



LA VERKIN CITY PLANNING COMMISSION AGENDA

Regular Meeting

Wednesday, April 9, 2025, 6:00 pm.

Council Chambers, 111 South Main Street
La Verkin, Utah 84745

A. Call to Order: Chair Allen Bice
Invocation by Invitation; Pledge of Allegiance

B. Appointments:

1st Alternate-Richard Howard

Swearing in of Commissioners

C. Approval of Agenda:

D. Approval of Minutes: March 12, 2025, regular meeting.

E. Reports:

The City Council and Director of Operations will present updates on meetings and activities.

F. Business:

1. Field trip to the La Verkin Fields.
2. Discussion and Direction regarding the Condominium and Commercial Planned Unit Development (CCPUD) Ordinance.

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 <http://pmn.utah.gov>, 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 April 4, 2025

Nancy Cline, City Recorder

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, March 12, 2025, 6:00 pm.

City Council Chambers, 111 South Main Street
La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Hugh Howard, Kyson Spendlove, Sherman Howard, and John Valenti; Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: Patricia Wise.

A. Call to Order: Chair Allen Bice called the meeting to order at 6:00 pm.
The invocation and Pledge of Allegiance were given by Derek Imlay.

B. Appointments:
Commissioner Richard Howard was absent and will be sworn in at the next meeting.

C. Approval of Agenda:
The motion was made by Commissioner Kyson Spendlove to approve the agenda, second by Commissioner Hugh Howard. Sherman Howard-yes, Hugh Howard-yes, Spendlove-yes, Valenti-yes, Bice-yes. The motion carried unanimously.

D. Approval of Minutes: February 12, 2025, regular meeting.
The motion was made by Commissioner Sherman Howard to approve February 12, 2025, regular meeting, second by Commissioner Hugh Howard. Hugh Howard-yes, Bice-yes, Sherman Howard-yes, Spendlove-yes, Valenti-yes. The motion carried unanimously.

E. Reports:
City Council - Councilwoman Wise reported on the City Council's regular meeting held on March 5, 2025.

Director of Operations Derek reported that the irrigation has been turned on slowly this week. They turned on one section at a time to fix leaks before turning on the next section. It will be turned on full-time on March 14th. Citizens can call the city office even after hours, and an employee is available to assist with emergency water leaks or breaks. He created an outline of the issues the planning commission will discuss over the next six months. Derek asked Fay to speak about Vested Rights with Short-term vacation rentals.

Fay explained that if a home were used for vacation rental purposes and sold to somebody else, the new owner would have a so-called vested right to that use. He responded that it's not exactly a vested use. Vacation rentals are treated as a commercial enterprise, so they must obtain a business license. Anyone who holds a business license is authorized to conduct that business. If a home were sold, the new owner, like any other business owner, would have to obtain a business license to operate. The city granted it, and of course they could continue to use that property as a vacation rental. However, it requires a business license, which the city must review and ensure compliance with all terms and conditions; this process doesn't occur automatically.

Commissioner Bice asked if the city has the authorization not to grant that because it's no longer zoned for it, or is that vested?

Fay replied that if a use has been in existence for a period predating our ordinance and is a valid non-conforming use, then if they came in and applied for a business license, the city would probably be obliged to grant it.

F. Business:

1. Discussion and Direction regarding the Planned Unit Development (PUD) Ordinance.

Derek explained that he had given them two examples of PUDs. One breaks down the individual developments that qualify for the PUD, and the other shows a general outline. He asked if they had things they would like to add or combine in the PUD they would be creating.

Commissioner Bice commented that he liked the simple version of the PUD because the zones, which have not yet been created, govern themselves.

Commissioner Valenti commented that the more extensive PUD included 50% that could be vacation rentals.

Derek replied that he would have to look that up, but that would be for the Topside, not downtown La Verkin. No percentage has been agreed upon yet.

Commissioner Valenti also spoke about the language, stating that the planning commission would recommend approval. He believed it would only be a recommendation.

Derek explained that they are creating this from the beginning. There is a lot of work to be done. We refer to everything that goes through a development agreement as part of the PUD requirement. The development agreement ordinance lists specific sections that are qualified. For example, if it's R-1-14 and they want to reduce the lots to R-1-10, you can enter into a development agreement. There is also a clause at the bottom that states that if the city council finds anything else that may be in the city's best interest, they could qualify. He preferred it to be spelled out. He didn't want the staff to make decisions that might not comply with the ordinance or code. He would rather be more specific about it, so this would be another thing that would be upgraded. He is trying to finalize the significant parts of these ordinances, but they also impact other zones and ordinances.

Commissioner Valenti pointed out that the simplified version didn't include permitted use, but the more extended version spells it out.

Derek explained that they don't allow permitted use. It becomes too messy to allow one person to do something that another person was turned down for. He explained that numerous changes are needed. The fact is that one lays it out much more specifically for each development criteria versus the other, which is vague.

Commissioner Valenti inquired about them passing these codes and ordinances now, but then the developer preferred alternative approaches. It will affect what they are doing now.

Derek replied that they wanted to create ordinances that would be used on the Top Side. That way, they can complete a significant amount of the work before development begins. Knowing that many of them would need to be adjusted, we wouldn't have to go back to square one and create more hard work for the staff. We're just trying to get ahead of the curve.

Commissioner Bice asked if the permitted uses are in the zone, will they also need to be included in the ordinance?

Derek replied that they would still create an ordinance.

Commissioner Bice clarified that they need to create the zone because it doesn't currently exist, and why wouldn't that be where the permitted uses are specified?

Derek explained that the one that is written spells out MDR-8 and MDR-14. It doesn't specify the permitted uses for zones, but the criteria may vary depending on the project size, including additional landscape requirements and more open areas. They will be slightly different than the other one, but overall, the layout will be the same.

Commissioner Spendlove asked why another section on permitted uses was needed, given that permitted uses are already defined in the zone.

Commissioner Bice explained that he understood it would involve a zone for short-term rentals, and they would apply to the city council to decide how large the zone or zones would be. It wouldn't be with the PUD but when they seek the zones.

Derek added that they should remember it will all come before the planning commission. He wanted to get the bigger planning out of the way, so they are not overrun with it all at once. He suggested that he could take the longer PUD and shorten it.

Commissioner Bice added that anything included in the zone should be deferred to the zone and not repeated in the PUD. If the zone is done correctly, there shouldn't be any areas that the PUD would let us down on that are not zoned.

Derek clarified that they want to go with the more generalized PUD and let the zoning address the remaining details.

Commissioner Spendlove thought it made more sense to do it that way, referencing the zoning, and then ensure they have all the zones established in the way they feel would be best. Then, this would be treated more like an overlay.

2. Discussion regarding amending La Verkin City Sign Ordinance.

Commissioner Bice explained that this change would transition to a permit system. Anyone wanting a new sign would have to apply for a permit. It states that the planning commission would have to approve all of them.

Derek explained that this was the city's current ordinance. He thought it was unclear and that many of the requirements were unnecessary. The city has allowed illegal A-framed and banner signs for businesses. He believed that smaller businesses needed more affordable advertising methods, but they still required some limitations. He didn't like creating two different sign ordinances, two different parts of an ordinance. He advised that there should only be one, and they could enforce it. He added that there might be an occasion where a specific sign makes more sense, and they could probably qualify that as something different to get it approved. They have had business owners ask about increasing the height allowance, 25 feet from ground level to the top of the sign is as tall as they can get here in La Verkin. He felt the ordinance needed to be updated to allow certain types of signs that aren't hazardous to traffic or citizens.

Commissioner Bice advised that they be specific about what is allowed for signage. That way, the planning commission would not need to approve every sign. He pointed out that the definition of a flag was not the same as the flag ordinance.

3. Discussion regarding amending La Verkin City Parking Ordinance.

Derek explained the existing ordinance and handed out an example of a parking lot. The parking requirement now is a nine-by-eight parking stall. Cars and trucks, especially, have become larger, so the need for larger parking stalls has increased.

Commissioner Spendlove was interested in making the stalls a little bit bigger. Hotels used to have two parking spaces for every unit, and we took it down to 1.1. The number of spots needed, and their size must be updated. He added that, as part of his career, one of the things he has to deal with frequently is designing parking lots for developers who want to build new developments. One of the areas that has consistently been a struggle in southern Utah is the lack of clear parking standards. There is always a question about how many stalls you need

per square foot for commercial or residential use. However, there are several areas where you can find ample parking. Most codes or standards specify that you need a 9-foot-wide by 18-foot-long stall. However, it is rare to see drawings or standards that determine when a longer stall is required. Because we've all parked a bigger vehicle, and you can't fit. Either you don't have enough space to swing that vehicle into the stall, or you can't walk on the sidewalk once you're parked and get out. Over the last couple of years, he has done research with municipalities. The printout that was distributed is for Tooele City; that's one he found to be very well thought out. They have a curb, gutter, and sidewalk, so your stalls can be a minimum of 18 feet long, as long as you have a 6-foot sidewalk. That leaves you about 2 feet, but you can still get around the requirement. The minimum is 24 feet on the drive aisle. If you have touching stalls, the vehicles will be positioned right up against each other, front to front, and then there will be a minimum of 20 feet. It's 18 feet, you're going to be in the drive aisle, and it starts to narrow things down. There's even a section where if you're up against a wall with a parking lot, it must also be 20 feet because you don't have overhanging. We're showing it even if it's not specified in this document. He thought it needs to be referenced, and we need to update our city design standards to include details like this so that we don't have parking problems in the future.

Commissioner Sherman Howard inquired whether the stalls were still 9 feet in height. He felt like that was still a tight fit with a full-size truck.

Commissioner Spendlove replied that the minimum is nine feet, but that's the standard across the state. However, that doesn't mean we can't require some larger stalls for oversized vehicles.

Commissioner Bice added that the driveway behind the parking stalls needs to be large enough to accommodate pulling out of the parking lot. If it isn't wide enough, you can't back out without hitting the car behind you.

Commissioner Spendlove advised that 24 feet is not enough. A 26-foot stall provides a little extra space in the front and back for whoever is parking in a 20-foot stall, ensuring you don't crowd the drive aisle. This makes it much easier to drive and pull in, especially when there are two vehicles next to you. It'd be nice to have something like this that a designer can reference as they lay it out, and all of our code can refer to these drawings, so we don't have to try to spell out our parking requirements with words.

Derek added that this usually leads to a big argument with the developer because the more parking we require, whether due to the length or width, the less property they have to develop and make money. They believe it's a waste of money to provide parking for customers to access their businesses, and we receive numerous kickbacks from them.

Commissioner Bice asked about the parking for the Fields development. It didn't look like there were enough parking spaces.

Derek explained that there would be two parking stalls per unit. They are trying to negotiate more parking stalls with the owner. If he disagrees, he will limit who can rent out those spaces. Businesses that require only a few parking stalls. He's going to try to cram as many buildings as possible, providing two parking spaces for each one. Alternatively, you can park two cars inside the garage and use the roll-up door or the designated parking area. It will be challenging to provide shared parking because you don't want to encroach on other businesses' parking spaces. Shared parking only works when businesses have set hours. At this point, we can't stop him. He can build those buildings and do whatever they can in the general commercial. It'll be limited.

Commissioner Spendlove commented that there is a problem with employee parking and off-street parking. Some have excess parking, but in our city, we don't seem to have enough for our businesses.

Derek gave the example of Choco Ridge. They're going to build houses up there, and we've informed them that they cannot park on the road because it has a smaller road dimension. We're also not allowing them to park anywhere on 100 East. That leaves them down the road. The parking congestion in the neighborhoods could cause problems. With schools' drop-off and pick-up and the added issue of employee parking, it could become too congested.

Commissioner Bice gave the example of parking in South Carolina five blocks from the restaurant. But it's an old city. We could plan this out right. Developers can present a case to seek an exemption or consider it as part of a trade-off with the city, but let's not lower our standards.

Commissioner Spendlove added that in one of his projects, they collected data on how often the stalls are used and how many people are in them, like a parking count. They wanted to expand and add another building to the existing parking lot, which was approximately three times the current size required for the use. Now, that use may increase over time, but it was three times larger than needed, so a lot of extra land did not need to be used for parking. It would be beneficial if we included in our standard code provisions that allow for proof and some waivers. That helps to limit, or at least cut down closer to that standard, kind of normalcy for that development if they can prove it,

Derek was concerned that if they had a specific commercial use that required a small amount of parking and then wanted to change the use of their building, which would necessitate more parking spaces, how would they resolve this issue? We need to find the correct equation to keep enough parking.

Commissioner Spendlove commented that if they wanted to change the use, they would need to come before the commission and have a plan for providing additional parking; otherwise, it wouldn't be approved.

G. Adjourn:

The motion was made by Commissioner Allen Bice to adjourn, second by Commissioner Hugh Howard. Hugh Howard-yes, Bice-yes, Spendlove-yes, Juluson-yes, Sherman Howard-yes. The motion was carried unanimously at 7:15 pm.

Date Approved

Planning Commission Chair

April 9th Planning Commission Meeting Overview*

The meeting will commence with a flag ceremony, followed by prayer and essential reports. We will then proceed with a field trip to the Field project site, where Blair Gardner, the owner and developer of the LaVerkin Fields, will personally guide us through the building and articulate his vision for this significant development.

Once we return to the city chambers, we will further delve into Blair Gardner's vision and the intended uses for the Field project. After his presentation, the Commission will engage in a robust discussion to address any considerations.

The Planning Commission has been provided with critical documents, including:

- A schedule of upcoming Planning Commission meetings
- A proposed mixed-use ordinance
- Title 10, Chapter 16: Condominiums and Commercial Planned Unit Development Ordinance (highlighted in red with relevant codes for this development)
- The Field applications transitioning from single ownership to individual ownership
- Comprehensive civil plans, which will include:
 - Existing site and demolition plans
 - Proposed site and utility plans
 - Sewer and water plans
 - Plans for gas, phone, and cable
 - Power plan
 - Grading and drainage plan
 - Stormwater pollution prevention plan
- A missing landscaping plan page
- Topographic map

- Final plat
- The Fields Covenants, Conditions, and Restrictions (CC&R's)

****Summary:****

Blair Gardner proactively contacted the City to confirm the permitted uses within the Commercial Retail zone, which we promptly provided. He specifically inquired about the possibility of allowing residential units on the upper floors, and we clearly stated that no such allowance exists at this time. While there is ongoing consideration for live/work allowances in the commercial zones, there are no guarantees this will be approved, as discussions have persisted for the past four years.

In spite of this uncertainty, Blair chose to move forward with the project fully aware that live/workspaces may never be authorized. During the project's progression, we have decisively addressed numerous concerns from citizens and politicians regarding any potential for residential use on the upper floors. We have ensured clarity by repeatedly informing Blair of these concerns and reiterating that residential use is not permitted.

Blair has acknowledged this and is committed to including a stipulation on the Mylar that explicitly states the Field project buildings will not allow residential use.

However, it is crucial to note that the buildings have been designed to potentially accommodate residential units on the second floor if such an allowance is ever established in the future.

Keep in mind, these buildings are constructed as shells; while the exterior will be completed to a full standard, the interior will remain as a shell to give owners and tenants the flexibility to build out according to their specific needs.

Upcoming Planning Commission Meetings for 2025

- April 9th
 - Field trip to the Fields project
 - Presentation of the Fields project by Blair Gardner (Owner developer)
 - Conversion of the flex spaces
- April 23rd
 - Continue to review and possibly set a public hearing for
 - ✓ High Density Residential (HDR-14) for the May 14th Planning Commission
 - ✓ Medium Density Residential (MDR-8)
 - ✓ Clarification of the grading requirements for the topside **PUD**
 - Continue to Discuss
 - ✓ PUD's
 - ✓ Mixed Use
 - ✓ Signage
 - ✓ Parking requirements with attachments
 - ✓ Possible Conversion of the flex spaces
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit
- May 14th
 - Public Hearing
 - ✓ High Density Residential (HDR-14)
 - Continue to review and possibly set a public hearing for
 - ✓ The Mixed Use
 - Continue to review
 - ✓ PUD's
 - ✓ Signage
 - ✓ Parking requirements with attachments
 - ✓ Possible Conversion of the flex spaces
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit

- May 28th
 - Public Hearing
 - ✓ Mixed Use
 - Continue to review and possibly set a public hearing for
 - ✓ The PUD's
 - Continue to review
 - ✓ Signage
 - ✓ Parking requirements with attachments
 - ✓ Possible Conversion of the flex spaces
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit
- June 11th
 - Public Hearing
 - ✓ The PUD's
 - Continue to review and possibly set a public hearing for
 - ✓ The Signage
 - Continue to review
 - ✓ Parking requirements with attachments
 - ✓ Possible Conversion of the flex spaces
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit
- June 25th
 - Public Hearing
 - ✓ The Signage
 - Continue to review and possibly set a public hearing for
 - ✓ Parking
 - Continue to review
 - ✓ Possible Conversion of the flex spaces
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit

- July 9th
 - Public Hearing
 - ✓ The Parking
 - Continue to review and possibly set a public hearing for
 - ✓ Possible Conversion of the flex spaces
 - Continue to review
 - ✓ Working on approving The Critical infrastructure Materials Protection Area for the IRP pit
- July 23rd (Cancelled)
- August 13th
 - Public Hearing
 - ✓ The Conversion of the flex spaces
 - Continue to review and possibly set a public hearing for
 - ✓ The Critical infrastructure Materials Protection Area for the IRP pit
- August 27th
 - Public Hearing
 - ✓ The Critical infrastructure Materials Protection Area for the IRP pit
- September 10th
- September 24th
- October 8th
- October 22nd
- November 12th
- November 26th (Canceled)
- December 10th
- December 24th (Canceled)

ARTICLE C3 MIXED USE ZONE (MU)

SECTION:

10-6C3-1: Purpose

10-6C3-2: Permitted Uses

10-6C3-3: Application Requirements

10-6C3-4: Height Regulations

10-6C3-5: Area, Width And Yard Requirements

10-6C3-6: Modifying Regulations

10-6C3-1: PURPOSE:

The primary focus must remain on commercial use. Allowing residential use should be viewed as an added benefit of having a thriving commercial operation. We should establish a connection between an active business license and the continuation of residential allowances. The city cannot afford to diminish its limited commercial zones by converting them to residential use. This is vital for our economic sustainability, the use of its limited commercial area to turn into residential use.

The intent of the Mixed Use (MU) zone is to provide for a mix of commercial uses (lower floor facing a public right-of-way) with multi-family residential uses (apartments, townhomes, condominiums) above and possibly surrounding the commercial lower level area as a planned unit development. Mixed use development is intended to be high-quality urban development that is pedestrian friendly and complementary to the surrounding area. Commercial uses must be a part of the overall design of any development.

10-6C3-2: PERMITTED USES:

Accessories shop
Antique shop
Appliance sales, including electronics
Art school
Bakery products
Bank, savings and loan or other financial institution
Barber shop
Beauty and/or nail salon
Beauty school business license
Bicycle shop
Blueprinting and copying
Book and stationery store
Business college
Camera shop
Cards/gifts shop
Check cashing shop
Childcare center
Clothing and wearing apparel shop
Clothes cleaning

Commented [D11]: The primary focus must remain on commercial use. Allowing residential use should be viewed as an added benefit of having a thriving commercial operation. We should establish a connection between an active business license and the continuation of residential allowances. The city cannot afford to diminish its limited commercial zones by converting them to residential use. This is vital for our economic sustainability, the use of its limited commercial area to turn into residential use.

Computer/electronics store
Confectionery store
Convenience store
Cosmetics store
Crafts and supplies store
Custom dressmaking shop
Cutlery shop
Dance studio
Decorating or drapery shop
Delicatessen
Doughnut shop
Eyeglass and lens store
Fabric store
Fitness center
Flower shop
Food specialties store
Furniture store
General merchandise store
Gift shop
Grocery store - neighborhood
Hardware and appliance store
Health/nutrition store
Hobby shop
Home furnishings store
Home occupations subject to LVMC Section 10-7-17.
Indoor recreational facilities
Interior decorator
Jewelry store
Kitchenware store
Leather goods shop
Library
Locksmith
Mail center
Martial arts studio
Medical office
Medical supplies sales
Microbrewery
Music instruments shop
Nursery or day care
Offices, business or professional
Office products and supply store
Paint store
Parking structures
Party goods store
Pet shop
Post office and related services
Printing, photocopying
Radio, television and appliance store

Residential (condominiums, apartments, townhomes). Must be associated with a bottom floor commercial component.

Restaurant or other eating place, including ice cream, yogurt, cookies

Retail sales

Shoe store

Sporting goods store

Studio, art or music

Supermarket

Swimming pool/supplies store

Tailor shop

Thrift store

Toys/hobbies store

Variety store

10-6C3-3: APPLICATION REQUIREMENTS:

Applications for the development of twin homes, triplex homes, and fourplex homes in the MDR-8 zone shall be processed as a planned unit development and comply with the following application requirements:

- A. A precise plan application shall be submitted to the city for review and approval. A dimensioned site plan(s) showing the entire development under consideration including building location(s), setbacks, lot coverage, access locations, streets, perimeter wall(s) locations and design, preliminary landscape plan, utilities plan (including fire hydrant locations), equipment locations and screening, phasing (if any), and any other pertinent design features or aspect of the development.
- B. Architectural drawings: Architectural drawings shall be included as part of the precise plan application. Plans shall consist of building elevation/façade renderings with exterior materials clearly depicted, proposed colors, identification of building massing and design and roof type and color, and any other design feature. Material and color palettes shall be included as part of the submission.
- C. Studies: The city may require studies to analyze the impact of a project. Studies may consist of traffic, noise, drainage, geotechnical or any other study the city requires in order to properly analyze the impact of the project.
- D. Landscaping: A landscaping plan shall be submitted as part of the application process and shall follow the requirements of Chapter 8 (conservation Landscaping Requirements) as adopted and required by the WCWCD (Washington County Water Conservation District)
- E. Lighting: All lighting shall comply with Chapter 7 Outdoor Lighting (night sky) ordinance, which includes parking lot lights, security lights, and illuminated signs shall be designed and directed in a manner to prevent glare on adjacent properties and into the sky. To more fully implement this requirement, a photometric lighting plan shall be required to show that there will be no significant overflow lighting.

F. Allowed signage, size, and spacing shall follow Title 10 -11-11

10-6C3-4: HEIGHT REGULATIONS:

Maximum building height shall not exceed 45' or four stories except that the City shall not impose or restrict the height of a structure in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution unless the City demonstrates that imposition of the burden on that person, assembly, or institution:

- A. Is in furtherance of a compelling governmental interest; and
- B. Is the least restrictive means of furthering that compelling governmental interest. (Ord. 2008-07, 5-7-2008)

Commented [D12]: Carried through on our other ordinances
Question for Fay

10-6C3-5: AREA, WIDTH, AND YARD REQUIREMENTS:

District	DENSITY	LOT COVERAGE	Minimum Dwelling Unit Square Footage	Minimum Property size	Open Space	Setback In Feet			
						Front	Side	Rear	Corner lots
MU	Up to fourteen dwelling units Per acre	Shall not exceed 75% of the total lot area	600 Sq. Ft.		Modifying regulations 10-6c2-7 (L)	1	2	3	?

Commented [D13]: What is min. property size for development?
Is it based on %? (for example, .7 acres could have 9 units based on 70% of the 14 units per acre)

Note:

1. Front or street: Front or street: A minimum 15-foot-wide landscape area between the property line and any improvements (i.e., buildings, courtyards, parking spaces, paving, etc.).
2. Side: Ten (10) feet landscaped. If located adjacent to a residential area, a 20-foot wide landscape setback (buffer) is required. Building setbacks adjacent to residentially zoned areas shall be 80 feet.
3. Rear: Rear: Ten (10) feet landscaped. If located adjacent to residential areas, a 20-foot wide landscape setback (buffer) is required. Building setbacks adjacent to residentially zoned areas shall be 60 feet.
4. Corner lots:

10-6C3-7: MODIFYING REGULATIONS:

- A. Easement Required: All lots shall have easements on side and rear property lines of a minimum of seven and one-half feet (7'1/2') and on a street side property line of ten feet (10') minimum, to be used for utilities and drainage.
- B. Bicycle Racks: E.V. ready bicycle parking racks (one bicycle parking space for each unit) shall be provided at a centralized location.
- C. Buildings: All buildings shall front a street unless determined otherwise by the city
- D. Common recreation area: Amenities in the common recreation area may consist of a pool, play area, tennis courts, barbeque areas, canopies, enclosed gym and workout areas,

recreation rooms or any combination of the aforementioned and/or alternatives as approved by the city.

- E. Curb, gutter, sidewalk and paving: All facilities/uses shall have curb, gutter and sidewalk, and shall have asphalt paving from the curb and gutter out to any existing street asphalt subject to city approval.
- F. Development agreement: A development agreement is required for review and approval in the MU zone (Reference LVMC Section 10-6G3-7).
- G. Fencing: A six-foot high decorative block wall shall be required around the perimeter of the entire subject property. All lots and private open space areas shall be fenced with a six-foot high vinyl fence or other material approved by the city. No wood perimeter fencing is allowed.
- H. Garages Required: Minimum garage size for new home construction shall be twenty feet by twenty feet (20' x 20'). (Ord. 2008-07, 5-7-2008; amd. Ord. 2013-10, 8-21-2013, eff. 2-17-2014)
- I. Homeowner's association: Establishment of a homeowner's association is required for planned unit developments - twin homes, triplexes and fourplex housing. A homeowner's association may also be required by the city based on specific issues related to the development
- J. Loading spaces shall be provided at a ratio of one for every 15,000 square feet of commercial floor area, or as determined by the city. Loading space size shall be 10 feet by 20 feet. One dedicated and marked 10 foot by 20 foot loading space shall be
- K. Open space: Two hundred (200) square feet of active open space is required per dwelling unit. One hundred (100) square feet shall be in a private patio area for the exclusive use of each dwelling unit occupant. One hundred (100) square feet shall be provided in a common recreation area.
- L. Storage areas: If no enclosed garage is provided for each dwelling unit, 250 square feet of enclosed storage shall be provided per unit. This storage is in addition to room closets, coat closets, water heater closets, etc.
- M. Streets: All streets in or adjacent to the MDR-14 zone shall meet the requirements of the city's construction and development standards, including curb, gutter and sidewalk.
- N. Trash enclosures: One trash dumpster bin (four yard minimum) located in a decorative enclosure shall be provided for every 20 dwelling units.
- O. Vehicular access/parking: All facilities/uses shall have driveways, points of vehicular ingress and egress and parking. The parking requirement shall be one 9-by-18 foot parking space for every 200 square feet of commercial floor area. One 9-by-18 foot parking space for each 3.5 seats or one parking space for 100 square feet of restaurant

floor area (excluding kitchen, storage, etc.), whichever is greater. All drive aisles shall be a minimum of 25 feet in width. Each dwelling unit shall have a minimum of two dedicated parking spaces per unit with one being covered or enclosed. One additional 9-by-18 foot parking space shall be required for every three dwelling units for guest parking

CHAPTER 16

CONDOMINIUMS AND COMMERCIAL PLANNED UNIT DEVELOPMENTS

SECTION:

10-16-1: Purpose

10-16-2: Definitions

10-16-3: General Regulations

10-16-4: Conceptual Review

10-16-5: Site Plan Review Requirements

10-16-6: Miscellaneous Requirements

10-16-7: New Condominium And CPUD Construction

10-16-8: Condominium Conversion

10-16-9: Covenants, Conditions, And Restrictions (CC&Rs)

10-16-10: Condominium Rentals

10-16-1: PURPOSE:

A. This chapter establishes procedures for the review and approval of condominium projects and commercial planned unit developments (also referred to herein as CPUDs), to ensure they comply with applicable LaVerkin City ordinances and state laws.

B. Condominium projects and CPUDs shall be permitted uses in commercial zones and, except as otherwise provided herein, shall be subject to the requirements generally applicable to such zones.

C. Developments in commercial zones may apply for subdivision approval under and in accordance with the terms of this chapter.

D. All condominium projects shall conform to the requirements of the condominium ownership act of 1975, as defined and set forth in the provisions of title 57, chapter 8, Utah Code Annotated (1953, as amended).

E. Developments in residential zones, where multiple housing is allowed, may apply for condominium projects under a development agreement. (Ord. 2011-05, 4-20-2011)

10-16-2: DEFINITIONS:

For the purposes of this chapter certain terms and words are defined and are used in that defined context.

ALTERATION: As applied to a building or structure, means a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side, by increasing in height, or the moving from one location or position to another.

ARCHITECTURALLY INCOMPATIBLE: Buildings or structures which are incongruous with adjacent and nearby development due to dissimilarities in style, materials, proportions, size, shape and/or other architectural or site design features.

BASEMENT: A story wherein exterior walls are fifty percent (50%) or more below grade. For purposes of establishing building height, a basement shall not count toward the maximum number of stories allowed. The exposed portion of the basement wall shall not exceed six feet (6').

BUILDABLE AREA: The portion of the lot remaining after required yards have been provided and after the limitations of any pertinent environmental regulations have been applied. Buildings may be placed in any part of the buildable area, but if there are limitations on percent of the lot which may be covered by buildings, some open space may be required within the buildable area.

BUILDING: A structure with a roof, intended for shelter or enclosure.

BUILDING CONNECTION: Two (2) or more buildings which are connected in a substantial manner or by common interior space including internal pedestrian circulation. Where two (2) buildings are attached in this manner, they shall be considered a single building and shall be subject to all yard requirements of a single building. Determination of building connection shall be through the site plan review process.

BUILDING OFFICIAL: The officer or other designated authority charged with the administration and enforcement of the building code.

BUILDING, PRINCIPAL: A building that is used primarily for the conduct of the principal use.

BUILDING, PUBLIC: A building operated by a public agency of the United States Of America or the state of Utah, or any of its subdivisions.

BUSINESS PARK: A business district planned and developed as an optimal environment for business occupants while maintaining compatibility with the surrounding community.

CERTIFICATE OF COMPLETION: A certificate issued at the time when all required inspections of a commercial building have been completed and approved by the building inspector and the building is ready for occupancy. Such certificate allows approval of final plat for commercial condominiums prior to use allowing for owner modifications and improvements to the interior of a building. Following any owner modifications or improvements, a certificate of occupancy will be issued upon inspection and approval by the building inspector.

CERTIFICATE OF OCCUPANCY: A certificate issued at the time when all required inspections on a building and/or interior modifications and improvements have been completed and approved by the building inspector and the building is ready for occupancy. In any case where a certificate of completion has been issued and owner modifications have been made, a final inspection by the building inspector must be completed and the modifications approved prior to receipt of the certificate of occupancy.

COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD): Commercial development wherein ownership of lots is accomplished by subdivided lots (which may be divided on 0 lot lines, including common walls), in which the balance of the common areas, space, and facilities are owned by a commonly managed owners' association.

COMMON AREAS, SPACE AND FACILITIES: The property and improvements of the condominium project or portions thereof, conforming to the definition and requirements set forth in section 57-8-7, Utah Code Annotated (1953, as amended); and common areas located outside of lot descriptions in the case of commercial planned unit developments (CPUDs).

CONCEPT DEVELOPMENT PLAN: A conceptual plan submitted for review and comment in order to obtain guidance from the city regarding how city requirements would apply to a proposed planned development.

CONDOMINIUM: Ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.

CONDOMINIUM-COMMERCIAL: Ownership of a single unit in a multi-unit commercial project together with an undivided interest in common in the common areas and facilities of the property.

CONDOMINIUM PROJECT: A real estate condominium project; a plan or project whereby two (2) or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale. Condominium project also means the property when the context so requires.

CONDOMINIUM-RESIDENTIAL: Ownership of a single unit in a multi-unit residential project together with an undivided interest in common in the common areas and facilities of the property.

CONDOMINIUM UNIT: A unit together with the undivided interest in the common areas and facilities appertaining to that unit. Any reference to a condominium unit includes both a physical unit together with its appurtenant undivided interest in the common areas and facilities, and a time period unit together with its appurtenant undivided interest, unless the reference is specifically limited to a time period unit.

CONVERSION: A proposed change in the type of ownership of a parcel or parcels of land, together with the existing attached structures, from single ownership of said parcel, such as an apartment house or multi-family dwelling, or multi-tenant commercial building, into that defined as a "condominium project", commercial planned unit development, or other

ownership arrangement involving separate ownership of individual units combined with joint collective ownership of common areas, facilities or elements.

ELEVATION AREA: The area or portion thereof (in square feet) of an architectural elevation of one side of a building.

ELEVATION AREA, FIRST FLOOR: The elevation area or portion thereof (in square feet) of the first or ground floor (story) of one side of a building.

FLOOR AREA, GROSS (FOR DETERMINING FLOOR AREA RATIO AND SIZE OF ESTABLISHMENT): The sum of the gross horizontal area of all floors of the building measured from the exterior face of the exterior walls or from the centerline of walls separating two (2) buildings. The floor area of a building shall include basement floor area, penthouses, attic space having headroom of seven feet (7') or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. The floor area of covered accessory buildings, including parking structures, shall be included in the calculation of floor area ratio. Space devoted to open air off street parking or loading shall not be included in floor area.

FLOOR AREA RATIO: The number obtained by dividing the gross floor area of a building or other structure by the area of the lot on which the building or structure is located. When more than one building or structure is located on a lot, the floor area ratio is determined by dividing the total floor area of all the buildings or structures by the area of the site.

GUEST: Any person hiring or occupying a room for living or sleeping purposes.

LOT; COMMERCIAL LOT: It shall include a subdivided portion of a commercial planned unit development where the primary business activity is conducted, which is in separate fee title ownership.

OPEN SPACE: Any area of a lot which is completely free and unobstructed from any structure or parking areas including landscaping, walkways, uncovered patio areas, light poles and other ornamental features. Driveways that provide access to parking lots, not exceeding twenty percent (20%) of any required yard area that they provide access through, shall not be considered as an obstruction.

PATIO: A paved surface on an earthen/stone base that is not more than two feet (2') above established grade, designed for pedestrian use.

PEDESTRIAN CONNECTION: A right of way intended for pedestrian movement/activity, including, but not limited to, sidewalks, internal walkways, external and internal arcades, and plazas.

PLANNED DEVELOPMENT: A lot or contiguous lots of a size sufficient to create its own character where there are multiple principal buildings on a single lot, where not otherwise authorized by this title, or where not all of the principal buildings have frontage on a public street. A planned development is controlled by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the

character of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located.

PLAZA: An open area which is available to the public for walking, seating and eating.

RECORD OF SURVEY MAP: The map as defined in section 57-8-3, Utah Code Annotated (1953, as amended).

SHOPPING CENTER: A concentration of related commercial establishments with one or more major anchor tenants, shared parking, and unified architectural and site design. A shopping center normally has single or coordinated ownership/operations/management control and may include pad site as well as architecturally connected units.

UNIT: Either a separate physical part of the property intended for any type of independent use, including one or more rooms or spaces located in one or more floors or part or parts of floors in a building or a time period unit or facility as defined in section 57-8-3, Utah Code Annotated (1953, as amended). (Ord. 2007-16, 4-4-2007; amd. Ord. 2011-05, 4-20-2011)

10-16-3: GENERAL REGULATIONS:

The procedures and requirements of this chapter apply to the processing and approval of condominium and CPUD plat maps. Such provisions shall supplement zoning, site development, health, building or other ordinances which may be applicable to the condominium project or CPUDs, and shall apply to the approval of projects involving new construction, as well as projects involving the conversion of existing structures. In addition, projects which involve dedication of real property to the ownership and use of the public shall also be considered subdivisions and require compliance with applicable provisions of title 11 of this code. All such subdivisions or conversions shall require notification to all property owners of record within two hundred feet (200') of the development boundaries. (Ord. 2011-05, 4-20-2011)

10-16-4: CONCEPTUAL REVIEW:

A. Purpose: The intent of conceptual review is to promote the safe and efficient use of land, to contribute to an orderly and harmonious appearance in the city and to further enhance the value of property. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The conceptual review process is intended to help ensure that newly developed properties and redeveloped properties are compatible with adjacent development and that traffic, public safety, overcrowding, and environmental problems are minimized to the greatest extent possible. More specifically, the purpose of the conceptual review process is to provide for a review of:

1. A project's compatibility with its environment and with other land uses and buildings existing in the surrounding area;

2. The quantity, quality, utility, size and type of a project's required open space and proposed landscaping improvements;
3. The ability of a project's traffic circulation system to provide for the convenient and safe internal and external movement of vehicles and pedestrians;
4. The quantity, quality, utility and type of a project's required community facilities; and
5. The location and adequacy of a project's provision for drainage and utilities. (Ord. 2007-16, 4-4-2007)

B. Conceptual Development Review: Before filing a formal application for any condominium project or CPUD, whether new or conversion, the developer shall meet with the development staff regarding the general proposal. Such action does not require application fees, or filing of a site plan or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the development staff or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted. (Ord. 2011-05, 4-20-2011)

10-16-5: SITE PLAN REVIEW REQUIREMENTS:

A. Application: Following the conceptual review, a site plan application shall be filed with the zoning administrator. Each application for site plan review shall include six (6) copies of a site plan, drawn to a scale of twenty feet to the inch (20' = 1") or such other scale as the zoning administrator shall deem appropriate. Plans shall contain the following information:

1. The applicant's name, address, telephone number and interest in the property;
2. The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
3. The street address, tax parcel number and legal description of the subject property;
4. The zoning classification, zoning district boundaries and present use of the subject property;
5. A vicinity map with north arrow, scale and date, indicating the zoning classifications and current uses of properties within one hundred feet (100') of the subject property;
6. The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for zoning administrator approval;
7. The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, watercourses, waterways or lakes, wetlands, and other existing physical features in or adjoining the project;

8. Topographic survey, showing the elevation of streets, alleys, buildings, structures, watercourses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings;
9. Significant topographical or physical features of the site, including existing trees;
10. The elevation of the curb (if existing or proposed) in front of each lot;
11. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access;
12. The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of public utilities;
13. The location, dimensions and character of construction of proposed streets, alleys, loading areas including numbers of parking and loading spaces, outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Additional area may also be required to indicate connections or proposed connections to major utilities;
14. The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type if applicable, major elevations and the total square footage of the floor area by proposed use;
15. The location, height, type and material of all fences and walls;
16. The location, character, size, height and orientation of proposed signs, to be erected in accordance with chapter 11 of this title, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this chapter shall be considered a part of the approved site plan;
17. The proposed nature and manner of grading of the site, in accordance with soils engineering studies to prevent soil erosion and excessive runoff;
18. The location of dumpsters or other outdoor trash receptacles;
19. The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
20. A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations; (Ord. 2007-16, 4-4-2007)
21. A tabulation of the total number of dwelling units or commercial lots in the project and the overall project density in dwelling units or commercial lots per gross acre; (Ord. 2011-05, 4-20-2011)

22. The proposed and required off street parking and loading areas, including parking and access for the handicapped, as specified in the most current version of the international building code; and

23. Landscape plans subject to the standards contained in chapter 6, article J of this title.

B. Waiver Of Requirements: The zoning administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

C. Zoning Administrator Review: The authority of the zoning administrator through the review process to require modification of a proposed site plan shall include the following elements in order to achieve the objectives set forth below:

1. Traffic And Parking:

- a. Minimizing dangerous traffic movements.
- b. Promoting the smooth and efficient flow of traffic in accordance with standards in the Institute Of Traffic Engineers' "Transportation And Traffic Engineering Handbook", and other local sources of authority as adopted by ordinance.
- c. Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles.

2. Site Layout:

- a. Promoting compatibility with adjacent and nearby properties.
- b. Preserving and protecting valuable natural features and amenities to the greatest extent practical.
- c. Promoting the efficient provision of public services.

3. Environmental Protection:

- a. Preserving existing healthy and long lived trees wherever economically feasible.
- b. Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage.
- c. Minimizing alterations to existing topography.
- d. Protecting important views and vistas as identified in adopted plans.

4. Landscaping:

- a. Promoting the use of plant material compatible with the climate of the region and microclimate conditions on the site.

- b. Ensuring that plant material can be maintained for long term health and continued growth.
- c. Maximizing water and energy conservation through the appropriate use of plant materials.
- d. Ensuring that the arrangement of required landscaping produces the optimal visual effect.

5. Signage:

- a. Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists.
- b. Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians. (Ord. 2007-16, 4-4-2007)

10-16-6: MISCELLANEOUS REQUIREMENTS:

A. Construction Standards: In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for construction:

1. Lighting: All developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded, and shall not shine onto adjacent properties. All lighting shall be in accordance with city specifications and the night sky regulations.

2. Stormwater Drainage: Provisions for storm surface drainage shall be in accordance with the design standards of the public works department indicating location, size, types and grades of sewers, drainage structures, ditches, and connection to existing drainage system. Disposition of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public right of way.

3. Utilities: Provision of hookups to public utilities shall be the responsibility of the applicant and connections shall be installed in accordance with the standards of the public utilities.

4. Public Safety: The Washington County solid waste department and Washington County health department shall be invited to review all site plans for treatment of bulk trash disposal and health requirements pertaining to the project. The police department and the fire department shall review all site plans to determine adequacy of access and other aspects of public safety.

B. Time Limit: Once formal application has been made and approved plats, site plans, landscape plans and other applicable construction plans have been filed with the city, use

of the land shall commence within twelve (12) months from the date of approval, or the approval shall be considered void. Upon request, revalidation of the site plan may be granted for an additional twelve (12) months if all factors of the original site plan review are the same. The written notice requesting revalidation shall be received by the zoning administrator prior to expiration of the original twelve (12) month period.

C. Stop Work Order: A stop work order may be put on any project if improvements required are not consistent with the approved site plan, landscape plan or other applicable construction plans.

D. Maintenance Guarantee: When any improvement is to be accepted for dedication, maintenance or operation by the city, the applicant shall be required to provide financial security acceptable to the city attorney in the amount of twenty five percent (25%) of the total construction costs of the project to cover the costs of any defects which may occur in such improvements within one year after the date of acceptance by the city. Such financial security shall be held and released as outlined in section 11-3-5 of this code. (Ord. 2007-16, 4-4-2007)

10-16-7: NEW CONDOMINIUM AND CPUD CONSTRUCTION:

A. New Construction Procedure Checklist:

1. Zoning/Building Review: Following conceptual review, applicant shall return a complete application to the city planning department. The zoning administrator and the building official shall review the proposed application and preliminary plat to determine compliance with city zoning ordinances; the Utah condominium ownership act, where applicable; and applicable building related codes.

2. Site Review: The zoning administrator shall review the proposed site plans and shall have the authority to require additional improvements to be made to the existing site in a written report, describing the recommended improvements to the building, the site and the surrounding public way. The report will summarize the review, detailing any noted deficiencies. This review shall include an analysis of the parking, including internal circulation issues, such as surfacing and control curbs. The analysis shall also include the number of parking stalls, noting any deviation from current standards. Based upon this information, the zoning administrator may require construction of additional parking stalls on the site, or may require reasonable alternative parking solutions. The total number of parking stalls available to the owners of the project shall be disclosed on the condominium or CPUD plat.

3. Application Acceptance: Once city staff has determined that the application is complete and that the material is adequate and correctly details the condominium or CPUD request, the developer shall provide twelve (12) more copies of the preliminary plat for distribution to utilities and concerned entities. The application shall then be transmitted to pertinent departments for review and comment and staff shall schedule a construction review meeting of the preliminary plat with all utilities and concerned entities. The

meeting shall be held no later than two (2) weeks after preliminary plat application has been approved and maps have been distributed. If the application is found to be incomplete, the staff will inform the applicant of the necessary additional information.

4. Construction/Utility Review: Construction review of preliminary plat meeting with utility companies and interested entities shall be held to notify and to ensure that the development can be serviced by utilities and concerned entities.

5. Planning Commission/Public Hearing: Following the construction review, a public hearing will be held during a regularly scheduled planning commission meeting. No condominium project or CPUD shall be approved without a public hearing. Notice shall be mailed to all adjacent property owners and affected entities by city staff, as specified in section 10-16-3 of this chapter, at least three (3) days in advance. The notice shall provide the date, time and place of the public hearing. The planning commission may recommend preliminary approval, with or without conditions, or may deny the proposal at the public hearing.

6. City Council Review: City council review for approval of the preliminary plat shall be held at the next regularly scheduled meeting so long as all conditions as stipulated by planning commission are met. Council may approve, approve with conditions or deny the proposal.

7. Construction Plans Sign Off: Following approval of the preliminary plat, construction drawings shall be distributed to the utility companies and concerned entities for signature. Signature lines shall include the gas company, the power company, the phone company, the water authority, the sewer authority, the city engineer, the building official, the fire department, and the zoning administrator. Once all signatures have been received construction may begin.

8. Building Permits: No building permit for a proposed condominium project or CPUD shall be issued without preliminary approval from the city council. The building official, or designee, shall receive the approved construction plans and issue applicable permits for construction. The issuance of building permits shall serve as evidence of approval.

9. Construction Approval: All infrastructure construction shall be completed and approved by the LaVerkin City engineer (as required in title 11 of this code) and all certificates of completion shall be issued from the building inspector prior to final acceptance of the condominium project or CPUD, at which time the developer may proceed for final plat approval.

10. Final Plat Application: When construction is complete and has been accepted by the engineer, and the building official has granted final certificate of completion, the applicant shall apply for final plat approval before planning commission upon application provided by the city. Application shall include all fees and recording documents. If at any time there is an "alteration" in the building as defined in this chapter, a building permit is required and a certificate of occupancy obtained from the building official.

11. Engineer Approval: Upon receipt of the final mylar plat, the city engineer shall examine the plat to determine whether it conforms to the preliminary plat and all conditions of approval. If the plat is found to conform, the engineer shall sign it.

12. Building Official Approval: If a certificate of completion has been issued, the building official shall sign the plat.

13. City Attorney Approval: The city attorney shall examine the plat and advise the planning commission as to the form of the final plat and other recordable documents. The city attorney shall certify that any lands dedicated to the public are dedicated in fee simple and that the applicant is the owner of record.

14. Planning Commission Approval: Planning commission shall review the final plat at a regularly scheduled meeting. If the condominium project has been approved by the engineer and has received a certificate of completion from the building official, the commission chair shall sign the plat.

15. City Council Approval: The city council shall examine the plat and the recordable documents to determine conformity with the requirements of city ordinances. If the plat and the other recordable documents conform to city ordinances, the mayor shall sign the plat. The city attorney shall then approve and sign the plat at which time it may be recorded with the Washington County recorder.

16. Recording: No final plat shall have any force or effect until it has received final approval by the city attorney and has been recorded with the Washington County recorder.

17. Condominium Sales/Rentals: No condominium units or CPUD lots may be sold or rented until the plat has been recorded with the Washington County recorder.

18. Dedication Of Public Streets: Notwithstanding any prohibition of or relating to private streets in this code, including title 11 of this code, CPUDs shall not be required to dedicate public streets in areas that are intended for access to the CPUD project and associated parking areas, that will be maintained by the owners of the CPUD (or CPUD owners' association) as common or limited common area(s); and such common or limited common area(s) shall be allowed and available for access and parking for the CPUD project.

B. Complete Application Required: The owner or developer of a new condominium project or CPUD desiring approval shall file both a preliminary plat application and a final plat application with the LaVerkin City planning department on forms prescribed by the city. Complete application shall include all required application fees, plats, articles of incorporation and bylaws of the owners' associations, declarations, and statements as outlined hereafter:

1. Fees shall be determined by resolution and shall include an application fee plus a per unit fee.

2. Two (2) copies of the proposed preliminary plat, for review by the city planning and building department. The plat shall be accurately drawn to scale, as required by section 57-

8-13, Utah Code Annotated (1953, as amended), which shall be made by a registered Utah engineer. Such plat shall set forth:

- a. The angular and linear data along the exterior boundaries of the property;
- b. The linear measurement and location, with reference to the exterior boundaries, of the building or buildings;
- c. The diagrammatic floor plans of the buildings, including identifying number or symbol;
- d. In the case of condominiums, the elevations of the finished or unfinished interior surfaces of the floors and ceilings and the linear measurements of the finished or unfinished interior surfaces of the perimeter walls, and the lateral extensions of every unit;
- e. A distinguishing number or symbol for every physical unit identified on the plat;
- f. The limited common and common areas and their intended use/uses;
- g. Other preliminary plat requirements as set forth in title 11 of this code, as applicable; to include the location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of public works;
- h. The location, dimensions and character of construction of proposed streets, alleys, loading areas including numbers of parking and loading spaces, outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site. Additional area may also be required to indicate connections or proposed connections to major utilities;
- i. The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type if applicable, major elevations and the total square footage of the floor area by proposed use;
- j. The location, height, type and material of all fences and walls;
- k. The location of dumpsters or other outdoor trash receptacles;
- l. The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- m. A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations;
- n. A tabulation of the total number of dwelling units or CPUD lots in the project, and the overall project density in dwelling units or CPUD lots per gross acre;

o. The proposed and required off street parking and loading areas, including parking and access for the handicapped, as specified in the most current version of the international building code; and

p. Landscape plans subject to the standards contained in chapter 6, article J of this title.

3. Two (2) copies of the proposed condominium or CPUD bylaws and declarations, and covenants, conditions and restrictions, as outlined in section 10-16-9 of this chapter. (Ord. 2011-05, 4-20-2011)

10-16-8: CONDOMINIUM CONVERSION:

A. Conversion Checklist:

1. Zoning/Building Review: Following conceptual approval, applicant shall return complete application as outlined in this chapter. The zoning administrator and the building official shall review the proposed plat to determine compliance to zoning ordinances; the Utah condominium ownership act of 1975, where applicable; and applicable building related codes. If the application and related documents are complete and accurate, the application shall then be transmitted to pertinent departments for review and comment. If the application is found to be incomplete, the staff will inform the applicant of the necessary additional information.

2. Building Inspection: The building official shall require inspection of the property and shall identify any improvements, repairs or replacements which must be made to bring the structure into compliance with applicable building codes. Any items identified, either through the inspection or in the property report, as needing repair or replacement within five (5) years, shall be included on the list of required improvements. The building official may recommend denial until existing code violations identified are corrected, or may recommend preliminary approval, subject to violations being corrected prior to final approval. The building official shall identify any building conditions by disclosure on the plat map.

3. Site Review:

a. The zoning administrator shall review the proposed building and site plans and shall have the authority to require additional improvements to be made to the existing site in a written report, describing the recommended improvements to the building, the site and the surrounding public way. The report will summarize the review, detailing any noted deficiencies.

b. This review shall include an analysis of the parking, including internal circulation issues, such as surfacing and control curbs. The analysis shall also include the number of existing parking stalls, noting any deviation from current standards. Based upon this information, the zoning administrator may require construction of additional parking stalls on the site, or may require reasonable alternative parking solutions. The total number of

parking stalls available to the owners of the project shall be disclosed on the condominium or CPUD plat.

c. In the case of condominiums, the zoning administrator shall consider the public benefits of condominium ownership to the community and balance that ownership against other types of housing in the community.

4. Application Approval: Once city staff has done the inspection of the existing building and site plans and has further determined that the application is complete and that the material is adequate and correctly details the condominium or CPUD conversion request, the developer shall provide twelve (12) more copies of the conversion plat for distribution to utilities and concerned entities. The application shall then be transmitted to pertinent departments for review and comment and staff shall schedule a utility review meeting of the plat with all utilities and concerned entities. The meeting shall be held not later than two (2) weeks after conversion application has been approved and plans have been distributed. If the application is found to be incomplete, the staff will inform the applicant of the necessary additional information.

5. Construction/Utility Meeting: The conversion review meeting with utility companies and interested entities shall be held to notify and to ensure that the development can be serviced by utilities and interested entities as outlined in the plan.

6. Planning Commission Review/Public Hearing: Following the conversion review, a public hearing will be held during a regularly scheduled planning commission meeting. No condominium conversion project or CPUD shall be approved without a public hearing. Notice shall be mailed to all adjacent property owners by city staff, as specified in section 10-16-3 of this chapter, at least three (3) days in advance. The notice shall provide the date, time and place of the public hearing. The zoning official, building official or designee may recommend preliminary approval, with or without conditions, or may recommend denial at the public hearing. The planning commission may recommend preliminary approval, with or without conditions, or may deny the proposal at the public hearing.

7. City Council Review: Review for approval of the conversion shall be given by the city council at the next regularly scheduled meeting, so long as all conditions as stipulated by planning commission are met. The city council may approve, approve with conditions, or deny the proposal.

8. Building Permits: No building permit for a proposed conversion project shall be issued without approval from the city council. The building official, or designee, may approve the plans and issue applicable permits for construction. The issuance of building permits shall serve as evidence of approval.

9. Certification Of Occupancy: All construction shall be completed and approved by the LaVerkin City building official and certificates of completion shall be issued prior to final acceptance and final plat approval of the condominium project or CPUD.

10. Dedication Of Public Streets: Notwithstanding any prohibition of or relating to private streets in this code, including title 11 of this code, CPUDs shall not be required to

dedicate public streets in areas that are intended for access to the CPUD project and associated parking areas, that will be maintained by the owners of the CPUD (or CPUD owners' association) as common or limited common area(s); and such common or limited common area(s) shall be allowed and available for access and parking for the CPUD project.

B. Complete Application Required: The owner or developer shall file both a preliminary plat application and a final plat application with the LaVerkin City planning department on forms prescribed by the city. A property report and building conversion request in accordance to subsection B2 of this section shall be submitted as part of the application, together with a plan for proposed improvements, renovations or repairs to existing structures/facilities. The building official shall review the report and plans for renovation and improvement to determine compliance with applicable codes or ordinances. The building official may require revision and resubmission of the reports if a determination is made that required information is missing. The property report and building conversion request shall be submitted with all required application fees, plats, articles of incorporation and bylaws of the owners' association, declarations, and statements as outlined hereafter:

1. Fees: Fees shall be determined by resolution and shall include a flat application fee plus a per unit fee.

2. Building Inspection And Site Plan Review: The authority of the building official or the zoning administrator through the site plan review process to require modification of a proposed site plan shall be limited to the following elements in order to achieve the objectives set forth below:

a. General Provisions: Because conversion changes the original anticipated ownership plan from a single ownership into a hybrid mixture of separate ownership of dwelling units or commercial lots, combined with collective ownership of common areas through an association, etc., each structure being converted into a condominium project, CPUD, or other type of ownership arrangement involving separate ownership of individual units combined with joint or collective ownership of common areas shall constitute a change in classification of occupancy and shall comply with basic requirements of this code and the specific requirements listed below. All work on such structures in the form of additions, alterations, or repairs shall conform to applicable standards as required by the most current version of the international building code. Where said provisions require conformity to requirements governing new residential buildings, the applicable requirements of group R, division 1 or 3, new construction shall apply.

b. Property Report: Each conversion project to obtain approval shall submit two (2) copies of a property report prepared by a licensed engineer or architect which discloses and describes:

(1) The age of the building or buildings;

(2) The general condition, useful life, and capacity of the building's structural elements including the roof, foundations, mechanical system, electrical system, plumbing system, boiler, and other structural elements;

(3) All known conditions constituting deficiencies which require repair to meet existing building codes; and

(4) All known conditions which may require repair or replacement within the next five (5) year period.

Said report shall certify the structure currently conforms to applicable codes or the owner shall present plans to bring the structures into conformity with applicable building codes prior to issuance of certificates of occupancy.

3. Proposed Conversion Plan: Two (2) copies of the proposed conversion plan, for review by the city planning and building department. The conversion plan shall be accurately drawn to scale, and, for condominiums, in accordance with the requirements of section 57-8-13, Utah Code Annotated (1953, as amended), by a registered Utah land surveyor. Such conversion plat shall set forth:

- a. The angular and linear data along the exterior boundaries of the property;
- b. The linear measurement and location, with reference to the exterior boundaries, of the building or buildings;
- c. The diagrammatic floor plans of the buildings, including identifying number or symbol;
- d. In the case of condominiums, the elevations of the finished or unfinished interior surfaces of the floors and ceilings and the linear measurements of the finished or unfinished interior surfaces of the perimeter walls, and the lateral extensions of every unit;
- e. A distinguishing number or symbol for every physical unit identified on the plat map;
- f. The limited common and common areas and their intended use/uses;
- g. The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of public works;
- h. The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site. Additional area may also be required to be shown to indicate connections or proposed connections to major utilities;
- i. The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major elevations and the total square footage of the floor area by proposed use;

- j. The location, height, type and material of all fences and walls;
- k. The location of dumpsters or other outdoor trash receptacles;
- l. The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- m. A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations;
- n. A tabulation of the total number of dwelling units or CPUD lots in the project, and the overall project density in dwelling units or CPUD lots per gross acre;
- o. The proposed and required off street parking and loading areas, including parking and access for the handicapped, as specified in the most current version of the international building code; and
- p. Landscape plans subject to the standards contained in chapter 6, article J of this title.

4. Proposed Bylaws: Two (2) copies of the proposed condominium or CPUD bylaws and declarations, and covenants, conditions and restrictions, as outlined in section 10-16-9 of this chapter.

5. Proof Of Notice: Where conversion of an existing residential building is proposed, proof of notice to the owners/occupants by the developer, shall be required before approval for construction is given. The notice shall include the estimated purchase price of the units, and information regarding proposed improvements. The notice shall describe any financing packages or economic incentives being offered to owners/occupants to assist in unit purchase. The notice shall also include a date owners/occupants must vacate or purchase. Said date shall be no earlier than ninety (90) days after service of the notice. Any relocation information for the owners/occupants specifying available housing relocation resource agencies, and a plan of any services to be provided by the developer, shall be included in the notice. Notification of tenants shall not be required where permitted occupancy is less than thirty (30) days.

C. Final Plat Approval:

1. Final Plat Application: When construction is complete and has been accepted by the engineer, and the building official has granted final certificate of completion or occupancy as applicable, the applicant shall apply for final plat approval before planning commission upon application provided by the city, including all fees and recording documents.

2. Engineer Approval: Upon receipt of the final mylar plat, the city engineer shall examine the plat to determine whether it conforms to the preliminary plat and all conditions of approval. If the plat is found to conform, the engineer shall sign the plat.

3. Building Official Approval: If a certificate of completion or occupancy as applicable has been issued, the building official shall sign the plat.

4. City Attorney Approval: The city attorney shall examine the plat and advise the planning commission as to the form of the final plat and other recordable documents. The city attorney shall certify that any lands dedicated to the public are dedicated in fee simple and that the applicant is the owner of record.

5. Planning Commission Approval: Planning commission shall review the final plat at a regularly scheduled meeting. If the condominium project has been approved by the engineer and has received a certificate of completion or occupancy from the building official, the commission chair shall sign the plat.

6. City Council Approval: The city council shall examine the plat and the recordable documents to determine conformity with the requirements of the city ordinances. If the plat and the other recordable documents conform to city ordinances, the mayor shall sign the plat. The city attorney shall then approve and sign the plat, at which time it may be recorded with the Washington County recorder.

7. Recording: No final plat shall have any force or effect until it has received final approval by the city attorney and has been recorded with the Washington County recorder.

8. Rental/Sales: No condominium units or CPUD lots may be sold or rented, until the plat has been recorded with the Washington County recorder. (Ord. 2011-05, 4-20-2011)

10-16-9: COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs):

CC&Rs shall include an itemization of those facilities which will be commonly owned and maintained by the owners, and the plan for providing long term funding and maintenance. All bylaws, declarations, covenants, conditions, restrictions, design elements and any common requirements for ownership shall be included. (Ord. 2007-16, 4-4-2007)

10-16-10: CONDOMINIUM RENTALS:

Where it is expected that residential condominium units will be rented to tenants other than the owner of record, the following declarations may be addressed in the covenants, conditions and restrictions (CC&Rs): (Ord. 2011-05, 4-20-2011)

A. Limitations: A statement that the homeowners' association may regulate, limit, or prohibit rentals of condominium units;

B. Homeowners' Association Approval: A statement that the homeowners' association may require the rental of condominium units to be conducted through the homeowners' association or a designated management company, and may require that all lease agreements be reviewed and approved by the homeowners' association or the management company, that any tenants be screened and approved by the homeowners' association or the management company prior to renting the condominium, and that the approval of the homeowners' association or the management company shall not be unreasonably withheld;

C. Agreements: A statement that prior to renting any condominium unit, the condominium owner and the tenant shall execute a written lease agreement which shall include the following provisions:

1. The tenant shall agree to comply with all of the terms and conditions of the condominium declaration and bylaws;

2. The tenant shall agree not to allow or commit any nuisance, waste, unlawful or illegal act upon the premises; and

3. The owner and the tenant shall acknowledge that the homeowners' association is an intended third party beneficiary of the lease agreement, that the homeowners' association shall have the right to enforce compliance with the condominium declaration and bylaws and to abate any nuisance, waste, unlawful or illegal activity upon the premises; and that the homeowners' association shall be entitled to exercise all of the owner's rights and remedies under the lease agreement to do so;

D. Tenant Identification: A statement requiring that prior to a tenant's occupancy of a condominium unit, the condominium owner must provide to the homeowners' association the name, address and telephone number of the tenant and a copy of the written lease agreement;

E. Enforcement: A statement that the homeowners' association shall have the right and the obligation to enforce compliance with the condominium declaration and bylaws against any owner and/or occupant of any condominium unit, and shall have all rights and remedies available under state or local law, in addition to its rights and remedies as a third party beneficiary under any lease agreement, to enforce such compliance. (Ord. 2007-16, 4-4-2007)

Conceptual Review

Purpose:

The intent of conceptual review is to promote the safe and efficient use of land, to contribute to an orderly and harmonious appearance in the city and to further enhance the value of property. This process is intended to supplement the review and administrative procedures which are carried out under this title or other city ordinances and regulations. The conceptual review process is intended to help ensure that newly developed properties and redeveloped properties are compatible with adjacent development and that traffic, public safety, overcrowding, and environmental problems are minimized to the greatest extent possible. More specifically, the purpose of the conceptual review process is to provide for a review of:

project's compatibility with its environment and with other land uses and buildings existing in the surrounding area;

Quantity, quality, utility, size and type of a project's required open space and proposed landscaping improvements;

The ability of a project's traffic circulation system to provide for the convenient and safe internal and external movement of vehicles and pedestrians.

Quantity, quality, utility and type of project's required community facilities.

Location and adequacy of a project's provision for drainage and utilities.

Conceptual Development Review: Before filing a formal application for any condominium project or CPUD, whether new or conversion, the developer shall meet with the development staff regarding the general proposal. Such action does not require application fees, or filing of a site plan or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the development staff or other city departments during such conference shall be binding upon the city with respect to an application subsequently submitted

Application:

Site Plan Application for The Condominiums and Commercial Planned Unit Development

Conceptual Development Review: Before filing a formal application for any condominium project or CPUD, whether new or conversion, the developer shall meet with the development staff regarding the general proposal. Such action does not require application fees, or filing of a site plan or landscape plan and is not to be construed as an application for formal approval. No representation made by the zoning administrator, the development staff or other city departments during such conference shall be binding upon the city concerning an application subsequently submitted.

The applicant's name

Address

Telephone number

Interest in property

The owner's name

Address

Telephone number, if different than the applicant

Owner's signed consent to the filing of the application

The street address

- 80 West Center Street

Tax parcel number

- LV-118-A-1

Legal description of the subject property

- Legal Subdivision: LA VERKIN FIELD SUR LOT 36 (LV) BEG SW COR LOT 36 LVFS TH N01*14'14" E ALG W LN LOT 36 520.85 FT TO SW COR TENTMAKERS BIBLE MISSION PROP; TH N89*46' E ALG SLY LN SD PRPTY 321.30 FT TO PT ON E LN LOT 36; TH S0*15'15" E 520.68 FT TO PT ON S LN LOT 36; TH S89*46' W ALG S L/L 334.85 FT TO POB. LESS: ANY LAND IN RDWY. LESS: BEG SW COR LOT 36 TH N89*46' E 334.85 FT TO SE COR LOT 36; TH N0*15'15" W 18.50 FT; TH S89*46' W 334.39 FT; TH S01*10'08" W 18.51 FT TO POB.

Physical Description of the project

- The property will consist of seven (7) buildings. Approximately 1700-1900 sf footprint per unit with additional 1700-1900 Sf of second level interior and deck space for an option for loft work/ living. An additional approximate 1000 Sf of rooftop patios with structural rated and supported decking to allow for hot tubs, cold plunges ect. Only sections of this roof top deck will be allowed for heavy and excessive loads. Each Unit is equipped and partially stubbed with electricity, gas, water and sewer services as well as fiber optics capabilities. Each unit will be sold primarily as a "GRAY" shell. The surface level ¾ bathroom shall be complete at the time of Temp CO. Principal construction materials will be wood.. The property will also include common areas for parking, back surface level use, common shared recreational putting greens and landscaping areas.

Zoning classification

- Commercial Retail

Zoning district boundaries

- OK

Present use of the subject property

- Was a Baseball Field for a youth home

A vicinity map with a north arrow

- OK

Scale and date,

- OK

Indicating the zoning classifications

- Commercial Retail (not showing)

Current uses of properties within one hundred feet (100') of the subject property.

- LV number shown, zoning not shown
- Commercial retail to the North fronting off of SR9
- R-1-10 – behind (East) and fronting off Main Street
- General Commercial to West fronting off Main street
- School

The proposed title of the project

- Fields

Addresses

- 80 West Center Street

Telephone numbers of the

- Architect:
 - JZW Architects
- Landscape architect:
 - Nathan Peterson
Reeve & Associates, Inc
5160 South 1500 West
Riverdale, Utah 84405
(801) 621-3100
- Engineer on the project:
 - J. Nate Reeve
Reeve & Associates, Inc
5160 South 1500 West
Riverdale, Utah 84405
(801) 621-3100
- Signature panel for zoning administrator approval
 - Not provided

The boundaries of the subject property

- (Civils page 4) OK

All existing property lines

- (Civils page 4) OK

Setback lines

- (Civils page 4) OK

Existing streets

- (Civils page 4) OK

Buildings

- (Civils page 4) OK

Watercourses

- N/A

Waterways or lakes

- N/A

Wetlands

- N/A

Other existing physical features in or adjoining the project;

- N/A

Topographic survey, showing the

- Elevation of streets
 - Page # 9 Civil plans
- Alleys
 - N/A
- Buildings
 - Page # 9 Civil plans
- Structures
 - N/A

- Watercourses and their names
 - N/A
- The topography shall be shown by adequate spot elevations.
 - Page # 9 Civil plans
- The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings;
 - Page # 9 Civil plans

Significant topographical or physical features of the site, including existing trees

- Missing sheet #17 (landscaping plan) in Civil plan

The elevation of the curb (if existing or proposed) in front of each lot

- Page # 9 Civil plans

Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access;

- N/A

The location and size of sanitary and storm sewers

- Page # 6 of the Civil plans

Water

- Page # 6 of the Civil plans

Gas

- Page # 7 of the Civil plans – shows Enbridge main line, **not lines ran to individual units? (would require an Easement)**

Telephone

- Page # 7 of the Civil plans – **does not show lines ran, but has company notes on the sheet?**

Electric

- Page # 8 of the Civil plans show the electrical as it runs through the parking lot **but does not show how it runs through the floor of each unit (would require an Easement)**

Other utility lines

-

Culverts

- Page # 9 of the Civil plans

Other underground structures in or affecting the project

- As noted above, all utilities that run through or are clustered together in the same trench as it is run in the front, back, or side of the units

Existing and proposed facilities and easements for these facilities.

- Existing easements: Water and drainage that runs parallel with SR9. Irrigation that runs parallel (North / South) with the block wall on the East side of the property
- Proposed Easements: shared walls – Power conduits that run under all the floors to each unit's subpanel – Gas line that run the exterior of the buildings side and back walls.

In the case of city-owned utilities, such information shall be provided to the applicant by the department of public utilities;

-

The location, dimensions, and character of construction of

proposed streets

- N/A

Alleys

- N/A

Loading areas, including numbers of parking and loading spaces

- Pending type of use – not generally required in this zone.

Outdoor lighting systems

- Follows the Night sky ordinance.

Storm drainage

- Page # 9 of the Civil plans

Sanitary facilities

- Page # 6 of the Civil plans

Sidewalks

- No sidewalks in the developed area

Curbs and gutters and all curb cuts.

- Page # 9 of the Civil plans

Additional area may also be required to indicate connections or proposed connections to major utilities

- N/A

The location of all proposed

Buildings and structures, Accessory and principal

- See Civil plans

Showing the number of stories

- (2) Stories with roof access (information obtained from the building packet)

Height

- 33.7' (information obtained from the building packet)

Dwelling type, if applicable

- At this point, N/A

Major elevations

- N/A

Total square footage of the floor area by proposed use.

These numbers were not part of the Civil – preliminary or final attachments. This information was obtained from the building permit packet.

These numbers are for the building, not for each unit.

- Building A
 - Level 1 = 10,569
 - Mezzanine = 1,650
 - Level 2 = 8,953
 - Total = 21,472
- Gross Accessory Area
 - Balcony = 1,615
 - Roof = 4,970
 - Mech Storage = 2,304
 - Total = 8,889
- Building B
 - Level 1 = 9,128
 - Mezzanine = 1,545
 - Level 2 = 7,269
 - Total = 17,942
- Gross Accessory Area
 - Balcony = 1,484
 - Roof = 4,685
 - Mech Storage = 1,595
 - Total = 7,764
- Building C
 - Level 1 = 7,055
 - Mezzanine = 1,309
 - Level 2 = 5,125
 - Total = 13,489
- Gross Accessory Area
 - Balcony = 1,628
 - Roof = 3,345
 - Mech Storage = 1,529
 - Total = 6,502
- Building D
 - Level 1 = 9,128
 - Mezzanine = 1,545
 - Level 2 = 7,039
 - Total = 17,712

- Gross Accessory Area
 - Balcony = 1,780
 - Roof = 4,646
 - Mech Storage = 1,609
 - Total = 8,035

Check for total of buildings – More buildings than noted

The location, height, type, and material of all fences and walls.

- A block wall was installed between this development and the church property to the North (even though there is no code requirement between commercial properties)
- An existing 8' block wall was installed on the East side of the property as a requirement from the last development (baseball field), a code requirement between Commercial and Residential.
- No information was provided for fencing between building/units

Signage

(There was no existing signage from the previous development)

Location

- No information was provided

Character

- No information was provided

Size

- No information was provided

Height

- No information was provided

Orientation of proposed signs, to be erected in accordance with chapter 11 of this title, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this chapter shall be considered a part of the approved site plan;

- No information was provided

The proposed nature and manner of grading of the site, in accordance with soils engineering studies to prevent soil erosion and excessive runoff.

- Page # 9 of the Civil plans

The location of dumpsters or other outdoor trash receptacles;

- Page # 4 of the Civil plans

The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

- Missing sheet #17 (landscaping plan) in Civil plan

A tabulation of the total number of acres in the project

- 3.78 Acres (couldn't find acres on plans)

Percentage and acreage thereof proposed to be allocated to off-street parking

- 100%

Open space

- Missing sheet #17 (landscaping plan) in Civil plan

Parks

- N/A

Other reservations (Ord. 2007-16, 4-4-2007)

- N/A

A tabulation of the total number of dwelling units or commercial lots in the project

- Number of dwelling units (0)
- Number of Commercial lots = (7) buildings (38) individual units within the 7 buildings

Overall project density in dwelling units or commercial lots per gross acre; (Ord. 2011-05, 4-20-2011)

- Dwelling units (0)

- Commercial Lots
 - 9,148 sq. ft.
 - 7,324 sq. ft.
 - 10,588 sq. ft.
 - 10,588 sq. ft.
 - 17,642 sq. ft.
 - 7,068 sq. ft.
 - 8,988 sq. ft.
 - Total = 71,346 sq. ft. (1.63 acres building coverage) – 3.78 acres (lot size) = 2.15 acres (non-building)

The proposed

- Each unit owner will have 2 reserved parking places immediately in front of each unit's roll-up door

Required off-street parking

- ?

Loading areas

- N/A

Handicapped, as specified in the most current version of the international building code;

- ?

Landscape plans are subject to the standards contained in Chapter 8 Conservation

Landscape Requirements

- Missing sheet #17 (landscaping plan) in Civil plan

Waiver Of Requirements: The zoning administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

Zoning Administrator Review: The authority of the zoning administrator through the review process to require modification of a proposed site plan shall include the following elements in order to achieve the objectives set forth below:

Traffic And Parking:

Minimizing dangerous traffic movements

Promoting the smooth and efficient flow of traffic in accordance with standards in the Institute Of Traffic Engineers' "Transportation And Traffic Engineering Handbook", and other local sources of authority as adopted by ordinance.

Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles.

Site Layout:

Promoting compatibility with adjacent and nearby properties.

Preserving and protecting valuable natural features and amenities to the greatest extent practical.

Promoting the efficient provision of public services.

Environmental Protection:

Preserving existing healthy and long lived trees wherever economically feasible.

Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage

Minimizing alterations to existing topography.

Protecting important views and vistas as identified in adopted plans.

Landscaping:

Promoting the use of plant material compatible with the climate of the region and microclimate conditions on the site.

Ensuring that plant material can be maintained for long term health and continued growth.

Maximizing water and energy conservation through the appropriate use of plant materials.

Ensuring that the arrangement of required landscaping produces the optimal visual effect.

Signage:

Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists.

Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians. (Ord. 2007-16, 4-4-2007)

Miscellaneous Requirements

Construction Standards: In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for construction:

Lighting: All developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded, and shall not shine onto adjacent properties. All lighting shall be in accordance with city specifications and the night sky regulations.

Stormwater Drainage: Provisions for storm surface drainage shall be in accordance with the design standards of the public works department indicating location, size, types and grades of sewers, drainage structures, ditches, and connection to existing drainage system. Disposition of storm or natural waters both on and off the site shall be provided in such a manner as not to have a detrimental effect on the property of others or the public right of way.

Utilities: Provision of hookups to public utilities shall be the responsibility of the applicant and connections shall be installed in accordance with the standards of the public utilities.

Public Safety: The Washington County solid waste department and Washington County health department shall be invited to review all site plans for treatment of bulk trash disposal and health requirements pertaining to the project. The police department and the fire department shall review all site plans to determine adequacy of access and other aspects of public safety.

Time Limit: Once formal application has been made and approved plats, site plans, landscape plans and other applicable construction plans have been filed with the city, use of the land shall commence within twelve (12) months from the date of approval, or the approval shall be considered void. Upon request, revalidation of the site plan may be granted for an additional twelve (12) months if all factors of the original site plan review are the same. The written notice requesting revalidation shall be received by the zoning administrator prior to expiration of the original twelve (12) month period.

Stop Work Order: A stop work order may be put on any project if improvements required are not consistent with the approved site plan, landscape plan or other applicable construction plans.

Maintenance Guarantee: When any improvement is to be accepted for dedication, maintenance or operation by the city, the applicant shall be required to provide financial security acceptable to the city attorney in the amount of twenty five percent (25%) of the total construction costs of the project to cover the costs of any defects which may occur in such improvements within one year after the date of acceptance by the city. Such financial security shall be held and released as outlined in section 11-3-5 of this code.

Condominium Conversion

Conversion Checklist:

Zoning/Building Review: Following conceptual approval, applicant shall return complete application as outlined in this chapter. The zoning administrator and the building official shall review the proposed plat to determine compliance to zoning ordinances; the Utah condominium ownership act of 1975, where applicable; and applicable building related codes. If the application and related documents are complete and accurate, the application shall then be transmitted to pertinent departments for review and comment. If the application is found to be incomplete, the staff will inform the applicant of the necessary additional information.

Building Inspection: The building official shall require inspection of the property and shall identify any improvements, repairs or replacements which must be made to bring the structure into compliance with applicable building codes. Any items identified, either through the inspection or in the property report, as needing repair or replacement within five (5) years, shall be included on the list of required improvements. The building official may recommend denial until existing code violations identified are corrected, or may recommend preliminary approval, subject to violations being corrected prior to final approval. The building official shall identify any building conditions by disclosure on the plat map.

Site Review:

The zoning administrator shall review the proposed building and site plans and shall have the authority to require additional improvements to be made to the existing site in a written report, describing the recommended improvements to the building, the site and the surrounding public way. The report will summarize the review, detailing any noted deficiencies.

This review shall include an analysis of the parking, including internal circulation issues, such as surfacing and control curbs. The analysis shall also include the number of existing parking stalls, noting any deviation from current standards. Based upon this information, the zoning administrator may require construction of additional parking stalls on the site, or may require reasonable alternative parking solutions. The total number of parking stalls available to the owners of the project shall be disclosed on the condominium or CPUD plat.

In the case of condominiums, the zoning administrator shall consider the public benefits of condominium ownership to the community and balance that ownership against other types of housing in the community.

Application Approval: Once city staff has done the inspection of the existing building and site plans and has further determined that the application is complete and that the material is adequate and correctly details the condominium or CPUD conversion request, the developer shall provide twelve (12) more copies of the conversion plat for distribution to utilities and concerned entities. The application shall then be transmitted to pertinent departments for review and comment and staff shall schedule a utility review meeting of the plat with all utilities and concerned entities. The meeting shall be held not later than two (2) weeks after conversion application has been approved and plans have been distributed. If the application is found to be incomplete, the staff will inform the applicant of the necessary additional information.

Construction/Utility Meeting: The conversion review meeting with utility companies and interested entities shall be held to notify and to ensure that the development can be serviced by utilities and interested entities as outlined in the plan.

Planning Commission Review/Public Hearing: Following the conversion review, a public hearing will be held during a regularly scheduled planning commission meeting. No condominium conversion project or CPUD shall be approved without a public hearing. Notice shall be mailed to all adjacent property owners by city staff, as specified in section [10-16-3](#) of this chapter, at least three (3) days in advance. The notice shall provide the date, time and place of the public hearing. The zoning official, building official or designee may recommend preliminary approval, with or without conditions, or may recommend denial at the public hearing. The planning commission may recommend preliminary approval, with or without conditions, or may deny the proposal at the public hearing.

City Council Review: Review for approval of the conversion shall be given by the city council at the next regularly scheduled meeting, so long as all conditions as stipulated by planning commission are met. The city council may approve, approve with conditions, or deny the proposal.

Building Permits: No building permit for a proposed conversion project shall be issued without approval from the city council. The building official, or designee, may approve the plans and issue applicable permits for construction. The issuance of building permits shall serve as evidence of approval.

Certification Of Occupancy: All construction shall be completed and approved by the LaVerkin City building official and certificates of completion shall be issued prior to final acceptance and final plat approval of the condominium project or CPUD.

Dedication Of Public Streets: Notwithstanding any prohibition of or relating to private streets in this code, including title 11 of this code, CPUDs shall not be required to dedicate public streets in areas that are intended for access to the CPUD project and associated parking areas, that will be maintained by the owners of the CPUD (or CPUD owners' association) as common or limited common area(s); and such common or limited common area(s) shall be allowed and available for access and parking for the CPUD project.

Complete Application Required: The owner or developer shall file both a preliminary plat application and a final plat application with the LaVerkin City planning department on forms prescribed by the city. A property report and building conversion request in accordance to subsection B2 of this section shall be submitted as part of the application, together with a plan for proposed improvements, renovations or repairs to existing structures/facilities. The building official shall review the report and plans for renovation and improvement to determine compliance with applicable codes or ordinances. The building official may require revision and resubmission of the reports if a determination is made that required information is missing. The property report and building conversion request shall be submitted with all required application fees, plats, articles of incorporation and bylaws of the owners' association, declarations, and statements as outlined hereafter:

Fees: Fees shall be determined by resolution and shall include a flat application fee plus a per unit fee.

Building Inspection And Site Plan Review: The authority of the building official or the zoning administrator through the site plan review process to require modification of a proposed site plan shall be limited to the following elements in order to achieve the objectives set forth below:

General Provisions: Because conversion changes the original anticipated ownership plan from a single ownership into a hybrid mixture of separate ownership of dwelling units or commercial lots, combined with collective ownership of common areas through an association, etc., each

structure being converted into a condominium project, CPUD, or other type of ownership arrangement involving separate ownership of individual units combined with joint or collective ownership of common areas shall constitute a change in classification of occupancy and shall comply with basic requirements of this code and the specific requirements listed below. All work on such structures in the form of additions, alterations, or repairs shall conform to applicable standards as required by the most current version of the international building code. Where said provisions require conformity to requirements governing new residential buildings, the applicable requirements of group R, division 1 or 3, new construction shall apply.

Property Report: Each conversion project to obtain approval shall submit two (2) copies of a property report prepared by a licensed engineer or architect which discloses and describes:

- The age of the building or buildings;
- The general condition, useful life, and capacity of the building's structural elements including the roof, foundations, mechanical system, electrical system, plumbing system, boiler, and other structural elements;
- All known conditions constituting deficiencies which require repair to meet existing building codes; and
- All known conditions which may require repair or replacement within the next five (5) year period.

Said report shall certify the structure currently conforms to applicable codes or the owner shall present plans to bring the structures into conformity with applicable building codes prior to issuance of certificates of occupancy.

Proposed Conversion Plan: Two (2) copies of the proposed conversion plan, for review by the city planning and building department. The conversion plan shall be accurately drawn to scale, and, for condominiums, in accordance with the requirements of section 57-8-13, Utah Code Annotated (1953, as amended), by a registered Utah land surveyor. Such conversion plat shall set forth:

- The angular and linear data along the exterior boundaries of the property;
- The linear measurement and location, with reference to the exterior boundaries, of the building or buildings;
- The diagrammatic floor plans of the buildings, including identifying number or symbol;
- In the case of condominiums, the elevations of the finished or unfinished interior surfaces of the floors and ceilings and the linear measurements of the finished or unfinished interior surfaces of the perimeter walls, and the lateral extensions of every unit;
- A distinguishing number or symbol for every physical unit identified on the plat map;
- The limited common and common areas and their intended use/uses;
- The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of public works;
- The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of

this chapter, such information shall be provided for the site. Additional area may also be required to be shown to indicate connections or proposed connections to major utilities;

The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major elevations and the total square footage of the floor area by proposed use;

The location, height, type and material of all fences and walls;

The location of dumpsters or other outdoor trash receptacles;

The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations;

A tabulation of the total number of dwelling units or CPUD lots in the project, and the overall project density in dwelling units or CPUD lots per gross acre;

The proposed and required off street parking and loading areas, including parking and access for the handicapped, as specified in the most current version of the international building code; and

Landscape plans subject to the standards contained in chapter 8 Conservation Landscape Requirements

Proposed Bylaws: Two (2) copies of the proposed condominium or CPUD bylaws and declarations, and covenants, conditions and restrictions, as outlined in section 10-16-9 of this chapter.

Proof Of Notice: Where conversion of an existing residential building is proposed, proof of notice to the owners/occupants by the developer, shall be required before approval for construction is given. The notice shall include the estimated purchase price of the units, and information regarding proposed improvements. The notice shall describe any financing packages or economic incentives being offered to owners/occupants to assist in unit purchase. The notice shall also include a date owners/occupants must vacate or purchase. Said date shall be no earlier than ninety (90) days after service of the notice. Any relocation information for the owners/occupants specifying available housing relocation resource agencies, and a plan of any services to be provided by the developer, shall be included in the notice. Notification of tenants shall not be required where permitted occupancy is less than thirty (30) days.

Final Plat Approval:

Final Plat Application: When construction is complete and has been accepted by the engineer, and the building official has granted final certificate of completion or occupancy as applicable, the applicant shall apply for final plat approval before planning commission upon application provided by the city, including all fees and recording documents.

Engineer Approval: Upon receipt of the final mylar plat, the city engineer shall examine the plat to determine whether it conforms to the preliminary plat and all conditions of approval. If the plat is found to conform, the engineer shall sign the plat.

Building Official Approval: If a certificate of completion or occupancy as applicable has been issued, the building official shall sign the plat.

City Attorney Approval: The city attorney shall examine the plat and advise the planning commission as to the form of the final plat and other recordable documents. The city attorney shall certify that any lands dedicated to the public are dedicated in fee simple and that the applicant is the owner of record.

Planning Commission Approval: Planning commission shall review the final plat at a regularly scheduled meeting. If the condominium project has been approved by the engineer and has received a certificate of completion or occupancy from the building official, the commission chair shall sign the plat.

City Council Approval: The city council shall examine the plat and the recordable documents to determine conformity with the requirements of the city ordinances. If the plat and the other recordable documents conform to city ordinances, the mayor shall sign the plat. The city attorney shall then approve and sign the plat, at which time it may be recorded with the Washington County recorder.

Recording: No final plat shall have any force or effect until it has received final approval by the city attorney and has been recorded with the Washington County recorder.

Rental/Sales: No condominium units or CPUD lots may be sold or rented, until the plat has been recorded with the Washington County recorder. (Ord. 2011-05, 4-20-2011)

Covenants, Conditions, and Restrictions (CC&Rs)

CC&Rs shall include an itemization of those facilities which will be commonly owned and maintained by the owners, and the plan for providing long term funding and maintenance. All bylaws, declarations, covenants, conditions, restrictions, design elements and any common requirements for ownership shall be included.

Condominium Rentals

Where it is expected that residential condominium units will be rented to tenants other than the owner of record, the following declarations may be addressed in the covenants, conditions and restrictions (CC&Rs)

Limitations: A statement that the homeowners' association may regulate, limit, or prohibit rentals of condominium units;

Homeowners' Association Approval: A statement that the homeowners' association may require the rental of condominium units to be conducted through the homeowners' association or a designated management company, and may require that all lease agreements be reviewed and approved by the homeowners' association or the management company, that any tenants be screened and approved by the homeowners' association or the management company prior to renting the condominium; and that the approval of the homeowners' association or the management company shall not be unreasonably withheld;

Agreements: A statement that prior to renting any condominium unit, the condominium owner and the tenant shall execute a written lease agreement which shall include the following provisions:

- The tenant shall agree to comply with all of the terms and conditions of the condominium declaration and bylaws;

- The tenant shall agree not to allow or commit any nuisance, waste, unlawful or illegal act upon the premises; and

- The owner and the tenant shall acknowledge that the homeowners' association is an intended third party beneficiary of the lease agreement, that the homeowners' association shall have the right to enforce compliance with the condominium declaration and bylaws and to abate any nuisance, waste, unlawful or illegal activity upon the premises; and that the homeowners' association shall be entitled to exercise all of the owner's rights and remedies under the lease agreement to do so;

Tenant Identification: A statement requiring that prior to a tenant's occupancy of a condominium unit, the condominium owner must provide to the homeowners' association the name, address and telephone number of the tenant and a copy of the written lease agreement;

Enforcement: A statement that the homeowners' association shall have the right and the obligation to enforce compliance with the condominium declaration and bylaws against any owner and/or occupant of any condominium unit, and shall have all rights and remedies available under state or local law, in addition to its rights and remedies as a third party beneficiary under any lease agreement, to enforce such compliance.

Project Narrative/Notes/Revisions

- 11/10/2023 CK - COMPLETED DESIGN FOR CLIENT & CITY REVIEW.
- 11/29/2023 CK - UPDATED PER CLIENT COMMENTS.
- 12/06/2023 CK - FIRE COMMENTS.
- 01/05/2024 CK - CITY REVIEW.
- 01/30/2024 CK - UPDATED BUILDING LAYOUT.
- 02/14/2024 CK - GAS LAYOUT.
- 02/28/2024 CK - GRADING MODIFICATIONS.
- 10/07/2024 ZD - UPDATE UNITS 17 & 18

Fields Improvement Plans

LA VERKIN, WASHINGTON COUNTY, UTAH
NOVEMBER 2023



NOTE:
CUT/FILL QUANTITIES DO NOT INCLUDE
COMPACTION, CLEAR & GRUB, UTILITY
TRENCHES, OR FOUNDATIONS.
CONTRACTOR IS RESPONSIBLE TO
VERIFY ALL CUT/FILL QUANTITIES.

Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
Surface	1.00	1.00	176749.09 Sq. Ft.	191.41 Cu. Yd.	12041.38 Cu. Yd.	11849.97 Cu. Yd. <Fill>
Totals			176749.09 Sq. Ft.	191.41 Cu. Yd.	12041.38 Cu. Yd.	11849.97 Cu. Yd. <Fill>

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CENTERLINE MONUMENT
IN THE INTERSECTION
OF MAIN STREET AND
130 NORTH STREET
(FOUND MONUMENT)

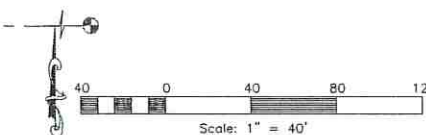
CENTERLINE MONUMENT
IN THE INTERSECTION
OF MAIN STREET AND
70 NORTH STREET
(FOUND MONUMENT)

Sheet Index

- Sheet 1 - Cover/Index Sheet
- Sheet 2 - Notes/Legend/Street Cross-Section
- Sheet 3 - Existing Site & Demolition Plan
- Sheet 4 - Proposed Site Plan
- Sheet 5 - Utility Plan
- Sheet 6 - Sewer & Water Plan
- Sheet 7 - Gas, Phone, & Cable Plan
- Sheet 8 - Power Plan
- Sheet 9 - Grading & Drainage Plan
- Sheet 10 - Civil Details
- Sheet 11 - Civil Details
- Sheet 12 - Civil Details
- Sheet 13 - Civil Details
- Sheet 14 - Civil Details
- Sheet 15 - Storm Water Pollution Prevention Plan Exhibit
- Sheet 16 - Storm Water Pollution Prevention Plan Details
- Sheet 17 - Landscape Plan

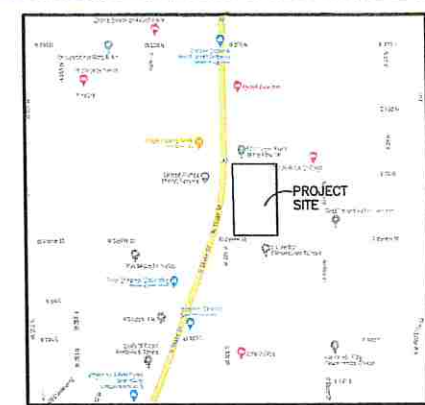
CENTERLINE MONUMENT IN
THE INTERSECTION OF MAIN
STREET AND CENTER STREET
(FOUND MONUMENT)

CENTERLINE MONUMENT IN THE
INTERSECTION OF CENTER
STREET AND 60 EAST STREET
(FOUND MONUMENT)



Elevation Datum:

Site Benchmark:
TOP OF AXLE HUB FOR CENTERLINE MONUMENT IN THE
INTERSECTION OF 100 WEST AND CENTER STREET VERTICAL
DATUM 3200.72' (NAD83, STATIC G.P.S.)



Vicinity Map
NOT TO SCALE

SITE DATA

APN: LV-118-A-1
ADDRESS: 80 WEST CENTER STREET, LA VERKIN

FLEX UNITS: 38 UNITS
1 STALLS PER UNIT
1 GARAGE PER UNIT
1 ADDITION STALL PER UNIT IN
FRONT OF GARAGE

PARCEL AREA: 164,476 S.F. (3.92 ACRES)

BUILDING AREA: 72,279 S.F. 43.9%

ASPHALT AREA: 59,978 S.F. 36.5%

LANDSCAPE AREA: 32,219 S.F. 19.6%

JUC SIGNATURE BLOCK

LA VERKIN WATER DEPARTMENT: _____

ROCKY MOUNTAIN POWER: _____

LA VERKIN ENGINEERING DEPARTMENT: _____

LA VERKIN PUBLIC WORKS DEPARTMENT: _____

FIRE DISTRICT: _____

ASH CREEK SPECIAL SERVICE DISTRICT: _____

DOMINION ENERGY: _____

TDS COMMUNICATIONS: _____

CENTURYLINK: _____

INFOWEST: _____

Engineer's Notice To Contractors:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY OTHERS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE IN ALIGNMENT AND/OR GRADE OF THE PROPOSED IMPROVEMENT. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE DUE PRECAUTIONARY MEASURE TO PROTECT ANY UTILITY LINES SHOWN, AND ANY OTHER LINES OBTAINED BY THE CONTRACTOR'S RESEARCH, AND OTHERS NOT OF RECORD OR NOT SHOWN ON THESE PLANS.

Elevation Datum:

Site Benchmark:
TOP OF AXLE HUB FOR CENTERLINE MONUMENT IN THE
INTERSECTION OF 100 WEST & CENTER STREET
VERTICAL DATUM 3200.72' (NAD83, STATIC GPS)



Surveyor:

Jason Felt
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH: (801) 621-3100

Landscape Architect:

Nathan Peterson
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH: (801) 621-3100

Developer Contact:

Xpert Enterprises
Blair Gardner
6486 City, State, Zip
PH: (000) 000-0000

Project Contact:

Nate Reeve
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH: (801) 621-3100

Reeve & Associates, Inc.

5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-3100
WWW.REEVE-ASSOCIATES.COM

REVISIONS	DATE	DESCRIPTION
11-29-23	CK	Client Comments
12-06-23	CK	Fire Comments
01-05-24	CK	City Comments
01-30-24	CK	Building Layout
02-14-24	CK	Gas Layout
02-28-24	CK	Utility Updates
02-28-24	CK	Grading
10-07-24	ZD	Update Units 17 & 18

Fields
80 W Center Street
LA VERKIN CITY, WASHINGTON COUNTY, UTAH

Cover/Index Sheet



Project Info.

Engineer: J. NATE REEVE, P.E.

Drafter: C. KINGSLEY

Begin Date: JUNE 2023

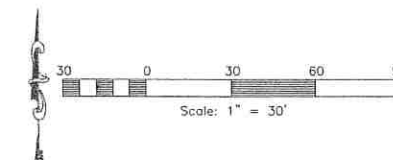
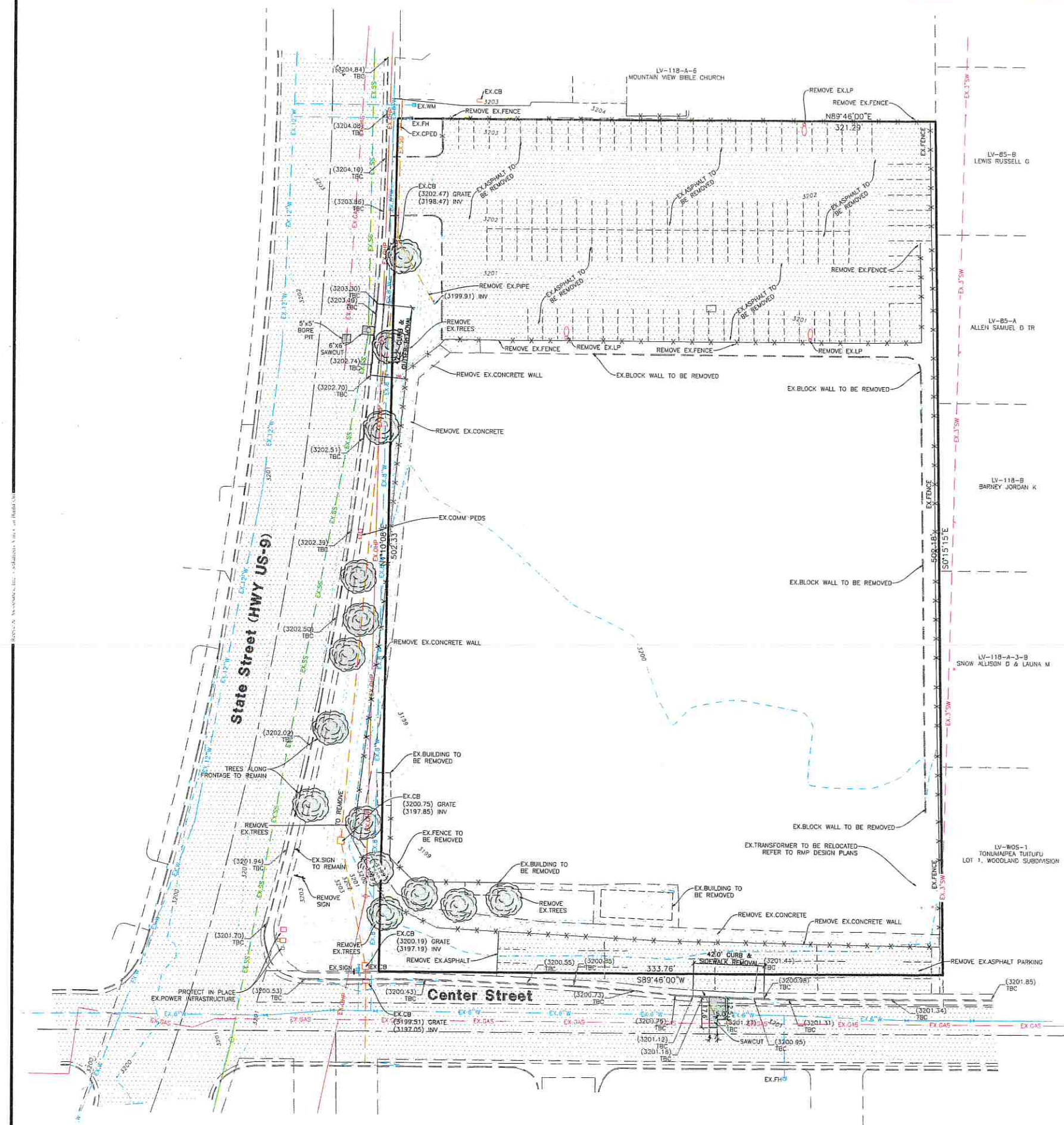
Name: FIELDS

80 W CENTER ST

Number: 7531-05

1

17 Total Sheet



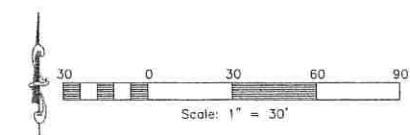
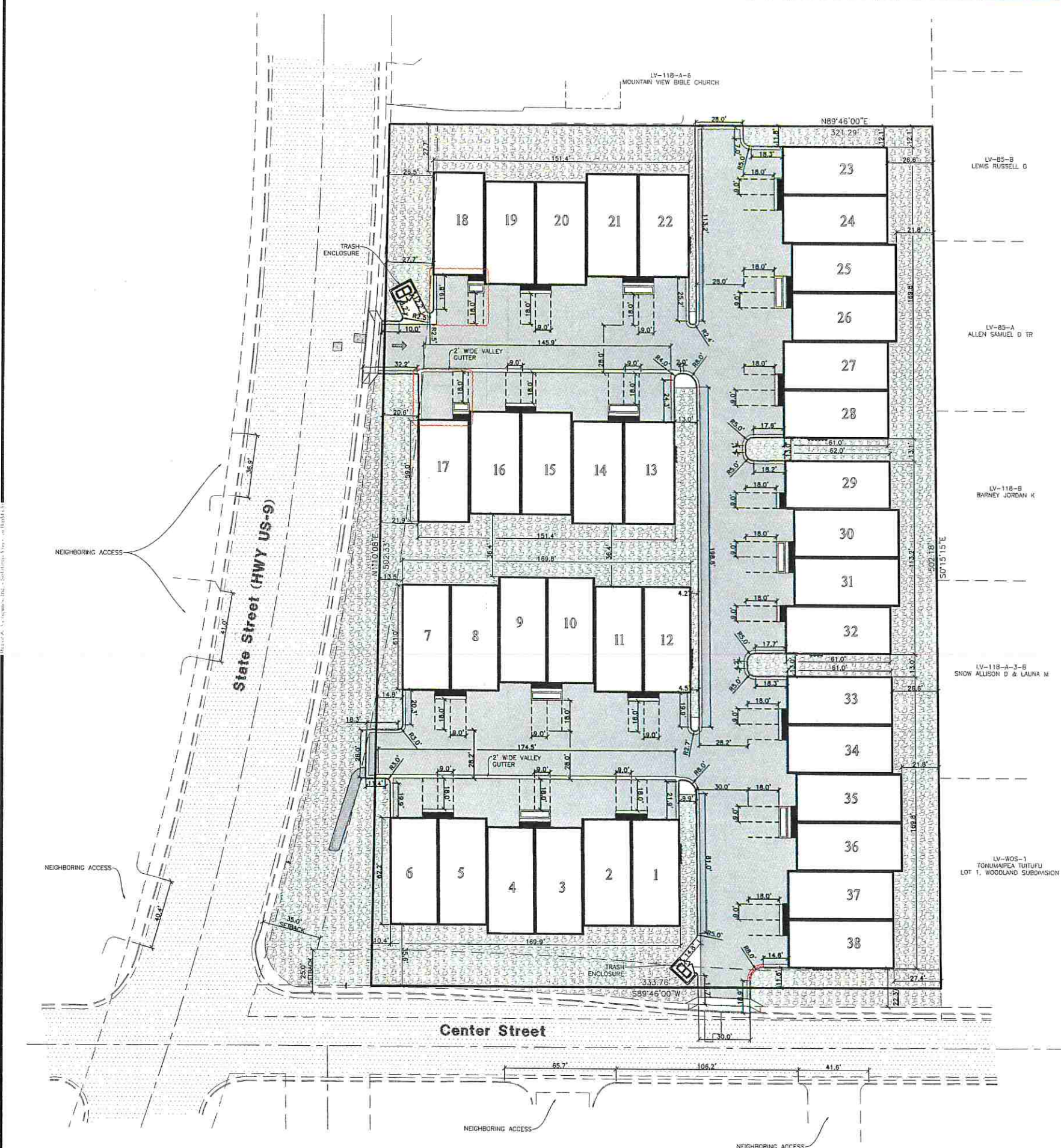
RA
Reeve & Associates, Inc.
5100 JOHN WAY, SUITE 1000, SAN DIEGO, CA 92108
LANE PLASTER • DRY DOCKERS • LAKE SHOOTERS

REVISIONS	
DATE	DESCRIPTION
1-29-23	CK Client Comments
2-06-23	CK Fire Comments
1-05-24	CK City Comments
11-30-24	CK Building Layout
02-06-24	CK Utility Updates
02-14-24	CK Gas Layout
02-28-24	CK Grading

Fields
80 W Center Street
LA VERGNE CITY, WASHINGTON COUNTY, UTAH



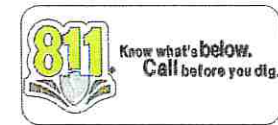
Project Info.
Engineer: J. NATE REEVE, P.
Drafter: C. KINGSLEY
Begin Date: JUNE 2023
Name: FIELDS
80 W CENTER ST
Number: 7631-05



= OUTFLOW CURB

CT=CURB TRANSITION

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Reeve & Associates, Inc.
RA
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
 PHONE: (801) 466-1000 FAX: (801) 466-1001
 WWW.REEVE-ASSOCIATES.COM

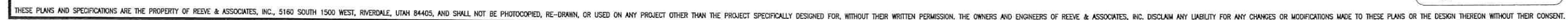
DATE	DESCRIPTION
11-28-23	CK Client Comments
11-28-23	CK Final Comments
11-05-24	CK City Comments
01-30-24	CK Building Layout
02-06-24	CK Utility Updates
02-14-24	CK Gas Layout
02-28-24	CK Grading
07-07-24	7th Iteration 17x18

Fields Center Street
 LA VERKIN CITY, WASHINGTON COUNTY, UTAH
Proposed Site Plan

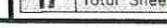


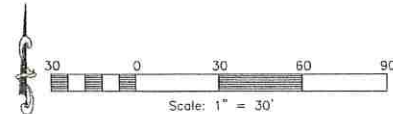
Project Info.

Engineer:	J. NATE REEVE, P.E.
Drafter:	C. KINGSLEY
Begin Date:	JUNE 2023
Name:	FIELDS 80 W CENTER ST
Number:	7631-05



SECONDARY WATER
SW/8 - 8" PVC C-900 DR-14 SECONDARY
WATER LINE "PURPLE PIPE"
SW LAT - SECONDARY SERVICE LATERAL PER
CITY STANDARDS





- ASH CREEK SSD GENERAL SEWER NOTES:**
- SEWER IS TO MEET THE CURRENT ASH CREEK SPECIAL SERVICE DISTRICT CONSTRUCTION STANDARDS.
 - PRIOR TO COMPLETION OF THE PROJECT PROVIDE A COPY OF GEOTECHNICAL REPORT AND COMPACTION TEST RESULTS TO THE DISTRICT.
 - PRIOR TO COMPLETION OF THE PROJECT PROVIDE A PIP AND A 2"x3" PLAN SHEET DRAWING OF RECORD TO THE DISTRICT. THE DRAWING OF RECORD SHOULD INCLUDE A DISTANCE FROM THE NEAR SIDE OF PROPERTY LINE OF THE SEWER LATERAL MARKER, ALSO INCLUDE ANY CHANGES TO THE SEWER MAIN LINE SLOPE AND DEPTHS.
 - THE CONTRACTOR WILL BE RESPONSIBLE TO CLEAN AND TEST THE SEWER LINE AFTER ALL THE UTILITIES HAVE BEEN INSTALLED BUT PRIOR TO ASPHALT PLACEMENT. THE FOLLOWING TEST WILL NEED TO BE COMPLETED BY THE CONTRACTOR: MANDREL TEST, AIR TEST AND CLOSED-CIRCUIT CAMERA INSPECTION. CAMERA INSPECTION IF PROVIDED BY THE DISTRICT CAN BE SCHEDULED WITH THE DISTRICT REPRESENTATIVE, TUESDAYS OR THURSDAYS ARE GENERALLY WHEN THE DISTRICT CAN PREFORM THIS CAMERA WORK. DURING CONSTRUCTION, ALL SEWER LINES WILL NEED TO BE CAPPED OR SEALED TO PROTECT THE SEWER SYSTEM FROM FLOODING OR RAIN EVENTS.

- SEWER NOTES:**
- THE CONTRACTOR SHALL NOTIFY THE DISTRICT AT LEAST TWO WORKING DAYS PRIOR TO CONSTRUCTION.
 - SEPARATION REQUIREMENTS BETWEEN ALL UTILITIES AND SEWER LINES SHALL BE AT LEAST 10 HORIZONTAL FEET, INSIDE TO INSIDE.
 - ALL CONSTRUCTION METHODS AND MATERIALS SHALL COMPLY WITH THE DISTRICT STANDARDS AND SPECIFICATION. ANY CONSTRUCTION METHODS AND/OR MATERIALS NOT COVERED IN THE DISTRICT STANDARDS SHALL BE APPROVED BY THE DISTRICT PRIOR TO CONSTRUCTION.
 - PRIOR TO CONSTRUCTION OF THE SEWER LINES, THE CONTRACTOR SHALL EXPOSE THE EXISTING SEWER LINES WHERE CONNECTIONS WILL OCCUR AND VERIFY THEIR ELEVATION AND LOCATION. APPROVAL OF THE DISTRICT OF A PROPOSED CONNECTION TO A DISTRICT FACILITY DOES NOT IMPLY APPROVAL OF CORRECTNESS OF THE FLOW LINE ELEVATION AND/OR LOCATION SHOWN ON THE PLANS. CONTRACTOR SHALL NOT BACKFILL ANY SEWER TRENCH UNTIL THE INSPECTOR HAS INSPECTED STATIONING ON ALL STRUCTURES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ACCURATE 'RECORD' DRAWINGS TO THE DISTRICT IMMEDIATELY AFTER CONSTRUCTION.
 - APPROVAL BY THE DISTRICT IMPLIES NO PERMISSION OTHER THAN THAT WITHIN THE DISTRICT'S JURISDICTION. ALL PERMITS REQUIRED BY LAW SHALL BE OBTAINED BY THE APPLICANT OR HIS CONTRACTOR. REQUIREMENTS OF THE DISTRICT SHALL TAKE PRECEDENCE OVER REQUIREMENTS OF OTHER AGENCIES ONLY WHERE DISTRICT REQUIREMENTS ARE GREATER.
 - CONTRACTOR SHOULD SHORE ALL TRENCHES AND CONDUCT ALL CONSTRUCTION AND OPERATIONS IN ACCORDANCE WITH OSHA REQUIREMENTS AND/OR UTAH INDUSTRIAL COMMISSION.
 - NO SUBDIVISION PLAT SHALL BE RECORDED AT THE OFFICE OF THE WASHINGTON COUNTY RECORDER UNTIL SHD PLAT HAS BEEN APPROVED AND SIGNED BY THE CHAIRMAN OR SUPERINTENDENT OF ASH CREEK SPECIAL SERVICE DISTRICT.
 - ALL SEWER LATERAL SERVICES TO LOTS, USE A DISTRICT APPROVED GLUE SADDLE WITH BANDS OR PLACE AN 8"x8"x4" WYE WITH KNOCK ON COUPLES. A DISTRICT REPRESENTATIVE WILL NEED TO LOOK AT ALL CONNECTIONS.

- WATER NOTES:**
- ALL WATERLINE WORKS MUST BE INSTALLED BY A CONTRACTOR THAT HAS BEEN PRE-QUALIFIED BY THE CITY OF LA VERNE WATER DEPARTMENT.
 - ALL CONSTRUCTION SHALL CONFORM TO THE 'CITY OF LA VERNE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION', 'THE UNIFORM PLUMBING CODE', AND THE 'UNIFORM BUILDING CODE' LATEST EDITION AS ADMINISTERED BY THE CITY OF LA VERNE.
 - CONTRACTOR SHALL PORTHOLE ALL PIPELINES AND VERIFY LOCATION AND DEPTH PRIOR TO PROCEEDING WITH ANY BUILDING OR PIPELINE CONSTRUCTION.
 - THE POTABLE WATER SUPPLY TO LAWN IRRIGATION SYSTEMS SHALL BE PROTECTED AGAINST BACKFLOW PER THE INTERNATIONAL PLUMBING CODE (IPC) SECTION 608.16.5 AND FOR FIRE SPRINKLER SYSTEMS PER (IPC) 608.16.4.
 - 12 GAUGE WIRE SHALL BE TAPED TO ALL WATER LINES FOR LOCATING PURPOSES. THE WIRE SHALL BE BROUGHT UP AT EACH VALVE BOX AND HYDRANT.
 - THRUST RESTRAINT ON THE NEW PIPELINE WILL BE AS SHOWN ON THE DETAILS. USE MEDIA-ON THE FITTINGS AND FIELD LOCK GASKETS ON THE REQUIRED LENGTH OF RESTRAINED PIPE.
 - ASPHALT REPLACED OVER THE PIPE TRENCHING IS TO MATCH EXISTING PAVEMENT DEPTHS WITH A 6" OVER CUT FROM EDGE OF THE TRENCH LINE ON EACH SIDE OF THE TRENCH.
 - CONTRACTORS SHALL CUT OFF AND CAP (BACK AT THE WATER MAIN), ALL EXISTING SERVICE LINES OR UN-USED STUB LINES THAT WILL BE ABANDONED.
 - ANY CHANGES MADE IN THE FIELD MUST BE FIRST APPROVED AND DOCUMENTED BY THE CITY OF LA VERNE WATER SERVICES ENGINEER.
 - SEE LANDSCAPE PLANS FOR IRRIGATION CONDUIT SLEEVING.
 - NOTE: HOA PAYS FOR PARK STRIP WATER, CITY PAYS FOR MEDIAN WATER.
 - WATER SERVICES TO BE TYPE K COPPER.

- IRRIGATION NOTES:**
- IRRIGATION LINES TO BE INSTALLED 1' HORIZONTALLY AND VERTICALLY BELOW THE CULINARY WATER TOWARDS THE CENTER OF THE ROAD.
 - 1" IPS PURPLE POLY TUBING TO BE USED FOR IRRIGATION SERVICES.
 - NO DOUBLE SERVICES ALLOWED.
 - SW/B - IRRIGATION MAIN ON CENTER STREET TO BE 6" C900 PURPLE PIPE (ORDER IN ADVANCE).
 - SW/G - IRRIGATION MAIN ON SITE TO BE 6" C900 PURPLE PIPE (ORDER IN ADVANCE).

- Construction Notes:**
- ALL CONSTRUCTION IS TO CONFORM TO THE CITY STANDARD DRAWINGS AND SPECIFICATIONS.
 - CONSTRUCT HANDICAP RAMP PER ADA AND CITY REQUIREMENTS.

CULINARY WATER
W/B - 8" PVC C-900 DR-14 WATER LINE
"BLUE PIPE"
W LAT - 1" POLY LINE W/TRAFFIC RATED METER BOX

KNOX BOX REQUIRED FOR ACCESS TO EACH BUILDING

SANITARY SEWER
SS LAT - 4" PVC SDR-35 SERVICE LATERAL
SS/B - 8" PVC SDR-35 SEWER LINE

STORM DRAIN
SD/15 - 15" RCP CLASS III STORM DRAIN

SECONDARY WATER
SW/B - 8" PVC C-900 DR-14 SECONDARY WATER LINE "PURPLE PIPE"
SW/LAT - SECONDARY SERVICE LATERAL PER



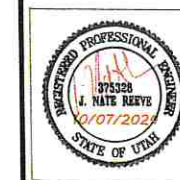
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Reeve & Associates, Inc.
3100 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 841-1100 FAX: (801) 841-1101
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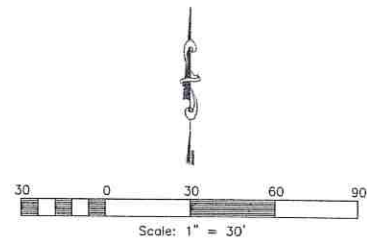
DATE	DESCRIPTION
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Fields Center Street
LA VERNE CITY, WASHINGTON COUNTY, UTAH

Sewer & Water Plan

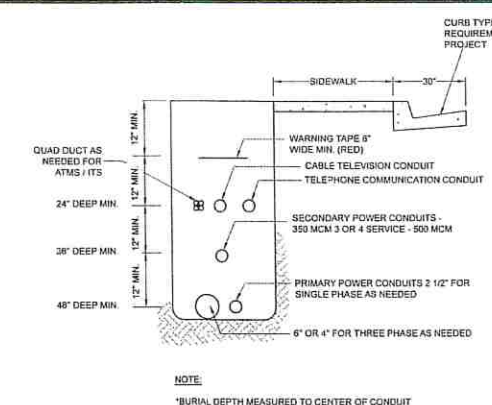
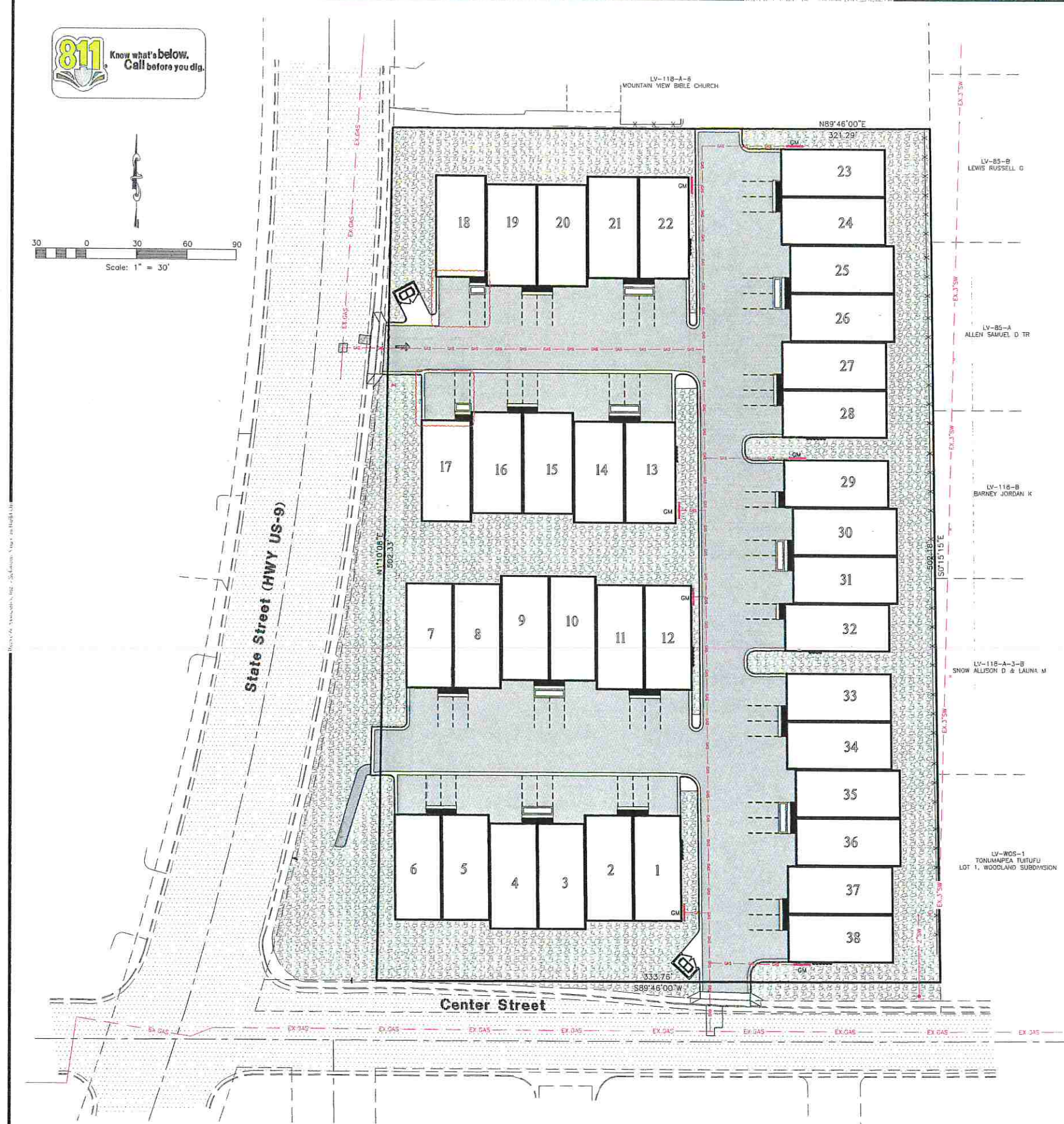


Project Info.
Engineer: J. NATE REEVE, P.E.
Drafter: C. KINGSLEY
Begin Date: JUNE 2023
Name: FIELDS
80 W CENTER ST
Number: 7631-05



Reeve & Associates, Inc. 5160 South 1500 West, Riverdale, Utah 84405

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DOMINION

EXISTING QUESTAR GAS LINE
QUESTAR GAS LINE

1. DEVELOPER NEEDS TO CONTACT DOMINION ENERGY PRE-CONSTRUCTION DEPARTMENT PRIOR TO BREAKING GROUND FOR GAS SIGN UP. JAKE BOZARTH 435-231-9971
2. DEVELOPER WILL BE RESPONSIBLE TO GET ALL COMPACTION TESTS DONE AT DEVELOPER'S EXPENSE.
3. IF CASINGS/CONDUITS ARE NEEDED, THEY ARE TO BE INSTALLED BY DEVELOPER AT THEIR COSTS. A MAP WILL BE AVAILABLE AT DOMINION ENERGY FOR CASING LOCATIONS (1155 E. 350 N., ST. GEORGE).
4. ALL OF THE 10' UTILITY EASEMENTS BACK OF SIDEWALK WILL BE GRADED, AT FULL 10' WIDTH, TO WITHIN 6 INCHES OF TOP BACK OF CURB BEFORE GAS LINES WILL BE INSTALLED. **NO RETAINING, ROCK, OR BLOCK WALLS MAY BE CONSTRUCTED ON/IN A PUE** DEVELOPER WILL BE RESPONSIBLE FOR THE COSTS OF ANY GAS LINES TO BE LOWERED AND/OR RELOCATED AFTER INSTALLATION.
5. ALL TRENCHES SHALL BE BACKFILLED AND ALL DEBRIS, CONSTRUCTION MATERIALS AND EXCESS DIRT PILES SHALL BE CLEARED AWAY.
6. PROPERTY LOT LINES, BACK OF CURB AND GRADE MUST BE STAKED BY DEVELOPER BEFORE GAS WILL BE INSTALLED.
7. POWER, WATER, SEWER LINES, CULVERTS OR OTHER HAZARDS NOT CLEARLY NOTICEABLE SHALL BE STAKED BY DEVELOPER.
8. FAILURE TO COMPLY WITH THE ABOVE NOTES WILL RESULT IN DELAY OF SERVICE TO THIS PROJECT.
9. CONTACT J.C. HALL (435-210-0729) AT LEAST TWO WEEKS PRIOR TO BEING READY FOR SCHEDULING OF INSTALLATION.
10. ***IMPORTANT NOTICE*** GAS WILL BE PUT ON THE SCHEDULE FOR INSTALLATION WHEN POWER TRENCH IS BURIED. STREETS ARE WITHIN 6' OF SUBGRADE AND THE 10' UTILITY EASEMENTS IS GRADED TO THE TOP BACK OF CURB.
11. HIGH PRESSURE GAS NOTE: CONTRACTOR IS REQUIRED TO CALL HIGH PRESSURE DISPATCH AT (801) 324-3370, AT LEAST 48 HOURS IN ADVANCE BEFORE WORKING WITHIN 10 FEET OF A HP GAS LINE. THIS WILL SCHEDULE A DOMINION ENERGY HIGH PRESSURE INSPECTOR TO THE PROJECT SITE.

CENTURY LINK

EXISTING CENTURY LINK TELEPHONE PEDESTAL
CENTURY LINK TELEPHONE PEDESTAL
NUMBER INDICATES TURN-UPS
EXISTING CENTURY LINK TELEPHONE LINE
CENTURY LINK TELEPHONE LINE

CENTURYLINK INTERNET FIBER OPTIC NOTES (RESIDENTIAL):

1. DEVELOPER TO PROVIDE ALL TRENCH, BACKFILL, AND ROAD CROSSINGS. CENTURYLINK SUB CONTRACTOR (NEILS FUGAL) WILL PLACE CONDUIT IN TRENCH. CALL 435-632-6553 15 DAYS PRIOR TO REQUIRING CONDUIT TO SCHEDULE DELIVERY.
2. ANY BREAKS/BLOCKAGES IN CONDUIT RESULTING FROM IMPROPER BACKFILL OR OTHER CONSTRUCTION/UTILITY PLACEMENT ARE THE DEVELOPER RESPONSIBILITY TO REPAIR AND MAY RESULT IN DELAY OF SERVICE.
3. CONTACT CENTURYLINK ENGINEER AT 385-479-7339 OR BRAXTON.PETERSON@LUMEN.COM WITH ANY QUESTIONS OR CHANGES TO JUC PLANS.
4. ANY CENTURYLINK FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE 100% TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM OF 45 DAYS IN ADVANCE.

CENTURYLINK TELEPHONE NOTES (COMMERCIAL):

1. DEVELOPER TO PROVIDE ALL TRENCH AND CENTURYLINK WILL PROVIDE 4" CONDUIT. CONTACT LUIS @ 435-632-6553 1 WEEK IN ADVANCE.
2. INSIDE TERMINATION: DEVELOPER TO PROVIDE 4'X8' PLYWOOD BACKBOARD AND A #6 GROUND WIRE TO BUILDING NEUTRAL WITH 120V AC OUTLET ON BACKBOARD. A PERMANENT, GROUNDED, 3-PRONG ELECTRICAL OUTLET IS REQUIRED WITHIN 6 FEET OF EQUIPMENT LOCATION. *WE RECOMMEND A STANDARD DUPLEX OUTLET, CALLED A NEMA 5-15R. *LUMEN ELECTRONICS NEED TO BE POWERED BY 120 VAC (15-30 AMP) DEDICATED CIRCUIT. OUTSIDE TERMINATION: DEVELOPER TO PROVIDE 30"X 30"X10" WEATHERPROOF BOX AND A #6 GROUND WIRE TO BUILDING NEUTRAL WITH A 120V AC OUTLET LOCATED IN THE LEFT OR RIGHT HAND LOWER CORNER. A PERMANENT, GROUNDED, 3-PRONG ELECTRICAL OUTLET IS REQUIRED WITHIN 6 FEET OF EQUIPMENT LOCATION.
 - WE RECOMMEND A STANDARD DUPLEX OUTLET, CALLED A NEMA 5-15R.
 - LUMEN ELECTRONICS NEED TO BE POWERED BY 120 VAC (15-30 AMP) DEDICATED CIRCUIT.
3. CONTACT CENTURYLINK ENGINEER AT 385-479-7339 OR BRAXTON.PETERSON@LUMEN.COM 45 DAYS BEFORE ANY SERVICE IS REQUIRED TO SETUP SITE VISIT AND REPORT ANY CHANGES TO JUC APPROVED PLANS.
4. ANY CENTURYLINK FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM OF 45 DAYS IN ADVANCE.

TDS BROADBAND

CABLE PEDESTAL
EXISTING CABLE LINE
CABLE LINE (2" CONDUIT)

TDS CATV/BROADBAND NOTES:

1. THE DEVELOPER WILL PROVIDE ALL REQUIRED TRENCH WITHIN THE PROJECT. ANY MODIFICATIONS ALONG THE PERIPHERY TO FEED THIS PROJECT WILL BE BILLED TO THE DEVELOPER.
2. TDS WILL PLACE CONDUITS IN AN OPEN/JOINT TRENCH. PLEASE CONTACT TDS ENGINEERING AT 435-288-1415 AT LEAST 3 WEEKS PRIOR TO OPENING TRENCH TO CREATE DESIGN AND SCHEDULE WORK.
3. CONTACT TDS PRIOR TO CONSTRUCTING BUILDINGS FOR PREWIRE OPTIONS FOR FIBER OPTIC SERVICE. ANY OTHER QUESTIONS REGARDING CONSTRUCTION OF SERVICE SHOULD BE DIRECTED TO TDS ENGINEERING AT 435-288-1415.
4. RELOCATION OF NEW OR EXISTING TDS FACILITIES WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR.
5. ANY MODIFICATIONS AFTER CONDUIT/CABLE PLACEMENT WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR AS WILL DAMAGES CAUSED BY OTHER CONTRACTORS WORKING FOR THE DEVELOPER ON THIS PROJECT.

INFOWEST, CATV/FIBER OPTIC NOTES:

1. DEVELOPER TO PROVIDE ALL REQUIRED TRENCHING WITHIN THE PROJECT.
2. ANY MODIFICATION REQUIRED TO FEED PROJECT WILL BE BILLED TO THE DEVELOPER.
3. INFO WEST WILL PROVIDE ALL CONDUITS. CALL 435-272-3559 OR EMAIL JUC@INFOWEST.COM FOR CONDUIT DELIVERY AT LEAST ONE PER WEEK PRIOR TO OPENING THE TRENCH.
4. FOR COMMERCIAL PROJECTS WITH AN MDF/COMM ROOM, DEVELOPER WILL INSTALL A 2" PVC RUN TO THE EXTERIOR OF THE BUILDING.
5. ANY QUESTIONS REGARDING SERVICE SHOULD BE DIRECTED TOWARDS GAB TREMBLAY, 435-272-3559 OR JUC@INFOWEST.COM.
6. RELOCATION OF NEW OR EXISTING INFOWEST FACILITIES IS BILLABLE TO THE DEVELOPER. THE DEVELOPER WILL BE PROVIDED WITH AN ESTIMATE OF COSTS FOR WORK DONE.

Reeve & Associates, Inc.

RA

5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
LAND PLANNERS • CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
TRINITY BUILDERS • STATIONERS • LANDSCAPE ARCHITECTS

DATE	DESCRIPTION
11-20-23	CK Client Comments
12-06-23	CK City Comments
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10-07-24	2D Update Units 17&18

Fields

80 W Center Street

LA VERGNE CITY, WASHINGTON COUNTY, UTAH

Gas, Phone, & Cable Plan



Project Info.

Engineer: J. NATE REEVE, P.E.

Drafter: C. KINGSLEY

Begin Date: JUNE 2023

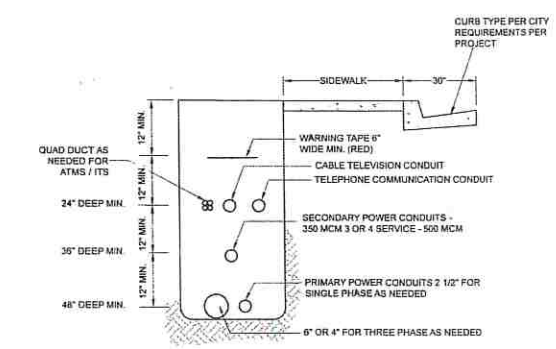
Name: FIELDS

80 W CENTER ST

Number: 7631-05



CUSTOMER/CONTRACTOR NOTES
 -ALL TRENCHING AND CONDUIT MUST BE INSPECTED BY RMP PRIOR TO BURIAL AND A WITNESSED MANHOLE BY RMP MUST BE COMPLETED.
 -PLEASE CONTACT TONYA PETERSON AT 355-414-5273 AT LEAST 3 BUSINESS DAYS BEFORE REQUESTED INSPECTION TIME TO SCHEDULE.
 -ALL PRIMARY CONDUIT ELBOWS MUST BE FIBERGLASS LONG SWEEP AND ALL SECONDARY AND SERVICE CONDUIT ELBOWS MUST BE PVC LONG SWEEP.
 -ALL EQUIPMENT PADS AND CONDUITS WITH 2500 POUND MULE TAPE IN THEM MUST BE INSTALLED BEFORE RMP WILL INSTALL ANY EQUIPMENT OR CABLE.
 -RMP'S CREW WORK WILL NOT BE SCHEDULED UNTIL AFTER CUSTOMER HAS SIGNED THE CONTRACT, PAID THE CUSTOMER ADVANCE AND RMP HAS CONFIRMED ALL CUSTOMER WORK IS COMPLETE AND READY FOR RMP CREW. ONCE RMP HAS CONFIRMED CUSTOMER WORK IS COMPLETE, THE JOB WILL BE SCHEDULED TO BE COMPLETED BY RMP IN APPROX. 4 WEEKS DEPENDING ON CREW AND MATERIAL AVAILABILITY.



REVISIONS	DATE	DESCRIPTION	BY
1	07/07/2023	JOINT UTILITIES TRENCH	J. NATE REEVE

- La Verkin Power Notes**
- Developer responsible for all costs, unless otherwise stated on plan.
 - Pre-approved contractor to work on and install any part of the electrical system.
 - For schematic purposes only. Equipment/Placement to be La Verkin Power Specs.
 - Pre-approved contractor to go over plans with La Verkin Power before beginning work. Contact La Verkin Power for an appointment. 435-835-5536.
 - Easements to be signed over to La Verkin City. Developer bears responsibility to make sure easements are obtained from any properties that may be affected. Power to the project will not be energized until all easements are recorded.
 - Running line for power is on the North and West sides of the street unless otherwise approved.
 - No retaining walls to run into utility easements.
 - All conduits to be foamed. Any empty stub outs to have a temporary plug.
 - Any changes to the signed set of plans must be approved by La Verkin Power.
 - The entire JUC trench must be backfilled with 1' minus from the bottom to the top of the trench. Also, around electrical boxes and equipment.
 11. Impact fees to be collected by building dept. Impact fees to be charged per meter/individual breaker size. Contact La Verkin Power.
 - Meters shall not be located inside fenced areas. Meters shall be accessible.
 - Developers will be invoiced a termination fee \$102.00 per primary elbow term.
 - Depending on transformer location, transformer may need bollards to protect it from traffic. Contact La Verkin Power regarding this.
 - Cement basements, three phase transformer pads and streetlight bases to be pre-cast only. To be supplied by approved vendors only.
 - La Verkin City Power will need to know main panel size and service voltage need in order to determine transformer size and impact fees before project starts.
 - Size of acceptable conduits from the transformer to meter panels is 2", 3", and 4" PVC. Size of acceptable wire is 4/0, 350, or 500mmcm aluminum.
 - La Verkin power has changed our streetlights spec to LED see La Verkin Power for new spec. All streetlights will be black pole with black head. All lights in this project will be decorative lights.
 - A dirt pad, level with the sidewalk will be maintained around all electrical equipment 5' on sides and back of equipment. Any slopes of changes of grade will be retained with concrete, block, or stacked rock to maintain level.
 - An invoice will be sent at time of punch-list for all elbow terminations, riser fees, vault and switch connection fees, and any extra time spent on job if applicable.
 - Main line power will be found on the overall site plan and must work in conjunction with the Phase I power design.
 - A 6" conduit must connect to a switch basement located on Interstate Rook property. The development that arrives first will have to place a switch on the basement at their cost.



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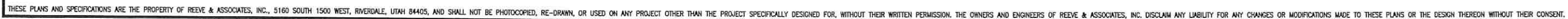
REVISIONS

DATE	DESCRIPTION
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01-30-24	CK Building Layout
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02-28-24	CK Grading
10-07-24	2D Update Units 17&18

80 W Center Street
 LA VERKIN CITY, WASHINGTON COUNTY, UTAH
Power Plan



Project Info.
 Engineer: J. NATE REEVE, P.E.
 Drafter: C. KINGSLEY
 Begin Date: JUNE 2023
 Name: FIELDS
 80 W CENTER ST
 Number: 7631-05

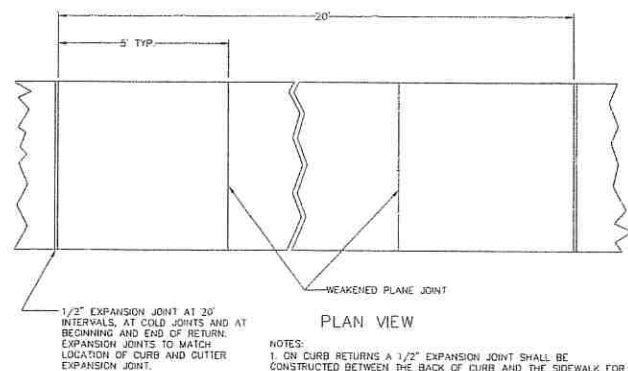


REVISIONS		DESCRIPTION
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2-2-06-23	CK	Fire Comments
01-05-24	CK	City Comments
01-30-24	CK	Building Layout
02-06-24	CK	Utility Updates
02-14-24	CK	Gas Layout
02-28-24	CK	Grading
03-07-24	ZD	Update Units 17&18

ENT.	14	Total Sheet
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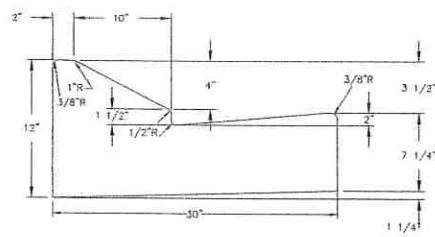
Reeve & Associates, Inc. - 5160 South 1500 West, Riverdale, Utah 84405

CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION



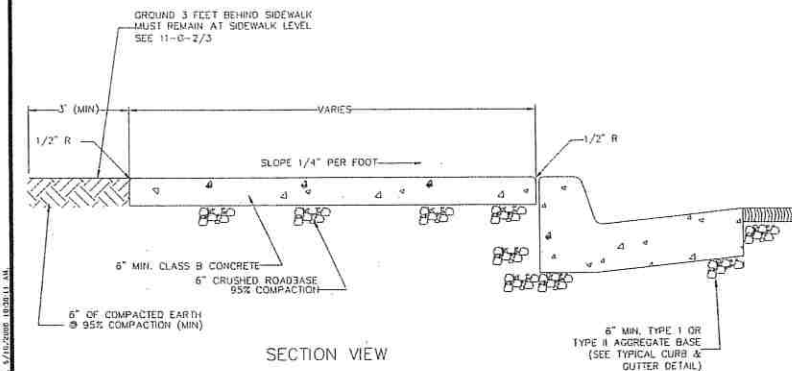
CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION
TYPICAL SIDEWALK DETAIL

1-C
2/2



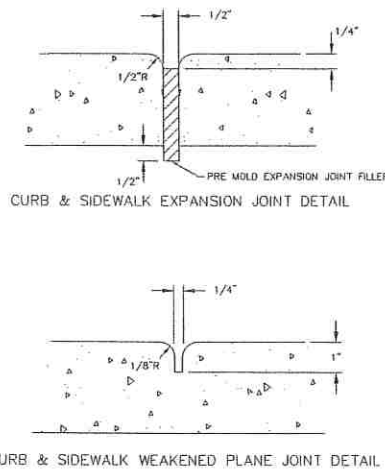
CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION
TYPICAL CURB & GUTTER DETAIL RU30

1-B
2/2



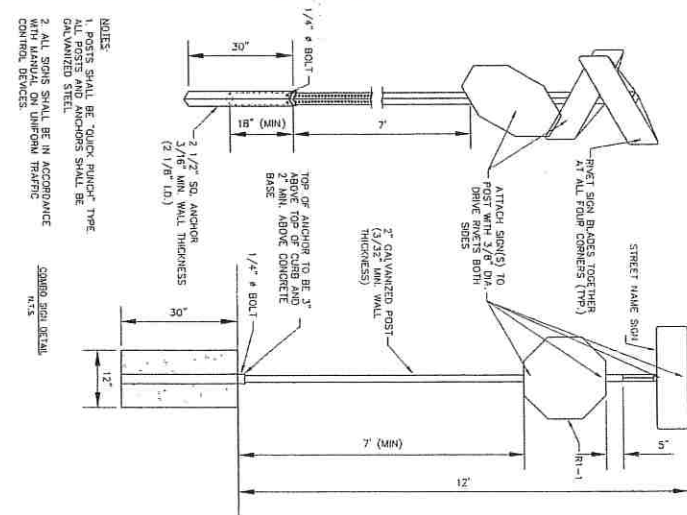
CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION
TYPICAL SIDEWALK DETAIL

1-C
1/2



CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION
TYPICAL EXPANSION JOINT AND WEAKENED PLANE JOINT DETAIL

1-D
1/1

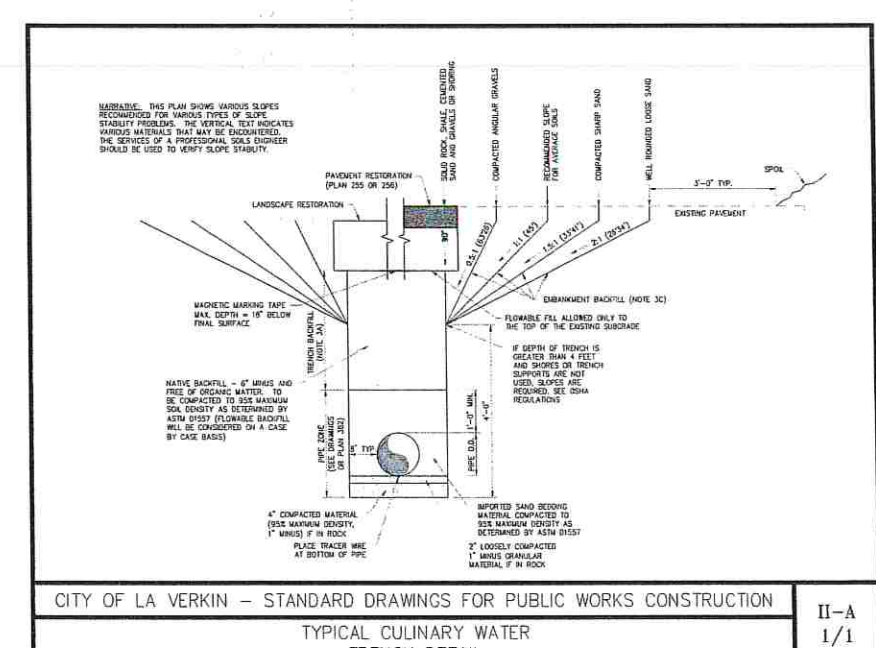
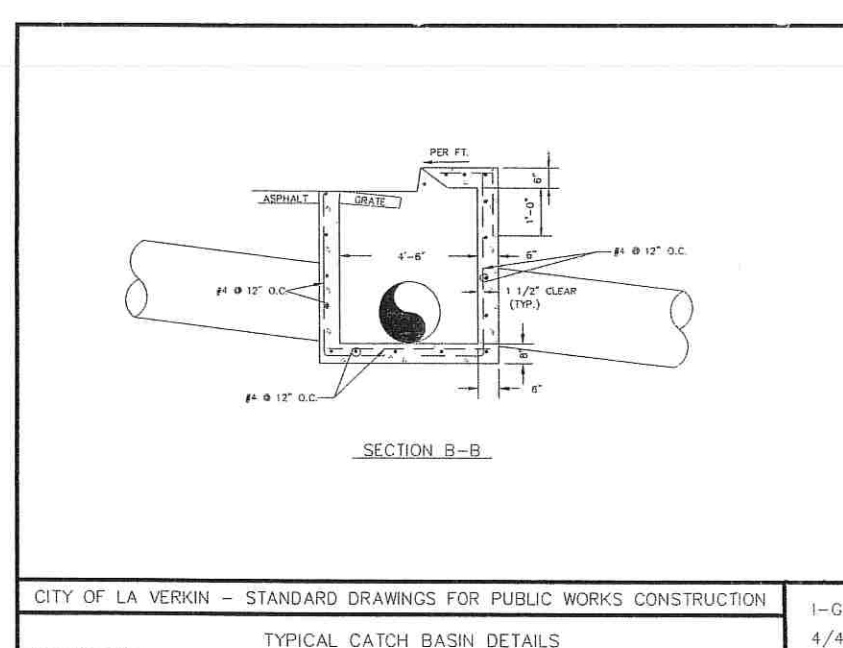
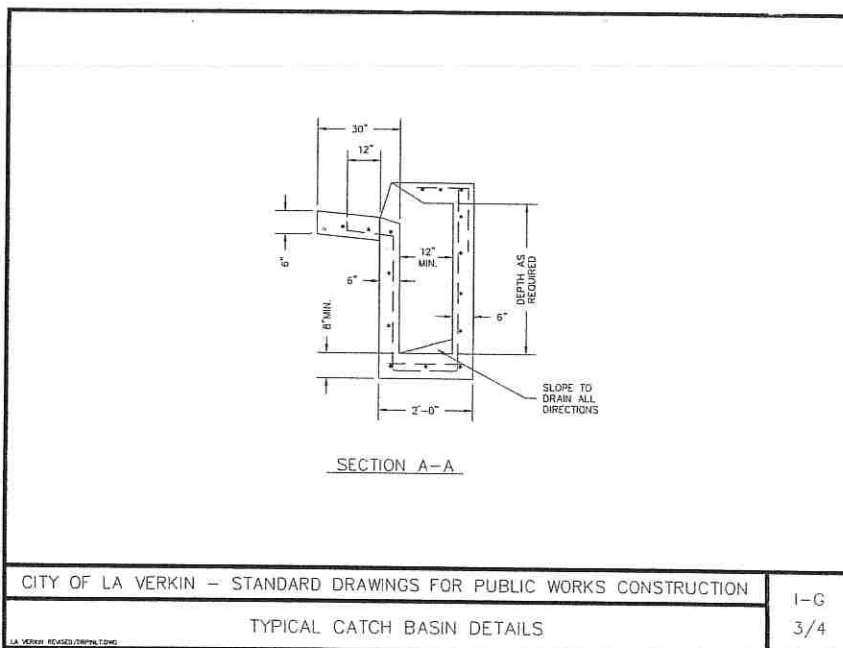
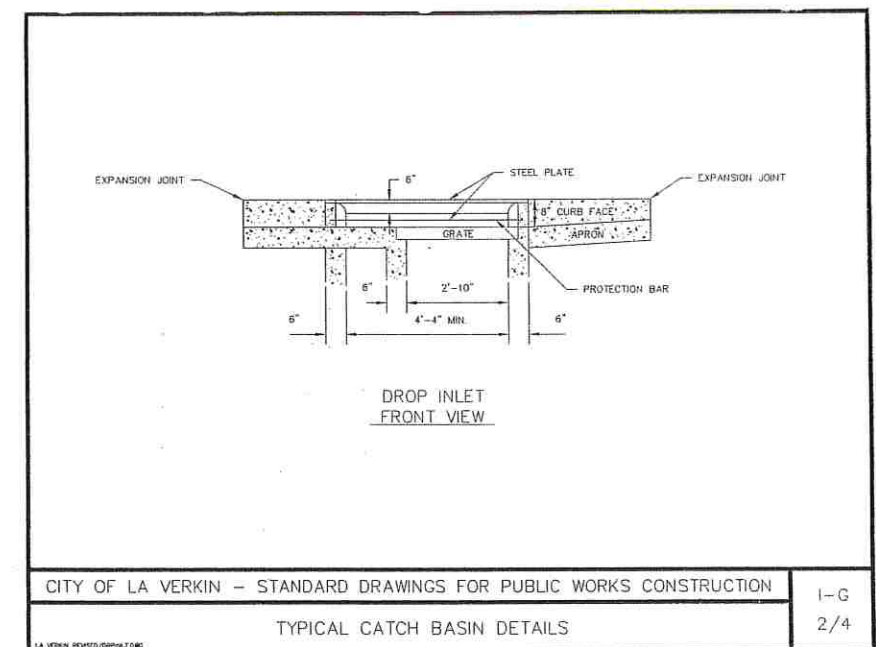
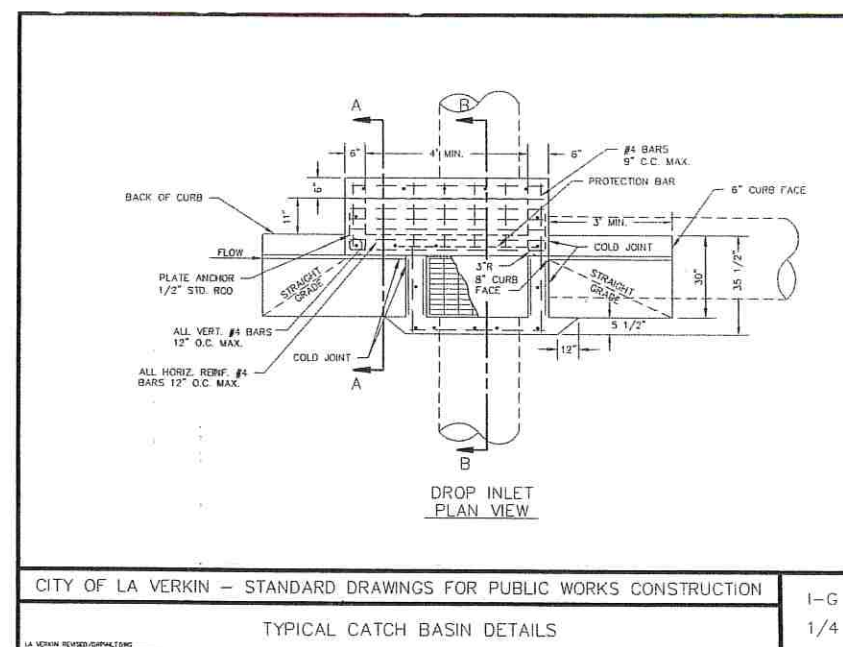
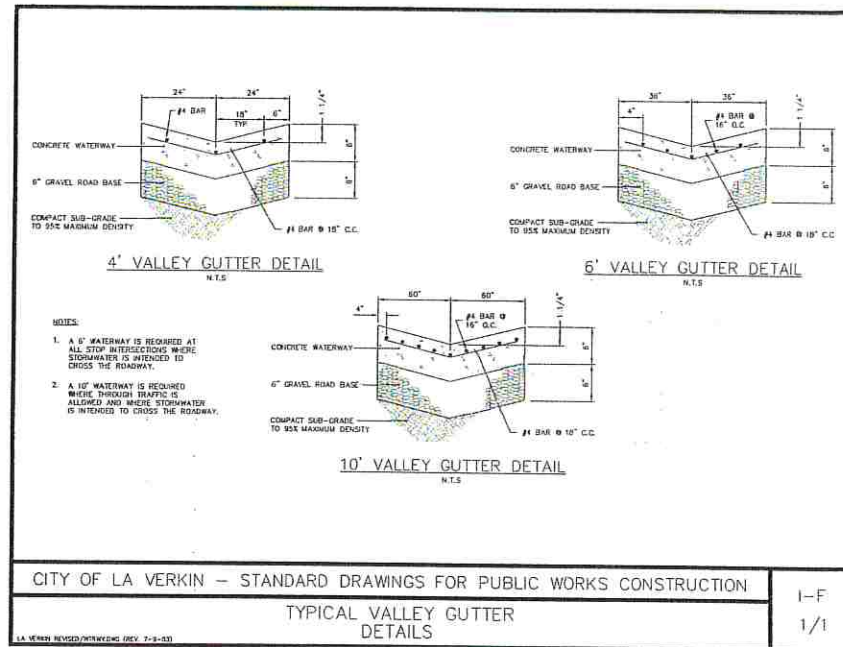


CITY OF LA VERKIN - STANDARD DRAWINGS FOR PUBLIC WORKS CONSTRUCTION
TYPICAL SIGN DETAILS

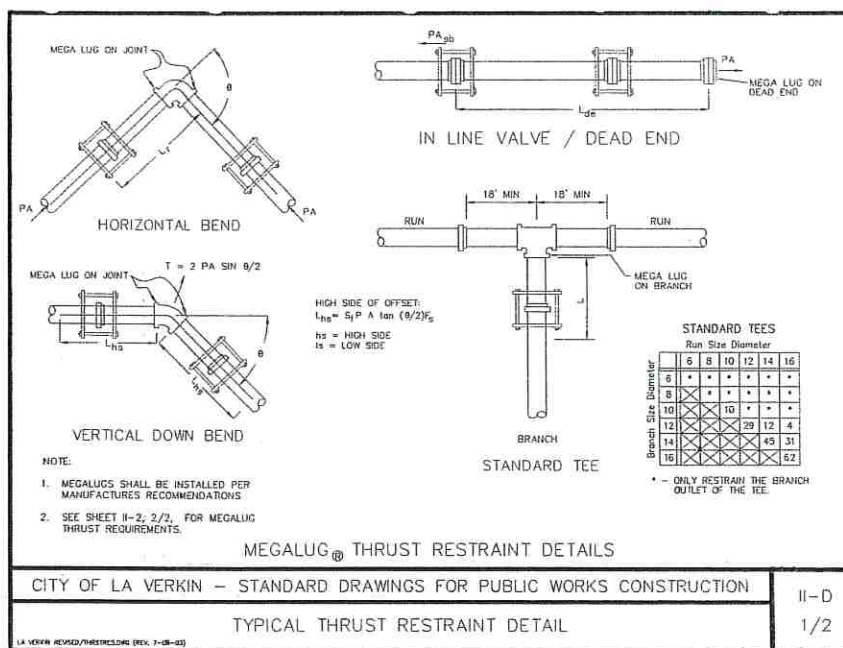
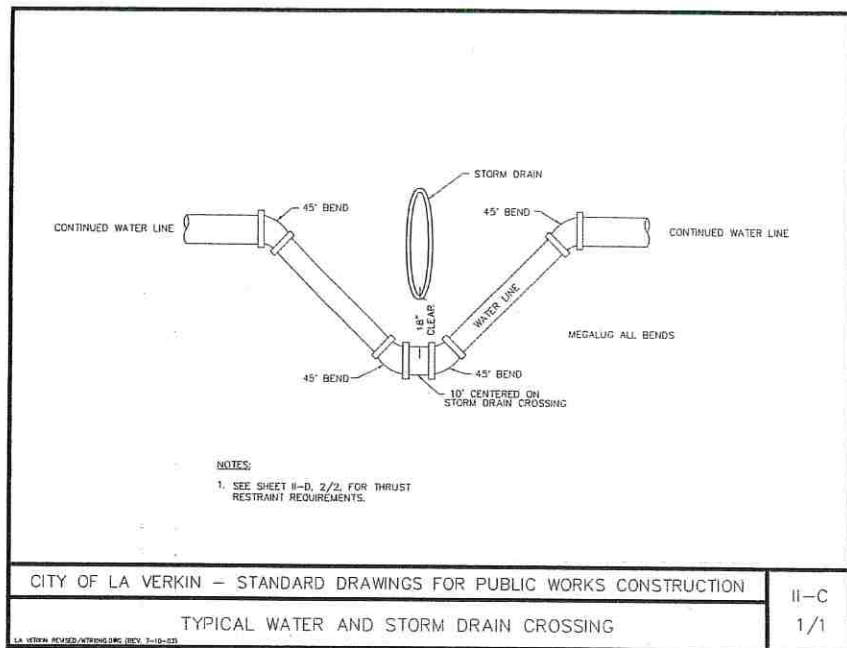
1-E
1/1

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02-14-24	CK Log Layout
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10-07-24	ZO Update Units 17&18



DATE	DESCRIPTION
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THRUST RESTRAINT REQUIREMENTS FOR 6" PVC PIPE					THRUST RESTRAINT REQUIREMENTS FOR 10" PVC PIPE				
Horizontal Bend Angle	Restrained Length (ft)	Vertical Bend Angle	Restrained Length on High Side (ft.)	Restrained Length on Low Side (ft.)	Horizontal Bend Angle	Restrained Length (ft)	Vertical Bend Angle	Restrained Length on High Side (ft.)	Restrained Length on Low Side (ft.)
11.25	3	11.25	8	2	11.25	4	11.25	13	3
22.5	6	22.5	16	4	22.5	9	22.5	25	7
45	12	45	33	99	45	18	45	53	15
90	28				90	44			

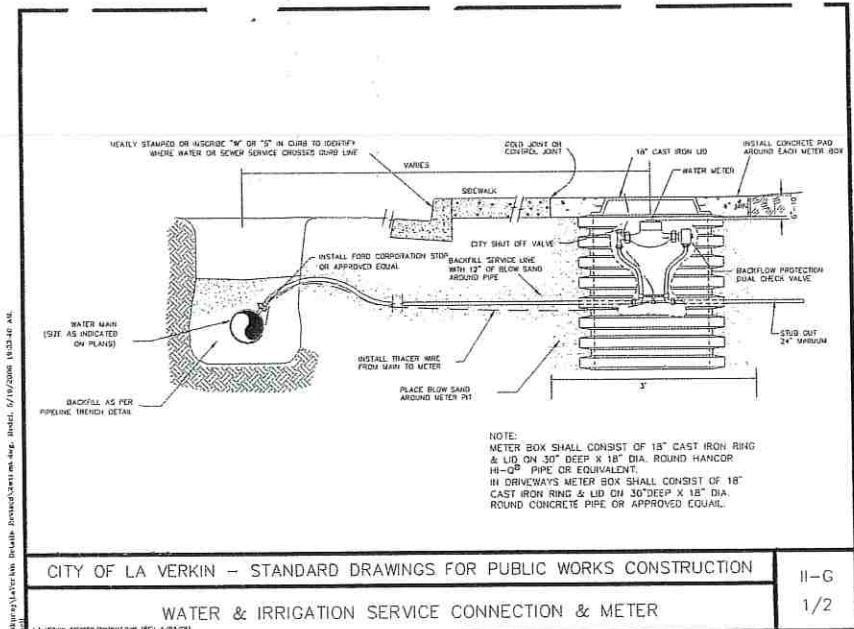
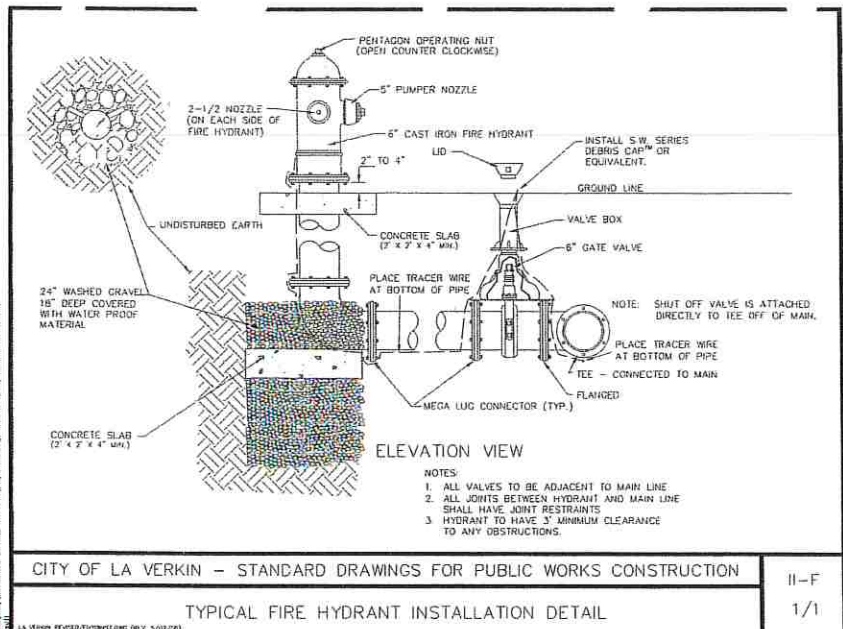
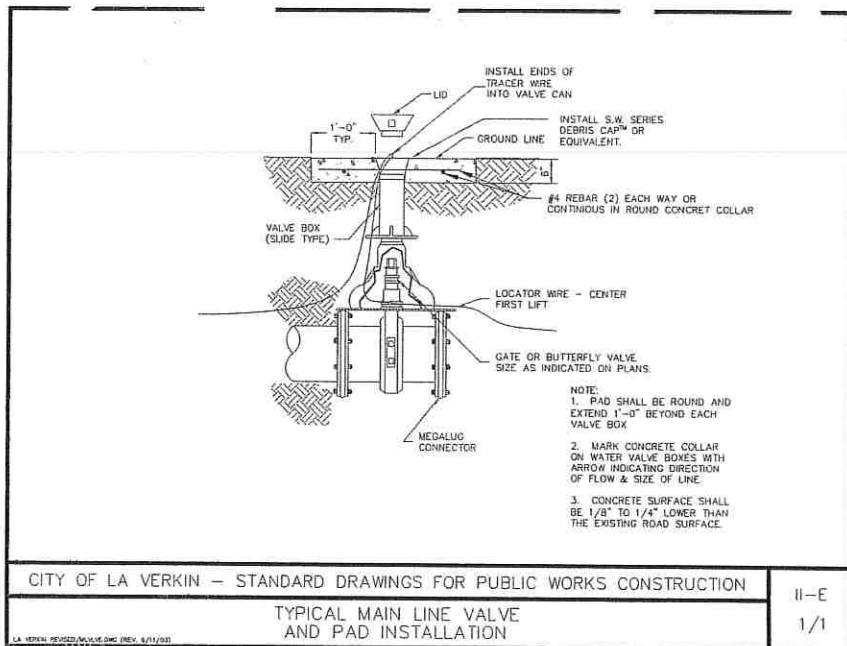
THRUST RESTRAINT REQUIREMENTS FOR 8" PVC PIPE					THRUST RESTRAINT REQUIREMENTS FOR 12" PVC PIPE				
Horizontal Bend Angle	Restrained Length (ft)	Vertical Bend Angle	Restrained Length on High Side (ft.)	Restrained Length on Low Side (ft.)	Horizontal Bend Angle	Restrained Length (ft)	Vertical Bend Angle	Restrained Length on High Side (ft.)	Restrained Length on Low Side (ft.)
11.25	4	11.25	10	3	11.25	5	11.25	15	4
22.5	7	22.5	21	6	22.5	10	22.5	30	8
45	15	45	44	12	45	21	45	63	17
90	37				90	52			

DESIGN DATA:

Test Pressure = 200 psi
 Soil Type = Sandy Clay
 Burial = 3 feet
 Trench Type = #3

THRUST RESTRAINT REQUIREMENTS FOR IN LINE VALVE/DEAD END ON PVC PIPE

Pipe Size (in.)	Restrained Length "L" (ft.)
4	6
6	8
8	10
10	12
12	14
14	16
16	18
18	20
20	22
24	26
30	32
36	38
42	44
48	50
54	56
60	62
66	68
72	74
78	80
84	86
90	90
96	96
102	102
108	108
114	114
120	120
126	126
132	132
138	138
144	144
150	150
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168	168
174	174
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5180 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 871-1500
WWW.REEVE-ASSOCIATES.COM

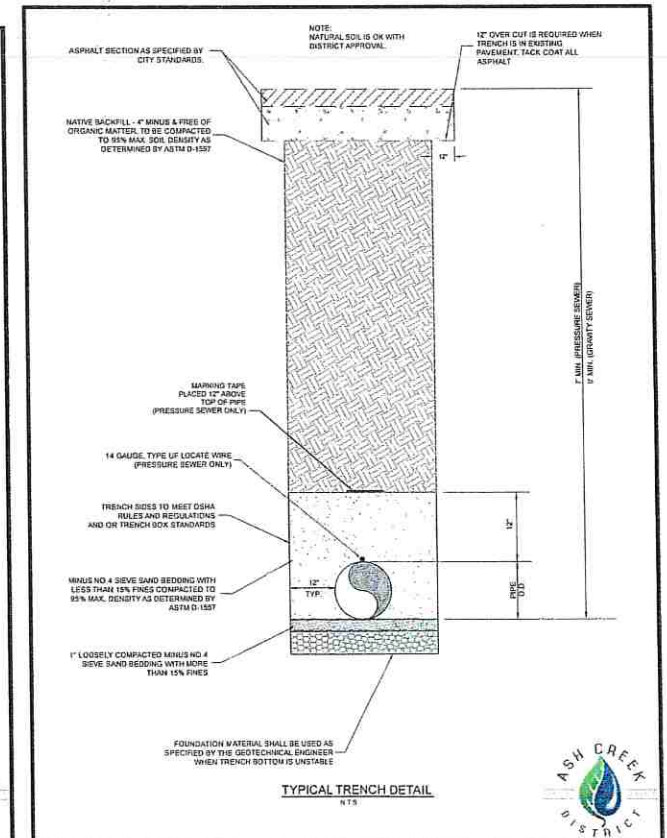
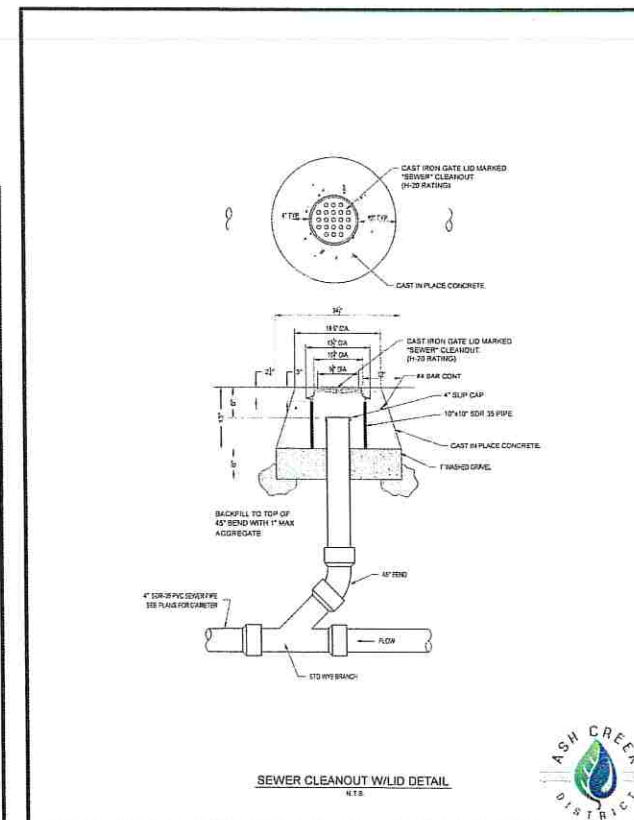
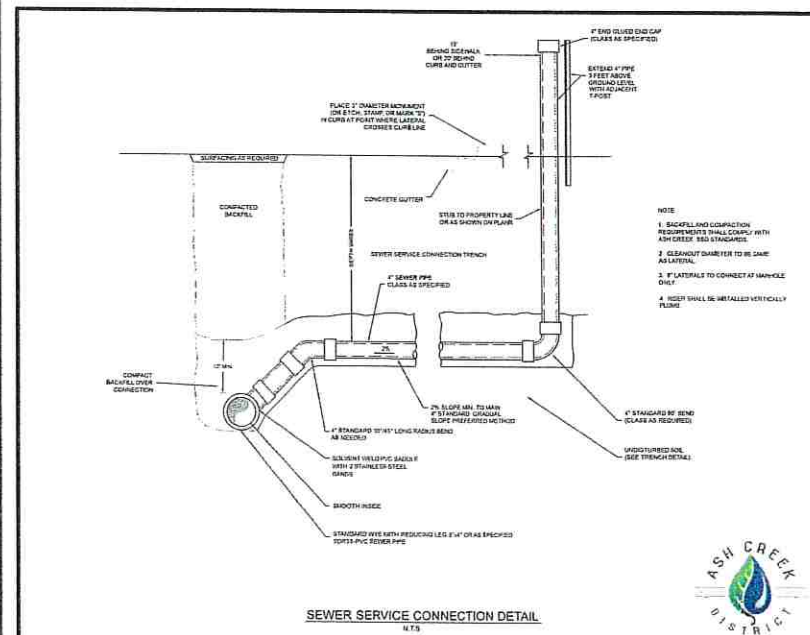
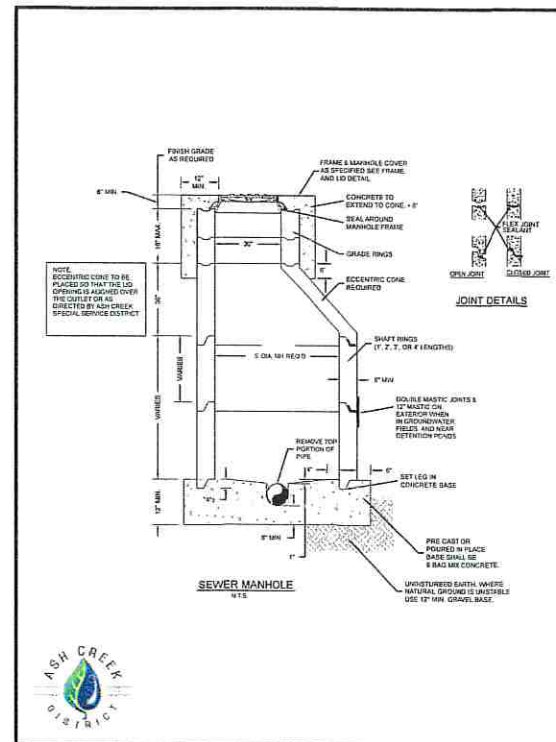
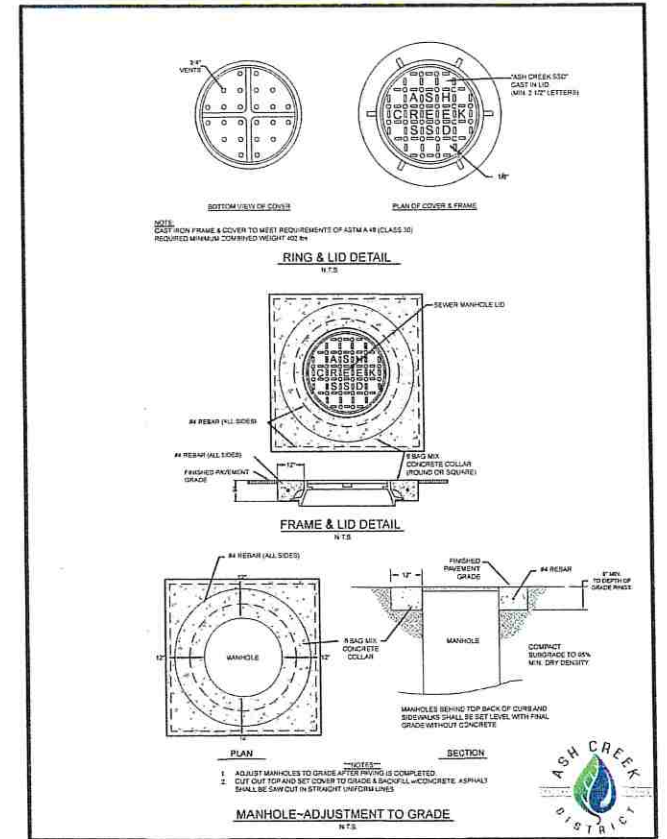
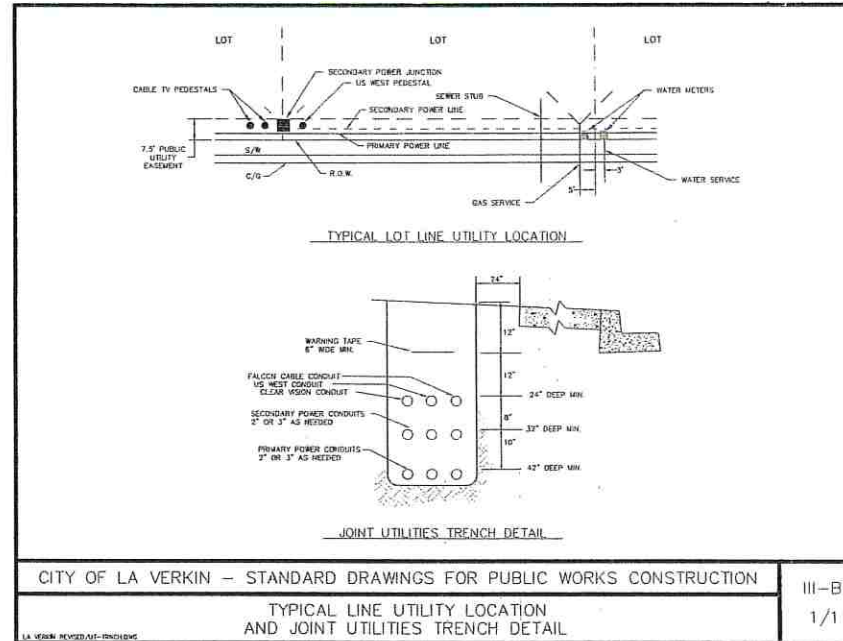
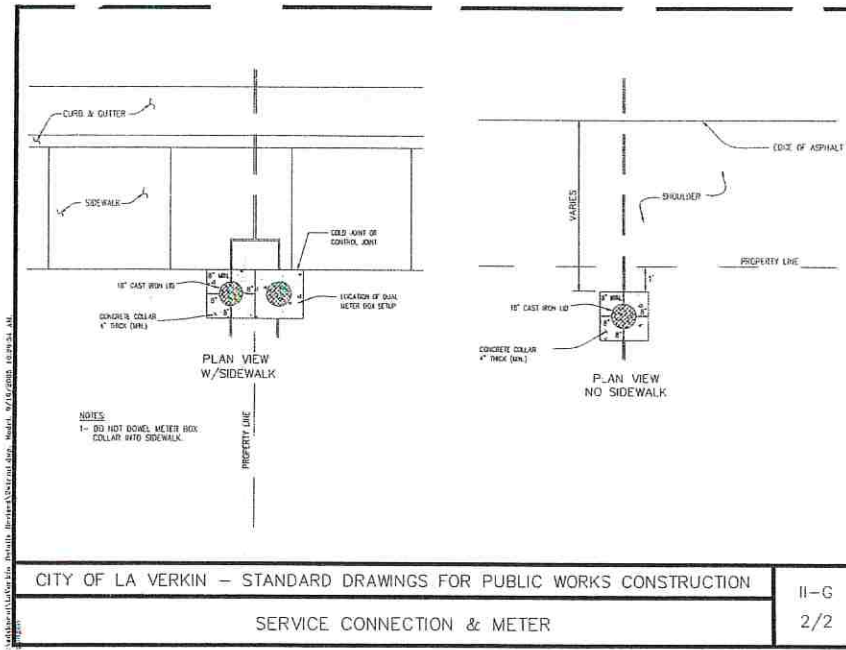
LA VERKIN

80 W Center Street
LA VERKIN CITY, WASHINGTON COUNTY, UTAH

Civil Details

Project Info.
Engineer: J. NATE REEVE, P.E.
Drafter: C. KINGSLEY
Begin Date: JUNE 2023
Name: FIELDS
80 W CENTER ST
Number: 7631-05

12
17 Total Sheets



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Reeve & Associates, Inc.
IRA
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
 TEL: (202) 891-1300 FAX: (202) 891-1301
 WWW: REEVE-IRA.COM

REVISIONS

DATE	DESCRIPTION
11-28-23	CK Client Comments
12-06-23	CK Fire Comments
01-09-24	CK City Comments
01-30-24	CK Building Layout
02-06-24	CK Utility Updates
02-14-24	CK Gas Layout
02-28-24	CK CK Grading
10-07-24	2D Update Units 17&18

Project Info.

Engineer: **J. NATE REEVE, P.E.**

Drafter: **C. KINGSLEY**

Begin Date: **JUNE 2023**

Name: **FIELDS**

Address: **80 W CENTER ST**

Number: **7531-05**

13

17 Total Sheets

ACO StormBrixx® SD

Online Project Configuration

Project Details
Description: COSTA VIDA
Date: 11-15-2022
City: SAINT GEORGE
State: UTAH
Zip Code: 84765
Country: USA

Customer Details
Contact: NICHOLAS GAFFITHS
Email: nick.gaffiths@mountainland.com

Tank Configuration

Tank Function	Detention/Retention
Product	Standard Duty (SD)
Number of Layers	0.5
Total Net Volume (ft³)	353.7 ft³
Total Gross Volume (ft³)	364.6 ft³
Length of Tank (ft/in)	59 ft 1 in
Width of Tank (ft/in)	3 ft 11 in
Depth of Tank (ft/in)	1 ft 7 in

Cavity & Excavation Details

Length of Cavity (ft/in)	63 ft 1 in
Width of Cavity (ft/in)	7 ft 11 in
Depth of Cavity (ft/in)	4 ft 0 in
Volume of Material to be excavated (ft³)	2,020.3 ft³
*Membrane Quantity (ft²)	762.0 ft²
Cover Dimension (ft/in)	2 ft 0 in
**Backfill Material (ft³)	1,655.7 ft³

* Calculation includes a 15% overlap
** Pavement not accounted for

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Tel: (888) 490-9552
info@acoinc.com

Project Configuration Inlets, Outlets, and Access

Inlets

	Qty
Inlets	2
Remote Access Unit	0
Side Panels	2
Horizontal Pipe Connector	0

Outlets

	Qty
Outlets	1
Remote Access Unit	0
Side Panels	1
Horizontal Pipe Connector	0

Access

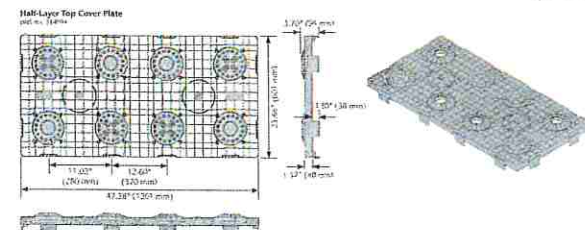
	Qty
Access Points	2
Remote Access Unit	0
Remote Access Plate	2

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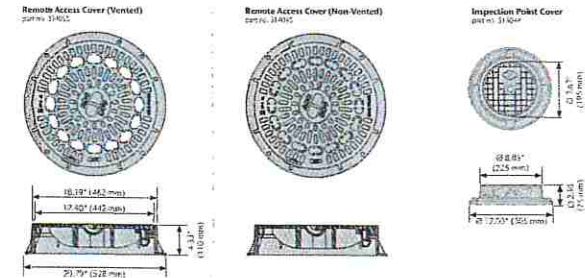
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Casa Grande, AZ 85122
Tel: (888) 490-9552
info@acoinc.com

ACO StormBrixx® SD Stormwater Detention/Infiltration/Retention System

January 2021



Part No.	A (in)	B (in)	C (in)	H (in)	W (in)	L (in)
93139	10.35 (263)	6.25 (159)	8.18 (208)	6.39 (163)	8.40 (213)	8.40 (213)
93141	10.35 (263)	1.41 (36)	8.26 (210)	4.70 (119)	8.40 (213)	8.40 (213)
93142	10.35 (263)	2.00 (51)	8.93 (228)	10.22 (260)	8.40 (213)	8.40 (213)
93143	10.35 (263)	2.00 (51)	9.91 (252)	10.22 (260)	8.40 (213)	8.40 (213)
93144	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93145	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93146	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93147	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93148	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93149	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93150	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93151	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93152	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93153	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93154	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
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93156	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93157	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93158	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
93159	10.35 (263)	2.00 (51)	10.17 (259)	11.54 (293)	8.40 (213)	8.40 (213)
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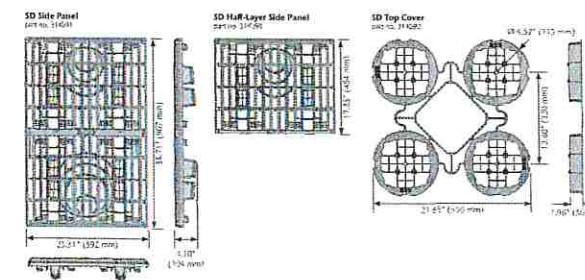
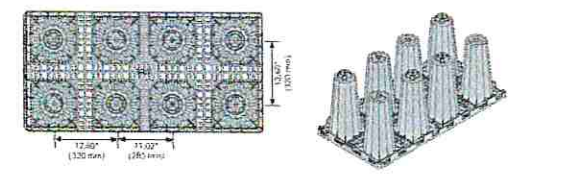
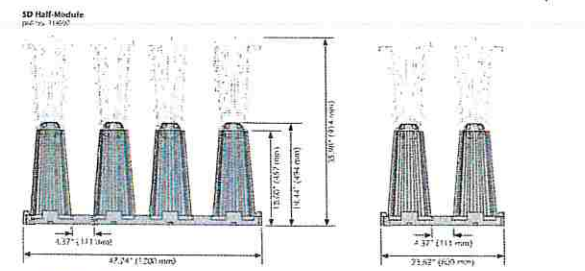


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ACO StormBrixx® SD Stormwater Detention/Infiltration/Retention System

January 2021



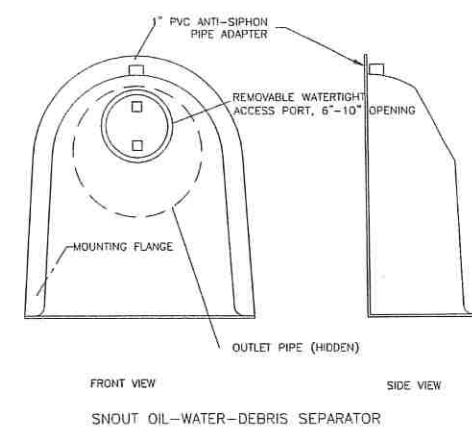
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ACO Specification Information

ACO Specification Information

CONFIGURATION DETAIL



NOTES:

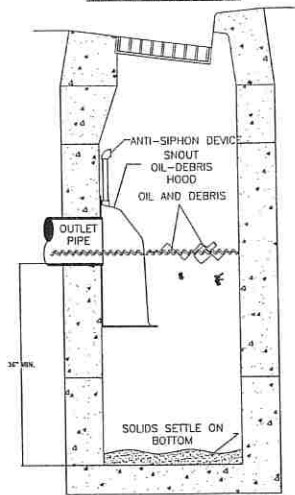
- ALL HOODS AND TRAPS FOR CATCH BASINS AND WATER QUALITY STRUCTURES SHALL BE AS MANUFACTURED BY: BEST MANAGEMENT PRODUCTS, INC. 53 MT. ARCHER RD. LYME, CT 06371 (860) 434-0277, (860) 434-3195 FAX TOLL FREE: (800) 504-8008 OR (888) 354-7585 WEB SITE: www.bestmp.com OR PRE-APPROVED EQUAL
- ALL HOODS SHALL BE CONSTRUCTED OF A GLASS REINFORCED RESIN COMPOSITE WITH ISO GEL COAT EXTERIOR FINISH WITH A MINIMUM 0.125" LAMINATE THICKNESS.
- ALL HOODS SHALL BE EQUIPPED WITH A WATERTIGHT ACCESS PORT, A MOUNTING FLANGE, AND AN ANTI-SIPHON VENT AS DRAWN. (SEE CONFIGURATION DETAIL)
- THE SIZE AND POSITION OF THE HOOD SHALL BE DETERMINED BY OUTLET PIPE SIZE AS PER MANUFACTURER'S RECOMMENDATION.
- THE BOTTOM OF THE HOOD SHALL EXTEND DOWNWARD A DISTANCE EQUAL TO 1/2 THE OUTLET PIPE DIAMETER WITH A MINIMUM DISTANCE OF 6" FOR PIPES <12" I.D.
- THE ANTI-SIPHON VENT SHALL EXTEND ABOVE HOOD BY MINIMUM OF 3" AND A MAXIMUM OF 24" ACCORDING TO STRUCTURE CONFIGURATION.
- THE SURFACE OF THE STRUCTURE WHERE THE HOOD IS MOUNTED SHALL BE FINISHED SMOOTH AND FREE OF LOOSE MATERIAL.
- THE HOOD SHALL BE SECURELY ATTACHED TO STRUCTURE WALL WITH 3/8" STAINLESS STEEL BOLTS AND OIL-RESISTANT GASKET AS SUPPLIED BY MANUFACTURER. (SEE INSTALLATION DETAIL)
- INSTALLATION INSTRUCTIONS SHALL BE FURNISHED WITH MANUFACTURER SUPPLIED INSTALLATION KIT. INSTALLATION KIT SHALL INCLUDE:
A. INSTALLATION INSTRUCTIONS
B. PVC ANTI-SIPHON VENT PIPE AND ADAPTER
C. OIL-RESISTANT CRUSHED CELL FOAM GASKET WITH PSA BACKING
D. 3/8" STAINLESS STEEL BOLTS
E. ANCHOR SHIELDS

US Patent # 6126817

Snout Installation Specifications

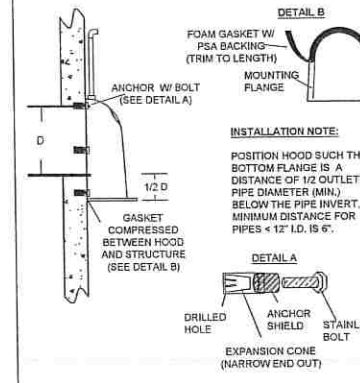
SCALE: NONE

TYPICAL INSTALLATION



*NOTE: SNOUT DEPTH OF 36" MIN. FOR <OR= 12" DIAM. OUTLET. FOR OUTLETS >OR= 15", DEPTH = 2.5-3X DIAM.

INSTALLATION DETAIL

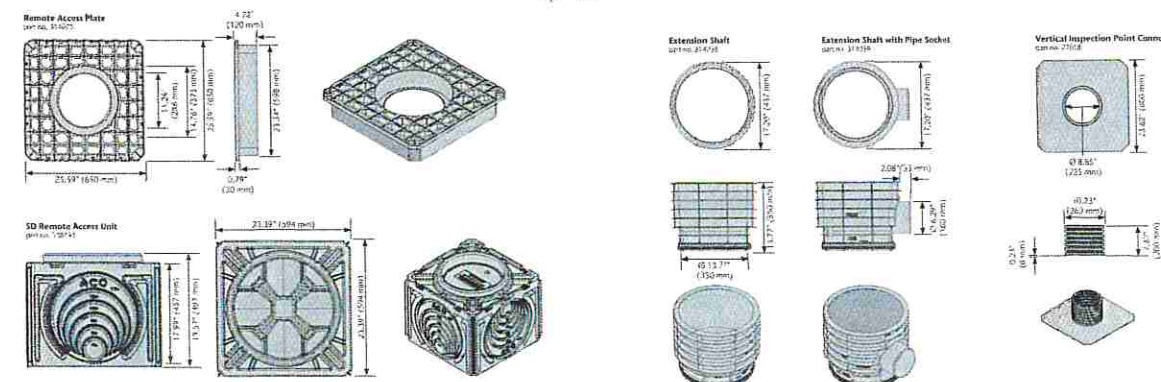


HOOD SPECIFICATION FOR CATCH BASINS AND WATER QUALITY STRUCTURES

DESCRIPTION	DATE	SCALE
OIL-DEBRIS HOOD SPECIFICATION AND INSTALLATION (TYPICAL)	09/08/00	NONE
	DRAWING NUMBER	SP-SN

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January 2021



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Reeve & Associates, Inc.
1PA
DESIGNER
11-29-23 CK Client Comments
12-06-23 CK Fire Comments
01-05-24 CK City Comments
01-30-24 CK Building Layout
02-06-24 CK Utility Updates
02-14-24 CK Gas Layout
02-28-24 CK Grading
10-07-24 Update Units 17&18

Revisions
DATE DESCRIPTION
11-29-23 CK Client Comments
12-06-23 CK Fire Comments
01-05-24 CK City Comments
01-30-24 CK Building Layout
02-06-24 CK Utility Updates
02-14-24 CK Gas Layout
02-28-24 CK Grading
10-07-24 Update Units 17&18

Fields
80 W Center Street
LA VERGNE CITY, WASHINGTON COUNTY, UTAH
Civil Details

Professional Engineer
J. NATE REEVE, P.E.
378328
01/07/2022
STATE OF UTAH

Project Info.
Engineer: J. NATE REEVE, P.E.
Drafter: C. KINGSLEY
Begin Date: JUNE 2023
Name: FIELDS
80 W CENTER ST
Number: 7631-05

14
17 Total Sheets

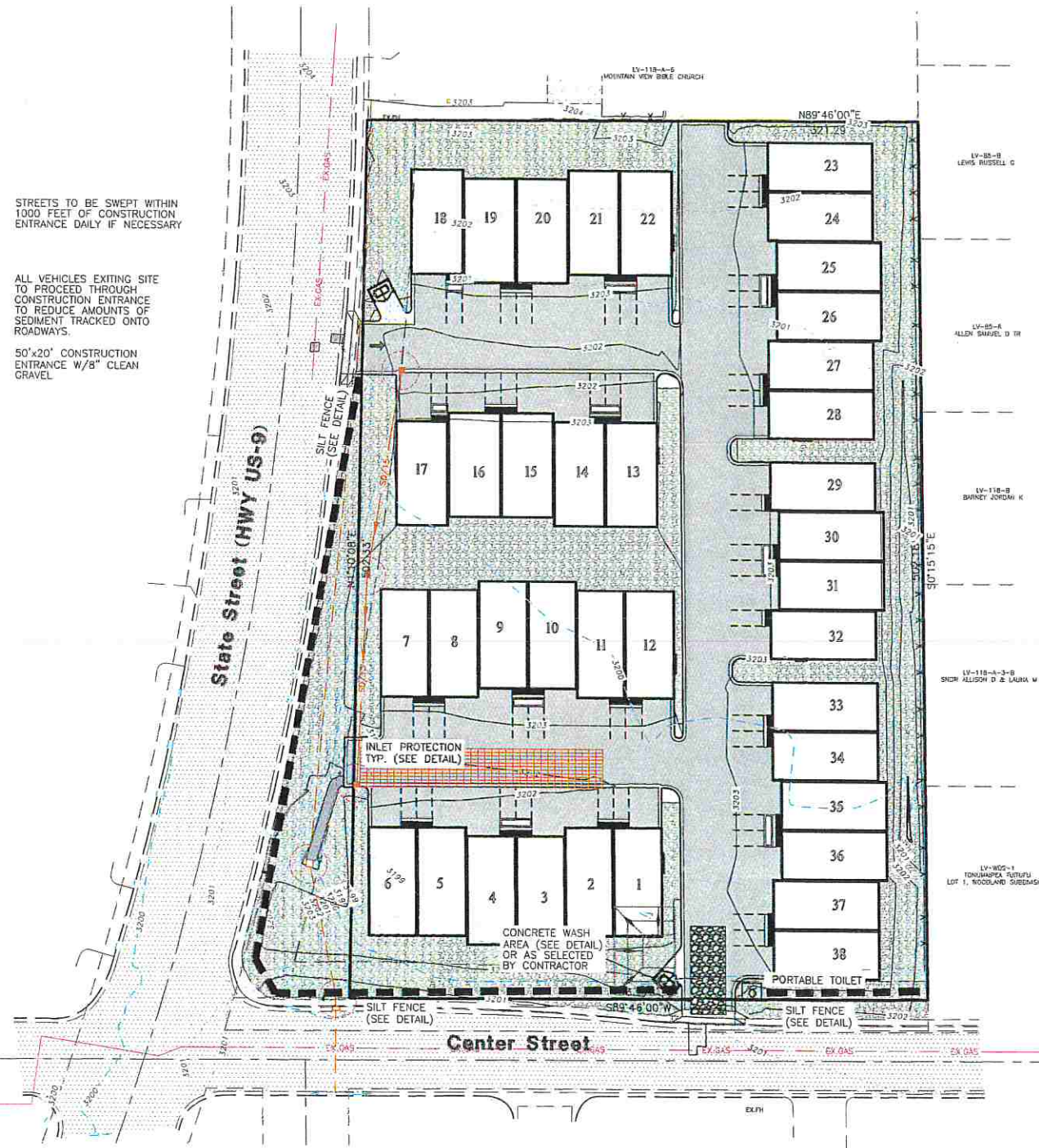
Fields

Storm Water Pollution Prevention Plan Exhibit

LA VERKIN, WASHINGTON COUNTY, UTAH
NOVEMBER 2023



Vicinity Map
NOT TO SCALE



STREETS TO BE SWEEPED WITHIN
1000 FEET OF CONSTRUCTION
ENTRANCE DAILY IF NECESSARY

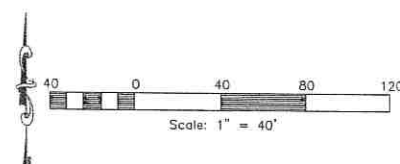
ALL VEHICLES EXITING SITE
TO PROCEED THROUGH
CONSTRUCTION ENTRANCE
TO REDUCE AMOUNTS OF
SEDIMENT TRACKED ONTO
ROADWAYS.

50'x20' CONSTRUCTION
ENTRANCE W/8" CLEAN
GRAVEL

SWPPP Legend

- = PORTABLE TOILET
- = INLET PROTECTION
TYP. (SEE DETAIL)
- = SILT FENCE
(SEE DETAIL)
- = 50'x20' CONSTRUCTION
ENTRANCE W/8" CLEAN
GRAVEL
- = CONCRETE WASH
AREA (SEE DETAIL)
OR AS SELECTED
BY CONTRACTOR

SWPPP NOTES:
1. ALL VEHICLES EXITING SITE TO
PROCEED THROUGH CONSTRUCTION
ENTRANCE TO REDUCE AMOUNTS OF
SEDIMENT TRACKED ONTO ROADWAYS.
STREETS TO BE SWEEPED WITHIN 1000
FEET OF CONSTRUCTION ENTRANCE
DAILY IF NECESSARY



Construction Activity Schedule

- PROJECT LOCATION.....LA VERKIN, WASHINGTON COUNTY, UTAH
- PROJECT BEGINNING DATE.....NOVEMBER 2023
- BMP'S DEPLOYMENT DATE.....NOVEMBER 2023
- STORM WATER MANAGEMENT CONTACT / INSPECTOR.....CONTACT NAME (000) 000-0000
- SPECIFIC CONSTRUCTION SCHEDULE INCLUDING BMP CONSTRUCTION SCHEDULE TO BE INCLUDED WITH SWPPP BY OWNER/DEVELOPER

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5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL (801) 871-3600
LAND PLANNING • CIVIL ENGINEERING • LAND SURVEYING
WATER RESOURCES • STRUCTURAL ENGINEERING • LANDSCAPE ARCHITECTURE

DATE	DESCRIPTION
11-29-23	CK Client Comments
12-06-23	CK Fire Comments
01-05-24	CK City Comments
01-30-24	CK Building Layout
02-06-24	CK Utility Updates
02-14-24	CK Gas Layout
02-28-24	CK Grading
10-07-24	20 Update Units 17&18

Fields
80 W Center Street
LA VERKIN CITY, WASHINGTON COUNTY, UTAH

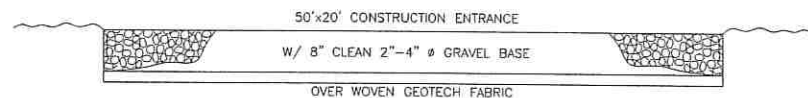
**Storm Water Pollution
Prevention Plan Exhibit**



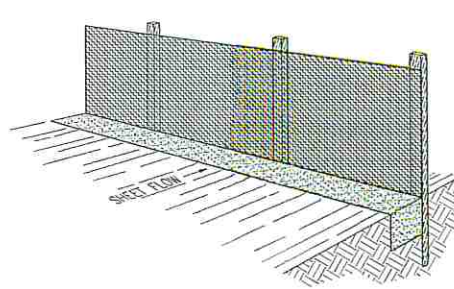
Engineer:	J. NATE REEVE, P.E.
Drafter:	C. KINGSLEY
Begin Date:	JUNE 2023
Name:	FIELDS 80 W CENTER ST
Number:	7531-05

Notes:

1. Describe all BMP's to protect storm water inlets:
All storm water inlets to be protected by straw wattle barriers, or gravel bags (see detail).
2. Describe BMP's to eliminate/reduce contamination of storm water from:
a. Equipment / building / concrete wash areas:
To be performed in designated areas only and surrounded with silt fence barriers.
b. Soil contaminated by soil amendments:
If any contaminants are found or generated, contact environmental engineer and contacts listed.
c. Areas of contaminated soil:
If any contaminants are found or generated, contact environmental engineer and contacts listed.
d. Fueling area:
To be performed in designated areas only and surrounded with silt fence.
e. Vehicle maintenance areas:
To be performed in designated areas only and surrounded with silt fence.
f. Vehicle parking areas:
To be performed in designated areas only and surrounded with silt fence.
g. Equipment storage areas:
To be performed in designated areas only and surrounded with silt fence.
h. Materials storage areas:
To be performed in designated areas only and surrounded with silt fence.
i. Waste containment areas:
To be performed in designated areas only and surrounded with silt fence.
j. Service areas:
To be performed in designated areas only and surrounded with silt fence.
3. BMP's for wind erosion:
Stockpiles and site as needed to be watered regularly to eliminate / control wind erosion
4. Construction Vehicles and Equipment:
a. Maintenance
- Maintain all construction equipment to prevent oil or other fluid leaks.
- Keep vehicles and equipment clean, prevent excessive build-up of oil and grease.
- Regularly inspect on-site vehicles and equipment for leaks, and repair immediately.
- Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment on-site.
- Segregate and recycle wastes, such as greases, used oil or oil filters, antifreeze, cleaning solutions, automotive batteries, hydraulic, and transmission fluids.
b. Fueling
- If fueling must occur on-site, use designated areas away from drainage.
- Locate on-site fuel storage tanks within a bermed area designed to hold the tank volume.
- Cover retention area with an impervious material and install in a manner to ensure that any spills will be contained in the retention area. To catch spills or leaks when removing or changing fluids.
- Use drip pans for any oil or fluid changes.
c. Washing
- Use as little water as possible to avoid installing erosion and sediment controls for the wash area.
- If washing must occur on-site, use designated, bermed wash areas to prevent waste water discharge into storm water, creeks, rivers, and other water bodies.
- Use phosphate-free, biodegradable soaps.
- Do not permit steam cleaning on-site.
5. Spill Prevention and Control
a. Minor Spills:
Minor spills are those which are likely to be controlled by on-site personnel. After contacting local emergency response agencies, the following actions should occur upon discovery of a minor spill:
- Contain the spread of the spill.
- If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (i.e. absorbent materials, cat litter, and / or rags).
- If the spill occurs in dirt areas, immediately contain the spill by constructing an earth dike. Dig up and properly dispose of contaminated soil.
- If the spill occurs during rain, cover the impacted area to avoid runoff.
- Record all steps taken to report and contain spill.
b. Major Spills:
On-site personnel should not attempt to control major spills until the appropriate and qualified emergency response staff have arrived at the site. For spills of federal reportable quantities, also notify the National Response Center at (800) 424-8802. A written report should be sent to all notified authorities. Failure to report major spills can result in significant fines and penalties.
6. Post Roadway / Utility Construction
a. Maintain good housekeeping practices.
b. Enclose or cover building material storage areas.
c. Properly store materials such as paints and solvents.
d. Store dry and wet materials under cover, away from drainage areas.
e. Avoid mixing excess amounts of fresh concrete or cement on-site.
f. Perform washout of concrete trucks offsite or in designated areas only.
g. Do not wash out concrete trucks into storm drains, open ditches, streets or streams.
h. Do not place material or debris into streams, gutters or catch basins that stop or reduce the flow of runoff water.
i. All public streets and storm drain facilities shall be maintained free of building materials, mud and debris caused by grading or construction operations. Roads will be swept within 1000' of construction entrance daily, if necessary.
j. Install straw wattle around all inlets contained within the development and all others that receive runoff from the development.
7. Erosion Control Plan Notes
a. The contractor will designate an emergency contact that can be reached 24 hours a day 7 days a week.
b. A stand-by crew for emergency work shall be available at all times during potential rain or snow runoff events. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of emergency devices when rain or runoff is eminent.
c. Erosion control devices shown on the plans and approved for the project may not be removed without approval of the engineer of record. If devices are removed, no work may continue that have the potential of erosion without consulting the engineer of record. If deemed necessary erosion control should be reestablished before this work begins.
d. Graded areas adjacent to fill slopes located at the site perimeter must drain away from the top of the slope at the conclusion of each working day. This should be confirmed by survey or other means acceptable to the engineer of record.
e. All silt and debris shall be removed from all devices within 24 hours after each rain or runoff event.
f. Except as otherwise approved by the inspector, all removable protective devices shown shall be in place at the end of each working day and through weekends until removal of the system is approved.
g. All loose soil and debris, which may create a potential hazard to offsite property, shall be removed from the site as directed by the engineer of record of the governing agency.
h. The placement of additional devices to reduce erosion damage within the site is left to the discretion of the engineer of record.
i. Desilting basins may not be removed or made inoperable without the approval of the engineer of record and the governing agency.
j. Erosion control devices will be modified as need as the project progresses and plans of these changes submitted for approval by the engineer of record and the governing agency.
8. Conduct a minimum of one inspection of the erosion and sediment controls every two weeks. Maintain documentation on site.
a. Part III.D.4 of general permit UTRC00000 identifies the minimum inspection requirements.
b. Part III.D.4.C identifies the minimum inspection report requirements.
c. Failure to complete and/or document storm water inspections is a violation of part III.D.4 of Utah General Permit UTR 300000.



Cross Section 50' x 20' Construction Entrance



Perspective View

Figure 2

INSTALLATION

The silt fence should be installed prior to major soil disturbances in the drainage area. The fence should be placed across the slope along a line of uniform elevation wherever flow of sediment is anticipated. Table 1 shows generally-recommended maximum slope lengths for most silt fence applications.

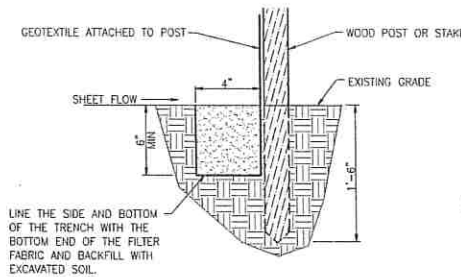
TABLE 1: Recommended Maximum Slope Lengths for Silt Fence (Richardson & Middlebrooks, 1991)		
Slope Steepness (%)	Max. Slope Length m (ft)	
<2%	30.5m (100ft)	
2-5%	22.9m (75ft)	
5-10%	15.2m (50ft)	
10-20%	7.6m (25ft)	
>20%	4.5m (15ft)	

PREFABRICATED SILT FENCE ROLLS

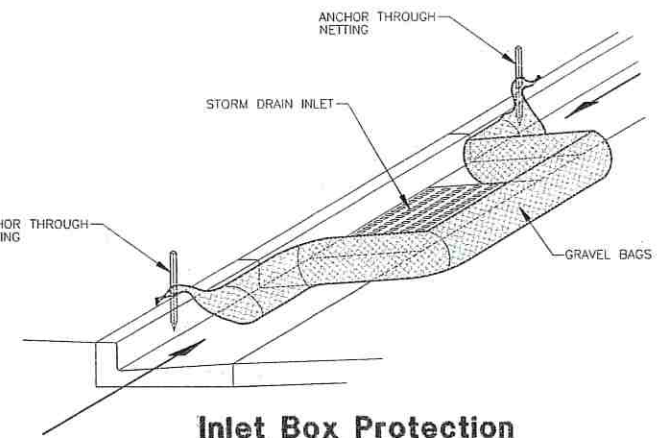
*Excavate a minimum 15.2cm x 15.2cm (6"x6") trench at the desired location.
*Unroll the silt fence, positioning the post against the downstream wall of the trench.
*Adjacent rolls of silt fence should be joined by nesting the end post of one fence into the other. Before nesting the end posts, rotate each post until the geotextile is wrapped completely around the post, then about the end posts to create a tight seal as shown in Figure 1.
*Drive posts into the ground until the required fence height and/or anchorage depth is obtained.
*Bury the loose geotextile at the bottom of the fence in the upstream trench and backfill with natural soil, tamping the backfill to provide good compaction and anchorage. Figure 2 illustrates a typical silt fence installation and anchor trench placement.

FIELD ASSEMBLY

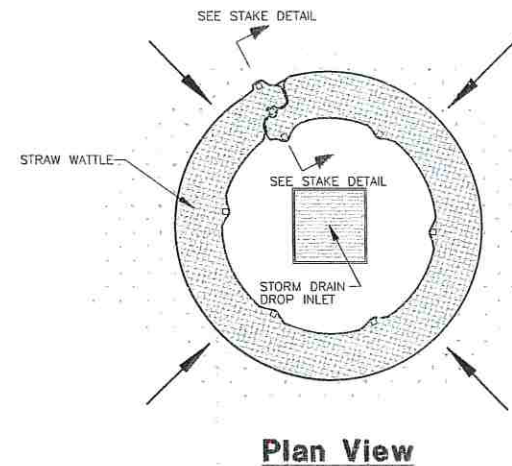
*Excavate a minimum 15.2cm x 15.2cm (6"x6") trench at the desired location.
*Drive wooden posts, or steel posts with fastening projections, against the downstream wall of the trench. Maximum post spacing should be 2.4-3.0m (8-10ft). Post spacing



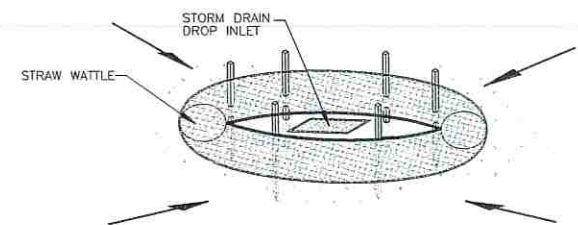
Section



Inlet Box Protection



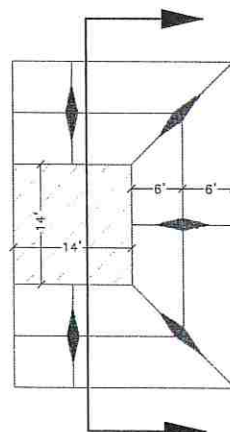
Plan View



Drop Inlet Protection

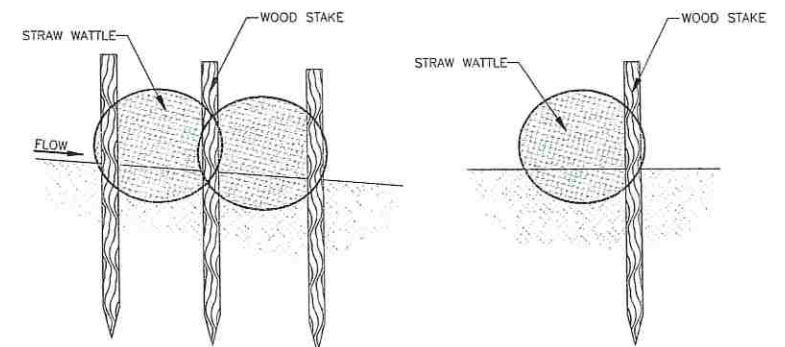
Silt Fence Detail

SCALE: NONE



Concrete Washout Area
w/ 10 mil Plastic Liner

SCALE: NONE



Stake Detail

**FINAL PLAT OF
FIELDS**
PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
CITY OF LA VERKIN, WASHINGTON COUNTY, UTAH



VICINITY MAP
NOT TO SCALE

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO UNITS AND PUBLIC STREETS TO BE HEREAFTER KNOWN AS:

FIELDS

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE INCLUDING PUBLIC UTILITY EASEMENT AS NOTED OR SHOWN, AND MORE SPECIFICALLY TO LA VERKIN CITY AND UTILITY COMPANIES, THE RIGHT OF INGRESS AND EGRESS WITH RIGHTS TO INSTALL AND MAINTAIN FACILITIES FOR POWER, WATER, SEWER, TELEPHONE, TELEVISION, AND NATURAL GAS.

SIGNED THIS _____ DAY OF _____, 20____.

XPERT ENTERPRISES LLC

BLAIR GARDNER, PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH) ss.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, BLAIR GARDNER WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE MANAGER OF XPRT ENTERPRISES LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT HE EXECUTED THE FOREGOING OWNER'S DEDICATION ON BEHALF OF SAID LIMITED LIABILITY COMPANY BEING AUTHORIZED AND EMPOWERED TO DO SO BY OPERATING AGREEMENT OF XPRT ENTERPRISES LLC, A UTAH LIMITED LIABILITY COMPANY, AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

FULL NAME SIGNATURE

COMMISSION NO.

FULL NAME PRINT

EXPIRATION DATE

SURVEYOR'S NARRATIVE

CENTERLINE MONUMENTS WERE FOUND FOR IN THE INTERSECTION OF MAIN STREET AND 130 NORTH STREET; IN THE INTERSECTION OF MAIN STREET AND 70 NORTH STREET; IN THE INTERSECTION OF MAIN STREET AND CENTER STREET; AND IN THE INTERSECTION OF CENTER STREET AND 60 EAST STREET.

A LINE BEARING NORTH 89°46'00" EAST BETWEEN THE CENTERLINE MONUMENT IN THE INTERSECTION OF 100 WEST STREET AND CENTER STREET AND THE CENTERLINE MONUMENT IN THE INTERSECTION OF MAIN STREET AND CENTER STREET WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

A RE-SURVEY OF THE LAVERKIN TOWN SITE AND FIELD SURVEY PREPARED BY BULLOCH BROS ENG. INC., AND RECORDED MAY 15, 1979, AS ENTRY #204663; A PLAT FOR WOODLAND SUBDIVISION, PREPARED BY TERRY W. ABPLANALP, DATED SEPTEMBER 29, 2006, AND RECORDED NOVEMBER 22, 2006, AS ENTRY #20060054169; A PLAT FOR GARY D. AND BEVERLY DAWN DEMILLE 3 LOT SUBDIVISION PREPARED BY FEREL L. CAMPBELL, DATED AUGUST 29, 2006, AND RECORDED AS ENTRY #20080039270; A PLAT FOR COYOTE FLATS SUBDIVISION, PREPARED BY ROSENBERG ASSOCIATES, DATED APRIL 27, 2017, AND RECORDED AS ENTRY #20170019036; A SURVEY PREPARED BY BALLARD & CAMPBELL LAND SURVEYORS, DATED OCTOBER 20, 1988, AND RECORDED AS ENTRY #416-88; A SURVEY PREPARED BY BUSH AND GUDGELL INC., DATED AUGUST 20, 1989, AND RECORDED AS ENTRY #630-89; A SURVEY PREPARED BY BALLARD & CAMPBELL LAND SURVEYORS, DATED NOVEMBER 18, 1992, AND RECORDED AS ENTRY #1396-93; A SURVEY PREPARED BY BALLARD & CAMPBELL LAND SURVEYORS, DATED JUNE 15, 1992, AND RECORDED AS ENTRY #1408-93; A SURVEY PREPARED BY KEN HAMBLIN, DATED APRIL 25, 1995, AND RECORDED AS ENTRY #1957-95; A SURVEY PREPARED BY BALLARD & CAMPBELL LAND SURVEYORS, DATED OCTOBER 13, 1994, AND RECORDED AS ENTRY #2010-95; A SURVEY PREPARED BY JEFFREY NELSON, DATED JUNE 15, 1996, AND RECORDED AS ENTRY #2230-96; A SURVEY PREPARED BY BUSH & GUDGELL INC., DATED APRIL 17, 2006, AND RECORDED AS ENTRY #4140-06; A SURVEY PREPARED BY ROSENBERG ASSOCIATES, DATED DECEMBER 16, 2005, AND RECORDED AS ENTRY #5277-06; A SURVEY PREPARED BY WATSON ENGINEERING COMPANY, INC., DATED AUGUST 11, 2009, AND RECORDED AS ENTRY #5492-09; A SURVEY PREPARED BY ALPHA ENGINEERING COMPANY, DATED DECEMBER 7, 2009, AND RECORDED AS ENTRY #5528-09; A SURVEY PREPARED BY PRATT ENGINEERING P.C., DATED DECEMBER 16, 2011, AND RECORDED AS ENTRY #5818-11; A SURVEY PREPARED BY ROSENBERG ASSOCIATES, DATED AUGUST 24, 2012, AND RECORDED NOVEMBER 26, 2012, AS ENTRY #5973-12; A SURVEY PREPARED BY ALPHA ENGINEERING, DATED FEBRUARY 9, 2022, AND RECORDED AS ENTRY #8411-22; A SURVEY PREPARED BY ROSENBERG ASSOCIATES, DATED APRIL 11, 2023, AND RECORDED AS ENTRY 8744-23; WERE USED AS REFERENCE FOR THIS SURVEY.

BOUNDARIES FOR THE HEREON DESCRIBED PARCEL OF GROUND ARE ESTABLISHED BY INFORMATION OF RECORD AND EVIDENCE OF OCCUPATION ON THE GROUND.

GENERAL NOTES

1. THE PROPERTY OWNERS AND/OR THE HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING, OR REPLACING, LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY HURRICANE CITY IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING PUBLIC POWER, WATER, SEWER, AND DRAINAGE IMPROVEMENTS (SEE RECORDED CC&R'S).
2. ALL AREA NOT LABELED AS PRIVATE UNITS AND LIMITED COMMON AREA IS CONSIDERED COMMON AREA. ALL COMMON AREA IS CONSIDERED PUBLIC UTILITY EASEMENT.
3. ALL DRIVEABLE HARD SURFACES ARE CONSIDERED AN ACCESS EASEMENT TO BE USED FOR OWNERS OF THIS DEVELOPMENT.
4. ALL BUILDING TIES ARE PERPENDICULAR TO THE BOUNDARY.
5. BEARINGS ALONG BUILDINGS ARE CARDINAL NORTH/SOUTH AND EAST/WEST.
6. ALL BOUNDARY CORNERS TO BE SET WITH A 5/8" REBAR AND CAP STAMPED "REEVE & ASSOCIATES".

SURVEYOR'S CERTIFICATE

I, JASON T. FELT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION (LICENSE) NUMBER 9239283 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH (UTAH STATE CODE ANNOTATED TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT). I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER I HAVE SUPERVISED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH UTAH STATE CODE ANNOTATED TITLE 17, CHAPTER 23, SECTION 17 TO BE HEREAFTER KNOWN AS **FIELDS** AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO PRIVATE UNITS AND PRIVATE STREETS AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET BEING 25.75 FEET NORTH 89°46'00" EAST AND 35.00 FEET NORTH 00°13'59" WEST FROM A FOUND CENTERLINE MONUMENT IN THE INTERSECTION OF 100 WEST STREET AND CENTER STREET (SAID MONUMENT BEING SOUTH 89°46'00" WEST 722.53 FEET FROM A FOUND CENTERLINE MONUMENT IN THE INTERSECTION OF MAIN STREET AND CENTER STREET); THENCE NORTH 01°10'08" EAST 502.33 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF STATE STREET (S.R.-9); THENCE NORTH 89°46'00" EAST 321.29 FEET; THENCE SOUTH 00°15'15" EAST 502.18 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER STREET; THENCE SOUTH 89°46'00" WEST 333.76 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

CONTAINING 164,476 SQUARE FEET OR 3.776 ACRES.



DATE

JASON T. FELT
LICENSE NO. 9239283

PLANNING COMMISSION APPROVAL

ON THIS _____ DAY OF _____, 20____, THE PLANNING COMMISSION OF THE CITY OF LA VERKIN REVIEWED THE ABOVE LA VERKIN FLEX SPACE AND FIND THAT IT COMPLIES WITH THE REQUIREMENTS OF LA VERKIN CITY PLANNING ORDINANCES AND BY AUTHORIZATION OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY THE CITY OF LA VERKIN.

PLANNING COMMISSION CHAIRMAN

LA VERKIN CITY PUBLIC WORKS APPROVAL

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE

PUBLIC WORKS DIRECTOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

CITY ATTORNEY

LA VERKIN CITY COUNCIL

PRESENTED TO THE LA VERKIN CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED ACCORDING TO ITS CONFORMING TO CITY ORDINANCES.

ATTEST: CITY RECORDER
CITY OF LA VERKIN, UTAH

MAYOR
CITY OF LA VERKIN, UTAH

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE

CITY ENGINEER

WASHINGTON COUNTY RECORDER

Project Info.

Surveyor: J. FELT
Drafter: N. ANDERSON
Begin Date: 1-23-2025
Name: FIELDS
Scale: 1"=30'
Checked: _____
Number: 7631-05

Sheet

1

2

Sheets

FIELDS
CITY OF LA VERKIN, WASHINGTON COUNTY, UTAH

FINAL PLAT

Reeve & Associates, Inc.

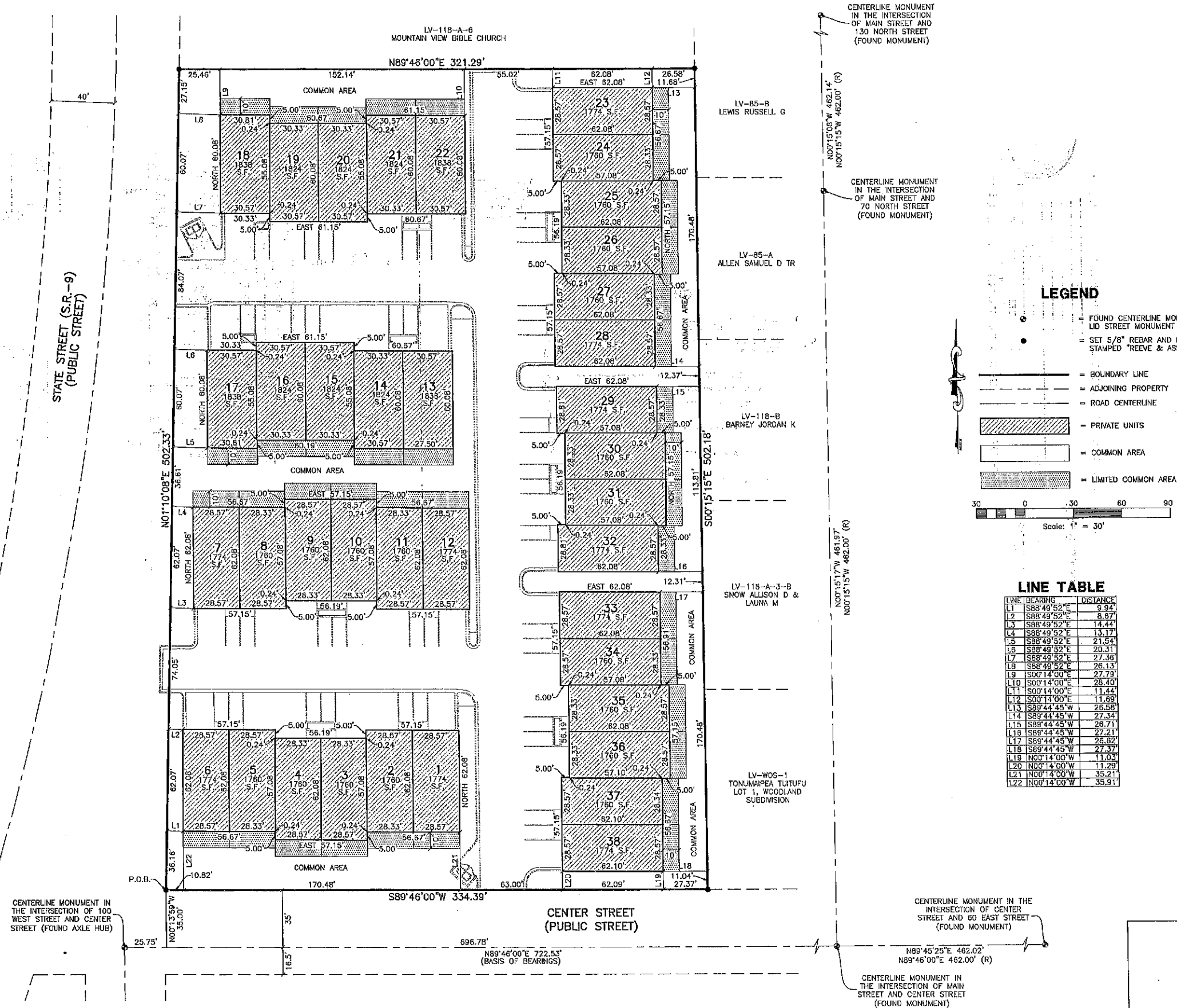


LAND SURVEYORS • CIVIL ENGINEERS • LAND ENGINEERS
TELEPHONE: (801) 281-2000 FAX: (801) 281-2006 www.reeve-associates.com
"PROFESSIONAL ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS"

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

FINAL PLAT OF FIELDS

PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
CITY OF LA VERKIN, WASHINGTON COUNTY, UTAH



Reeve & Associates, Inc.
RA

DATE	REVISIONS	DESCRIPTION
12-20-23	NA	
5-28-24	NA	

FIELDS
CITY OF LA VERKIN, WASHINGTON COUNTY, UTAH

FINAL PLAT

Project Info.
Surveyor: J. FELT
Drafter: N. ANDERSON
Begin Date: 1-23-2025
Name: FIELDS
Scale: 1"=30'
Checked:
Number: 7831-05

WASHINGTON COUNTY RECORDER

Sheet 2

**CONDOMINIUM DECLARATION CONTAINING
COVENANTS, CONDITIONS, RESTRICTIONS, AND
RESERVATIONS FOR**

Fields Flex HOA

February 18, 2025

BY: Fields Flex HOA

INTENT OF DECLARATION

By this Condominium Declaration, Fields Flex HOA hereby expresses his intent to create a project which is subject to the ordinances, statutes and requirements of La Verkin, Washington County, the Utah Planned Unit Development (PUD) Ownership Act, and all other applicable portions of the Utah State Code. Such project shall be located in the Fields subdivisions further described herein. Hereby created from such a property is a PUD development to be known as "Fields" and referred to herein as the "Property." The commercial PUD units within Fields shall herein be referred to as "Units" and owners of the Units shall be referred to herein as "Unit Owners." Common areas within Fields, as defined below, shall be referred to herein as "Common Areas."

DECLARATION OF CONDOMINIUM PROJECT

A. PURPOSE OF DECLARATION

This Declaration, together with documents attached hereto and referenced herein, states covenants; conditions; restrictions; and reservations intended to effect a common plan for the condominium development of the Property mutually beneficial to all of the described Units. The covenants, conditions, restrictions, and reservations are binding upon the entire Property and upon each such Unit as a parcel of realty, and upon its Owners and their heirs; personal representatives; tenants; licensees; successors; and assigns, through all successive transfers of any part of the Property, irrespective of whether specifically referred to in deeds; contracts; or security instruments, or of any forfeitures; foreclosures; or sales instated for nonpayment of government tax, levy, or assessment of any kind.

B. DEFINITIONS

Terms not otherwise defined herein or on the Record of Survey Map as the same may be amended from time to time, shall have the meanings specified in the Utah Condominium Ownership Act.

Unit: Unit shall mean that part of the Property owned in fee simple by Unit Owners for independent use and shall include the elements of the condominium Property which are not owned with the Owners of other Units as shown on the Map and shall consist of:

1. The space contiguous to the undecorated interior surfaces of common bearing walls, ceilings, and floors, and the walls within a Unit;
2. Any finishing materials applied or affixed to the interior surfaces of the condominium common walls; floors; and ceilings, including, without limitation, paint; lacquer; varnish; wallpaper; tile; and paneling;
3. Non-supporting interior walls;
4. Windows and doors in the perimeter walls, whether located within the bounds of a Unit or not, not including any space occupied thereby to the extent located outside the bounds of a Unit;

5. Air conditioning and heating equipment and ducts and any other similar items which serve only a single Unit, whether located within the bounds of a Unit or not, shall be owned separately and solely by the unit owner serviced by the air conditioning and heating equipment;

Common Areas: Common Areas shall be as defined in the Act and include landscaped grounds, private streets, buildings, parking lots, walkways, and uncovered parking spaces for Unit Owners; their employees; business guests; and invitees. A small portion of limited common area shall exist in front of each Unit in the form of a reserved parking area and pull up area in front of the large, roll-up doors associated with each Unit. The common areas of the Project will include all driveway areas, landscaped areas, and open spaces on the property. The common areas of the Project also include the roofs, foundations, columns, walls, and all other structural parts of the buildings, to the boundaries of the Units. In addition, the common areas of the Project include the perimeter fencing and all other parts of the property necessary or convenient to its existence; maintenance; and safety, or normally in common use. A diagram of the project is set forth on Exhibit C.

C. LEGAL DESCRIPTION OF THE PROJECT

Fields Planned Unit Development (PUD) Project includes the following property:

80 W. Center Street, La Verkin Utah

D. PERCENTAGE OWNERSHIP INTEREST IN THE COMMON AREA FOR TAXES AND LIABILITY

The percentage ownership of each individual unit owner will be based on the per square footage owned and occupied by each Unit owner and is set forth in Exhibit "B", attached hereto and incorporated into this Declaration by reference.

E. PHYSICAL DESCRIPTION OF THE PROJECT

The property will consist of seven (7) buildings. Approximately 1700-1900 sf footprint per unit with additional 1700-1900 Sf of second level interior and deck space for an option for loft work/ living. An additional approximate 1000 Sf of rooftop patios with structural rated and supported decking to allow for hot tubs, cold plunges ect. Only sections of this roof top deck will be allowed for heavy and excessive loads. Each Unit is equipped and partially stubbed with electricity, gas, water and sewer services as well as fiber optics capabilities. Each unit will be sold primarily as a "GRAY" shell. The surface level ¾ bathroom shall be complete at the time of Temp CO. Principal construction materials will be wood.. The property will also include common areas for parking, back surface level use, common shared recreational putting greens and landscaping areas.

F. STATEMENT OF PURPOSE OF PROJECT AND RESTRICTIONS

Fields will provide Unit Owners with commercial space which may be used in accordance with the By-Laws of the Fields Owners Association. Restrictions on the Property are set forth in the By-Laws of the Fields Owners' Association.

The Units and Common Areas in this PUD may be used only for commercial/Residential uses and purposes authorized in the By-Laws of the Owners' Association, so long as any and all such purposes are consistent with all other applicable laws, ordinances, and regulations of any governmental authority with jurisdiction.

G. MANAGEMENT OF THE PROPERTY

The property shall be managed by the Fields Owners Association (referred to herein as "The Owner's Association") in accordance with the By-Laws, which are attached hereto. The Owners' Association shall have the power to enforce the provisions of this Declaration and the By-Laws of the Owners' Association and to take all steps necessary to ensure compliance and effectiveness of this Declaration and the By-Laws of the Owners' Association. The Owners' Association shall, through its Board of Managers, have all powers available to condominium associations under the Condominium Act, including the power to assign its right to future income (including the right to receive common expense assessments), provided that such assignment is approved by a majority of the voting power of the membership of the Owners' Association. Such powers are set forth with particularity in the By-Laws of the Owners' Association.

H. AMENDMENTS TO DECLARATION

Amendments to this Declaration shall be made by an instrument in writing entitled "Amendment to Declaration," which sets forth the entire amendment. Any proposed amendment must be approved by a majority of the Owners' Association Board prior to a vote by the Owners.

Once a majority of the Board members have approved the amendment, the proposed amendment(s) may be adopted only at a meeting of the Owners if at least fifty percent (51%) of the votes in the Association are cast for such amendment, or without any meeting if all Owners have been duly notified and Owners holding at least fifty percent (51%) of the votes in the Association agree in writing to such amendment.

Every amendment to the Declaration must be recorded with the County and is effective only upon recording.

I. MAINTENANCE OF UNITS

Each Unit Owner, at his or her own expense, shall keep the interior of his/her Unit and its appurtenances and equipment (including the air conditioning and heating systems, lights, and light fixtures) in good order; condition; and repair, and in a clean and sanitary condition and shall do all redecoration and painting which may, at any time, be necessary to maintain a good appearance for his Unit.

Except to the extent the Owners' Association is protected by insurance against such injury, the Unit Owner shall repair all injury or damage to the Unit or PUD Project caused by the act or negligence of any lessee or any member of the Unit Owner's family or the family of any lessee or sublessee and all such repairs, decorating, and painting shall be of a quality and kind equal to the original work.

In addition to decorating and keeping the interior of the Unit in good repair, the Unit Owner shall be responsible for the maintenance and /or replacement of any plumbing fixtures and other fixtures that may be in, or connected with, the Unit (including, but not limited to fixtures; pipes; ducts; and apparatus connected to the Unit's air conditioning and heating systems and interior light bulbs and light.) The Association shall only be responsible to replace air conditioning and heating equipment if such systems are damaged by an event that is covered by the Association's insurance coverage. In connection with the foregoing responsibilities of Unit Owners, the Owners' Association shall give written notice to the affected owner of the Unit stating specifically that which is required and setting a time within which to complete the same. If the Unit Owners disagrees with said requirements or any part thereof, he/she shall have ten (10) days from the date of the notice within which to object thereto, in writing, mailed or delivered to the Owners' Association. Otherwise, he/she shall comply with such a request. In the event of objection aforesaid, the Owners' Association shall set the matter for hearing for no less than ten (10) days of said objection.

J. TAXES

Under Section 57-8-27, *Utah Code Annotated*, 1953, as amended, each Unit and its percentage of undivided interest in the condominium Common Areas and facilities in the project are subject to separate assessments and taxation by each assessing unit and the special district for all types of taxes authorized by law and that, as a result thereof, no taxes will be assessed or payable against the project as such. Each Unit Owner will, accordingly, pay and discharge any and all taxes which may be assessed against him and his percentage of undivided interest in the PUD Common Areas and facilities.

K. ASSESSMENTS

Covenant to Pay Proportionate Share of Common Expenses. Each Unit Owner, by the acceptance of a deed or other document of conveyance to a Unit, whether or not it be so expressed in deed or document, shall be deemed to covenant and agree with each other to pay to The Owners' Association his/her share of the Common Expenses and any assessments established by the Owners' Association for the purposes provided in this Declaration. Such assessments shall be fixed, established, and collected from time to time in the manner provided hereunder.

Basis. The Common Expenses shall be based upon advance estimates of cash requirements by the Owner's Association to provide for the payment of all estimated expenses growing out of, or connected with, the maintenance and operation of the Common Areas or furnishing utility services to the Units. Said estimates may include, among other things, expenses of management; maintenance; taxes and special assessments levied by governmental authorities; premiums for all insurance which the Owner's Association is required or permitted to maintain pursuant hereto; common utilities; lighting; power; parking lots' building maintenance and repair; water charges; trash collection; sewer service charges, repairs, and maintenance; wages and benefits for maintenance employees; legal and accounting fees; any deficit remaining from a previous period; the creation of a reasonable contingency reserve; surplus and/or capital fund; and any other expenses and liabilities which may be incurred by the Owners' Association for the benefit of the Owners under, or by reason of, this Declaration.

Apportionment. Common Expenses shall be apportioned among all Unit Owners in the percentages provided in Exhibit "D" attached.

Payment. Each assessment shall be due and payable in quarterly installments on the 1st day of each and every quarter and no separate notices of such monthly installments shall be required. Payments received after the fifteenth (15th) day of the quarter in which they are due shall be assessed a late fee of 10% per month on the outstanding balance.

Reserve accounts. The Owners' Association shall establish and maintain a reserve account to pay for unexpected emergencies and to fund capital improvements. The reserve account may be funded out of regular assessments, transfers of ownership and/ or from a special assessment, if needed.

Capital Improvement Table. The Owner's Association shall establish and update, at least annually, a Capital Improvement Table which shall list each major capital improvement in the Project (e.g. roofs, roads, sidewalks, common areas etc.) and the amount of money per month currently set aside in the capital improvements account.

Other assessments. In addition to the annual assessments authorized hereunder, the Owner's Association may levy, in any calendar year:

Special Assessment. A special assessment, payable over such a period as the Owners' Association may determine, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction; unexpected repair; or replacement of the Project or any part thereof, or for any other unanticipated expense incurred, or to be incurred, as provided in this Declaration. Any amounts assessed pursuant hereto shall be assessed to Owners in the percentages provided in Exhibit "B". 22.7.2 Individual Assessments. An Individual Assessment may be levied by the Owners' Association against a Unit and its Owner as a charge or to reimburse the Association for costs incurred in enforcing this Declaration, the By-Laws, or The Owners' Association Rules.

Liens. If any Owner fails or refuses to make any payment of the Common Expenses when due, that amount constitutes a lien on the interest of the owner in the property, and:

Priority. Such lien shall be superior to all other liens and encumbrances on such Unit except only for (a) valid tax and special assessment liens on the Unit in favor of any governmental assessing authority; and (b) encumbrances on the interest or the Unit Owner recorded prior to the date notice of the lien provided for herein is recorded, which By-Law would be a lien prior to subsequently recorded encumbrances. All other lienors acquiring liens on any Unit after this Declaration shall have been recorded in said records shall be deemed to consent that such liens shall be inferior to future liens for assessments, as provided herein, whether or not such consent be specifically set forth in the instruments creating such liens.

Notice of Lien. To evidence a lien or sums assessed pursuant to this section, the Owners' Association or its designee may prepare a written notice of lien setting forth the amount of the debt and Additional Charges due; the name and address of the Owner of the Unit; and a description of the Unit. Such a notice shall be signed by a representative or agent of the Owners' Association and shall be recorded in the Office of the County Recorder of Morgan County, Utah. No notice of lien shall be recorded until there is an unpaid debt.

Foreclosure. Such lien may be enforced by judicial or non-judicial foreclosure by the Owners' Association in the same manner in which mortgages and trust deeds on real property may be foreclosed in Utah. In any such foreclosure, the Owner shall be required to pay the costs and expenses of such proceeding the costs and expenses of filing the notice of lien and all reasonable attorneys' fees. All such costs, expenses, and fees shall be secured by the lien being foreclosed. The lien shall also be secure and the Owner shall also be required to pay to the Owners' Association any assessments against the Unit which shall become due during the period of foreclosure. The Owners' Association shall have the right and power to bid an amount, equal to its then existing lien, at the foreclosure sale or other legal sale and to acquire; hold; convey; lease; rent; encumber; use; and otherwise deal with, the same as the Owner thereof. In any foreclosure or sale, the owner shall pay the costs and expenses of such proceedings including, but not limited to, the cost of a foreclosure report; reasonable attorney fees; and a reasonable rental for the Unit during the pendency of the foreclosure action. The Association in the foreclosure action may require the appointment of a receiver to collect the rental, without regard to the value of the mortgage security. The Board may bid for the Unit at foreclosure or other sale and hold, lease, mortgage, or convey the same. If the Owners' Association elects to foreclose the lien in the same manner as foreclosures of deeds of trust, the Owner, by accepting a deed to the Unit, hereby irrevocably appoints the attorney of the Association, provided he/she is a member of the Utah State Bar, as Trustee; and hereby confers upon said Trustee the power of sale set forth with particularity in *Utah Code Annotated*, Section 57-1-23 (1953), as amended. In addition, Owner transfers in trust to said Trustee all of his right, title, and interest in, and to, the real property for the purpose of securing his performance of the obligations set forth herein.

Release of Lien. A release of lien shall be executed by the Owners' Association and recorded in the office of the County Recorder of La Verkin City, Utah, upon payment of all sums secured by a lien which has been made the subject of a recorded notice of lien.

Duty to Pay Independent. No reduction or abatement of an Owner's share of the Common Expenses or any Assessment shall be claimed or allowed by reason of any

alleged failure of the Association or Board to take some action or perform some function required to be taken or performed by the Association or Board under this Declaration or the By-Laws, or for inconvenience or discomfort arising from the making of repairs or improvements which are the responsibility of the Association, or from any action taken to comply with any law; ordinance; or with any order or directive of any municipal or other governmental authority, the obligation to pay Assessments being a separate and independent covenant on the part of each Owner.

Remedies. Suit to recover a money judgment for such personal obligation shall be maintainable by the Owners' Association without foreclosing or waiving the lien securing the same.

L. SIGNAGE

Building Identification. One or more outdoor monument signs may be constructed and maintained as Common Areas. The signs shall identify Owners or tenants. The Association shall determine the location, size, type and appearance of all signs and shall maintain the signs as a Common Expense, excepting, any individual portions of a sign that identify a specific Owner or tenant shall be maintained, replaced, and repaired at the expense of the Owner. Signs located on a building identifying the occupant/business located therein shall be approved in writing by the Association and installed by the Owner and maintained, repaired, and replaced by the Owner.

Rules Regarding Signs. The Board may enact rules consistent with this declaration regarding the maintenance, size, style, material, color, type and location of all signs located in the common area or placed on the designated area of each unit and building. No banner signs shall be permitted. No signs shall be installed anywhere in the project that are, in the sole judgment and discretion of the Board, inconsistent with the appearance and reputation of a first class office building as judged by the size, style, material, color, type and location of the sign relative to the existing signs in the project.

Except for one "For Rent" or "For Sale" sign of not more than five (5) square feet, which can be placed immediately outside the front entrance of the condominium unit, no advertising signs; billboards; or real estate signs shall be erected.

M. TERMINATION OF CONDOMINIUM STATUS

The Unit Owners may elect to terminate the Condominium status only in accordance with Utah Code, with the requisite approval of such owners; mortgagees; and other lien holders, as is required by law.

DATED this _____ day of _____, 20__

_____ Fields HOA, LLC /Blair Gardner as President

By: _____
Its: _____

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20__.

Notary Public & See

EXHIBIT A: By-Laws of FIELDS Flex HOA

EXHIBIT A

By-Laws of Fields Flex Condos Owners' Association

SECTION I: ASSOCIATION MEMBERSHIP

1. **Members:** All owners of units within the Fields Planned Unit Development (PUD) project are members of the Fields PUD Owners' Association. All members of the Owners' Association may vote for and are eligible to be members of the Owner's Association of the Owners' Association. Votes are apportioned on a per unit basis, with each unit as set forth in the PUD Declaration receiving one vote, whether or not the unit has been constructed. Until the final phase of construction is complete and all units have been sold, all members of the Owners' Association agree to allow Fields to make their vote by proxy. Each member agrees to abide by the vote made by Fields.
2. **Annual Condo Association Meeting:** The membership shall elect an Owners' Association Board of Managers at the annual meeting to be held in the community or at such other location as designated by the President of the Owners' Association. The membership and Board of Managers shall be notified not less than 15 days before the date of the annual meeting. Notice shall be given by posting the scheduled date, time, and place of the meeting and by mailing to each owner. The annual meeting shall be open to the public.

3. **Regular Board Meetings:** The Owners' Association Board of Managers will meet regularly on an annual basis. These meetings shall be open to the public and shall be noticed by posting the scheduled date, time, and place of the meeting.

4. **Special Meetings:** Special meetings of the membership may be called by or at the request of the Owner's Association or by a petition of ten percent of the registered members. These meetings shall be public and shall be publicly noticed at least 15 days in advance by the posting of the date, time, place and purpose of the meeting, and by mailing to each owner. The members may not address any matter which is not stated in the notice as the purpose of the meeting.

5. **Quorum:** Three (3) members of the Owners' Association Board constitute a quorum for the transaction of business at any meeting of the Owner's Association; affirmative votes are required for any action taken by the Owner's Association.

SECTION II: BOARD OF MANAGERS

Owners' Association Managers: The number of Managers shall be three (3) or all of the members if there are less than three (3) members. Managers shall be members of the Owners' Association and shall act on good faith charge of the members of the Owners' Association.

6. **Term of Office:** The term of office for each Manager shall be for three years from the time of his or her election at the annual meeting until his or her successor has been elected and qualified. All officers are elected by and from the Managers for one year terms. The terms of at least one third (1/3) of the members of the Owner's Association shall expire annually. To allow for the terms of the initial managers to be staged, the first manager's term shall expire after one year and the second manager's term shall expire after two years.

7. **Vacancies:** Except as otherwise provided, any vacancies occurring in the Owners' Association Board of Managers, whether by resignation or removal, shall be filled by the majority vote of the remaining Managers. In the event of the simultaneous resignation and/or removal of two or more Managers, the membership shall hold new elections to fill those vacant positions on the Owner's Association. Those Managers so elected will serve for the remaining portion of the unexpired term.

8. **Removal of Managers:** Any Manager may be removed by a majority of the members who vote on the issue providing that just cause has been established and whenever, in their judgment, the best interests of the Owners' Association would be served by doing so.

9. **Authority:** The Owner's Association, for the benefit of the Condominium and the Owners, shall enforce the provisions of the Condominium Instruments and shall have all

powers and authority granted to the Owner's Association or the Association under the Condominium Act and the PUD Declaration which are not expressly subject to the approval of the Unit Owners.

SECTION III: OWNERS' ASSOCIATION AND ELECTION VOTING RULES

10. Owners' Association Election Notice: A notice of vacancies for expired terms of office for Board of Managers and a notice that an election shall be held shall be prepared and posted by the Secretary. The notice shall be sent to all members.

11. Prior to Completion by the Developer: Prior to the completion of the project by the developer, the developer shall nominate and select all of the managers/ after completion of the project by the developer, managers shall be nominated and selected as described below.

12. Nominations: Nominations for the Owner's Association of Managers shall be open nomination from the floor at the annual membership meeting.

13. Voting Procedures: Voting procedures are as follows:

a. The Secretary shall check for the member's name on the Master List of members. If the member's name appears on the master membership list/ that person is deemed qualified to vote. If a unit or units are owned by an entity, then the entity shall designate one individual with authority to vote on behalf of such entity.

b. Voters shall write, in pen/ the name of their chosen nominee on a piece of paper. After the ballot is marked, the voter will fold it and it will be collected by the Secretary.

c. The ballots shall be publicly tallied by the Secretary and recorded by the Treasurer. Nominees receiving the greatest number of the votes cast shall be considered elected. **SECTION IV: OFFICERS**

14. Selection of Officers: The Owner's Association of Managers shall elect from among themselves the following officers: President, Secretary and Treasurer, Officer at-large. This shall be the first order of business of the first meeting of the Owner's Association of Managers following the elections of Managers at the annual meeting.

15. President: The President is the principal executive office of the Owners' Association and shall, in general, supervise and control all of the business and affairs of the Owners'

Association. He/She shall preside at all meetings of the Owner's Association of Managers. He/She shall sign contracts or other instruments which the Owner's Association of Managers has authorized to be executed.

16. Secretary: The Secretary shall keep the minutes of all meetings of the Owner's Association of Managers and of the unit owners and shall, in general, perform all the duties incident to the office of secretary.

17. Treasurer: The Treasurer shall keep the financial records and books of account. The Treasurer shall manage and deposit all funds of the Owners' Association as directed by the Owner's Association of Managers and shall be responsible to disburse funds for all Owners' Association obligations.

18. Officer at-large: The Officer at-large shall act in the absence or inability or refusal to act of one of the other officers of the Owner's Association. When so acting the Officer at-large will have all the powers of and be subject to all the restrictions upon such officers. The Officer at-large may not act in the absence or inability or refusal to act of more than one officer at a time.

SECTION V: CHECKS, DEPOSITS, AND FUNDS

19. Contracts: The Owner's Association of Managers, at the direction of the membership, may authorize any officer or officers, agent or agents of the Owners' Association, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Owners' Association, and such authority may be general or confined to specific instances as authorized by the Owner's Association of Managers.

20. Checks, Draft Signing Authority: All checks, drafts, or orders for payment of money, notes or other evidence of indebtedness issued in the name of the Owners' Association and in such a manner as shall be determined from time to time by the Owner's Association of Managers, shall be signed by the Treasurer and shall be countersigned by the President.

21. Deposits: All funds of the Owners' Association shall be deposited from time to time to the credit of the Owners' Association in such banks, trust companies, or other depositories as the Owner's Association of Managers may select.

22. Dues: Dues may be assessed by the Owner's Association of Managers in an amount to be sufficient to provide for all maintenance, repair, and replacement of common elements and payment of any obligations of the Owners' Association pursuant to the annual budget.

23. Annual Budget: Prior to the annual meeting of the members the Owner's Association shall prepare an estimated annual budget.

24. Assessments: The Owner's Association shall mail to each owner an assessment notice prior to the annual meeting of the members and such assessment shall be paid in full on or before the annual meeting. Each owner shall pay an initial assessment upon closing. The initial assessment shall be \$500.00 paid to the association out of each purchase from the buyer. Annual assessments are not currently required. No fees or assessments of the Owners' Association may be increased unless a majority of all members of the Owners' Association vote in favor of such an increase.

25. Lien: The Owner's Association of Managers shall have the authority, pursuant to Utah Code to assess and record liens against the real property of the members of the Owners' Association for any unpaid general or special assessments. The Owners' Association has a lien for any unpaid Assessments levied against a Unit from the time the Assessment is due. Each and every Unit Owner of any Unit in the Condominium, by virtue of its acquisition by any means of title to such Unit, shall take such title subject to the Association's lien for Assessments.

26. Books and Records: The Owners' Association shall keep correct and complete records of financial transactions and accounts, and shall also keep minutes of the proceedings of its Board of Managers. All books and records of the Owners' Association may be inspected by any member, or his/her agent or attorney, for any purpose at any reasonable time.

27. Statement of Account: Upon ten (10) days' notice to the Owner's Association of Managers and payment of a reasonable fee, any unit owner shall furnish a statement of his account setting forth the amount of any unpaid assessments or other charges due and owing from such owner.

SECTION VI: MAINTENANCE, REPAIR AND REPLACEMENT OF COMMON AREAS

28. Common Areas of the project shall be maintained in a clean and safe fashion. The Owner's Association shall undertake, or authorize any repairs, maintenance, or replacement of common areas as is necessary for the project to have a clean and safe appearance. Unit owners are not allowed to leave any of owners personal distressed

vehicles, trailers, equipment of any kind. All undriveable and unsafe for use equipment, vehicles, toys, etc are not to be seen overnight in open sight and must be contained behind the closed doors of the owners units. Any such violation can be subject to fines and or towing of such items at the Owner's expense.

28.a The perimeter fence on the North and East boundaries are considered a common area. Any damage associated to such walls by either owner or guests of owner shall be repaired at the damaging parties expense.

28.b Separation walls perpendicular from each Unit on the backs of the buildings shall only be constructed of the same Block size, shape and color and at the same height as the perimeter Block Wall and only with the written consent of the Association. Owners Clearly understand and acknowledge that there is a 10 foot utility easement that runs parallel to the property behind each Unit along the common boundary line. A 5 foot opening that allows passage from the units parallel to the common wall shall remain open or with an approved gate for access. If the wall needs to be removed for any utility repairs the Units Owner understands it is the responsibility of the Owner to repair and or seek damages from the responsible utility company for repair or replacement of said wall.

29. The Owner's Association of Managers shall have the authority to hire and/or fire any personnel necessary for the maintenance, repair and replacement of common areas.

30. The Owner's Association and its agents or employees may enter any Unit or Common Area when necessary in connection with any maintenance, landscaping, or construction for which the Owner's Association is responsible, or in the event of a *bona fide* emergency. Except in the case of an emergency, reasonable advance notice shall be given to the Unit Owner, and if applicable, to any lawful tenant or subtenant in the Unit. If any repairs or maintenance were necessitated by or for a specific Unit or its Owners or lawful occupants, or requested by its Owners, the costs thereof shall be specially assessed to such Unit.

SECTION VII: RESTRICTIONS AND REQUIREMENTS

31. The following restrictions are designed to prevent unreasonable interference with the use of units and the common areas by the unit owners.

a. **Noise levels:** A reasonable noise level must be maintained at all times. This restriction applies to machinery, automobiles, equipment, music, or any other

item. Unit Owners are responsible for any of their guest disturbances as well.

b. **Dust and Contaminants:** Owners may use their units as shops; however, owners may not use their units in such a way that hazardous dust or fumes are created. It is expected that such restricted dust would be created by activities such as sanding or painting.

c. **Storage Restrictions:** Storage of toxic, flammable or explosive materials in the units is strictly forbidden.

d. **Parking:** Owners may not park their vehicles or equipment in such a manner as to interfere with the entrance to another unit. An owner is not allowed to park any vehicles outside of their unit, except for when such owner is visiting his unit.

e. **Storage Outside of Unit:** No owner shall store any vehicles, equipment, or other items outside of their unit. Owners shall be responsible to clean any garbage or debris that leaves their unit. Common areas are to be kept clean at all times.

f. **Offensive or Illegal Activity:** No offensive or illegal activity shall be carried on in any Unit or Common Area, nor shall anything be done therein which is or may become a nuisance or an unreasonable source of annoyance to other Owners or other lawful occupants of the Property, nor shall any activity which may in any way create a nuisance or public health or safety hazard, or obstruct or interfere with the rights of other Owners or occupants of the Property, or which could interfere with or prevent the normal operation, maintenance, use, enjoyment, alteration or further development of the Property.

g. **Unit Rentals:** An owner may rent his or her unit so long as the renter agrees to be bound by this Declaration, the By-Laws of the Field PUD Owners Association, and any applicable CC&Rs. The owner will remain responsible for the association dues. Renters must sign an agreement stating that they understand all of the applicable documents and agree to be bound by such, prior to receiving a gate code.

h. **Business Use:** A business may store inventory and supplies in its unit(s). i.

Other Uses: Any use of a unit or the common area which unreasonably interferes with any of the owners is strictly prohibited.

i. **Residential:** Residential use on the property is subject to the City's code and zoning allowance. Mixed use zone allows for a commercial application with a Residential secondary use.

j. **Hazardous Substances:** No person shall maintain or store on the Property any substance which is combustible, a health hazard, toxic, or corrosive, or otherwise hazardous as identified on the Material Safety Data Sheet provided by the manufacturer of such substance. Owners are responsible for any damage caused to person, place or area for any such substance damage.

SECTION VI: RULES FOR COMMON AREAS

32. **Exterior Parking of Owners' Vehicles:** Each Unit owner shall have Two (2) reserved parking places immediately in front of their Unit's roll up/entry door. No vehicles, including trailers, recreational vehicles, motor homes etc. may be stored or an excess stay. No vehicle shall be parked outside and be lived out of on the exterior of the building. Parking of the Owners vehicles for the Owners personal use can be parked as long as they are in good working order with no leakage of fluids to stain Common area ground. Owners and Guest Vehicles can be parked overnight in the designated parking areas per unit longer than 24 hours as long as the owner and guest are actively at the property. The Association representative may contact any Owner if a vehicle of any kind is in question as to the length of time it is present on the exterior parking areas of the Units.

33. **The Owner's Association of Managers:** at any meeting of the Owner's Association of Managers, may adopt administrative rules and regulations governing the operation and use of the common elements. Any administrative rules and regulations, adopted by the Owner's Association of Managers shall be provided to each owner and recorded with the county. The adopted rules and regulations may be rescinded by a majority vote of the unit owners at the annual meeting.

SECTION VI: ENFORCEMENT

34. **Enforcement:** The Owner's Association of Managers may take any steps as a reasonable to ensure enforcement of these restrictions. The Owner's Association of Managers may appoint an enforcement officer who is responsible for identifying and reporting violations to the Owner's Association of Managers.
35. **Special Assessments for Enforcement:** The Owner's Association of Managers may make a special assessment for the costs of any enforcement action taken by the Owner's Association including the costs of remedying the violation, any attorney fees, and any other costs or expenses incurred as a result of a violation of these bylaws, the Condominium Declaration, or any applicable statute or regulation.

SECTION V: I AMENDMENT TO BYLAWS

36. Amendments: The bylaws may be amended by an affirmative vote of fifty one (51) percent of the members voting at an annual meeting. The text of the proposed amendment must be included in the public notice announcing the time, date and place of the annual meeting. The amendment shall be binding upon every owner and every condominium whether the burdens thereon are increased or decreased thereby, and whether or not the owner of each and every condominium consents thereto.

37. Statutory Requirements: Each of the particular provisions set forth in Utah Code shall be contained in and remain in any amendment to the Bylaws. Any provisions set forth in these bylaws which are or may be contrary to Utah Code shall be severable and shall not affect validity of the remaining provisions of these bylaws.

Fire District Requirements

1. Each unit has a dedicated 2 parking stalls, any car associated with each unit that impacts or impedes fire protection vehicles will be subject to any fine or costs associated with said vehicles.
2. A portable fire extinguisher that is within date and appropriately inspected must be provided within each occupancy, including Group B occupancies (IFC 906.1)
3. Each person needs a key box for their own keys. Occupant to provide an approved key box for fireman protection access.

Property Address: 80 W Center Street La Verkin, Utah 84745

HOA Billing Address: 4032 W. 5800 N. #1 Mountain Green, Utah 84050

FIELDS BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT THIRTY-SIX (36) LA VERKIN TOWN SITE AND FIELD SURVEY, AND RUNNING THENCE NORTH $1^{\circ}14'14''$ EAST ALONG THE WEST LINE OF LOT 36, AS RE-SURVEYED BY BULLOCH BROTHERS ENGINEERING, INC., UNDER SURVEY RECORDED 5-15-79, AS ENTRY NO. 204663, A DISTANCE OF 520.85 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OWNED OF RECORD BY TENTMAKERS BIBLE MISSION, A MICHIGAN CORPORATION, AS EVIDENCED BY WARRANTY DEED RECORDED IN BOOK 696, AT PAGE 327, OF THE OFFICIAL WASHINGTON COUNTY RECORDS, RUNNING THENCE NORTH $89^{\circ}46'$ EAST ALONG THE SOUTHERLY LINE OF THE PARCEL ABOVE REFERRED TO, A DISTANCE OF 321.30 FEET TO A POINT ON THE EAST LINE OF SAID LOT 36; THENCE SOUTH $0^{\circ}15'15''$ EAST 520.68 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 36; THENCE SOUTH $89^{\circ}46'$ WEST ALONG SAID LOT LINE A DISTANCE OF 334.85 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, AND LOCATED IN LOT 36, LA VERKIN TOWNSITE AND FIELD SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 36, LA VERKIN TOWN SITE AND FIELD SURVEY; THENCE NORTH $89^{\circ}46'00''$ EAST, 334.85 FEET TO THE SOUTHEAST CORNER OF LOT 36; THENCE NORTH $00^{\circ}15'15''$ WEST 18.50 FEET; THENCE SOUTH $89^{\circ}46'00''$ WEST 334.39 FEET; THENCE SOUTH $01^{\circ}10'08''$ WEST 18.51 FEET TO THE POINT OF BEGINNING. ALSO LESS AND EXPECTING THEREFROM ANY PORTION LYING WITHIN HIGHWAY U-17.

This is to certify that the above bylaws were adopted by the Owner's Association of Managers at a meeting on the

_____ day of 20____.

Active President

La Verkin City Rental Regulations

Condominium Rentals

Where it is expected that residential condominium units will be rented to tenants other than the owner of record, the following declarations may be addressed in the covenants, conditions and restrictions (CC&Rs)

Limitations: A statement that the homeowners; association may regulate, limit, or prohibit rentals of condominium units;

Homeowners Association Approval: A statement that the homeowners; association may require the rental of condominium units to be conducted through the homeowners; association or a designated management company, and may require that all lease agreements be reviewed and approved by the homeowners; association or the management company, that any tenants be screened and approved by the homeowners; association or the management company prior to renting the condominium, and that the approval of the homeowners; association or the management company shall not be unreasonably withheld;

Agreements: A statement that prior to renting any condominium unit, the condominium owner and the tenant shall execute a written lease agreement which shall include the following

Provisions: The tenant shall agree to comply with all of the terms and conditions of the condominium declaration and bylaws; The tenant shall agree not to allow or commit any nuisance, waste, unlawful or illegal act upon the premises; and The owner and the tenant shall acknowledge that the homeowners; association is an intended third party beneficiary of the lease agreement, that the homeowners; association shall have the right to enforce compliance with the condominium declaration and bylaws and to abate any nuisance, waste, unlawful or illegal activity upon the premises; and that the homeowners; association shall be entitled to exercise all of the owner's rights and remedies under the lease agreement to do so;

Tenant Identification: A statement requiring that prior to a tenants occupancy of a condominium unit, the condominium owner must provide to the homeowners; association the name, address and telephone number of the tenant and a copy of the written lease agreement;

Enforcement: A statement that the homeowners; association shall have the right and the obligation to enforce compliance with the condominium declaration and bylaws against any owner and/or occupant of any condominium unit, and shall have all rights and remedies available under state or local law, in addition to its rights and remedies as a third party beneficiary under any lease agreement, to enforce such compliance.

