiday Inn Alcohol License.
2. Discussion and possible action to approve Ordinance No. 2024-16 an ordinance amending the zoning map of and for the City of La Verkin to rezone from Low-Density Residential (R-1-14) to Tourist Commercial (COMM-T) two parcels with the Tax ID # LV-40 and LV-40-B, a combined total of .65 acres located directly west of 310 South 100 West and 320 South 100 West.
3. Discussion and possible action to approve Resolution R-2024-14, a resolution adopting a schedule of fees for the Animal Control Fee Schedule.
4. Discussion and possible action to approve Proclamation -2024-02 : a proclamation designating September 17-23, 2024, as Constitution Week.
5. Discussion regarding the surplus property at the end of 250 West and off 600 North.
6. Discussion regarding the Subdivision Ordinance.
7. Discussion regarding the Southern Utah Trail Standards.
8. Discussion regarding a privacy wall for Kyson Spendlove and Bo Stratton.

E. Mayor & Council Reports:

Mayor Wilson:

Blair Gubler: Washington County Solid Waste, Homeland Security/CERT

Wise: Planning Commission/Zoning, Beautification/Trails Committee, Economic Development/Tourism

Micah Gubler: Public Safety, Recreation/City Festivals

Hirschi: Fire District, Ash Creek Special Service District, DTEC

Prince: Southwest Mosquito Abatement, Historical Preservation

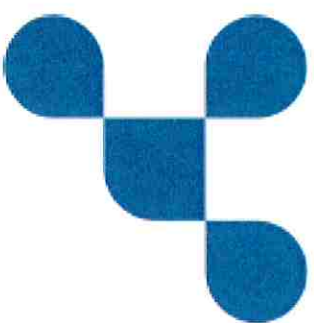
F. Citizen Comment & Request for Future Agenda Items: No action may be taken on a matter raised under this agenda item. This item is reserved for the citizens of La Verkin who have items not listed on this agenda. The time limit is 20 minutes; each individual can take no more than 3 minutes.

G. Adjourn:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Nancy Cline, City Recorder, (435) 635-2581, at least 48 hours in advance.

Certificate of Posting

The undersigned City Recorder does hereby certify that the agenda was sent to each member of the governing body, sent to the Spectrum newspaper, posted on the State website at, posted on the La Verkin City website at www.laverkin.org, and at the city office buildings 111 S. Main and 435 N. Main on August 16, 2024, Nancy Cline, City Recorder

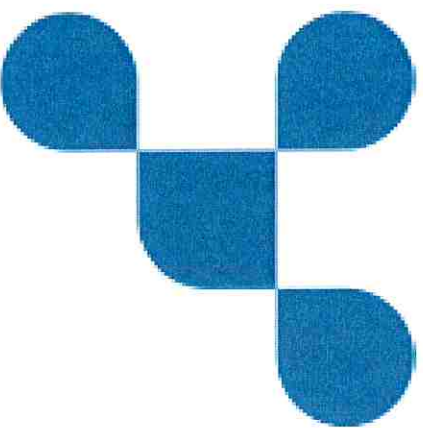


yoppify

Example Test

Look at your phones at 6:20 or check your email!

****If it did not work you need to update your account information****



yoppify

Intro Message Ideas:

“This is LaVerkin City’s new notification system. Save us in your device for all City updates. 435-633-9165”

“Introducing LaVerkin City’s utility notification tool for utility accounts and water services! Add (435) 633-9165 to your contacts now. Thank you for keeping our city safe and efficient!”

When can we start using it?

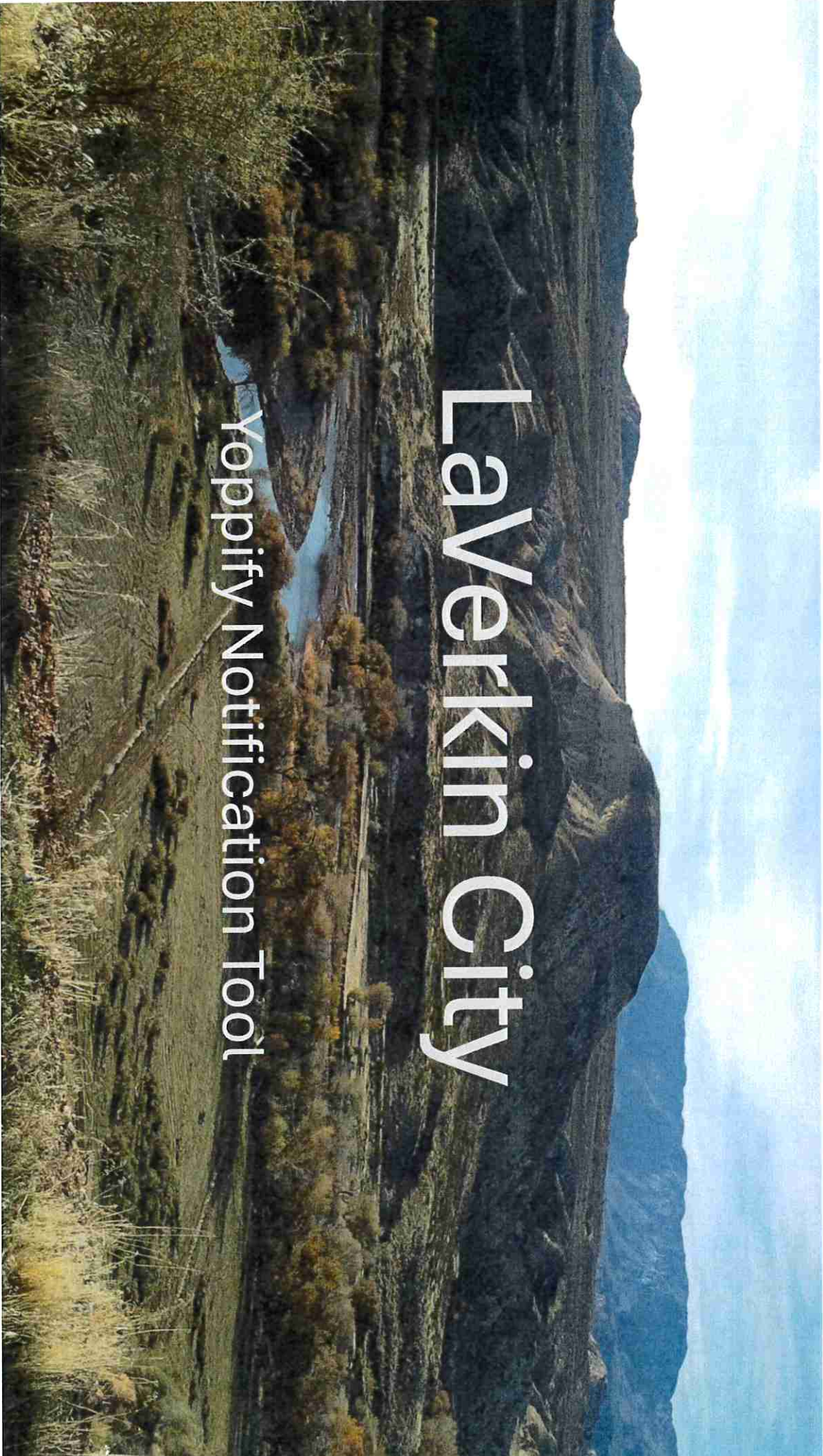
- Today, the software is up and running.
- We need to make sure the contact information is correct.
- Introductory message needs to be decided upon.

What can it be used for?

- Leaks in an area.
- Irrigation being turned off/on.
- Conservation efforts.
- Road Closures
- City events.
- Any emergency
- Really anything desired.

What it is Yoppify?

- Yoppify is a software to help in water conservation efforts.
- It is funded by the “Transparent Water Billing Grant” 85% state and 15% WCVCD.
- It is utilizing the information from the billing software to gain contact information for residents based on account details.
- Purpose is to communicate conservation efforts.
- Secondly is a tool to send text, email, automated phone calls, and post cards for notification for Laverkin City related information.

A scenic landscape photograph of a river valley. In the foreground, a winding river flows through a lush green valley. The middle ground shows a mix of green and yellowish-brown vegetation, possibly indicating autumn. In the background, rugged mountains rise against a blue sky with scattered white clouds. The overall scene is peaceful and natural.

Laverkin City

Yoppify Notification Tool

City of La Verkin

435 North Main St., La Verkin, Utah, 84745
(435) 635-2581 Fax (435) 635-2104
www.laverkin.org

La Verkin City Council Meeting Minutes

Wednesday, August 7, 2024, 6:00 pm.

Gym, 111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Blair Gubler, Micah Gubler, and Darren Prince; Staff: Derek Imlay, Kyle Gubler, Fay Reber, Chief Nick Nuccitelli, Maridee Johnson, Steve Drummond, and Nancy Cline; Public: Gidaon Iverson, David Howard, Khol Furley, and Brad Robins.

A. Called to Order –Micha Gubler gave the invocation/thought and Pledge of Allegiance at 6:00 pm.

B. Presentation:

1. La Verkin Youth City Council introduced.

Maridee Johnson introduced the 14 members of the youth council and Gideon Iverson as Mayor. Gideon introduced the members by name.

Councilwoman Wise commented that the youth council is helping to clean up the Rim to River trail on Saturday at 6:00 a.m. and expressed her admiration for the youth.

Mayor Wilson introduced the Hurricane Valley Fire Department.

Deputy Chief Khol Furley introduced himself and informed the City Council that the Fire Department would attend more City Council meetings. He informed the council that the calls for service they received from La Verkin was 727 this year, so far from Station 43. He also reported to the council there will be an event on September 11, 2024, at Station 41 to honor those lost in 911. The Station will have a flag ceremony, national anthem, breakfast, motorcycle rally, and Food trucks. He invited La Verkin citizens to attend. He also wanted to remind La Verkin citizens that this time of year is a no-burn time and that they could call 435-635-9562 if they had questions. He reported they have the Kolob Terrace fire under control, and there are only a few hot spots.

2. Chief Nuccitelli reports on stats and cases.

Chief Nuccitelli thanked the City Council for all their work and presented them with a challenge coin. They will pass these coins out to citizens who serve in the community. The police staff all helped design the coin. He recognized the officers for their compassion and service to the community. He also discussed the department's mission statement: They want to strengthen bonds and build trust through community policing.

C. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes July 3, 2024, work and regular meeting
4. Checks & Invoices: \$480,841.70

The motion was made by Councilwomen Patricia Wise to approve the consent agenda as written, including the minutes of the July 3, 2024, regular meeting and Checks and Invoices in the amount of \$480,841.70, second by Councilman Blair Gubler. Roll Call Vote: Prince-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

D. Business:

1. Presentation by Brad Robins regarding the Commercial Design Guidelines.

Brad informed the council that it was the same presentation he gave to the planning commission on July 10, 2024. He took the comments from the Planning Commission and made a few changes.

Councilmen Prince, Gubler, and Councilwoman Wise agreed that it was a good guideline and would like to implement it.

Mayor Wilson asked what the next step was to get it as an ordinance.

Fay needed clarification on the guidelines' language. Should it say it's mandatory or just a guideline to follow?

Brad said it was a guideline for developers to get started when planning commercial buildings.

Fay explained that it wouldn't be mandatory and that everyone needed to know we couldn't make them comply if it were only a guideline.

Brad explained it's for new developments. They would go to the application and create a site plan for the staff. The staff then takes it to the planning commission, discussing what needs to be changed before recommending the developer's plan to the city council. The city council will decide if the planning commission and the developers can not agree on parts of the site plan.

Fay wanted more explanation of the guidelines' language. He pointed out that some say it shall, is required, or is highly encouraged. The council must decide what is mandatory and what is open to the developer's discretion.

Brad agreed that the code needs to be cleaned up before they can adopt some of the guidelines that they want to make mandatory.

Councilman Gubler said that, in his experience, developers are not afraid of these guidelines. They see these types of guidelines all the time. He said the city of Springdale uses one and walks the developers through the process.

Brad explained that the site plan is brought to the staff and that most of it will be agreed upon before it goes to the planning commission.

2. Discussion and possible action to approve Ordinance No. 2024-15, an ordinance amending the Animal Control ordinance.

Animal control officer Steve Drummond said the agency's mission is to protect animals' lives, manage their care, and guide the public to work through any violations they have with their animals.

Fay explained that the ordinance requires a lot of clarification of violations and organizing the ordinance. He changed a violation to an infraction, not a misdemeanor. He felt this was a better way of citing the public for violations because if it's a misdemeanor, they could need a lawyer. If they can't afford one, the city must pay to give them representation, which uses tax dollars. This way, they work with the officers to resolve the violation.

Councilman Prince asked what happens if an owner has their dog attack a citizen.

Fay answered that it would be an aggravated assault if it was intentional, so State law would take over. He added that the Animal Control Officer has the choice to cite them from city law or state law.

The motion was made by Councilwoman Patricia Wise to approve Ordinance No. 2024-15, an ordinance amending the Animal Control ordinance, second by Councilman Micha Gubler. Roll Call Vote: Prince-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

3. Discussion and possible action to approve the ChargeWest Partnership Agreement.

Councilwoman Wise explained that we discussed this in the July 3rd meeting. This is a memo of support that the Mayor needs to sign.

4. Discussion regarding the Southern Utah Regional Trail Standards.

Mayor Wilson asked if Washington County adopted the standards already.

Councilwoman Wise responded yes, they already adopted them.

Councilmen Prince asked if they would be required to bring existing trails up to this standard, which would open up the city to legal problems if they adopted these standards.

Fay explained that this is for all future trails in La Verkin. He added this is only for paved trails.

Kyle Gubler asked if they can not make a trail wide enough per the standards agreement when building a trail. Is there an exception written into the agreement to allow parts to be narrowed?

Councilwoman Wise answered yes, there is, and they can be asked for an exception when that comes up. This was a nationwide study. They expected traffic on the trail. Interstate Rock Products has already adopted these standards on their building trail. She explained that E-bikes on the trail now need guidelines that everyone will know because all trails have the same rules.

5. Discussion regarding the Short-Term Rental Ordinance.

Fay explained the city is amending the Short-Term Rental ordinance. This will give the city a way to enforce the laws. This will not be a criminal but a civil citation, making it easier to prove they are breaking the rules; it needs less proof. This will have the staff enforcing it through an administrative hearing. The property owner will be given a notice for the violation. They would come to the city to take care of it. If the owner ignores the notice, then a citation will be issued. They would get a summons to appear before a hearing officer, which Kyle Gubler would assign. The hearing officer would determine if they would pay a fine up to \$750 per day, or whatever the officer thought was equitable. They would have a hearing, and if they didn't show up or no agreement was made, that would turn into a criminal case.

Councilman Gulber asked if they rented without a license and what other proof we needed.

Fay responded that we would know they have no license, but maybe they said it was family staying with them or some other excuse. Homework needs to be done so we can prove they rented it.

Kyle added that the city is hiring a company that collects all the proof that they are advertising and renting it. We need the ordinance first so we can get that proof and then be able to stop them from renting. We want them to have time to cancel future rentals to their property so that it will be in the ordinance how long they have to shut it down and accept no more rental contracts. The ordinance would give them 30, 60 or 90 days to come into compliance.

Councilwoman Wise pointed out that the city hasn't been able to enforce it, and if citizens see an ordinance and consequences, they may stop doing it illegally.

Mayor Wilson said it's only fair to those doing it legally that everyone follows the same rules.

Kyle said some realtors would tell clients that La Verkin doesn't enforce our law so that they can have the property as a short-term rental. This is a nationwide problem.

6. Discussion regarding funding a fence for the Bridge.

Kyle reported that he and the Mayor met with UDOT, Washington County, and the Mayor of Hurricane, and it was determined that there needs to be a fence at the bridge. It is a state road, so they are responsible for it but would like the cities to contribute. The fence would be on the inside of the bridge, so if someone was threatening to jump, the police could remain safe and hold them through the fence. Washington County committed to \$25,000-30,000, and Hurricane committed \$25,000, and I'm asking you if we can commit to \$5,000 to support the project also.

Chief Nuccetilli added that the Reach for Hope group has raised the need for a fence, which has been years in the making.

Kyle asked the council when the time came, and they supported the \$5,000. The council agreed they would be.

7. Discussion regarding the Howard property at 300 South 100 West.

Mayor Wilson summarized that the planning commission had already suggested to the city council that they approve the Tourist-Commercial zone change on this property. Still, the city council brought up the zoning to R-3-6 instead. The council sent it back to the planning commission to consider this zoning; they only had tourist-commercial to consider at the time.

David Howard said it was a nice option to discuss the high-density R-3-6, but that would not work for his property. It is a small piece of land, and there is not enough room for high-density housing. He realized the city would like to transition from commercial to high-density to tourist commercial, but his piece isn't big enough, and it wouldn't be a transition but more of spot zoning. He added he wanted to proceed with the Tour-Commercial zoning.

Councilwoman Wise thanked David for being patient with them and for all the work he has put in. She disagreed that high-density residential was a bad idea. She thought a commercial building wouldn't have enough room for parking. She pointed out that the property across the street could be used as high-density, so his piece would blend in with that. She recommended the planning commission review it again for R-3-6. She said the county just turned down zoning like this and wanted R-3-6, not commercial.

Councilman Prince said that was not the same with the county. Those were 20-acre pieces of land that were zoned and not this small. He felt the Howards have been inconvenienced by the city zoning for the Zion Hot Springs next to their property, and they fought against it, so the city needs to zone this the way that works best for them to sell that land. He pointed out that there will be a parking lot on one side of the land and short-term rentals on the other side. He feels like tourist-commercial is a good fit.

Councilwoman Wise commented that the land would be more desirable for high-density residential than tourist commercial. The city has a lot of land for sale with commercial zoning, but it hasn't sold. This would also mean less traffic in the neighborhoods than if it were commercial.

Councilmen Gubler asked if the planning commission had already approved it for the city council to consider. Does this need to go back to the planning commission if the owner does not want R-3-6?

Fay responded that it had already gone to the planning commission, had a public hearing, and been recommended to the city council, so they have already taken all the steps for the tourist commercial zoning. The Howards have no interest in zoning it R-3-6, so there is no reason to put it back with the planning commission. We can put it on the agenda for the next city council meeting.

Councilman Prince asked if they could vote on it tonight.

Fay answered that it was not on the agenda tonight as an action item, only as a discussion. The city wanted to make sure that was what the Howards wanted. Suppose they were interested in R-3-6 or only wanted a tourist-commercial. If there is no interest in that, taking it back to the planning commission doesn't make sense. If it went back and the planning commission recommended to the city council to zone it R-3-6 and the owner refused that zone, it would be a waste of time.

Councilwoman Wise commented that it was the only choice before the planning commission. Now that there are more options with the R-3-6, the planning commission may make a different recommendation.

Kyle added that if the Howards don't want the R-3-6, we can not force them into it.

David Howard responded that they had looked into the R-3-6 with their real estate agent, and the value wasn't there for R-3-6. If it's not approved for Tourist-Commercial, then we are better off keeping the R-1-14 zone to sell it. If we had 10 acres, the R-3-6 would be a great option for transitioning from commercial to residential. However, they only have .63 acres, and that's not big enough. He added that his market is very small, so he hopes to get approval for the Tourist commercial zone. He was not interested in R-3-6 zoning.

Derek clarified they want Tourist- Commercial or deny the request and keep it R-1-14. We had some negative comments about high-density zoning, so we didn't think it was an option until talking to the Howards. However, it's not a big enough piece to get many houses in. It's a very unique property.

E. Mayor & Council Reports:

Blair Gubler- Rita is working on getting CERT training done. She should be contacting the city.

Wise- She reported that she attended the DTEC meeting. They informed us the transit system was going to start in July, but they have a driver shortage. There was not a meeting in July so I'm not sure what updates there are on the transit lines. Kyle added that they aim to start this month. They needed to decide where the bus stop would be in La Verkin, and they offered an 18% pay increase to attract enough drivers.

Mayor Wilson asked if they had places where they wanted to put bus stops.

Kyle answered that they are having a hard time getting places in Washington, La Verkin, and Virgin. They are talking about a stop on 300 North, but where would people park who want to ride the bus?

Councilwomen Wise continues to report on the planning commission meeting on July 10th. She also attended a meeting about the management at Kanaville Falls. The impact it will have on La Verkin when it is full, or people have dogs that are not allowed at the Falls. They would go to Kolob Canyon but don't allow dogs in the National Park. Springs Canyon is another site, but it carries the city's water and mustn't get tainted. These are things to consider. It may not be an issue now, but it will be in the future. The scenic byway's corridor management plan will be starting a committee. They are meeting in September to start the process to get a contractor. She said anyone who wants to be on that committee should contact her; they will help define the committee's scope. The contractor will study the environmental assessment for the infrastructure of the La Verkin twist. The Rim to River update is the contractors put in drainage. She suggested that the Youth Council help with the cleanup there.

Micha Gubler reported that the celebration on the 4th and 24th was a success and thanked Marideen Johnson for her hard work. Chief Nuccitelli reported that cops and cars would be on September 21st at 6:00 p.m.

Prince. Reported he is involved with the American250 committee. It's the celebration of the 250th year since the Revolutionary War. They started on April 17, 2025, and have a year-long celebration until July 4, 2026. Washington County wants to be the leader in celebrating this. They want 250 on everything to advertise the celebration, like city logos and business logos. They want to roll out the red carpet for this celebration. He also reported that mosquitoes are a big problem right now. If there is a problem, they will take care of the mosquitoes.

G. Citizen Comment & Request for Future Agenda Items:

No comments were made.

H. Adjourn:

The motion was made by Councilman Darren Prince to adjourn, seconded by Councilman Micah Gubler. Prince-yes, Wise-yes, Blair Gubler-yes. The motion was carried unanimously at 7:40 p.m.

Date Approved _____

ATTEST: _____

Nancy Cline
City Recorder

Mayor Kelly B. Wilson

La Verkin City
Invoice Register: 8/12/2024 to 8/15/2024 - All Invoices

8/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name	Description
RFD 404801.080	*Spencer, Cheryl	52697	8/2/2024	8/2/2024	\$57.90	512330	Turn on Fee/Renter Deposit	Deposit Refund: 404801 - *Spencer, Cheryl
PR080924-258	AFLAC		8/14/2024	8/14/2024	\$27.90		Health Savings Account	AFLAC EE
1137810	ALSCO	52724	8/7/2024	8/7/2024	\$55.27	102224		
					1.09	104160.270	Bldg B&G OPERATION AND M	Equipment repairs and Fuel
					1.11	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					4.97	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					6.63	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					1.11	104510.250	Parks EQUIPMENT OPERATI	Equipment repairs and Fuel
					18.24	516340.250	O&M EQUIPMENT OPERATI	Equipment repairs and Fuel
					6.63	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					3.32	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					3.32	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					5.53	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					3.32	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
08072024	AXON ENTERPRISE, INC	52725	8/7/2024	8/7/2024	\$2,319.40	104210.315	Police COMPUTER EQUIPMEN	Axon Basic License Bundle, Doc
PO# 5466					2,319.40		Accounts Receivable	Refund: 100041594 - Beddoes,
Refund: 1000415	Beddoes, Ed & Cindy	52726	8/13/2024	8/13/2024	\$119.21	511311	Turn on Fee/Renter Deposit	Deposit Refund: 100041594 - Be
RFD 100041594.	Beddoes, Ed & Cindy	52726	8/8/2024	8/8/2024	\$50.02	512330		
	Vendor Total:				\$50.02			
					\$169.23			
357119	BUCKS ACE HARDWARE	52703	8/5/2024	8/5/2024	\$19.95	104160.270	Bldg B&G OPERATION AND M	KeyKrafter Brass Keys
357263	BUCKS ACE HARDWARE	52727	8/12/2024	8/12/2024	\$29.99	104510.250	Parks EQUIPMENT OPERATI	HP Ultra 6 pk
357280	BUCKS ACE HARDWARE	52727	8/13/2024	8/13/2024	\$139.35	516340.450	O&M SYSTEMS MAINTENANC	Lumber, pail, driver bit set, duct t
357281	BUCKS ACE HARDWARE	52727	8/13/2024	8/13/2024	\$30.31	516340.450	O&M SYSTEMS MAINTENANC	Stakes and drywall
	Vendor Total:				\$30.31			
					\$219.60			
65NULQHTW	Citi Cards		8/13/2024	8/13/2024	\$73.49	104140.250	Admin EQUIPMENT OPERATI	Notary Stamp for Nancy
79271	Citi Cards		8/12/2024	8/12/2024	\$3,635.02	484160.740	Construction	Flushmount panels
WEB218136	Citi Cards		8/12/2024	8/12/2024	\$3,196.78	484160.740	Construction	Conference Table
	Vendor Total:				\$3,196.78			
					\$6,905.29			
01-371217	Davis Food & Drug #4/Farmers Market	52728	8/8/2024	8/8/2024	\$93.36	104540.610	Rec EVENTS, FAIRS, & FESTI	Youth Council breakfast at trails
65-207652	Davis Food & Drug #4/Farmers Market	52728	8/8/2024	8/8/2024	\$42.48	104620.610	Comm COMMUNITY DEVELOP	Screws for mounting flags on pol
PO# 5470	Vendor Total:				\$42.48			
					\$135.84			
35	DIXIE DIRT WORK, LLC	52729	8/8/2024	8/8/2024	\$13,982.75	104510.480	Parks RAP Tax	Concrete Work on 111 S Main re
PO# 5472					\$13,982.75			
1151	DJ LEX	52730	8/12/2024	8/12/2024	\$550.00	104540.610	Rec EVENTS, FAIRS, & FESTI	Foam cannon and music for wat
PO# 5475					\$550.00			

La Verkin City
Invoice Register: 8/2/2024 to 8/15/2024 - All Invoices

8/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name	Description
RFD 100041473.	Fitch, Steve		8/15/2024	8/15/2024	\$941.33			
WEX00120	FUEL NETWORK		8/2/2024	8/2/2024	\$3,824.87	512330	Turn on Fee/Renter Deposit	Deposit Refund: 100041473 - Fit
					37.56	104160.270	Bldg B&G OPERATION AND M	Equipment repairs and Fuel
					1,923.91	104210.250	Police EQUIPMENT OPERATI	Fuel Amount
					37.56	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					22.81	104253.250	Animal EQUIPMENT OPERATI	Steve D
					169.03	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					225.38	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					37.56	104510.250	Parks EQUIPMENT OPERATI	Equipment repairs and Fuel
					619.79	516340.250	O&M EQUIPMENT OPERATI	Equipment repairs and Fuel
					225.38	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					112.69	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					112.69	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					187.82	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					112.69	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
PR080924-6099	Health Equity		8/14/2024	8/14/2024	\$2,684.32		Health Savings Account	PEHP Health Equity
					2,684.32	102224		
2024-2470	HURRICANE CITY JUSTICE COURT	52731	8/9/2024	8/9/2024	\$288.75		Police JUSTICE COURT	Indigent Counsel for July 2024
					288.75	104121.240		
08062024	HURRICANE CITY POWER	52708	8/5/2024	8/5/2024	\$22.31	104140.280	Admin UTILITIES	La Verkin city sign
01.024.095	INTERSTATE ROCK PRODUCTS	52732	8/5/2024	8/5/2024	\$8,060.00	104410.745	Streets STREET IMPROVEME	Final amount for the 300 S Main
PO# 5468					8,060.00			
41831	JOHNSON, MARIDEE	52733	8/2/2024	8/2/2024	\$25.62	104540.610	Rec EVENTS, FAIRS, & FESTI	Print for Seed Display, Peach Da
					25.62			
RFD 100041256.	Kristensen, Roxann	52734	8/8/2024	8/8/2024	\$48.41		Turn on Fee/Renter Deposit	Deposit Refund: 100041256 - Ki
					48.41	512330		
2024013	LeBaron Stucco	52735	8/9/2024	8/9/2024	\$500.00	104160.270	Bldg B&G OPERATION AND M	Vacuum truck repairs
					10.00	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					45.00	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					60.00	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					10.00	104510.250	Parks EQUIPMENT OPERATI	Equipment repairs and Fuel
					165.00	516340.250	O&M EQUIPMENT OPERATI	Equipment repairs and Fuel
					60.00	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					30.00	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					30.00	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					50.00	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					30.00	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
2024014	LeBaron Stucco	52735	8/9/2024	8/9/2024	\$5,915.00	484160.740	Construction	Council Chamber remodel
					5,915.00			
072924	LEE, RYAN		8/15/2024	8/15/2024	\$6,191.25	103691	Subdivision set up fee	Refund retainer for Landscape H
PO# 5478					6,191.25			
PR080924-147	LEGAL SHIELD		8/14/2024	8/14/2024	\$50.87	102225	Misc Payable	LegalShield
					50.87			
5464	Lexipol	52736	8/7/2024	8/7/2024	\$501.54	104210.410	Police DAT/INVESTIGATION/NDI	Lexipol Annual Subscription
PO# 5464					501.54			
RFD 100041242.	Lopez, Chalyse	52737	8/9/2024	8/9/2024	\$46.18	512330	Turn on Fee/Renter Deposit	Deposit Refund: 100041242 - Lo
					46.18			

La Verkin City
Invoice Register: 8/2/2024 to 8/15/2024 - All Invoices

8/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name	Description
080924222051	ZIONS FIRST NATIONAL BANK CC		8/9/2024	8/9/2024	\$5.75	104160.270	Bldg B&G OPERATION AND M	Wash Max's truck
					0.08	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					0.12	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					0.52	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					0.69	104510.250	Parks EQUIPMENT OPERATIN	Equipment repairs and Fuel
					1.90	516340.250	O&M EQUIPMENT OPERATIN	Equipment repairs and Fuel
					0.69	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					0.35	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					0.35	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					0.58	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
080924513889	ZIONS FIRST NATIONAL BANK CC		8/9/2024	8/9/2024	0.35	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
					\$5.75			
					0.08	104160.270	Bldg B&G OPERATION AND M	Kaige's truck
					0.12	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					0.52	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					0.69	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					0.12	104510.250	Parks EQUIPMENT OPERATIN	Equipment repairs and Fuel
					1.90	516340.250	O&M EQUIPMENT OPERATIN	Equipment repairs and Fuel
					0.69	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					0.35	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					0.35	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					0.58	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					0.35	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
101836771	ZIONS FIRST NATIONAL BANK CC		8/8/2024	8/8/2024	\$100.00	104240.220	Inspect BOOKS & MEMBERSHI	Certificate renewal Kyle L
109222	ZIONS FIRST NATIONAL BANK CC		8/3/2024	8/3/2024	\$403.52	104540.610	Rec EVENTS, FAIRS, & FESTI	Lights for streets
118978208	ZIONS FIRST NATIONAL BANK CC		8/9/2024	8/9/2024	\$193.44	104540.610	Rec EVENTS, FAIRS, & FESTI	Dunk tank repairs
1665860	ZIONS FIRST NATIONAL BANK CC		8/3/2024	8/3/2024	\$439.76	104540.610	Rec EVENTS, FAIRS, & FESTI	Cones for Road Closure
1724261	ZIONS FIRST NATIONAL BANK CC		8/4/2024	8/4/2024	\$63.24	104540.610	Rec EVENTS, FAIRS, & FESTI	Mic Stands for pageant
269444	ZIONS FIRST NATIONAL BANK CC		8/9/2024	8/9/2024	\$280.00	104540.610	Rec EVENTS, FAIRS, & FESTI	Dunk tank repairs
4197860	ZIONS FIRST NATIONAL BANK CC		8/6/2024	8/6/2024	\$62.33	104210.250	Police EQUIPMENT OPERATIN	Reflective safety vests
6608245	ZIONS FIRST NATIONAL BANK CC		8/7/2024	8/7/2024	\$163.16	104210.210	Police BOOKS & MEMBERSHI	Glow Sticks
9304219	ZIONS FIRST NATIONAL BANK CC		8/6/2024	8/6/2024	\$118.87	104210.250	Police EQUIPMENT OPERATIN	"Stop" paddle signs
	Vendor Total:				\$1,936.36			
PR080924-234	ZIONS FIRST NATIONAL BANK.	8142024	8/14/2024	8/14/2024	\$13,588.08	102221	FICA & FWT Withholding	Social Security Tax
					7,037.60	102221	FICA & FWT Withholding	Medicare Tax
					1,645.88	102221		

La Verkin City
Invoice Register: 8/2/2024 to 8/15/2024 - All Invoices

8/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name.	Description
					4,904.60	102221	FICA & FWT Withholding	Federal Income Tax
					\$91,356.33			
Total:					\$91,356.33			
					13,588.08	102221	GL Account Summary	
					2,336.01	102222	FICA & FWT Withholding	
					12,603.73	102223	State Withholding	
					2,712.22	102224	Retirement Payable	
					50.87	102225	Health Savings Account	
					6,191.25	103691	Misc Payable	
					288.75	104121.240	Subdivision set up fee	
					73.49	104140.250	Police JUSTICE COURT	
					51.07	104140.280	Admin EQUIPMENT OPERATIN	
					70.73	104160.270	Admin UTILITIES	
					163.16	104210.210	Bldg B&G OPERATION AND M	
					2,105.11	104210.250	Police BOOKS & MEMBERSHI	
					2,319.40	104210.315	Police EQUIPMENT OPERATIN	
					501.54	104210.410	Police COMPUTER EQUIPMEN	
					199.54	104210.450	Police DAT/INVESTIGATION/DI	
					100.00	104240.220	Police VEHICLE MAINTANCE	
					50.93	104240.250	Inspect BOOKS & MEMBERSHI	
					22.81	104253.250	Inspect EQUIPMENT OPERATI	
					229.09	104410.250	Animal EQUIPMENT OPERATI	
					8,365.45	104410.745	Streets EQUIPMENT OPERATI	
					191.16	104510.250	Streets STREET IMPROVEME	
					28.42	104510.280	Parks EQUIPMENT OPERATIN	
					20,482.75	104510.480	Parks UTILITIES	
					2,330.86	104540.610	Parks RAP Tax	
					42.48	104620.610	Rec EVENTS, FAIRS, & FESTI	
					75,098.90		Comm COMMUNITY DEVELOP	
							Total	
					12,746.80	484160.740	Construction	
					119.21	511311	Accounts Receivable	
					1,143.84	512330	Turn on Fee/Renter Deposit	
					840.01	516340.250	O&M EQUIPMENT OPERATIN	
					683.56	516340.450	O&M SYSTEMS MAINTENANC	
					9.99	516660.280	Admin UTILITIES	
					2,796.61		Total	
					152.75	536310.250	Irrigation EQUIPMENT OPERA	
					152.75	536310.450	Irrigation WATER MAIN REPAIR	
					305.50		Total	
					255.77	556350.250	Drainage EQUIPMENT OPERA	
					152.75	556350.440	Drainage NEW SERVICES	
					408.52		Total	
					\$91,356.33		GL Account Summary Total	

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, APPROVING A CHANGE TO THE ZONING MAP OF THE CITY OF LAVERKIN IN CONNECTION WITH A CHANGE OF ZONING FROM LOW DENSITY RESIDENTIAL (R-1-14) TO TOURIST/RESORT COMMERCIAL (COMM-T) FOR CERTAIN PROPERTY LOCATED WITHIN THE BOUNDARIES OF LAVERKIN.

WHEREAS an application for a zone change from low density residential (R-1-14) to Tourist/Resort Commercial (Comm-T) has been received for certain real property located within the boundaries of LaVerkin; and

WHEREAS a public hearing to receive and consider public input regarding said application was held on June 12, 2024, after notice of said hearing was given in accordance with Utah State law; and

WHEREAS the City Council deems it to be in the best interest and general welfare of the residents of the City of LaVerkin,

BE IT HEREBY ORDAINED by the City Council of LaVerkin Utah as follows:

1. That the zoning designation for the following described property located in the City of LaVerkin be changed from low density residential (R-1-14) to Tourist/Resort Commercial:

LA VERKIN FIELD SUR LOT 5 (LV) BEG AT A PT S89*46' 00" W, 267.00 FT ALG N LN OF LOT 5, OF LVFS, FM NE COR OF SD LOT 5, RN TH S0*24' 56" E, 89.00 FT; TH N89*46' 00" E, 117.00 FT; TH S0* 24' 56" E, 100.00 FT; TH S89* 46' 00" W, 147.00 FT; TH N0*24' 56" W, 189.00 FT TO SD N LN OF LOT 5; TH N89* 46' 00" E, 30.00 FT ALG SD N LN TO POB.

AND

LA VERKIN FIELD SUR LOT 5 (LV) BEG NE COR LOT 5 LVFS TH W 4.50 CHS; TH S 2.61 CHS; TH E 4.50 CHS; TH N 2.61 CHS TO POB.

LESS: BEG NE COR LOT 5 LVFS TH W 150 FT; TH S 89 FT; TH E 150 FT; TH N 89 FT TO POB

LESS: BEG AT PT S89*46' 00" W 267.00 FT ALG N/L OF LOT 5, OF LVFS REC #204663, FM NE COR OF SD LOT 5, TH S0*24' 56" E, 89.00 FT; TH N89*46' 00" E, 117.00 FT; TH S0* 24' 56" E, 100.00 FT; TH S89*46'00" W, 147.00 FT; TH N0*24' 56" W, 189.00 FT TO SD N/L OF LOT 5; TH N89* 46' 00" E, 30.00 FT ALG SD N/L TO POB.

LESS: BEG AT A PT S89*46' 00" W, 150.00 FT ALG N/L OF LOT 5 OF LVFS, REC #204603, & S0* 24' 56" E, 89.00 FT FM NE COR OF SD LOT 5, TH N89*46'00" E, 150.00 FT TO E/L OF SD LOT 5; TH S0* 24' 56" E, 100.00 FT ALG SD E/L; TH S89* 46' 00" W 150.00 FT; TH N0* 24' 56" W 100.00 FT TO POB.

2. That the official zoning map of the City of LaVerkin be changed to reflect the change of zoning approved hereby.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon publication or posting as required by Utah law.

PASSED AND APPROVED on this _____ day of _____, 2024.

Kelly Wilson, Mayor

Attest:

(Seal)

Nancy Cline, City Recorder

On the _____ day of _____, at a regular meeting of the LaVerkin City Council held at 111 South Main Street in LaVerkin, Utah, the foregoing Ordinance was presented to the LaVerkin City Council, whereupon a motion to approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	<u>Yes</u>	<u>No</u>
Darren Prince	_____	_____
Blair Gubler	_____	_____
Patricia Wise	_____	_____
Richard Hirschi	_____	_____
Micah Gubler	_____	_____

Nancy Cline, City Recorder

Zion Hot
Springs Development

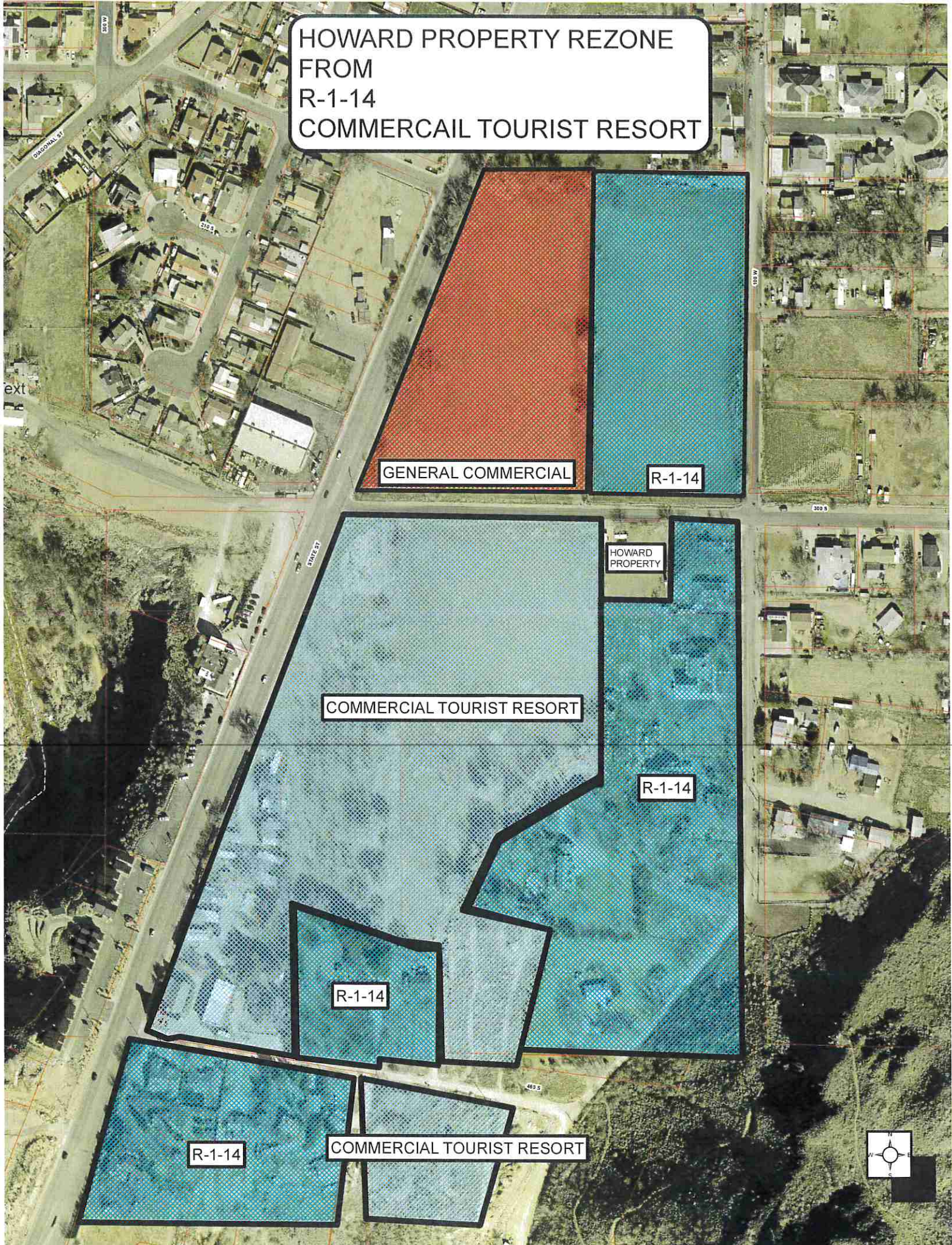
300 S

Area
Area: 0.65 Acres
Perimeter: 677.4 Feet

100 W

Spring Department
New York

HOWARD PROPERTY REZONE
FROM
R-1-14
COMMERCIAL TOURIST RESORT



GENERAL COMMERCIAL

R-1-14

HOWARD
PROPERTY

COMMERCIAL TOURIST RESORT

R-1-14

R-1-14

R-1-14

COMMERCIAL TOURIST RESORT



Resolution No. _____

A RESOLUTION OF THE CITY COUNCIL OF LAVERKIN, UTAH, ADOPTING A SCHEDULE OF FEES AND CHARGES FOR ANIMAL CONTROL SERVICES.

WHEREAS the City of LaVerkin is the owner and operator of an animal shelter within the City of LaVerkin; and

WHEREAS the LaVerkin City Council has, on August 7, 2024, adopted amendments to the LaVerkin City Animal Control ordinance which authorize the provision of various services by the Department of Animal Control for the protection of the health, safety and welfare of the residents of LaVerkin, as well as for the benefit of animals and their owners in connection with the care and maintenance of animals at the animal shelter; and

WHEREAS it is necessary and desirable that the cost of such services be offset by a schedule of fees and charges; and

WHEREAS the LaVerkin City Council finds that it is necessary and desirable for the orderly and efficient operation of the city’s animal shelter and for the preservation and protection of the health, safety and welfare of the residents of LaVerkin,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of LaVerkin, Utah that the Animal Control Fee Schedule be approved and adopted as follows:

LaVerkin City Animal Control
Animal Control Fee Schedule

<u>Impound Fee</u>	<u>Fee</u>
(Impounds per Calendar Year)	
1 st Time Impounds	\$30
2 nd Time Impounds	\$60
3 rd Time and subsequent Impounds	\$90
 <u>License Fee</u>	
Sterilized	\$10
Unsterilized	\$30
Late Fee (after Feb 28 th)	\$20

Owner Surrender*

La Verkin City Resident	\$50
Other City/County	\$70

Adoption Fees

Adoption	\$50
Microchip Fee	\$20

Daily Housing Fee

La Verkin Resident Dog	\$15 Daily (following initial date of impound)
Other City/County Dog	\$25 Daily (following initial date of impound)

*Owner surrendered dogs are tested on behavior and temperament and accepted and boarded on a space-available basis.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon approval.

APPROVED on this ____ day of _____, 2024.

CITY OF LAVERKIN

Kelly B. Wilson, Mayor

Attest:

Nancy Cline, City Recorder

The foregoing Resolution was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the ____ day of _____, 2024, whereupon, a motion to approve said Resolution was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE

Nancy Cline, Recorder

PROCLAMATION NO. 2024- 02

A PROCLAMATION OF THE MAYOR OF THE CITY OF LAVERKIN, UTAH

WHEREAS, September 17, 2024, marks the two hundred and thirty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, the Constitution, as the author and guardian of our liberties, embodies the principles of limited government in a Republic dedicated to the rule of law; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuance of a proclamation each year by the President of the United States of America, designating September 17 through 23 as Constitution Week; and

WHEREAS, the Mayor and City Council of LaVerkin, Utah deem it to be in the best interest of the residents of LaVerkin, Utah to encourage honor and respect for the Constitution and the principles contained therein,

NOW, THEREFORE, know all men by these presents that I, Kelly B. Wilson, by virtue of the power vested in me as Mayor of LaVerkin, Utah, do hereby set aside, designate and proclaim the week of September 17, 2024 through September 24, 2024 as Constitution Week, and do hereby encourage all citizens to study the Constitution and to reflect on the many privileges and freedoms enjoyed by the American people and all the rights, duties and responsibilities attendant to those privileges and freedoms.

DATED this ____ day of September, 2024.

Kelly B. Wilson, Mayor

Attest:

Nancy Cline, City Recorder



Memo

To: LaVerkin City Council

From: Fay Reber

Date: August 14, 2024

Re: Revised Subdivision Ordinance

As you are aware, recent changes to Utah law make it necessary to revise/amend the city's subdivision ordinance by the end of December, 2024. Many of these changes are confusing and difficult to understand.

The primary change required by the new state law is the appointment of an Administrative Land Use Authority (the ALUA) to review and approve applications for preliminary and final plat approval for subdivisions of single-family dwellings, two-family dwellings and townhomes in no more than 4 "review cycles." No mention, however, is made of other kinds of subdivisions such as industrial subdivisions, commercial subdivisions, mixed use subdivisions, etc. Pursuant to state code, the ALUA is to be made up of individuals appointed by the city and can include members of the planning commission and city employees such as the city engineer, zoning administrator and public works director, but it cannot include any member of the city council. State code also provides that the ALUA cannot require any pre-application meetings, and need not hold any public hearings or give notice to the public of any kind in reviewing applications for preliminary and final plat approval.

In revising or drafting an ordinance to implement the new provisions of the Utah State Code, many communities have, for the sake of simplicity, expanded the authority of the ALUA to review and approve applications for preliminary and final plat approval for all subdivisions- with the result that the planning commission and city council would have no authority to review preliminary or final plat applications for any subdivision.

Based on this model, Brad Robbins spent considerable time and effort and did an outstanding job of coming up with an initial draft of a new ordinance which incorporated the new state law into an ordinance which was intended to entirely replace our current ordinance. I took Brad's draft and incorporated much of his work, along with my own, into a second draft which was reviewed by staff. In going through that review process, however, it became apparent that the planning commission and city council are not comfortable with ceding all authority to the ALUA for making decisions for certain types of subdivisions, including commercial subdivisions, industrial subdivisions, and mixed use developments.

As a result, we have created a third draft, a copy of which is attached to this memo, which creates a hybrid between the two approaches: the ALUA is granted authority, as per state law, to review preliminary and final plat applications in no more than 4 review cycles for single-family subdivisions, two-family subdivisions, townhomes and multi-family subdivisions, while the planning commission and city council will retain authority to deal with industrial subdivisions, commercial subdivisions, mixed use subdivisions, and subdivisions with sensitive lands issues.

At some point, the Planning Commission will need to set a public hearing in connection with a review of the ordinance, which I'm hopeful will take place within the next few weeks. I anticipate that there will be lots of questions, so I'd request that you take time to review the proposed ordinance carefully so that we can make any additional changes when it comes to the City Council for final review and approval.

Meanwhile, here are some of the highlights of the ordinance:

1. Section 11-2-2 is the provision which creates the ALUA, which includes the City Administrator, the City Director of Operations, the City Engineer, and 2 other persons appointed by the City Administrator, including one member from the planning commission.
2. Section 11-1-2 makes it clear that the authority of the ALUA (Administrative Land Use Authority) to make decisions with respect to subdivision approval does not include or extend to zoning or other land use regulation approvals.
3. Section 11-2-1.A. is not part of the new state law but is a provision commonly found in subdivision ordinances which exempts from the platting requirement any division of land which creates no more than 1 new lot. (State law allows divisions of less than 10 lots to be done without a plat.) But under our current ordinance, a division of land creating 1 new lot would require the preparation of a subdivision plat. So this is something I put in the ordinance on my own and may or may not be favored by staff.
4. Under the current ordinance, notice to the public and public hearing is required at the first meeting of the planning commission to review an application for preliminary plat approval. The new state law eliminates that notice/public hearing requirement at any level and is included in the draft as section 11-2-3.
5. Section 11-3-1 reflects the new state law provision that eliminates the *requirement* of a pre-application meeting but allows an applicant to request one if he/she desires, subject to the city providing certain information.
6. The new state law requires that after an applicant has submitted a complete application for preliminary plat approval, which includes all information described in 11-3-3 and 11-3-4, the ALUA must begin the review process consisting of no more than 4 "review cycles." (In this draft, 3 review cycles are allocated for the preliminary plat review process and 1 review cycle for the final plat). Those review cycles are described in 11-4-1.
7. Section 11-4-2 is a restatement of the new state law that once an applicant meets all the requirements of the state and city code, the ALUA is *required* to grant approval.
8. The requirements for final plat approval are set out in 11-5-1 et. seq. and includes a requirement that the applicant post: (a) an improvement completion assurance of up to 100% of an engineer's estimate of the costs of completing any required public landscaping improvements and subdivision infrastructure improvements, as spelled out in 11-7-2, and (b) a warranty assurance as described in 11-7-5, which can be no more than 10% of the engineer's estimated cost to complete the improvements.
9. The new state law requires that the ordinance state at least 2 methods acceptable to the city for completion and warranty assurance. The 2 methods described in this ordinance are (a) cash deposited in an escrow account, or (b) a bond. And to that we've added a 3rd, "any other

assurance acceptable to the city.” (For example, under some circumstances, the city may be willing to accept a letter of credit, or the city might accept a trust deed naming the city as the beneficiary if the property is free and clear and appraises for an amount in excess of the cost of the improvements.)

10. Instead of reciting in great detail the standards and specifications for construction of the subdivision improvements, section 11-7-3 simply incorporates by reference the provisions of the LaVerkin City 2022 Design and Construction Standards.

11. Section 11-5-4 incorporates the new state law that if, after the 4th review cycle, the city fails to respond within 20 business days, the municipality shall, upon request of the property owner, and within 10 business days after the day on which the request is received: (a) for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code §10-9a-508(5)(d) to review or deny the final revised set of plans, or (b) for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.

12. Our current ordinance goes into some detail about the process for amending or vacating a subdivision plat or roadway. That process is governed by Utah Code 10-9-608, 609 and 609.5 and requires public hearings, public notice and approval of an ordinance- all of which are arguably beyond the authority of the ALUA. So for that reason, chapter 8 of the new ordinance simply states that plat amendments are subject to and governed by those provisions of the state code.

13. In order to avoid a situation where the city must provide indigent defense counsel for someone who is criminally charged with a violation of the ordinance, all violations are now Infractions in accordance with Chapter 9.

As you review the ordinance, you may have many questions or suggestions for revision. I'd be happy to discuss those questions at any time.

Thanks.

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, AMENDING
TITLE 11 "SUBDIVISION RULES AND REGULATIONS" OF THE LAVERKIN CITY
CODE.

WHEREAS Utah Code Ann. 10-9a-501 et. seq. grants to municipalities the authority to enact rules, regulations and procedures regulating the use of land within their municipal boundaries; and

WHEREAS the City of LaVerkin has previously adopted rules, regulations and procedures for subdivision of property within the boundaries of LaVerkin; and

WHEREAS the City of LaVerkin now desires to amend said rules, regulations and procedures for subdivision of property within the boundaries of LaVerkin in order to comply with recent amendments to Utah State law; and

WHEREAS the City Council of LaVerkin, Utah deems it necessary and desirable for the preservation and protection of the health, safety and welfare of the residents of the City of LaVerkin, Utah,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah that Title 11 "Subdivision Rules and Regulations" of the the LaVerkin City Code, shall be, and is hereby, amended in its entirety to read as follows:

TITLE 11
SUBDIVISION RULES AND REGULATIONS

Chapter 1
General Provisions

- 11-1-1: Purpose and Intent
- 11-1-2: Definitions
- 11-1-3: Applicability

11-1-1: Purpose and Intent. The purpose and intent of these subdivision rules and regulations are:

A To protect and promote the health, safety, convenience, and general welfare of the inhabitants of the City of LaVerkin in the division or subdivision of land and other matters pertaining to such division or subdivision.

B. To ensure that any proposed subdivision of land and its ultimate use shall be compatible with sound development practices, and, to the extent possible, harmonize the interests of the person or persons seeking to obtain subdivision approval with the interests of those persons owning land or living in the vicinity of the proposed subdivision.

C. To facilitate orderly growth in the City of LaVerkin and provide fundamental fairness in the processing of applications for subdivision of property.

D. To establish such exceptions or additional requirements as may be necessary where exceptional topographical or geological features or conditions exist, such as sensitive lands, collapsible soils or other conditions necessitating exceptions from or additional requirements to this chapter.

11-1-2: Definitions. As used in this title, the following words and terms shall have the following meanings:

Adjacent landowner: means any property owner of record, according to the records of the county recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Administrative Land Use Authority or ALUA: means an individual, board, or commission, appointed or employed by the city, including municipal staff or the LaVerkin planning commission, to review and approve applications for subdivision of property for single-family dwellings, two-family dwellings, townhomes, and multi family dwellings. It does not mean the LaVerkin City Council or any member thereof.

Affected entity: means those entities defined by state law, including a county, municipality, independent special district, local district, school district, interlocal cooperation entity, specified public utility, or the state department of transportation, if: (i) the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land, (ii) the entity has filed with the municipality a copy of the entity's general or long range plan, or (iii) the entity's boundaries or facilities are within one mile of land which is the subject of a general plan amendment or land use ordinance change.

Block: means the land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

Bona fide division or partition of land for agricultural purposes: means the division of a parcel of land into two or more lots none of which is less than five acres in an area, and where no dedication of any street is required to serve any such lots or parcels of land so created.

City/city: means City of LaVerkin, Utah

City Council: means the City Council of LaVerkin, Utah

City Engineer: means the City Engineer of LaVerkin, Utah, or a consulting engineering firm designated as the City Engineer by the City Council

City Planner: means the professional planner of the City, or person designated as such by the City Council

Communications Easement: means an exterior easement for placement of facilities intended to be used in connection with the delivery of multichannel video programming services, cable services, information services, or telecommunications or telecommunications services.

Communications Infrastructure: means facilities planned to be used in connection with the delivery of multichannel video programming services, cable services, information services, telecommunications or telecommunications services, which term shall include, but not be limited to, conduit.

Construction drawings: means formal plat prepared by a licensed engineer showing all subdivision improvement plans, infrastructure, easements, structures, rights of way, grading and existing and proposed utilities, for purposes of evaluating an application for preliminary subdivision plat approval.

County: means Washington County, Utah

Culinary Water Authority: means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Dedication: means land set aside by an owner for any general and public uses.

Derelict Lot or Parcel: means a residual lot or parcel of land created or proposed to be created as part of a proposed subdivision design of a larger tract, which lot or parcel has insufficient area or dimension or possesses other condition(s) which prohibit its qualification as a zoning lot within the applicable zone.

Easement: means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on, or above said lot or lots.

Final plat: means the final drawing of the subdivision and dedication prepared for filing of record with the county recorder and in compliance with all the requirements set forth in this chapter and adopted pursuant thereto.

General plan: means a plan, labeled "General Plan of LaVerkin City," including maps or reports or both, which has been approved by the City Council as required by law, or such plan as it may be amended from time to time.

Improvement completion assurance: means a surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by the City to guaranty the proper completion of landscaping or an infrastructure improvement required as a condition precedent to recording a subdivision plat or development of a commercial, industrial, mixed use or multifamily project.

Infrastructure improvement or subdivision improvement: means permanent infrastructure that is essential for the public health and safety or that is required for human occupation and an applicant must install in accordance with published installation and inspection specifications for public improvements, and, whether the improvement is public or private, as a condition of

recording a subdivision plat, obtaining a building permit or development of a commercial, industrial, mixed use, condominium or multifamily project.

Improvement warranty: means an applicant's unconditional warranty that the applicant's installed and accepted landscaping or infrastructure improvement complies with the City's written standards for design, materials, and workmanship, and will not fail in any material respect as a result of poor workmanship or materials within the warranty period.

Improvement warranty period: means a period no later than one year after the city's acceptance of required landscaping or no later than one year after the City's acceptance of required infrastructure, unless the city determines for good cause that a one-year period would be inadequate to protect the public health safety and welfare and the City has substantial evidence on record of poor performance by the applicant or that the area upon which the infrastructure will be constructed contains suspect soil and the City has not otherwise required the applicant to mitigate the suspect soils.

Joint Utility Committee: means the representatives of the City, Ash Creek Special Service District and franchisee utility companies to review and sign construction drawings.

Legislative body: means the LaVerkin City Council.

Lot: means a separately delineated parcel of real property having a number and designation shown on a recorded subdivision plat, or a contiguous quantity of real property defined in a deed by metes and bounds which has a separate property identification number according to the records of the county recorder and is not shown on a recorded subdivision plat.

Lot right-of-way: means a strip of land of not less than 26 feet wide connecting a lot to a street for use as private access to that lot.

Official zoning map: means a zoning map adopted by the City Council pursuant to the provisions of Utah Code Annotated section 10-9a-501, as amended.

Open space: means designated land within the subdivision which shall always remain undeveloped, which shall be included in improved parks and recreational areas, or which shall remain all natural.

Person: means any individual, corporation, partnership, limited liability company, or partnership, firm, or association of individuals, however styled or designated.

Planning Commission: means the LaVerkin City Planning Commission.

Plat: means a map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Public Landscaping Improvements: means landscaping that an applicant is required to install to comply with published installation and inspection specifications for public improvements that will be dedicated to and maintained by the city or are associated with and proximate to trail improvements that connect to planned or existing public infrastructure.

Residual Zoning Lot: means a lot or parcel: (a) created or modified by the proposed subdivision, but not included as a lot on the final plat, and (b) which qualifies as a zoning lot, but, because of insufficient size, dimension or other limitation, is not readily capable of further division in accordance with the requirements of the applicable zoning ordinance.

Review Cycle: means (i) the applicant's submittal of a complete subdivision land use application, (ii) the City's review of that subdivision land use application, (iii) the city's response to that subdivision land use application, in accordance with this section; and (iv) the applicant's reply to the City's response that addresses each of the City's required modifications or requests for additional information.

Sanitary Sewer Authority: means the Ash Creek Special Service District, a public entity with responsibility to review and approve the feasibility of sanitary sewer services or on-site wastewater systems within the City.

Security or Completion Assurance: means a financial guarantee assuring the completion of all subdivision public improvements and infrastructure.

Street: means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than 26 feet wide which has been made public by right of use and which affords the principal access to the abutting property.

Street, arterial: means a street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the general plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street.

Street, collector: means a street, existing or proposed, which is the main means of access to an arterial street system.

Street, cul-de-sac: means a street which originates from a designated City street with no other outlet and forcing a radius turn area, not to exceed 660 feet in length without the written approval of the City Council, the Planning Commission and the Fire chief.

Street, private: means a right-of-way or easement in private ownership not dedicated or maintained as a public street.

Street, residential: means a street, existing or proposed, which is supplementary to a collector street and which serves or is intended to serve local needs of a neighborhood.

Subdivider: means any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity commencing proceedings under this chapter to effect a subdivision for himself or for another.

Subdivision: means (i) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument, and (ii) except as provided herein, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes. Subdivision does not include:

- A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
- A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if no new lot is created and the adjustment does not violate applicable land use ordinances;

- A recorded document executed by the owner of record, revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property, or joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances; or
- The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" as to the unsubdivided parcel of property or subject the unsubdivided parcel to the provisions of this chapter.

Subdivision improvement plans: means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

Subdivision ordinance review: means review by the City to verify that a subdivision land use application meets the criteria of the City's subdivision ordinances.

Subdivision plan review: means a review of the applicant's subdivision improvements and other aspects of the subdivision land use application to verify that the application complies with city ordinances and applicable standards and specifications

11-1-3: Applicability.

- A. No person shall subdivide any tract of land which is wholly or partially within the boundaries of LaVerkin except in compliance with this Title.
- B. No person shall sell, exchange, or offer to sell or exchange, any parcel of land which is part of a subdivision of a larger tract of land, or offer for recording in the office of the Washington County Recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this Title.
- C. All lots, plots or tracts of land located within a subdivision shall be subject to this chapter regardless of whether such tract is owned by the subdivider or a subsequent purchaser, transferor or holder of the land.
- D. No subdivision plan or plat shall have the effect of creating a derelict lot or parcel. Any such lot or parcel must be attached to adjacent lots or parcels rather than allowed to remain as an independent lot or parcel. Privately owned protection or retainer strips shall not be permitted.
- E. No subdivision plan or plat shall have the effect of leaving a residual zoning lot for which the required subdivision improvements: (a) have not been previously constructed and (b) are not to be included as part of the required improvements for the proposed subdivision. For purposes of this paragraph, A "residual zoning lot" shall be construed to include a parcel: (a) created or modified by the proposed subdivision, but not included as a lot on the final plat, and (b) which qualifies as a zoning lot, but, because of insufficient size, dimension or other limitation, is not readily capable of further division in accordance with the requirements of the applicable zoning ordinance.

F. This chapter applies to land use decisions arising from applications for subdivision approval of residential, commercial or industrial property; it does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.

G. The provisions of this chapter relating to creation of the ALUA and providing for review cycle restrictions shall apply only to applications for subdivision approval of single-family dwellings, two-family dwellings, townhomes and other multi-family dwellings. All other subdivision applications, i.e., commercial, industrial, mixed use, and applications affecting property within identified geological hazard areas shall be reviewed and approved by the planning commission and city council in accordance with the provisions of this chapter.

H. A subdivision plat recorded without the signatures required under this section is void.

I. A transfer of land pursuant to a void plat is voidable by the land use authority.

J. No building permit shall be issued until the final subdivision plat has been recorded and all public improvements have been installed and accepted by the City or guaranteed with an improvement completion assurance.

K. An owner of any land located in a subdivision who transfers or sells any land in that subdivision before a plat of the subdivision has been approved is guilty of an Infraction for each lot or parcel transferred or sold.

L. Notwithstanding any provision herein to the contrary, the preliminary plat and final plat may be reviewed and approved concurrently if no public infrastructure or other public improvements are required and all other applicable requirements of this title are met.

Chapter 2

Necessity of Plat, Administration, Notice, Fees

11-2-1: Necessity of Plat; Exemption from Plat Requirements

11-2-2: Authority to Review and Approve Applications for Preliminary and Final Plats

11-2-3: Public Notice

11-2-4: Fees

11-2-1: Necessity of Plat; Exemption from Plat Requirements. All subdivisions shall be required to obtain preliminary and final plat approval in accordance with the provisions of this chapter, except as follows:

A. A subdivision creating no more than one new lot may, with written approval from City staff, be approved without the necessity of preparing and filing a preliminary plat or final plat if:

1. The proposed subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan unless the City staff has approved the location and dedication

of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires,

2. The proposed subdivision has been approved by the culinary water authority and the sanitary sewer authority,

3. The proposed subdivision is located in a zoned area, and

4. The proposed subdivision conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

B. A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:

1. qualifies as land in agricultural use under Utah Code Ann. 59-2-502,

2. meets the minimum size requirement of the applicable land use ordinances; and

3. is not and will not be used for any non-agricultural purpose.

C. The boundaries of each lot or parcel exempted under subsection A and B above shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604 of the Utah Code, as amended, shall be recorded with the Washington County Recorder.

D. If a lot or parcel exempted under subsection B above is used for a non-agricultural purpose, the city may require the lot or parcel to comply with the requirements of Utah Code Ann. 10-9a-603, as amended, and the subdivision requirements of this chapter.

E. Documents recorded in the Washington County Recorder's Office that divide property by a metes and bounds description do not create an approved subdivision allowed by this chapter unless the written approval required by subsection A above is attached to the document.

F. The creation of a lot under subsection A above shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the Joint Utility Committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.

G. Lot line adjustments are exempt from plat requirements. However, in instances where the property to be adjusted abuts a City street where improvements have only been extended to the pre-adjustment property line, prior to final approval of the lot line adjustment, street improvements congruent to those that are existing shall be required.

H. Lots or parcels created in violation of this section shall not be issued a building permit until the violation is corrected.

11-2-2 Authority to Review and Approve. All applications for preliminary and final subdivision plat approval under this chapter shall be reviewed and approved in accordance with the following:

A The Administrative Land Use Authority (the "ALUA"), is hereby created pursuant to

Utah Code Ann. §10-9a-604.1 and shall be made up of five (5) individuals, including: the City Administrator, the City Engineer, the City Director of Operations, and two (2) members appointed by the City Administrator, one of whom shall be a member of the Planning Commission and one other (1) person who shall be selected by the City Administrator.

1. The ALUA shall be responsible for review and approval of applications for preliminary and final subdivision plat approval for subdivisions of single-family dwellings, two-family dwellings, townhomes and other multi-family dwelling subdivisions, as hereinafter set forth.
2. All approvals granted by the ALUA shall require a minimum of three (3) affirmative votes.

B. The Planning Commission and City Council shall be responsible for review and approval of applications for preliminary and final plat approval for all other subdivisions, including commercial subdivisions, industrial subdivisions, mixed use subdivisions, planned development communities, and applications affecting property within identified geological hazard areas, as hereinafter set forth.

11-2-3: Notice Requirements.

A. The ALUA, Planning Commission and City Council may, but shall not be required to, give public notice or hold public hearings in connection with review of an application for any preliminary or final subdivision plat approval.

B. Within twenty (20) days after the date on which an applicant submits a complete application for preliminary subdivision plat review, as determined by the ALUA or planning commission, as the case may be, written notice of the proposed subdivision shall be mailed to the owner of any water conveyance facility located entirely or partially within 100 feet of the subdivision plat, as determined using information made available to the City. A facility owner's failure to provide comments to the City does not affect or impair the authority to approve the subdivision plat.

C. An application or petition for amendment of a subdivision plat shall comply with the notice requirements contained in Utah Code Ann. §10-6a-608 and §10-6a-609.

11-2-4: Fees. The following fees are hereby established:

A. Preliminary plat application fee. At the time of filing of an application for preliminary plat approval, the applicant shall deposit with the City a nonrefundable fee made payable to the City of LaVerkin. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing the subdivision improvement plans, compliance with city ordinances and review of the preliminary plat.

B. Final plat application fee. At the time of filing of an application for final plat approval, the applicant shall deposit with the City a nonrefundable fee made payable to the City of

LaVerkin. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision improvement plans and the final plat.

C. Recording fee. At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee imposed by the Washington County Recorder.

Chapter 3

Preliminary Plat Requirements

11-3-1: Pre-Application Meeting

11-3-2: Review of Application for Completeness

11-3-3: Preparation of Preliminary Plat

11-3-4: Construction Drawings

11-3-1: Pre-Application Meeting. A pre-application meeting with City staff shall not be required as a condition of preliminary plat approval; however, if an applicant requests a pre-application meeting with city staff for review of plans for a preliminary plat, City shall, within fifteen (15) business days after the request, schedule a meeting to review the concept plan and give initial feedback. The City shall make available at the pre-application meeting or on the City website:

- A. Copies of applicable land use regulations.
- B. A complete list of standards required for the subdivision
- C. Preliminary and final application approval checklists
- D. Feedback on the concept plan

11-3-2: Review of Preliminary Plat Application for Completeness. Applications for preliminary plat approval shall comply with all requirements of this chapter and Utah Code Ann. 10-9a-601 et. seq., and shall conform to the following:

A. The applicant shall submit a complete preliminary plat application form and application checklist, together with:

1. a proposed preliminary plat, prepared by a licensed engineer or surveyor in conformity with city standards, containing the information set forth in 11-3-3 below.
2. a subdivision improvement plan and construction drawings prepared by a licensed engineer in PDF format in conformity with City standards and this chapter.
3. an owner's affidavit certifying the accuracy of all documents submitted.
4. any previously entered-into development agreement affecting the property.
5. a phasing plan for any subdivision to be developed in phases.

6. a plan or method for handling of storm water drainage.
7. any additional information required by the City as a result of a pre-application meeting.
8. a will-serve letter from any utility provider
9. the preliminary plat review fee.

B. Upon a determination that the preliminary plat application, including the preliminary plat, subdivision improvement plans, construction drawings, etc., is complete and conforms with all zoning requirements or requirements of any prior development agreement, the preliminary plat and accompanying improvement plans, construction drawings, etc., shall be reviewed as hereafter provided.

11-3-3: Preparation of Preliminary Plat. The preliminary plat shall be 24 inches by 36 inches (24" x 36"), shall be clear and legible, shall conform to good engineering and professional drafting room practice, and shall contain or be accompanied by the following information:

- A. Title Block: The title block on the right side of each sheet shall contain:
 1. The proposed name of the subdivision.
 2. The location of the subdivision, including the address and the section, township and range.
 3. The name and address of the owner and subdivider, if other than the owner.
 4. Date of preparation and north point.
 5. Scale shall be of sufficient size to adequately describe in legible form all required conditions of this subdivision title.
- B. Existing Conditions: The preliminary plat shall show:
 1. The location of the nearest survey monument.
 2. The boundary of the proposed subdivision and the acreage included.
 3. All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided (where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system on the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other city studies), and all property contiguous to the proposed subdivision.
 4. The location, width and names of all existing streets within one hundred feet (100') of the subdivision and of all prior platted streets or other public ways, utility rights of way, parks and other public open spaces, permanent easements, and section and corporation lines, within and adjacent to the tract.
 5. The location of all wells, proposed, active and abandoned, and of all reservoirs and ponds within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries.

6. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries, indicating the pipe sizes, grades, manholes and exact location.
7. Existing fire hydrants within a distance of at least three hundred feet (300') beyond the tract boundaries.
8. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments, including drainage and existing and future flood control alignments.
9. Common boundary lines of adjacent tracts within one hundred feet (100') of the proposed subdivision parcel, showing ownership where possible.
10. Contour at vertical intervals not greater than two feet (2') or two-foot (2') elevations from the designated benchmark.
11. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock, and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.

C. Proposed Conditions: The preliminary plat should contain the following which shall be indicated according to the specifications in this chapter:

1. The proposed layout of subdivision streets, tied to existing numbered survey monuments for identification, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements, new street locations, construction and compaction specifications, stop signs, streetlights and street name signs.
2. Streets shall be designated with street numbers. Streets may also be secondarily designated by actual or proposed names.
3. Typical street cross section and street grades pursuant to the standard drawings as outlined in appendix charts on file in the city.
4. Approximate radius of all centerline curves on highways or streets.
5. Each lot shall front a street shown in the subdivision. Flag lots are acceptable provided they meet all of the requirements of section 10-7-12 of this code.
6. The layout, number and typical dimensions of lots.
7. Parcels of land intended to be dedicated for public use.
8. Easements for culinary water, irrigation, sewer, drainage, utility lines, access and other purposes. The culinary water, irrigation, sewer, and drainage layouts shall be the first utilities designed.
9. A plan or method by which the subdivider proposes to handle stormwater drainage for the subdivision, accompanied by a hydrology report.

10. Where necessary, copies of any agreement with adjacent property owners relevant to the proposed subdivision shall be presented to the City's authorized representative and such agreement shall be noted on the plat (i.e., water, sewer easements).

11. Phasing plan, if applicable.

D. Subdivision Improvement Plans: As part of a complete preliminary plat application, the applicant shall submit subdivision improvement plans prepared by a licensed engineer for construction and installation of all on-site and required off-site improvements, including streets, water lines, sewer lines, power, drainage and fencing, prepared in accordance with:

1. Current City land use ordinances
2. Current City standards and specifications
3. City drainage plan
4. Ash Creek Special Service District design guidelines and construction standards
5. Applicable building code
6. Applicable fire code
7. Rocky Mountain Power standards and specifications, if applicable
8. Specific geotechnical recommendations for the design and construction of the proposed subdivision, which shall include the following, if applicable:
 - a. a general assessment of the requirements needed to develop on the site.
 - b. site preparation and grading and the suitability of on-site soils for use as structural fill
 - c. stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
 - d. recommendations for foundation type and design criteria, including but not limited to bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
 - e. anticipated total and differential settlement.
 - f. special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
 - g. design criteria for restrained and unrestrained retaining or rockery wall.

- h. moisture protection and surface drainage.

Subdivision improvement plans shall remain valid for 24 months after final plat approval. Subdivision improvement plans signed more than 24 months prior to construction of improvements shall be deemed to have expired. For a subdivision where subdivision improvements have been started but not completed within 24 months of approval, the Director of Operations may permit construction to continue in accordance with the approved plans. Subdivision improvement plans showing multiple phases of a project are valid only for those improvements constructed within the first 24 months of approval. New approvals must be obtained, and any new standards shall apply for future phases or delayed projects.

11-3-4: Construction Drawings. As part of an application for preliminary plat approval, an applicant shall submit construction drawings which shall meet the requirements of the LaVerkin City 2022 Design and Construction Standards, as the same now exists or as may be amended from time to time.

Chapter 4

Preliminary Plat Approval Procedure

- 11-4-1: Preliminary Plat Review and Approval for Single Family Dwellings, Two Family Dwellings, Townhomes and Multi Family Subdivisions
- 11-4-2: Preliminary Plat Review and Approval for Other Subdivisions.
- 11-4-3: Authorization to Proceed with Application for Final Subdivision Plat Approval

11-4-1: Preliminary Plat Review and Approval for Single Family Dwellings, Two Family Dwellings, Townhomes and Multi Family Subdivisions. Upon receipt of a complete application for preliminary plat approval for subdivisions consisting of single family dwellings, two family dwellings, townhomes or multi family dwellings, the ALUA shall complete its review of the application for preliminary plat approval in no more than three (3) review cycles, in accordance with the following:

- A. No later than fifteen (15) business days after the day on which an applicant submits a complete application for preliminary subdivision plat approval, the ALUA shall complete its initial review of the application for ordinance review.
- B. The ALUA shall complete a subdivision plan review of a subdivision improvement plan that is submitted with a complete subdivision application within twenty (20) business days after the complete subdivision application is submitted.
- C. In reviewing an application for approval of a preliminary subdivision plat, the ALUA may require additional information relating to an applicant's plans to ensure compliance with

City ordinances and approved standards and specifications for construction of public improvements and modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.

D. The ALUA's request for additional information or modifications as specified above shall be specific and include citations to ordinances, standards, or specifications that require the modifications to subdivision improvement plans and shall be logged in an index of requested modifications or additions.

E. Unless a change or correction is necessitated by the applicant's adjustment to a subdivision improvement plan or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in the City's subdivision improvement plan review shall be waived.

F. A modification or correction necessary to protect public health and safety or to enforce state or federal law will not be waived by the City.

G. If an applicant makes a material change to a subdivision improvement plan, the city has the discretion to restart the review process at the first review of the subdivision improvement plan, but only with respect to the portion of the subdivision improvement that the material change substantively affects.

H. If an applicant does not submit a revised or corrected subdivision improvement plan within twenty (20) business days after the City requires a modification or correction, the City shall have an additional twenty (20) business days to respond to the subdivision improvement plan.

I. After the applicant has responded to the final review cycle, and the applicant has complied with each modification or correction requested by City in the previous review cycle, the City may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

J. In addition to revised plans, an applicant shall provide a written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any. The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

K. If an applicant fails to address a review comment in the response, the review cycle shall not be complete and the subsequent review cycle by the City shall not begin until all comments are addressed.

L. If, at any point during the review cycle, an application for approval of the preliminary subdivision plat and subdivision improvement plan complies with applicable city ordinances and the requirements of Utah Code Ann. §10- 9a-601 et. seq., the ALUA shall approve the preliminary subdivision plat and subdivision improvement plan.

11-4-2: Review of Preliminary Plat for Commercial Subdivisions, Industrial Subdivisions, Mixed Use Subdivisions, and applications affecting property within identified geological hazard areas. Upon receipt of a complete application for preliminary plat approval for any subdivision other than those described in §11-4-1 above, and after review by City staff and the joint utility committee to ensure compliance with all city ordinances, rules, regulations, standards and specifications,

A. The planning commission:

1. may, but shall not be required to, schedule a public hearing and give public notice of such hearing; and
2. Upon conclusion of its review of said application for preliminary plat approval, forward said preliminary plat and all accompanying subdivision improvement plans, construction drawings and other documents to the city council along with a recommendation for approval, approval with conditions, or denial.

B. The city council shall, upon receipt of the recommendation of the planning commission:

1. At its next regularly scheduled city council meeting, include as an agenda item review of the preliminary plat, subdivision improvement plans, construction drawings, other accompanying plans, and the planning commission recommendation; and
2. Upon conclusion of its review of said application for preliminary plat approval, the planning commission recommendation and all accompanying documents, the city council shall: (a) approve the preliminary subdivision plat if the plat and subdivision improvement plans comply with applicable city ordinances and the requirements of Utah Code Ann. §10-9a-601, (b) approve the preliminary plat with conditions, or (c) deny approval of the preliminary plat.
3. Approval by the city council of the preliminary plat, or approval of the preliminary plat with conditions, shall enable the applicant to proceed with the process for final plat approval.

Chapter 5 Final Plat Approval Process

- 11-5-1: Time Frame for Submission of Application for Final Subdivision Plat Approval
- 11-5-2: Application for Final Subdivision Plat Approval
- 11-5-3: Final Plat Requirements
- 11-5-4: ALUA Review of Application for Final Plat Approval for Single Family Dwellings, Two Family Dwellings, Townhomes and Multi Family Subdivisions; Appeal Panel
- 11-5-5: Planning Commission and City Council Review of Application for Final Plat Approval for Commercial Subdivisions, Industrial Subdivisions, Mixed Use Subdivisions,

Planned Development Communities, and Applications Affecting Property Within
Identified Geological Hazard Areas.

11-5-1: Time Frame for Submission of Application for Final Subdivision Plat Approval. Not more than one (1) year after receiving preliminary plat approval from the ALUA or Planning Commission, as the case may be, the applicant shall submit a complete application for final subdivision plat approval, or the preliminary subdivision plat approval shall expire. The ALUA or planning commission may, for good cause, authorize a one-time extension not to exceed one (1) year, provided that a written request for extension is received by the City before the one (1) year time period has expired. In no event, however, may an application for final subdivision plat approval be submitted more than two (2) years after preliminary approval.

11-5-2: Application for Final Subdivision Plat Approval. An application for final subdivision plat approval shall be accompanied by:

- A. An electronic copy of the final plat/mylar, containing the information described in §11-5-3, for recording at the office of the Washington County Recorder.
- B. Subdivision improvement plans approved as part of preliminary plat approval
- C. Final construction drawings approved as part of preliminary plat approval
- D. Application fee
- E. Improvement completion assurance if required improvements have not been completed, as prescribed in §11-7-2.
- F. Warranty assurance if less than one (1) year has passed since completion of improvements, as prescribed in §11-7-5.
- G. Title report for the property issued not less than thirty (30) days from the date of submission of the application for final plat review

11-5-3: Final Plat Requirements. The final plat shall be subject to the following requirements:

- A. Size and Format: Final plats shall be clear and legible and conform to good engineering and professional drafting room practice. The size of drawings shall be twenty-four inches by thirty-six inches (24" x 36"). Final plats should also be provided to the city in an electronic format required for mapping.
- B. Conformance to Preliminary Plat: The final plat must conform to the preliminary plat as approved, plus any modifications that may have occurred since preliminary plat approval.
- C. Copies Submitted: Two (2) copies of the final plat must be submitted, one of which must be reproducible and filed with the City and the other of which must be on Mylar to be recorded

with the county recorder. Submission to the City of a copy of the plat in current electronic format will also be required, for mapping and tracking purposes.

D. Mylar Plat for Subdivisions: A Mylar plat is required for all subdivisions. The Mylar plat must be prepared by a licensed land surveyor or engineer on a standard tracing linen sheet, drawn with waterproof black India ink. The Mylar plat shall include the following on the drawing:

1. The top of the plat shall be either north or east and identified by an arrow, whichever accommodates the drawing best.
2. The name and location of the subdivision.
3. A vicinity map showing property adjacent to the subdivision.
4. An identification system for all lots, blocks, and streets. The dimensions for lot lines shall be in feet and hundredths of feet.
5. True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol.
6. Scale and elevations referenced to the latest revision of USGS datum, including elevations for profiles.
7. Street centerlines, together with their relationship to the property lines, corners, etc. Street monuments as specified by the city engineer shall also be shown.
8. The accurate location of all reference (survey) monuments, including all United States, state, county, or other official monuments.
9. Accurate outline and depiction of any streets, highways or other property in the proposed subdivision to be reserved for private use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for the common use of all property owners.
10. If the subdivision will include installed street or other common or public area outdoor lighting, the final plat shall contain a statement certifying compliance with the applicable provisions of the LaVerkin City outdoor lighting ordinance.
11. Dedicatory language describing the actual dedication to the public of all streets, highways or other property in the proposed subdivision which is to be dedicated to the use and benefit of the public. Recording of the Mylar plat completes the dedication.
12. Where it is proposed that streets be constructed on property on which a public agency or utility company has an easement or which it otherwise controls, a signature of approval of such entity for the location, improvement and maintenance of such streets shall be entered on the Mylar plat.
13. A registered professional engineer's and/or land surveyor's certificate of survey.
14. Legal description and owner's dedication.

15. A notary public's acknowledgment for the owner's dedication and certificate of survey.

16. Any additional explanatory or informational note required by the ALUA.

17. Signature blocks along the bottom and/or right side for the city engineer, superintendent of Ash Creek Special Service District, chairman of the ALUA, city attorney, Washington County Treasurer, and a space in the lower right-hand corner of the drawing for the recording information of the county recorder.

11-5-4: ALUA Review of Application for Final Subdivision Plat Approval for Single Family Dwellings, Two Family Dwellings, Townhomes and Multi Family Subdivisions. Upon receipt of a complete application for final plat approval, including all information and documentation required by 11-5-2 and 11-5-3, the ALUA shall:

A. Complete its 4th and final review cycle of the applicant's final plat and subdivision improvement plans not later than 20 days after the day on which said application was submitted; and

B. In the event that the proposed final plat and final subdivision improvement plans have not materially changed from the approved preliminary plat and subdivision improvement plans, and if the proposed final plat meets all requirements of this chapter and Utah Code Ann §10-9a-601 et. set., the ALUA shall approve the final plat and final subdivision improvement plans.

C. If on the fourth or final review cycle, the City fails to respond within twenty (20) business days, the City shall, upon the request of the property owner, and within ten (10) business days after the day on which the request is received:

1. for a dispute arising from the subdivision plans, assemble an appeal panel in accordance with Utah Code Ann. §10-9a-508(5)(d) to review or deny the final revised set of plans; or

2. for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the City's land use appeal authority.

11-5-5: Planning Commission and City Council Review of Application for Final Plat Approval for Commercial Subdivisions, Industrial Subdivisions, Mixed Use Subdivisions and Applications Affecting Property Within Identified Geological Hazard Areas. Upon receipt of a complete application for final plat approval for any subdivision other than those described in §11-4-1 above, including all information and documentation required by 11-5-2 and 11-5-3, and after review by city staff and to ensure compliance with the approved preliminary plat and subdivision improvement plans,

A. The planning commission:

1. may, but shall not be required to, schedule a public meeting and provide public notice of the date, time and place of said meeting, along with the agenda which shall include an item for review of the application for final plat approval; and

2. Shall, upon conclusion of its review of said application for final plat approval, forward said final plat and all accompanying subdivision improvement plans, construction drawings and other documents to the city council along with a recommendation for approval, approval with conditions, or denial.

B. The city council shall, upon receipt of the recommendation of the planning commission:

1. At its next regularly scheduled city council meeting, include as an agenda item review of the application for final plat approval and the planning commission recommendation; and

2. Upon conclusion of its review of said application for final plat approval and the accompanying planning commission recommendation, the city council shall approve the application for final plat approval if the final plat and subdivision improvement plans comply with the approved preliminary plat plus any conditions required by the City Council in connection with approval of the preliminary plat, all applicable city ordinances, and the requirements of Utah Code Ann. §10-9a-601.

Chapter 6 Recording of Plat

11-6-1: Requirements for Recording of Final Plat

11-6-2: Revocation of Final Plat Not Timely Recorded

11-6-1: Requirements for Recording of Final Plat. No final subdivision plat shall be recorded at the office of the Washington County Recorder, unless and until the following conditions are met:

- A. The application for final subdivision plat approval, together with all subdivision improvement plans and construction drawings, shall have been approved by the ALUA or City Council, as the case may be. Any material changes to the final plat/mylar from the date of ALUA or City Council approval to the date of recording, as determined by the city attorney, shall necessitate the filing of an application for an amended plat.
- B. All required dedications and all required signatures and acknowledgments on the final plat/mylar shall have been obtained in accordance with this Title.
- C. A subdivision report for the property shall have been prepared and submitted to the city attorney with an effective date of 30 days of the date of the final plat approval.
- D. An improvement completion assurance for public landscaping improvements and/or infrastructure improvements shall have been submitted to and approved by the ALUA or City Council, as the case may be, in accordance with §11-7-2.
- E. An improvement warranty for the improvement warranty period shall have been submitted to and approved by the ALUA or City Council, as the case may be, in

accordance with §11-7-5.

- F. All recording fees assessed by the recorder's office shall have been paid by the applicant.

11-6-2: Revocation of Final Plat Not Timely Recorded. The applicant shall be responsible to ensure that all conditions and requirements for final plat recordation have been met, and that the final plat/mylar is recorded at the office of the Washington County Recorder within one (1) year of the date of the city engineer's signature. Failure to record the final plat/mylar within said one (1) year period shall result in a revocation of final plat approval. In the event that a final plat approval is revoked, the applicant must obtain new preliminary plat approval before applying for new final plat approval.

Chapter 7

Completion Assurance, Construction of Improvements, Warranty

- 11-7-1: Completion of Improvements or Improvements Completion Assurance
- 11-7-2: Improvements Completion Assurance
- 11-7-3: Construction of Subdivision Improvements; Standards; Specifications
- 11-7-4: Inspection of Improvements
- 11-7-5: Warranty of Improvements
- 11-7-6: Drawings of Record

11-7-1: Completion of Improvements or Completion Assurance. Except as may be otherwise provided in a valid development agreement, before an applicant conducts any development activity or records a subdivision plat, the applicant shall:

- A. Complete construction and installation of any required public landscaping improvements or infrastructure improvements, or
- B. Post an improvement completion assurance for any required public landscaping improvements or infrastructure improvements.

11-7-2: Improvement Completion Assurance. If an applicant elects to post an improvement completion assurance:

- A. The applicant shall provide completion assurance for 100% of the cost of the required public landscaping or infrastructure improvements, as determined by an engineer's estimate of the cost required to complete the improvements or the amount of a licensed contractor's bid (or, if the city has inspected and accepted a portion of the public landscaping improvements or

infrastructure improvements, 100% of the incomplete or unaccepted public landscaping improvements or infrastructure), plus 10% of the amount of the assurance to cover administrative costs incurred by the City to complete the improvements, if necessary.

B. The City may not require an applicant to post an improvement completion assurance for:

- 1 public landscaping improvements or an infrastructure improvement that the City has previously inspected and accepted.
- 2 infrastructure improvements that are private and not essential or required to meet the building code, fire code, flood or storm water management provisions, street and access requirements, or other essential necessary public safety improvements adopted in City's land use regulations.
- 3 any development where all infrastructure improvements within the development are required to be privately owned.
- 4 landscaping improvements that are not public landscaping improvements, unless the landscaping improvements and completion assurance are required under the terms of a development agreement.

C. As a condition for increased density or other entitlement benefit not currently available under the existing zone, the City may require a completion assurance bond for landscaped amenities and common area that are dedicated to and maintained by a homeowner's association; provided, however, that any agreement regarding such completion assurance bond shall be memorialized in a development agreement between the City and the applicant. Notwithstanding the foregoing, the City may not require a completion assurance bond for the landscaping of residential lots or the equivalent open space surrounding single family attached homes, whether platted as lots or common area.

D. An improvements completion assurance shall remain in effect for a period of one (1) year from the date of final subdivision plat approval, and shall be accomplished by one of the following methods:

1. The applicant shall post a bond with a surety company which has a AAA bond rating and is licensed to do business in the State of Utah
2. The applicant shall deposit funds into an escrow account acceptable to City.
3. The applicant shall provide such other financial guarantee as may be acceptable to City.

E. When the City accepts an improvement completion assurance for public landscaping improvements or infrastructure improvements for a development as provided herein, the City may not deny an applicant a building permit if the development meets the requirements for the issuance of a building permit under the building code and fire code.

F. Any improvement completion assurance accepted by the City may be partially released as portions of the required landscaping or infrastructure improvements are completed and accepted by the City. Funds held as improvement completion assurance shall be released by the City in an amount equal to the actual cost of performing the work minus ten percent (10%). Partial release shall be subject to the city engineer's acceptance of a logical completion of infrastructure improvements to support the subdivision in question.

11-7-3: Construction of Improvements. The subdivider shall be responsible for completion of construction of public landscaping and subdivision infrastructure improvements within one (1) year of the date of final plat approval in accordance with the LaVerkin City 2022 Design and Construction Standards, as the same now exists or as may be amended from time to time in the future.

11-7-4: Warranty Assurance. In addition to a completion assurance escrow account or bond, as specified in 11-7-2 D., the applicant/subdivider shall warrant all subdivision improvements, including the quality of all materials and workmanship, for a period of one (1) year after said improvements are completed and accepted by the City. At any time before the City accepts a public landscaping improvement or infrastructure improvement, and for the duration of the improvement warrant period specified herein, the City shall require applicant to:

A. Execute an improvement warranty, either separately or as part of the completion assurance, for the one (1) year improvement warranty period, and

B. Post a cash deposit, surety bond, letter of credit or other similar security, as required by the city, in the amount of up to ten percent (10%) of the lesser of the City Engineer's original estimated cost of completion of applicant's reasonable proven cost of completion.

11-7-5: Final Inspection, Acceptance, Corrective Work. Upon receipt of written certification from the subdivider/applicant that all construction and installation of subdivision improvements have been completed:

A. The City Engineer and Public Works Director shall make a final inspection of the improvements and shall submit a report to the City Administrator, setting forth the conditions of such facilities.

B. The City Administrator shall cause such portion of the completion assurance not previously released pursuant to §11-7-2 F., minus 10% of the amount posted as a warranty assurance, to be released if:

- 1 If the improvements are accepted by city as having been completed in accordance with the terms and conditions of preliminary and final plat approval and the provisions of this Title, and
- 2 all liens are paid.

C. If the City Engineer and Public Works Director determine that the materials or workmanship is defective or otherwise does not meet the standards of the City, that portion of the completion assurance escrow funds, bond or other assurance which has not been released pursuant to §11-7-2 F., together with the warranty assurance bond, shall be retained by City until such time that said defects in workmanship or materials are corrected by the subdivider/ applicant, or the City has obtained a release of said assurance funds for corrective work to be performed by the City.

11-7-6: Drawings of Record. After final installation of all improvements and the final inspection and approval of the same, the contractor shall provide a complete set of drawings of record for all improvements that includes all items listed in the construction drawings and any improvement dimensions or changes to the improvements as they were constructed in the field. The drawings shall be submitted on twenty-four inch by thirty six inch (24" x 36") sheets. No bond shall be released until drawings of record are received, and if changes were made to improvements, a new drawing of record for such improvements shall be submitted, as appropriate, before release of the bond. A submittal of drawings of record shall include a transmittal letter, in duplicate, containing the submittal date, project title, and the signature of the contractor or the contractor's authorized representative. The transmittal letter shall also include certification by a professional engineer or surveyor, licensed in the state of Utah, that each drawing of record is complete and accurate.

Chapter 8 Vacating or Amending a Subdivision

11-8-1 Vacation or Amendment of Subdivision

11-8-1: Vacating or Amending Subdivision. The vacation or amendment of all or a part of a subdivision shall be subject to and governed by the requirements of Utah Code Ann §§10-9a-608, 10-9a-609 and 10-9a-609.5.

Chapter 9 Validity; Penalty

11-9-1 Validity of Ordinance 11-9-2 Penalty for Violation

11-9-1: Validity. If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid, such holding shall not affect the validity of the remaining portion of this title.

11-9-2: Penalty. Any subdivider or other person who shall violate or fail to comply with any of the provisions of this title shall be guilty of an Infraction and punished as provided by law upon conviction.

BE IT FURTHER ORDAINED that all ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

BE IT FURTHER ORDAINED that the subject matter of this ordinance shall be deemed to be of an urgent nature or in the nature of an emergency and shall take effect immediately upon publication or posting as required by Utah law.

PASSED AND APPROVED this _____ day of _____, 2024.

City of LaVerkin

Kelly B. Wilson, Mayor

Attest:

Nancy Cline, City Recorder

On the _____ day of _____, at a regular meeting of the LaVerkin City Council held at 111 South Main Street in LaVerkin, Utah, the foregoing Ordinance was presented to the LaVerkin City Council, whereupon a motion to approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	<u>Yes</u>	<u>No</u>
Darren Prince	_____	_____
Blair Gubler	_____	_____
Patricia Wise	_____	_____
Richard Hirschi	_____	_____
Micah Gubler	_____	_____

Nancy Cline, City Recorder

2024

Southern Utah

Regional Trail Standards



Acknowledgments

Cedar City Active Transportation Committee	Jacqueline Grant
City of St. George	Cathy Hasfurther
	Lloyd Sutton
	Mark Goble
City of St. George City Council	Dannelle Larkin
DMPQ/Five County AOG	Nate Wilberg
Greater Zion	Leslie Forger
Hurricane City	Arthur Lebaon
Ivins City	Chuck Gillatte
La Verkin City Council	Patty Wise
Santa Clara City	Ryan VorCannon
Southern Utah Bicycle Alliance/BikeUtah	Ryan Gun
Springdale	Tom Dansie
St. George Bicycle Collective	Michael Hernandez
St. George Police Department	Gullis Spragg
Utah Department of Transportation	Chris Hall
Washington City	Paul Walker

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04	Trail/Street Interface	27

01 Introduction

Introduction

INTRODUCTION

The Southern Utah Regional Trail Standards document outlines standards for the design and implementation of paved trails in Southern Utah. For the purposes of this document, "trail" refers to paved, multi-use paths intended for two-way, non-motorized transportation and recreation.

The purpose of this document is to promote a consistent approach to trail design and is intended to be adopted and used by local jurisdictions, agencies, and private developers when building new trails. Jurisdictions are encouraged to evaluate existing trails to determine where improvements can be made to align with the standards in this document.

BASIS FOR DESIGN STANDARDS

The standards outlined in this document were developed in coordination with representatives from various local jurisdictions and stakeholder groups and are based on national best practices for the design of paved trails, including guidance from The American Association of State Highway and Transportation Officials (AASHTO), the Federal Highway Administration (FHWA), and the National Association of City Transportation Officials (NACTO). Specific guidance referenced in this document includes:

- AASHTO's Guide for the Development of Bicycle Facilities (2012) - any reference to "AASHTO" within this document refers to Chapter 5 of this guide
- FHWA's Manual on Uniform Traffic Control Devices (2023 edition)
- FHWA's Small Town and Rural Multimodal Networks guide (2016)
- FHWA's Improving Visibility at Trail Crossings guide (2021)
- FHWA's Shared-use Path Level of Service Calculator (2006)
- FHWA's Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (2018)
- NACTO's Urban Bikeway Design Guide (2014)
- NACTO's Don't Give Up at the Intersection guide (2019)



Trail Users

Paved trails, also referred to as shared use paths, are intended to accommodate a variety of non-motorized users who travel at varying speeds and for different purposes, including transportation and recreation. Tables 1.1 and 1.2 outline permitted and prohibited uses on public access trails in Southern Utah.

According to Utah State law, electric-assist devices such as e-bikes are allowed on paved trails. E-bikes are designated based on motor size, maximum assisted speed, and throttle-assist.

Table 1.1 - Permitted Uses on Trails

PERMITTED USES	SPEED OF TRAVEL	DEFINITIONS / CONSIDERATIONS
Walking/Running	1 to 9 mph	- Need wider areas for traveling in groups or walking dogs - Prefer separation from faster-moving trail users - Prefer trails with consistent lighting - May prefer a soft-surface tread
Wheelchairs	1 to 3 mph (nonmotorized) 3 to 5 mph (motorized)	Prefer separation from faster-moving trail users
Equestrians	3 to 8 mph (trot)	Prefer a soft-surface tread separated from people riding bicycles
Pedal Cycles	6 to 25 mph (20 mph limit on trails)	- Human powered - Includes unicycles, bicycles, tricycles, and adaptive pedal cycles
Class 1 E-bikes	20 mph max.	750 watt motor or less; pedal assist only (no throttle); number of wheels not specified
Class 2 E-bikes	20 mph max.	750 watt motor or less; pedal assist and throttle; number of wheels not specified
Class 3 E-bikes	28 mph max. (20 mph limit on trails)	750 watt motor or less; pedal assist only (no throttle); must have a speedometer; number of wheels not specified - Commonly used as transportation device for bicycle commuters
Other Personal Mobility Devices	20 mph max.	Includes in-line skates, one-wheels, hover boards, electric scooters, electric skateboards, segways, or other personal mobility devices that do NOT exceed 20 mph exclusively using motor power

Table 1.2 - Prohibited Uses on Paved Trails

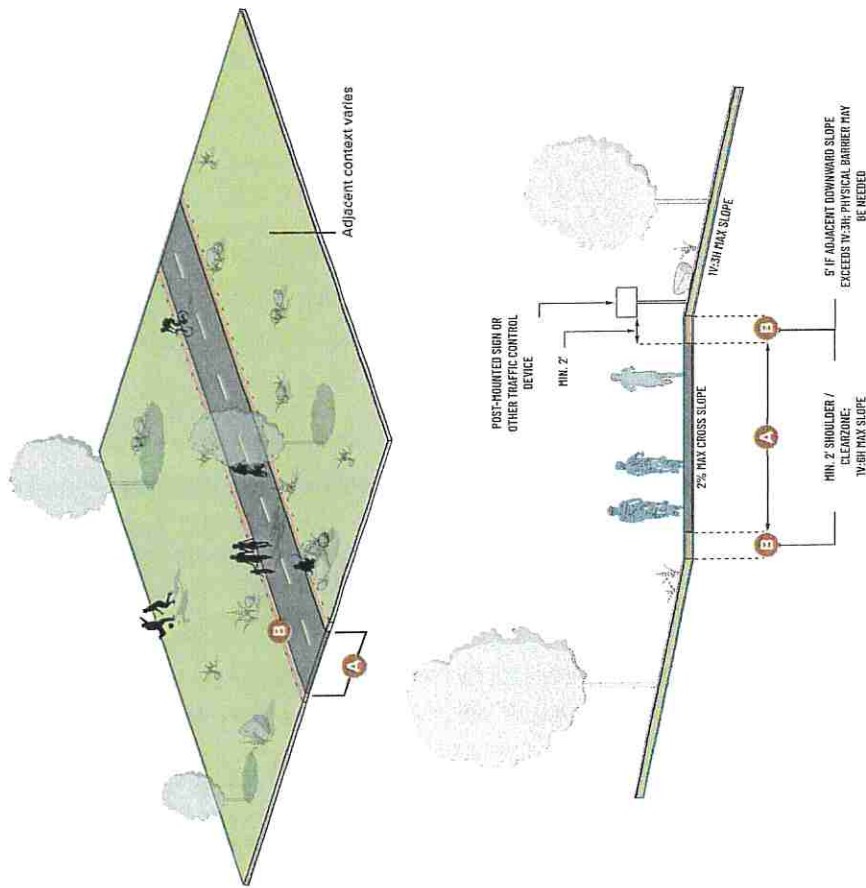
PROHIBITED USES	DEFINITION
Unclassified E-bikes	- Motor greater than 750 watts - Unrestricted motor assisted speed with pedal assist - Unrestricted motor assisted speed with throttle
Motorcycles and E-motorcycles	- Motors capable of speeds greater than 20 mph - Throttle - Foot pegs or aftermarket pedal kits
Golf Carts or Equivalent	A motorized off-highway vehicle with four low-pressure or non-pneumatic tires
ATVs (Type I and II)	Passenger vehicles, trucks, etc. or any motorized vehicle that can go more than 20 mph exclusively using motor power.
Other motorized vehicles	

02 Trail Dimensions

Baseline Trail Dimensions

TYPICAL TRAIL CROSS SECTION

The baseline standard for trail dimensions should follow guidance as outlined in Chapter 5 of AASHTO's Guide for the Development of Bicycle Facilities and illustrated in the figures at the right. Trail design should use the typical cross section unless urban context or anticipated trail use necessitates a different approach. Guidance for varying contexts can be found on subsequent pages of this document.



Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains, areas that may be periodically submerged, or areas of frequent washout.

DESIGN CRITERIA

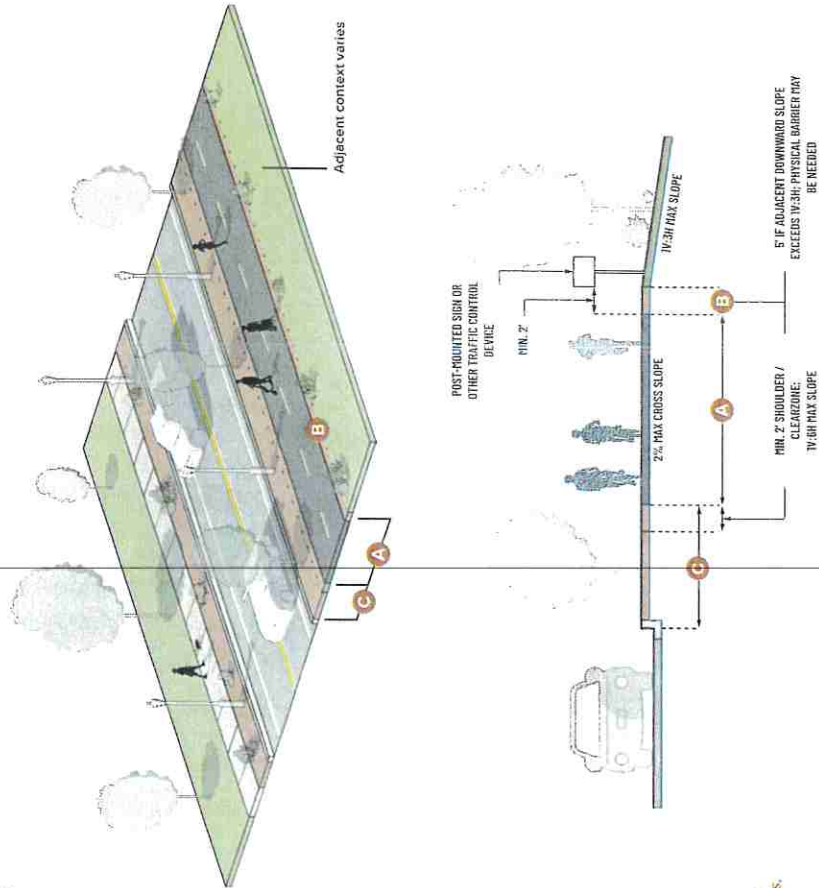
- A** 10' paved trail; not to exceed 2% cross slope (Note 1)
- B** 2-3' graded shoulder; not to exceed 1V:6H cross slope (Note 2 & 3)

NOTES

1. More width may be necessary depending on context (See page 10).
2. Graded shoulder must be kept clear of vegetation, signage, lighting, or any other vertical obstructions.
3. Where a trail is adjacent to bodies of water or steep downward slopes of 1V:3H or steeper, provide 5' (minimum) separation from top of slope to edge of path; a physical barrier may be needed - see AASHTO for more guidance.
4. Follow AASHTO guidance for trail design related to cross slopes, horizontal curves, grades, design speed, sight distances, stopping distances, security, etc.

TRAILS ADJACENT TO ROADWAYS

Trail adjacent to roadways, also known as sidepaths, require additional considerations for trail user safety and comfort, such as separation from vehicle traffic and mitigating conflicts at driveways and intersections. Where these conflicts are more prevalent, alternatives such as one-way separated bikeways should be considered in addition to sidewalks. This section addresses trails adjacent to lower-speed roadways such as local, collector, and sometimes arterial streets. For trails adjacent to higher-speed roadways, see page 16.



Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains, areas that may be periodically submerged, or areas of frequent washout.

DESIGN CRITERIA

- A** 10' paved trail, not to exceed 2% cross slope (Note 1)
- B** 2-3' graded shoulder, not to exceed 1V:6H cross slope (Note 2 & 6)
- C** 5' minimum buffer (Note 3 & 4)

NOTES

1. More width may be necessary depending on context.
2. Graded shoulder must be kept clear of vegetation, signage, lighting, or any other vertical obstructions.
3. Buffer is measured from face of curb (if present) or the edge of the paved roadway (paved shoulders do not count towards the width of the buffer). Reference local standards for minimum widths needed for street trees.
4. Where buffer is less than 5', a physical barrier should be provided between the trail and the roadway.
5. See page 16 for trails adjacent to highways.
6. Where a trail is adjacent to bodies of water or steep downward slopes of 1V:3H or steeper, provide 5' (minimum) separation from top of slope to edge of path; a physical barrier may be needed - see AASHTO for more guidance.
7. Follow AASHTO guidance for trail design related to cross slopes, horizontal curves, grades, design speed, sight distances, stopping distances, security, etc.

Context-based Dimensions

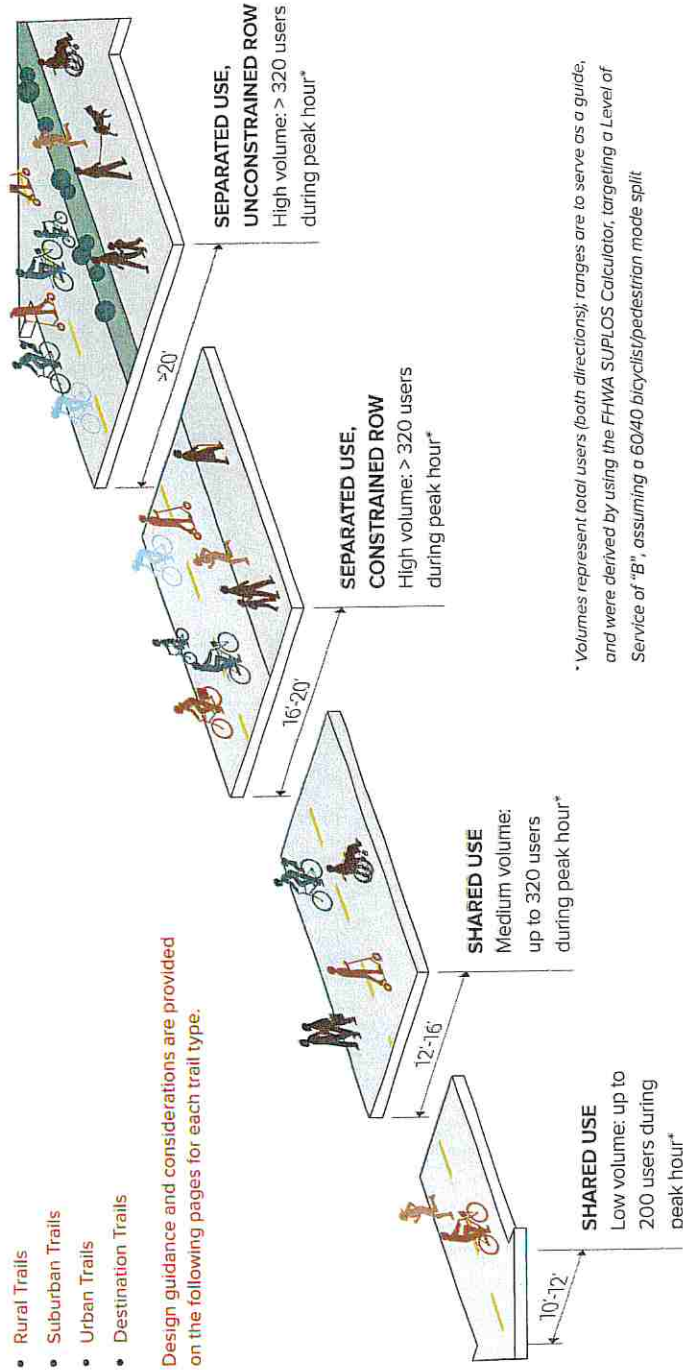
The standards outlined under "Baseline Trail Dimensions" establishes minimum dimensions for paved trails in Southern Utah. However, appropriate trail dimensions vary depending on user demand and urban context. In some cases, a 10' shared-use path is not sufficient to provide a high-quality user experience. As volumes and mix of user types increases on trails, more width, and possible user separation, is necessary to maintain a high-quality user experience. This section outlines a trail classification approach to aid trail designers in determining appropriate trail dimensions and design elements.

TRAIL CLASSIFICATION

Trails in Southern Utah are classified into four categories based on urban context and projected demand:

- Rural Trails
- Suburban Trails
- Urban Trails
- Destination Trails

Design guidance and considerations are provided on the following pages for each trail type.



TRAIL LEVEL OF SERVICE

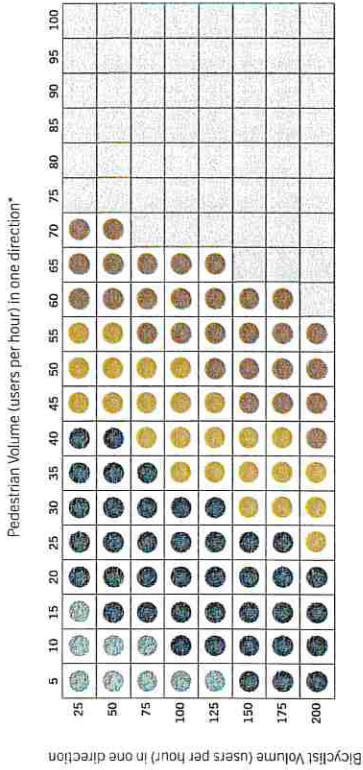
Level of service (LOS) measures the operational conditions of a given corridor in terms of speed, travel time, freedom to maneuver, traffic interruptions, and comfort and convenience, and is commonly applied to roadways and motor vehicle traffic. The Federal Highway Administration (FHWA) adapted the LOS concept to paved trails and bicycle traffic by developing the Shared-Use Path LOS (SUPLOS) Calculator. This tool helps trail designers determine appropriate trail widths and need for user separation based on anticipated or recorded trail user volumes and the variety of user types, or mode split.

The SUPLOS Calculator grades trails on a scale from best to worst (A to F), with grades A-C being considered acceptable levels of service and D-F being considered degraded levels of service. There are a number of criteria that FHWA acknowledges are missing from the SUPLOS Calculator, including perceived safety, physical setting, quality of scenery, proximity to adjacent motor vehicle traffic, presence or degree of steep slopes, frequency and design of curves, and material conditions. However, it still serves as a useful tool in planning and designing new and improved trails.

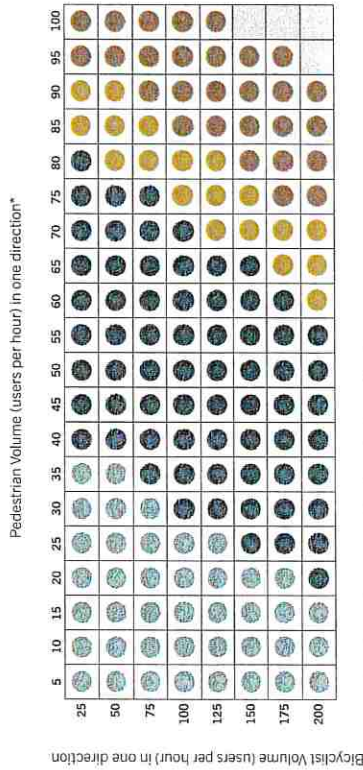
The tables at right illustrate recommended trail widths in order to achieve LOS B and LOS C, depending on bicyclist and pedestrian volumes. These tables should be used when evaluating the LOS of existing trails to determine the trail width needed to achieve the desired LOS. LOS B is considered "Good" and retains significant room to absorb more users while still providing a high-quality user experience. A trail with LOS C is considered "Fair" and meets current demands, but an increase in users will begin to diminish the user experience.

For new trails where count data is not available, trail width should be determined by the trail classification assigned to the trail, which is based on surrounding context and anticipated demand. See pages 12-18 for more guidance.

Note: When a separate lane or treadway is provided for pedestrians, pedestrian volumes do not need to be factored into the calculation for trail width. However, a minimum of 6' for pedestrian lanes and 10' for bicycle trails should be maintained in order to accommodate two-way travel.



Trail Width Necessary for Level of service B



Trail Width Necessary for Level of service C



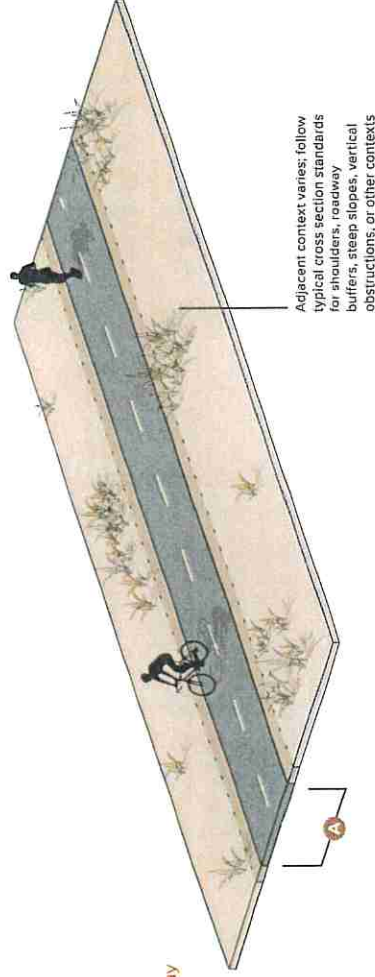
*Pedestrian count assumed to be 60% walking and 40% running

RURAL TRAIL

Rural Trails are characterized as longer spans of trail in rural contexts where destinations and access points are few and far between. As such, they are more likely to serve recreational trail users, such as recreational cyclists and long-distance runners, but may also see use from commuters traveling longer distances.

EXAMPLES OF RURAL TRAILS

- SR-18 Trail
- Red Hills Parkway Trail
- Whip Trail (Snow Canyon State Park)
- Segments of Virgin River Trail farther away from town



DESIGN CRITERIA

- Typical trail cross section: 10' wide trail with 2-3' graded shoulders (Note 1)

NOTES

1. Widen trail to 12' where volumes may be higher, including adjacent to trailheads or approaching popular destinations such as state or national parks.
2. Use wayfinding signage to indicate distance to nearby amenities and rest areas.
3. Follow AASHTO guidance for trail design related to cross slopes, horizontal curves, grades, design speed, sight distances, stopping distances, security, etc.

Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains, areas that may be periodically submerged, or areas of frequent washout.

SUBURBAN TRAIL

Suburban trails are the most common trail type in the region and are characterized by suburban adjacent land use patterns such as low-density residential and big box commercial. They may fall within open space, riparian, or utility corridors or alongside roadways. They primarily serve adjacent neighborhoods, but may attract regional through traffic, and serve a variety of users, including pedestrians, joggers, dog walkers, recreational cyclists, and commuter cyclists.

EXAMPLES OF SUBURBAN TRAILS

- Halfway Wash Trail
- Snow Canyon Parkway Trail
- Lava Flow Trail
- 3000 East Trail

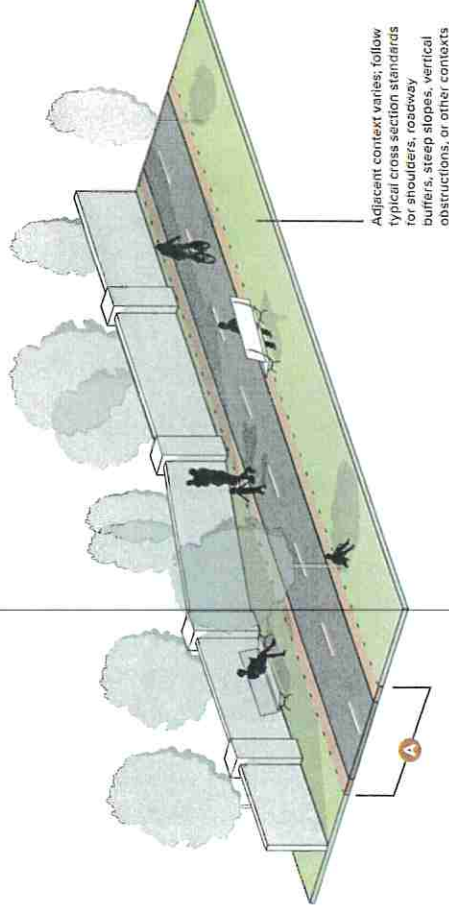
Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains or areas of frequent washout.

DESIGN CRITERIA

- A** Typical trail cross section: 10' wide trail with 2-3' graded shoulders (Note 1)

NOTES

1. Widen trail to 12' where volumes may be higher, including adjacent to schools, commercial nodes, transit stops, trailheads, or when the trail also serves as a circulation route within a park.



URBAN TRAIL

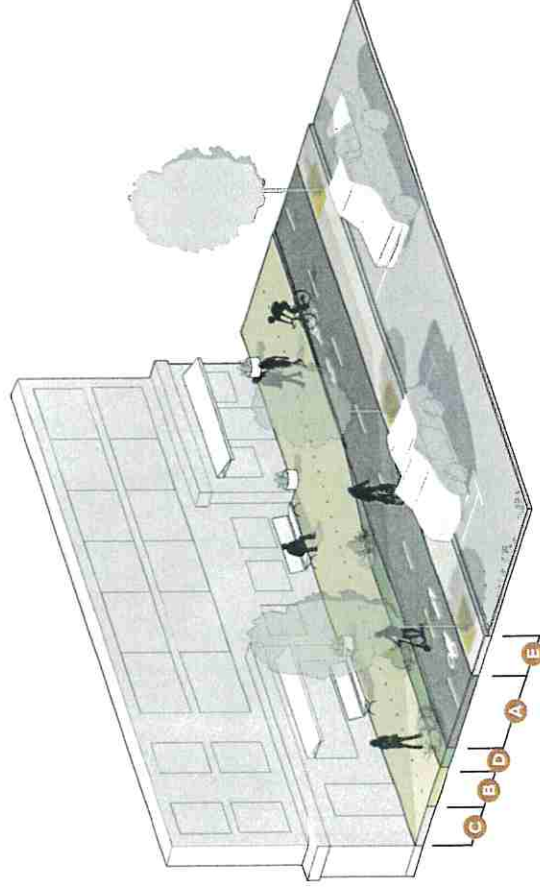
Urban Trails are characterized by fronting commercial, institutional, civic, multi-family, or other high-density land uses that immediately front the trail and where high volumes of foot traffic are anticipated. Physical cross section elements may vary depending on site specific needs and constraints; however, separation of pedestrians and bicyclists should be a priority.

Two-way bicycle facilities present several challenges in urban contexts (e.g., driveway and intersection conflicts); one-way separated bike lanes may better address these issues in some circumstances.

EXAMPLES OF URBAN TRAILS

- 300 W (Salt Lake City)
- 900 S, 9-Line Trail (Salt Lake City)

Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains, areas that may be periodically submerged, or areas of frequent washout.



DESIGN CRITERIA

- A** 12-14' trail width, marked for bicyclists
- B** 6-8' pedestrian through zone
- C** Frontage zone; 2-5' wide or greater, depending on fronting uses
- D** Pedestrian buffer (presence and width will vary based on available right-of-way, see Note 1)
- E** Street buffer; 5' minimum width (see Note 2)

NOTES

1. To encourage compliance of bicycle and pedestrian separation, consider differing pavement materials, landscape buffers, pavement buffers or delineation, mountable curbs, or a combination of the above; tactile directional indicators should be used if no other landscaping or vertical separation can be provided.
2. Reference local standards for minimum widths needed for street trees.

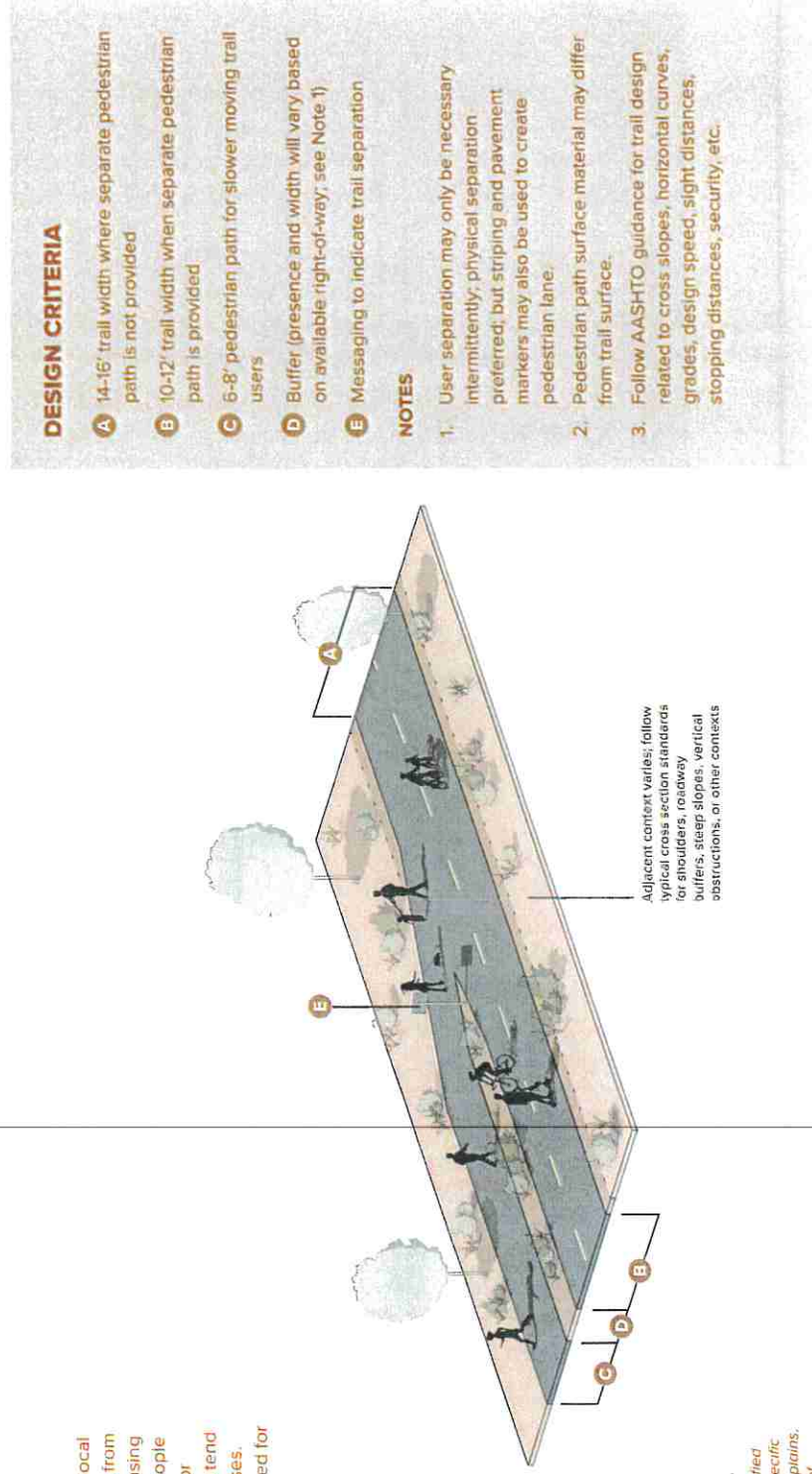
DESTINATION TRAIL

A destination trail is a trail that attracts both local and regional users as well as people visiting from out of town. In addition to nearby residents using the trail for transportation and recreation, people will travel from farther away to use the trail for recreation. Because of this, destination trails tend to see higher volumes and a higher mix of uses. More visitors on the trail may support the need for more trail width and wayfinding.

EXAMPLES OF DESTINATION TRAILS

- Virgin River Trail

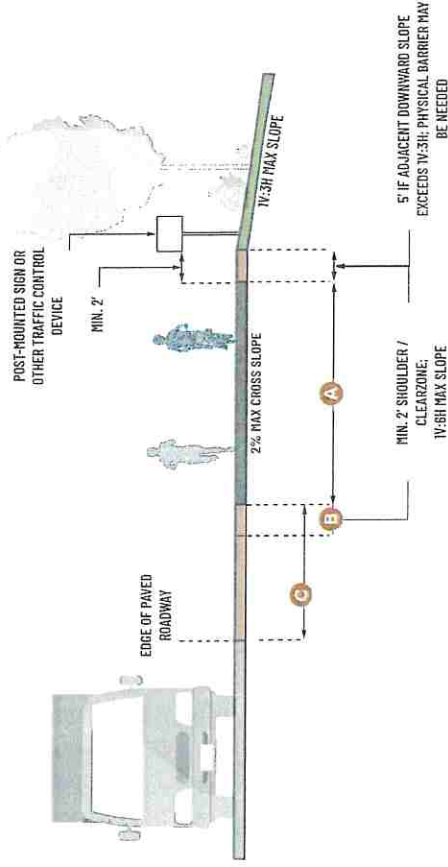
Trail Construction Specifications: Trail cross section should consist of 2.5" voidless hot mix asphalt over 6" compacted road base course (unless otherwise specified in geotechnical investigation to accommodate site specific conditions). Consider using saw-cut concrete in flood plains, areas that may be periodically submerged, or areas of frequent washout.



Special Circumstances

TRAILS ADJACENT TO HIGHWAYS

Trails adjacent to highways generally follow the same design principles as trails adjacent to other roadways; however, due to the fact that higher motor vehicle speeds occur along highways, and highways often lack concrete curbs, which provide more protection to trail users, more consideration is given to separation between trail users and highway users in this context. The standards outlined in this section may be subject to change based on UDOT review.



DESIGN CRITERIA

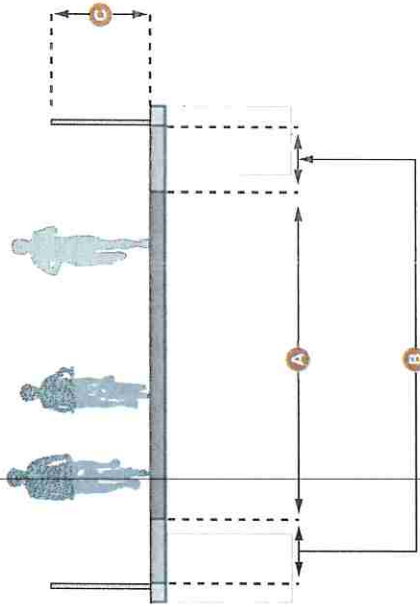
- A** Trail width varies (Note 1)
- B** 2-3' graded shoulder (Note 2)
- C** 10' minimum clear zone from edge of paved roadway to edge of trail (Note 5)

NOTES

1. Use 10' trail width unless greater width is necessary based on context; 12' minimum may be required by UDOT.
2. Graded shoulder must be kept clear of vegetation, signage, lighting, or any other vertical obstructions.
3. Where a trail is adjacent to bodies of water or steep downward slopes of 1V:3H or steeper, provide 5' (minimum) separation from top of slope to edge of path; a physical barrier may be needed - see AASHTO for more guidance.
4. Follow AASHTO guidance for trail design related to design speed, sight distances, stopping distances, grades, security, etc.
5. If 10' width of clear zone cannot be achieved, a physical barrier should be provided between the roadway and the trail; type of barrier subject to UDOT review.

TRAIL BRIDGES

Grade separated crossings such as bridges are sometimes needed to cross barriers such as rivers, drainage washes and channels, or busy streets and highways. The dimensions and design of bridges should maintain the same level of service, safety, and high-quality user experience as the trails they serve.



DESIGN CRITERIA

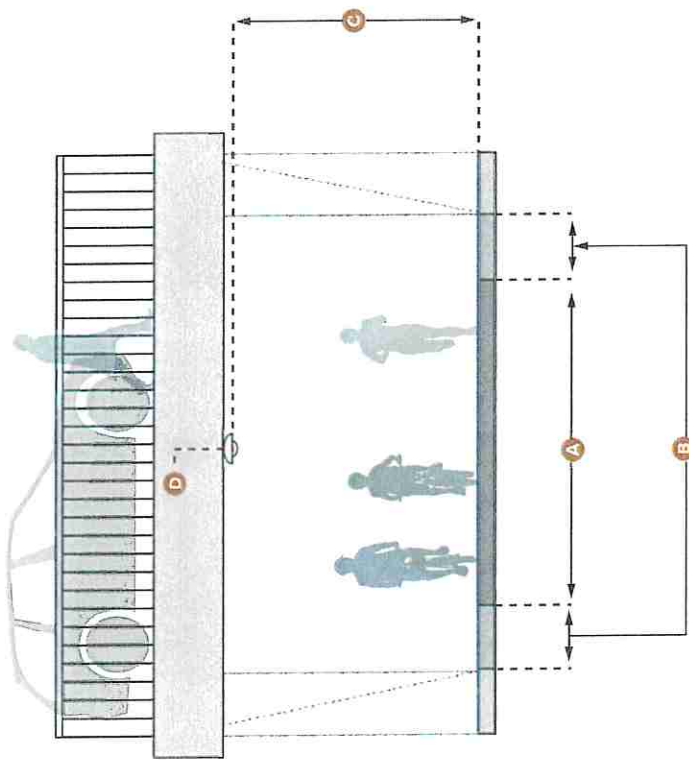
- A** Trail width varies (Note 1)
- B** 2' clear width
- C** 42-48" railing or barrier (Note 3)

NOTES

1. Trail width on the bridge should match the width of the trail leading up to the bridge; trail width does not include the clear width area.
2. If carrying the clear width across the entire bridge is not possible, at a minimum the receiving clear width at the end of the bridge should allow 2' of clearance on each side of the trail and may taper to the trail width. Carrying the clear width across the entire bridge is desired to provide a clear width from the railing and mitigate conflicts with trail users who have stopped on the bridge.
3. Where a bicyclist's handlebar may come into contact with a railing, a smooth, wide rub rail may be installed at a height of 36-44".
4. Openings between horizontal or vertical members on railings and bridge edge protection should comply with ADA standards.

TRAIL UNDERCROSSINGS

Trail undercrossings, or tunnels, allow trail users to cross barriers such as busy streets and highways without interacting with motor vehicle traffic. Similar to bridges, the dimensions and design of undercrossings should maintain the same level of service, safety, and high-quality user experience as the trails they serve. This section provides guidance for creating a safe and comfortable experience.



DESIGN CRITERIA

- A** Trail width varies (Note 1 & 2)
- B** 2' clear width (Note 3)
- C** 10' minimum vertical clearance
- D** Adequate 24-hour lighting should be provided in undercrossings (Note 5)

NOTES

1. Trail width through undercrossing should match the width of the trail leading up to the undercrossing; trail width does not include the clear width area.
2. For undercrossings longer than 60', greater widths are preferred.
3. If carrying the clear width across the entire undercrossing is not possible, at a minimum the receiving clear width at the end of the undercrossing should allow 2' of clearance on each side and may taper to the trail width. Tapered walls (leaning out) can decrease the clear width needed and create a more comfortable experience.
4. Where possible, make approach to undercrossing straight from both sides to maintain sight lines.
5. Where possible (e.g. divided highway undercrossings), create openings to allow daylight to enter portions of the undercrossing.

03 Trail Signage and Markings

Pavement Markings & Striping

TRAIL STRIPING

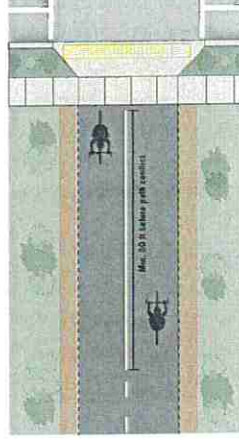
Trail striping should be used to delineate lanes of travel and trail obstructions and should be 4" wide. Striping patterns used on trails in Southern Utah include:

- Dashed yellow lines to separate directions of travel where sight lines allow safe passing
- Solid yellow lines to separate directions of travel and indicate no passing due to limited sight lines or upcoming conflict point (street crossing, trail junction, tunnel, bridge, etc.)
- Solid yellow lines to inform trail users of obstructions within the trail
- Solid white lines to inform trail users of obstructions on the edge of the trail
- Solid white lines to separate users traveling in the same directions

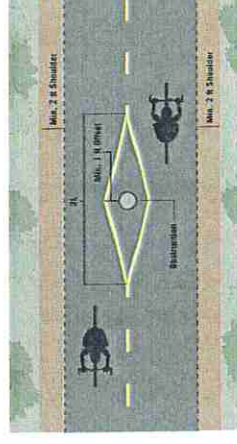
Jurisdictions may opt to not include centerline striping on their trails; however, it is encouraged in order to create consistency across the regional trail network.



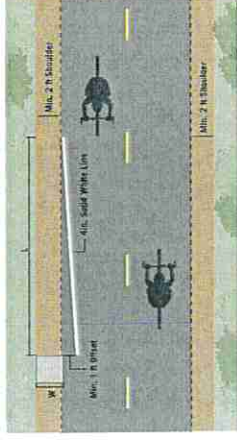
Dashed yellow



Solid yellow



Solid yellow - obstruction in trail



Solid white - obstruction at edge of trail



Solid white - user separation

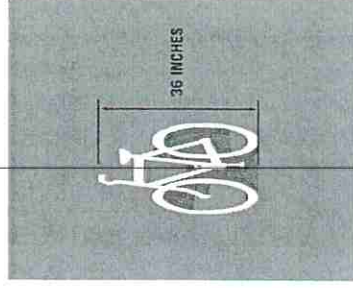
$L = WS$, where W is the offset in feet and S is the bicycle approach speed in mph

TRAIL PAVEMENT SYMBOLS

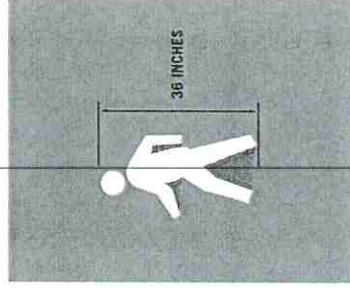
In addition to striping, trail pavement markings may be used to mark travel lanes for faster and slower moving trail users. A bicycle symbol should be used for lanes intended for faster moving trail users, and a pedestrian symbol should be used for lanes intended for slower moving trail users.

Additionally, where the installation of stop or yield signage is not feasible, word and/or symbol pavement markings may be used in lieu of signage. "Stop" should be communicated with a stop line and/or the word "STOP". "Yield" should be communicated with a yield line and/or the word "YIELD".

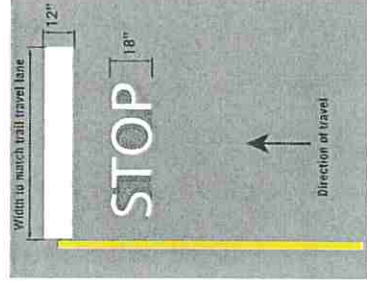
All trail pavement symbols should be made from thermoplastic or paint. Local preference may vary. Thermoplastic symbols are more durable and require heating equipment to apply. If paint is used, paint specifications should follow that which is used on local roadways.



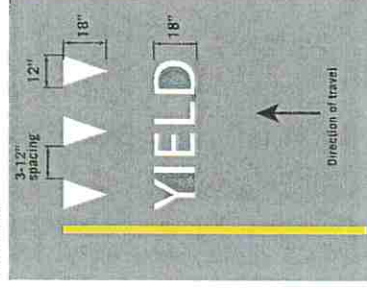
Bicycle pavement marking



Pedestrian pavement marking



Stop line and word pavement markings



Yield line and word pavement markings

Signage

REGULATORY AND WARNING SIGNAGE

The placement of regulatory and warning signage should follow guidance outlined in AASHTO and the Manual on Uniform Traffic Control Devices (MUTCD) regarding trail clearances, distance from intersections based on stopping sight distances, mounting heights, and accessibility standards.

INTERSECTION WARNING

W2-1



W2-2



W2-4



W2-5



Size: 18 x 18"

Application: Used on a trails in advance of an intersection to indicate the presence of an intersection and the possibility of turning or entering traffic. They should be installed at least 50 feet in advance of the beginning of the change alignment.

ORIENTED TOWARDS ROADWAY USERS

Hill: W7-5



Size: 18 x 18"

Application: May be installed on trails to warn bicyclists of steep slopes.

Stop: R1-1



Size: 18 x 18"

Application: Where conditions require trail users to stop; should be placed or shielded so that it is not readily visible to road users.

Yield: R1-2



Size: 18 x 18 x 18"

Application: Installed at points where bicyclists have an adequate view of conflicting traffic and where bicyclists are required to yield the right-of-way to that conflicting traffic.

Bicycle Cross Traffic: W16-21P



Size: 12 x 24"

Application: Typically installed below STOP or YIELD signs on crossroads and driveways to alert road users of an unexpected bicycle movement.

Trail Crossing: W11-15 + W11-15P



W11-15 Size: 30 x 30" for single lane; 36 x 36" for multi-lane; W11-15P Size: 18 x 24"

Application: Used at all locations where a trail crosses a roadway, except for at signalized intersections.

Turning Vehicles Yield: R10-15, modified



Size: 30 x 30"

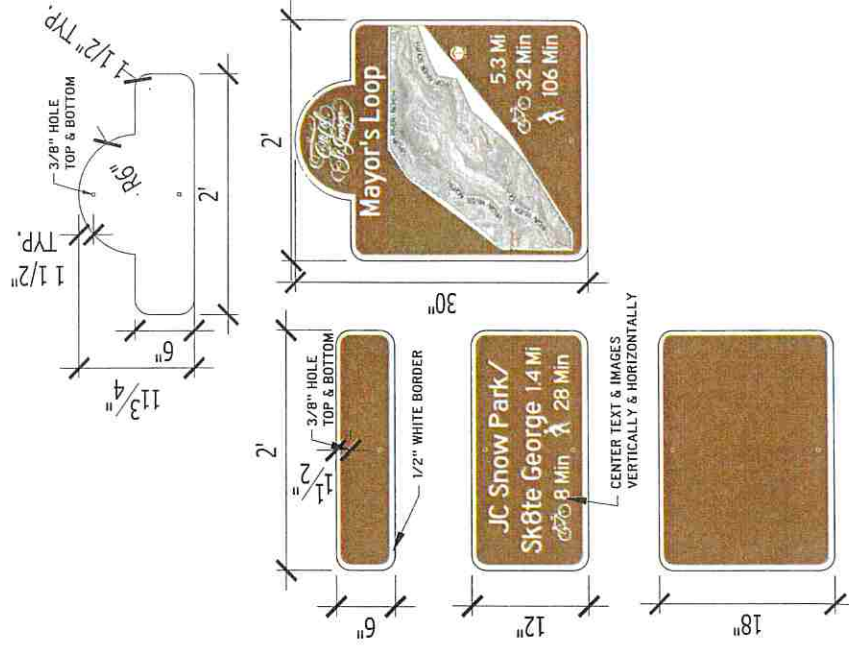
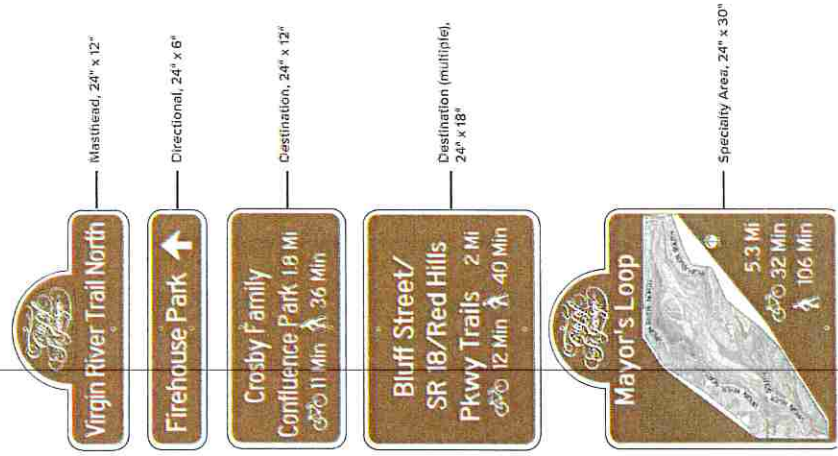
Application: Placed in advance of side streets and commercial driveways where right turns intersect the trail. The sign should be modified to include both a bicycle and pedestrian icon.

WAYFINDING SIGNAGE

All paved trails in Southern Utah should incorporate the wayfinding signage system established in this document. The purpose of the wayfinding system is to increase confidence of all trail users in orienting themselves in the region and accessing destinations. Wayfinding signage within UDOT right-of-way may be subject to UDOT approval.

SIGN TYPES

- **Masthead:** sign topper intended to mark the trail currently being traveled; includes a space for local jurisdiction branding
- **Directional:** includes destination name and directional arrow; installed at trail junctions or decision points
- **Destination:** includes distance and travel time information for straight ahead destinations served by the trail; installed at trail entry points or after junctions as confirmation signs; may also include directional arrows to function as a "Directional" sign
- **Destination (multiple):** same function as "Destination" sign, but includes multiple destinations that share the same directional, distance, and travel time information
- **Specialty Area:** intended to communicate loops or smaller area networks to aid trail users in trip planning and orientation. Graphics and information may vary.

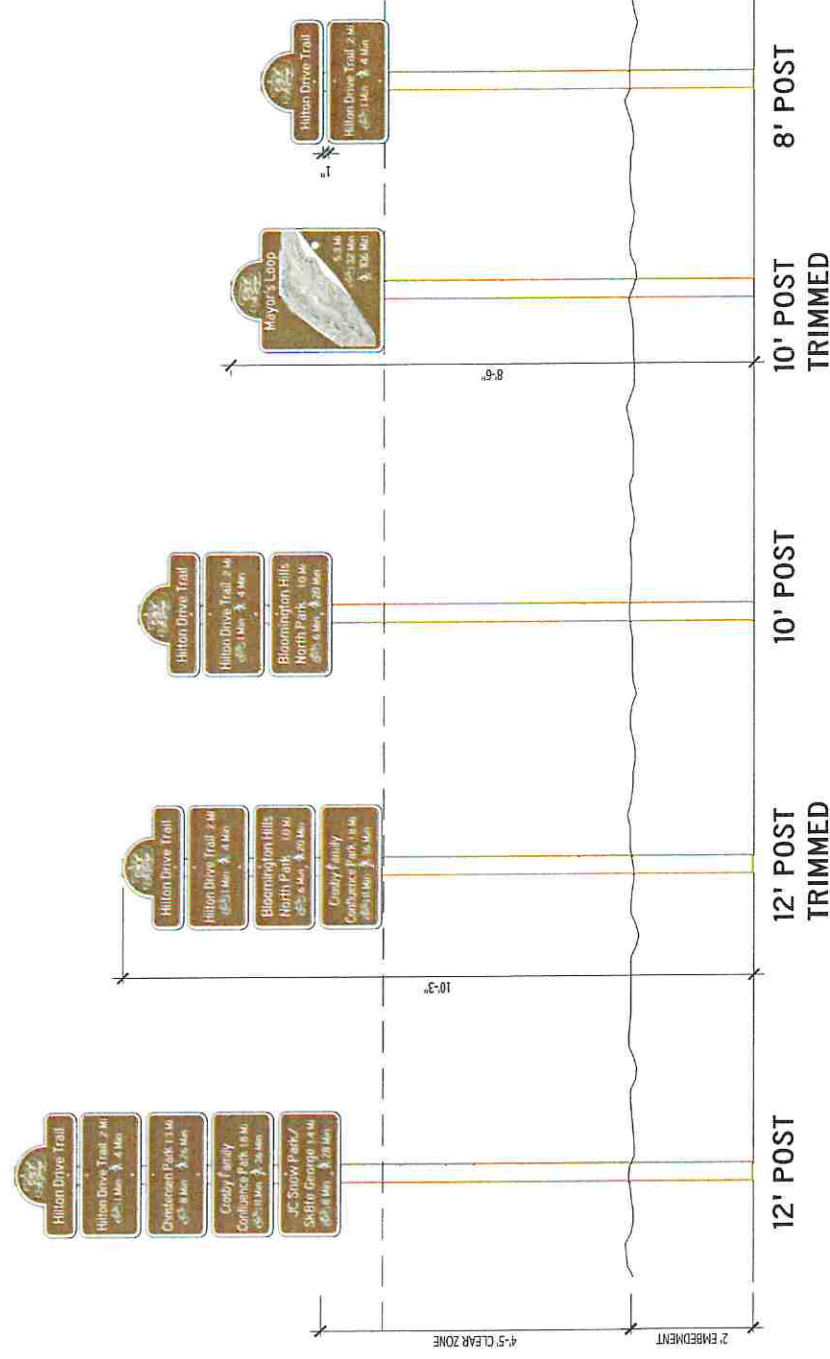


WAYFINDING SIGN INSTALLATION

Wayfinding signage should be installed on 4x4 wood posts. Signs that fall within UDOT right-of-way may require different mounting and installation methods based on UDOT review. Sign placement should follow guidance outlined in AASHTO and the Manual on Uniform Traffic Control Devices (MUTCD) regarding trail clearances, distance from intersections based on stopping sight distances, mounting heights, and accessibility standards.

CUSTOMIZATION

Wayfinding sign shape, size, fonts, icons, information layout, and mounting methods should remain the same across the region. However, each jurisdiction has the flexibility to incorporate custom branding on Masthead signs and use a different base color other than brown on all signs. All colors should comply with MUTCD standards for acceptable colors.



TRAIL ETIQUETTE MESSAGING

Trail etiquette messages should be deployed at strategic locations to promote a safe and friendly environment for everyone. The purpose of trail etiquette messaging is to address and mitigate common conflicts between trail users by establishing what behavior is acceptable and what aligns with local regulations. While the enforcement of etiquette rules is up to local jurisdictions, etiquette messaging can be effective in helping trail users feel accountable to others on the trail when the messaging is placed for all to see.

Table 3.1 establishes the preferred messaging to be used on trails in Southern Utah for various issues/conflicts, as well as guidance for where messages should be placed along the trail for maximum effectiveness. Consistent etiquette messaging is also critical for visitors who may not be familiar with local regulations or trail etiquette.

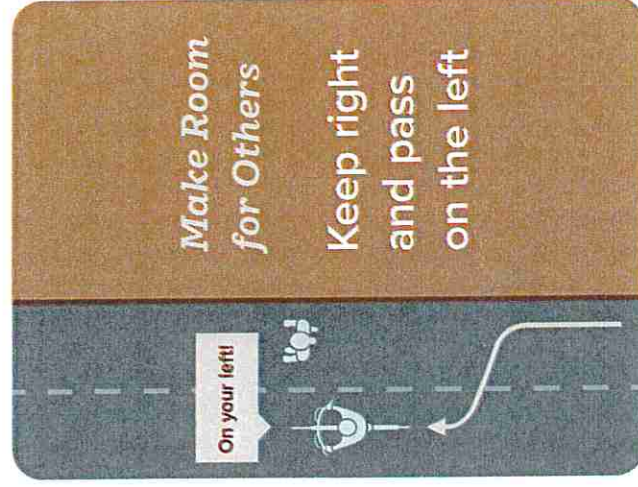
Table 3.1 - Trail Etiquette Messaging

ISSUE/CONFLICT	MESSAGE ON SIGN	PLACEMENT GUIDANCE
Announcing one's self when passing others	Be Kind: Ring bell or announce yourself when passing others	Intermittently throughout "middle points" of the trail corridor (away from trail entrances and junctions) where passing is more likely; emphasis on busy sections of trail
Groups spreading across the full width of the trail	Make Room for Others: Keep your group to the right	Soon after trail entrances and intermittently along busy sections of trail
Keeping right except to pass, passing on the left	Make Room for Others: Keep right and pass on the left	Soon after trail entrances and intermittently along busy sections of trail
Conflicts with dogs on leashes	Make Room for Others: Leash dogs and keep them to your right.	Soon after trail entrances and intermittently along busy sections of trail
Stopping or congregating around corners, in dark tunnels	Limited visibility ahead. Don't stop in tunnels. Limited visibility ahead. Don't stop around corners.	Prior to undercrossings, corners, or other locations with limited visibility
High speeds	Be Kind: Slow down around others	Middle points of the trail (away from trail entrances and junctions) where faster speeds are more likely
Unauthorized vehicles (optional messaging along trail if trail entrance "prohibited uses" signs prove ineffective)	Travel Safe: No golf carts on the trail Travel Safe: No e-motorcycles on the trail Travel Safe: No motorcycles on the trail Travel Safe: No ATVs on the trail	Soon after trail entrances; where frequent infractions are reported

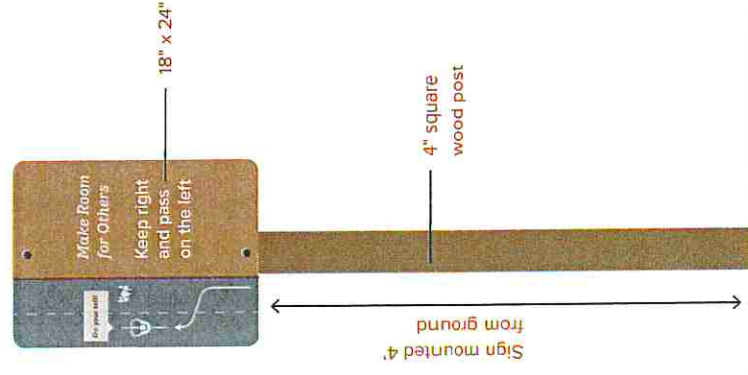
TRAIL ETIQUETTE SIGNAGE

Trail etiquette signage design should follow the template provided in this document to create consistency across the region. Trail etiquette messages and graphics should be printed on 18" x 24" aluminum signs and mounted vertically on a 4" x 4" wood post. Signs should follow placement standards outlined in this chapter and should not be obstructed by vegetation, furnishings, structures, or other signage.

ETIQUETTE SIGN EXAMPLE



ETIQUETTE SIGN MOUNTING

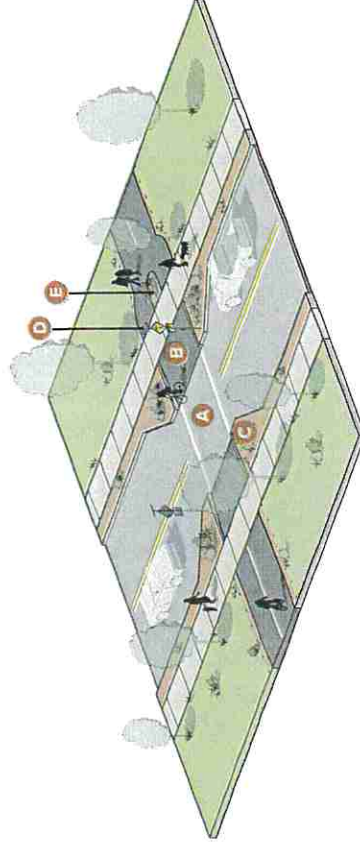


04 Trail/Street Interface

Uncontrolled Crossing Locations

MID-BLOCK STREET CROSSINGS

Whenever a trail intersects a roadway at a mid-block location, adequate measures should be implemented to provide a safe crossing. The preferred crossing treatment will depend on roadway context, but should include a marked crosswalk and trail crossing warning signage at a minimum. Use the Crossing Treatment Selection Guidance on page 29 to determine the appropriate crossing treatment. If on-street parking is present, parking should be restricted within 30 feet of the crossing in both directions to increase trail user visibility.



DESIGN CRITERIA

- A** Marked crosswalk
- B** Directional ramps; match width of trail
- C** Curb bulbouts decrease crossing distance and increase visibility of trail users
- D** Trail crossing signage at a minimum; see Crossing Treatment Selection Guidance
- E** If needed, implement measures to restrict motor vehicle access (see page 38)

NOTES

1. Restrict on-street parking within 30 feet of trail crossing in both directions.



CROSSING TREATMENT SELECTION

Once a location has been identified as a candidate for a mid-block crossing, Table 4.1 should be used as a guide to determine an appropriate crossing treatment. The recommendations in this table are based on FHWA's Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations.

Engineering judgment should be used on a case-by-case basis to determine final recommendations for a safety countermeasures at mid-block crossings. Engineers should provide adequate justification for any recommendations that deviate from those outlined in table.

Where possible, new trail alignments should be configured to cross at existing controlled crossings or intersections while also avoiding undue detours for trail users.

Table 4.1 - Crossing Treatment Selection

Roadway Type	ADT < 9,000			ADT 9,000 - 15,000			ADT > 15,000		
	≤ 30 mph	35 mph	≥ 40 mph	≤ 30 mph	35 mph	≥ 40 mph	≤ 30 mph	35 mph	≥ 40 mph
2 lanes	A 1245	A 45	B 457	A 246	B 46	C 467	B 246	B 46	C 467
3 lanes w/ raised median	A 1235	A 35	B 357	B 236	B 36	B 367	B 236	B 36	C 367
3 lanes w/o raised median	A 12345	B 345	C 3457	B 2346	B 346	C 3467	C 2346	C 346	C 3467
4+ lanes w/ raised median	A 356	B 356	C 3567	B 356	B 356	C 3567	C 356	C 356	C 3567
4+ lanes w/o raised median	A 3456	B 3456	C 34567	B 3456	B 3456	C 34567	C 34567	C 34567	C 34567



Marked crosswalk and signage

RRFB + "A" treatments

PHB or Signal + "A" treatments

Additional Enhancements:

1. Raised Crosswalk
2. In-street pedestrian sign
3. Advanced "yield here to" markings & signage
4. Pedestrian refuge island
5. Curb extensions/bulbouts
6. Road diet
7. Grade separation

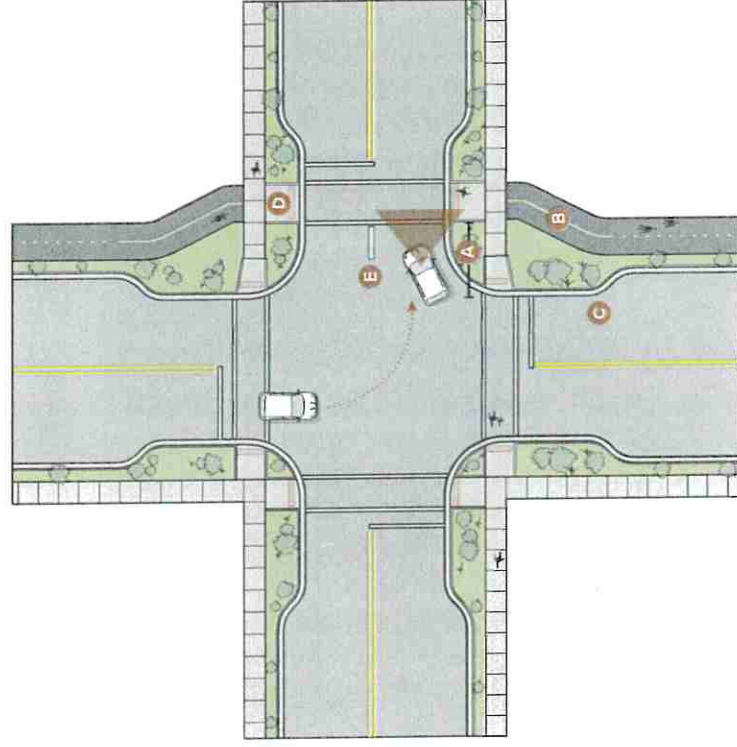
Notes:

- Suggested additional enhancements should be considered and implemented based on context and feasibility
- Use actual speed data where available
- On-street parking should be restricted within 30' of all crossings on both sides

Controlled Intersections

The design of trails through intersections should match the comfort and safety of the trail itself so that an intersection does not serve as a weak link in an otherwise comfortable route. Geometry, roadway characteristics, and right-of-way constraints vary from intersection to intersection; however, the following design principles should be followed when designing trails through intersections:

- Reduce vehicle speeds for both through and turning movements
- Provide a safe space for all modes to wait and yield to others
- Maximize the visibility of pedestrians and bicyclists to motorists
- Mitigate conflicts between bicyclists and pedestrians
- Make navigating the intersection clear and predictable for all modes

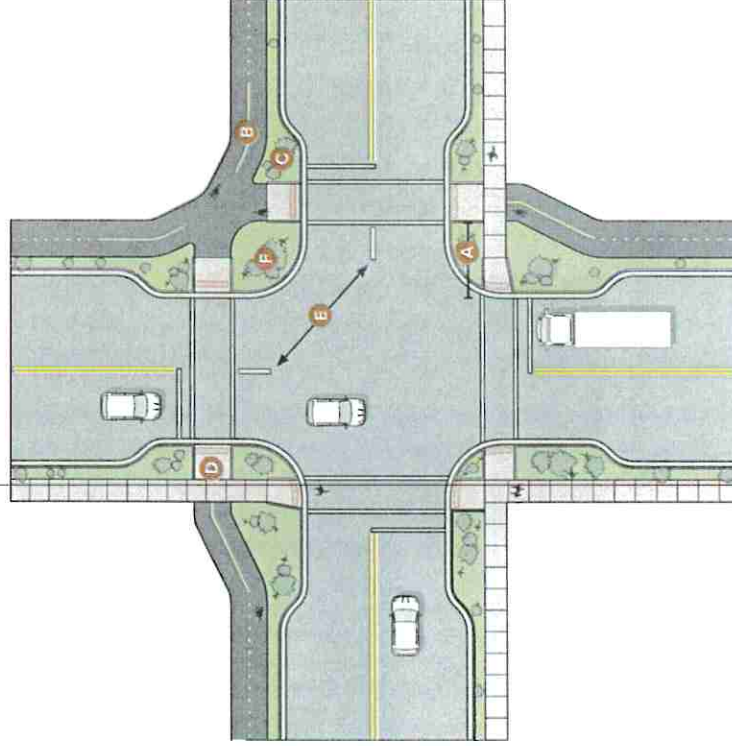


DESIGN CRITERIA

- A** Provide trail setback from parallel street, enough room for at least one vehicle to queue while yielding
- B** Solid yellow trail centerline in advance of potential conflict points with other modes
- C** Curb bulbouts/extensions at intersections to increase visibility of pedestrians and bicyclists waiting to cross, shorten crossing distances, and slow through and turning vehicle movements
- D** Directional ramps should be used, not apex/diagonal ramps
- E** Optional hardened centerline to reduce left turn radius and speed

INTERSECTING TRAILS

When two trails intersect at a controlled intersection, the design principles are the same as when a single trail passes through an intersection; however, special attention should be given to the corner at which the two trails intersect, ensuring that a physically protected corner is provided.



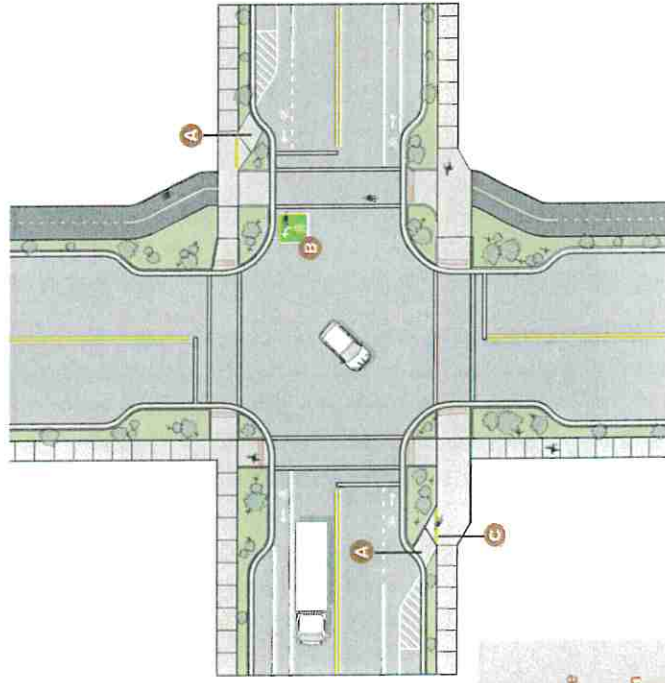
DESIGN CRITERIA

- A** Provide trail setbacks from parallel streets; enough room for at least one vehicle to queue while yielding
- B** Solid yellow trail centerline in advance of potential conflict points with other modes
- C** Curb bulbouts/extensions at intersections to increase visibility of pedestrians and bicyclists waiting to cross, shorten crossing distances, and slow through and turning vehicle movements
- D** Directional ramps should be used, not apex/diagonal ramps
- E** Optional hardened centerlines to reduce left turn radius and slow left turning vehicles
- F** Physically protected corner where trails intersect

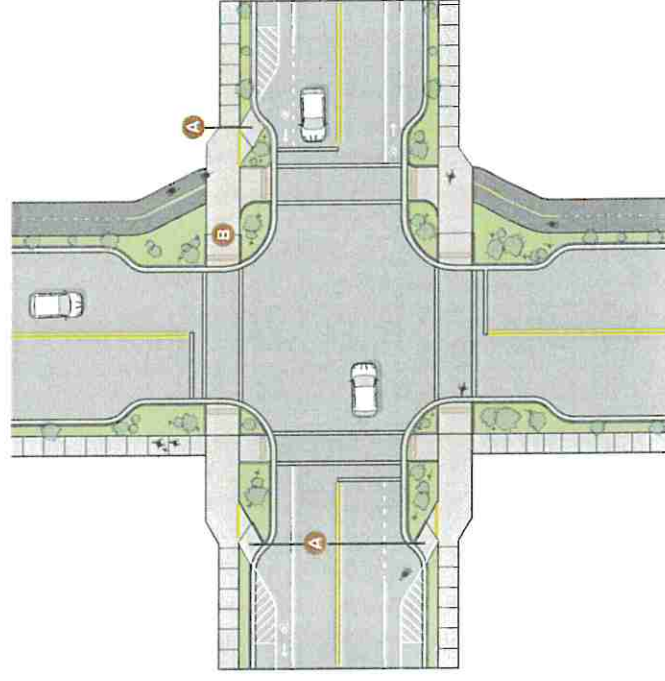
TRAILS INTERSECTING ON-STREET BIKEWAYS

When a trail meets an on-street bikeway at an intersection, the same guiding principles apply. Additional measures should be taken to ensure that bicyclists can safely transition between the trail and the on-street bikeway, including providing adequate queuing space for two-stage left turn movements.

ALTERNATIVE 1: TWO-STAGE LEFT TURN QUEUE BOX



ALTERNATIVE 2: PROTECTED INTERSECTION

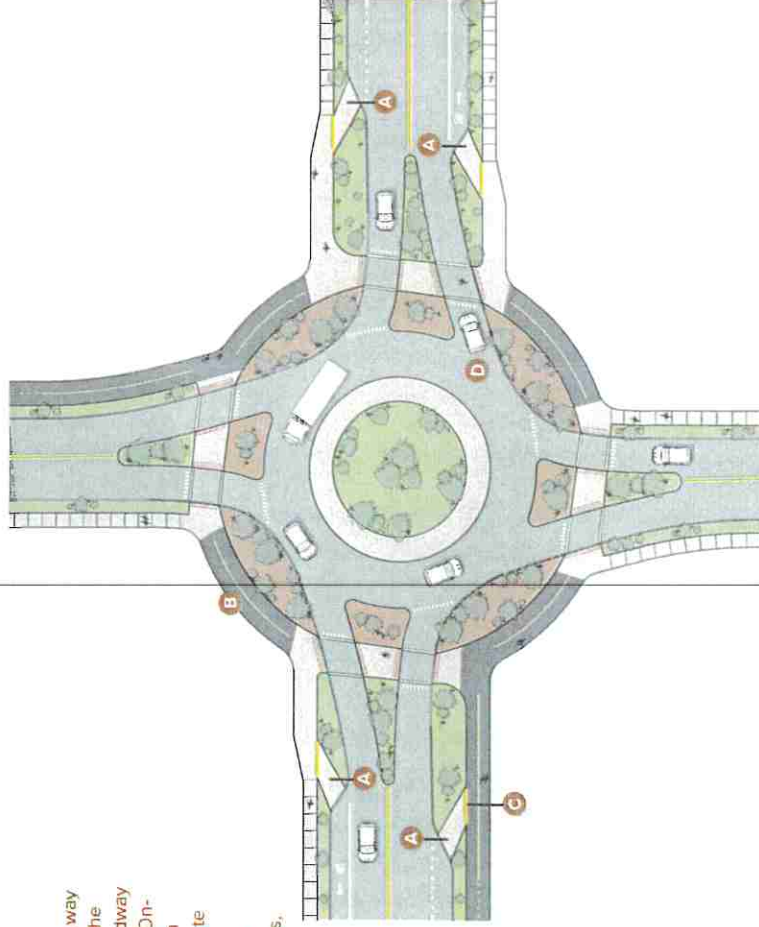


DESIGN CRITERIA

- A** Transition between on-street bikeway and trail: bike exit/entry ramps
- B** Left turn queuing space: provide two-stage left turn queue box (Alternative 1) or protected intersection (Alternative 2)
- C** Tactile Directional Indicators to prevent low-vision pedestrians from using bike ramps

TRAILS AND BIKEWAYS AT ROUNDABOUTS

Trails at roundabouts should be designed in a way that allows trail users to safely move through the roundabout with physical separation from roadway traffic and reasonably short, direct crossings. On-street bicyclists should be provided the option to ramp up to sidewalk level in order to navigate around the roundabout. For more guidance on designing for bicyclists and pedestrians at roundabouts, including multi-lane roundabouts, see Section 2.3 of the NCHRP Report 672, *Roundabouts: An Informational Guide*.



DESIGN CRITERIA

- A** Bike ramps for transitions between on-street bikeways and trails
- B** Trail condition or widened sidewalk, even on corners that do not directly serve a trail but may serve on-street bikeway
- C** Tactile Directional Indicators to prevent low-vision pedestrians from using bike ramps
- D** Crosswalks set back from roundabout traffic flow to allow motorists a waiting area to yield

NOTES

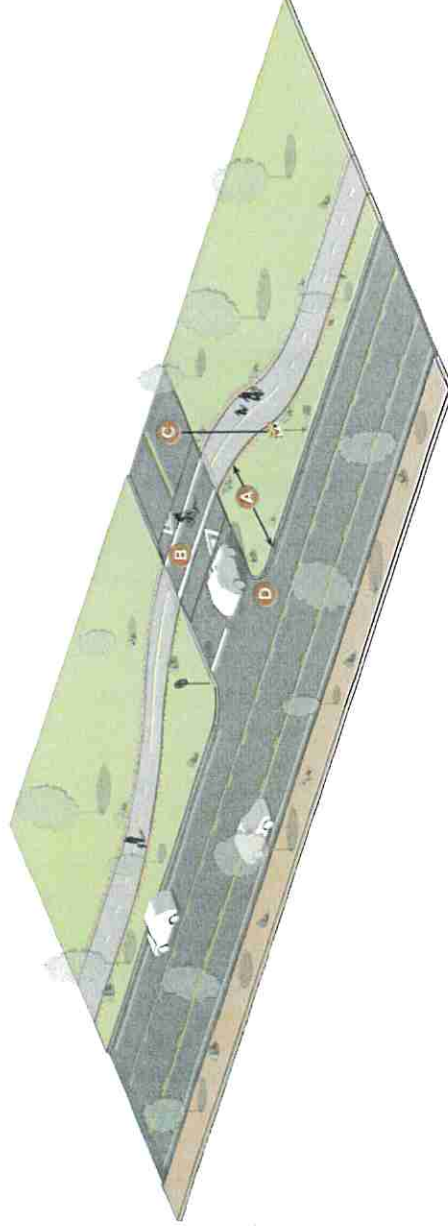
1. Additional crossing measures such as RRFB's or Hybrid Beacons may be necessary, depending on context.

Other Scenarios

SIDE STREETS

Trail design at side streets should mitigate conflicts between trail users and roadway users. Design principles for intersections apply to side streets; namely, providing a trail setback and maximizing the visibility of trail users. Trail setbacks are particularly beneficial at stop-controlled side streets because they allow exiting motorists to

focus on yielding to trail traffic and then roadway traffic in two phases instead of all at once. Similarly, motorists making a left turn onto the side street can turn across and clear oncoming traffic and then yield to trail traffic. Raised crossings should always be considered to further enhance the safety and comfort of trail users.



DESIGN CRITERIA

- A** Provide trail setback from parallel street; enough room for at least one vehicle to queue while yielding (20' preferred)
- B** High visibility crosswalk; consider raised crosswalk to prioritize trail users and slow vehicle traffic
- C** Right turning vehicles yield to pedestrians and bicyclists signage (R10-15, modified to show pedestrian AND bicycle icon)
- D** Curb radius designed for turning speeds of 10 mph

NOTES

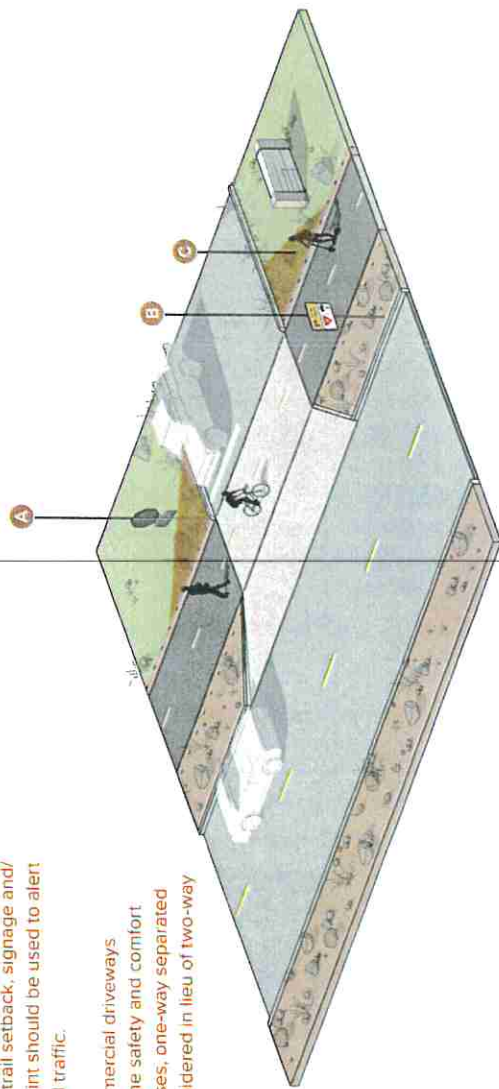
1. Maintain clear sight triangles where trail intersects side street, clear of tall vegetation, entry signage, and other vertical obstructions.



COMMERCIAL DRIVEWAYS

Similar to side streets, commercial driveways present conflicts between trail users and motorists who may not expect two-way trail traffic. If right-of-way does not allow for a trail setback, signage and/or green conflict zone paint should be used to alert motorists of two-way trail traffic.

A high frequency of commercial driveways significantly diminishes the safety and comfort of trail users. In these cases, one-way separated bikeways should be considered in lieu of two-way trails or cycle tracks.



DESIGN CRITERIA

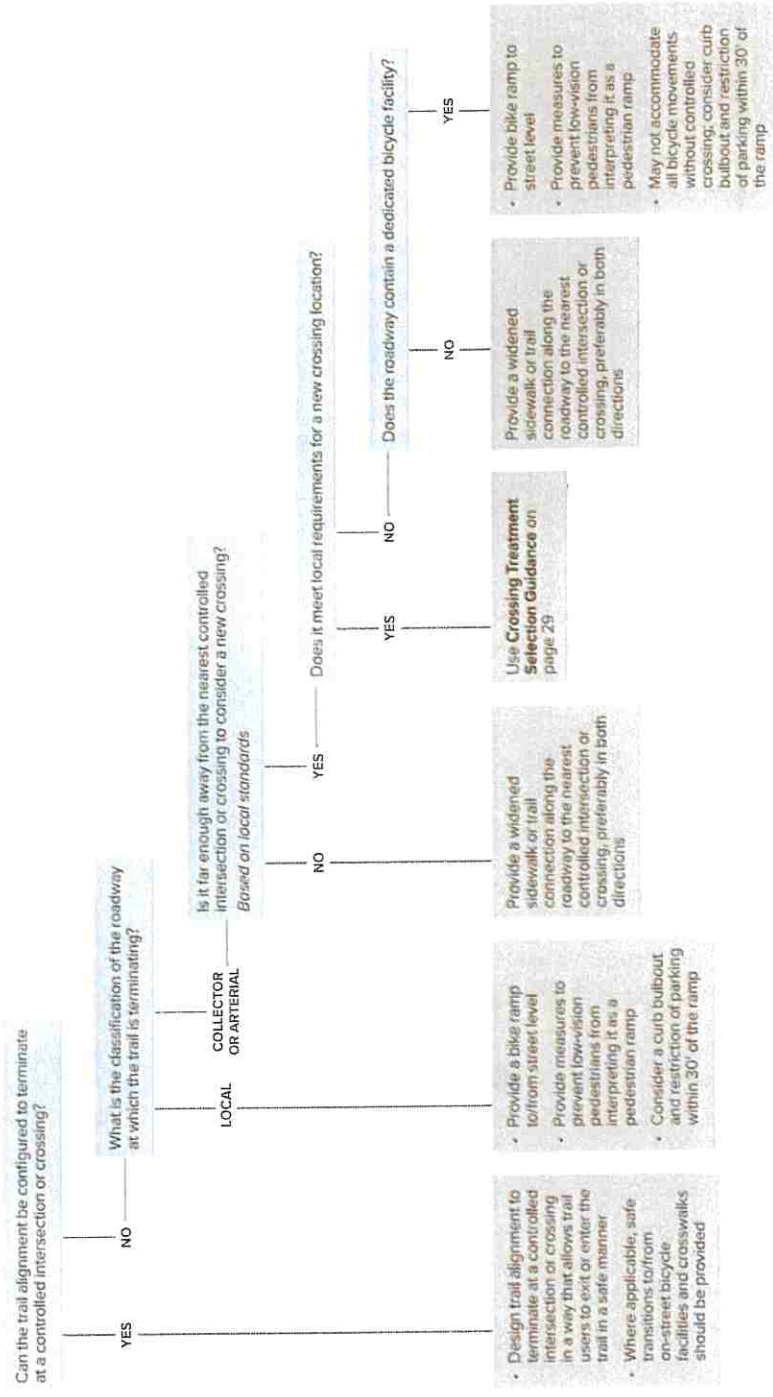
- A** Stop sign and/or stop bar plus "2-way bicycle cross traffic" signage (MUTCD W16-21P)
- B** Right turning vehicles yield to pedestrians and bicyclists signage (R10-15, modified to show pedestrian AND bicycle icon)
- C** Maintain sight triangles in both directions, clear of tall vegetation and other obstructions, so drivers can see cross traffic



ON-STREET / OFF-STREET TRANSITIONS

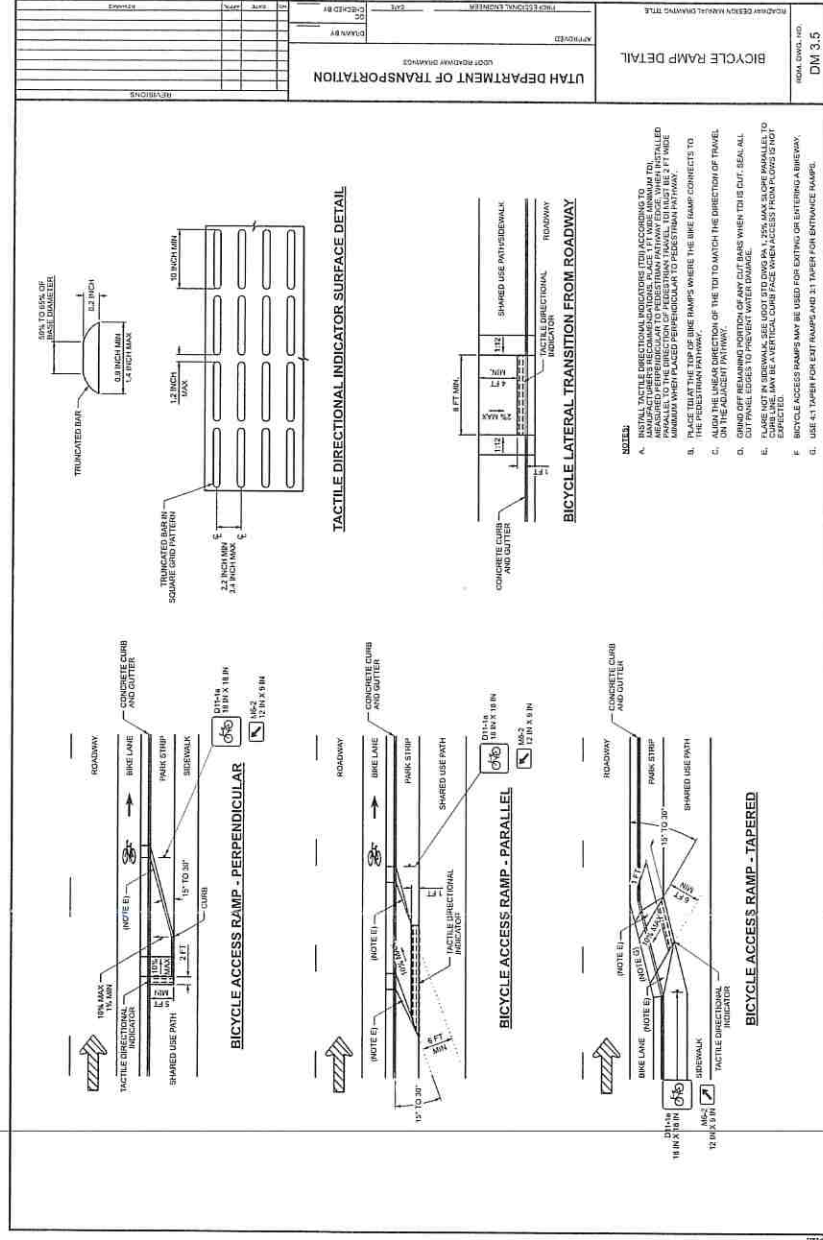
Safe and comfortable transitions between on-street bikeways and off-street trails should be provided. Particular attention should be given to ensuring that transitions comply with ADA standards and protect low-vision pedestrians from unknowingly entering an uncontrolled roadway environment. This section provides planning and design guidance for transitions to/from on-street facilities when a trail terminates at a roadway and any other scenario where a transition is necessary, such as at intersections and roundabouts.

When a trail terminates at a roadway...



ON-STREET / OFF-STREET TRANSITIONS CONTINUED

Bicycle ramps for transitions between on-street and off-street facilities should follow current standards as depicted in UDOT's "Bicycle Ramp Detail" drawings (DM 3.5).



RESTRICTION OF MOTOR VEHICLES

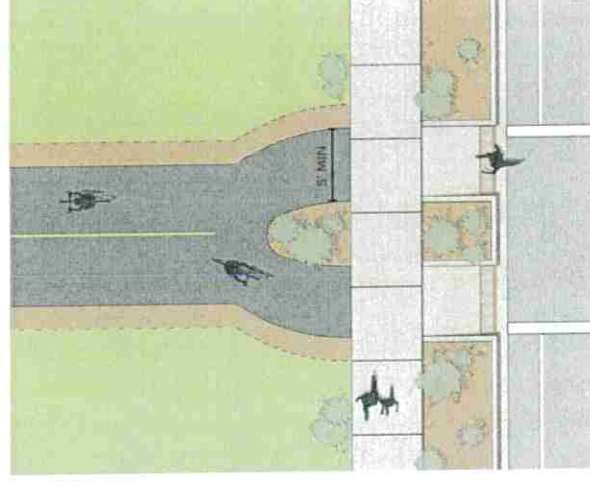
With the exception of municipal service and emergency vehicles, motor vehicles are not allowed on paved trails in Southern Utah, including passenger cars, trucks, motorcycles, ATVs, golf carts, and any vehicle that can exceed 20 mph exclusively using motor power. In some cases it may be necessary to implement measures to restrict motor vehicles, Bollards, both fixed and collapsible, present a hazard to trail users and should only be considered as a last resort. Other design elements that should be considered to help discourage motorized vehicles from entering a trail include:

- Signage communicating prohibited trail uses; for consistency, the signage concept at right should be used throughout the region
- Split-path entry lanes divided by a narrow median or landscape area; this also alerts cyclists about the intersection ahead and the need to slow down.
- Entry design with a strong sense of identity and transition

PROHIBITED TRAIL USES SIGNAGE



TYPICAL SPLIT-PATH ENTRY DESIGN



LaVerkin City Animal Control

Animal Control Fee Schedule

Impound Fee

(Impounds per Calendar Year)

Present Fee

Proposed

1 st Time Impounds	\$25	\$30
2 nd Time Impounds	\$50	\$60
3 rd Time and subsequent Impounds	\$75	\$90

License Fee

Sterilized	\$10	\$10
Unsterilized	\$22	\$30
Late Fee (after Feb 28 th)	\$20	\$20

Owner Surrender*

La Verkin City Resident	\$35	\$50
Other City/County	\$50	\$70

Adoption Fees

Adoption	\$35	\$50
Microchip Fee	\$15	\$20

Daily Housing Fee

La Verkin Resident Dog \$10 Daily (following initial date of impound)	\$15
Other City/County Dog \$20 Daily (following initial date of impound)	\$25

*Owner surrendered dogs are tested on behavior and temperament and accepted and boarded on a space-available basis.

Kyson Spendlove & Beau Stratton Land Purchase			
Description	Prop. sq. ft.	Cost per sq. ft.	Total Value
Kyson & Stefanie Spendlove Property	10,708	\$ 7.60	\$ 81,380.80
Beau & Stephanie Stratton	1,307	\$ 7.60	\$ 9,933.20
Total	12,015	\$ 7.60	\$ 91,314.00

Kyson Spendlove & Beau Stratton Privacy Wall			
Description	Linear Feet	Cost per ft.	Total Value
Kyson & Stefanie Spendlove Property	274	\$ 85.00	\$ 23,290.00
Beau & Stephanie Stratton	134	\$ 85.00	\$ 11,390.00
Total	408	\$ 85.00	\$ 34,680.00

Total price for property acquisition & privacy wall	\$ 125,994.00
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At the end of the 2024 budget year we have \$121,331.98 in parks impact fees that need to be spent.

I would propose that we enter into an agreement with Interstate Rock Products, that for every building permit for a new home construction they pull, we collect the \$3,256 park impact fee and then issue them a check for the same amount back to them for payment towards the total of \$125,994 that the City owes. At the end of each budget year the City will reevaluate and possibly make a payment towards the outstanding balance.

We receive \$3,256.00 in park impact fees with each new residential building permit. Over the past five years we have collected on average \$76,190.40 in parks impact fees. At the end of the

