



AGENDA – City Council Meeting

Mayor Chris Carn
Mayor Pro Tempore Lance Wadman
Council Member Audrey Barton
Council Member Edon Davenport
Council Member Robert Taylor
Council Member Emma Wilson

CITY OF SARATOGA SPRINGS
Tuesday, August 18, 2026 @ 6:00 pm
City of Saratoga Springs Council Chambers
319 South Saratoga Road, Saratoga Springs, UT 84045

POLICY MEETING

CALL TO ORDER

1. Roll Call.
2. Moment of Reflection.
3. Pledge of Allegiance.
4. Presentation: 25 Years of Service Award – City Employee.
5. Public Input – *This time has been set aside for the public to express ideas, concerns, and comments for subject matter not listed as public hearing on the agenda. Please avoid repetitive comments. Limit of 3 minutes per speaker, unused time may not be given to another. Time for Public Input is limited to no more than 15 minutes total.*

REPORTS

1. Mayor.
2. City Council.
3. Administration.

CONSENT ITEMS

The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration.

1. Award of Contract for 2026 Utah Lake Shoreline Trail Mitigation to Bio-West. Resolution R26-45 (08-18-26).
2. Approval of Minutes: July 30, 2026, August 4, 2026, & August 11, 2026.

BUSINESS ITEMS

The Council will discuss (without public comment) and may approve the following items:

1. Major Site Plan Amendment for Taco Bell, located at 27 W. Crossroads Blvd. Ashley Wagner as applicant.
2. Bonneville Drive Road Dedication Plat located at Bonneville Drive, North of Mountain View Corridor and Hallmark Drive. City-Initiated
3. Amendments to Title 19 Land Development Code of the City of Saratoga Springs, Chapter 19.04 for Land Use Regulations – Residential and Mixed-Use Zones. City Initiated. Ordinance 26-36 (08-18-26).

4. Amendments to Title 19 Land Development Code of the City of Saratoga Springs, Chapter 19.13, for New or Unlisted Business Uses. City-Initiated. Ordinance 26-37 (08-18-26).
5. Pending Ordinance for updates to the City Code Chapter 18.02 - Flood Damage Prevention. Resolution R26-46 (08-18-26).
6. Council Comments: *Council members may discuss specific topics or issues they wish to have formally considered for inclusion on a future meeting agenda. No action will be taken.*

WORK SESSION

The Council will discuss (without public comment) with no action taken on the following items:

1. Code Amendments for Detached Accessory Dwelling Units.
2. Rap Tax prioritization.

CLOSED MEETING

Possible motion to enter into closed meeting for the purchase, exchange, or lease of property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual; or the deployment of security personnel, devices, or systems.

ADJOURNMENT

Supporting materials are available for inspection on the City Website, www.saratogasprings-ut.gov. Questions and comments to Staff and/or Council may be submitted to comments@saratogasprings-ut.gov. Meetings are streamed live at <https://www.youtube.com/c/CityofSaratogaSprings>.

PLEASE NOTE: The order of items may be subject to change with the order of the Mayor. One or more council members may participate by electronic telecommunication means such as phone, internet, etc. so that they may participate in and be counted as present for all meeting purposes, including the determination that a quorum is present.

The Mayor or Mayor Pro Tem will maintain order during meetings while respecting First Amendment rights. Prohibited conduct includes disrupting the meeting by blocking access, preventing speakers from being heard, unauthorized screen sharing, repeated interruptions after notice, preventing others from accessing the meeting, threatening or committing violence, or violating content-neutral meeting rules such as time limits, no repetitive comments, and speaking only during allotted times. After one warning identifying the prohibited conduct, the Mayor or Mayor Pro Tem may remove the individual if the conduct continues. This policy does not restrict speech based on viewpoint. Criticism, offensive speech, and unpopular opinions remain protected unless they constitute prohibited conduct, a true threat, obscenity, or fighting words.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801.766.9793 at least two days prior to the meeting.



City Council Staff Report

Author: Jeremy D. Lapin, Public Works Director

Subject: Utah Lake Shoreline Wetland Mitigation Project

Date: August 18, 2026

Type of Item: Resolution

Description: Award of Contract

A. Topic:

This item is for the approval of a contract for the Utah Lake Shoreline Wetland Mitigation project.

B. Background:

This project involves providing noxious weed treatment and revegetation services for 3 contiguous Wetland Mitigation Sites associated with the North Marina, South Marina, and Lakeshore Trail Projects. The wetland mitigation sites run along the Utah Lake Shoreline and lie between the existing lakeshore trail (public) and the Utah Lake Ordinary High-Water Mark. The 3 mitigation sites comprise a total of 28.87 acres with 22.76 being on land owned and managed by the State of Utah Division of Fire, Forestry & State Lands (FFSL) and the remaining 6.11 acres being open space owned by the City of Saratoga Springs. The mitigation plans call for the removal of noxious weed species that have colonized this area of the Utah Lake Shore, mitigation monitoring, and revegetation following noxious weed control. The work will need to be completed in compliance with the Army Corp of Engineers (ACOE) 404 permit and general permit issued by the Utah Division of Fire, Forestry, and State Lands. Work is anticipated to begin in the Summer of 2026 and extend through the fall of 2030 - there are 12 treatments anticipated in total.

C. Analysis:

The project was posted to U3P on July 3, 2026. Bids were received on April 4, 2026, and 2 bids were received. The higher bid was received from Bio-West in the amount of \$1,126,298.84 and the low bid was from Tepeki in the amount of \$696,908.00. Tepeki withdrew their proposal.

D. Fiscal Impact:

The funding for this project was allocated with the FY2025-26 fiscal year budget in GL 32-4000-731. The current funding in this GL is \$74,600, therefore a budget amendment will be required at a future date to fund the \$289,726.90 of work that will occur in this fiscal year.

E. Recommendation

Staff recommends the City Council approve the resolution awarding the project to Bio-West in the amount of \$1,126,298.84.



BIO-WEST, Inc.

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Logan, Utah
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Fx: 435.752.0507
www.bio-west.com

Coastal Ecology
and Marine Biology

Environmental
Analysis
and Permitting

Geology/
Hydrogeology
and Remediation

Fisheries and Aquatic
Ecology

GIS Analysis
and Planning

Landscape
Architecture
and Environmental
Planning

Vegetation Resources

Watershed Sciences

Wetland Resources

Wildlife Resources

August 4, 2026

Mr. Jeremy Lapin, PE, CFM
City Engineer & Public Works Director
City of Saratoga Springs
1307 N. Commerce Dr.
Saratoga Springs UT 84045

Subject: Utah Lake Shoreline Wetland Mitigation Request for Proposal

Dear Mr. Lapin:

Thank you for allowing BIO-WEST, Inc. (BIO-WEST) the opportunity to assist the City of Saratoga Springs with noxious weed treatment and revegetation for the Utah Shoreline Wetland Mitigation project. This project will continue to build the long-term working relationship between the City of Saratoga Springs and BIO-WEST. As this proposal illustrates, the BIO-WEST project team is uniquely qualified to complete the specified performance work statement in a timely and cost-effective manner. The BIO-WEST team has the proven expertise to implement the noxious and invasive weed control treatments specified in the performance work statement, as well as document the effectiveness of the treatments in professionally written reports.

BIO-WEST is a corporation and will comply with all terms and conditions as indicated in the request for proposals (RFP). Additionally, BIO-WEST does not discriminate in its employment practices with regard to race, color, religion, age, sex, marital status, political affiliation, national origin, or handicap.

Mr. Darren Olsen will serve as BIO-WEST's principal-in-charge for this project. Mr. Olsen is authorized to sign this proposal on behalf of BIO-WEST. The project will be managed by Mr. Travis Taylor, BIO-WEST's professional wetland scientist. Mr. Taylor will serve as the primary contact for BIO-WEST. Mr. Dustin Lofthouse, BIO-WEST's noxious weed control specialist will oversee the field operations. Mr. Lofthouse will serve as the secondary contact for BIO-WEST.

Contact Information

BIO-WEST, Inc.
1063 West 1400 North
Logan, Utah 84321
435-752-4202

Travis Taylor
435-881-0500
ttaylor@bio-west.com

Dustin Lofthouse
435-232-4308
dlofthouse@bio-west.com

We look forward to working with you and your staff on this challenging and rewarding project, and anticipate hearing from you.

Darren Olsen
Name

Darren S Olsen
Signature

8/4/2026
Date



BIO-WEST, Inc.

Response to:
City of Saratoga Springs
Request for Proposals
Utah Lake Shoreline Wetland Mitigation



Submitted To:
City of Saratoga Springs
1307 North Commerce Drive
Saratoga Springs, Utah 84045

Submitted By:
Travis Taylor
Project Manager
Office: (435) 752-4202
Cell: (435) 881-0500
Email: ttaylor@bio-west.com

August 4, 2026

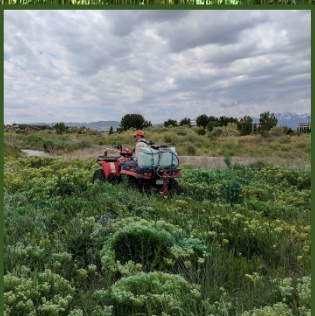
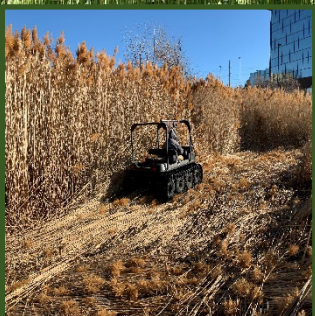


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INTRODUCTION

This document is provided by BIO-WEST, Inc. (BIO-WEST), as a response to the City of Saratoga Springs Request for Proposals (RFP) Reference Number 2026-011 titled Utah Lake Shoreline Wetland Mitigation.

BIO-WEST is a full-service, multidisciplinary environmental consulting firm that provides environmental consulting, planning, and research services based on sound scientific principles that promote environmental sustainability. BIO-WEST specializes in providing environmental-related services for a wide range of projects, including noxious and invasive weed management, revegetation, environmental assessments, land planning, site restoration, vegetation mapping, aquatic resource delineation and mitigation, riparian corridor monitoring, and hydrologic investigations. The firm's corporate headquarters are located in Logan, Utah.



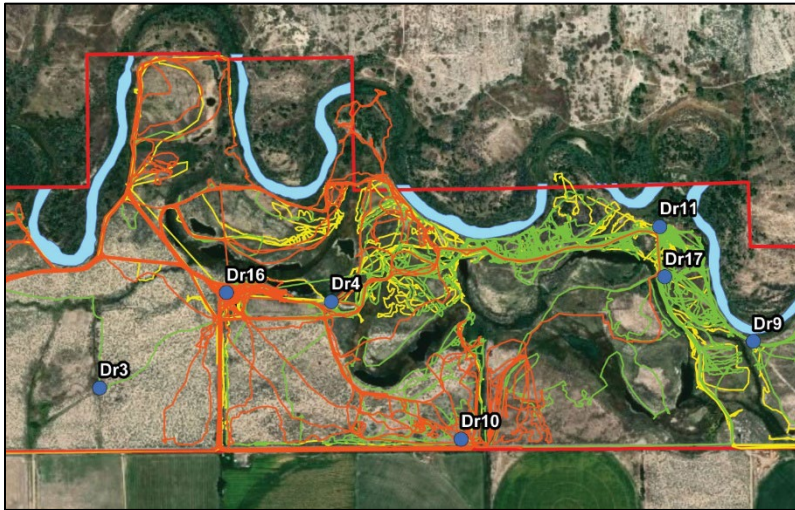
BIO-WEST was founded in 1976 with the objective to provide results based on sound science and research rather than “rubber stamping” projects for large corporations and industries that were indifferent to natural resource issues. For the first decade, BIO-WEST’s work centered on water, its riparian and upland habitats, and the wildlife that relied on both. To the fundamental natural resource fields of watershed science, fisheries biology, aquatic ecology, and wildlife biology. BIO-WEST added wetland ecology, botany, geology, hydrogeology, remediation, landscape architecture, environmental planning, GIS analysis, and coastal ecology and marine biology to provide broad-based planning services and multidisciplinary solutions to environmental problems. BIO-WEST also formed long-term relationships with reputable cultural resource, economic, air quality, and traffic firms to round out its capabilities.



After nearly five decades in business, BIO-WEST has grown to include three offices in Utah and Texas, which employ 60 resource specialists and supporting staff. BIO-WEST has successfully completed more than 3,000 projects in the fields of water resources, river and floodplain monitoring and restoration, noxious and invasive weed control, real estate environmental site assessments, environmental compliance, vegetation studies, fisheries and wildlife biology, environmental planning, and landscape architecture.

BIO-WEST has over 20 years of experience conducting noxious and invasive weed mapping and control projects for both government and private clients throughout Utah and Southern Idaho. Over the past 2 decades BIO-WEST has gained extensive experience and knowledge on treating multiple noxious and invasive weed species in a wide variety of environments including upland, riparian, and wetland areas. BIO-WEST’s overall philosophy regarding the control of noxious and invasive weed species is to use the most cost-effective, longest-lasting treatment while

minimizing the negative impacts to the environment. In our experience, good land management incorporates biological, mechanical, cultural, and chemical methods tailored for specific locations and vegetation communities.



In addition to weed control, BIO-WEST has extensive experience reseeding and restoring areas with native vegetation following weed control operations. It has been BIO-WEST's experience that reseeding and restoration is a crucial step in creating a resilient and self-sustaining ecosystem in areas that have previously been infested with noxious and invasive weed species.

To best meet the proposed project needs, BIO-WEST has assembled a team of in-house staff and experts from Ellis Erosion Control, a firm that BIO-WEST has teamed with for many years. Ellis Erosion Control has extensive experience in mechanical vegetation control including mowing and tree removal and have been an integral part of the vegetation management success for many of BIO-WEST's past projects.

CERTIFICATIONS

BIO-WEST is a Utah-licensed commercial pesticide business (license number 4000-127) The company has held this certification since 2006. All BIO-WEST personnel who apply herbicide are Utah licensed commercial pesticide applicators. BIO-WEST currently has two licensed pesticide applicators, Mr. Dustin Lofthouse (license number 4001-13770) and Mr. Aidan Klopfenstein (license number 4001-29146). All BIO-WEST pesticide applicators routinely review the Utah noxious weed list, pesticide applicator manuals, and noxious weed identification material to refresh and expand their weed treatment expertise. In addition, BIO-WEST also employs several plant biologists that aide field crews in noxious weed identification. A copy BIO-WEST's commercial pesticide business license along with the pesticide applicator licenses for Mr. Lofthouse and Mr. Klopfenstein are included in Appendix A.

PROJECT EXPERIENCE



Jordan River Invasive Weed Control

BIO-WEST was contracted by the US Bureau of Reclamation and the Utah Reclamation Mitigation and Conservation Commission to provide noxious and invasive weed-control services at the Jordan River Weed Control project area, which is located in South Jordan and Riverton, Utah. The project area consists of 203.2 acres divided into seven treatment areas. Prior to the weed-treatment events, the project area was surveyed to locate, identify, and map all noxious or invasive weed species within each treatment area. BIO-WEST developed a treatment plan based on the optimal timing to control the identified noxious and invasive weed species within the project area. Weed control efforts included conducting

vegetation condition assessments to identify and map noxious weeds and to develop weed management plans, as well as implementing the plans to treat noxious and invasive weeds using herbicides and mechanical treatments. Weed species treated within the project areas include poison hemlock, hoary cress, phragmites, Russian olive and thistle (musk, Canada, bull, and scotch). 2016–2024.



Provo River Restoration Project Invasive Weed Control

BIO-WEST was contracted by the US Bureau of Reclamation and the Utah Reclamation Mitigation and Conservation Commission to provide noxious and invasive weed-control services at the Provo River Restoration project area, which is located along the Provo River near Heber City, Utah. The project area consists of 1,536 acres divided into nine separate reaches located between Jordanelle and Deer Creek Reservoirs. Prior to the weed-treatment events, the project area was surveyed to locate, identify, and map all noxious or invasive weed species within each treatment area. BIO-WEST developed a treatment plan based on the optimal timing to control the identified noxious and invasive weed species within the project

area. Weed control efforts included conducting vegetation condition assessments to identify and map noxious weeds and to develop weed management plans, as well as implementing the plans to treat noxious and invasive weeds using herbicides and mechanical treatments. Weed species treated within the project areas include Canada thistle, houndstongue, Scotch thistle, musk thistle, Russian olive, and phragmites. 2016–2023.



Chevron North Salt Lake Refinery Invasive Weed Control

BIO-WEST was contracted to provide invasive weed control services at the Chevron Refinery in North Salt Lake, Utah. The Chevron Refinery project area includes approximately 192 acres located both outside and within the secure refinery fence, including various mitigation ponds, wetlands, and a non-hazardous waste landfill. Noxious and invasive weed control operations on the Chevron Refinery site began in 2017. Noxious and invasive weed species treated on the Chevron Refinery site include hoary cress, phragmites, thistle species (Scotch, musk, and bull), tamarisk, and Russian olives. Typically, three chemical treatment events are

conducted annually in the spring, summer, and fall to treat the various species of noxious and invasive weeds identified. Additionally, BIO-WEST treats rabbit brush, Siberian elm, Russian olive, and other deep-rooted plants on a non-hazardous waste landfill soil cap within the secure refinery fence. Revegetation efforts are currently scheduled for 2027 to restore areas that were previously infested with Phragmites. 2017–Present.

Loch Lomond Invasive Weed Control

BIO-WEST was contracted by Saratoga Springs City to provide 5 years of wetland mitigation monitoring and invasive weed control on a 12-acre site located in Saratoga Springs, Utah, along the north shore of Utah Lake surrounding Loch Lomond Pond. The Loch Lomond site was selected to provide compensatory mitigation in the form of rehabilitation and enhancement for wetland impacted by a gravity sewer project. As part of the wetland mitigation, performance standards and monitoring requirements were established to show mitigation site success



according to United States Army Corps of Engineers (USACE) standards. The monitoring requirements were established to detect intended improvements as the site transitions from a highly degraded state, dominated by noxious and invasive plant species with little wildlife habitat, to an improved and enhanced state dominated by native plant species, greater plant species diversity, and improved wildlife habitat. The mitigation plan requires that Saratoga Springs conduct annual monitoring each June for a minimum of 5 years. The Loch Lomond site was heavily infested with phragmites. Other weeds identified at the site included Russian olive, hoary cress, poison hemlock, perennial pepperweed, musk thistle, and Scotch thistle. Several years of both mechanical

and chemical treatment events has resulted in a significant reduction of Phragmites present on the project area and BIO-WEST is currently working with Saratoga Springs to create a reseedling plan to reestablish native plants at the site. 2020-2025.



Hobble Creek WMA Invasive Weed Control

BIO-WEST was contracted by the Central Utah Water Conservancy District to provide noxious weed control at the Hobble Creek Wildlife Management Area (WMA) Wetland Restoration Site. The Hobble Creek WMA is a natural area restored from an actively grazed agricultural upland area. Following construction of a new channel, oxbows, ponds and restoration planning, noxious weed control was required as part of the wetland permit. The project area consists of 26-acres of wetlands and uplands. Weed species treated within the project area include Phragmites, kochia, thistles, and perennial pepperweed. In addition to chemical treatment events,

BIO-WEST has provided Phragmites mowing events using handheld equipment and Phragmites mashing using an amphibious ATV. 2009–2024.



Pacificorp Wetland Mitigation Services

BIO-WEST was contracted to provide environmental consulting services and mitigation compliance at Rocky Mountain Power's (PacifiCorp) on-site and off-site mitigation areas located near Vineyard, Utah. Both of the mitigation sites have significant noxious weed infestations of Phragmites, Russian olive, tamarisk, perennial pepperweed, and hoary cress. BIO-WEST coordinated with PacifiCorp and the U.S. Army Corps of Engineers to define objectives for the on-site and off-site mitigation areas and update the Section 404 Mitigation Plan; develop and implement plans to manage and control noxious and invasive weeds and other non-desirable plant species within the mitigation sites; conduct re-

seeding and re-planting of the mitigation sites; and conduct annual monitoring. Noxious weed population on both mitigation sites have been significantly reduced and revegetation efforts are currently being conducted. 2022–present.



Lindon City Hollow Creek Restoration Plan

BIO-WEST was contracted to provide environmental consulting services for drafting a restoration and habitat management plan for segments of Lindon Hollow Creek and providing oversight for maintenance activities for the Scott Mitchell property and Creekside Park. Lindon City plans to make improvements to Lindon Hollow Creek as part of the Utah Lake Preservation Fund Grant awarded in 2023. The purpose for conducting restoration and stream improvements

along Lindon Hollow Creek is to improve water quality in the system and ensure the improvements do not adversely affect the downstream receiving waters and ultimately, Utah Lake. BIO-WEST is collecting baseline data to document existing conditions within and adjacent to the stream system in order to inform the restoration and habitat management plan. This has included an inventory of noxious weeds, water quality sampling, macroinvertebrate sampling, and stream surveys and channel characterization. BIO-WEST created a map set for the system that shows existing conditions, degraded and disturbed areas, the locations of collapsing retaining walls on the bank that would need to be rebuilt, and potential threats to the ecological integrity to the stream that will need to be addressed in the restoration and habitat management plan. BIO-WEST will provide construction and revegetation oversight while the project is constructed fall 2026. 2024-present.



Wuda Ogwa Restoration

Hansen, Allen & Luce, Inc., considered a restoration project at the site of the Bear River Massacre (also known as the Boa Ogoi Massacre) in Franklin County, Idaho. BIO-WEST was contracted to perform an aquatic resources inventory and baseline inventory of the proposed restoration site, approximately 349 acres, prior to project work. The survey area was historically used by the Northwestern Band of the Shoshone Nation (NBSN) as their traditional wintering

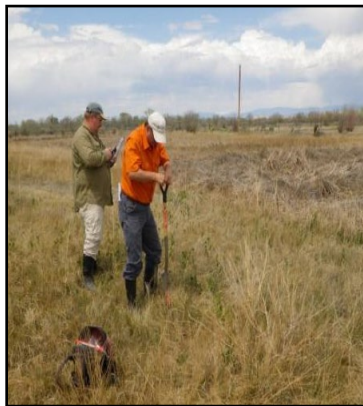
grounds prior to European settlement. The NBSN recently purchased more than 200 acres of land at the massacre site, including approximately 1 mile of Battle Creek upstream from its confluence with the Bear River. An interpretive center that curates the social, natural, and spiritual aspects of the Tribe and its history has been proposed for construction on the property overlooking the restored massacre site. The goal of the restoration project is to restore (to the extent possible) the conditions that existed prior to European settlement and the resulting agricultural farming practices, which have changed the character of the landscape and introduced nonnative and invasive noxious weeds. Restoration activities for the site include revegetation intended to create a diverse and functioning landscape that is attractive to wildlife and capable of supporting educational and ethno-botanical resources. BIO-WEST is also helping to restore the Battle Creek riparian ecosystem within the property, and to improve upstream watershed conditions and overall water quality. Fish sampling is being conducted to add to the baseline knowledge of the Battle Creek fish community. 2019–present. Under contract with Hansen, Allen & Luce, Inc. c/o Brian J. Andrew, 859 West South Jordan Parkway, Suite 200, South Jordan, Utah.



Provo River Delta Restoration Project

BIO-WEST is providing professional consulting services for the Provo River Delta Restoration Project, a large-scale 260-acre restoration project that will realign the lower 1.5 miles of the Provo River to create historic delta habitat and recover the endangered June sucker, a federally listed endangered species. Darren Olsen (BIO-WEST's Hydrologist and Principle) has been studying the lower Provo River and preparing concepts for this restoration since 1995. These

studies include sediment-transport monitoring and determining the amount of flow necessary to flush fine sediments from spawning gravels, riparian vegetation inventories and evaluations to protect existing cottonwood trees, groundwater/surface water elevation monitoring and modeling, river trail planning, and determining the feasibility of restoring a naturally functioning river-lake interface next to developed residential areas. The Utah Reclamation Mitigation and Conservation Commission (URMCC) contracted with Allred Restoration, Inc., (Allred Restoration) to obtain contractor services for development of final restoration designs, agency consultation, permitting coordination, preconstruction field surveys, and reporting for aquatic ecosystem restoration in the project area. Allred Restoration subcontracted with BIO-WEST, Inc., (BIO-WEST) to develop a vegetation management plan (VMP), concurrent with channel and delta restoration designs as described in the PRDRP Design Report. The goal of the VMP for the PRDRP is to restore aquatic, wetland, riparian, and upland vegetation communities that are native to the Provo River/Utah Lake ecosystem and considered important for June sucker recovery. BIO-WEST also designed post restoration vegetation sampling methods that will be implemented to evaluate vegetation standards for the site as part of the projects Section 404 permitting requirements. 1995–present.



Lower Duchesne River Wetland Mitigation Project Revegetation Planning

BIO-WEST is providing a revegetation plan, including all the seeding and planting details, for a large-scale wetland restoration project and overseeing implementation of the first and second phases of the Lower Duchesne River Wetland Mitigation Project in Duchesne and Uintah Counties, Utah.

Restoration of riverine, riparian, and wetland habitat associated with this project is intended to serve as mitigation for impacts to fish and wildlife resulting from the US Bureau of Reclamation's (Reclamation) construction of federal projects, including the Central Utah Project. The objective of the revegetation plan is to establish native plant communities without the need for irrigation and help reestablish natural ecosystems and ecosystem functions.

BIO-WEST is helping the Utah Reclamation Mitigation and Conservation Commission find appropriate seeds and plant materials for these sites. Under contract with Allred Restoration as a subcontractor for the Utah Reclamation Mitigation and Conservation Commission. 2013–2018.

KEY PERSONNEL

BIO-WEST, Inc. – Key Personnel Summary

Brief summaries of experience and qualifications for key staff members are given below. If needed to support the leads shown in this proposal, the BIO-WEST team has additional GIS specialists, field technicians, an editor/document specialist, and other staff to support the project team.

The BIO-WEST staff also includes personnel who hold a Utah pesticide applicators license. These applicators all have experience in plant identification, herbicide application, and mechanical control of invasive weeds.

Darren Olsen

Role: Principal-in-Charge



Mr. Olsen manages BIO-WEST's Watershed Sciences Section and oversees all the firm's hydrology, geomorphology, vegetation management, and watershed sciences projects. A principal of the company, Mr. Olsen has 30 years of professional experience conducting studies related to stream and watershed restoration. He has specialized experience developing and implementing successful restoration projects, including managing technical studies, environmental assessments, environmental impact statements, restoration construction, and revegetation projects. Mr. Olsen has worked on hundreds of large- and small-scale studies throughout the United States. Many of his restoration projects have focused on recovery of endangered species, reestablishment of a functioning riparian ecosystem, or the provision of mitigation credits for unavoidable environmental impacts. Over the years, Darren has developed a strong working relationship with the BOR and the URMCC while managing various projects for BIO-WEST including the Lower Provo River Delta Restoration Project, the Diamond Fork and Sixth Water Creeks Project, the Lower Duchesne River Wetland Mitigation Project, and the Lower Hobbie Creek Restoration Project.

Travis Taylor

Role: Project Manager and Professional Wetland Scientist



Mr. Taylor has over 16 years of experience in conducting botanical studies, habitat assessments, and riparian and watershed health assessments. He has managed a wide variety of vegetation inventory and mapping, wetland and riparian restoration and mitigation projects. He is familiar with the flora of the Great Basin, Colorado Plateau, Rocky Mountains, and the Mojave Desert. Mr. Taylor is proficient with plant inventory and monitoring methods and has performed mapping and habitat assessments in terrestrial, riparian and wetland systems. He holds a bachelor's of science degree in restoration and conservation ecology from Utah State University. Mr. Taylor will serve as the project manager for BIO-WEST and oversee all aspects of the project. Mr. Taylor will help develop effective weed treatment techniques, oversee the reseeding and restoration efforts, and monitoring of the project area. Mr. Taylor will also conduct annual assessments of the project area and provide recommendations for future treatments.

Dustin Lofthouse**Role: Weed Control Specialist and Field Supervisor**

Mr. Lofthouse is a project manager and field supervisor for BIO-WEST's noxious and invasive weed control projects. He has over 20 years of experience conducting weed-control operations for BIO-WEST. Mr. Lofthouse has worked on numerous weed-control projects including the treatment of Phragmites, thistles species (musk, Scotch, Canada, etc.), Dyer's woad, hoary cress, poison hemlock, Russian knapweed, Russian Olive, tamarisk, and other invasive weeds. He has experience using a variety of weed-control equipment including backpack sprayers, ATV-mounted sprayers, truck-mounted sprayers, broadcast sprayers, and mowers. Mr. Lofthouse also has experience mixing and handling a variety of herbicides. Mr. Lofthouse is a Utah licensed commercial pesticide applicator with right-of-way and aquatic surface water certifications. He holds a bachelor's of science degree in geology from Utah State University.

Ellis Erosion Control – Company Profile

Ellis Erosion Control is a qualified, licensed and bondable contractor based in Draper, Utah. Ellis Erosion Control's services include reclamation seeding and mulching, soil-stabilization, and vegetation control. The company has been involved in reclamation projects since 1969. For this contract, Ellis Erosion Control will furnish labor and equipment for removal of mature Russian olive or other invasive trees using bull-hog equipment mounted to a skid steer or mini-excavator, which will be capable of chipping up standing mature trees. Tree shears and chain saws may also be employed. Ellis Erosion Control will also provide mowing services with a skid steer-mounted mowing deck as well as provide hand-mowing of phragmites. Other services Ellis may provide include site preparation and grading, drill-seeding, hydro-seeding, mulching, erosion blankets installation, and planting of bare-root or container stock. Ellis Erosion Control is operated by the father-son team of Kelly and Jake Ellis, accompanied by a crew of laborers.

**TOOLS AND EQUIPMENT**

BIO-WEST maintains a fleet of field equipment that has proven to be effective in treating noxious and invasive weeds. The BIO-WEST weed treatment equipment includes the following:

- ATVs equipped with 25-gallon spray tanks with spray wands and broadcast spraying capability.
- An amphibious Argo® ATV equipped with a 40-gallon spray tank with a spray wand and broadcast spraying capability.
- A Kubota UTV equipped with 25 gallon spray tank with spray wands and broadcast spraying capability.
- Battery powered backpack sprayers.
- A 200-gallon trailer mounted sprayer with a spray wand and broadcast spraying capability.



- A 120-gallon and 300-gallon water tank for transporting clean water.
- A trash pump equipped with a 200-micron filter to obtain clean water from surface water sources if necessary.
- A gasoline powered sickle bar mower.
- Handheld weed trimmers equipped with blades and sickle bar attachments.
- A Jon boat with outboard motor
- Canoes and kayaks.



In addition, Ellis Erosion Control maintains a fleet of field equipment that has proven to be effective in providing mechanical control of noxious and invasive weeds and establishing native vegetation within treatment areas. The Ellis Erosion Control equipment includes the following:

- ASV SR-80 (80 hp) tracked skid steer and ASV RT-75 (75 hp) tracked skid steer
- Skidpro 72 inch rotary brush cutter mower
- Fecon BH74SS flail mulcher (bull hog)
- Three Finn hydromulchers
- Two Finn bale blowers (B260 and B70) and one Boss Big Bale processor
- Three Rangeland drill seeders and one Truax drill seeder
- Eight broadcast seeders (1 tractor mounted and 7 ATV mounted)
- Various chain saws, trimmers, etc.



FEE SCHEDULE

All 12 fully completed bid schedules are included in Appendix B. BIO-WEST modified the original bid schedules to account for different treatment timing, areas, and herbicides used during the spring, summer, and fall treatment events. All associated costs are based on 2026 rates with a 3% increase per year. The total project cost is presented below.

Summer 2026	\$301,653.00
Fall 2026	\$49,069.00
Spring 2027	\$13,605.00
Summer 2027	\$12,283.00
Fall 2027	\$164,648.00
Spring 2028	\$14,001.00
Summer 2028	\$126,408.00
Fall 2028	\$130,905.00
Spring 2029	\$10,600.00
Fall 2029	\$100,913.00
Spring 2030	\$10,891.00
Fall 2030	\$80,795.00
Total Project Cost	\$1,129,319.00

INSURANCE

BIO-WEST has a great record of working safely and has the required insurance coverage as stated in the RFP.

BONDING

BIO-WEST does not typically carry bonds on these types of projects. In fact, BIO-WEST has never been required to carry a bond on any of our projects. BIO-WEST has been issued surety letters in place of bonds on past projects. However, BIO-WEST can obtain the necessary bonding requirements in the RFP if needed. The bond rate will be 3% of the total cost.

ASSUMPTIONS

There are several sections of silt fence in place from past projects within the project area. These silt fences will need to be removed prior to any mowing events. BIO-WEST assumes that Saratoga Springs City will remove and dispose of this silt fence. Ellis Equipment can remove the silt fence for an additional cost of \$24,995.



APPENDIX A: PESTICIDE APPLICATION LICENSES

YEAR: 2028

STATE OF UTAH

No: 4000-127

DEPARTMENT OF AGRICULTURE AND FOOD

P.O. Box 146500 Salt Lake City UT 84114-6500 <http://ag.utah.gov> Phone: 801-538-7100

**AS A COMMERCIAL PESTICIDE BUSINESS
LICENSE
BIO-WEST INC**

**DARREN OLSEN
1063 W 1400 N
LOGAN UT 84321**



Expiration: 12/31/2028

YEAR: 2026

STATE OF UTAH

No: 4001-13730

DEPARTMENT OF AGRICULTURE AND FOOD

4315 South 2700 West, TSOB South Bldg, Floor 2, Taylorsville, UT 84129-2128 <http://ag.utah.gov> Phone: 801-982-2200

**AS A COMMERCIAL PESTICIDE APPLICATOR
LICENSE
DUSTIN L LOFTHOUSE**

Approved For: 5a Aquatic - Surface Water
6 Right-of-Way



762 S 980 W
LOGAN UT 84321

Expiration: 12/31/2026

YEAR: 2028

STATE OF UTAH

No: 4001-29146

DEPARTMENT OF AGRICULTURE AND FOOD

P.O. Box 146500 Salt Lake City UT 84114-6500 <http://ag.utah.gov> Phone: 801-538-7100

**AS A COMMERCIAL PESTICIDE APPLICATOR
LICENSE**

AIDAN MICHAEL KLOPFENSTEIN

Approved For: 5a Aquatic - Surface Water
6 Right-of-Way



**545 E 900 N
LOGAN UT 84321**

Expiration: 12/31/2028

Summer 2026 - Base Unit Pricing

Description: The summer 2026 treatment event will be conducted in June or July August. This event will focus on mowing down previously treated phragmites within the mitigation sites. Mowing previously treated phragmites removes the previous year's dead stalks in order to expose the current year's new growth. Mowing is also useful in helping mulch treated noxious weed litter and prepare the site for revegetation. The timing of the mowing is to facilitate access for the spraying equipment as well as reduce the plants' ability to produce seeds. Phragmites plants usually regrow to about 2–3 feet tall by the end of August following a mowing event. Managing the stands to this height will facilitate the herbicide treatments when utilizing ATV-mounted sprayers or backpack sprayers, thus ensuring the stands will exhibit sufficient plant surface area to absorb the applied herbicide. It is anticipated that the majority of the undesirable woody plants will have been removed during the 2026 mowing event and minimal cut-stump treatment will be required during this event. Appropriate herbicides in accordance with Exhibits A-E would also be used to treat any residual noxious weeds that may have been missed or have regrown since the Spring 2026 treatments.

Item No.	Description	Quantity	Unit	Unit Price (Base)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	\$ 19,050.00	\$ 123,063.00
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	\$ 19,050.00	\$ 140,970.00
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		
7	Project Coordination	1	Lump Sum	\$ 4,220.00	\$ 4,220.00
8	Insurance and Bonding	1	Lump Sum	\$ 33,400.00	\$ 33,400.00
9	TOTAL				\$ 301,653.00

Fall 2026

Description: The fall treatment event will be conducted in September or October and will focus on treating the previously mowed phragmites patches. This treatment event will be focused on vegetation communities where phragmites occurs according to Exhibits A-E. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. Phragmites will be treated using Aquaneat or a similar aquatic friendly herbicide with Ammonia sulfate will also be added to the herbicide mixture. The ammonia sulfate is very effective at encouraging the phragmites to translocate herbicide to the underground parts of the plant, killing the rhizomes and extensive root system. The fall treatment event would also include using a pre-emergent herbicide on areas where cheatgrass was mapped according to Exhibits A-E. Some revegetation could begin in the previously treated and prepped areas along the Amanda Lane trail (approx. 3.0 acres)

Item No.	Description	Quantity	Unit	Inflation % (from Base Pricing)	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ 485.00	\$ 1,896.35
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre		\$ 485.00	\$ 3,133.10
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre		\$ 485.00	\$ 3,589.00
4	Treat Emergent Wetland Areas	18.03	Acre		\$ 485.00	\$ 8,744.55
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	3	Acres		\$ 10,217.00	\$ 30,651.00
7	Project Coordination	1	Lump Sum		\$ 1,055.00	\$ 1,055.00
8	TOTAL					\$ 49,069.00

Spring 2027

Description: The spring treatment event will be conducted in April or May, depending on weather and weed growth conditions. This treatment event will primarily focus on treating cheatgrass, field bindweed, houndstongue, hoary cress, perennial pepperwort, thistle rosettes, Russian olive saplings, and tamarisk saplings within the communities mapped according to **Exhibits A-E**. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. Thistles will need to be mowed before the bolting stage.

It is expected the Company/Contractor will use Weedar 64 herbicide (aquatic 2-4d) to treat the hoary cress, thistle species, and any other broadleaf weed species encountered. Aquaneat herbicide (aquatic approved Glyphosate) will be used as a foliar treatment for newly emerging saplings of Russian olive and tamarisk. A nonionic surfactant (Surf-90) and blue dye (TurfTrax Blue) will be used for all chemical treatments to improve performance of the herbicides, to minimize drift onto desirable plant species, and to mark the treated areas. The Company/Contractor would also use glyphosate for cheatgrass occupied areas, and the appropriate herbicides listed in **Exhibits A-E** for houndstongue and scotch cotton thistle.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre	3.00%	\$ 1,172.00	\$ 4,720.00
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	3.00%	\$ 1,172.00	\$ 7,798.25
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre			\$ -
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	3.00%	\$ 1,055.00	\$ 1,086.65
8	TOTAL					\$ 13,604.90

Summer 2027

Description: The summer 2027 treatment event will be conducted in June or July. This event will focus on mowing down previously treated phragmites within the mitigation sites. Mowing previously treated phragmites removes the previous year's dead stalks in order to expose the current year's new growth. Mowing is also useful in helping mulch treated noxious weed litter and prepare the site for revegetation. The timing of the mowing is to facilitate access for the spraying equipment as well as reduce the plants' ability to produce seeds. Phragmites plants usually regrow to about 2–3 feet tall by the end of August following a mowing event. Managing the stands to this height will facilitate the herbicide treatments when utilizing ATV-mounted sprayers or backpack sprayers, thus ensuring the stands will exhibit sufficient plant surface area to absorb the applied herbicide. It is anticipated that the majority of the undesirable woody plants will have been removed during the 2026 mowing event and minimal cut-stump treatment will be required during this event. Appropriate herbicides in accordance with Exhibits A-E would also be used to treat any residual noxious weeds that may have been missed or have regrown since the Spring 2027 treatments.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -	\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	3.00%	\$ 8,528.00	\$ 56,743.61
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	3.00%	\$ 8,528.00	\$ 65,000.42
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	3.00%	\$ 1,055.00	\$ 1,086.65
8	TOTAL					\$122,830.67

Fall 2027

Description: The fall treatment event will be conducted in September or October and will focus on treating the previously mowed phragmites patches. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. Phragmites will be treated using Aquaneat or another aquatic friendly herbicide. Ammonia sulfate will also be added to the herbicide mixture. The 2027 fall treatment event would also include using a pre-emergent herbicide on areas where cheatgrass was mapped according to Exhibits A-E.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre			\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	3.00%	\$ 420.00	\$ 2,794.60
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	3.00%	\$ 420.00	\$ 3,201.24
4	Treat Emergent Wetland Areas	18.03	Acre	3.00%	\$ 420.00	\$ 7,799.78
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	35.8	Acres	3.00%	\$ 4,061.00	\$ 149,745.31
7	Project Coordination	1	Lump Sum	3.00%	\$ 1,055.00	\$ 1,086.65
8	TOTAL					\$ 164,627.58

Spring 2028

Description: The spring treatment event will be conducted in April or May, depending on weather and weed growth conditions. This treatment event will primarily focus on treating cheatgrass, field bindweed, houndstongue, hoary cress, perennial pepperwort, thistle rosettes, Russian olive saplings, and tamarisk saplings within the communities mapped according to Exhibits A-E. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. Thistles will need to be mowed before the bolting stage. For this treatment event, Weedar 64 herbicide (aquatic 2-4d) or a similar appropriate herbicide would be used to treat the hoary cress, thistle species, and any other broadleaf weed species encountered. Aquaneat herbicide (aquatic approved Glyphosate) will be used as a foliar treatment for newly emerging saplings of Russian olive and tamarisk. A nonionic surfactant (Surf-90) and blue dye (TurfTrax Blue) will be used for all chemical treatments to improve performance of the herbicides, to minimize drift onto desirable plant species, and to mark the treated areas. The Company/Contractor would also use glyphosate for cheatgrass occupied areas, and the appropriate herbicides listed in Exhibits A-E for hounds' tongue and scotch cotton thistle.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre	6.00%	\$ 1,172.00	\$ 4,857.47
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	6.00%	\$ 1,172.00	\$ 8,025.39
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre			\$ -
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	6.00%	\$ 1,055.00	\$ 1,118.30
8	TOTAL					\$ 14,001.16

Summer 2028

Description: The summer treatment event will be conducted in June or July. This event will focus on mowing down previously treated phragmites within the mitigation sites. This mowing event would be the third event conducted within the mitigation sites and is expected to be the final mowing event as three annual mowing events are typically required to effectively control phragmites. Appropriate herbicides in accordance with Exhibits A-E would also be used to treat any residual noxious weeds that may have been missed or have regrown since the Spring 2027 treatments.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -	\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	6.00%	\$ 8,528.00	\$ 58,396.33
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	6.00%	\$ 8,528.00	\$ 66,893.63
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	6.00%	\$ 1,055.00	\$ 1,118.30
8	TOTAL					\$ 126,408.26

Fall 2028

Description: The fall treatment event will be conducted in September or October and will focus on treating the previously mowed phragmites patches. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. Phragmites will be treated using Aquaneat or another aquatic friendly herbicide. Ammonia sulfate will also be added to the herbicide mixture. The 2028 fall treatment event would also include using a pre-emergent herbicide on areas where cheatgrass was mapped according to Exhibits A-E.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -	\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	6.00%	\$ 420.00	\$ 2,875.99
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	6.00%	\$ 420.00	\$ 3,294.48
4	Treat Emergent Wetland Areas	18.03	Acre	6.00%	\$ 420.00	\$ 8,026.96
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	35.8	Acres	6.00%	\$ 3,046.00	\$ 115,589.61
7	Project Coordination	1	Lump Sum	6.00%	\$ 1,055.00	\$ 1,118.30
8	TOTAL					\$ 130,905.34

Spring 2029

Description: By this time, the city anticipates that the majority of the noxious and invasive weeds present on the mitigation sites will have been eradicated. The spring treatment events in 2029 will transition into a more long-term management approach to the mitigation sites. This approach will ensure that any populations of noxious and invasive weeds within the mitigation sites will be treated before they can become reestablished.

The spring treatment events will be conducted in April or May, depending on weather and weed growth conditions. cheatgrass, field bindweed, houndstongue, hoary cress, perennial pepperwort, thistle rosettes, Russian olive saplings, and tamarisk saplings within the communities mapped according to Exhibits A-E. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event.

For this treatment event, Weedar 64 herbicide (aquatic 2-4d) or a similar appropriate herbicide would be used to treat the hoary cress, thistle species, and any other broadleaf weed species encountered. Aquaneat herbicide (aquatic approved Glyphosate) will be used as a foliar treatment for newly emerging saplings of Russian olive and tamarisk. A nonionic surfactant (Surf-90) and blue dye (TurfTrax Blue) will be used for all chemical treatments to improve performance of the herbicides, to minimize drift onto desirable plant species, and to mark the treated areas. The Company/Contractor would also use glyphosate for cheatgrass occupied areas, and the appropriate herbicides listed in Exhibits A-E for hounds' tongue and scotch cotton thistle.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre	9.00%	\$ 836.00	\$ 3,562.95
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	9.00%	\$ 836.00	\$ 5,886.61
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre			\$ -
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	9.00%	\$ 1,055.00	\$ 1,149.95
8	TOTAL					\$ 10,599.51

Fall 2029

Description: By this time, The City anticipates that the majority of the large monocultures of phragmites will have been treated and controlled. While some smaller patches of phragmites may still be present within the mitigation sites, The City anticipates that these patches will not need to be mowed prior to treatment. Similar to the 2029 spring treatment events, the fall treatment events will transition into a more long-term management approach to the mitigation sites. This approach will ensure that any populations of phragmites on the site will be treated before they can become reestablished. The fall treatment events will be conducted in late September or October and will focus on treating phragmites. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. The company /contractor will treat the phragmites using Aquaneat herbicide. Ammonia sulfate will also be added to the herbicide mixture.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -	\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	9.00%	\$ 306.00	\$ 2,154.67
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	9.00%	\$ 306.00	\$ 2,468.20
4	Treat Emergent Wetland Areas	18.03	Acre	9.00%	\$ 306.00	\$ 6,013.73
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	35.8	Acres	9.00%	\$ 2,284.00	\$ 89,126.25
7	Project Coordination	1	Lump Sum	9.00%	\$ 1,055.00	\$ 1,149.95
8	TOTAL					\$ 100,912.79

Spring 2030

Description: By this time, the city anticipates that the majority of the noxious and invasive weeds present on the mitigation sites will have been eradicated. The spring treatment events in 2030 will transition into a more long-term management approach to the mitigation sites. This approach will ensure that any populations of noxious and invasive weeds within the mitigation sites will be treated before they can become reestablished.

The spring treatment events will be conducted in April or May, depending on weather and weed growth conditions. cheatgrass, field bindweed, houndstongue, hoary cress, perennial pepperwort, thistle rosettes, Russian olive saplings, and tamarisk saplings within the communities mapped according to Exhibits A-E. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event.

For this treatment event, Weedar 64 herbicide (aquatic 2-4d) or a similar appropriate herbicide would be used to treat the hoary cress, thistle species, and any other broadleaf weed species encountered. Aquaneat herbicide (aquatic approved Glyphosate) will be used as a foliar treatment for newly emerging saplings of Russian olive and tamarisk. A nonionic surfactant (Surf-90) and blue dye (TurfTrax Blue) will be used for all chemical treatments to improve performance of the herbicides, to minimize drift onto desirable plant species, and to mark the treated areas. The Company/Contractor would also use glyphosate for cheatgrass occupied areas, and the appropriate herbicides listed in Exhibits A-E for hounds' tongue and scotch cotton thistle.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre	12.00%	\$ 836.00	\$ 3,661.01
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	12.00%	\$ 836.00	\$ 6,048.63
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre			\$ -
4	Treat Emergent Wetland Areas	18.03	Acre		\$ -	\$ -
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate & Reseed Treated Areas	0	Acres		\$ -	\$ -
7	Project Coordination	1	Lump Sum	12.00%	\$ 1,055.00	\$ 1,181.60
8	TOTAL					\$ 10,891.24

Fall 2030

Description: By this time, The City anticipates that the majority of the large monocultures of phragmites will have been treated and controlled. While some smaller patches of phragmites may still be present within the mitigation sites, The City anticipates that these patches will not need to be mowed prior to treatment. Similar to the 2030 spring treatment events, the fall treatment events will transition into a more long-term management approach to the mitigation sites. This approach will ensure that any populations of phragmites on the site will be treated before they can become reestablished.

The fall treatment events will be conducted in late September or October and will focus on treating phragmites. The Company/Contractor is expected to utilize ATVs mounted with herbicide spray tanks and backpack sprayers to treat the mitigation areas during this event. The company /contractor will treat the phragmites using Aquaneat herbicide. Ammonia sulfate will also be added to the herbicide mixture.

Item No.	Description	Quantity	Unit	Inflation % from Base Pricing	Unit Price (Summer 2026 Base numbers x inflation %)	Extended Price
1	Treat Weedy Upland Areas	3.91	Acre		\$ -	\$ -
2	Treat Invasive Woody Riparian Areas (includes mulching & spreading?)	6.46	Acre	12.00%	\$ 306.00	\$ 2,213.97
3	Treat Phragmites Dominated Wetlands (includes mulching & spreading?)	7.4	Acre	12.00%	\$ 306.00	\$ 2,536.13
4	Treat Emergent Wetland Areas	18.03	Acre	12.00%	\$ 306.00	\$ 6,179.24
5	Annual Mitigation Site Monitoring	1	Lump Sum		\$ -	\$ -
6	Revegetate Treated Areas	35.8	Acres	12.00%	\$ 1,713.00	\$ 68,684.45
7	Project Coordination	1	Lump Sum	12.00%	\$ 1,055.00	\$ 1,181.60
8	TOTAL					\$ 80,795.39

APPENDIX B: COMPLETED BID SCHEDULES

RESOLUTION NO. R26-45 (08-18-26)

**A RESOLUTION APPROVING A CONTRACT WITH TEPEKI
FOR THE UTAH LAKE SHORELINE WETLAND MITIGATION
PROJECT**

WHEREAS, the City Council of the City of Saratoga Springs has found it in the public's interest to obtain services from qualified contractors to provide services in accordance with the Utah Lake Shoreline Wetland Mitigation Project ("Project"); and

WHEREAS, the City advertised the project on U3P in order to acquire services from qualified contractors; and

WHEREAS, City Staff analyzed all submittals to determine the lowest responsible contractor; and

WHEREAS, the City Council has determined that awarding the project to the lowest responsible contractor is in the best interest of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government and public services.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Saratoga Springs, Utah, that the Utah Lake Shoreline Wetland Mitigation Project is awarded to the lowest responsible bidder, Bio-West in the amount of \$1,126,298.84 and the City Manager is authorized to enter into this contract accordingly. This resolution shall take effect immediately upon passage.

PASSED on the 18th of August 2026.

**CITY OF SARATOGA SPRINGS
A UTAH MUNICIPAL CORPORATION**

Chris Carn, Mayor

Attest: _____
Nicolette Fike, City Recorder



MINUTES – City Council Joint Workshop Interlocal Meeting

July 30, 6:00 PM
Eagle Mountain City Council Chambers
1650 E Stagecoach Run, Eagle Mountain, Ut 84005

Eagle Mountain City Council Representatives: Councilmember Melissa Clark, Craig Whiting, Brett Wright and Rich Wood.

Eagle Mountain City Staff: Ben Reeves, City Manager; Steve Mumford, Deputy City Manager; David Salazar, Assistant City Engineer; Brad Hickman, Public Works Director; Vince Hogge, City Engineer; Brandon Larsen, Community Development Director and Lacie Messerly, City Recorder.

Saratoga Springs City Council Representative: Councilmembers Edon Davenport and Lance Wadman.

Saratoga Springs City Staff: Jeremy Lapin, City Engineer & Public Works Director.

Representatives from Utah Department of Transportation (UDOT) – Region 3: Rob Clayton and Jeff Lewis.

Representatives from Mountainland Association of Governments (MAG): Bob Allen, Kevin Feldt, LaNiece Davenport and Tim Hereth.

Representatives from Alpine/Lake Mountain School District: Julie King

Representatives from Avenue Consultants: Rick Torgerson and Nick Betts.

6:00 PM SPECIAL SESSION – INTERLOCAL TRANSPORTATION MEETING

1. WELCOME BY CITY MANAGER BEN REEVES

City Manager Ben Reeves opened the meeting at 6:12PM and excused Mayor Gray and Mayor Carn for a County Event. He also welcomed representatives from Saratoga Springs, Avenue Consultants, UDOT, and Mountainland Association of Governments (MAG)

2. TRANSPORTATION PROJECTS

2.A. Lake Mountain Corridor (UDOT facility formally known as Mid Valley Road).

Representatives provided an overview of the Mid Valley Corridor study, including potential alignments, roadway grades, feasibility, and estimated costs. Several alignment options were reviewed, with consideration given to roadway grades, property impacts, future connectivity, and regional transportation needs. Property representatives discussed concerns regarding impacts to existing and planned development and suggested exploring alternative alignments farther south. The group discussed the potential for additional traffic modeling and further evaluation of alternative alignments before determining a preferred option. Continued coordination among the City, property owners, and regional partners was encouraged.

2.B. Silverlake Neighborhood to School District Connections.

Representatives discussed a potential connection from Silver Lake Parkway into Saratoga Springs and the surrounding area. Discussion included roadway alignment, traffic and safety considerations, impacts to the surrounding area, and coordination with the school district. The importance of evaluating the connection as part of the broader transportation network, rather than as an isolated roadway project, was emphasized. Additional study and coordination were discussed, including potential impacts related to sewer and other infrastructure.

Participants further discussed anticipated growth in the Cedar Valley and the resulting impacts on schools and the regional transportation network. The need to plan for future traffic associated with residential and school development was discussed, along with the importance of providing safe and efficient connections between communities.

3. OTHER CONNECTIONS (TIME PERMITTING)

3.A. Pony Express Pkwy Widening to 7 Lanes from Lake Mountain Corridor to Mountain View Corridor.

The City discussed its interest in future improvements and widening of Pony Express Parkway. Potential improvements and connections were discussed in the context of planned development and regional transportation needs. Staff and regional partners discussed coordinating future studies, access management, and roadway planning to ensure improvements are consistent with long-term transportation goals.

3.B. Inverness Ln to Talus Ridge Dr Connection.

3.C. Wild Blossom Boulevard.

3.D. Wagstaff Way East Alignment.

4. OTHER GENERAL QUESTIONS AND DISCUSSION (TIME PERMITTING)

The group discussed the significant costs associated with the proposed transportation projects and the challenges of securing regional and state funding. Participants emphasized the importance of continued collaboration and planning ahead of project funding and construction. Additional modeling, evaluation of alternative alignments, and coordination among the participating jurisdictions and property owners were identified as potential next steps.

5. ADJOURNMENT

The meeting was adjourned at 8:05 PM.

Approved by the City Council on August 18, 2026.

Mayor Christopher Carn

City Recorder



MINUTES – City Council Meeting

Tuesday, August 4, 2026

City of Saratoga Springs City Offices

319 S. Saratoga Rd., Saratoga Springs, Utah 84045

POLICY MEETING

CALL TO ORDER

6:00 p.m. by Mayor Chris Carn.

1. **Roll Call** – A quorum was present.

Present:

Mayor Chris Carn, Council: Audrey Barton, Edon Davenport, Robert Taylor, Lance Wadman, Emma Wilson (participated remotely).

Staff: City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, PR Manager AnnElise Harrison, Public Works Director/City Engineer Jeremy Lapin, City Recorder Nicolette Fike, Deputy Recorder Wendy Wells, Senior Planner Austin Roy, Senior Planner Kendal Black. Others: Lance Matheson, Austin Schenk, Jason Holker, Same Beck, Thomas Lehnardt, Forrest Gaskill, Weston Remund.

Excused: None.

2. **Moment of Reflection** – given by Councilmember Taylor.
3. **Pledge of Allegiance** – led by Councilmember Wadman.
4. **Public Input** – No public input was given.

Jason Holker, resident of Saratoga Springs, noted his participation in a recent City Council meeting regarding concerns with parking in the High Ridge neighborhood, and appreciated the responses he had received. He mentioned that he had observed challenges with construction trucks and emergency vehicles trying to navigate heavily parked streets, and was hopeful a no parking rule could be implemented in his neighborhood.

Lance Matheson, resident of Saratoga Springs, said he was also present at a recent City Council meeting regarding the High Ridge neighborhood. He shared an example of an Eagle Mountain IADU he believed was non-compliant that had recently escalated to a very distressing situation. He felt that the parking problems were directly related to non-compliant IADUs and asked the City to continue working with the neighborhood towards a resolution.

Austin Schenk, resident of Saratoga Springs, was also concerned about parking on the street. He visited a nearby high-density neighborhood with condos and townhomes recently and noted there were no cars parked on those streets due to HOA rules, and thought it was concerning that street parking was so much worse in his neighborhood of single-family homes where he had expected it to be better.

Sam Beck, resident of Saratoga Springs, had safety concerns due to all the street parking. He felt the parked cars impaired visibility for oncoming traffic, and shared a recent example where his child had been endangered due to lack of visibility.

Mayor Carn asked for and received details of the cross-streets of concern, which were Bennedict Drive and High Ridge Road.

Public Input Closed: by Mayor Carn.

REPORTS

1. **Mayor.**
2. **City Council.**

3. **Administration.** City Manager Mark Christensen reminded Staff and City Council of the Police National Night Out against Crime at Walmart and noted that they would be attending later.
4. **Department Reports: Police, Fire/EMS.** Mayor Carn advised that reports were in the packet.

CONSENT ITEMS

1. **Approval of Minutes: July 17, 2025 and July 21, 2026.**

Motion made by Councilmember Davenport to approve the items on the Consent Calendar. Seconded by Councilmember Barton.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None

Absent: None

Motion passed 5-0

BUSINESS ITEMS

1. **Saratoga Springs Commercial Plat G Lot 710 Site Plan, located at 383 West Crossroads Boulevard. Thomas Lehnardt, Westlake Partners Phase G, LLC as applicant.**

Senior Planner Kendal Black presented the item. The applicant is seeking approval of a site plan for one commercial building for a multi-tenant building. Uses include one commercial building with up to five tenant spaces. There are 54 required parking stalls and 55 provided for the 6,854-square foot building. The proposed site plan complies with all landscaping, lighting, site, and parking requirements, and shall comply with the architectural requirements.

Applicant Thomas Lehnardt was in attendance to answer any questions.

Councilmember Davenport received clarification that the window glazing had been resolved.

Councilmember Wilson was informed that it had not been necessary to have a shred parking agreement since there was sufficient parking. She also inquired about sidewalks, and wondered if the planned sidewalks would be ADA compliant.

Mr. Lehnardt explained that his understanding of ADA compliant sidewalks was a three-foot minimum width, with a five-foot landing. He noted that the plan had a four-foot landing, but explained that they would be happy to make any adjustments in order to be compliant.

Public Works Director/City Engineer Jeremy Lapin advised that the sidewalk items could be added to the motion as a requirement.

Motion made by Councilmember Taylor that the City Council approve the requested Site Plan for Saratoga Springs Commercial Plat G Lot 710, located at 383 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report, and ensuring that sidewalks meet ADA minimum standards of 5 feet in width. Seconded by Councilmember Wilson.

Staff and City Council discussed ADA sidewalk standards, and how the motion should be worded.

City Attorney Kevin Thurman stated that conditions could not be imposed unless they were expressed in the code. He noted that ADA compliance was required under federal law.

Councilmember Taylor amended the motion to strike the 5-foot width requirement, and only meet ADA requirements. Seconded by Councilmember Wilson.

110 City Attorney Kevin Thurman advised that the motion be amended to say private sidewalks be ADA compliant.

115 **Councilmember Taylor amended the motion that the City Council approve the requested Site Plan for Saratoga Springs Commercial Plat G Lot 710, located at 383 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report, and ensuring private sidewalks are ADA compliant. Seconded by Councilmember Wilson.**

Vote:

120 **Council Member Barton Yes**

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None

Absent: None

125 **Motion passed 5-0**

2. **Saratoga Springs Commercial Plat G Lot 711 Site Plan, located at 369 West Crossroads Boulevard. Thomas Lehnardt, Westlake Partners Phase G, LLC as applicant.**

130 Senior Planner Kendal Black presented the item. The applicant is seeking approval of a site plan for one commercial building for a multi-tenant building. Uses include one commercial building with up to five tenant spaces. There are 47 required parking stalls and 50 provided for the 6,415-square foot building. The proposed site plan complies with all landscaping, lighting, site, and parking requirements, and shall comply with the architectural requirements.

135 Applicant Thomas Lehnardt was in attendance to answer any questions.

Councilmember Wilson had a concern that connectivity may be blocked near the Wiggy Wash.

140 Councilmember Davenport sought clarification regarding pathway lighting fixtures that may have exceeded 10 feet and was advised that it had been addressed.

145 **Motion made by Councilmember Barton that the City Council approve the requested Site Plan for Saratoga Springs Commercial Plat G Lot 711, located at 369 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report and ensuring private sidewalks are ADA compliant. Seconded by Councilmember Davenport.**

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

150 **Council Member Wadman Yes**

Council Member Wilson Yes

No: None

Absent: None

Motion passed 5-0

- 155 3. **Site Plan for Jacob Ranch Marketplace Lot 10, located at 1805 S. Redwood Road. Forrest Gaskill as applicant.**

160 Senior Planner Austin Roy presented the item. The applicant is seeking approval of the site plan for a commercial building at Jacob Ranch Marketplace. The lot is approximately 0.98 acres and will contain a single 6,054 square-foot building, divided into four separate units. The proposed uses for the building are one restaurant and three retail spaces. 40 parking spaces are required based on the proposed uses, with 42 total parking spaces being provided, thus meeting the requirement.

165 Applicant Forrest Gaskill was in attendance to answer questions.

Mayor Carn received clarification that the larger buildings on the west side of the property would come to City Council at a later date.

Councilmember Wadman asked how much seating was planned for the outdoor area in conjunction with the parking requirements.

Mr. Gaskill responded that there was currently no planned tenant for the patio space; therefore, a specific number of seats had not been determined. Any future tenant would be required to comply with applicable code and occupancy limits.

Senior Planner Austin Roy further explained that as part of the conditions it was stated that if there were more than 12 seats added to the outdoor seating area, then additional parking would be required.

Councilmember Wilson received clarification regarding the location of the ADA route, and that the shorter, more direct route presented elevation challenges and would require a retaining wall, making the selected route more feasible.

Motion made by Councilmember Wadman that the City Council approve the requested Site Plan for Jacob Ranch Marketplace Lot 10 located at 1805 S. Redwood Road, with the Findings and Conditions in the Staff Report. Seconded by Councilmember Barton.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None

Absent: None

Motion passed 5-0

4. Major Site Plan Amendment for Avative Fiber Shelter UCCU Site Plan, located at 1364 N. Commerce Drive. Weston Remund as applicant.

Senior Planner Austin Roy presented the item. The applicant is requesting approval of a Site Plan Amendment for Lot 4 of the Saratoga Crossroads Subdivision. An unmanned 12' x 12' telecommunication shelter is proposed to be placed on the east side of the property in an existing landscaped area.

Applicant Weston Remund was in attendance to answer any questions.

Motion made by Councilmember Taylor that the City Council approve the requested Site Plan Amendment (major) for Avative Fiber Shelter UCCU located at 1364 N Commerce Drive, with the Findings and Conditions in the Staff Report. Seconded by Councilmember Davenport.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None

Absent: None

Motion passed 5-0

5. Council Comments: *Council members may discuss specific topics or issues they wish to have formally considered for inclusion on a future meeting agenda. No action will be taken.*

Councilmember Wilson suggested a possible code change to have 5-foot sidewalks on commercial property. Councilmember Wadman agreed and thought that 5 feet would be better, specifically for wheelchairs.

Councilmembers Barton and Taylor were in favor of following national ADA compliance standards.

Councilmember Davenport was concerned that if additional restrictions were applied beyond ADA requirements, it could be more difficult and expensive to own and operate a business in Saratoga Springs.

230 Public Works Director/City Engineer Jeremy Lapin advised that there was not currently a separate review
process for strict ADA compliance and noted that adding such a process could become cumbersome.

City Manager Mark Christensen clarified that Councilmembers Wilson and Wadman could later review the
feasibility of a code amendment to allow five-foot sidewalks for commercial properties where ADA access
routes lead to the business.

235 **CLOSED MEETING** – No closed meeting was held.

ADJOURNMENT

Meeting Adjourned Without Objection at 6:38 p.m. by Mayor Chris Carn.

240

Mayor Chris Carn

Date

245

City Recorder



MINUTES – Truth in Taxation Public Hearing Meeting City Council Meeting

Tuesday, August 11, 2026

City of Saratoga Springs City Offices, Council Chambers
319 S. Saratoga Rd., Saratoga Springs, Utah 84045

TRUTH IN TAXATION SESSION

WELCOME AND CALL TO ORDER

6:30 p.m. by Mayor Chris Carn

Due to technical difficulties with the required virtual option the meeting began late.

Documents available to the public at this meeting: Meeting Agenda, Utah County Combined Tax Increase List, Proposed Property Tax Impact Schedule.

1. Roll Call – A quorum was present

Present:

Mayor Chris Carn, Council: Audrey Barton, Edon Davenport, Robert Taylor, Lance Wadman, Emma Wilson.

Staff: City Manager/Budget Officer Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Assistant City Manager Katie Olson, PR Manager AnnElise Harrison, Finance Director Chelese Rawlings, City Recorder Nicolette Fike, Deputy Recorder Wendy Wells, Deputy Recorder Heather Washburn, Budget/Finance Administrator Spencer Quain, Fire Chief Kenny Johnson, Police Chief Andrew Burton, Assistant Police Chief Bill Robertson.

Public signed in to speak: Julie King, Beth Allen, Sami Rayes, Stephen Waitkevich, Lynn Archuleta, Bryan King, Daniel Dunham, Morgan Humphries, Leah Hansen, Jennifer Scranton, Clarissa Cooper, Karen Crouch, Joylin Lincoln.

Virtual speakers: Derek Andrews, Tammy Christopherson.

2. Moment of Reflection – given by Councilmember Wadman.

3. Pledge of Allegiance – led by Mayor Carn.

PUBLIC HEARINGS AND RELATED ACTIONS - 6:33 p.m.

1. Public Hearing on the Proposed Tax Increase for the City of Saratoga Springs.

a. Presentation of Proposed Tax Increase.

- The City of Saratoga Springs is proposing a 50.03% property tax increase for an additional \$3,100,000 in revenue that would be generated each year by the proposed increase in the certified tax rate; for the purpose of funding public safety with the intended use of adding additional Fire and Police services.

Mayor Carn stated that \$3,100,000 of additional ad valorem tax would be generated each year by the proposed increase in the certified tax rate; and that the reason for the proposed tax increase of 50.03%, from 0.000978 to 0.001467, was to fund public safety with the intended use of adding additional Fire and Police services.

Budget Administrator Spencer Quain explained that the city is proposing a property tax increase for Fiscal Year 2026–2027 to generate an additional \$3.1 million in property tax revenue, representing an approximate 50% increase over current levels. Under this proposal, the property tax rate would rise from the base rate of 0.0097 to 0.001467. The impact on a median average home valued at

45 \$541,873 would equate to an estimated increase of \$145 per year in city property taxes for the average homeowner.

50 **b. Public Comment.**

Mayor Carn opened the Public Hearing at 6:35 p.m. – Those participating virtually were able to share video and audio with council.

55 Julie King of Saratoga Springs shared the growth she has seen in her over 20 years of living in the city. She recently watched firefighters protect the new high school and understands the community's connection and explosive growth. Drawing on her experience as an elected official who understands budget constraints, she noted that while the city has long made do, stretching past resources is no longer sustainable as the school district prepares to build 17 schools in 15 years. Because this growth will place immense demand on city infrastructure, public safety, and services, she supports the proposed certified tax rate to invest thoughtfully today rather than pay a higher price for falling behind tomorrow.

65 Daniel Dunham, resident, felt this increase was not about public safety and shared his estimates of public safety statistics. He felt the department was poorly run with excessive officers, unmarked cars, and equipment and thought they should cut officers.

70 Morgan Humphries, resident, understood the need for increase, but felt this was excessive. He wanted to make sure the city was good stewards. He looked at the budget and gave a department comparison. He shared he did not like unmarked police cars and was concerned animal control was not doing jobs properly.

75 Bryan King of Saratoga Springs, noted he had lived here over 20 years and was in favor of the increase, he agreed with the proposed use, noting those are things the city has increase or need more in the city, for things such as traffic control and safety for kids. He noted people say we need to plan the city better and this is helping to do that.

80 Leah Hansen of Saratoga Springs, shared some concern about the tax increase and felt not all of it would be going to public safety. She felt fire and law enforcement had done an outstanding job for the city.

85 Jennifer Scranton, Saratoga Springs, appreciated police and fire and what they have done, but was concerned about the amount of tax increase. She would like further clarification as to what the growth has funded and what has changed to make the increase necessary now and if it goes through, could it be phased over several years.

90 Clarissa Cooper, resident, is happy to support the increase to help fund the police which would in turn help fund the Library. She said everyone she talks to loves the new library and it's a lifeline for many. She noted how there are less programs for kids because of the lack of staffing. She felt the benefits of the increase were worth it.

95 Karen Crouch, resident, wanted to make sure the city had really cut on waste. She felt the income would raise because of more residents coming. She felt the city was spending wisely on police and library but wanted to cut other areas first. She noticed money may be wasted on things like watering cement. She wants to make sure they have cut all the waste they can first.

Stephen Waitkevich, resident, felt in his perspective the residential tax base has grown and wasn't understanding why the additional residents and business aren't covering the tax base. He felt the

100 police budget was over inflated and should be reduced not increased. He noted his taxes doubled moving here from Sandy. He felt the city was the highest increase over almost all the other cities proposing an increase.

105 Lynn Archuleta, of Saratoga Springs, shared she is just retired and 50% felt too high for her. She understands it's necessary but that felt too extreme and felt there were ways to cut the budget and be more efficient and not top heavy anywhere.

Beth Allen of Saratoga Springs, asked why the growth and businesses have not compensated for the need and wondered if some businesses have been given tax breaks. She commented on the library and noted it was very hard to volunteer there, maybe if it was easier, they wouldn't have to hire so many.

110 Josh Kimball, emailed comment, opposed the increase feeling increased growth was sufficient, and felt cost of living was out of control.

115 Kevin Marsh, emailed comment, opposed the increase, noting that he understood the need for additional revenue but this amount was too much and would strain budgets.

Clorissa Bascom, emailed comment, reached out for further clarification without noting a final stance.

120 Jordan Hyde, emailed comment, was in support of the increase noting it was a necessary and reasonable investment in the continued success and wellbeing of Saratoga Springs. He felt it was fiscally responsible and justified.

125 Brandon Anderson, emailed comment, shared his support of the increase. He noted the growth of the city and the need to hire additional law enforcement to help enforce existing laws and help with traffic.

130 Tammy Christopherson, virtual participant, was not in support of the new tax increase. Being retired it is 20% of her retirement income. She noted her property taxes have gone up 5% each year. Could it be phased over a few years? She didn't know where she could cut. She liked what other people have said about where is the other money going or coming from.

135 Derek Andrews, emailed comment, virtual attendee, opposed the tax increase. While he supported responsible funding for police, fire, roads and essential services, he did not think a 50% increase was needed right now and felt the proposal could have been clearer and better justified and the city should show where it has already cut. He felt some funds were being used irresponsibly in the police department.

140 Sammie Reyes of Saratoga Springs, was not opposed to taxes and understood expenditures were needed but felt 50% was too high. He noted other revenue sources and wondered where the money was coming from, how much more money the city was getting, and how it was used. He supports law enforcement and noted the money wasn't for just salary, but equipment and training etc.

145 Joylin Lincoln of Saratoga Springs, noted she has been here since 1999. She expressed appreciation for the many years without a tax increase. She acknowledged the challenge of deciding whether to do small incremental increases or occasional larger ones, it's hard to balance when is the right time. She noted how inflation has diminished purchasing power.

Mayor Carn closed the Public Hearing at 7:21 p.m.

- 150 2. **Consideration of Resolution R26-44 (08-11-26) adopting the certified tax rate for the general revenue fund for fiscal year 2026-2027. – 7:21 p.m.**

Councilmember Taylor felt inflation had a devastating effect on the cost of operations in the city over time, resulting in a struggle to balance the budget each year. Staff clarified for his question that paying for existing services was a priority in budgeting and making sure they didn't have to cut anything essential.

Councilmember Wilson noted that it was projected to spend 14.5 million on public safety for the coming year, and noted the new positions budgeted for had not been hired yet.

City Manager Mark J. Christensen advised that we are required by the State to show on the proposed Property Tax Impact Schedule what we would not be able to fund if this increase did not get passed. While some items listed on the budget documents have nothing to do with public safety, it would be where we would make cuts if this did not pass. He explained any staffing related to this increase could not be hired until it was approved by the State. He further advised that the city gets about \$6 million a year in property tax, but as indicated, the expenses for public safety are projected to be around \$14 million this year, and will continue to go up. This tax increase would only cover a small portion of that, the rest would be subsidized.

Councilmember Wadman thanked the public for coming. He enjoyed the freedoms we have to discuss this and give citizens the opportunities to be heard. He had talked with people on fixed incomes and noted the city has provided a lot of information on this issue. He noted he had been in the city over 25 years and felt it was amazing that we had not had to raise taxes for such a long time, but looking at the bare bones, the calls per employee have gone up for police and fire. He felt it was not the same culture in the city as it was 25 years ago, the services are needed more now. He noted his vote tonight was after counselling with others and reviewing the data.

Councilmember Barton pointed out that this was definitely a data driven decision and felt we had all the numbers needed to really look at and make the decision. Discussions had not been taken lightly and was difficult each time it has been brought up.

Councilmember Wilson explained that 100% of the funds will be going to public safety and noted how much is being subsidized with sales tax. She had spent a lot of time as a new council member reviewing the budget. She felt we had used every strategy to cut funding. For instance, reusing old equipment which could be questionable or charging the full price of water impact fees to developers to save residents. She noted the primary ways to fund public safety are property and sales tax. The sales tax so far has been subsidizing but that is more difficult going forward. She shared how much public safety had cost a few years ago. She remarked how as the property values go up, the tax rate goes down.

Councilmember Wilson noted the concern about flock cameras and indicated those were going away soon and contracts would not be renewed. She noted the city does not have any current tax incentives for businesses in the city.

Councilmember Davenport realized they were asking for an investment from the community and didn't take that lightly. She clarified that while it was only the city portion of the property taxes, it was roughly an extra \$12 a month, and recognized that it could be a stretch for some budgets. She was committed to making sure residents were getting the value from this request. She noted that we would need to build a new fire station, pointing out that there were portions of the city that are more than 10 minutes in response time. We have relied on mutual aid from neighboring cities to help, this will help us better serve our own citizens. We want to make sure the new police officers and fire could also be equipped.

Councilmember Taylor noted there were choices that had to be made. He noted that council had already cut merit increases to city staff recently. However, after 18 years without a property tax increase, significant inflation, and a corresponding decline in the dollar's value, has caused city operational and infrastructure maintenance costs to far outpace revenue. It was explained that under Utah's certified tax

rate, existing tax collections do not automatically adjust upward for inflation as home values rise. He observed that while new development pays for initial infrastructure, it creates long-term maintenance burdens, and volatile sales tax revenues are shifting to new retail options in neighboring cities. We have seen the decrease in response times in our emergency calls, noting that for each minute that goes by on emergency response it's a potential life lost. He felt they cut as much as they have been able to and this was something that needed to happen.

Mayor Carn explained that every year the county assessor looks at the overall value of the houses and businesses and then assigns a rate to every entity. The certified tax rate has to be adjusted through a truth and taxation process. He noted because of the tax rate going down each year as assigned by the county, he pays less in city taxes today than he did 10 years ago, and so far, the city has been able to manage, but in those 18 years the city has grown from a volunteer or part-time fire dept to fully staffed with two stations.

Mayor Carn addressed new growth clarifying that construction of the new fire station will be fully funded through growth-driven impact fees, which state code mandates can only be used for capital projects validated by official studies and audits. However, because impact fees cannot pay for ongoing operational expenses, the proposed tax increase is needed strictly to cover personnel costs for the influx of police and fire staff required to man the new station. Addressing tax incentives, he reported that there has only been one incentive, for Costco, it was not a property tax incentive, but was a performance-based sales tax (not property tax) which has since been paid off and completed. There are no others they are looking at.

Mayor Chris Carn advised that you could go to the city website and a simple search for budget would bring up the documents going back almost 20 years.

City Manager Mark J. Christensen shared data about new growth revenue on average, over the past 16 years.

Councilmember Barton thanked other council members for sharing about the data that they see and base these decisions on.

Councilmember Wilson shared that public safety costs per household average roughly \$900-\$1,000 annually, while the median household currently pays only about \$261 in city property tax, leaving the difference to be subsidized by mainly sales tax. She noted another city that charges the full cost to citizens for public safety. Every time a new house is built, we are subsidizing more and more, even though we are collecting more revenue it is not enough to continue to cover the difference. In the past it was about half property tax and half subsidized, now it's about 1/3 property tax and the rest is subsidized. She said we are trying to get it back to closer to 50/50 funding split so if there was another crash, they wouldn't need to let go of fire fighters and lose service. Growth helps, but it also adds costs and we want to help keep the balance so residents aren't paying the full cost. This increase helps so we can still have community services like parks, recreation, and libraries and we hope to keep the tax stable for a very fast-growing city and keep it manageable for fixed and low-income residents in one of the state's fastest growing cities.

Motion made by Councilmember Wilson to approve the Resolution R26-44 (08-11-26) adopting the certified tax rate for the general revenue fund for fiscal year 2026-2027. Seconded by Councilmember Davenport.

Vote:

Council Member Barton Yes

Council Member Davenport Yes

Council Member Taylor Yes

Council Member Wadman Yes

Council Member Wilson Yes

No: None

Absent: None

Motion passed 5-0

3. **Public Hearing for the City of Saratoga Springs' Final Fiscal Year 2026-2027 Budget.** 7:55 p.m.

a. Presentation on the FY 2026-27 Final Budget.

Budget administrator Spencer Quain noted this year's budget shows a jump in personnel due to the need to open and staff a new fire station. There are some other changes concerning library and public works as well.

b. Public Comments.

Mayor Carn opened the public hearing for the Final Budget at 7:56 p.m.

No public comments were made.

Mayor Carn closed the public hearing at 7:57 p.m.

4. **Consideration of Ordinance 26-35 (08-11-26) adopting a Final Budget for FY 2026-2027, including a property tax rate increase, compensation schedule for elected and statutory officers, and compensation increase for defined municipal officers.** -7:57 p.m.

Motion made by Councilmember Taylor to approve the Ordinance 26-35 (08-11-26) adopting a Final Budget for FY 2026-2027, including a property tax rate increase, compensation schedule for elected and statutory officers, and compensation increase for defined municipal officers. Seconded by Councilmember Wilson.

Vote:

Council Member Barton **Yes**

Council Member Davenport **Yes**

Council Member Taylor **Yes**

Council Member Wadman **Yes**

Council Member Wilson **Yes**

No: None

Absent: None

Motion passed 5-0

ADJOURNMENT

Meeting Adjourned Without Objection at 7:58 p.m. by Mayor Chris Carn.

Mayor Chris Carn

Date

City Recorder



Site Plan Amendment (major)
Taco Bell
August 18, 2026
PUBLIC MEETING

Applicant:	Ashley Wagner
Owner:	GEN2 Utah Properties LLC
Location:	27 West Crossroads Boulevard
Project Acreage:	0.85
Lots:	1
Current Use:	Commercial
Land Use Designation:	Regional Commercial
Parcel Zoning:	Regional Commercial
Adjacent Zoning:	Regional Commercial
Adjacent Uses:	Commercial and Vacant
Type of Action:	Administrative
Land Use Authority:	City Council
Planner:	Caden Baines, Planner II

A. Executive Summary and Request:

The applicant, Ashley Wagner, requests a Major Site Plan Amendment for Gateway at Saratoga Springs Lot 1 (Taco Bell) at 27 West Crossroads Boulevard. The proposed amendment would add a purple accent color to the south, east, and west façade of the building (Exhibit 3). The lot is 0.85 acres and contains a single 2,083 square foot building. The original site plan was approved August 6, 2013, and no changes are proposed to the site itself.

Recommendation:

On July 30, 2026, the Planning Commission held a public meeting and reviewed the subject application and recommended unanimous to approve the application. Draft minutes are attached.

Staff recommends that the City Council conduct a public meeting on the application, review and discuss the proposal, and choose from the options in the Recommendation and Alternatives Section of this report. Options include approval with or without conditions, denial, or continuation.

B. Background:

August 6, 2013 - The City Council approved the final plat and site plan for Taco Bell and Wendy's.

C. Process:

City Code Chapter 19.13 outlines the process for a Major Site Plan Amendment, as outlined below.

Site Plan Amendment

Code Section 19.13.04 outlines specific development processes and submittal requirements. The Planning Commission is to review the major site plan amendment and make a recommendation to the City Council. The City Council makes the final decision to either approve with or without conditions, continue, or deny the request. **Complies.**

Code Section 19.14 outlines the process for site plan amendments and states that major amendments are amendments that alter the architectural elevations and are to be approved by the City Council. **Complies.**

D. Community Review:

Public Meeting: This has been noticed as a public meeting pursuant to City and State statutes, which requires posting notice of the meeting and the agenda not less than 24 hours before the meeting.

Public Comment: As of the date of this report, no public input has been received.

E. General Plan:

The site is designated as Regional Commercial on the General Plan Land Use Map. The General Plan describes the general characteristics of the Regional Commercial land use designation as follows:

Regional Commercial (RC): Areas that incorporate retail, employment, entertainment, and civic uses.

Staff conclusion: Consistent. The proposed major site plan amendment will not change the existing character of the site.

F. Code Criteria:

For full analysis please see the attached Planning Review Checklist.

- 19.04, Land Use Zones: **Complies.**
- 19.13, Process: **Complies.**
- 19.14, Site Plans: **Complies.**
- 19.16, Site and Architectural Design Standards: **Complies.**
- 19.18, Sign Regulations: **Complies (separate permit and approval required).**

G. Recommendation and Alternatives:

Staff recommends that the City Council discuss the application and choose from the following options.

Option 1 – Approval “I move that the City Council approve the requested Major Site Plan Amendment for Taco Bell located at 27 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report.”

Findings

- 1. The application is consistent with the General Plan, as articulated in Section E of the staff report, which section is incorporated by reference herein.
- 2. The application complies with the criteria in section 19.04, 19.13, 19.14, 19.16, and 19.18 of the Land Development Code, as articulated in Section F of the staff report, which section is incorporated by reference herein.

Conditions:

- 1. All conditions of the City Engineer shall be met.
- 2. All requirements of the Fire Chief shall be met.
- 3. All other Code requirements shall be met.
- 4. Any other conditions or changes as articulated by the City Council:

_____.

Option 2 – Continuance

“I move to **continue** the Major Site Plan Amendment for Taco Bell to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

- 1. _____.

Option 3 – Denial

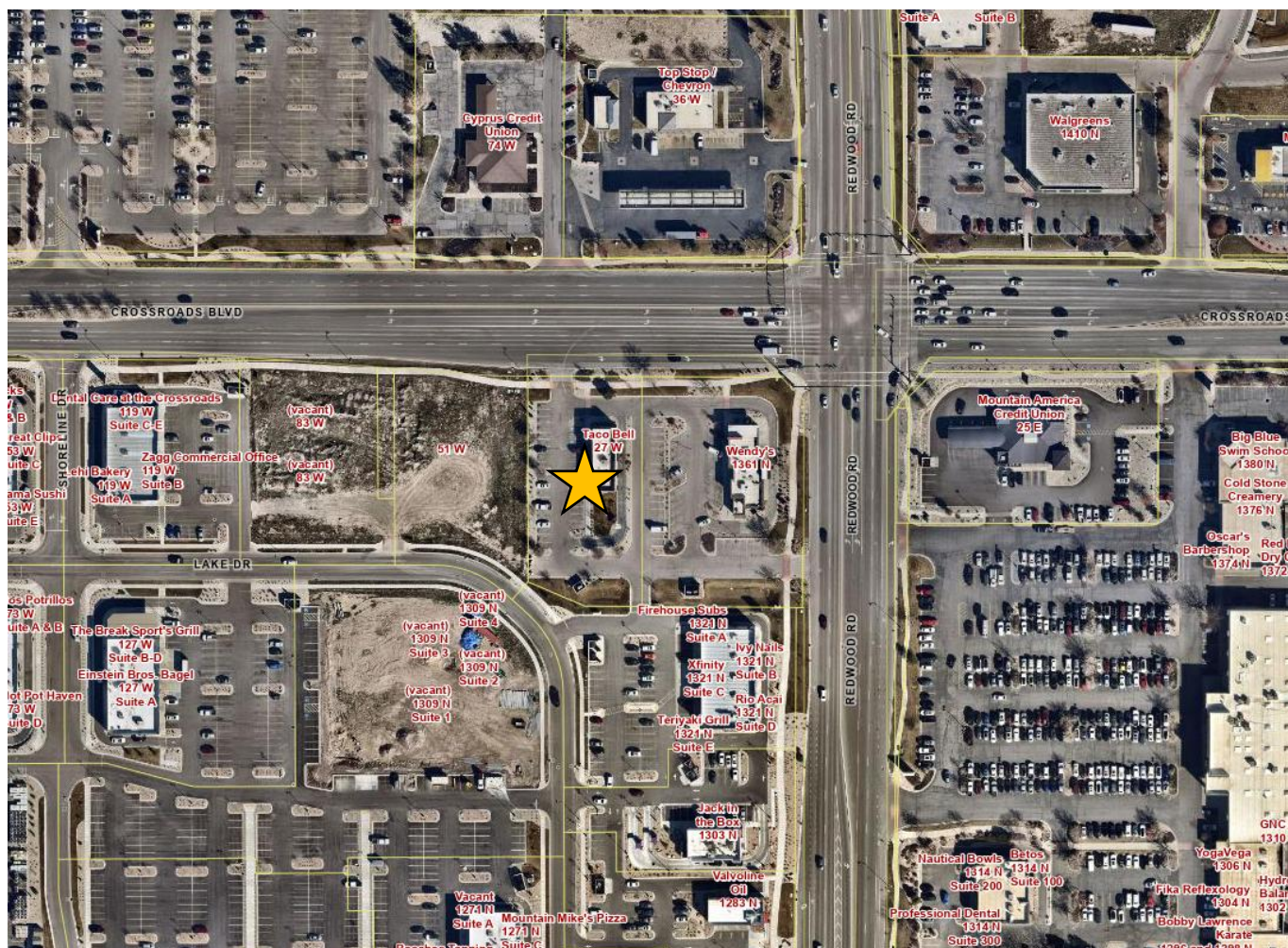
“I move that the City Council deny the requested Major Site Plan Amendment for Taco Bell located at 27 West Crossroads Boulevard with the Findings below:

- 1. The application is not consistent with the General Plan:
 - a. _____, and/or,
- 2. The application is not consistent with Section [XX.XX] of the Code:
 - a. _____.

H. Exhibits:

- 1. Location & Zone Map
- 2. Application Review Checklist
- 3. Proposed Elevations
- 4. Rendering
- 5. July 30, 2026 Draft Planning Commission Minutes

EXHIBIT 1



Location



Zoning



SARATOGA
SPRINGS
PLANNING

APPLICATION REVIEW CHECKLIST

Updated 6.30.26

Application Information

Site Plan Amendment (Major)

Taco Bell

Applicant:	Ashley Wagner
Owner:	GEN2 Utah Properties LLC
Location:	27 W Crossroads Blvd
Project Acreage:	0.85
Lots:	1
Current Use:	Commercial
Land Use Designation:	Regional Commercial
Parcel Zoning:	Regional Commercial
Adjacent Zoning:	Regional Commercial
Adjacent Uses:	Commercial and Vacant
Past Action and Date:	City Council / Approval August 6, 2013
Type of Action:	Administrative
Land Use Authority:	City Council
Planner:	Caden Baines, Planner II
Land Use Overlay:	Not Applicable
In Gateway Overlay:	No
Wildland Urban Interface:	No
In Hillside Areas:	No
In Waterfront Buffer:	No
Wetlands:	No
Floodplain:	No
Agricultural Protection:	No
Date Received:	1st submittal: July 1, 2026
Date of Review:	1st submittal: July 7, 2026
Parcel Number(s) and size:	40:461:0001 / 0.85 Acres

Section 19.13 – Application Submittal

- Application Complete (Date of Payment): July 1, 2026
- Rezone Required: No
- General Plan Amendment required: No

Section 19.13.04 – Process

- Required Meetings: Planning Commission and City Council
- Planning Director Approval: No
- Public Hearing Required: No
- Neighborhood Meeting Required: No

DRC Review

DRC Review Comments:

- No comments. (7/14/2026)

Code Review

- 19.04, Land Use Zones
 - Zone: Regional Commercial
 - General Plan Land Use: Regional Commercial

19.04.01 Requirements		Regional Commercial	
Category To Be Reviewed	Regulation	Compliance	Findings
Development Size (Minimum)	N/A	N/A	N/A
Lot Size (Minimum)	30,000 sq. ft.	Complies	37,068 Acres
Front/Corner Side Setback (Minimum)	15'	Complies	58.7' (See 8/6/2013 Site Plan Approval.)
Interior Side Setback (Minimum)	10' or height of building, whichever is greater, when adjacent to a residential zone	Complies	29.6' & 80.9' (See 8/6/2013 Site Plan Approval.)
Rear Setback (Minimum)	30' or height of building, whichever is greater, when adjacent to a residential zone	Complies	142.2 (See 8/6/2013 Site Plan Approval.)
Building Separation (Minimum)	N/A	N/A	N/A
Lot Width (Minimum)	N/A	N/A	N/A
Lot Frontage (Minimum)	N/A	N/A	N/A
Building Height (Maximum)	50'	Complies	22' (See 8/6/2013 Site Plan Approval.)
Lot coverage (Maximum)	50%	Complies	5.7% (See 8/6/2013 Site Plan Approval.)
Building Size (Minimum)	1,000 sq. ft.	Complies	2,083 sq ft (See 8/6/2013 Site Plan Approval.)
Building Size (Maximum)	N/A	Complies	2,083 sq ft (See 8/6/2013 Site Plan Approval.)

Arterial Street Setback	105' off the arterial roadway centerline, or, if applicable, 15' from the back of the 30' trail corridor - whichever is greater.	Complies	<i>Greater than 105' from roadway centerline. (See 8/6/2013 Site Plan Approval.)</i>
-------------------------	--	-----------------	--

No density shall be calculated on sensitive lands.	Complies.	<i>See 8/6/2013 Site Plan Approval.</i>
19.04.08 & 19.04.11 Proposed Uses Allowed - Permitted Uses: Drive-thru	Complies.	<i>Permitted in the Regional Commercial Zone.</i>

19.13 Process	
Regulation	Findings
Land Use Authority.	<i>City Council</i>

19.14 Site Plan Review		
Regulation	Compliance	Findings
Approval Required: Site Plan approval shall be required for all developments which contain the following uses, together with any others for which it is required elsewhere in these Ordinances: 1. Any industrial use; 2. Any commercial use; 3. Any institutional use; 4. Two-Family Structures and Three-Family Structures; and 5. A multi-family residential development.	Complies.	<i>Commercial use proposed/existing.</i>
Site Plan Standards: The entire parcel area shall be built upon, landscaped, or paved in accordance with the zone's open space and parking requirements.	Complies.	<i>Overall site is not changing. See 8/6/2013 Site Plan Approval.</i>
Nuisances: All commercial uses shall be free from objectionable odors, noises, hazards, or other nuisances.	Complies.	<i>No objectionable odors, noises, hazards, or other nuisances proposed.</i>
Ownership Affidavit: A statement of ownership and control of the subject property and a statement describing the nature of the intended use.	Complies.	<i>Ownership affidavit provided. (On file)</i>
Vicinity Map: A general location map indicating the approximate location of the subject parcel.	Complies.	<i>Vicinity map provided.</i>
Context plan: A context plan shall include the existing features within 200 feet of the proposed Site Plan property line. Existing features include, but are not limited to, buildings, ingress and egress points, landscaping areas, pedestrian paths, and property names.	Complies.	<i>Context plan provided.</i>
Elevations: The elevations of all proposed buildings, fences, and other structures viewed from all sides indicating height of structures, the average finished grade of the site at the foundation area of all structures, percentage of building materials proposed, and color of all materials. A board showing building colors and materials is required.	Complies.	<i>Elevations of the building provided with the percentage of colors proposed.</i>
Signage Plan: An overall signage plan shall be approved during the Site Plan approval process. All information to be provided for the sign approval shall be submitted concurrent with Site Plan application materials, consistent with the requirements in Section 19.18.	Complies.	<i>Sign information provided and applicant has applied for a sign permit.</i>
Fee: A fee set by resolution of the City Council shall accompany the application for any Site Plan review.	Complies.	<i>Fee paid on 7/1/2026.</i>

19.16 Site and Architectural Design Standards

General Site Design Standards

Regulation	Compliance	Findings
Submittal Requirements. Scaled building elevations and perspectives (3D renderings) shall be submitted that indicate all colors, styles, materials, and other proposed building treatments. Photorealistic material and color boards shall also be submitted with the items required accompanying development application. An RYB Hexadecimal Color Code number shall be provided for all applicable elevation colors; however, natural materials shall be exempt and shall instead provide a photographic image of the proposed material.	Complies.	#702082 (<i>Pantone 2603 C</i>)

Non-Residential Architectural Design Standards

Four-Sided Architecture: All sides of a building that are open to public view (including views from adjacent residential dwellings or probable location of residential dwellings) shall receive equal architectural design consideration as the building front.	Complies.	<i>All four sides of the structure are being reviewed.</i>
Color and Materials: Exterior Building Materials shall be considered any materials that make up the exterior envelope of the building and shall be limited to no more than 4 and no less than 2 types of materials per building, window and door openings excluded.	Complies.	<i>3 building materials existing and no material changes are being propose.</i>
Color of exterior building materials (excluding accent colors) shall be limited to no more than 4 and no less than 2 major colors per building. The roof shall not be considered a material or color.	Complies.	<i>4 building colors existing. Accent color is being proposed.</i>
Bright colors, such as neon or fluorescent colors, bright orange or yellow, and primary colors, are only permitted as accent colors.	Complies.	<i>Purple accent proposed.</i>
No more than 75% of any building elevation shall consist of any one material or color. No more than 75% of any building elevation shall consist of any 1 color. The roof shall not be considered a material or color. i. Windows, doors, and accent materials or colors shall be excluded from the percentage of calculations for overall materials and colors for each elevation. ii. No more than 50% of any building elevation shall consist of CMU, except in the Office Warehouse and Industrial zones, or iii. Office, Warehouse, Flex buildings in approved zones that utilize concrete tilt up construction are exempt from the maximum 75% of one material per elevation requirement but must follow all other architectural standards.	Complies.	<i>Accent color is being proposed. (10% coverage maximum)</i> <i>West Façade: 0.5% Coverage</i> <i>South Façade: 0.66% Coverage</i> <i>East Façade: 1% Coverage</i>
Prohibited Materials: Tiles. Full veneer brick and tiles exceeding ½" in thickness is permitted, however veneer tile is prohibited. Stucco stone patterns and stucco brick patterns. Wood as a primary exterior finish material. Plain, grey, unfinished CMU block except as an accent material.	Complies.	<i>No materials are proposed to change.</i>

19.18 Signs

Regulation	Compliance	Findings
Site Plans require signage information (if tenant known, show location potential location size)	Complies.	<i>Proposed signage is included. Active sign permit underway for approval.</i>
Monument sign location meets code and sign details provided	N/A.	<i>No monument signs proposed.</i>
Wall signs and potential locations and details	Complies.	<i>Location and details on wall signs provided.</i>

Fiscal Impact	
Regulation	Findings
Is there any City maintained open space?	<i>No.</i>
What is the anticipated cost to the City?	<i>\$0.00</i>
When will City maintenance begin?	<i>N/A.</i>

Sign Schedule

D 3'6"X3'10" BELL AND 14" CHANNEL LETTERS



wall area 875 sq ft
allowed in area
4% (35sq ft)

wall "A" 100'x25' =2500sqft-wash area 50'x3"= 12.50sqft, .5% coverage

Sign Schedule

E 2'6"X2'9" BELL AND 14" WHITE CHANNEL LTRS

100'



2,500sqft, 8% sign allowed 200sqft

wall "C" 100'x25'=2500sqft, wash area 97'x3"=25.24sq ft, 1.0% coverage

Sign Schedule

F 2'6"X2'9" BELL AND 14" WHITE CHANNEL LTRS

100'



2,500sqft, 4% sign allowed 100sqft

wall "B" 35'x25'=875sqft, wash area 23.2'x 3"=5.8sq ft, .66% coverage

Sign Schedule



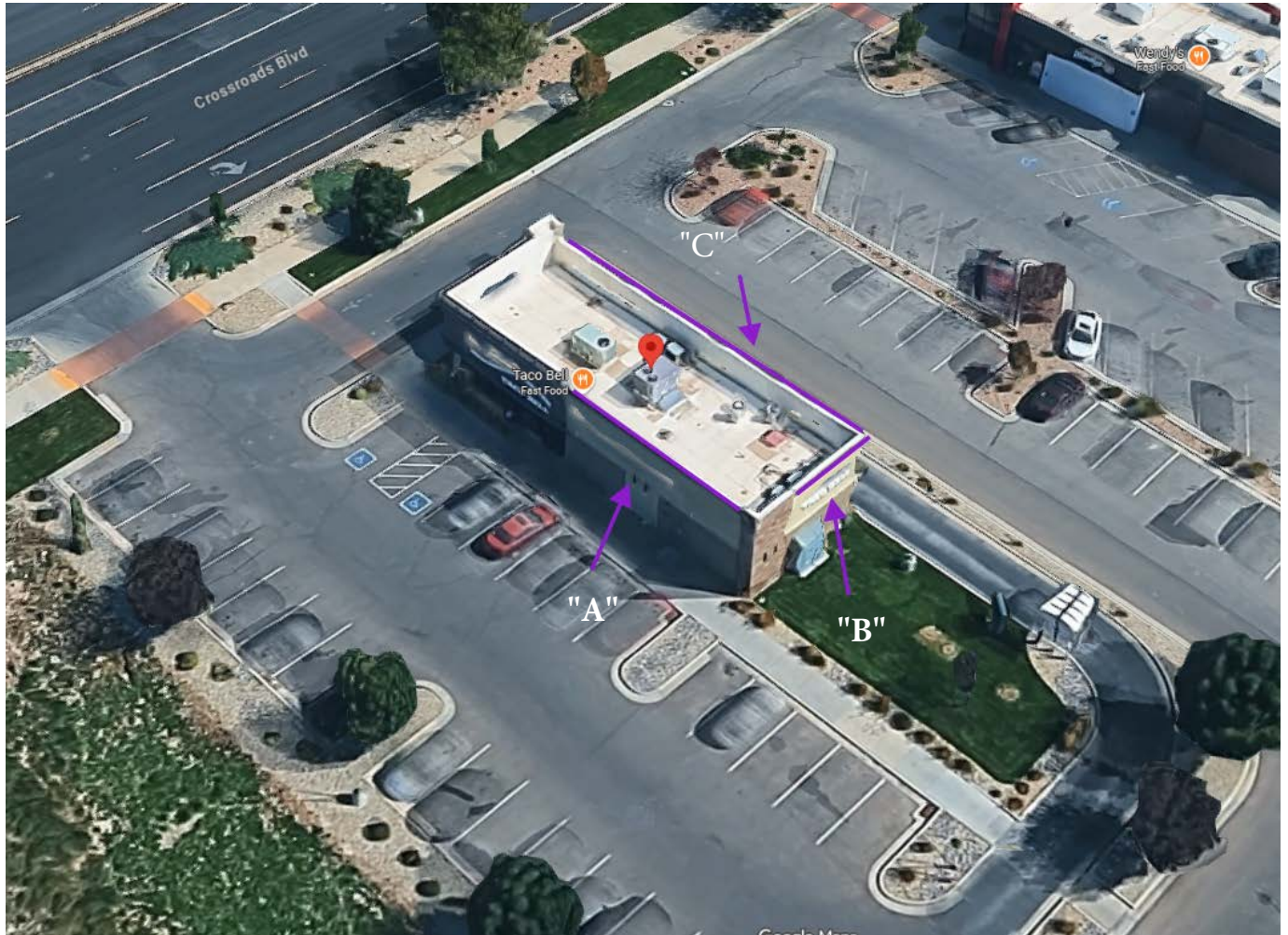
back elevation being removed, no sign is replacing it

EXHIBIT 4

wall "A" $100' \times 25' = 2500\text{sqft}$ -wash area $50' \times 3' = 12.50\text{sqft}$, **.5% coverage**

wall "B" $35' \times 25' = 875\text{sqft}$, wash area $23.2' \times 3' = 5.8\text{sq ft}$, **.66% coverage**

wall "C" $100' \times 25' = 2500\text{sqft}$, wash area $97' \times 3' = 25.24\text{sq ft}$, **1.0% coverage**



Absent: Virginia Rae Mann.

Motion passed 6 - 0.

2. **Jacob Ranch Marketplace Lot 10 Site Plan, located at 1805 S. Redwood Road. Forrest Gaskill as applicant.**

Senior Planner Austin Roy presented the item. The applicant is seeking approval of the site plan for a commercial building at Jacob Ranch Marketplace. The lot is approximately 0.98 acres and will contain a single 6,054 square-foot building, divided into four separate units. The proposed uses for the building are one restaurant and three retail spaces. 40 parking spaces are required based on the proposed uses, with 42 total parking spaces being provided, thus meeting the requirement.

Applicant Forrest Gaskill, was in attendance to answer questions. He clarified that the brick shown in the staff report had had to be changed due to a long delay in the manufacturing time for the brick originally chosen.

Commissioner Hill expressed support for the modern design and received clarification that the CC&Rs included language providing for reciprocal cross-access easements among all lot owners. He also asked whether a tenant had been identified for the drive-thru space.

Mr. Gaskill responded that a tenant had been secured, but explained that their policy was that tenants were not announced by the developer, allowing each business to make its own location announcement. He also noted that there was not a tenant secured for a patio lot location yet, but he was excited for a tenant to commit to that space, as it was a great location with excellent views.

Commissioner Harris wondered how many vehicles could be accommodated in the drive-thru, and if there were any issues with the drive thru ending in front of an entrance. He was also advised that the building was designed for four tenants and included five storefronts, with one tenant occupying two storefronts.

Senior Planner Austin Roy advised that the code required a minimum stacking capacity of five vehicles in the drive-thru lane, and confirmed the proposed design was in compliance. He further explained the drive-thru configuration had been in response to a staff recommendation to align the drive aisles from north to south.

Motion made by Commissioner Hill that the Planning Commission forward a recommendation for approval of the requested Site Plan for Jacob Ranch Marketplace Lot 10 located at 1805 S. Redwood Road, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Rather. Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden. No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

3. **Taco Bell Major Site Plan Amendment, located at 27 West Crossroads Boulevard. Ashley Wagner as applicant.**

Planner II Caden Baines presented the item. The applicant is requesting a Major Site Plan Amendment for Gateway at Saratoga Springs Lot 1, Taco Bell. The proposed amendment would add a purple accent color to the south, east, and west façade of the building. The lot is 0.85 acres and contains a single 2,083 square foot building. The original site plan was approved August 6, 2013, and no changes are proposed to the site itself.

Motion made by Commissioner Willden that the Planning Commission forward a recommendation for approval of the requested Major Site Plan Amendment for Taco Bell, located at 27 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Harris.

Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden.

No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

4. **Riverwalk Phase 1 Preliminary Plat, located approximately at Northeast of Riverside Drive and Thrive Drive. Dan Ford as applicant.**



**Preliminary Plat
Bonneville Drive Road Dedication Plat
August 18, 2026
PUBLIC MEETING**

Applicant:	City of Saratoga Springs
Owner:	City of Saratoga Springs
Location:	Bonneville Drive (Northwest of MVC and Hallmark Dr)
Project Acreage:	1.2 Acres
Residential Units/Lots:	N/A
Current Use:	Undeveloped
Land Use Designation:	Low Density Residential
Parcel Zoning:	Planned Community
Adjacent Zoning:	Planned Community and Institutional/Civic
Adjacent Uses:	Undeveloped and Public School
Type of Action:	Administrative
Land Use Authority:	City Council
Planner:	David Jellen, Senior Planner

A. Executive Summary and Request:

The proposed Bonneville Drive Road Dedication Plat consists of approximately 1.2 acres and extends Bonneville Drive between the Hallmark Drive intersection and the City's border with Eagle Mountain (Exhibit 4).

Recommendation:

On July 16, 2026, the Planning Commission held a public hearing and reviewed the subject application and recommended unanimously to approve the application. Approved minutes are attached.

Staff recommends that the City Council conduct a public meeting on the application, review and discuss the proposal, and choose from the options in the Recommendation and Alternatives Section of this report. Options include approval with or without conditions, denial, or continuation.

B. Background:

Bonneville Drive is identified on the City's Transportation Master Plan as a Collector Road. The proposed roadway dedication plat is consistent with the City's Transportation Master Plan.

C. Process:

City Code Chapter 19.13 outlines the process for a preliminary plat as outlined below.

Code Section 19.13.04 outlines specific development processes and submittal requirements. The Planning Commission is to review the preliminary plat and make a recommendation to the City Council. The City Council makes the final decision to either approve with or without conditions, continue, or deny the request. **Complies.**

Code Section 19.12 outlines the process for preliminary plat applications, submittal requirements, and approval process. Requirements have been met or are to be met. **Complies.**

D. Community Review:

This has been noticed as a public meeting pursuant to City and State statutes, which requires posting notice of the meeting and the agenda not less than 24 hours before the meeting.

As of the date of this report, no public input has been received.

E. General Plan:

Section 6 of the General Plan discusses transportation and connectivity and states that "Transportation and Connectivity will support the Saratoga Springs General Plan Vision by creating access to opportunities." The General Plan references the Transportation Master Plan, which includes the proposed roadway.

Staff conclusion: Consistent. The proposed road dedication is consistent with the City's Transportation Master Plan and will meet the vision and goals described in the General Plan by supporting the transportation needs of the City.

F. Code Criteria:

For full analysis please see the attached Planning Review Checklist (Exhibit 3).

- 19.04, Land Use Zones: **Complies.**
- 19.11, Lighting: **Complies.**
- 19.12, Subdivisions: **Shall Comply.** The proposed preliminary plat shall follow the City's standard plat template.
- 19.13, Process: **Complies.**

G. Recommendation and Alternatives:

Staff recommends that the City Council review and discuss the application, and choose from the following options.

Option 1 – Approval

"I move that the City Council approve the requested roadway dedication plat for Bonneville Drive, with the Findings and Conditions in the Staff Report."

Findings

1. The application is consistent with the General Plan, as articulated in Section E of the staff report, which section is incorporated by reference herein.
2. The application complies with the criteria in Title 19 of the Land Development Code, as articulated in Section F of the staff report, which section is incorporated by reference herein.

Conditions:

1. All conditions of the City Engineer shall be met, including but not limited to those in the attached Engineering Staff Report.
2. All requirements of the Fire Chief shall be met.
3. Once approved by the City Council, all remaining redlines on plans, Engineering staff report, and the redlines in the Application Review Checklist shall be corrected before the construction drawings are approved by staff.
4. The proposed preliminary plat shall follow the City's standard plat template.
5. All other Code requirements shall be met.
6. Any other conditions or changes as articulated by the City Council:

_____.

Option 2 – Continuance

"I move to **continue** the roadway dedication plat for Bonneville Drive to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

1. _____.

Option 3 – Denial

"I move that the City Council deny the requested roadway dedication plat for Bonneville Drive, with the Findings below:

1. The application is not consistent with the General Plan:
 - a. _____, and/or,
2. The application is not consistent with Section [XX.XX] of the Code:
 - a. _____.

H. Exhibits:

1. City Engineer's Report
2. Location & Zone Map
3. Application Review Checklist
4. Roadway Dedication Plat
5. July 16, 2026 Planning Commission Meeting Minutes

Exhibit 1

Staff Report

Author: Scott Petrik, Engineer 1

Subject: Bonneville Drive Extension—Preliminary Plat

Date: 7/16/2026

Type of Item: Preliminary Plat Approval



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Description:

A. Topic: The Applicant has submitted a Preliminary Plat Application. Staff has reviewed the submittal and provides the following recommendations.

B. Background:

Applicant: Jeremy Lapin—City of Saratoga Springs

Request: Preliminary Plat Approval

Location: Bonneville Drive – between Eagle Mountain and Hallmark Drive

Acreage: 1.207 Acres - 0 Lots

C. Recommendation: Staff recommends the approval of preliminary plat subject to the following conditions:

1. All review comments and redlines provided by the City Engineer are to be complied with and implemented into the Final plat and construction drawings.
2. Provide a Storm Water Pollution Prevention Plan (SWPPP) following the State template prior to the pre-construction meeting.
3. Developer must secure water rights as required by the City Engineer, City Attorney, and development code.
4. Developer is required to ensure that there are no adverse effects to adjacent properties due to the grading practices employed during construction.
5. Submittal of an electronic version of the as-built drawings in pdf format to the City Engineer is required prior acceptance of site improvements and the commencement of the warranty period.

Exhibit 2: Location and Zone Map



Exhibit 3



SARATOGA
SPRINGS
PLANNING

APPLICATION REVIEW CHECKLIST

Updated 6.30.26

Application Information

Road Dedication Plat (Preliminary)

Bonneville Drive Extension

Applicant:	City of Saratoga Springs
Owner:	City of Saratoga Springs
Location:	Bonneville Drive (Northwest of MVC and Hallmark Dr)
Project Acreage:	1.2 Acres
Residential Units/Lots:	N/A
Current Use:	Undeveloped
Land Use Designation:	Low Density Residential
Parcel Zoning:	Planned Community
Adjacent Zoning:	Planned Community and Institutional/Civic
Adjacent Uses:	Undeveloped and Public School
Type of Action:	Administrative
Land Use Authority:	City Council
Planner:	David Jellen, Senior Planner

Date Received:	1st submittal: May 18, 2026
	2nd submittal: June 15, 2026
	3rd submittal: Click here to enter a date.
Date of Review:	1st submittal: June 2, 2026
	2nd submittal: June 18, 2026
	3rd submittal: Click here to enter a date.
Parcel Number(s) and size:	58:041:0330 (1.207 acres)

Section 19.13 – Application Submittal

- Application Complete (Date of Payment): May 18, 2026
- Rezone Required: No
- General Plan Amendment required: No
- If Preliminary Plat, is Site Plan also required? Not Applicable

Section 19.13.04 – Process

- Required Meetings: Planning Commission and City Council
- Planning Director Approval: No
- Public Hearing Required – check 19.13.04 process table: No
- Neighborhood Meeting Required: No

DRC Review

DRC Review Comments:

- None

Code Review

- 19.04, Land Use Zones
 - Zone: Planned Community
 - General Plan Land Use: Low Density Residential
 - Density: N/A

No density shall be calculated on sensitive lands.	N/A.	
A Neighborhood Plan is required in the Mixed Residential Zone.	N/A.	
Open Space and Landscaping Requirements: For non-residential and non-agricultural uses open space is not required; however a minimum of 20% of the total project shall be used for landscaping, including improvements consistent with the Parks and Trails Master Plan, General Plan, Bicycle and Pedestrian Master Plan, or other applicable plan.	N/A.	
Prohibition of Creating New Residential Units. No existing Dwelling, Two-family; Dwelling, Three-family; or Dwelling, Multi-family, shall be further subdivided or otherwise approved to contain an additional dwelling(s).	N/A.	
19.04.08 & 19.04.11 Proposed Uses Allowed - Permitted Uses: N/A	Complies.	<i>Extension of Bonneville Dr</i>
A neighborhood meeting is required for all public parks, public playgrounds, public recreation areas, or other public park improvements prior to new construction. City staff will notify residents within the subdivision or neighborhood area prior to any meeting. Any proposal for a regional park within the City will also be required to go Through a Site Plan review according to the requirements within the Land Development Code.	N/A.	
19.04.09 (9) and 19.04.11 (superscript 2): Ancillary uses and edge uses may not exceed 20% of the building area within a Master Development Plan contained in a Master Development Agreement	N/A.	

19.05 Supplemental Regulations

Regulation	Compliance	Findings
Flood Plain: All buildings and structures intended for human occupancy shall be constructed at least one (1) foot above the base flood elevation of Zone A as defined on the FEMA Flood Insurance Map.	N/A.	
Water & Sewage: Each lot shall be connected to City water and sewer.	N/A.	
Transportation Master Plan: No building lot shall be created and no structure shall be erected within the location of a proposed street, road, highway, or right-of-way as shown on the City's currently-approved Transportation Master Plan.	Complies.	<i>Collector road per TMP</i>
Property Access - All lots shall abut a dedicated public street or highway or a private roadway.	N/A.	
19.05.16. Special Standards and Considerations Governing Particular Uses. <i>See Code for details</i>	N/A.	

19.06 Landscaping and Fencing

Landscape Plans		
Regulation	Compliance	Findings
Landscape Architect: Landscaped plans shall be prepared by a licensed landscape architect.	Complies.	<i>Parkstrip landscaping to be completed with future development</i>

19.11 Lighting		
General Standards		
Regulation	Compliance	Findings
Material: All Lighting Fixtures and assemblies shall be metal.	Complies.	<i>City standard streetlights to be used along road</i>
Base: All lighting poles shall have a 16” decorative base.	Complies.	<i>City standard streetlights to be used along road</i>
Type: All lighting fixtures shall be of the full cutoff variety. Shoebox fixtures are prohibited.	Complies.	<i>City standard streetlights to be used along road</i>
Angle: Shall be directed downward.	Complies.	<i>City standard streetlights to be used along road</i>
Lamp: Bulbs may not exceed 4000k.	Complies.	<i>City standard streetlights to be used along road</i>
Drawings: Design and location of fixtures shall be specified on the plans.	Complies.	<i>City standard streetlights to be used along road</i>
Flags: The United States flag and the state flag shall be permitted to be illuminated from dusk till dawn. All other flags shall not be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 10,000 lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.	N/A.	
Prohibited Lighting: Searchlights, strobe lights and any laser source light or any similar high intensity light.	Complies.	<i>No prohibited lighting proposed</i>
Descriptions: Descriptions of the illuminating devices, fixtures, lamp supports, and other devices. This description may include, but is not limited to, manufacturers’ specifications, drawings, and sections.	Complies.	<i>City standard streetlights to be used along road</i>

19.12 Subdivision		
Preliminary Plat Requirements		
Regulation	Compliance	Findings
Standard Plat Format followed.	Shall Comply.	<i>Refer to redlines on plat</i>
Name and address of property owner and developer.	Shall Comply.	<i>Refer to redlines on plat</i>
Name of land surveyor.	Complies.	<i>Shown on plat</i>
The location of proposed subdivision with respect to surrounding property and street.	Shall Comply.	<i>Refer to redlines on plat</i>
The name of all adjoining property owners of record, or names of adjoining developments.	Shall Comply.	<i>Refer to redlines on plat</i>
The names and location of ROW widths of adjoining streets and all facilities within 100’ of the platted property.	Shall Comply.	<i>Refer to redlines on plat</i>
Street and road layout with centerline bearing and distance labels, dimensions, and names of existing and future streets and roads, (with all new names cleared through the City GIS Department).	Shall Comply.	<i>Refer to redlines on plat</i>
Subdivision name cleared with Utah County.	Complies.	<i>Refer to plans on file</i>
North arrow.	Complies.	<i>Shown on plat</i>
A tie to a permanent survey monument at a section corner.	Complies.	<i>Shown on plat</i>

The boundary lines of the project with bearings and distances and a legal description.	Complies.	<i>Shown on plat</i>
Layout and dimensions of proposed lots with lot area in square feet.	N/A.	
Location, dimensions, and labeling of roads, structures, irrigation features, drainage, parks, open space, trails, and recreational amenities.	Complies.	<i>Refer to plans on file</i>
Location of prominent natural features such as rock outcroppings, woodlands, steep slopes, etc.	Complies.	<i>Refer to plans on file</i>
Proposed road cross sections.	Shall Comply.	<i>Refer to redlines on plat</i>
Proposed fencing.	N/A.	
Vicinity map.	Complies.	<i>Shown on plat</i>
All required signature blocks are on the plat.	Complies.	<i>Shown on plat</i>
Prepared by a professional engineer licensed in Utah.	Complies.	<i>Shown on plat</i>
Proposed methods for the protection or preservation of sensitive lands.	Complies.	<i>Refer to plans on file</i>
Location of any flood plains, wetlands, and other sensitive lands.	Complies.	<i>Refer to plans on file</i>
Location of 100-year high water marks of all lakes, rivers, and streams.	Complies.	<i>Refer to plans on file</i>
Projected Established Grade of all building lots.	N/A.	
A data table. 1. total project area; 2. total number of lots, dwellings, and buildings; 3. where buildings are included, square footage of proposed building footprints and, if multiple stories, square footage by floor; 4. for multi-family developments, the number of proposed garage parking spaces and number of proposed total parking spaces; 5. percentage of buildable land; 6. acreage of sensitive lands and percentage sensitive lands comprise of total project area and open space area; 7. area and percentage of open space or landscaping; 8. area to be dedicated as right-of-way (public and private); 9. net density of dwellings by acre (sensitive lands must be subtracted from base acreage).	Complies.	<i>Shown on plat</i>
Phasing Plan: Including a data table with the following Information for each phase: i. Subtotal area in square feet and acres; ii. number of lots or dwelling units; iii. open space area and percentage; iv. utility phasing plan; v. number of parking spaces; vi. recreational facilities to be provided; vii. overall plan showing existing, proposed, and remaining phases.	N/A.	

19.13 Process	
Regulation	Findings
Neighborhood Meeting. Required before Planning Commission for any multi-family or non-residential development proposal adjacent to developed property in a residential zone. Inform the applicant when this is required.	<i>N/A</i>
Notice/Land Use Authority.	<i>City Council</i>
Master Development Agreement. A Master Development Agreement shall be required of any development that is in excess of 20 acres in size if non-residential or mixed-use or	<i>N/A</i>

developments in excess of 160 acres in size if residential. A Master Development Agreement may also be required pursuant to this Title 19 including Chapter 19.26 or may be desirable or necessary pursuant to the exercise of the City Council's legislative discretion in the fact scenarios listed in Section 19.13.08.	
Phasing Improvements.	N/A
Payment of Lieu of Open Space.	N/A
Piping of Canals	For residential projects, piping of canals per canal company specifications if a canal or canal easement that area is adjacent to or within the area of the proposed residential project, unless the canal company or Bureau of Reclamation does not allow piping. Non-residential projects shall install secure fencing adjacent to canal easements or canals per canal company specifications to prevent entry from the non-residential project onto the canal or canal easement.
Burial of Overhead Utility Lines	See Section 19.13.10

19.27 Addressing and Street Naming

Double Check all Addresses after GIS Assigns Them

Regulation	Compliance	Findings
WebApp to Review Addresses assigned by GIS: https://ssgis.maps.arcgis.com/apps/webappviewer/index.html?id=b4786008c6dd420ab06445cd8d5e5fe0		
Street and Property Numbering. Each street, lot, unit, dwellings, or parcel in the site plan or plat shall be addressed according to the following standards:	Complies.	<i>Street intersections to be assigned with final plat</i>
1. All street intersections shall be addressed numerically. Street intersection numbers shall end with a "0" or a "5" and with "North," "South," "East," or "West".	Complies.	<i>Street intersections to be assigned with final plat</i>
2. Where possible, property addresses shall be odd on the south and west sides of a street.	N/A.	
3. Where possible, property addresses shall be even on the north and east sides of a street.	N/A.	
4. Property addresses for IADUs (see Chapter 19.20), ADUs, stacked multi-family, dwelling above commercial, commercial/retail, or office building that have multiple users shall be identified by a single address, and the individual units shall have a unique identifier such as suite, apartment, dwelling, or unit number.	N/A.	
5. Dual addresses on corner lots will be assigned at plat recordation. At Building Permit issuance, one address shall be permanently assigned.	N/A.	
6. Buildings that are hidden behind other buildings or do not have public frontage, shall be numbered from the centerline of the principal access or driveway.	N/A.	
7. City Staff shall assign numbers to site plans before final site plan approval, based on the above standards.	Complies.	<i>Street intersections to be assigned with final plat</i>
8. If a unit faces a street, it shall be numbered on that street. If a unit faces open space, it shall be numbered to the alley way.	N/A.	

Fiscal Impact

Regulation	Findings
Is there any City maintained open space?	No
What is the anticipated cost to the City?	TBD

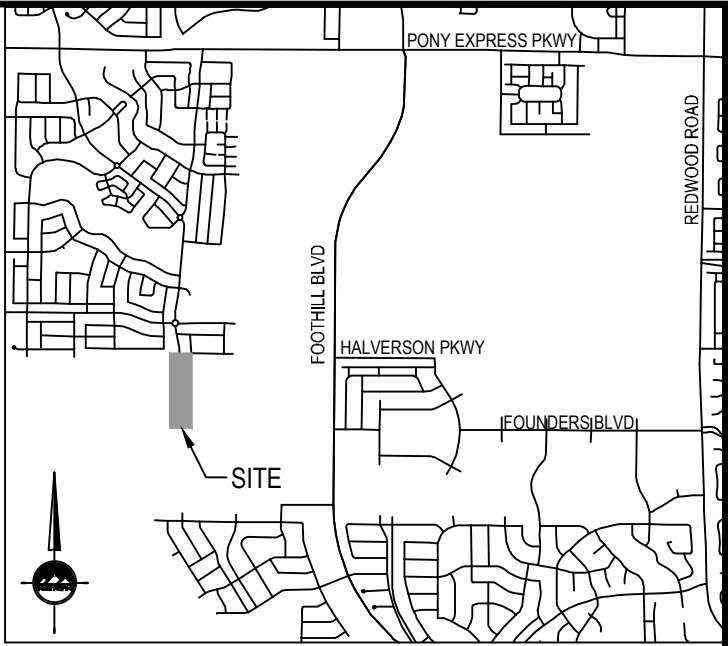
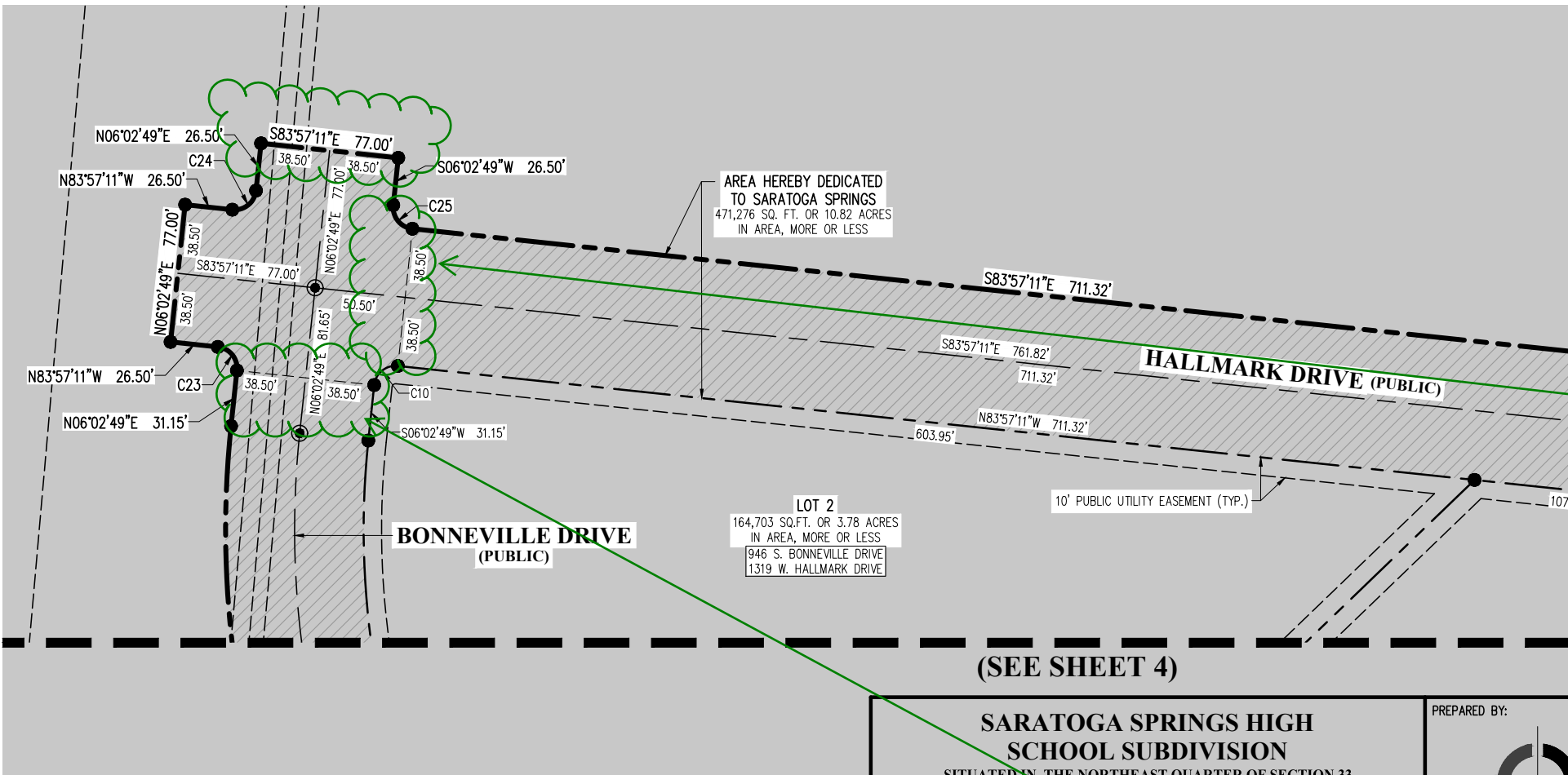
When will City maintenance begin?

TBD

Exhibit 4

BONNEVILLE DRIVE ROAD DEDICATION PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN
CITY OF SARATOGA SPRINGS, UTAH COUNTY, UTAH
FINAL PLAT



SURVEYOR'S CERTIFICATE
I, Patrick M. Harris, do hereby certify that I am a professional Land Surveyor, and that I hold a license, Certificate No. 286882, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, have subdivided said tract of land into lots, streets, and easements, have completed a survey of the property described on this plat in accordance with Utah Code Section 17-23-17, have verified all measurements, and have placed monuments as represented on the plat. I further certify that every existing right-of-way and easement grant of record for underground facilities, as defined in Utah Code Section 54-8a-2, and for other utility facilities, is accurately described on this plat, and that this plat is true and correct. I also certify that I have filed, or will file within 90 days of recordation of this plat, a map of survey I have completed with the Utah County Surveyor.

BOUNDARY DESCRIPTION
Beginning at a point being South 89°20'14" West 927.29 feet along the section line from the Northeast Corner of Section 33, Township 5 South, Range 1 West, Salt Lake Base and Meridian; and running
thence South 3°43'20" East 226.94 feet;
thence Southwesterly 251.80 feet along the arc of a 588.50 foot radius curve to the right (center bears South 86°16'40" West and the chord bears South 8°32'07" West 249.88 feet with a central angle of 24°30'54");
thence Southwesterly 131.68 feet along the arc of a 511.50 foot radius curve to the left (center bears South 69°12'26" East and the chord bears South 13°25'04" West 131.31 feet with a central angle of 14°45'00");
thence South 6°02'34" West 65.87 feet;
thence Southwesterly 16.49 feet along the arc of a 10.50 foot radius curve to the left (center bears South 83°57'26" East and the chord bears South 38°57'12" East 14.85 feet with a central angle of 89°59'32");
thence South 83°56'58" East 2.00 feet;
thence South 6°02'49" West 13.99 feet;
thence Northwesterly 38.48 feet along the arc of a 24.50 foot radius curve to the right (center bears North 6°02'49" East and the chord bears North 38°57'11" West 49.00 feet);
thence North 83°57'11" West 49.00 feet;
thence Northwesterly 38.48 feet along the arc of a 24.50 foot radius curve to the right (center bears North 6°02'49" East and the chord bears North 38°57'11" West 49.00 feet);
thence North 6°03'58" East 14.00 feet;
thence Northwesterly 16.49 feet along the arc of a 10.50 foot radius curve to the left (center bears North 6°02'49" East and the chord bears North 51°02'42" East 14.85 feet with a central angle of 90°00'15");
thence North 6°02'34" East 65.86 feet;
thence Northwesterly 151.50 feet along the arc of a 588.50 foot radius curve to the right (center bears South 83°57'26" East and the chord bears North 13°25'04" East 151.08 feet with a central angle of 14°45'00");
thence Northwesterly 218.85 feet along the arc of a 511.50 foot radius curve to the left (center bears North 69°12'26" West and the chord bears North 6°02'34" East 131.68 feet with a central angle of 24°30'54");
thence North 89°20'14" East 927.29 feet to the point of beginning.

Contains 52,593 Square Feet or 1.207 Acres, 0 Lots, 0 Parcels
DATE: PATRICK M. HARRIS
P.L.S. 286882

OWNER'S DEDICATION
Know all men by these presents that the undersigned owner(s) of the above described tract of land have caused same to be subdivided into lots, parcels, and streets, together with easements and rights-of-ways, to be hereafter known as:
BONNEVILLE DRIVE ROAD DEDICATION PLAT
and do hereby dedicate for the perpetual use of the public and City all parcels, lots, streets, easements, rights-of-ways, and public amenities shown on this plat intended for public or City use. The owner(s) and all agents, successors, and assigns voluntarily defend, indemnify, and save harmless the City against any easements or other encumbrance on a dedicated street, easement, or right-of-way that will interfere with the City's use, maintenance, and operation of the street or utilities. The owner(s) and all agents, successors, and assigns assume all liability with respect to the creation of this subdivision, the alteration of the ground surface, vegetation, drainage, or surface of sub-surface water flows within this subdivision, and the development activity within this subdivision by the owners and all agents, successors, and assigns.
In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D., 20____.
Signature _____ Print Name _____ Title & Entity _____
Signature _____ Print Name _____ Title & Entity _____

OWNER'S ACKNOWLEDGMENT
STATE OF UTAH _____ s.
County of _____
On this _____ day of _____, 20____, personally appeared before me
Print Name _____ Title _____ Entity _____
who being by me duly sworn, did prove to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authority capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed this plat with full authority of the owner(s).
I certify under PENALTY OF PERJURY under the laws of the State of Utah that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Notary Public Signature _____ Commission Number _____
Printed Name As Commissioned _____ My commission expires _____
A Notary Public Commissioned in Utah

BONNEVILLE DRIVE ROAD DEDICATION PLAT
LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
CITY OF SARATOGA SPRINGS, UTAH COUNTY, UTAH
FINAL PLAT
SURVEYOR'S SEAL: PATRICK M. HARRIS, No. 286882, STATE OF UTAH
CITY ENGINEER'S SEAL
CLERK-RECORDER SEAL

NORTHEAST CORNER SECTION 33, T5S, R1W, S18B&M (FOUND 1971 BRASS CAP)
BASIS OF BEARING: N 89°20'14" W 2652.73'
S 89°20'14" E 77.23'
POINT OF BEGINNING
N 89°20'14" E 77.23'
S 89°20'14" W 1640.21'
NORTH QUARTER CORNER SECTION 33, T5S, R1W, S18B&M (FOUND 1959 BRASS CAP)

LEGEND
SECTION CORNER
SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."
BOUNDARY LINE
SECTION LINE
CENTER LINE
EASEMENT LINE

Add the City as the property owner if the property is purchased by the City prior to plat recordation.

DATA TABLE				
INFORMATION	AC	SQ. FT.	% TOTAL	#
TOTAL PROJECT AREA	1.207	52,593	100%	
SENSITIVE LANDS	0.00	0	0%	
OPEN SPACE	0.00	0	0%	
BUILDABLE AREA	0.00	0	0%	
ROW AREA	1.207	52,593	100%	
LANDSCAPING AREA	0.00	0	0%	
NET DENSITY				0
DWELLINGS PER ACRE				

- SARATOGA SPRINGS PLAT NOTES
- PLAT MUST BE RECORDED WITHIN 24 MONTHS OF FINAL PLAT APPROVAL, OR FOR PHASED DEVELOPMENTS, WITHIN 24 MONTHS OF RECORDATION OF MOST RECENT PHASE. THE FIRST FINAL PLAT APPROVAL WAS GRANTED ON THE _____ DAY OF _____, 20____.
 - PRIOR TO BUILDING PERMITS BEING ISSUED, SOIL AND/OR GEOTECHNICAL TESTING STUDIES MAY BE REQUIRED ON EACH LOT AS DETERMINED BY THE CITY BUILDING OFFICIAL.
 - THIS PLAT MAY BE SUBJECT TO A DEVELOPMENT AGREEMENT THAT SPECIFIES THE CONDITIONS OF DEVELOPING, BUILDING, AND USING PROPERTY WITHIN THIS PLAT. SEE CITY RECORDER FOR DETAILS.
 - PLAT IS SUBJECT TO INSTALLATION OF IMPROVEMENTS AND BOND AGREEMENT NO. _____, WHICH REQUIRES THE CONSTRUCTION AND WARRANTY OF IMPROVEMENTS IN THIS SUBDIVISION. THESE OBLIGATIONS RUN WITH THE LAND AND ARE BINDING ON SUCCESSORS, AGENTS, AND ASSIGNS OF DEVELOPER. THERE ARE NO THIRD-PARTY RIGHTS OR BENEFICIARIES UNDER THIS AGREEMENT.
 - BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL REQUIRED IMPROVEMENTS HAVE BEEN INSTALLED PER CITY STANDARDS AND ALL FEES INCLUDING IMPACT AND CONNECTION FEES ARE PAID. REFERENCES HEREIN TO DEVELOPER OR OWNER SHALL APPLY TO BOTH, AND ANY SUCH REFERENCE SHALL ALSO APPLY TO SUCCESSORS, AGENTS, AND ASSIGNS.
 - ~~NO CITY MAINTENANCE SHALL BE PROVIDED FOR STREETS AND IMPROVEMENTS DESIGNATED AS "PRIVATE" ON THIS PLAT.~~
 - A GEOTECHNICAL REPORT HAS BEEN COMPLETED BY WESTERN TECHNOLOGIES, INC., WHICH ADDRESSES SOIL AND GROUNDWATER CONDITIONS, PROVIDES ENGINEERING DESIGN CRITERIA, AND RECOMMENDS MITIGATION MEASURES IF PROBLEMATIC CONDITIONS WERE ENCOUNTERED. THE CITY ASSUMES NO LIABILITY OR RESPONSIBILITY FOR ANY RELIANCE ON THE INFORMATION OR LACK THEREOF IN THE REPORT.
 - ~~AGRICULTURAL USES, OPERATIONS, AND RIGHTS ARE ADJACENT TO OR NEAR THE PLAT AND LOTS. THE LOTS IN THIS PLAT ARE SUBJECT TO THE SIGHTS, SOUNDS, ODORS, NUISANCES, AND ASPECTS ASSOCIATED WITH AGRICULTURAL OPERATIONS, USES, AND RIGHTS. THESE USES AND OPERATIONS MAY OCCUR AT ALL TIMES OF THE DAY AND NIGHT INCLUDING WEEKENDS AND HOLIDAYS. THE CITY IS NOT RESPONSIBLE OR LIABLE FOR THESE USES AND IMPACTS AND WILL NOT RESTRICT ANY GRANDFATHERED AGRICULTURAL USE FROM CONTINUING TO OCCUR LAWFULLY.~~
 - DRAINAGE ACROSS PROPERTY LINES SHALL NOT EXCEED THAT WHICH EXISTED PRIOR TO GRADING. EXCESS OR CONCENTRATED DRAINAGE SHALL BE CONTAINED ON SITE OR DIRECTED TO AN APPROVED DRAINAGE FACILITY. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET.
 - PARKSTRIPS SHALL BE LANDSCAPED AND MAINTAINED BY THE PROPERTY OWNER WHO ABUTS THE PARKSTRIP, UNLESS OTHERWISE NOTED ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
 - SUBJECT PROPERTY LOCATED IN ZONE X ON FIRM MAP NO. 490480300F WITH AN EFFECTIVE DATE OF JUNE 19, 2020.

notes 7 and 9 are not applicable and can be removed

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	550.00'	235.33'	24°30'54"	233.54'
C2	550.00'	141.59'	14°45'00"	131.2504'W

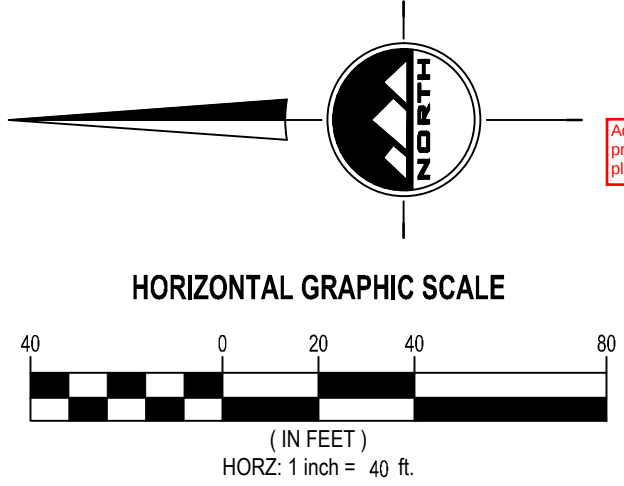
APPROVAL BY LEGISLATIVE BODY
THE CITY COUNCIL OF THE CITY OF SARATOGA SPRINGS, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSE FOR THE PERPETUAL USE OF THE PUBLIC.
THIS _____ DAY OF _____, A.D. 20____.
CITY MAYOR _____ ATTEST: CITY RECORDER (SEE SEAL BELOW)

CITY ENGINEER APPROVED BY THE CITY ENGINEER ON THIS _____ DAY OF _____, 20____. CITY ENGINEER _____	FIRE CHIEF APPROVED BY THE FIRE CHIEF ON THIS _____ DAY OF _____, 20____. CITY FIRE CHIEF _____	LEHI CITY POST OFFICE APPROVED BY POST OFFICE REPRESENTATIVE ON THIS _____ DAY OF _____, 20____. LEHI CITY POST OFFICE REPRESENTATIVE _____	PLANNING DIRECTOR APPROVED BY THE PLANNING DIRECTOR ON THIS _____ DAY OF _____, 20____. PLANNING DIRECTOR _____	LAND USE AUTHORITY APPROVED BY THE LAND USE AUTHORITY ON THIS _____ DAY OF _____, 20____. LAND USE AUTHORITY _____	SARATOGA SPRINGS ATTORNEY APPROVED BY SARATOGA SPRINGS CITY ATTORNEY THIS _____ DAY OF _____, 20____. SARATOGA SPRINGS ATTORNEY _____
--	--	--	--	---	--

PROPERTY OWNER & DEVELOPER
CITY CREEK RESERVE, INC
51 SOUTH MAIN STREET, STE 301
SALT LAKE CITY, 84111
801-643-4459

SHEET 1 OF 1
PROJECT NUMBER: 11267N
MANAGER: JBG
DRAWN BY: KFW
CHECKED BY: PMH
DATE: 6/4/26

ENSGN
THE STANDARD IN ENGINEERING
SANDY
45 W 10000 S, Suite 500
Sandy, UT 84070
Phone: 801.255.0529
WWW.ENSGNENG.COM
LAYTON Phone: 801.547.1100
TOOELE Phone: 435.943.3090
CEDAR CITY Phone: 435.865.1463
RICHFIELD Phone: 435.966.2963





MINUTES – Planning Commission

Thursday, July 16, 2026

City of Saratoga Springs City Offices

319 S. Saratoga Road, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

CALL TO ORDER - 6:01 p.m. by Vice Chair Doug Willden.

1. **Pledge of Allegiance** - led by Commissioner Hill.
2. **Roll Call** – A quorum was present.

Present:

Commission Members: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.
Staff: Sarah Carroll, Planning Director; Conrad Hafen, Attorney; AnnElise Harrison, Public Relations Manager; David Jellen, Senior Planner; Sam Stout, Planner II; Scott Petrik, Engineer; Wendy Wells, Deputy Recorder.

Others: James Backman, Andrea Harris, Weston Remund.

Excused: Rachel Sprosty Burns, NH Rather.

3. **Public Input** - Public input was opened by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

OATH OF OFFICE

1. Oath of Office for New Planning Commissioner Matt Harris. Commissioner Harris briefly introduced himself and expressed excitement about participating on the Planning Commission.

PUBLIC HEARINGS

1. **Amendment to Title 19 Land Development Code of the City of Saratoga Springs, Chapter 19.04 – Establishment of Land Use Zones and Official Map. Citywide. City-Initiated.**

Senior Planner David Jellen presented the item. The proposed changes would update the minimum lot sizes for the R1-40 and R1-20 residential zoning districts to be consistent with the minimum lot sizes outlined in the respective zoning district definitions. Additionally, an arterial roadway setback is being proposed for the Mixed-Use Zoning district, consistent with the other non-residential zoning districts.

Public Hearing Open by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

Commissioner Hill appreciated that Staff was working to create consistency in the code.

Commissioner Willden received clarification regarding the 105-foot setback.

Senior Planner David Jellen noted that part of that setback was to preserve the trail corridor.

Planning Director Sarah Carroll gave an explanation of what comprised the 105-foot setback. She advised that the center line of an arterial would be the center line of Redwood Road, which would leave 90 feet on each side, and 30 feet of that would be for the trail corridor, which would only leave about a 15-foot setback.

Motion made by Commissioner Hill that the Planning Commission forward a recommendation for approval of the proposed Code Amendments to Chapter 19.04 with the Findings and Conditions in the Staff Report. Seconded by Commissioner Mann.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

2. **Avative Fiber Shelter UCCU Major Site Plan Amendment, located at 1364 North Commerce Drive. This amendment is a proposal for a 12' X 12' Telecommunication shelter to be placed on the east side of property in an existing landscaped area. Weston Remund as applicant.**

Planner II Sam Stout presented the item. The applicant is requesting approval of a Site Plan Amendment for Lot 4 of the Saratoga Crossroads Subdivision. An unmanned 12' x 12' telecommunication shelter is proposed to be placed on the east side of the property in an existing landscaped area.

Public Hearing Open by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

Commissioner Hill felt the Fiber Shelter would blend in well in the proposed location. He wondered if the building would be a permanent fixture.

Applicant Weston Remund of Strata Networks was in attendance on behalf of Avative Fiber to answer any questions. He confirmed that the building was planned to be permanent. He noted that the building was pre-built and would be craned in and anchored to a concrete foundation.

Motion made by Commissioner Mann that the Planning Commission forward a recommendation for approval of the requested Site Plan Amendment (major) for Avative Fiber Shelter UCCU located at 1364 N Commerce Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Roman.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

BUSINESS ITEMS

1. **Bonneville Drive Extension Preliminary Plat, located at Bonneville Drive, north of Hallmark Drive. City-Initiated.**

Senior Planner David Jellen presented the item. The proposed Bonneville Drive Road Dedication Plat consists of approximately 1.2 acres and extends Bonneville Drive between the Hallmark Drive intersection and the City's border with Eagle Mountain.

Commissioner Willden received clarification that a road dedication was where a portion of land was taken with the intention of dedicating it to the public for Right-of-Way purposes.

Commissioner Hill made note that under Title 19.12 – Subdivisions, there were 6 items that were not in compliance, and he also noted that there were 5 conditions listed with the Possible Motions, and he wanted to be sure that all were in compliance.

Senior Planner David Jellen verified that the redlines had been carried forward as part of the approval and had been addressed.

Motion made by Commissioner Roman that the Planning Commission forward a recommendation for approval of the requested roadway dedication plat for Bonneville Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Harris.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

2. **Approval of Minutes: June 25, 2026.**

Motion made by Commissioner Hill to approve the minutes of June 25, 2026. Seconded by Commissioner Mann.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

REPORTS

1. **Commission Comments.** Commissioner Hill reminded Commissioners of a few upcoming events:

- APA Fall conference at the Davis Community Events Center - pre-registration is currently open.
- UDOT program on August 27th - future plans will be presented.
- Larry H. Miller Real Estate presentation in September/October at the LHM facility - more information will be coming.

2. **Director's Report.** – Planning Director Sarah Carroll advised of upcoming agenda items and recent City Council actions. She advised that the next Planning Commission meeting would be held on July 30th. She reminded Commissioners that the city would cover the registration fee for any Commissioners that would like to attend the APA conference.

CLOSED SESSION

Possible motion to enter into closed session – No closed session was held.

ADJOURNMENT

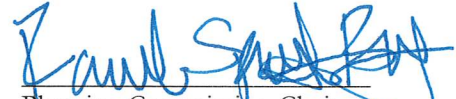
Meeting Adjourned Without Objection 6:29 p.m. by Vice Chair Doug Willden.

07.30.26

Date of Approval


Deputy City Recorder




Planning Commission Chair



Code Amendment

Land Use Regulations – Residential and Mixed-Use Zones

August 18, 2026

PUBLIC MEETING

Applicant:	City Initiated
Type of Action:	Legislative
Land Use Authority:	City Council
Planner:	David Jellen, Senior Planner

A. Executive Summary and Request:

The City is proposing code amendments to Chapter 19.04 – Establishment of Land Use Zones and Official Map. The proposed changes update the minimum lot sizes for the R1-40 and R1-20 residential zoning districts to be consistent with the minimum lot sizes outlined in the respective zoning district definitions. Additionally, an arterial roadway setback is being proposed for the Mixed-Use zoning district, consistent with the other non-residential zoning districts.

Recommendation:

On July 16, 2026, the Planning Commission held a public hearing and reviewed the subject application and recommended unanimously to approve the application. Approved minutes are attached.

Staff recommends that the City Council conduct a public meeting on the application, review and discuss the proposal, and choose from the options in the Recommendation and Alternatives Section of this report. Options include approval with or without conditions, denial, or continuation.

B. Background:

The purpose of the proposed code amendments is to clarify minimum lot sizes in the R1-40 and R1-20 single-family residential zoning districts, in addition to adding an arterial roadway setback to the Mixed-Use zoning district.

C. Process:

Section 19.17.03 outlines the process criteria for Planning Commission and City Council Review:

1. The Planning Commission shall review the petition and make its recommendations to the City Council within thirty days of the receipt of the petition.

Complies. *This is a staff-initiated proposal. The application will be reviewed by the Planning Commission and receive a recommendation prior to review by the City Council.*

2. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and this Title.

Complies. *Please see Sections E and F of this report.*

3. The Planning Commission shall provide the notice and hold a public hearing as required by the Utah Code and Chapter 19.13. For an application which concerns a specific parcel of property, the City shall provide the notice required by the Utah Code and Chapter 19.13 for a public hearing.

Complies. *Please see Section D of this report.*

D. Community Review:

This has been noticed as a public meeting pursuant to City and State statutes, which requires posting notice of the meeting and the agenda not less than 24 hours before the meeting.

As of the date of this report, no public input has been received.

E. General Plan:

The proposed amendment, as it relates to the 2022-2042 General Plan Vision, Goals and Strategies for Land Use & Neighborhoods, is evaluated below.

Land Use and Neighborhoods, The Vision

“Land Use and Neighborhoods supports the general plan vision by preserving existing neighborhoods and requiring new attractive, healthy, and family-friendly neighborhoods. Neighborhoods will have a variety of housing types and amenities. As new development occurs, it will be supported by appropriate services and amenities, ensuring a high quality of life for existing and future residents.”

Land Use Goal

Future development in Saratoga Springs reflects the community’s preferred vision.

Staff conclusion: Consistent. *The proposed amendments clarify regulations for the City’s residential and mixed-use zoning districts.*

F. Code Criteria:

Code amendments are a legislative decision and grant the City Council significant discretion when considering changes to the Code.

The criteria for an ordinance amendment are outlined below and act as guidance to the Council and to the Commission in making a recommendation. Note that the criteria are not binding.

19.17.05 Consideration of General Plan, Ordinance, or Zoning Map Amendment

The Planning Commission and City Council shall consider, but not be bound by, the following criteria when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;
Consistent. *See Section E of this report.*
2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
Consistent. *The amendment will not adversely affect the health and welfare of the general public and will allow for clarifications related to land uses.*
3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and

19.01.04. Purpose. This section identifies the purpose of Title 19.

1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
 - a. encourage and facilitate the orderly growth and expansion of the City;
 - b. secure economy in governmental expenditures;
 - c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
 - d. enhance the economic well-being of the municipality and its inhabitants;
 - e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
 - f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;
 - g. stabilize and conserve property values;
 - h. encourage the development of an attractive and beautiful community;and

- i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

Consistent. *The proposed amendment will improve clarity in the code and contribute to a streamlined development review process benefiting the City, developers, and the public.*

4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

Consistent. *The amendment will provide additional clarity and effectiveness of the Code and better enhance the consistency in development review.*

5. any other reason that, subject to the legislative discretion of the City Council, could advance the general welfare.

G. Recommendation and Alternatives:

Staff recommends that the City Council review and discuss the application, and choose from the following options.

Option 1 – Approval

“I move that the City Council approve the proposed Code Amendments to Chapter 19.04, with the Findings and Conditions in the Staff Report.”

Findings

1. The application is consistent with the General Plan, as articulated in Section E of the staff report, which section is incorporated by reference herein.
2. The application complies with the criteria in section 19.17.05 of the Land Development Code, as articulated in Section F of the staff report, which section is incorporated by reference herein.

Conditions:

1. Any other conditions or changes as articulated by the City Council:

_____.

Option 2 – Continuance

“I move to **continue** the Code Amendments to Chapter 19.04, with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

1. _____

Option 3 – Denial

“I move that the City Council deny the proposed Code Amendments to Chapter 19.04, with the Findings below:

1. The application is not consistent with the General Plan:
 - a. _____, and/or,
2. The application is not consistent with Section [XX.XX] of the Code:
 - a. _____.

H. Exhibits:

1. Chapter 19.04 Code Amendment
2. July 16, 2026 Planning Commission Meeting Minutes

Exhibit 1

Chapter 19.04. Establishment of Land Use Zones and Official Map. Sections:

19.04.07. Land Use Regulations, Agricultural and Residential Zones.

1. Table Summary of Land Use Regulation, Agricultural and Residential Zones.

19.04.07. Land Use Regulation, Agricultural and Residential Zones.													
1. Table Summary of Land Use Regulations, Agricultural and Residential Zones.													
	A	RA-5	RR	R1-40	R1-20	R1-10	R1-9	R2-8	R3-6	MF-10	MF-14	MF-18	MR
Minimum Lot Sizes, Residential ⁶	5 acres	5 acres	1 acre	40,000 sq. ft. 1 acre	142,000 sq. ft.	10,000 sq. ft.	9,000 sq. ft.	8,000 sq. ft.	6,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	3,200 sq. ft.

19.04.10. Land Use Regulations, Non-Residential and Mixed Use Zones.

2. Table Summary of Land Use Regulations, Mixed Use Zone.

	MU
Maximum Units per Acre	14 units/acre for residential portion of project**
Minimum Project Size	5 acres
Minimum Lot Size:	
Non-residential	15,000 sq. ft.
Single Family Lots	5,000 sq. ft.
Two-Family and Three-Family Dwellings	6,000 sq. ft.
Multi-Family Dwellings	see footprint development requirements
Footprint Development	Allowed
Residential Above Commercial	15,000 sq. ft.
Minimum Setback Requirements:	
Mixed use buildings:	first floor: 10' around the perimeter second floor: 20' around the perimeter third floor: 30' around the perimeter fourth floor: 40' around the perimeter
Residential and Commercial Buildings:	
Front*	20'
Interior Sides for residential single family and footprint development	10' between buildings, 5' between exterior walls and property lines.
Interior sides for residential two-family, three-family, multi-family	10' between buildings
Interior Sides for non-residential	10'
Rear*	20'
Corner Side	15'

Accessory Building Structure Setbacks	front and corner side: same as primary structure, Rear and interior side: 5'
<u>Setbacks Along Arterials</u>	<u>105' off the arterial roadway centerline, or, if applicable, 15' from back of the 30' trail corridor—whichever is greater.</u>
Minimum Lot Width	50'
Minimum Lot Frontage:	
Residential	35'
Non-residential	60'
Mixed use buildings	100'
Maximum Height of Structures	Four Stories, 45'
Maximum Lot Coverage	50%
Minimum Dwelling Size	1,000 sq. ft. above grade (not to include any garage space)
* An unenclosed entry, porch, or deck may encroach up to five feet into either the required front setback or rear setback and up to two feet into the required side setback. ** No density shall be calculated on sensitive lands.	



MINUTES – Planning Commission

Thursday, July 16, 2026

City of Saratoga Springs City Offices

319 S. Saratoga Road, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

CALL TO ORDER - 6:01 p.m. by Vice Chair Doug Willden.

1. **Pledge of Allegiance** - led by Commissioner Hill.
2. **Roll Call** – A quorum was present.

Present:

Commission Members: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.
Staff: Sarah Carroll, Planning Director; Conrad Hafen, Attorney; AnnElise Harrison, Public Relations Manager; David Jellen, Senior Planner; Sam Stout, Planner II; Scott Petrik, Engineer; Wendy Wells, Deputy Recorder.

Others: James Backman, Andrea Harris, Weston Remund.

Excused: Rachel Sprosty Burns, NH Rather.

3. **Public Input** - Public input was opened by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

OATH OF OFFICE

1. Oath of Office for New Planning Commissioner Matt Harris. Commissioner Harris briefly introduced himself and expressed excitement about participating on the Planning Commission.

PUBLIC HEARINGS

1. **Amendment to Title 19 Land Development Code of the City of Saratoga Springs, Chapter 19.04 – Establishment of Land Use Zones and Official Map. Citywide. City-Initiated.**

Senior Planner David Jellen presented the item. The proposed changes would update the minimum lot sizes for the R1-40 and R1-20 residential zoning districts to be consistent with the minimum lot sizes outlined in the respective zoning district definitions. Additionally, an arterial roadway setback is being proposed for the Mixed-Use Zoning district, consistent with the other non-residential zoning districts.

Public Hearing Open by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

Commissioner Hill appreciated that Staff was working to create consistency in the code.

Commissioner Willden received clarification regarding the 105-foot setback.

Senior Planner David Jellen noted that part of that setback was to preserve the trail corridor.

Planning Director Sarah Carroll gave an explanation of what comprised the 105-foot setback. She advised that the center line of an arterial would be the center line of Redwood Road, which would leave 90 feet on each side, and 30 feet of that would be for the trail corridor, which would only leave about a 15-foot setback.

Motion made by Commissioner Hill that the Planning Commission forward a recommendation for approval of the proposed Code Amendments to Chapter 19.04 with the Findings and Conditions in the Staff Report. Seconded by Commissioner Mann.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

2. **Avative Fiber Shelter UCCU Major Site Plan Amendment, located at 1364 North Commerce Drive. This amendment is a proposal for a 12' X 12' Telecommunication shelter to be placed on the east side of property in an existing landscaped area. Weston Remund as applicant.**

Planner II Sam Stout presented the item. The applicant is requesting approval of a Site Plan Amendment for Lot 4 of the Saratoga Crossroads Subdivision. An unmanned 12' x 12' telecommunication shelter is proposed to be placed on the east side of the property in an existing landscaped area.

Public Hearing Open by Vice Chair Doug Willden. Receiving no public comment, the Public Hearing was closed by the Vice Chair.

Commissioner Hill felt the Fiber Shelter would blend in well in the proposed location. He wondered if the building would be a permanent fixture.

Applicant Weston Remund of Strata Networks was in attendance on behalf of Avative Fiber to answer any questions. He confirmed that the building was planned to be permanent. He noted that the building was pre-built and would be craned in and anchored to a concrete foundation.

Motion made by Commissioner Mann that the Planning Commission forward a recommendation for approval of the requested Site Plan Amendment (major) for Avative Fiber Shelter UCCU located at 1364 N Commerce Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Roman.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

BUSINESS ITEMS

1. **Bonneville Drive Extension Preliminary Plat, located at Bonneville Drive, north of Hallmark Drive. City-Initiated.**

Senior Planner David Jellen presented the item. The proposed Bonneville Drive Road Dedication Plat consists of approximately 1.2 acres and extends Bonneville Drive between the Hallmark Drive intersection and the City's border with Eagle Mountain.

Commissioner Willden received clarification that a road dedication was where a portion of land was taken with the intention of dedicating it to the public for Right-of-Way purposes.

Commissioner Hill made note that under Title 19.12 – Subdivisions, there were 6 items that were not in compliance, and he also noted that there were 5 conditions listed with the Possible Motions, and he wanted to be sure that all were in compliance.

Senior Planner David Jellen verified that the redlines had been carried forward as part of the approval and had been addressed.

Motion made by Commissioner Roman that the Planning Commission forward a recommendation for approval of the requested roadway dedication plat for Bonneville Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Harris.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

2. **Approval of Minutes: June 25, 2026.**

Motion made by Commissioner Hill to approve the minutes of June 25, 2026. Seconded by Commissioner Mann.

Yes: Matt Harris, Scott A. Hill, Virginia Rae Mann, Chris Roman, Doug Willden.

No: None.

Absent: Rachel Sprosty Burns, NH Rather.

Motion passed 5 - 0.

REPORTS

1. **Commission Comments.** Commissioner Hill reminded Commissioners of a few upcoming events:

- APA Fall conference at the Davis Community Events Center - pre-registration is currently open.
- UDOT program on August 27th - future plans will be presented.
- Larry H. Miller Real Estate presentation in September/October at the LHM facility - more information will be coming.

2. **Director's Report.** – Planning Director Sarah Carroll advised of upcoming agenda items and recent City Council actions. She advised that the next Planning Commission meeting would be held on July 30th. She reminded Commissioners that the city would cover the registration fee for any Commissioners that would like to attend the APA conference.

CLOSED SESSION

Possible motion to enter into closed session – No closed session was held.

ADJOURNMENT

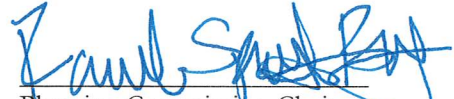
Meeting Adjourned Without Objection 6:29 p.m. by Vice Chair Doug Willden.

07.30.26

Date of Approval


Deputy City Recorder




Planning Commission Chair

ORDINANCE NO. 26-36 (08-18-26)

**AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS,
UTAH, (“CITY”) ADOPTING AN AMENDMENT TO TITLE 19
OF THE SARATOGA SPRINGS CITY CODE AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, pursuant to Utah Code § 10-3-707, the City Council of the City of Saratoga Springs, Utah (“City Council”) previously adopted ordinances codified in Title 19; and

WHEREAS, pursuant to authority granted in Utah Code Annotated § 10-3-701 et seq., the City Council may adopt and amend laws, ordinances, regulations, and codes that comprise the regulatory, penal, and administrative ordinances of the City of Saratoga Springs; and

WHEREAS, the City Council has reviewed the City Code and finds that further amendment to the City Code is necessary to accomplish the purposes in Utah Code Annotated § 10-3-701 et seq.; and

WHEREAS, pursuant to Utah Code Chapter 10-20, a municipal legislative body such as the City Council may enact or amend land use regulations so long as such advances the purposes in Chapter 10-20 and a duly-noticed public hearing was first held by the planning commission; and

WHEREAS, the Saratoga Springs Planning Commission held a public hearing, after the required public notice, on July 16, 2026, and forwarded a recommendation to the City Council with or without amendments; and

WHEREAS, the City Council has reviewed the Planning Commission’s recommendation and all public comment received at the Planning Commission public hearing; and

WHEREAS, the legislative body has reviewed and considered the potential effects of the proposed ordinance on family health, family stability, and family formation;

WHEREAS, the City Council hereby finds that the amendments attached as Exhibit A advance the purposes of Utah Code Chapter 10-20 and further the public health, safety, and welfare of Saratoga Springs residents.

NOW THEREFORE, the City Council ordains as follows:

SECTION I – ENACTMENT

The amendments to Title 19 of the City Code attached as Exhibit A, incorporated herein by this reference, are hereby enacted.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the

provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710–711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance on the Utah Public Notice Website created in Utah Code § 63F-1-701 and on the City’s official website; and
 - ii. publish a short summary of this ordinance in a public location within the City that is reasonably likely to be seen by residents of the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 18th of August, 2026.

Signed: _____
Chris Carn, Mayor

Attest: _____
Nicolette Fike, City Recorder

CITY COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Audrey Barton	_____	_____	_____	_____
Edon Davenport	_____	_____	_____	_____
Robert Taylor	_____	_____	_____	_____
Lance Wadman	_____	_____	_____	_____
Emma Wilson	_____	_____	_____	_____
Mayor Chris Carn (tie only)	_____	_____		

EXHIBIT A
Title 19 Amendments



Code Amendment
New or Unlisted Business Uses
August 18, 2026
PUBLIC MEETING

Applicant:	City Initiated
Type of Action:	Legislative
Land Use Authority:	City Council
Planner:	David Jellen, Senior Planner

A. Executive Summary and Request:

In accordance with recent changes to Utah State Code, the City is proposing a code amendment to Chapter 19.13 – Development Review Process, to update regulations related to new or unlisted business uses.

Recommendation:

On July 30, 2026, the Planning Commission held a public hearing and reviewed the subject application and recommended unanimously to approve the application. Draft minutes are attached.

Staff recommends that the City Council conduct a public meeting on the application, review and discuss the proposal, and choose from the options in the Recommendation and Alternatives Section of this report. Options include approval with or without conditions, denial, or continuation.

B. Background:

The State Legislature adopted Senate Bill 284 at the 2026 Legislative Session, modifying the municipal process for reviewing and approving a new or unlisted business use (State Code 10-20-507). The updates to State Code include the following changes:

1. A municipality may not require an applicant for a new or unlisted business use to submit the application to the Planning Commission for review; and,
2. If a new or unlisted business use application is denied, the legislative body must notify the applicant of the process for appealing the legislative body's decision.

In addition to the changes above, the proposed code amendment clarifies that new or unlisted business uses will be added to the permitted use table if approved.

C. Process:

Section 19.17.03 outlines the process criteria for Planning Commission and City Council Review:

1. The Planning Commission shall review the petition and make its recommendations to the City Council within thirty days of the receipt of the petition.
***Complies.** This is a staff-initiated proposal. The application will be reviewed by the Planning Commission and receive a recommendation prior to review by the City Council.*
2. The Planning Commission shall recommend adoption of proposed amendments only where it finds the proposed amendment furthers the purpose of the Saratoga Springs Land Use Element of the General Plan and this Title.
***Complies.** Please see Sections E and F of this report.*
3. The Planning Commission shall provide the notice and hold a public hearing as required by the Utah Code and Chapter 19.13. For an application which concerns a specific parcel of property, the City shall provide the notice required by the Utah Code and Chapter 19.13 for a public hearing.
***Complies.** Please see Section D of this report.*

D. Community Review:

This has been noticed as a public hearing pursuant to City and State statutes, which requires posting notice on the Utah public notice website and the City's website and in City Hall, and, except for code amendments, mailing notices to property owners whose land is directly affected by the request and property owners within 300 feet of the subject property at least 10 calendar days prior to the public hearing.

As of the date of this report, no public input has been received.

E. General Plan:

The proposed amendment, as it relates to the 2022-2042 General Plan Vision, Goals and Strategies for Land Use & Neighborhoods, is evaluated below.

Land Use and Neighborhoods, The Vision

"Land Use and Neighborhoods supports the general plan vision by preserving existing neighborhoods and requiring new attractive, healthy, and family-friendly neighborhoods. Neighborhoods will have a variety of housing types and amenities. As new development occurs, it will be supported by appropriate services and amenities, ensuring a high quality of life for existing and future residents."

Land Use Goal

Future development in Saratoga Springs reflects the community's preferred vision.

Staff conclusion: Consistent. *The proposed amendment will bring City Code into compliance with State Code.*

F. Code Criteria:

Code amendments are a legislative decision and grant the City Council significant discretion when considering changes to the Code.

The criteria for an ordinance are outlined below and act as guidance to the Council and to the Commission in making a recommendation. Note that the criteria are not binding.

19.17.05 Consideration of General Plan, Ordinance, or Zoning Map Amendment

The Planning Commission and City Council shall consider, but not be bound by, the following criteria of Section 19.17.05 when deciding whether to recommend or grant a general plan, ordinance, or zoning map amendment:

1. The proposed change will conform to the Land Use Element and other provisions of the General Plan;
Staff finding: Consistent. *See Section E of this report.*
2. the proposed change will not decrease nor otherwise adversely affect the health, safety, convenience, morals, or general welfare of the public;
Staff finding: Consistent. *The amendment will not adversely affect the health and welfare of the general public.*
3. the proposed change will more fully carry out the general purposes and intent of this Title and any other ordinance of the City; and

19.01.04. Purpose. This section identifies the purpose of Title 19.

1. The purpose of this Title, and for which reason it is deemed necessary, and for which it is designed and enacted, is to preserve and promote the health, safety, morals, convenience, order, fiscal welfare, and the general welfare of the City, its present and future inhabitants, and the public generally, and in particular to:
 - a. encourage and facilitate the orderly growth and expansion of the City;
 - b. secure economy in governmental expenditures;
 - c. provide adequate light, air, and privacy to meet the ordinary or common requirements of happy, convenient, and comfortable living of the municipality's inhabitants, and to foster a wholesome social environment;
 - d. enhance the economic well-being of the municipality and its inhabitants;
 - e. facilitate adequate provisions for transportation, water, sewer, schools, parks, recreation, storm drains, and other public requirements;
 - f. prevent the overcrowding of land, the undue concentration of population, and promote environmentally friendly open space;

- g. stabilize and conserve property values;
- h. encourage the development of an attractive and beautiful community;
and
- i. promote the development of the City of Saratoga Springs in accordance with the Land Use Element of the General Plan.

Staff finding: Consistent. *The proposed amendment will provide a streamlined development review process both benefiting the City, developers, and the public.*

- 4. in balancing the interest of the petitioner with the interest of the public, community interests will be better served by making the proposed change.

Staff finding: Consistent. *The amendment will provide additional clarity and effectiveness of the Code and better enhance the consistency in development review.*

- 5. any other reason that, subject to the legislative discretion of the City Council, could advance the general welfare.

G. Recommendation and Alternatives:

Staff recommends that the City Council review and discuss the application, and choose from the following options.

Option 1 – Approval

“I move that the City Council approve the requested Code Amendment to Chapter 19.13, with the Findings and Conditions in the Staff Report.”

Findings

- 1. The application is consistent with the General Plan, as articulated in Section F of the staff report, which section is incorporated by reference herein.
- 2. The application complies with the criteria in section 19.17.05 of the Land Development Code, as articulated in Section G of the staff report, which section is incorporated by reference herein.

Conditions:

- 1. Any other conditions or changes as articulated by the City Council:

_____.

Option 2 – Continuance

“I move to **continue** the **Code Amendment** to Chapter 19.13 to another meeting on [DATE], with direction to the applicant and Staff on information and/or changes needed to render a decision, as follows:

- 1. _____.

Option 3 – Denial

"I move that the City Council deny the requested Code Amendment to Chapter 19.13, with the Findings below:

1. The application is not consistent with the General Plan:
 - a. _____, and/or,
2. The application is not consistent with Section [XX.XX] of the Code:
 - a. _____.

H. Exhibits:

1. Proposed Code Amendment
2. July 30, 2026 Draft Planning Commission Meeting Minutes

Chapter 19.13. Development Review Processes.

19.13.04. Specific Development Processes and Submittal Requirements.

1. This Section of the Chapter identifies the development processes for each of the major types of developments within the City of Saratoga Springs. The following table is a non-exhaustive summary of these processes, and specifies who acts as the land use authority for each:

Development Type	Planning Director Approval	Planning Commission Public Hearing	Planning Commission Recommendation	Planning Commission Approval	City Council Public Hearing	City Council Approval
New or Unlisted Business Use/Classification Request		X	X		X	X

19.13.10. New or Unlisted Business Use Process

1. **General.** This section outlines the process to add a New or Unlisted Business Use as a ~~one-time~~ permitted use allowed by Title 19. An applicant may submit a Classification Request or a New or Unlisted Business Use Application as outlined below.

2. Classification Request.

~~2.a.~~ An applicant under this section may submit a New or Unlisted Business Use application with the request to classify a proposed business use under the definition of an existing business use ~~as a one-time classification~~. The applicant shall follow the approved City application format and submit the following information as part of a classification request:

~~a.i.~~ A complete application, applicant certification, and paid application fee.

~~b.ii.~~ A description of the proposed business use, including the type of work that will be performed, the number of employees that will be employed by the business, comparisons to other similar businesses, and any other information that may be relevant to the classification request.

~~3.b.~~ The City Council shall be the Land Use Authority for any Classification Request and shall use the information provided by the applicant, in conjunction with the land use definitions outlined in Chapter 19.02 of City Code, to determine whether the proposed business use may be classified ~~on a one-time basis~~ as an existing land use.

~~a.i.~~ Should the City Council determine that the Classification Request use aligns with an existing land use, the proposed business use shall follow the current process as outlined in the City Code.

~~b.ii.~~ Should the City Council determine that the Classification Request does not align with an existing land use, the proposed business use shall follow the application process outlined in Section 19.13.10~~1.34~~ below.

3. New or Unlisted Business Use Application Requirements.

~~4.a.~~ Applications for New or Unlisted Business Uses shall follow the approved City application format and include the following information in order to be considered complete:

- ~~a.i.~~ A complete application, applicant certification, and paid application fee;
- ~~b.ii.~~ A description of the proposed business use, including the type of work that will be performed, the number of employees that will be employed by the business, hours of operation, comparisons to other similar businesses, and any other information that may be relevant to the New or Unlisted Business Use;
- ~~c.iii.~~ A definition of the proposed use;
- ~~d.iv.~~ A parking study performed by a Traffic Engineer that includes a proposed parking ratio for the proposed business use and justification for the parking ratio;
 - ~~i.1.~~ Unless otherwise determined by the Land Use Authority using the criteria outlined in Section 19.09.05(7), no new business use shall provide parking less than 4 parking stalls per 1,000 square feet to allow for adequate parking for future change of uses.
- ~~e.v.~~ A table outlining the zoning districts where the proposed business use will be permitted.

~~5.b.~~ The City Council shall be the Land Use Authority for any New or Unlisted Business Use Application. The New or Unlisted Business Use application shall be reviewed by the City Council following the application being deemed complete. The City Council may approve a only grant the New or Unlisted Business Use and add it as a one-time exception to the permitted uses table in Title 19. The City Council shall use the information provided by the applicant, in conjunction with the following criteria, to determine whether the proposed parking ratio and zoning districts are appropriate for the proposed business use:

- ~~a.i.~~ The clarity of the definition provided for the proposed use;
- ~~b.ii.~~ The definition does not conflict with existing land use definitions;
- ~~c.iii.~~ The intensity and compatibility of the proposed use in relation to other permitted uses within the proposed zoning districts;
- ~~d.iv.~~ Projected times of operation and use;
- ~~e.v.~~ Trip generation;
- ~~f.vi.~~ Peak demands;
- ~~g.vii.~~ Projected number of customers and patrons; and
- ~~h.viii.~~ Projected number of employees.

~~6.4.~~ **Appeal Process.** If the City Council denies an application for a proposed new or unlisted business use, or if an applicant disagrees with the City Council's classification of the proposed use, the Legislative Body shall notify the applicant in writing of each reason for the classification or denial, and notify the applicant of ~~offer the applicant an opportunity to challenge the classification or denial through~~ the appeal process with the Hearing Examiner, as outlined in Chapter 19.03 of City Code.

(Ord. 25-61)



MINUTES – Planning Commission

Thursday, July 30, 2026

City of Saratoga Springs City Offices

319 S. Saratoga Road, Saratoga Springs, Utah 84045

PLANNING COMMISSION MEETING MINUTES

CALL TO ORDER - 6:03 p.m. by Chair Rachel Sprosty Burns.

- 5 1. **Pledge of Allegiance** - led by Commissioner Willden.
2. **Roll Call** – A quorum was present.

Present:

Commission Members: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden.

Staff: Rulon Hopkins, Assistant City Attorney; AnnElise Harrison, Public Relations Manager; Jessica Horton, Media Specialist; Austin Roy, Senior Planner; Caden Baines, Planner II; Caden Baines, Kyle Kingsbury, Engineer; Wendy Wells, Deputy Recorder.

Others: Susan Reyes, Forrest Gaskill, Paul Kuhn, Dale Bennett.

Excused: Virginia Rae Mann.

3. **Public Input** - Public input was opened by Chair Rachel Sprosty Burns. Receiving no public comment, the public hearing was closed by the Chair.

BUSINESS ITEMS

1. **MiniMint Preschool Home Occupation Class 3, located at 87 E. Baltic Rush Avenue. Susan Reyes as applicant.**

Planner II Caden Baines presented the item. The applicant is requesting approval to operate a preschool. The operating hours will be Monday, Wednesday, and Friday from 9:00 a.m.- 2:00 p.m. The applicant has proposed a maximum number of ten (10) students per class and a maximum of twenty (20) students per day. There will be no non-family member employees. Due to the number of students at a given time and total for the day, this use is classified as a Class 3 Home Occupation and the Planning Commission is the Land Use Authority.

Applicant Susan Reyes was in attendance to answer questions.

Commissioner Hill received clarification that the business license application was in progress and that the neighbor approval requirement no longer applied. He noted that the neighboring property owners were nevertheless supportive of the preschool, with approximately 50% having family members enrolled.

Commissioner Willden inquired about the green outlined area shown in the staff report and received clarification that the business could not occupy more than 40% of the home's total finished square footage. The green outlined area represented the portion of the home dedicated to the preschool and was in compliance with that requirement.

Commissioner Sprosty Burns was concerned about safety at drop-off and pick-up and wanted to remind the applicant to caution parents to be mindful of slowing down at those extra busy times. She was supportive of the business and thought it would bring a good benefit to the City. She was also informed that the City did not require background checks, as those were regulated by the State of Utah.

Motion made by Commissioner Willden that the Planning Commission approve the requested Class 3 Home Occupation for MiniMint Preschool located at 87 East Baltic Rush Avenue, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Roman.
Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden.
No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

2. **Jacob Ranch Marketplace Lot 10 Site Plan, located at 1805 S. Redwood Road. Forrest Gaskill as applicant.**

Senior Planner Austin Roy presented the item. The applicant is seeking approval of the site plan for a commercial building at Jacob Ranch Marketplace. The lot is approximately 0.98 acres and will contain a single 6,054 square-foot building, divided into four separate units. The proposed uses for the building are one restaurant and three retail spaces. 40 parking spaces are required based on the proposed uses, with 42 total parking spaces being provided, thus meeting the requirement.

Applicant Forrest Gaskill, was in attendance to answer questions. He clarified that the brick shown in the staff report had had to be changed due to a long delay in the manufacturing time for the brick originally chosen.

Commissioner Hill expressed support for the modern design and received clarification that the CC&Rs included language providing for reciprocal cross-access easements among all lot owners. He also asked whether a tenant had been identified for the drive-thru space.

Mr. Gaskill responded that a tenant had been secured, but explained that their policy was that tenants were not announced by the developer, allowing each business to make its own location announcement. He also noted that there was not a tenant secured for a patio lot location yet, but he was excited for a tenant to commit to that space, as it was a great location with excellent views.

Commissioner Harris wondered how many vehicles could be accommodated in the drive-thru, and if there were any issues with the drive thru ending in front of an entrance. He was also advised that the building was designed for four tenants and included five storefronts, with one tenant occupying two storefronts.

Senior Planner Austin Roy advised that the code required a minimum stacking capacity of five vehicles in the drive-thru lane, and confirmed the proposed design was in compliance. He further explained the drive-thru configuration had been in response to a staff recommendation to align the drive aisles from north to south.

Motion made by Commissioner Hill that the Planning Commission forward a recommendation for approval of the requested Site Plan for Jacob Ranch Marketplace Lot 10 located at 1805 S. Redwood Road, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Rather. Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden. No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

3. **Taco Bell Major Site Plan Amendment, located at 27 West Crossroads Boulevard. Ashley Wagner as applicant.**

Planner II Caden Baines presented the item. The applicant is requesting a Major Site Plan Amendment for Gateway at Saratoga Springs Lot 1, Taco Bell. The proposed amendment would add a purple accent color to the south, east, and west façade of the building. The lot is 0.85 acres and contains a single 2,083 square foot building. The original site plan was approved August 6, 2013, and no changes are proposed to the site itself.

Motion made by Commissioner Willden that the Planning Commission forward a recommendation for approval of the requested Major Site Plan Amendment for Taco Bell, located at 27 West Crossroads Boulevard, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Harris.

Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden.

No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

4. **Riverwalk Phase 1 Preliminary Plat, located approximately at Northeast of Riverside Drive and Thrive Drive. Dan Ford as applicant.**

110 Senior Planner Austin Roy presented the item. The proposed plat consists of 10.6 acres of land and will be subdivided into 25 lots, ranging in size from 9,000 to 14,511 square feet. The plat includes 1.1 acres of open space, split between a trail corridor accessing the subdivision to the north and the Jordan River Trail Corridor and associated amenity area. He also advised that a data table needed to be corrected, and the Jordan River plan needed to be updated.

115 Commissioner Sprosty Burns wanted to know if there were any concerns with the traffic study.

120 Engineer Kyle Kingsbury addressed the traffic study, noting that initial concerns regarding traffic routing had been mitigated through discussions with the project's traffic engineer. The primary concern had been that connectivity to Dalmore Meadows may result in increased traffic through the neighborhood. Because vehicles exiting Dalmore Drive onto Redwood Road are limited to right turns (northbound), the analysis indicated that most traffic traveling to other destinations would likely use Riverside Drive to access Pioneer Crossing. He also noted that UDOT continues to implement planned improvements along Pioneer Crossing, which are anticipated to further improve traffic mobility.

125 Applicants Paul Kuhn, property owner; and Dale Bennett, Engineer were both in attendance to answer questions.

Commissioner Hill received clarification regarding the number of lots in each phase of Riverwalk, and that the flood plain, sewer and water plans would all be part of the Jordan River stabilization plan.

130 Commissioner Roman had a concern that there was no stop sign for westbound traffic on Thrive Drive, and wondered if there were plans to resolve that, as he had witnessed several near misses.

135 Senior Planner Austin Roy explained that stop signs were installed when warranted and noted that the area had not previously experienced significant activity; however, the new development could change traffic conditions. He clarified that the area in question was not part of the applicant's property, but acknowledged that it was helpful to have the concern brought to the City's attention.

Commissioner Sprosty Burns received clarification regarding the property amenities.

140 **Motion made by Commissioner Rather that the Planning Commission approve the requested Preliminary Plat for Riverwalk Phase 1 located northeast of Riverside Drive and Brookshire Drive, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Willden. Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden. No: None. Absent: Virginia Rae Mann. Motion passed 6 - 0.**

5. Approval of Minutes: July 16, 2026.

150 **Motion made by Commissioner Willden to approve the minutes of July 16, 2026. Seconded by Commissioner Roman. Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, Virginia Rae Mann, NH Rather, Chris Roman, Doug Willden. No: None. Absent: Virginia Rae Mann. Motion passed 6 - 0.**

PUBLIC HEARINGS

- 160 1. **Amendment to Title 19 Land Development Code of the City of Saratoga Springs, Chapter 19.13 – Development Review Processes for new or unlisted business uses. City-Initiated. Citywide.** Senior Planner Austin Roy presented the item. In accordance with recent changes to Utah State Code, the City is proposing a code amendment to Chapter 19.13 – Development Review Process, to update regulations related to new or unlisted business uses.

Assistant City Attorney Rulon Hopkins provided clarification regarding Utah Senate Bill (SB) 284. He explained that the City had amended its code the previous year in response to the legislation, but the resulting process proved cumbersome and needed refinement. The proposed amendment was intended to clean up the City's code and streamline the process moving forward.

Public Hearing Open by Chair Rachel Sprosty Burns. Receiving no public comment, the public hearing was closed by the Chair.

Commissioner Hill liked that the development process was being streamlined and appreciated Staff for working so hard to be sure City Code was clear.

Motion made by Commissioner Hill that the Planning Commission forward a recommendation for approval of the requested Code Amendment to Chapter 19.13, with the Findings and Conditions in the Staff Report. Seconded by Commissioner Harris.

Yes: Rachel Sprosty Burns, Matt Harris, Scott A. Hill, NH Rather, Chris Roman, Doug Willden.

No: None.

Absent: Virginia Rae Mann.

Motion passed 6 - 0.

REPORTS

1. Commission Comments.

Commissioner Harris wondered if there were any plans or any existing code for more EV charging stations.

Commissioner Hill asked if there was any data regarding what other communities were doing regarding EV charging stations.

Senior Planner Austin Roy advised there was nothing in current code that required developments to provide EV charging stations.

Engineer Kyle Kingsbury responded that he was not aware of any empirical data regarding what other communities were doing related to EV charging stations, but noted he would discuss the matter with Public Works Director Jeremy Lapin.

2. Director's Report.

Senior Planner Austin Roy advised of upcoming agenda items and recent City Council actions.

Commissioner Sprosty Burns received clarification about boat slips and long-term storage at the marina.

Assistant City Attorney Rulon Hopkins reminded Commissioners to complete their required training and advised them that he had sent an email regarding changes to the Planning Commission bylaws and Title 3. He noted that there were no significant changes, but that revisions had been made to improve clarity. Assistant City Attorney Rulon Hopkins also encouraged Commissioners to attend National Night Out on August 4 from 6:00–8:00 p.m. at Walmart, and support the Saratoga Springs Police Department.

CLOSED SESSION

Possible motion to enter into closed session – No closed session was held.

ADJOURNMENT

Meeting Adjourned Without Objection 6:53 p.m. by Chair Rachel Sprosty Burns.

Date of Approval

Planning Commission Chair

Deputy City Recorder

ORDINANCE NO. 26-37 (08-18-26)

**AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS,
UTAH, (“CITY”) ADOPTING AN AMENDMENT TO TITLE 19
OF THE SARATOGA SPRINGS CITY CODE AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, pursuant to Utah Code § 10-3-707, the City Council of the City of Saratoga Springs, Utah (“City Council”) previously adopted ordinances codified in Title 19; and

WHEREAS, pursuant to authority granted in Utah Code Annotated § 10-3-701 et seq., the City Council may adopt and amend laws, ordinances, regulations, and codes that comprise the regulatory, penal, and administrative ordinances of the City of Saratoga Springs; and

WHEREAS, the City Council has reviewed the City Code and finds that further amendment to the City Code is necessary to accomplish the purposes in Utah Code Annotated § 10-3-701 et seq.; and

WHEREAS, pursuant to Utah Code Chapter 10-20, a municipal legislative body such as the City Council may enact or amend land use regulations so long as such advances the purposes in Chapter 10-20 and a duly-noticed public hearing was first held by the planning commission; and

WHEREAS, the Saratoga Springs Planning Commission held a public hearing, after the required public notice, on July 30, 2026, and forwarded a recommendation to the City Council with or without amendments; and

WHEREAS, the City Council has reviewed the Planning Commission’s recommendation and all public comment received at the Planning Commission public hearing; and

WHEREAS, the legislative body has reviewed and considered the potential effects of the proposed ordinance on family health, family stability, and family formation;

WHEREAS, the City Council hereby finds that the amendments attached as Exhibit A advance the purposes of Utah Code Chapter 10-20 and further the public health, safety, and welfare of Saratoga Springs residents.

NOW THEREFORE, the City Council ordains as follows:

SECTION I – ENACTMENT

The amendments to Title 19 of the City Code attached as Exhibit A, incorporated herein by this reference, are hereby enacted.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, policies, or zoning maps of the City of Saratoga Springs heretofore adopted are inconsistent herewith they are hereby amended to comply with the

provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710–711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance on the Utah Public Notice Website created in Utah Code § 63F-1-701 and on the City’s official website; and
 - ii. publish a short summary of this ordinance in a public location within the City that is reasonably likely to be seen by residents of the City.

ADOPTED AND PASSED by the City Council of the City of Saratoga Springs, Utah, this 18th day of August, 2026.

Signed: _____
Chris Carn, Mayor

Attest: _____
Nicolette Fike, City Recorder

CITY COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Audrey Barton	_____	_____	_____	_____
Edon Davenport	_____	_____	_____	_____
Robert Taylor	_____	_____	_____	_____
Lance Wadman	_____	_____	_____	_____
Emma Wilson	_____	_____	_____	_____
Mayor Chris Carn (tie only)	_____	_____		

EXHIBIT A
Title 19 Amendments



City Council Staff Report

Author: Jeremy D. Lapin, Public Works Director

Subject: Update to Flood Code

Date: August 18, 2026

Type of Item: Code Amendment

Description: Updates to Title 18.02 – Flood Damage Prevention

A. Topic:

This item is for the approval of an Ordinance amending Title 18.02 of the City Code related to Flooding.

B. Background:

Within Title 18 of the City code, rules and regulations have been established to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions.

C. Analysis:

With recent changes to the FEMA flood maps with regards to Utah Lake that took effect June 23, 2026, FEMA is requiring the City update its code accordingly. Staff has also identified recommended changes to the City's Flood Damage Prevention Code to ensure consistency of process, minimize the risk of flooding to existing and proposed developments within the City, and to ensure the City meets the minimum standards of the National Flood Insurance Program (NFIP). These changes include adding a 1-ft freeboard requirement to the AO/AH Zones (areas identified as shallow flooding hazard zones where a clearly defined channel does not exist and the path of flooding is unpredictable), and new standards and regulations for manufactured homes placed or substantially improved within A1-30, AH, and AE Zones.

D. Recommendation

I recommend that the City Council approve the proposed updates to Title 18.02 of the City Code.

1. Title 18. BUILDING AND CONSTRUCTION

Chapters:

18.01. Adopted Codes.

18.02. Flood Damage Prevention.

18.03. Open Pit Extraction of Earth Products.

18.04. Encroachment Permits.

18.05. Grading.

18.06. Storm Water Regulations.

Chapter 18.01. Adopted Codes.

Sections:

18.01.01. Building Codes.

18.01.02. Fire Codes.

18.01.01. Building Codes.

1. The City of Saratoga Springs does hereby adopt as its Building Codes:
 - a. The 2018 edition of the International Building Code, including Appendices C and J, issued by the International Code Council;
 - b. The 2015 edition of the International Residential Code, issued by the International Code Council;
 - c. Appendix Q of the 2018 edition of the International Residential Code, issued by the International Code Council;
 - d. The 2018 edition of the International Plumbing Code, issued by the International Code Council;
 - e. The 2018 edition of the International Mechanical Code, issued by the International Code Council;
 - f. The 2018 edition of the International Fuel Gas Code, issued by the International Code Council;
 - g. The 2020 edition of the National Electrical Code, issued by the National Fire Protection Association;
 - h. The residential provisions of the 2015 edition of the International Energy Conservation Code, issued by the International Code Council;
 - i. The commercial provisions of the 2018 edition of the International Energy Conservation Code, issued by the International Code Council;
 - j. The 2018 edition of the International Existing Building Code, issued by the International Code Council;
 - k. subject to Utah Code Section 15A-2-104(2), the HUD Code;
 - l. subject to Subsection 15-2-104(1), Appendix E of the 2015 edition of the International Residential Code, issued by the International Code Council; and
 - m. subject to Utah Code Section 15A-2-104(1), the 2005 edition of the NFPA 225 Model Manufactured Home Installation Standard, issued by the National Fire Protection Association; and
 - n. The 2006 edition of the Utah Wildland-Urban Interface Code, issued by the International Code Council, with the alternatives or amendments approved by the Utah Division of Forestry, as a construction code.
2. **Building Permit Fees.** The City of Saratoga Springs hereby adopts as its building permit fees, those fees as allowed by the appropriate appendix to the International Building Code.

(Ord. 19-20; Ord. 13-13; Ord. 13-12; Ord. 11-9; Ord. 10-7, Ord. 07-2)

18.01.02. Fire Codes Adopted.

The City of Saratoga Springs hereby adopts the International Fire Code, 2018 Edition, including appendices B, C, D, E, F, G, H, I, and J.

1. The City of Saratoga Springs does hereby adopt as its Fire Code:
 - a. the 2018 edition of the International Fire Code, with amendments;
 - b. the 2016 edition of the National Fire Alarm and Signaling Code, with amendments;
 - c. the 2016 edition of the National Fire Protection Association Code for Installation of Sprinkler Systems;
2. The following codes are incorporated by reference into the City's Fire Code:
 - a. the Utah State Fire Code;
 - b. International Fire Code, 2018 edition, excluding appendices, as issued by the International Code Council, Inc. except as amended by Part 2, Statewide Amendments and Additions to International Fire Code Incorporated as Part of State Fire Code;
 - c. the 2017 edition of the National Fire Protection Association Code for NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, except as amended by Part 3; and
 - d. the 2012 edition of the National Fire Protection Association Code for NFPA 1403, Standard on Live Fire Training Evolutions, except as amended by Part 3.

(Ord. 19-20; Ord. 16-13; Ord. 13-12; Ord. 11-18, Ord. 11-9; Ord. 10-7, Ord. 07-2)

Chapter 18.02. Flood Damage Prevention.

Sections:

- 18.02.01. Statutory Authorization.**
- 18.02.02. Findings of Fact.**
- 18.02.03. Statement of Purpose.**
- 18.02.04. Methods of Reducing Flood Losses.**
- 18.02.05. Definitions.**
- 18.02.06. General Provisions.**
- 18.02.07. Warning and Disclaimer of Liability.**
- 18.02.08. Administration.**
- 18.02.09. Provisions for Flood Hazard Reduction.**

18.02.01. Statutory Authorization.

The City of Saratoga Springs, Utah (“City”) has the statutory authority pursuant to Utah Code § 10-3-701 to adopt regulations that promote the public health, safety, and general welfare of its residents. This Chapter is adopted pursuant to such statutory authority.

(Ord. 20-23)

18.02.02. Findings.

1. The flood hazard areas of the City are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety, and general welfare.
1. These flood losses are created by obstructions in floodplains that cause an increase in flood heights and velocities. In addition, flood losses are created by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood-proofed, or otherwise protected from flood damage.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.03. Statement of Purpose.

It is the purpose of this Chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions to specific areas by provisions designed to:

1. protect human life and health;
2. minimize expenditure of public money for costly flood-control projects;

3. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. minimize prolonged business interruptions;
5. minimize damage to public facilities and utilities such as water and sewer mains, electric and telephone lines, and streets and bridges that are located in floodplains;
6. help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize blight to future flood-prone areas; Ensure that potential buyers are notified that property is in a flood area.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.04. Methods of Reducing Flood Losses.

In order to accomplish its purposes, this Chapter uses the following methods:

1. restrict or prohibit uses that are dangerous to health, safety, or property in times of flood; or cause excessive increases in flood heights or velocities;
2. require that uses vulnerable to floods, including facilities that serve such uses, be protected at the time of initial construction against flood damage;
3. regulate the alteration of features such as natural flood plains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;
4. regulate filling, grading, dredging, and other development that might increase flood damage;
5. prevent or regulate the construction of features that will unnaturally divert flood waters or that may increase flood hazards to other lands.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.05. Definitions.

For the purposes of interpreting this Title, the Rules of Construction in City Code Chapter 1.02 shall apply. Where a use may be interpreted to fall under more than one definition, the more restrictive definition shall apply.

As used in this Chapter:

1. **“Alluvial Fan Flooding”** means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by: high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

2. **“Apex”** means a point on an alluvial fan or similar landform below for which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
3. **“Area of Shallow Flooding”** means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow, among other attributes.
4. **“Area Of Special Flood Hazard (SFHA)”** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE, or V.
5. **“Base Flood”** means the flood having a one percent chance of being equaled or exceeded in any given year.
6. **“Base Flood Elevation (BFE)”** is the water surface elevation (mean sea level) of the base flood event at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, AO, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.
7. **“Basement”** means any area of the building having its floor sub-grade (below ground level) on all sides.
8. **“Best Available Information”** is the more restrictive of either the flood hazard information reflected on ~~an~~ the effective FIRM, FBFM, and/or within ~~an~~ the FIS report; or ~~draft or~~ the flood hazard information on a preliminary FIRM or LOMC supplied by FEMA or from another source. including, but are not limited to, the state, other federal agencies, or local studies,.
- ~~8-9.~~ **“Coastal High Hazard Areas”** means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a FIRM and associated FIS as Zones V1-30, VE, or V.
- ~~9-10.~~ **“Critical Feature”** means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- ~~10-11.~~ **“Development”** means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.
- ~~11-12.~~ **“Elevated Building”** means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building

elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e) of the National Flood Insurance Program regulations.

~~12.13.~~ **“Existing Construction”** means structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

~~13.14.~~ **“Existing Manufactured Home Park Or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the City.

~~14.15.~~ **“Expansion To An Existing Manufactured Home Park Or Subdivision”** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

~~15.16.~~ **“Flood Or Flooding”** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. overflow of inland or tidal waters.
- b. unusual and rapid accumulation or runoff of surface waters from any source.

~~16.17.~~ **“Flood Insurance Rate Map (Firm)”** means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

~~17.18.~~ **“Flood Insurance Study”** is the official report provided by FEMA. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

~~18.19.~~ **“Floodplain Or Flood-Prone Area”** means any land area susceptible to being inundated by water from any source (see definition of flooding).

~~19.20.~~ **“Floodplain Management”** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

~~20.21.~~ **“Floodplain Management Regulations”** means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or City regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

~~21.22.~~ **“Flood Plain Development Permit”** means a permit that is issued under the authority of the City Engineer to regulate land development activities in the Flood Plain as part of the City’s participation in FEMA’s National Flood Insurance Program.

~~22.23.~~ **“Flood Protection System”** means those physical structural works for which funds have been authorized, appropriated, and expended and that have been constructed

specifically to modify flooding in order to reduce the extent of an area of special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, and dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

23.24. “Flood Proofing” means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and/or sanitary facilities, and structures and their contents.

24.25. “Floodway (Regulatory Floodway)” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

25.26. “Functionally Dependent Use” means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes uses as docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

26.27. “Highest Adjacent Grade” means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

27.28. “Historic Structure” means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually-listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- d. Individually-listed on a local inventory, or historic places in communities with historic preservation programs that have been certified either:
 - i. by an approved State program, as determined by the Secretary of the Interior; or
 - ii. directly by the Secretary of the Interior in states without approved programs.

29. “Hydrologic and Hydraulic (H&H) Analysis” is an analysis performed to identify impacts to the floodplain and show that the development meets NFIP requirements of 44 CFR 60.3, as amended.

28.30. “Levee” means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

29.31. “Levee System” means a flood protection system consisting of levee(s) and associated structures, such as closure and drainage devices, that are constructed and operated in accordance with sound engineering practices.

~~30.~~~~32.~~ **“Limit of Moderate Wave Action”** means a boundary posted on the FIRM and associated FIS which designates the limit in which wave heights inland of the boundary are expected to be less than 1.5 feet.

~~33.~~ **“Local Waterway”** means a channel identified in Exhibit A, **“Local Waterways”** herein which has been determined to be an area of known risk; or any drainage with a drainage area greater than or equal to one square mile.

~~31.~~~~34.~~ **“Lowest Floor”** means the lowest floor of the lowest enclosed area (including basement).

An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program Regulations.

~~32.~~~~35.~~ **“Manufactured Home”** means a structure transportable in one or more sections that is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

~~33.~~~~36.~~ **“Manufactured Home Park Or Subdivision”** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

~~34.~~~~37.~~ **“Mean Sea Level”** means, for purposes of this Chapter, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

~~35.~~~~38.~~ **“New Construction”** means structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

~~36.~~~~39.~~ **“New Manufactured Home Park Or Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed is completed on or after the effective date of floodplain management regulations adopted by a community.

~~37.~~~~40.~~ **“Recreational Vehicle”** means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projections;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily as temporary living quarters or recreational, camping, travel, or seasonal use, but not designed for use as a permanent dwelling.

~~38.~~~~41.~~ **“Start of Construction”** [for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)], includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing,

grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

~~39.42.~~ **“Structure”** means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

~~40.43.~~ **“Substantial Damage”** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

~~41.44.~~ **“Substantial Improvement”** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

~~42.45.~~ **“Variance”** is a grant of relief to a person from the requirement of this Chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Chapter. (For full requirements and the standards for a variance see 44 CFR § 60.6).

~~43.46.~~ **“Violation”** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

~~44.47.~~ **“Water Surface Elevation”** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.06. General Provisions.

1. **Lands to Which this Chapter Applies.** This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Saratoga Springs.
2. **Basis for Establishing the Areas of Special Flood Hazard.** The following areas of special flood hazard identified by the Federal Emergency Management Agency as the Best Available Information (BAI), where the BAI is hereby a part of this ordinance and adopted by reference and includes:

- The existing flood hazard information adopted by a community and reflected on an effective Flood Insurance Rate Map (FIRM), Flood Boundary and Floodway Map and/or within a Flood Insurance Study report (current adopted is dated 6/23/2026), and any published revisions thereto; or
- Officially published draft or preliminary flood hazard information that has been reviewed and deemed accurate by the City. Sources may include, but are not limited to, FEMA, the state, other federal agencies, or local studies.

When draft or preliminary information is available, only that information which consists of more restrictive 1% annual-chance (100-year) flood discharges, flood hazard zone boundaries (including floodways), and water-surface elevations shall be considered BAI. BAI is on file at the City Offices, 1307 N. Commerce Drive, Suite 200, Saratoga Springs, UT 84045 or on the official FEMA website.

3. **Floodplain Development Permit.** A Floodplain Development Permit shall be required to ensure conformance with the provisions of this Chapter.

4. **Compliance.** No structure or land shall hereafter be located or altered without full compliance with the terms of this Chapter and other applicable regulations.

5. **Abrogation and Greater Restrictions.** This Chapter is not intended to repeal, abrogate, or impair any existing easement, covenant, or deed restriction. However, where this Chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, the more restrictive provision shall prevail.

~~5-6.~~ Severability. If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

~~6-7.~~ Interpretation. In addition to the Rules of Construction in Title 1, the interpretation and application of all provisions in this Chapter shall be:

- a. considered as minimum requirements;
- b. liberally construed in favor of the City; and
- c. deemed neither to limit nor repeal any other powers granted under State or federal statutes.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.07. Warning and Disclaimer of Liability.

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.08. Administration.

1. **Designation of the Floodplain Administrator.** The City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Chapter and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.
2. **Duties and Responsibilities of the Floodplain Administrator.** Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
 - a. Maintain and hold open for public inspection all records pertaining to the provisions of this Chapter.
 - b. Review permit applications to determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
 - c. Review, approve, or deny all applications for development permits required by adoption of this Chapter.
 - d. Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
 - e. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
 - f. Notify, in riverine situations, adjacent communities and the State Coordinating Agency, which is the Division of Emergency Management, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - g. Ensure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
 - h. When base flood elevation data has not been provided in accordance with 18.02.06.2, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data and floodway data available from a federal, state, or other source in order to administer the provisions of 18.02.09.
 - i. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
 - j. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, review applications for any development in Zones

A1-30, AE, AH, and AO on the FIRM which increases the water surface elevation of the base flood by more than one foot, and if approved, apply for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision, CLOMR) and later, an official FIRM revision (Letter of Map Revision, LOMR) as shown in the following table.:

j-k. For developments which increase the water surface elevation of the base flood, but by less than 1 foot, the Floodplain Administrator will use the following table to determine the applicant's requirements regarding application for official FIRM revision through FEMA.

Floodplain Permitting Flowchart – Letter of Map Revision and Hydraulic Analysis Requirements

<u>Special Flood Hazard Area (SFHA) Zone</u>	<u>Description</u>	<u>H&H Analysis Required?</u>	<u>General Floodplain Permitting Guidelines</u>
<u>No SFHA Identified AND Not in Local Waterway</u>	<u>Area not in a floodplain identified by FEMA and also more than or equal to 30 ft of the banks of a Local Waterway.</u>	<u>No</u>	<u>1. No FEMA approval or Floodplain Development permitting required</u> <u>2. Grading permit is required</u>
<u>No SFHA Identified AND in Local Waterway</u>	<u>Area not in a floodplain identified by FEMA but within 30 ft of the banks of a Local Waterway.</u>	<u>Yes</u>	<u>1. Hydraulic analyses must identify 1% Annual Chance Flood hazard flows, high water elevation, and erosion hazards and show any all potential impacts to local waterway that will be caused by proposed grading and/or development.</u> <u>2. No CLOMR/LOMR is required to be submitted with FEMA</u> <u>3. Shall Apply for Floodplain Development Permit and grading permit with the City</u> <u>4. Plat recordation will only be allowed after grading is complete</u>
<u>Utah Lake: A, A1-30, AE, AH, AO AND not in V, VE, V1-30</u>	<u>1% or greater Annual Chance Flood Hazard Area within the Utah Lake Floodplain and inland of any limit of moderate wave action</u>	<u>No</u>	<u>1. Establish the BFE¹ if not available and confirm that all ground within the project is 2-ft or greater above the BFE except for open space 50 ft away from any structure</u> <u>2. Apply for Floodplain Development and Grading permits with the City</u> <u>3. Additional requirements if plat recordation is NOT intended:</u> <u>a. Apply for a LOMR-F (approval with FEMA could take 60 days)</u> <u>4. Additional requirements if plat recordation is intended:</u> <u>a. Apply for a LOMR (approval with FEMA could take 1 year)</u> <u>b. Plat recordation will only be allowed once the LOMR is approved</u>
<u>Utah Lake: V, VE, V1-30</u>	<u>High hazard coastal areas with a 1% or greater annual chance of flooding and an additional hazard associated with storm waves</u>	<u>No</u>	<u>1. No fill or construction is allowed with the exception of protection and stabilization measures, boat, or other similar recreational improvements</u> <u>2. Coordination with and approval of City Engineer is required for any project.</u> <u>3. Floodplain Development and Grading permits are required with a variance</u>
<u>Jordan River/Local Waterways: A, A1-30, AE, AH, AO AND Located not in a Floodway</u>	<u>1% or greater Annual Chance Flood Hazard Area within the Jordan River Floodplain or within 30 ft of the banks of a Local Waterway identified by the City and NOT IN a Floodway</u>	<u>Yes</u>	<u>1. Establish the BFE¹ if not available and confirm all ground within the project is 2-ft above the BFE except for open space 50 ft away from any structure</u> <u>2. Confirm all neighboring properties are reasonably safe from flooding due to proposed changes to grading through Hydraulic Analysis</u> <u>3. Apply for a CLOMR (approval with FEMA could take 1 year)</u> <u>4. Apply for grading permit with the City</u> <u>5. Apply for a LOMR (approval with FEMA could take 1 year)</u> <u>a. Plat recordation will only be allowed once the LOMR is approved</u>
<u>Jordan River / Local Waterways: AE AND Located in a Floodway²</u>	<u>1% or greater Annual Chance Flood Hazard Area within the Jordan River Floodplain or within 30 feet of the banks of a Local Waterway identified by the City and IN a Floodway</u>	<u>Yes</u>	<u>1. No fill or construction is allowed in the Floodway with the exception of channel improvements, bank stabilization, bridges, trails boat docks, or other similar recreational improvements</u> <u>2. Coordination with and approval of the City Engineer is required for any projects in the Floodway and may require a variance</u> <u>3. If no change to Floodway or channel geometry, obtain a “No-Rise” and Grading permit</u> <u>4. If change to channel geometry:</u> <u>a. Apply for a CLOMR if H&H shows any increase to BFE</u> <u>b. Apply for “No-Rise” if H&H shows no increase to BFE</u> <u>c. Apply for Floodplain Development and Grading permit with the City</u> <u>d. Apply for a LOMR</u> <u>i. Plat recordation will only be allowed once the LOMR is approved</u>

¹Additional information regarding Base Flood Elevations (BFE) may be available through FEMA per Section 18.02.06.2 “Basis for Establishing the Areas of Special Flood Hazard”. If BFE is not available, an analysis identifying BFE must be completed and utilized in the floodplain encroachment analysis per Section 18.02.08.2.h “Use of Other Base Flood Data”.

²If the Floodway is not accurate, a CLOMR and then a LOMR may be done to correct the inaccuracy.

3. **Floodplain Development Permit Procedures.** A Floodplain Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 18.02.06. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevations of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
- a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially-improved structures.
 - b. Elevation in relation to mean sea level to which non-residential structures shall be flood-proofed;
 - c. A certificate from a Utah-licensed professional engineer that the non-residential flood-proofed structure shall meet the flood-proofing criteria of 18.02.09.2.b;
 - d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development;
 - e. Maintain a record of all such information in accordance with 18.02.08.2.a.

Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Chapter and the following relevant factors:

- f. The danger to life and property due to flooding or erosion damage;
 - g. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner;
 - h. The danger that materials may be swept onto other lands to the injury of others;
 - i. The compatibility of the proposed use with existing and anticipated development;
 - j. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - k. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets, bridges and public utilities and facilities such as storm drain, sewer, gas, electrical, and water systems;
 - l. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - m. The necessity to the facility of a waterfront location, where applicable;
 - n. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
 - o. The relationship of the proposed use to the comprehensive plan for that area.
4. **Variance Procedures.**
- a. Prerequisites for granting variances. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:
 - i. showing a good and sufficient cause;
 - ii. a determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public

expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- b. The Hearing Examiner shall hear and render judgement on requests for variances from the requirements of this Chapter.
- c. The Hearing Examiner shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter.
- d. Any person or persons aggrieved by the decision of the Hearing Examiner may appeal such decision in the Fourth Judicial District Court of Utah County, as provided by Utah Code.
- e. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- f. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Chapter.
- g. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in 18.02.08.3.f-o have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- h. Upon consideration of the factors noted above and the intent of this Chapter, the Hearing Examiner may attach such conditions to the granting of variances as he/she deems necessary to further the Purpose of this Chapter.
- i. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- j. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- k. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:
 - i. the criteria outlined in this Section are met, and
 - ii. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- l. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below two feet above the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)

18.02.09. Provisions for Flood Hazard Reduction

1. **General Standards.** In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- a. All new construction or substantial improvements shall be designed (or modified) and adequately-anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- b. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- c. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- d. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- g. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

2. **Specific Standards.** In all areas of special flood hazard where base flood elevation data has been provided, as set forth in Section 18.02.06.2, "Basis for Establishing the Areas of Special Flood Hazard," or Section 18.02.08.2.h, "Use of Other Base Flood Data," the following provisions are required:

- a. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated a minimum of two feet above the base flood elevation. A Utah-licensed professional land surveyor shall submit a certification to the Floodplain Administrator that this requirement is satisfied.
- b. **Non-Residential Construction.** New construction and substantial improvements of any commercial, industrial or other non-residential structure, shall either have the lowest floor (including basement) elevated a minimum of two feet above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Utah-licensed professional engineer or Utah-licensed architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood-proofed shall be maintained by the Floodplain Administrator.

- c. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Utah-licensed professional engineer or Utah-licensed architect or meet, or exceed the following minimum criteria:
- i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- d. **Manufactured Homes.**
- i. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
 - ii. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH,AE, V1-30, VE, and V Zones on the community's FIRM on sites:
 - (1) outside of a manufactured home park or subdivision,
 - (2) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of two feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement,
 - (3) in an expansion to an existing manufactured home park or subdivision, or
 - (4) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of two feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - iii. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones

A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph 2.d.ii of this section or are in Coastal High Hazard Areas as defined herein be elevated so that either:

- (1) the lowest floor of the manufactured home is a minimum of two feet~~or~~ above the base flood elevation, or
- (2) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- e. **Recreational Vehicles.** Require that recreational vehicles placed on sites within Zones A1-30, AH, AE, or are within Coastal High Hazard Areas as defined herein on the community's FIRM either:
- i. be on the site for fewer than 180 consecutive days,
 - ii. be fully-licensed and ready for highway use, or
 - iii. meet the permit requirements of 18.02.08.3, and the elevation and anchoring requirements for "manufactured homes" in paragraph d of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

3. Standards for Subdivision Proposals.

- a. All portions of the plat shall be a minimum of two feet above the base flood elevation with the exceptions of open space that is a minimum of 50 feet from any structures and roads.
- ~~a.b.~~ All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with 18.02.02.02-04 of this Chapter.
- ~~b.c.~~ All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet requirements of 18.02.08.3 and 18.02.09 of this Chapter.
- ~~c.d.~~ Base flood elevation data shall be generated for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions if not otherwise provided pursuant to 18.02.06.2 or 18.02.08.2.h of this Chapter.
- ~~d.e.~~ All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- ~~e.f.~~ All subdivision proposals, including the placement of manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.

4. **Standards for Areas of Shallow Flooding (AO/AH Zones).** Located within the areas of Special Flood Hazard established in 18.02.06.2, are areas designated as shallow flooding. These areas have Special Flood Hazards associated with base flood depths of 1 to 3 feet where a clearly-defined channel does not exist and where the path of flooding is

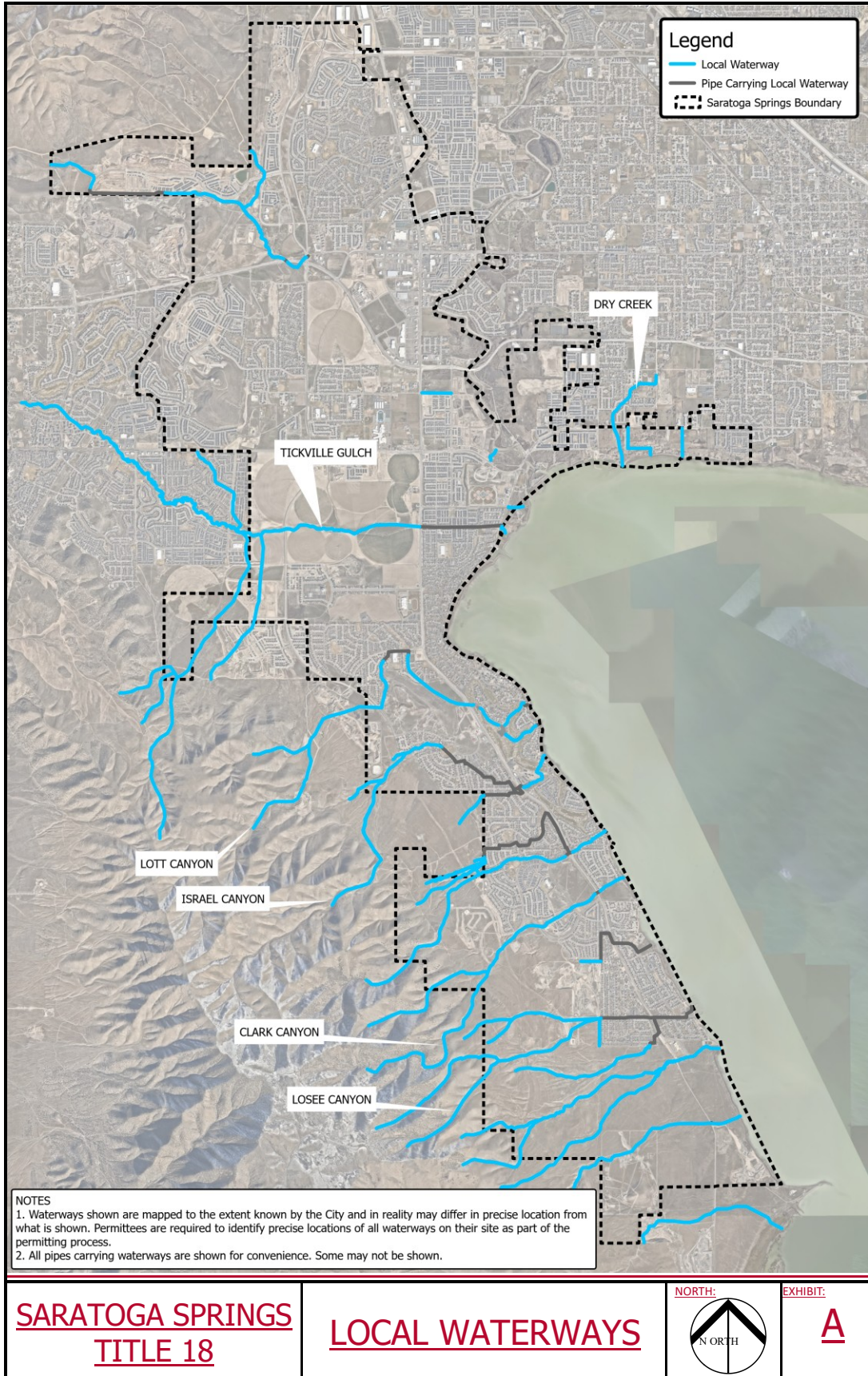
unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- a. Require within Zone AO that all new construction and substantial improvements of **residential** structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified) plus the 1 foot of freeboard.
 - b. Require within Zone AO that all new construction and substantial improvements of **non-residential** structures:
 - i. have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified) plus the 1 foot of freeboard, or;
 - ii. together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
 - c. A Utah-licensed professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as-listed in 18.02.08.3.
 - d. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.
5. **Floodways.** Floodways are areas located within Special Flood Hazard areas as established herein. Because the floodway is an extremely hazardous area, due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
- a. Where one does not exist, designate a regulatory floodway that will not increase the base flood elevation more than 1 foot.
 - ~~a-b.~~ Encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway with the exception of critical public infrastructure such as channel improvements, bank stabilization, and bridges, or non-critical improvements that are shown to not increase the BFE or negatively impact adjacent properties as shown through a hydrologic and hydraulic analyses performed in accordance with standard engineering practice.
 - ~~b-c.~~ If the requirements of 5a above are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 18.02.09.
 - ~~e-d.~~ Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community **first** applies for a conditional FIRM and floodway revision through FEMA as governed by the table herein.
6. **Standards for Coastal High Hazard Areas.** In all Coastal High Hazard Areas, as defined herein and set forth in Section 18.02.06.02, and all areas of special flood hazards

which are located on the coastal side of the Limit of Moderate Wave Action as defined in Section 18.02.05.30, the following provisions are required:

- a. All new construction and substantial improvement shall be elevated on adequately anchored pilings, posts, piers or columns and securely anchored so that the lowest horizontal portion of the structural members of the lowest floor (excluding the pilings, posts, piers or columns) is elevated a minimum of two feet above the Base Flood Elevation. The pile, post, pier, or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable building standards.
- b. Fill shall not be used for the structural support of buildings.
- c. All new construction and substantial improvement shall have the space below the lowest floor free of obstructions or constructed with breakaway walls, insect screening, or lightweight wood lattice. Such enclosures shall be used solely for parking of vehicles, building access, or storage.
- d. Certification by a registered engineer or architect that a proposed structure complies with section 18.02.09 shall be provided to the Floodplain Administrator
- e. The elevation of the bottom of the lowest structural member of the lowest floor (excluding the pilings, posts, piers, or columns) of all new and substantially improved structures, and whether such structures contain a basement, shall be obtained, maintained, and provided to the City and Floodplain Administrator.
- f. All new construction must be landward of mean high tide.
- e.—Man-made alterations of sand dunes and mangrove stands are prohibited.
- g.

(Ord. 20-23; Ord. 11-9; Ord. 99-0427-1)



Chapter 18.03. Open Pit Extraction of Earth Products.

18.03.01. Intent.

18.03.02. Scope.

18.03.03. Conditions.

18.03.04. Bond.

18.03.05. Permits.

18.03.06. Violations–Penalties

18.03.01. Intent.

The intent and purpose of this Chapter is to provide for the extraction of earth products using surface mining methods for stockpiling minerals, and for the placement of overburden and leftover earth materials in mining waste dumps while protecting the environment and the rights of neighboring property owners, and to reduce road and other public facilities from exposure to unusual wear or damage.

(Ord. 12-9)

18.03.02. Scope.

The provisions of this Section shall apply to all sites where sand, gravel, clay, topsoil, rocks, or minerals will be extracted earth products or stockpiled, and to sites where overburden and leftover earth materials are placed in mining waste dumps.

(Ord. 12-9)

18.03.03. Conditions.

1. The City shall issue an operating permit for an open pit, a stockpile, or a waste dump only when all of the following are met:
 - a. the site lies in a zone where such use is a permitted use or where it may be approved as a conditional use;
 - b. the applicant has presented an accurate site plan that show topography, utilities, and roads and structures on the site at both the pre-permit stage and after completing the excavation and reclamation pit; and
 - c. there shall be no limit as to the area or portion of a lot that may be disturbed and involved in the extraction process as long as the entire disturbed area has been included in the reclamation bond required in this Section.
2. The standards for reclamation of the site shall be as follows:
 - a. The side walls of a pit or mound shall be smoothed and evenly contoured, and the floor of a pit or top of a mound shall be flattened and leveled.
 - b. Mounds of fill shall not remain after reclamation of an extraction operation, even if utility poles must be relocated at the operator's expense.
 - c. No depression which lacks a surface outlet or pond or intermittent lake on the floor of the pit shall exist on the reclaimed site.

- d. No slope shall be steeper than the critical angle of repose for the material, typically thirty-three degrees for gravel deposits.
- e. All areas shall be covered with a one-inch or thicker layer of topsoil and reseeded with a hardy plant material having a sufficient concentration to screen at least twenty-five percent of the exposed surface from view. An exception to this requirement is made for desert areas which lack natural soil or vegetation, which instead shall be resorted to a surface that corresponds with the native conditions rather than adding soil or reseeded.
- f. When the pit (or mound) and reclamation bond area propose to cover less than the entire area of the lot, the operator shall place clearly identifiable survey markers on the outer boundaries of the bonded area and shall maintain such until the bond is released by the City. An annual on-site investigation and report will be conducted by the designated enforcement officer to determine whether the terms of the grading plan, reclamation plan, and bond agreement are being met. Pursuant to that investigation, the bond may be increased or decreased.
- g. Surface mining shall proceed in an orderly manner from the outer boundaries and lower sloped of the property inward and upward so the property can be reclaimed in older areas of the pit while new areas are being opened up.
- h. Dust generated in the extraction and processing of the earth products shall be kept under control by the operator and contained on-site which may require paving main roads into the pit, wetting extraction areas and loaded trucks, placing berm or landscape screening for protection from the prevailing winds, and other suitable measures. Such procedures must also comply with the standards of state and federal law administered under the Utah State Division of Air Quality.
- i. All cuts and fills shall be set back from the property boundary or boundary of the approved extraction site a distance of seventy-five feet. The applicant shall present an off-site plan of any local public streets which loaded trucks will use in gaining access to state highways and arterial streets. The pit operator shall be liable for any severe damage his operation causes to such local roads.
- j. The pit and/or extraction operation shall not constitute a nuisance according to the nuisance ordinances adopted by the City, however, the following shall apply:
 - i. The pit and/or extraction operation shall not create any noise which may be heard off-site between the hours of 10 p.m. through 7 a.m., and;
 - ii. The pit and/or extraction operation shall not create any vibration which may be felt off-site between the hours of 10 p.m. through 7 a.m.

(Ord. 12-9)

18.03.04. Bond.

The following bond requirements are established for open pit extraction of earth products:

- 1. An acceptable bond in the amount set by the City, shall be posted by the applicant to guarantee compliance with the provisions of this Chapter and the nuisance provisions set forth herein. A violation of either provision shall be sufficient grounds for forfeiture of the bond to the City.

2. The City will, at the request of the appropriate City official charged with enforcing the provisions of this Chapter, reevaluate the amount of the bond based upon current costs of reclamation and the amount of reclamation and excavation that has occurred during the prior year. The bond amount may be increased if the City determines that an increase is warranted. If the City determines it is necessary, the amount of the bond may be reevaluated more frequently than once per year.
3. Any bond shall be accompanied by an agreement between the City and the applicant (plus the property owner if the latter is not also the applicant) wherein the City agrees to return the bond at the completion of the work if the standards of this Chapter have been met, and the applicant and property owner agree that the bond shall be forfeited in the event of noncompliance and to permit the City or its contractor to enter upon the land to close operations and reclaim the excavated or filled areas. Any ambiguity or deficiency in the working of the bond agreement shall be interpreted to include the terms of this Section.
4. It shall be a violation to not complete the reclamation within one year of ceasing operations and grounds for forfeiting the bond. The “trigger” for such forfeiture shall be any two-year period of time in which no material is extracted or any one-year period when the operator does not possess a current business license or valid zoning compliance permit.
5. Notwithstanding the forfeiture of the bond, the applicant shall retain individual responsibility to fully comply with this Chapter, the terms of the permits issued thereunder, and the balance of any expense not covered by the bond to reclaim the property. However, this Chapter shall not impose an affirmative duty upon the City to expend time or resources to reclaim the subject property beyond that which can be accomplished with the forfeited bonds.

(Ord. 12-9)

18.03.05. Permits.

In addition to the business license and building or grading permits required by City ordinances, any open pit operation shall be required to have a current zoning compliance permit. No zoning compliance permit for an open pit operation shall be valid after December 31st of each calendar year, but the permit shall be automatically renewed if the pit is found to be in compliance with standards of this Chapter. The City shall determine whether such compliance exists. In addition, compliance shall be required of all open pit operations with all provisions of federal and state mining, safety, and health requirements as well as the state and federal air quality requirements administered by the Utah State Division of Air Quality.

(Ord. 12-9)

18.03.06. Violations-Penalties.

Any person or entity who violates any of the provisions of this Chapter or who fails to comply therewith, or who violates or fails to comply with any order or directive made thereunder, shall

be guilty of a class B misdemeanor for each and every violation and noncompliance. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons or entities shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each consecutive ten-day period that prohibited conditions are maintained shall constitute a separate offense.

Chapter 18.04. Encroachment Permits.

<u>18.04.01.</u>	<u>Definitions.</u>
<u>18.04.02.</u>	<u>Permit Required.</u>
<u>18.04.03.</u>	<u>Permit Application Requirements.</u>
<u>18.04.04.</u>	<u>Emergency Work.</u>
<u>18.04.05.</u>	<u>Permit Fees.</u>
<u>18.04.06.</u>	<u>Permit–Contents, Duration and Extensions.</u>
<u>18.04.07.</u>	<u>Permit–No Transfer or Assignment.</u>
<u>18.04.08.</u>	<u>Compliance with Specifications, Standards, Traffic Control Regulations.</u>
<u>18.04.09.</u>	<u>Other Highway Permits.</u>
<u>18.04.10.</u>	<u>Impact of Encroachment on Existing Improvements.</u>
<u>18.04.11.</u>	<u>Restoration of Public Property.</u>
<u>18.04.12.</u>	<u>Insurance Requirements.</u>
<u>18.04.13.</u>	<u>Bond–When Required, Conditions, Warranty.</u>
<u>18.04.14.</u>	<u>Hold Harmless Agreement; Limitations on City Liability.</u>
<u>18.04.15.</u>	<u>Work without Permit–Penalty.</u>
<u>18.04.16.</u>	<u>Failure to Comply; Default in Performance.</u>
<u>18.04.17.</u>	<u>Failure to Conform to Design Standards–Penalty.</u>
<u>18.04.18.</u>	<u>Appeal of Suspension, Revocation, Stop Order.</u>
<u>18.04.19.</u>	<u>Tampering with Traffic Barricades.</u>
<u>18.04.20.</u>	<u>Violation–Penalty.</u>

18.04.01. Definitions.

1. **“Applicant”** means any person who makes application for a permit.
2. **“Business”** means any place in the City in which there is conducted or carried on principally or exclusively any pursuit or occupation for the purpose of gaining a livelihood.
3. **“City”** means the City of Saratoga Springs, a municipal corporation of the State of Utah.
4. **“Emergency”** means any unforeseen circumstances or occurrence, the existence of which constitutes a clear and immediate danger to persons or property, or which causes interruption of utility service.
5. **“Engineering Regulations, Specifications, and Design Standards”** means the latest version of the Engineering Regulations or Technical Standard Specifications adopted by the City.
6. **“Failure”** means a work site restoration which fails to meet City Engineering Regulations, or which results in a deteriorated or substandard condition within the duration of the warranty period. Failure may be settlement of surfaces, deterioration of materials, or other surface irregularities. Measurement of failure shall be further defined in Engineering Regulations or Technical Standard Specifications.

7. **“Infrastructure Provider”** means a person providing to another, for the purpose of providing utility services to customers, all or part of the necessary system which uses the public right-of-way.
8. **“Manual on Uniform Traffic Control Devices”** means the manual on traffic control devices for streets and highways as published by the U.S. Department of Transportation and/or the Federal Highway Administration.
9. **“Operator”** means any person who provides service over a system and directly or through one or more affiliates owns a controlling interest in such system, or who otherwise controls or is responsible for the operation of such a system.
10. **“Permittee”** means and includes any natural person, partnership, firm, association, provider, corporation, company, organization, or entity of any kind.
11. **“Pipe Driveway”** means a driveway approach which uses a pipe or other means to bridge the gutter.
12. **“Property Owner”** means a person or persons who have legal title to property and/or an equitable interest in the property, or the ranking official or agent of a company having legal title to property and/or equitable interest in the property.
13. **“Provider”** means an operator, infrastructure provider, reseller, system lessee, or public utility company.
14. **“Public Utility Company”** means any company subject to the jurisdiction of the Utah State Public Service Commission, or any mutual corporation providing gas, electricity, water, telephone, or other utility product or services for use by the general public.
15. **“Public Way”** means and includes all public rights-of-way and easements, public footpaths, walkways and sidewalks, public streets, public roads, public highways, public alleys, and public drainage ways. It does not, however, include utility easements not within the City’s public ways.
16. **“Public Works Director”** means the person who is appointed by the City Manager, with the advice and consent of the City Council, to serve as the Public Works Director for the City of Saratoga Springs, Utah.
17. **“Private Drain Line”** means a pipe installed solely for the transmission of water collected or generated on private property such as drainage, spring, or storm water into the public drainage system.
18. **“Reseller”** refers to any person that provides service over a system for which a separate charge is made, where that person does not own or lease the underlying system used for the transmission and does not install any system in the rights-of-way.
19. **“Resident”** means the person or persons currently making their home at a particular dwelling.

20. **“Storm Drain”** means a dedicated pipe, conduit, water way, or ditch installed in a right-of-way or easement for the transmission of storm and drainage water. This term does not include private drain lines.
21. **“System”** means all conduits, manholes, poles, antennas, transceivers, amplifiers and all electronic devices, equipment, wire, and appurtenances owned, leased, or used by a provider located in the construction, ownership, operation, use, or maintenance of a telecommunications or utility system.
22. **“System Lessee”** refers to any person that leases a system or specific portion of a system to provide services.
23. **“Work Site Restoration”** means the restoring of the original ground or paved hard surface is to comply with engineering regulations, and includes but is not limited to repair, cleanup, backfilling, compaction, stabilization, paving, and other work necessary to place the site in acceptable condition following the conclusion of the work or expiration or revocation of the permit.

(Ord. 19-25; Ord. 12-9)

18.04.02. Permit Required.

Any person desiring to perform work of any kind in a public way within the City shall make application for permit. The decision by the City to issue a permit shall include, among other factors determined by the City, the following:

1. the capacity of the public way to accommodate the facilities or structures proposed to be installed in the public way;
2. the capacity for the public way to accommodate multiple wires in addition to cables, conduits, pipes, or other facilities or structures of other users of the public way such as electrical power, telephone, gas, sewer, and water;
3. the damage or disruption, if any, of public or private facilities, improvements, or landscaping previously existing in the public way; and
4. the public interest in minimizing the cost and disruption of construction from numerous excavations of the public way.

(Ord. 12-9)

18.04.03. Permit Application Requirements.

1. Application for a permit shall be filed with the City on a form or forms to be furnished by the City. Property owners or tenants for whom work is being done shall be responsible for obtaining the permits provided; however, a contractor may obtain the permit in the contractor’s name.

2. No person shall be eligible to apply for or receive permits to do work within the City's public ways save and except the following:
 - a. contractors licensed by the State of Utah as general contractors;
 - b. providers;
 - c. property owners installing, replacing, or maintaining less than 500 square feet or 100 linear feet of sidewalk, curb and gutter, driveway approach, or other work approved by the Public Works Director upon a portion of the public way adjacent to their residence; and
 - d. persons offering a service which requires occupation of the public way, such as scaffolding or staging, staging of a crane, installation or maintenance of electric signs, glass, awnings, and painting or cleaning of buildings or sign boards or other structures.
3. The Public Works Director may deny the issuance of permits to contractors, utility companies, or other permit applicants who have shown by past performance that in the opinion of the Public Works Director they will not consistently conform to the engineering regulations, technical specifications, design standards, or other requirements of this Chapter.
4. When necessary, in the judgment of the Public Works Director, to fully determine the relationship of the work proposed to existing or proposed facilities within the public ways, or to determine whether the work proposed complies with the engineering regulations, construction specifications, or design standards, the Public Works Director may require the filing of engineering plans, specifications, and sketches showing the proposed work in sufficient detail to permit determination of such relationship or compliance, or both, and the application shall be deemed suspended until such plans and sketches are filed and approved.
5. It shall be unlawful for any person to commence work upon any public way until the Public Works Director has approved the application and until a permit has been issued for such work, except as specifically approved to the contrary in this Chapter.
6. The denial of an application by the Public Works Director may be appealed by the applicant to the City Council by filing a written notice of appeal within ten days of the action by the Public Works Director. The City Council shall hear such appeal if a written request is timely filed as soon as practicable, and render its decision within two weeks following the hearing of the appeal.
7. In approving or disapproving work within the public way or in reviewing plans, sketches, or specifications for such work, the Public Works Director shall act in such manner as to preserve and protect the public way and the use thereof but shall have no authority to govern the actions or inactions of permittees, applicants, or other persons which have no relationship to the use, preservation, or protection of the public way.
8. A permit is not required under this Section for hand-digging excavations for installation or repair of sprinkler systems and landscaping within non-paved areas of the public way. However, conformance to all other City specifications is required.

(Ord. 19-25; Ord. 12-9)

18.04.04. Emergency Work.

1. Any person maintaining pipes, lines, or facilities in the public way may proceed with work upon existing facilities without a permit when emergency circumstances demand the work to be done immediately; provided a permit could not reasonably and practicably have been obtained beforehand.
2. In the event that emergency work is commenced on or within any of the City's public ways during regular business hours, the Public Works Director shall be notified within one-half hour from the time the work commences. The person commencing and conducting such work shall take all necessary safety precautions for the protection of the public and the direction and control of traffic and shall ensure that work is accomplished according to the City engineering regulations, the Manual on Uniform Traffic Control Devices, and other applicable laws, regulations, or generally recognized practices in the industry.
3. Any person commencing emergency work in the public way other than during business hours without a permit shall immediately thereafter apply for a permit or give notice during the first hour of the first regular business day on which City offices are open for business after such work is commenced. A permit for such emergency may be issued which shall be retroactive to the date when the work began.

(Ord. 19-25; Ord. 12-9)

18.04.05. Permit Fees.

1. The City shall charge and the permittee shall pay upon issuance of the permit, fees for costs associated with the work performed under the permit as outlined in the Consolidated Fee Schedule. Such costs could include costs for reviewing the project and issuing the permit, inspecting the project, deterioration of the public way or diminution of the useful life of the public way, and other costs to the City associated with the work to be done under the permit.
2. The Public Works Director may waive the permit fees or penalties or portions thereof provided for in this Chapter when he determines that such permit fee or penalty pertains to an encroachment on the public way involving a beautification project which furthers specific goals and objectives set forth in the City's strategic plan, master plans, or other official documents.

(Ord. 19-25; Ord. 12-9)

18.04.06. Permit Contents, Duration and Extensions.

1. Each permit application shall state the starting date and estimated completion date. Work shall be completed within five days from the starting date or as determined by the Public Works Director. Such determination shall be based upon factors reasonably related to the

work to be performed under the permit. Such factors may include, in addition to other factors related to the work to be performed, the following:

- a. the scope of the work to be performed under the permit;
 - b. maintaining the safe and effective flow of pedestrian and vehicular traffic on the public way affected by the work;
 - c. protecting the existing improvements to the public way impacted by the work;
 - d. the season of the year during which the work is to be performed as well as the current weather and its impact on public safety and the use of the public way by the public, and;
 - e. use of the public way for extraordinary events anticipated by the City.
2. The Public Works Director shall be notified by the permittee of commencement of the work within twenty-four hours prior to commencing the work. The permit shall be valid for the time period specified in the permit.
 3. If the work is not completed during such period, prior to the expiration of the permit, the permittee may apply to the City for an additional permit or an extension, which may be granted upon a showing of good cause.
 4. The length of the extension requested by the Permittee shall be subject to approval by the Public Works Director.

(Ord. 19-25; Ord. 12-9)

18.04.07. Permit: No Transfer or Assignment.

Permits shall not be transferable or assignable and work shall not be performed under a permit in any place other than that specified in the permit. Nothing stated herein shall prevent a permittee from subcontracting the work to be performed under a permit; however, the holder of the permit shall be and remain responsible for the performance of the work under the permit and for all bonding, insurance, and other requirements of this Chapter.

(Ord. 12-9)

18.04.08. Compliance with Specifications, Standards, Traffic-Control Regulations; Site Permittee Identification.

1. The work performed in the public way shall conform to the engineering and technical standards adopted by the City.
2. All excavations shall be conducted in a manner resulting in the minimum amount of interference or interruption of street or pedestrian traffic. Adequate and sufficient barricades or other structures will be available and used where necessary to prevent accidents.

(Ord. 12-9)

18.04.09. Other Highway Permits.

Holders of permits for work on highways owned or under the jurisdiction of other government entities, but located within the City limits, shall not be required to obtain permits from the City unless the work extends beyond the back side of the curb.

(Ord. 12-9)

18.04.10. Impact of Encroachment on Existing Improvements.

1. If any sidewalk or curb ramp is blocked by encroachment work, a temporary sidewalk or curb ramp shall be constructed or provided. The temporary improvement shall be safe for travel and convenient for users and consistent with City standards.
2. Where encroachments are made in paved areas, the surface shall be replaced with a temporary gravel surface until such time as the permanent repairs are completed.

(Ord. 19-25; Ord. 12-9)

18.04.11. Restoration of Public Property.

1. The permittee shall, at its own expense, restore the surface of any public way to its original condition and replace any removed or damaged pavement with the same type and depth of pavement as that which is adjoining, including the gravel base material. All restoration shall conform to the City's engineering standards and Technical Specifications and shall be accomplished within the time limits set forth in the permit, unless additional time is granted in writing by the Public Works Director.
2. It its option and upon the City's agreement, the permittee doing the actual encroachment work may request that the City restore the surface to its original condition. The fee for such resurfacing shall be determined by the Public Works Director in accordance with its reasonable costs for such work and shall be charged to the person, firm, or corporation making the encroachment. Payment for said work shall be received by the City prior to the release of the bond.

(Ord. 19-25; Ord. 12-9)

18.04.12. Insurance Requirements.

1. Before a permit is issued, the applicant shall furnish to the City evidence that the applicant has a comprehensive general liability and property damage policy that includes contractual liability coverage endorsed with the following limits and provisions or with such alternative limits and provisions as may be approved by the City:
 - a. A minimum of \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage and not less than \$1,000,000 in the aggregate. The City Attorney may increase or decrease minimum insurance limits, depending on the potential liability of any project.
 - b. All policies shall include the City, its employees, officers, officials, agents, volunteers and assigns as insureds.

- c. Underwriters shall have no right of recovery or subrogation against the City, it being the intent of the parties that the insurance policy so affected shall protect both parties and be the primary coverage for any and all losses covered by the described insurance.
 - d. Each policy shall be endorsed to indemnify, save harmless, and defend the City, its officers, and employees against any claim or loss, damage, or expense sustained on account of damages to persons or property occurring by reason of permit work done by the permittee or the permittee's subcontractor, whether or not the work has been completed and whether or not the right-of-way has been opened to public travel.
- 2. Insurance is to be placed with insurers with an AM Best rating of no less than an A carrier, with a rating of A7" or higher.
- 3. The permittee shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.
- 4. A permittee may be relieved of the obligation of submitting certificates of insurance under the following circumstances:
 - a. If such company shall submit satisfactory evidence in advance that:
 - i. it is insured in the amounts set forth in this Chapter or has complied with State requirements to become self-insured (Public utilities may submit annually, evidence of insurance coverage in lieu of individual submissions for each permit); and
 - ii. said coverage provides to the City the same scope of coverage that would otherwise be provided by a separate policy as required by this Chapter; or
 - b. The work to be performed under the permit issued to the applicant is to be performed by the City, in which case the insurance requirement or other risk-transfer issues shall be negotiated between the applicant and the City by separate agreement.

(Ord. 12-9)

18.04.13. Bond-When Required, Conditions, Warranty.

- 1. Except as noted in this Chapter, each applicant, before being issued a permit, shall provide the City with an acceptable bond in an amount determined by the Public Works Director and the bond provisions set forth in the City's Development Code to guarantee faithful performance of the work authorized by a permit granted pursuant to this Chapter. The amount of bond may be increased or decreased at the discretion of the Public Works Director whenever it appears that the amount and cost of the work to be performed may vary from the amount of bond otherwise required under this Chapter. The form of the bond and the entity issuing the bond shall be subject to the approval of the City Attorney.
- 2. Public utilities franchised by the City shall not be required to file a bond if such requirement is expressly waived in the franchise documents.

(Ord. 19-25; Ord. 12-9)

18.04.14. Hold Harmless Agreement; Limitations on City Liability.

The permittee agrees to hold the City, its officers, employees, and agents harmless from any and all costs, damages, and liabilities which may accrue or be claimed to accrue by reason of any work performed under the permit. The issuance and acceptance of any permit under this Chapter shall constitute such an agreement by the permittee to this Section.

(Ord. 19-25; Ord. 12-9)

18.04.15. Work without Permit Penalty.

1. A stop order may be issued by the Public Works Director directed to any person or persons doing or causing any work to be done in the public way without a permit. The abutting property owner shall be responsible for causing work to be done.
2. Any person found to be doing work in the public way without having obtained a permit as provided in this Chapter, shall be required to pay a permit fee equal to two times the normal permit fee. For replacement work, where a fee is not normally charged, the normal permit fee for new construction shall apply.

(Ord. 19-25; Ord. 12-9)

18.04.16. Failure to Comply; Default in Performance.

1. Any permit may be revoked or suspended and a stop order issued by the Public Works Director after notice to the permittee for any of the following reasons:
 - a. violation of any condition of the permit, the bond or of any provision of this Chapter;
 - b. violation of any provision of any other ordinance of the City or law relating to the work;or
 - c. existence of any condition or the doing of any act which constitutes, may constitute, or causes a condition endangering life or property.
2. Whenever the Public Works Director finds that a default has occurred in the performance of any term or condition of the permit, written notice may be given to the principal and to the surety on the bond, if there is a surety bond. Such notice shall state the work to be done, the estimated cost thereof, and the period of time deemed by the Public Works Director to be necessary for completing the work. At the City's discretion, the City may complete the required work and commence action against the contractor and the bonding company to recover the costs expended to complete the work.

(Ord. 19-25; Ord. 12-9)

18.04.17. Failure to Conform to Design Standards—Penalty.

For failing to conform to the City's technical and design standards, the Public Works Director may:

1. suspend or revoke the permit;
2. issue a stop order;
3. order removal and replacement of faulty work;
4. require an extended warranty period; or
5. negotiate a cash settlement to be applied toward future maintenance costs.

(Ord. 19-25; Ord. 12-9)

18.04.18. Appeal of Suspension, Revocation, Stop Order.

Any suspension, revocation, or stop order by the Public Works Director may be appealed by the permittee by filing a written notice of appeal to the City Council within ten days of the action by the Public Works Director. The City Council shall hear such appeal, if a written request is timely filed, as soon as practicable and render its decision within a reasonable time following the notice of appeal.

(Ord. 19-25; Ord. 12-9)

18.04.19. Tampering with Traffic Barricades.

It shall be unlawful for any person to maliciously or wantonly, or without authorization and legal cause, do the following:

1. extinguish, remove, or diminish any light illuminating barricade or excavation; or
2. tear down, remove, or in any manner alter any rail, fence, or barricade protecting any excavation or other construction site.

(Ord. 12-9)

18.04.20. Violation; Penalty.

Unless otherwise specified in this Chapter, a violation of any provision of this Chapter, or failure to comply with an order of suspension, revocation, or stop order, shall be a class B misdemeanor. Each day the violation exists shall be a separate offense. No criminal conviction shall excuse the person from otherwise complying with the provisions of this Chapter.

(Ord. 12-9)

Chapter 18.05. Grading.

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18.05.01. Purpose.

The purpose of this Chapter is to safeguard life, limb, property, and the public welfare by regulating grading on property within the City of Saratoga Springs.

(Ord. 14-14)

18.05.02. Scope.

This Chapter establishes rules and regulations to regulate grading, excavation, and earthwork construction including fills and embankment, establishes the administrative procedure for issuance of permits, and provides for approval of plans and inspection of grading construction.

(Ord. 14-14)

18.05.03. Definitions.

As used in this Chapter:

1. **“Cut”** means the removal of soil, rock, or earth material from an area of land.
2. **“Cut slope”** means an artificial incline or decline created by a cut.
3. **“Fill”** means a deposit of soil, rock, or earth material placed onto an area of land by artificial means such as the placement of soil for an embankment or fill slope.
4. **“Fill slope”** means an artificial incline or decline created by a fill.
5. **“Grade”** means the ground surface contour.
6. **“Grading”** means excavation, filling, in-place ground modification, removal of roots or

stumps, ground disturbance, stockpiling of earth materials, establishment of a grade following demolition of a structure, or any combination of the foregoing.

7. **“Slope”** means an inclined ground surface.

(Ord. 14-14)

18.05.04. Grading Permit Required.

1. Except as specified in subsection 2. no person shall perform any grading without first having obtained a grading permit from the City Engineer.
2. A grading permit is not required for the following:
 - a. An excavation authorized by a valid building permit below finished grade for basements and footings of a building, retaining walls, or other structures. This shall not exempt any fill made with the material from such excavation or exempt any excavation remaining after the completion of such structure.
 - b. Approved and permitted cemetery graves.
 - c. Approved and permitted refuse disposal sites controlled by other regulations.
 - d. Exploratory excavations under the direction of a soils engineer or engineering geologist where no more than 500 square feet of land surface is disturbed or where bore holes are 12” in diameter or less.
 - e. An excavation and/or fill that is no more than two feet in depth and covers an area less than 1000 sq. ft.
 - f. Work covered by a City approved encroachment/excavation permit
3. Exemption from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of any other laws or ordinances.

(Ord. 14-14)

18.05.05. Grading Permit Requirements in General.

1. Permit Required. Except as exempted in this Section 18.05.05, no person shall perform any grading without first obtaining a grading permit from the City. A separate permit shall be obtained for each site and may cover both cuts and fills.
2. Grading Designation. Grading equal to or greater than 1,000 cubic yards shall be performed in accordance with an approved grading plan prepared by a licensed civil engineer and shall be designated as “engineered grading.” Grading involving less than 1,000 cubic yards shall be designated “regular grading,” unless the permittee chooses to have the grading performed as engineered grading or the City Engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.
3. Regular Grading Requirements. Regular grading shall be required to comply with all

sections of this Chapter except for Section 18.05.06. In the event of a conflict, the more restrictive provision shall apply.

4. Engineered Grading Requirements. Engineered grading shall be required to comply with all sections of this Chapter including the specific requirements in Section 18.05.06. In the event of a conflict, the more restrictive provisions shall apply.
5. Issuance. The provisions of this Chapter are applicable to grading permits. The City Engineer may require that grading operations and project designs be modified if delays occur that create issues, such as weather-generated problems, not considered at the time the permit was issued. The City Engineer may require professional inspection and testing by a soils engineer. When the City Engineer has evidence that geologic factors may be involved, the grading will be required to conform to engineered grading.

(Ord. 14-14)

18.05.06. Specific Engineered Grading Requirements.

Engineered grading shall comply with all sections of this Chapter including the specific requirements in this Section. In the event of a conflict, the more restrictive provision shall apply. The following specific requirements shall apply to engineered grading:

1. Application for a permit shall be accompanied by two sets of construction drawings (a 24" x 36" size set and an 11" x 17" set) and details, an erosion control plan, permanent stabilization plans for all disturbed areas, and supporting data consisting at a minimum of a soils engineering report and drainage report. If requested by the City, additional supporting data may also be required including a Geology Report, Liquefaction Study and re-vegetation plan.
 - a. Soils Engineering Report. The soils engineering report shall include: (a) data regarding the nature, distribution, and strength of existing soils; (b) conclusions and recommendations for grading procedures and design criteria for all proposed cuts and fills; and (c) opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors including the stability of slopes.
 - b. Drainage Report. The drainage report shall include: (a) data regarding the intensity, duration, and frequency of historic rainfall; (b) analysis of pre and post project drainage conditions; and (c) conclusions and recommendations on how site can accommodate and mitigate peak storm drain flows during and after construction without harmful impacts to the site or downstream properties.
 - c. Geology Report (if requested by the City). The geology report shall include at a minimum:
 - i. An adequate description of the geology of the site;
 - ii. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development; and
 - iii. Opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors.
 - d. Liquefaction Study (if requested by the City). The City Engineer may require a geotechnical investigation and report in accordance with this Chapter. The report shall address the potential of liquefaction when, during the course of an investigation,

- all of the following conditions are discovered:
 - i. Shallow ground water, fifty feet or less;
 - ii. Unconsolidated sandy alluvium; and
 - iii. Seismic Zones 3 and 4.
- e. Re-vegetation Plan (if requested by the City). The City may require complete landscaping and irrigation plans prepared by a qualified professional to ensure adequate re-vegetation and stabilization of all disturbed areas.
- 2. Specifications, if requested by the City, shall contain information covering construction and material requirements.
- 3. Plans shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this Chapter and all relevant laws, ordinances, rules, and regulations.
- 4. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared.
- 5. The plans shall include the following information:
 - i. general vicinity of the proposed site;
 - ii. property limits;
 - iii. accurate contours of existing ground;
 - iv. details of terrain and area drainage;
 - v. limiting dimensions, elevations, or finish contours to be achieved by the grading, and proposed drainage channels and related construction;
 - vi. detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains;
 - vii. location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on adjacent land that are within fifteen feet of the property or that may be affected by the proposed grading operations;
 - viii. specific recommendations contained in the soils engineering report that are applicable to grading shall be included in the plans by reference; and

(Ord. 14-14)

18.05.07. Grading Permit and Inspection Fees.

1. General. Fees shall be assessed in accordance with the Consolidated Fee Schedule adopted by the City.
2. Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fee shall be as set forth in the Consolidated Fee Schedule adopted by the City. Separate plan review fees may apply to retaining walls or major drainage structures as required elsewhere in this Code. For excavation and fill on the same site, the fee may be based on the volume of excavation or fill.
3. Inspection Fees. A fee for each grading permit shall be paid to the City of Saratoga Springs as

set forth in the Consolidated Fee Schedule adopted by the City. Separate permits and fees may apply to retaining walls or major drainage structures as required elsewhere in this Code.

(Ord. 14-14)

18.05.08. Bonds.

The City Engineer may require bonds in such form and amounts as may be deemed necessary to ensure that the work will be completed in accordance with the approved plans and/or specifications and/or will be corrected to eliminate hazardous conditions. Cash, escrow, or letter of credit bonds are acceptable.

(Ord. 14-14)

18.05.09. Hazards.

Whenever the City Engineer determines that any existing excavation, embankment, or fill on private property has become a hazard to life and limb, endangers property, or adversely affects the safety, use, or stability of public property or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the City Engineer, shall within the period specified in the notice repair or eliminate such excavation, embankment, or fill to eliminate the hazard and to be in conformance with the requirements of this Chapter.

(Ord. 14-14)

18.05.10. Cuts.

1. General. Unless otherwise recommended in the approved soils engineering report or approved engineering geology report and approved in writing by the City, cuts shall conform to the provisions of this Chapter and the most recent City Engineering Technical Specifications and Drawings.
2. Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than one unit vertical in four units horizontal, unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property. Said report must be by a reputable engineer or engineering geologist and be acceptable by the City Engineer.

(Ord. 14-14)

18.05.11. Fills.

1. General. Unless otherwise recommended in the approved soils engineering report and approved by the City, fills shall conform to the provisions of this Chapter and the most recent version of the Engineering Standard Technical Specifications and Drawings.

2. Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than one unit vertical in four units horizontal, unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property. Said report must be by a reputable and certified engineer or engineering geologist and be acceptable to the City Engineer.

(Ord. 14-14)

18.05.12. Setbacks.

1. General. Cut and fill slopes shall be set back from site boundaries in accordance with this Chapter. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as required by the City.
2. Top of Cut Slope. The top of cut slope shall not be made nearer to a site boundary line than one-fifth of the vertical height of cut with a minimum of five feet. The setback may need to be increased for any required interceptor drains, utilities, or utility easements.
3. Toe of Fill Slope. The toe of fill slope shall not be made nearer to the site boundary line than one-half the height of the slope with a minimum of five feet. Where a fill slope is to be located near the site boundary and the adjacent offsite property is developed, special precautions shall be incorporated in the work as the City Engineer deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:
 - a. Additional setbacks.
 - b. Provision for retaining or slough walls.
 - c. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
 - d. Provisions for the control of surface waters.
4. Modification of Slope Location. The City Engineer may approve alternate setbacks. The City Engineer may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this Section has been satisfied.

(Ord. 14-14)

18.05.13. Grading Inspection.

1. General. Grading operations for which a permit is required shall be subject to inspection by the City. The City Engineer may require that Professional inspection of grading operations is provided by a civil engineer, soils engineer, and/or engineering geologist.
2. Civil Engineer. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade, and surface drainage of the development area. If revised plans are required during the course of the work they shall be prepared by the civil engineer.

3. Soils Engineer. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this Chapter. Revised 10 recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the City Engineer, and the civil engineer. Materials testing shall be provided as recommended by the Soils Engineer and as directed by the City Engineer.
4. Engineering Geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report.
Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.
5. Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code.
 - a. The permittee shall engage consultants, if required, to provide professional inspections on a timely basis.
 - b. The permittee shall act as a coordinator between the consultants, the contractor, and the City Engineer.
 - c. In the event of changed conditions, the permittee shall be responsible for informing the City Engineer of such change and shall provide revised plans for approval.
 - d. The permittee shall engage and pay for all materials testing.
6. City Engineer. The City Engineer may inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants and that the requirements of this Chapter are being complied with.
7. Notification of Noncompliance. If, in the course of fulfilling their respective duties under this Chapter, the civil engineer, the soils engineer, or the engineering geologist finds that the work is not being done in conformance with this Chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the City Engineer. If the permittee is not responsive to notification and does not bring work into compliance, the permit may be revoked and bond called.
8. Transfer of Responsibility. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the City Engineer in writing of such change prior to the recommencement of such grading. The City Engineer must approve of the replacement before work can continue.

(Ord. 14-14)

18.05.14. Completion of Work.

1. Final Reports. Upon completion of the grading work and at the final completion of all stabilization per the City Standard Technical Specifications and Drawings, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is performed for regular grading, as applicable:
 - a. An as-built grading plan prepared by the civil engineer retained to provide such services in accordance with this Chapter showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations, and details of subsurface drains shall be shown as reported by the soils engineer. Civil engineers shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.
 - b. A report prepared by the soils engineer retained to provide such services in accordance with this Chapter, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this Chapter.
 - c. A report prepared by the engineering geologist retained to provide such services in accordance with this Chapter, including a final description of the geology of the site, any new information disclosed during the grading, and the effect of the grading on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this Chapter.
 - d. The grading contractor shall submit in a form prescribed by the City Engineer a statement of conformance to said as-built plan and the specifications.
2. Notification of Completion. The permittee shall notify the City Engineer when the grading operation is ready for final inspection. Final approval shall not be given until:(a) all work has been completed, including installation of all drainage facilities and their protective devices;(b) all erosion-control measures have been completed in accordance with the final approved plans; and (c) all required reports have been submitted.

(Ord. 14-14)

Chapter 18.06. Storm Water Regulations.

Sections:

- [18.06.01. Definitions.](#)
- [18.06.02. General Provisions.](#)
- [18.06.03. Storm Water Permits.](#)
- [18.06.04. Stormwater System Design and Management Standards.](#)
- [18.06.05. Post Construction.](#)
- [18.06.06. Waivers.](#)
- [18.06.07. Existing Locations and Developments.](#)
- [18.06.08. Illicit Discharges.](#)
- [18.06.09. Inspections.](#)
- [18.06.10. Enforcement.](#)
- [18.06.11. Penalties.](#)

18.06.01. Definitions.

For the purpose of this Chapter, the following definitions shall apply. The rules of statutory construction in § 1.02.11 shall apply.

1. **“As built plans”** or **“Record drawings”** or **“Just as-built”** means a set of drawings submitted by a contractor or engineer upon completion of a project or a particular job. This set of drawings reflects all specification and work drawing changes made during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.
2. **“Best management practices”** or **“BMPs”** are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, have been approved by the City, and have been incorporated by reference into this ordinance as if fully set out herein.
3. **“Channel”** means a natural or artificial watercourse that conducts flowing water continuously or periodically.
4. **“City”** means the City of Saratoga Springs, its employees and assignees.
5. **“Community Water”** means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the City.
6. **“Contaminant”** means any physical, chemical, biological, foreign, or radiological substance or matter in water.
7. **“Design storm event”** means a storm event of a given frequency interval and duration.

8. **“Detention Basin”** means a temporary storage facility for excess storm runoff designed in accordance with the Engineering Standards and containing at a minimum an inlet and outlet and designed for the purpose of (1) attenuating and detaining excess storm runoff, and (2) regulating the flow of such excess storm runoff so as to reduce stormwater-related damage downstream, and (3) enhancing the water quality of such excess storm runoff by providing filtration, sedimentation, and oil-removing apparatus.
9. **“Discharge”** means any solid or liquid matter that is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means into the municipal separate storm sewer system. This includes all entries of matter that are direct or indirect.
10. **“Engineering Standards”** means the latest adopted version of the Standard Technical Specifications and Drawings manual.
11. **“Erosion”** means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.
12. **“Erosion and sediment control plan”** means a plan that is designed to minimize erosion and sediment runoff at a site during construction activities.
13. **“Hot spot”** means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.
14. **“Illicit connections”** means any of the following:
 - a. Any drain or conveyance whether on the surface or subsurface, which allows contaminated or illicit discharge to enter the storm drain system.
 - b. Any drain or conveyance connected to or discharging into the storm drain system which has not been approved in writing by the City.
15. **“Illicit discharge”** means any discharge to the municipal separate storm sewer system (MS4) that is not composed entirely of storm water or that is being discharged without a City-approved treatment methodology.
16. **“Irrigation Ditches”** means ditches used by irrigation shareowners having a right of water passageway by right-of-way, easement, or prescription. Irrigation ditches can also include those facilities which function as a combined storm water and irrigation conveyance intended at times as a storm water routing and disposal system.
17. **“Land-disturbing activity”** means any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) or the existing soil topography. Land-disturbing activities may include development, re-development, demolition, construction, reconstruction, clearing, grading, filling, excavation, grubbing, and paving.
18. **“Maintenance”** means any activity that is necessary to keep a stormwater facility in good working order so as to function as designed including but not limited to complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the

facility to its original operational design parameters and the correction of any problem on the site property that may directly impair the functions of the stormwater facility.

19. **“Maintenance Agreement”** means a Long-Term Storm Water Management Agreement “LTSWMA” document recorded in the land records that acts as a property deed restriction and provides for long-term maintenance of stormwater management practices.
20. **“Municipal separate storm sewer/stormwater system”** or **“MS4”** means the conveyances owned or operated by the City of Saratoga Springs for the collection and transportation of stormwater, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.
21. **“National Pollutant Discharge Elimination System Permit”** or **“NPDES permit”** means a permit issued pursuant to 33 U.S.C. §1342.
22. **“Notice of Violation”** or **“(N.O.V.)”** occurs whenever the City finds that a person is in non-compliance with this ordinance; the City will order compliance by written notice of violation to the responsible person. Requirements in this Notice are at the discretion of the Engineer, and may include monitoring, payment to cover costs relating to the non-compliance, and the implementation of BMP.
23. **“Off-site facility”** means a structural BMP located outside the subject property boundary described in the permit application for land development activity which is intended to form an integral part of the storm drain system for a given parcel.
24. **“On-site facility”** means a structural BMP located within the subject property boundary described in the permit application for land development activity.
25. **“On-site storm water management facility”** means any feature or facility located within the subject property boundary that collects, conveys, discharges, cleans, detains, retains, and/or infiltrates storm water prior to its discharge into either the MS4, community water, or infiltration into the ground.
26. **“Peak flow”** means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.
27. **“Runoff”** means the portion of the precipitation on a drainage area that is discharged from the area. This can include water produced by storms, surface drainage, snow and ice melt, and other water handled by the storm sewer drainage system.
28. **“Saratoga Springs City Storm Water Management Program”** means those certain manuals, ordinances, practices, and policies set in place by the City of Saratoga Springs to regulate, permit, manage, and otherwise oversee the discharge of storm water within the corporate boundaries and influence area of the City. This includes both those manuals and practices which are in place at the time of the passage of this ordinance and those which will yet be put in place or adopted in this or future actions.

29. **“Sediment”** means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.
30. **“Sedimentation”** means the process of depositing sediment in any stormwater.
31. **“Soils Report”** means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.
32. **“Stabilization”** means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.
33. **“Storm Water Design Standards and Regulations”** means the current City of Saratoga Springs storm water standards and regulations as adopted by the City.
34. **“Storm Water General Permit for Construction Activities”** means a permit required by the Utah Department of Environmental Quality, Division of Water Quality.
35. **“Storm Water Master Plan”** means the current City of Saratoga Springs Storm Water Master Plan, Capital Facilities Plan, and Impact Fee Facilities Plan as adopted by the City.
36. **“Storm Water Permit”** means the City Storm Water Permit as adopted by the City.
37. **“Stormwater”** means discharges, precipitation, rain, hail, stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration, and drainage.
38. **“Stormwater Management”** means all programs designed to maintain quality and quantity of stormwater runoff to pre-development levels.
39. **“Stormwater Management Facilities System”** means the drainage structures, conduits, ditches, combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated or disposed of.
40. **“Stormwater Management Plan”** means a long term storm water management plan that evaluates the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the measures and BMP's proposed for managing storm water, discharges, contaminants, and sediment generated at the project site.
41. **“Stormwater Pollution Prevention Plan”** or **“SWPPP”** means Storm Water Pollution Prevention Plan. This is the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels during and after construction.

42. **“Stormwater runoff”** means flow on the surface of the ground, resulting from precipitation.
43. **“Structural BMPs”** means devices that are constructed to provide control of stormwater runoff.
44. **“Surface water”** includes all waters upon the surface of the earth, whether bounded naturally or artificially. This includes rivers, creeks, streams, canals, lakes, ponds, wetlands, reservoirs, and other water courses.
45. **“SWMP”** is an acronym for Storm Water Management Program. A Technical Report including a copy of the Land Disturbance Permit, Notice of Intent (NOI) (if applicable), Storm Water Pollution Prevention Plan (for during construction and post construction), storm water pollution prevention BMPs, spill prevention and countermeasure information, inspection records, and signed and dated Certification Statement from the Site Operator and the responsible person preparing the report.
46. **“SWPPP Manager”** means the individual who will be the contractor’s and owner’s representative in the field who supervises the implementation of the SWPPP and compliance with the Storm Water Permit.
47. **“Watercourse”** means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water and may include lakes, rivers, creeks, streams, canals, ponds, and wetlands.
48. **“Watershed”** means all the land area that contributes runoff to a particular point along a waterway.
49. **“UPDES”** is an acronym for the Utah Pollution Discharge Elimination System.

(Ord. 20-14, Ord. 15-1)

18.06.02. General Provisions.

1. **Purpose.** It is the purpose of this chapter to:
 - a. Protect, maintain, and enhance the environment of the City of Saratoga Springs (“the City”).
 - b. Establish responsibilities for controlling and managing storm water runoff.
 - c. Protect the public health, safety, and general welfare of the citizens of the City by controlling discharges of pollutants to the City’s stormwater system and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, creeks, streams, canals, ponds, wetlands, and groundwater of the city.
 - d. Enable the City to comply with state and federal laws and regulations.
 - e. Allow the City to exercise the powers granted by the Utah Code and Constitution to:

- i. Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the City, whether or not owned and operated by the City;
 - ii. Adopt any rules and regulations deemed necessary to accomplish the purposes of this Chapter, including the adoption of a system of fees for services and permits;
 - iii. Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;
 - iv. Review and approve plans, plats, and permits for stormwater management in proposed developments;
 - v. Issue permits for stormwater discharges, or for the construction of, alteration of, extension of, encroachment on, or repair of stormwater facilities;
 - vi. Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;
 - vii. Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
 - viii. Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private.
2. The City Engineer shall administer the provisions of this Chapter. Nothing in this Chapter shall relieve any person from responsibility for damage to other persons or property or impose upon the City and its officers, agents or employees any liability for damage to other persons or property.

(Ord. 15-1)

18.06.03. Storm Water Permits.

- 1. When required:
 - a. Every person will be required to obtain a Storm Water Permit from the City in the following cases:
 - i. Land disturbing activity that disturbs one or more acres of land;
 - ii. Land disturbing activity of less than one acre of land if such activity is part of a larger common plan of development that affects one or more acres of land;
 - iii. Land disturbing activity of less than one acre of land if the City Engineer determines such activity poses a unique threat to water or public health or safety;
 - iv. The creation and use of borrow pits or those excavation sites used to generate fill or decorative material for an off-site location;
 - v. Development of a single family home;
 - vi. Modifications of sensitive areas or areas designated as sensitive lands;
 - vii. Processing of earthen materials such as top soil and gravel screening;
 - viii. Construction of parking lots;

- ix. Creation of an impervious area 0.1 acres/4,356 square feet or greater constructed with compacted gravel, asphalt, concrete, or equivalent;
- x. Creation or alteration of storm drains works or systems;
- xi. Excavation or disturbance of more than 1,000 cubic yards of material in any nonagricultural earth moving activity; and
- xii. Any other condition that poses a unique threat to water or public health or safety and meeting the purposes in Section 18.06.01 or the intent of the regulations in this Chapter.

2. **Exemptions.**

- a. The following activities are exempt from the permit requirement;
 - i. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources including activities required to promote public safety, repairs to water lines and/or other city infrastructure repairs.
 - ii. Existing nursery and agricultural operations conducted as a predominant land use.
 - iii. Any agricultural activity that is consistent with an approved farm conservation plan or a management plan prepared or approved by the appropriate federal, state, or city agency.
 - iv. Additions or modifications to existing single family structures.
 - v. Landscape modifications resulting in disturbances below the limits identified in Title 19.
 - vi. Excavation activities necessary for public infrastructure approved through the city approval process.

- 3. **Building permit.** No building permit shall be issued until the applicant has obtained a Storm Water Permit where the same is required by this ordinance.

4. **Application for a Storm Water Permit.**

- a. Each application shall include the following:
 - i. Name of applicant;
 - ii. Address of applicant;
 - iii. Name, address, and phone number of the owner of the property of record in the office of the county assessor;
 - iv. Address and legal description of subject property including the tax identification number and parcel number;
 - v. Name, address, and telephone number of the contractor and any subcontractor who will perform the land disturbing activity and who shall implement the erosion and sediment control plan;
 - vi. Designation of a SWPPP manager who will be the contractor's and owner's representative in the field who supervises the implementation of the SWPPP and compliance with the Storm Water Permit; and
 - vii. A statement indicating the nature, extent, and purpose of the land disturbing activity, including:
 - 1. the size of the area for which the permit shall be applicable,
 - 2. a schedule for the starting and completion dates of the land disturbing activity, and
 - 3. other pertinent information.

- b. The applicant shall obtain from any other state or federal agency any other appropriate environmental permits that pertain to the property and submit such permits with the application for a Storm Water Permit. However, the inclusion of those permits in the application shall not foreclose the City Engineer from imposing additional development requirements and conditions consistent with this ordinance on the development of property covered by those permits. Failure of the applicant to obtain the necessary permits may be the basis for denial of issuance of a Storm Water Permit.
- c. Each application shall be accompanied by:
 - i. A SWPPP meeting the requirements of Stormwater General Permit for Construction Activities Permit No. UTRC000000. A model has been prepared for use by those preparing a SWPPP. A SWPPP must use this model template to ensure that a plan has been prepared in compliance with the State permit.
 - 1. The SWPPP template and the template guidelines can be found at the following link: <http://www.waterquality.utah.gov>
 - ii. A Notice Of Intent (NOI) from the State of Utah, Department of Environmental Quality, Division of Water Quality (“DWQ”), for Storm Water Discharges Associated with Construction Activity Under the UPDES General Permit No. UTRC000000. An NOI can be submitted on-line at the web site for the Utah DWQ storm water data base. The NOI must be signed by the owner and contractor.
 - 1. This template can be found at the following link: <http://www.waterquality.utah.gov>
 - iii. A Storm Water Management Plan meeting the Requirements of Section 18.06.04(6).
 - iv. A Sediment and Erosion Control Plan meeting the Requirements of Section 18.06.04(7).
 - v. An engineer's estimate for performance guarantee purposes inclusive of all costs associated with plan implementation, management, site stabilization, and clean up.
 - vi. Payment for the Storm Water Permit and other applicable fees and bonds as found in the City's Consolidated Fee Schedule.

5. Review and approval of application.

- a. The City Engineer will review each application for a Storm Water Permit to determine its conformance with the provisions of this Chapter. Within 15 days after receiving an application, the City Engineer shall provide one of the following responses in writing:
 - i. Approval of the permit application;
 - ii. Approval of the permit application, subject to conditions as may be necessary to substantially meet the objectives and requirements of this Chapter; or
 - iii. Denial of the permit application, including the reason for the denial.
- b. If the City Engineer has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the City Engineer. However, the applicant may be allowed to proceed with his land

disturbing activity so long as it conforms to conditions established by the City Engineer.

- c. No construction may begin until the Storm Water Permit has been approved and all outstanding fees paid in full.

6. Permit duration.

- a. Every Storm Water Permit shall expire and become null and void if :
 - i. Substantial work authorized by such permit has not commenced within 180 calendar days of issuance, is not complete within 18 months from the date of the commencement of construction, or work is suspended or abandoned for a period of 180 days or longer;
 - ii. The applicant is not authorized to discharge storm water under the UPDES program; or
 - iii. It is determined that the applicant is not an authorized representative of the owner and/or contractor.
- b. The Storm Water Permit shall remain in effect until all of the following items have been completed:
 - i. Submission of as built plans;
 - ii. Written certification by a registered professional engineer licensed to practice in the State of Utah that the structural BMP's have been installed in accordance with the approved plan and other applicable provisions of this ordinance;
 - iii. Submission of a signed Notice of Termination of the UPDES Permit;
 - iv. Installation and acceptance by City of all permanent or long term BMP's;
 - v. Completion of final inspection punch list items; and
 - vi. Removal of all temporary control measures.

7. Notice of construction.

- a. The applicant must notify the Public Works Department within ten working days in advance of the commencement of construction with a land disturbance permit.

8. Requirements during construction.

- a. **Noticing.**
 - i. The applicant must install and maintain a notice board at a publicly accessible location near the active part of the project. The notice board must be protected from the weather, and located where the City Inspector can read it easily without obstructing construction activities. The notice board shall include, at a minimum, the following information:
 - 1. Project name;
 - 2. Copy of any NOIs in effect;
 - 3. Name and phone number of the SWPPP Manager;
 - 4. SWPPP plan and report;
 - 5. Saratoga Springs Storm Water Permit.
- b. **SWPPP Manager.** The SWPPP Manager shall:
 - i. Implement and maintain the SWPPP, Storm Water Management Plan, and Sediment and Erosion control plan;

- ii. Ensure that subcontractors and utility companies understand and comply with the SWPPP, Storm Water Management Plan, and Sediment and Erosion Control Plan, and avoid disturbing installed BMP's;
- iii. Update the SWPPP and maintain the official updated SWPPP at the construction site; and
 - iv. Shall take immediate suitable action to preclude erosion and pollution if storm water discharges threaten water quality.

c. Inspections.

- i. Regular inspections of the stormwater management system construction shall be conducted by the party responsible for the work and reviewed by the City Inspector.
- ii. The property owner shall allow access to the City Engineer or a representative to inspect storm water control measures that discharge to the MS4. The inspection shall review the control measures in place, the maintenance plan, and the need for additional measures to completely address the erosion and sediment control for the project.
- iii. All inspections shall be documented and written reports prepared that contain the following information:
 - 1. The date and location of the inspection;
 - 2. Whether construction is in compliance with the approved stormwater management plan;
 - 3. Variations from the approved construction specifications;
 - 4. Any violations that exist.

d. BMPs Maintenance.

- i. BMP's that have been damaged or undercut shall be repaired or replaced.
- ii. If maintenance or modifications to existing BMP's are necessary following a storm or inspection, complete required maintenance or modifications as soon as possible and before the next storm event whenever practicable.
 - 1. Applicant shall maintain BMP's so they properly perform their function.
 - 2. Applicant shall also remove accumulated sediment and debris before the BMP loses fifty percent (50%) of its storage capacity.
 - 3. Additionally, the applicant must clean the silt fence before it loses thirty percent (30%) of its storage capacity.
 - 4. Applicant shall maintain temporary and permanent erosion and sediment control measures in effective operating condition and coordinate BMPs with subcontractors and utility companies doing Work in the Project area.

9. Performance bonds.

a. The City Engineer shall:

- i. Require the submittal of a performance security or performance guarantee bond prior to issuance of a permit in order to ensure that the SWPPP are implemented by the permit holder as required by the approved stormwater pollution prevention plan.
 - 1. The amount of the performance security or performance bond shall be the total estimated construction cost of the structural

- BMPs approved under the permit plus any reasonably foreseeable additional related costs.
2. The performance security shall contain forfeiture provisions for failure to complete work specified in the SWPPP.
 3. The applicant shall provide an itemized engineer's construction cost estimate complete with unit prices which shall be subject to acceptance, amendment, or rejection by the City Engineer.
 4. Alternatively, the City Engineer shall have the right to calculate the cost of construction estimates and revise the opinion of probable cost accordingly.
- b. The performance security or performance guarantee bond shall be released in full only upon submission of:
- i. as built plans;
 - ii. a written certification by a registered professional engineer licensed to practice in the State of Utah that all BMPs have been followed in accordance with the approved plan and other applicable provisions of this ordinance;
 - iii. a signed Notice of Termination of the Construction General Permit;
 - iv. completion of final inspection punch list items; and
 - v. removal of all temporary control measures.
- c. The City Engineer or a representative will make a final inspection of the structural BMPs to ensure that they are in compliance with the approved plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the performance security or performance guarantee bond based on the completion of various development stages can be made at the discretion of the City Engineer or representative.

(Ord. 20-14, Ord. 15-1)

18.06.04. Stormwater System Design and Management Standards.

1. Irrigation ditches.

- a. Property owners are responsible for the protection of irrigation canals per the relevant sections of this ordinance.
- b. Discharges into private canals require written approval from the ditch owners. The design shall comply with the terms of approvals and the City's Storm Water Design Standards and Regulations.
- c. Piping of irrigation ditches and modification to diversion structures require documented approval from canal owners or representative. Design and coordination requirements shall comply with the City's Storm Water Design Standards and Regulations.

2. Drainage channels, waterways, and sensitive areas.

- a. Property owners shall not alter or restrict natural channels and waterways without proper Federal, State and City permits.
- b. Modifications of sensitive areas are subject to and governed by the Land Development Code (Title 19). These actions will require a Storm Water Permit and approval from all other governing agencies.

- c. Property owners proposing to redirect runoff, surface, and/or pipe flow to properties or facilities outside Saratoga Springs boundaries must provide written approval from the state, county or municipality, or their agents.
- d. Property owners are responsible for the protection of natural and artificial channels located within their property per the relevant sections of this ordinance.
- e. Discharges or modifications to the channels require written approval from the canal owners and applicable governing agencies.

3. Stormwater design and BMP manuals.

- a. **Adoption.** The City adopts as its stormwater design and BMP manuals the following publications, which are incorporated by reference in this ordinance as is fully set out herein:
 - i. The City of Saratoga Springs Standard Technical Specifications and Drawings.
 - ii. The City of Saratoga Springs Storm Water Master Plan.
 - iii. The City of Saratoga Springs Storm Water Capital Facilities Plan.
 - iv. The City of Saratoga Springs Storm Drainage Systems Design and Management Manual.
 - v. Guidance Document for Stormwater Management (Salt Lake County Public Works Department).
 - 1. The document can be found at the following link:
<http://slco.org/pweng/stormwater/html/guide.html>.
 - vi. Other guidance documents required by or included in the Saratoga Springs Storm Water Management Program.
- b. These manuals include a list of acceptable BMPs and include specific design performance criteria and operation and maintenance requirements for each stormwater practice. The manuals may be updated and expanded from time to time, at the discretion of the City Council, upon the recommendation of the City Engineer, based on improvements in engineering, science, monitory and local maintenance experience.

4. General performance criteria for stormwater management. Unless granted a waiver or an exemption from the City Engineer, the following post construction performance criteria shall be addressed for stormwater management at all sites:

- a. A Utah registered professional engineer must design the storm drain systems (Public and Private) within City boundaries and directly supervise all discharges into a City storm drain system. The design shall carry the seal of the supervising professional engineer.
- b. All site designs shall control the peak flow rates of stormwater discharge associated with design storms specified in this ordinance or in the BMP manual and reduce the generation of post construction stormwater runoff to pre-construction levels or 100-yr historical flow rates. These practices should seek to utilize pervious areas for stormwater treatment and to infiltrate stormwater runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical to provide treatment for both water quality and quantity.
- c. To protect stream channels from degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual.

- d. Stormwater discharges to critical areas with sensitive resources (e.g., cold water fisheries, swimming beaches, recharge areas, water supply reservoirs, etc.) may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices.
- e. Stormwater discharges from “hot spots” may require the application of specific structural BMPs and pollution prevention practices.
- f. Prior to or during the site design process, applicants for Storm Water Permits shall consult with the City Engineer to determine if they are subject to additional stormwater design requirements.
- g. Calculations for determining allowable peak flows and runoff volumes as found in the BMP manual shall be used for sizing all stormwater facilities.

5. Minimum control requirements.

- a. Storm water discharge during all construction activities shall comply with the terms of the Storm Water Permit, Saratoga Springs Standard Technical Specifications and Drawings, or requirements set forth by the most recent edition of the International Building Code, and the State of Utah UPDES requirements.
- b. Stormwater designs, installations, operations, and maintenance shall meet the multi-stage storm frequency storage and runoff volume requirements as identified in the BMP manual, along with the operation, installation, and maintenance standards in the BMP manual unless the City Engineer has granted the applicant a full or partial waiver for a particular BMP pursuant to section 6 of this ordinance.
- c. Runoff rates from one lot/parcel to another may not exceed pre-existing conditions and may not increase in such a manner that may unreasonably or unnecessarily cause more harm or damage than formerly existed in the predevelopment condition.
- d. If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the City Engineer may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.
- e. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom, or shovel to the satisfaction of the City Engineer or representative. Failure to remove the sediment, soil, or debris shall be deemed a violation of this ordinance.

6. Stormwater Management Plan requirements. Property owners are responsible to manage or ensure management of storm water runoff and sediment, whether in conduit systems or on the surface, that traverse through or originate on their property. This responsibility may extend to the defining of agreements, easements, and other appropriate measures to address storm water management. In order to manage storm water, the property owner must develop a stormwater management plan and implement the plan. The stormwater management plan shall include sufficient information to allow the City Engineer to evaluate: the environmental and historical characteristics of the project site; the potential impacts of all proposed development of the site, both present and future, on the water resources; and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site. To accomplish this goal the stormwater management plan shall include the following:

- a. **Site Description.** Brief description of the subject property and a description and map of its on-site storm water management facilities.

- b. **Topographic Base Map.** A 1" = 500' topographic base map of the site that extends a minimum of 1000 feet beyond the limits of the proposed development and indicates:
 - i. Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, and wetlands. It must also include the type, size, elevation, etc., of the nearest upstream and downstream drainage structures, slopes, and drainage arrows;
 - ii. Current land use including all existing structures, locations of utilities, and locations of roads, and easements;
 - iii. All other existing significant natural and artificial features.
 - iv. When deemed necessary by the City Engineer, the Topographic Base Map and Survey shall conform to the minimum levels established by the American Land and Title Association (ALTA Survey).
- c. Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, drainage patterns, locations of utilities, roads and easements, and the limits of clearing and grading.
- d. Proposed structural BMPs.
- e. A written description of the site plan and justification of proposed changes. Natural conditions may also be required.
- f. **Calculations.** Hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storm events specified in the BMP manual. These calculations must show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this ordinance and the guidelines of the BMP manual. Such calculations shall include:
 - i. A description of the design storm event frequency, duration, and intensity where applicable;
 - ii. Time of concentration;
 - iii. Soil curve numbers or runoff coefficients including assumed soil moisture conditions;
 - iv. Peak runoff rates and total runoff volumes for each watershed area;
 - v. Infiltration rates, where applicable, verified by percolation test or by geological test;
 - vi. Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;
 - vii. Flow velocities;
 - viii. Data on the increase in rate and volume of runoff for the design storm events referenced in the BMP manual; and
 - ix. Documentation of sources for all computation methods and field test results.
- g. **Soils Information.** If a stormwater management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure. In all cases where subsurface infiltration is a component of the storm water management plan a site specific percolation test shall be submitted based upon field observations and testing at the location of the infiltration facility.

- h. **Maintenance, and Repair Plan:** The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans will identify the parts or components of a stormwater management facility that need to be maintained and the equipment, skills, and training necessary for such maintenance. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility.
 - i. **Landscaping Plan.** The applicant must present a detailed plan for management of vegetation at the site after construction is finished. This will include who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved (If required by the BMP). Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in the State of Utah.
7. **Sediment and Erosion Control Plan requirements.** The applicant must prepare a sediment and erosion control plan for all construction activities that accurately illustrates the measures that are to be taken to control storm water pollution problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. This plan shall be signed and sealed by a registered professional engineer licensed in the state of Utah. The plan shall also conform to the requirements found in the BMP manual, and shall include, at a minimum, the following:
- a. A topographic map with contour intervals of two (2) feet or less showing present conditions and proposed contours resulting from land disturbing activity.
 - b. All existing drainage ways, including intermittent and wet-weather. This must also include any designated floodways or flood plains.
 - c. Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed, and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures.
 - d. Approximate limits of proposed clearing, grading, and filling.
 - e. Approximate flows of existing storm water leaving any portion of the site.
 - f. A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.
 - g. Location, size, and layout of proposed stormwater and sedimentation control improvements.
 - h. Proposed drainage network.
 - i. Proposed sizing for storm sewer piping, dewatering facilities, or other waterways.
 - j. Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must

address the adequacy of outfalls from the development. This includes: when water is concentrated, what is the capacity of waterways, if any, accepting storm water offsite; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring and/or sedimentation of waterways and drainage areas off-site, etc.

- k. The projected sequence of work represented by the grading, drainage, and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMPs.
 - l. Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawings of all control measures used. Stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.
 - m. Specific details for the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; and eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the City Engineer.
 - n. Proposed structures. Location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site.
 - o. A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.
 - p. Future phasing plans and impervious areas if applicable.
8. **Maintenance Easements.** The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the Office of the Utah County Recorder.
9. **Maintenance Agreement.** The owner of property to be served by an on-site stormwater management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners. The maintenance agreement shall:
- a. Assign responsibility for the maintenance and repair of the stormwater facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation.
 - b. Provide for annual inspection by the property owner or qualified designee for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this ordinance. This inspection shall be conducted by a qualified person as defined by the Utah Division of Water Quality, and such qualified person will submit a sealed report of the inspection to the City Engineer or representative.
 - c. It shall grant permission to the City to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained.
 - d. Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter, and other debris; the cutting of grass; grass cuttings and vegetation removal; and the replacement of landscape vegetation. This applies

to all detention and retention basins, as well as inlets and drainage pipes and any other stormwater facilities as required by the property owner by the City. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

- e. Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the City Engineer.
- f. Provide that if the property is not maintained or repaired within the prescribed schedule, the Public Works Department shall perform the maintenance and repair at the property owner's expense. The maintenance agreement shall also provide that the Public Works Department's cost of performing the maintenance shall be a lien against the property.

10. **Dedication.** The municipality shall have the discretion to accept the dedication of any existing or future stormwater management facility, provided such facility meets the requirements of this ordinance, and includes adequate and perpetual access and sufficient areas, by easement or otherwise, for inspection and regular maintenance. Any stormwater facility accepted by the municipality must also meet the municipality's construction standards and any other standards and specifications that apply to the particular stormwater facility in question.

(Ord. 20-14, Ord. 15-1)

18.06.05. Post Construction.

1. **As-built plans.** All applicants are required to submit as built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be sealed by a registered professional engineer licensed to practice in Utah. A final inspection by the City Inspector is required before any performance security or performance bond will be released. The City Inspector shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance guarantee bond on the completion of various stages of development. Certificates of occupancy ("occupation permits") shall not be granted until corrections to all BMP's have been made and accepted by the City Inspector.
2. **Landscaping and stabilization requirements.** Any area of land from which the natural vegetative cover has been either partially or wholly cleared shall be revegetated according to a schedule approved by the City Engineer. The following criteria shall apply to revegetation efforts:
 - a. Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established over seventy (70%) of the seeded area.
 - i. Any area of revegetation must exhibit a minimum of seventy percent (70%) density of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum seventy percent (70%) density for one (1) year is achieved.

- b. Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
 - c. In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.
- 3. **Inspection of stormwater management facilities.** Periodic inspections of facilities shall be performed by the property owner or qualified designee for the purpose of documenting maintenance and repair needs and ensure compliance with the purpose and requirements of this ordinance. This inspection shall be conducted by a qualified person as defined by the Utah Division of Water Quality, and such qualified person will submit a sealed report of the inspection to the Public Works Department.
- 4. **Records of installation and maintenance activities.** Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least 5 years. These records shall be made available to the City Engineer during inspection of the facility and at other reasonable times upon request.
- 5. **Failure to meet or maintain design or maintenance standards.** If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the Public Works Department, after reasonable notice to the responsible party, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the Public Works Department shall notify in writing the responsible party for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have 15 days to effect maintenance and repair of the facility in an approved manner.
 - a. In the event that corrective action is not undertaken within that time, the Public Works Department may take necessary corrective action. The cost of any action under this section shall be charged to the responsible party.

(Ord. 20-14, Ord. 15-1)

18.06.06. Waivers.

- 1. **General.** Every applicant shall provide for post construction stormwater management as required by this ordinance, unless a written request is filed to waive this requirement. Requests to waive the stormwater management plan requirements shall be submitted to the City Engineer for review, processing, and approval or forwarding to City Council where deemed appropriate by City Engineer

2. **Conditions for waiver.** The minimum requirements for stormwater management may be waived in whole or in part upon written request of the applicant, provided that at least one of the following conditions applies:
 - a. It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this ordinance.
 - b. Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan that has been approved by the City Engineer.
 - c. Provisions are made to manage stormwater by an off-site facility. The off-site facility must be in place and designed to provide the level of stormwater control that is equal to or greater than that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.
3. **Downstream damage prohibited.** In order to receive a waiver, the applicant must demonstrate to the satisfaction of the City Engineer that the waiver will not lead to any of the following conditions downstream:
 - a. Deterioration of existing culverts, bridges, dams, and other structures;
 - b. Degradation of biological functions or habitat;
 - c. Accelerated stream bank or streambed erosion or siltation;
 - d. Increased threat of flood damage to public health, life or property.
4. **Storm Water Permit not to be issued where waiver requested.** No Storm Water Permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the application for a Storm Water Permit must be resubmitted.

(Ord. 15-1)

18.06.07. Existing Locations and Developments.

1. **Requirements for all existing locations and developments.** The following requirements shall apply to all locations and development at which land disturbing activities have occurred previous to the enactment of this ordinance:
 - a. Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the City Engineer.
 - b. Cut and Fill slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.
 - c. Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion.
 - d. Trash, junk, rubbish, etc. shall be cleared from drainage ways.
 - e. Stormwater runoff shall be controlled to the extent reasonable to prevent pollution of local waters.
2. **Requirements for existing problem locations.** The Public Works Department shall notify the owners of existing locations and developments of the specific drainage, erosion, or sediment problem affecting such locations and developments, and the specific actions required to correct those problems. The notice may be in writing and will also specify a reasonable time for compliance. If not already existing, corrective actions may include a

requirement to prepare and implement a LTSWMP and LTSWMA per the provisions of this chapter.

3. **Inspection of existing facilities.** The Public Works Department may, to the extent authorized by state and federal law, establish inspection programs to verify that all stormwater management facilities, including those built before as well as after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the municipality's NPDES/UPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws.
 - a. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.
4. **Business License.** Upon application for a business license, and upon annual business license renewal, the owners of property served by an on-site Storm Water Management Facility shall ensure the property is covered by a Long Term Storm Water Management Plan and a Long Term Storm Water Management Agreement compliant with the Provisions of this chapter. Upon annual business license renewal the on-site Storm Water Management Facility shall be inspected by a registered storm water inspector in the State of Utah for compliance with the LTSWP and LTSWMA who will submit a sealed report of the inspection to the City Public Works Department.
 - a. A property owner may elect to have the City's Public Works Department perform the annual inspection. Each application for an inspection shall be accompanied by payment of the inspection and other storm water management fees, as adopted by resolution and found in the City Fee Schedule.
 - b. Any maintenance needs identified in the inspection report must be addressed in a timely manner, on a schedule to be determined by the Public Works Department. If the property is not maintained or repaired within the prescribed schedule, the Public Works Department shall perform the maintenance and repair at its expense, and bill the same to the property owner. If not paid within 30 days, the cost of performing the maintenance may be filed as a lien against the property.

(Ord. 20-14, Ord. 15-1)

18.06.08. Illicit Discharges.

1. **Scope.** This section shall apply to all water generated on developed or undeveloped land entering the municipality's separate storm sewer system.
2. **Prohibition of illicit discharges.** No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of

stormwater. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except as described as follows:

- a. Uncontaminated discharges from the following sources:
 - i. Water line flushing or other potable water sources;
 - ii. Landscape irrigation or lawn watering with potable water or pressurized irrigation;
 - iii. Diverted stream flows;
 - iv. Rising ground water;
 - v. Groundwater infiltration to storm drains;
 - vi. Uncontaminated pumped groundwater;
 - vii. Discharges from potable water sources;
 - viii. Foundation or footing drains;
 - ix. Crawl space pumps;
 - x. Lawn watering runoff;
 - xi. Individual residential car washing;
 - xii. Air conditioning condensation;
 - xiii. Irrigation water;
 - xiv. Springs;
 - xv. Natural riparian habitat or wet-land flows;
 - xvi. Swimming pools (if dechlorinated to less than one PPM chlorine);
 - xvii. Water reservoir discharges (if dechlorinated to less than one PPM chlorine);
 - xviii. Residual street wash water;
 - xix. Firefighting activities; and
 - xx. Any other uncontaminated water source.
- b. Discharges specified in writing by the City Engineer as being necessary to protect public health and safety.
- c. Dye testing is an allowable discharge if the City Engineer has so specified in writing.
- d. The prohibition shall not apply to any non-storm water discharge permitted under an UPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the State of Utah Division of Water Quality, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

3. Prohibition of illicit connections.

- a. The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.
- b. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

4. Reduction of stormwater pollutants by the use of best management practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMP's necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the

discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.

5. **Notification of spills.** Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.
 - a. **Hazardous Materials.** In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services.
 - b. **Non-hazardous Materials.** In the event of a release of non-hazardous materials, the person shall notify the Public Works Department in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Public Works Department within three (3) business days of the telephone notice.
 - c. **Written Records of Illicit Discharges.** If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 5 years.

(Ord. 20-14, Ord. 15-1)

18.06.09. Inspection.

1. **Purpose.** To be in accordance with the General Permit for Discharges for Small Municipal Separate Storm Sewer Systems (MS4), Permit No. UTR090000, the City will conduct inspections to monitor all storm water controls and BMPs as well as all discharges to the City's Storm Sewer System and to natural water bodies including lakes, rivers, stream and canals.
2. **Scope.** Inspections relating to the MS4 Permit include but are not limited to illicit discharges, construction activities and post construction operation and maintenance of stormwater controls, reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs either publicly or privately owned.
3. **Access.**
 - a. **Visual Inspections.** Visual inspections of discharges to natural water bodies, spills, stormwater related controls on private property within the City limits of Saratoga Springs are permitted by the Public Works Department at any time.
 - b. **Other Inspections.** When a visual inspection is not adequate to determine the extent of discharges to natural water bodies, spills, or determine the status of stormwater related controls on private property, the City will give 24 hours' notice of the inspection to take place and the extent of the inspection. Equipment and

manpower necessary to perform the inspection will be allowed to access and work as necessary to determine the state of the situation.

- c. **Emergency Inspections.** During times of emergency including discharges to natural water bodies, spills or potential damage to life or property, the City may access the location of concern as necessary and with the equipment required to determine the status of the situation. Reasonable attempts to contact the property owner prior to the inspection will be made prior to accessing private property.
4. **Follow-up Inspections.** During initial or routine inspections if problems are identified which require corrective actions then a follow-up inspection will be scheduled.

(Ord. 20-14, Ord. 15-1)

18.06.10. Enforcement.

1. **Enforcement authority.** The City Engineer or his representatives shall have the authority to issue notices of violation, stop work orders, and citations, and to impose the civil penalties provided in this section.
 - a. With the issuance of a Storm water permit, the City shall be permitted to enter and inspect, including testing and investigation, facilities subject to this ordinance at all reasonable times and as often as necessary to determine compliance. Failure to comply with the terms of this ordinance may result in punitive actions by the City, by the Utah County Health Department, or by other means identified in permits or terms set forth in development applications.
2. **Violation Procedure.**
 - a. **Written Notice.** Whenever the City finds that any permittee or any other person discharging stormwater has violated or is violating this ordinance or a permit or order issued hereunder, the City may serve upon such person written notice of the violation. Within ten (10) days of this notice, the permittee or other person in violation will submit to the City Engineer an explanation of the violation and a plan for the satisfactory correction and prevention of such violations. This plan will include specific actions that will be taken in order to come into compliance with this ordinance. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.
 - b. **Consent Orders.** The City Engineer is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within the time period specified by the order. Consent orders shall have the same force and effect as the compliance orders issued pursuant to §18.06.10(2)(d).
 - c. **Show Cause Hearing.** The City Engineer may order any person who violates this ordinance or permit or order issued hereunder, to show cause for why a proposed enforcement action should not be taken. Notice shall be served on the violator specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall

be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing.

- d. **Compliance Order.** When the City Engineer finds that any person has violated or continues to violate this ordinance or a permit or order issued thereunder, the City Engineer may issue a compliance order to the violator. This order will direct that, following a specific time period, adequate structures, or devices be installed or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.
 - i. **Cease and Desist Orders.** When the City Engineer finds that any person has violated or continues to violate this ordinance or any permit or order issued hereunder, the City Engineer may issue an order to cease and desist all such violations and direct those persons in noncompliance to:
 1. Comply forthwith; or
 2. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge.
3. **Conflicting standards.** Whenever there is a conflict between any standard contained in this ordinance and in the BMP manual adopted by the municipality under this ordinance, the strictest standard shall prevail.
4. **Violations.** Any person who shall commit any act declared unlawful under this ordinance, who violates any provision of this ordinance, who violates the provisions of any permit issued pursuant to this ordinance, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the City SD Representative, shall be guilty of a Class C Misdemeanor.

(Ord. 15-1)

18.06.11. Penalties.

1. Any person found violating the provisions of this ordinance may be assessed a fine of not less than fifty dollars (\$50.00) and not more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation. The City may also issue a criminal citation pursuant to Utah law or City ordinances.
2. **Measuring Civil Penalties.** In assessing a civil penalty, the City Engineer may consider:
 - a. The harm done to the public health or the environment;
 - b. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
 - c. The economic benefit gained by the violator;
 - d. The amount of effort put forth by the violator to remedy this violation;
 - e. Any unusual or extraordinary enforcement costs incurred by the municipality;
 - f. The amount of penalty established by ordinance or resolution for specific categories of violations; and

- g. Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.
- 3. **Recovery of Damages and Costs.** In addition to the civil penalty in subsection (2) above, the municipality may recover:
 - a. all damages proximately caused by the violator to the municipality, including any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this ordinance, or any other actual damages caused by the violation; and
 - b. the costs of the municipality's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this ordinance.
- 4. **Other remedies.** The municipality may bring legal action to enjoin the continuing violation of this ordinance, and the existence of any other remedy, at law or equity, shall be no defense to any such actions. In addition to the penalties established in this ordinance, the City may refuse to renew business licenses or other permits while such a violation continues.
- 5. **Remedies cumulative.** The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.

(Ord. 15-1)

RESOLUTION NO. R26-46 (08-18-26)

**A RESOLUTION OF THE CITY OF SARATOGA SPRINGS
FORMALLY INITIATING PROCEEDINGS UNDER THE
PENDING ORDINANCE DOCTRINE IN UTAH CODE
SECTION 10-20-902 AND CITY CODE SECTION
19.02.02(241) TO AMEND THE DEVELOPMENT
STANDARDS AND REQUIREMENTS WITHIN THE
FLOODPLAIN**

WHEREAS, Utah Code § 10-20-902(1)(a)(ii)(B) allows the City of Saratoga Springs, Utah (“City”) to require future land use applications to comply with ordinances not yet officially passed so long as the City has formally initiated proceedings to amend its ordinances in accordance with City procedures, thus protecting the City from misapplication of its land use ordinances; and

WHEREAS, this procedure is termed the “pending ordinance” doctrine in § 19.02.02(241) of the City’s Land Development Code; and

WHEREAS, section 19.02.02(241) of the Land Development Code states that the pending ordinance doctrine is initiated when an ordinance or zoning amendment has first been reviewed by the City Council and has been included or attached to a resolution indicating the Council’s intent to initiate proceedings to amend; and

WHEREAS, in conformance with Utah Code § 10-20-902(1)(a)(ii), section 19.02.02(241) of the Land Development provides that a pending ordinance is binding on any complete land use application or complete building permit application filed with the City prior to final approval of the pending ordinance; and

WHEREAS, the City Council wishes to: (a) invoke the pending ordinance doctrine; and (b) formally initiate proceedings to amend the Land Development Code; and (c) subject future land uses to the regulations being promulgated by the City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council as follows:

1. The Saratoga Springs City Council—in accordance with Utah Code § 10-20-902(1)(a)(ii) and Saratoga Springs Land Development Code § 19.02.02(241)—hereby formally initiates proceedings to amend the Land Development Code. Attached hereto as Exhibit A is an initial draft of the amendments to the Land Development Code.
2. The City Council requests that the Saratoga Springs Planning Commission—at the earliest available opportunity—consider the proposed changes and submit a recommendation to the Saratoga Springs City Council consistent herewith.

3. The City Council declares that uses and property in the City shall be subject to the regulations in Exhibit A being promulgated by the City Council, except as those regulations are otherwise amended during the amendment process.
4. This Resolution shall take effect immediately, and shall continue in effect for no longer than 180 days from the date of passage or until a final action by the City Council formally adopting the regulations in Exhibit A, whichever is sooner. During the time this Resolution is in effect, new applications shall be subject to the regulations in Exhibit A.

APPROVED and **PASSED** this 18th day of August, 2026.

SARATOGA SPRINGS CITY COUNCIL:

Mayor Chris Carn

Attest:

Nicolette Fike, City Recorder

EXHIBIT A



**SARATOGA
SPRINGS**
PLANNING

Planning Department Memorandum

TO: Mayor and City Council
FROM: David Jellen, Senior Planner
Kendal Black, Senior Planner
DATE: August 10, 2026
RE: Detached Accessory Dwelling Unit Work Session

Mayor and City Council,

The Utah State Legislature passed Senate Bill 284 (named “Local Land and Water Modifications”) on March 18, 2026, which requires cities with populations greater than 5,000 residents to permit Detached Accessory Dwelling Units (DADUs). The deadline for cities to update their ordinances is October 1, 2026. Applications will move forward automatically if cities fail to comply with the updates.

The new legislation parameters include:

- **Size Restrictions:** Cities may prohibit a DADU from being larger in size than the single-family dwelling unit on the same lot or parcel.
- **Lot Size Requirements:** DADUs are permitted on qualifying single-family lots of 11,000 square feet or larger.
- **Parking Requirements:** Cities may require up to two on-site parking spaces for DADUs, depending on the size of the DADU.
- **Design Standards:** Cities may require that a DADU be consistent in design with the design of the single-family dwelling.
- **Rental Restrictions:** Cities may prohibit DADUs from being rented for less than 90 consecutive days.
- **Utility Restrictions:** DADUs may be subject to utility capacity availability.

The Planning Department is seeking feedback from the City Council on the regulations above and others outlined in State Code for a future code amendment.

Exhibit 1 – State Legislative Code Update – Detached Accessory Dwelling Units

Effective 10/1/2026**10-21-304 Detached accessory dwelling units.**

- (1)
- (a) A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel.
 - (b) This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet.
- (2) A land use regulation described in Subsection (1) shall:
- (a) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and
 - (b) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable:
 - (i) dwelling and accessory structure setback requirements; and
 - (ii) building, health, and fire codes.
- (3) A land use regulation described in Subsection (1) may not:
- (a) require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone;
 - (b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;
 - (c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet; or
 - (d) include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618.
- (4) A land use regulation described in Subsection (1) may:
- (a) require a detached accessory dwelling unit to:
 - (i) conform to applicable land use regulations that regulate structure size, dimension, height, and maximum lot coverage;
 - (ii) conform to setback requirements, that may take into account proximity to property lines and other structures, easements, window orientation, massing, or other elements; and
 - (iii) be designed consistent with the design of the single-family dwelling;
 - (b) prohibit a detached accessory dwelling unit from being:
 - (i) larger in size than the single-family dwelling located on the same lot or parcel;
 - (ii) located within a public utility easement or other recorded easement;
 - (iii) located in a front-yard area of a lot or parcel; or
 - (iv) rented for less than 90 consecutive days;
 - (c) require that the owner of a lot or parcel where a detached accessory dwelling unit is located reside in the detached single-family dwelling or detached accessory dwelling unit located on the lot or parcel;
 - (d) require that when a detached garage is converted to a detached accessory dwelling unit, any parking spaces required for the single-family dwelling that were located within the detached garage are replaced on-site;
 - (e) prohibit more than one accessory dwelling unit on a lot or parcel; and
 - (f) prohibit a detached accessory dwelling unit if:
 - (i) the detached accessory dwelling unit will not have adequate access to a required utility service that is a project improvement, including sanitary sewer, culinary water, electrical, or storm water; or

- (ii) a utility service that is a system improvement, including sanitary sewer, culinary water, electrical, or storm water, to which the detached accessory dwelling unit is required to connect does not have sufficient capacity to support the addition of the detached accessory dwelling unit to the utility service system improvements.
- (5) This section does not supersede:
 - (a) a land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit;
 - (b) prohibitions or restrictions on detached accessory dwelling units in a development agreement signed by a municipality on or before May 6, 2026; or
 - (c) a land use regulation or administrative action that:
 - (i) is not prohibited by law; and
 - (ii) relates to a detached accessory dwelling unit.

Enacted by Chapter 166, 2026 General Session